

ORDINANCE NO. 152, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 24 ARTICLE IV OF THE CODE OF THE
CITY OF FORT COLLINS RELATING TO PORTABLE SIGNS

A. City Code currently regulates the permitting and placement of portable signs on City sidewalks in Article IV of Chapter 24 of the City Code. Since the time these provisions were last updated in 2009, issues have arisen as a result of the geographical growth of the downtown over the past fifteen years.

B. The City Code provides for a portable sign placement area shown on a map dated April 3, 2009, that has been on file in the office of the City Clerk. That map is outdated with the downtown area growth, and referring to a static map limits the ability to grow with the downtown area. This Ordinance uses the Downtown zone district as identified in the Land Use Code, as the portable sign placement area, allowing that defined area to grow along with the downtown area.

C. To obtain a sign permit, the City Code requires that an applicant must: (1) sign an indemnity agreement; (2) obtain a \$1 million insurance policy naming City as insured; and (3) pay an annual fee. Although there is a large number of portable signs downtown, only approximately 15% of them are permitted. This Ordinance lessens the burdens for obtaining a permit to encourage compliance. This Ordinance specifically continues the indemnity agreement requirement, removes the insurance requirement, provides for a one-time fee for the duration of the permit, and extends the validity of a permit to last as long as the indemnification statement remains valid or until revoked.

D. The City Code contains an outdated citation to the revocation section and does not provide guidance for when a permit may be revoked. This Ordinance adds criteria for permit revocation.

E. The City Code provides that the City Manager issues the portable sign permit and also considers any appeals of permit denials. This Ordinance provides that the City Engineer will issue and manage the permits and continues to provide that appeals go to the City Manager.

F. This Ordinance also updates the Code to conform to legal developments, including the enactment of new Colorado laws.

G. The City Council has determined that the changes to City Code herein improve the regulation of portable signs in the downtown area, ensure protection of individual rights, improve compliance with said regulations, and are in the public's, City's, and permittees' best interests to protect the safety and welfare of persons using downtown sidewalks, including persons entering and leaving buildings and persons providing essential utility and emergency services.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. Section 24-151 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 24-151. – Definitions.

The following words, terms and phrases, when used in this Article, shall have the meaning respectively ascribed to them in this Section unless the context otherwise clearly indicates:

Permittee shall mean the person authorized by the City and issued a portable sign permit to place a portable sign upon a City sidewalk or sidewalk railing and responsible for maintaining and otherwise attending to such sign.

Person shall mean any person or entity, including but not limited to a corporation, limited liability company, partnership, unincorporated association or joint venture.

Portable sign shall mean a sign that rests on the sidewalk or is attached to sidewalk railings and that is neither temporarily nor permanently affixed to the sidewalk or railing or to an adjacent building or structure.

Portable Sign Placement Area shall mean the area shown on the "Map of Portable Sign Placement Area" dated April 3, 2009, and on file in the office of the City Clerk the Downtown Zone District.

Sidewalk shall mean any surface provided for the use of pedestrians.

Section 2. Section 24-152 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 24-152. – Portable sign permit required.

It shall be unlawful for any person to erect, place or maintain any portable sign on or within any public right-of-way in the City except within the Portable Sign Placement Area pursuant to a permit from the City Manager Engineer approving the location, construction, stability and other aspects of such portable sign under the provisions of this Article. Any portable sign that has not been authorized by a valid permit issued by the City under this Article may be removed by the City without notice, notwithstanding any provision in § 17-42 of this Code to the contrary.

Section 3. Section 24-153 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 24-153. – Portable sign permits; term; transfer of permit.

~~(a) Portable sign permits may be issued only to the owner or proprietor of the business adjacent to the location where the portable sign will be displayed.~~

~~(a)~~^(b) Applications for a portable sign permit must be submitted to the City Manager ~~Engineer~~ in writing on a form provided by the City and shall be accompanied by:

~~(1) A certificate of insurance with a limit of at least one million dollars (\$1,000,000.) per occurrence, showing the City as an additional insured, covering any liability arising out of the placement or maintenance of the portable sign. The insurance carrier must be rated B+ or better. The application shall contain:~~

~~(a) The name and address of the applicant;~~

~~(b) The proposed location of the portable sign; and~~

~~(c) The signature of the applicant.~~

~~(2) A~~^a written statement, in a form satisfactory to the City Attorney, agreeing to indemnify and hold harmless the City, its officers and employees from any loss, liability or damage, including expenses and costs, for bodily or personal injury or property damage sustained by any person as a result of the installation, use or maintenance of the portable sign for which the permit is issued. Nothing herein shall be construed as a waiver of immunity as provided by the provisions of the Colorado Governmental Immunity Act, Section 24-10-101 et seq., C.R.S. ~~Upon approval of the application~~ ^{As a condition of issuance}, each permittee shall ~~must~~ pay an annual fee of ten dollars (\$10.) per permit prior to the issuance or renewal of the permit ^{a one (1) time fee of forty dollars (\$40) per permit for the duration in Subsection (c) of this Section.}

~~(b)~~^(c) The City Manager's ~~Engineer's~~ decision whether to issue or deny the issuance of a permit shall be made within fifteen (15) ^{business} days following the date that a complete application has been submitted to the City.

~~(c)~~^(d) Permits shall be valid for ~~one (1) year unless earlier~~ ^{so long as the permittee's indemnification statement under Subsection (a) of this Section remains valid or until revoked pursuant to § 24-10 § 24-156 of this Chapter or pursuant to Article IX, Section 44 Article XI, Section 10 of the Charter.}

~~(d)~~^(e) Permits ~~shall~~ ^{are} not be transferrable to another person or another location.

Section 4. Section 24-154 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 24-154. – Placement and removal of portable signs.

...

(b) No portable sign placed on the surface of a sidewalk may be placed, installed, used or maintained:

...

(5) On any portion of a utility cover, meter and/or valve box cover, vent cover for underground utilities or on any granite or other decorative sidewalk without special approval by the City Manager **Engineer**;

...

(8) At a location used for public utilities, transportation or other public or governmental purposes that, in the judgment of the City Manager **Engineer**, is incompatible with portable signs;

...

(c) Portable signs placed on the surface of a sidewalk shall not be secured to any City property such as a light pole, sign post or tree, and shall not be secured to the surfaces upon which they are situated by bolts, but must instead be secured by weight or other anchoring device approved by the City Manager **Engineer**, and shall not be anchored by penetration of soil beneath tree grates.

(d) No more than one (1) portable sign, or two (2) sign surfaces in the case of portable signs attached to sidewalk railings, shall be permitted for each **business-contained permittee** in the building that is adjacent to the location of the sign.

...

Section 5. Section 24-156 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 24-156. – Revocation.

(a) The City Engineer may revoke any permits issued hereunder:

(1) If conditions change so that the permit application could have been denied in the first instance;

(2) In the event of a local emergency under City Code § 2-666 or a national special security event under 6 USC § 601(9);

(3) If continuation of the permit presents a clear and present danger to the public;

(4) If it is in the City's or public's interest to revoke the permit; or

(5) For noncompliance with permit terms and conditions.

(b) The permittee is not entitled to a refund of any fees paid, and the permittee may be liable to pay additional costs incurred by the City due to the revocation.

(c) In the event that the Colorado Department of Transportation determines to take jurisdiction of the issuance of permits on sidewalks adjacent to state highways, and requests the City to revoke permits granted under this Article, the City Manager Engineer may summarily revoke any permits issued hereunder.

Section 6. Section 24-157 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 24-157. – Violations.

(a) Upon determination by the City Manager Engineer that a portable sign has been installed, used or maintained in violation of the provisions of this Article, the City Manager Engineer may order the permittee to correct the offending condition. Such order shall will be sent by facsimile transmission electronic mail or by registered mail, return receipt requested, to the permittee. The order shall will describe the offending condition, state the actions necessary to correct the condition and establish a date for compliance that is not less than five (5) working business days from the date that the order is sent to the permittee. The order shall will inform the permittee of the right to appeal pursuant to § 24-12 § 24-158 of this Chapter Article. The City Manager Engineer may remove the offending portable sign and revoke the portable sign permit if the permittee has not appealed the order or removed the sign by the date set for compliance in the order and the offending condition has not been cured by said date. The City Manager Engineer shall will cause an inspection to be made of any corrected condition of a portable sign or of a portable sign that is reinstated after removal under this Article Section.

(b) Any impounded portable sign shall will be treated as unclaimed property and disposed of by the City if not claimed within thirty (30) calendar days one (1) year of the date of impoundment.

Introduced, considered favorably on first reading on September 16, 2025, and approved on second reading for final passage on October 7, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: October 17, 2025

Approving Attorney: Heather N. Jarvis

Exhibit: None