

Obstruction Ordinance Talking Points

On August 15th, Fort Collins City Council will be voting on revisions to our Obstruction Ordinance. In addition to prohibiting real obstruction, this revised ordinance would prohibit sitting, kneeling, or lying within 20 feet of a business entrance anywhere in Fort Collins, whether or not any person's passage has in fact been impeded.

[...](c) For purposes of this Section, the term obstruct shall mean to render impassable or to render passage unreasonably inconvenient or hazardous. The term unreasonably inconvenient or hazardous as defined in Subsection (a) shall include, but not be limited to, sitting, kneeling, or lying within twenty (20) feet of the entrance to any business establishment during the business hours of that establishment, whether or not a particular person's passageway has, in fact, been impeded.

Every human being needs rest to survive. Laws that criminalize resting, sitting, lying down, and other universal human behaviors target the most vulnerable among us, violating human rights and pushing already-marginalized groups out of public spaces.

- [We agree that safe and clear passage is important throughout our city. However, this ordinance goes far beyond that.
- [Sitting within 20 ft of the entrance to a business is also known as simply resting. **Resting is not a crime.**
- [20 ft is the width of a two lane road. In most cases, it is far wider than even our most generous downtown sidewalk.
- [The ADA recommends 4-6 ft as an appropriate width for clear passage on a sidewalk.
- [It is absurd to define "obstruction" to include behavior that explicitly does not cause any impediment/obstruction.
- [If enforced, a ban on sitting, kneeling, or lying within 20 ft of a business entrance would effectively serve as a sit-lie ban throughout a significant portion of our downtown public spaces. Fort Collins has already said NO to a sit-lie Ban!
- [Laws that make sitting and lying down into crimes target the most vulnerable members of our community. We should be eliminating these laws, not expanding them.

Let's Make This Ordinance Better

- [City Council has an opportunity to make sure that their Obstruction Ordinance takes aim only at problematic behavior, and that it is not enforced in a discriminatory manner.
- [A very simple "fix" is available for this ordinance, so that our sidewalks can be clear AND our laws fair.

What You Can Do to Help

Join the ACLU of Colorado, the Fort Collins Community Action Network, the Fort Collins Homeless Coalition, and a swiftly-growing number of other community organizations in asking City Council to do a very simple thing: make our Obstruction Ordinance more fair.

Please Write to City Council (cityleaders@fcgov.com) and ask them to make the following changes:

1. Reduce the 20 ft zone to the ADA recommended 6 ft
2. Keep the ordinance focused on actual behavior by striking this portion:

"shall include, but not be limited to, sitting, kneeling, or lying within twenty (20) feet of the entrance to any business establishment during the business hours of that establishment, whether or not a particular person's passageway has, in fact, been impeded."

City Council votes on August 15th. **Join us for a demonstration outside City Hall, 300 LaPorte Ave., at 5pm on August 15th.**

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