

**TOWN OF BUENA VISTA, COLORADO  
ORDINANCE NO. 26  
(SERIES OF 2022)**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA  
AMENDING SECTIONS 6-124 AND 6-130 OF THE BUENA VISTA MUNICIPAL  
CODE REGARDING VIOLATIONS AND FIRE INSPECTIONS RELATED TO SHORT  
TERM RENTALS**

**WHEREAS**, the Board desires to clarify that it is unlawful to advertise an unlicensed short term rental; and

**WHEREAS**, the Board desires to address the time frame to obtain a fire inspection of a short term rental upon issuance of a short term rental license.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, THAT:**

**Section 1.** Section 6-124(b) of the Buena Vista Municipal Code is amended to read as follows:

(b) The application or renewal fees as established by the Board of Trustees shall be submitted with the application for a new license or renewal. Application and renewal fees will not be refunded if the application for a new license or renewal is denied.

**Section 2.** Section 6-124(e) of the Buena Vista Municipal Code is amended to read as follows:

(e) Once an application is reviewed, deemed complete, and all requirements of this Article are satisfied, the Town may issue a conditional approval of the license in writing to the applicant. Upon receipt of the conditional approval, the applicant shall have sixty (60) days from the date of the conditional approval to obtain a fire inspection of the structure proposed for a short term rental. If applicant fails to obtain a fire inspection within sixty (60) days, the application shall be deemed denied without further notification. Structures subject to a renewal application are not required to obtain a fire inspection, unless required to do so by the Town. If required to obtain fire inspection, renewal applicant shall be subject to the requirements of this subsection.

**Section 3.** Section 6-130 of the Buena Vista Municipal Code is amended to read as follows:

(a) It is unlawful for any licensee or occupant of a short-term rental to violate any provision of this Article or any other applicable provisions of this Code.

(b) It is unlawful for any person to operate a short-term rental without a license issued under this Article.

(c) It is unlawful for any person to offer, through advertisement or otherwise, a property for short term rental unless the property has a valid license under this Article.

(d) In addition to the enforcement provisions pursuant to Section 6-128, violations of this Article shall be subject to the penalties set forth in Section 1-72 of this Code. Each separate act in violation of this Article, and each and every day or portion thereof during which any separate act in violation of this Article is committed, continued, or permitted, shall be deemed a separate offense. Any remedies provided for in this Article shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law.

**Section 4.** Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any part or parts be declared unconstitutional or invalid.

**Section 5.** Safety. This Ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

**INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED** this 27<sup>th</sup> day of September, 2022.

**THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY (30) DAYS FROM PUBLICATION.**

TOWN OF BUENA VISTA, COLORADO

By: Libby Fay  
Libby Fay, Mayor

ATTEST:

Paula Barnett  
Paula Barnett, Town Clerk

