

**TOWN OF BUENA VISTA, COLORADO
ORDINANCE NO. 16
(SERIES OF 2021)**

**AN EMERGENCY ORDINANCE EXTENDING A TEMPORARY
MORATORIUM ON THE ACCEPTANCE, PROCESSING AND
APPROVAL OF ANY APPLICATION FOR SHORT-TERM RENTAL
LICENSES WITHIN THE TOWN**

WHEREAS, the Town of Buena Vista currently has a short-term rental licensing program;

WHEREAS, the Town had previously adopted a temporary moratorium on short term rental licenses through Ordinance No. 13, Series 2021 and that moratorium is set to expire on October 27, 2021;

WHEREAS, the Town has undertaken a significant review of the short-term rental licensing program and recently adopted Ordinance No. 15, Series 2021 to updated its short-term rental licensing program;

WHEREAS, Ordinance No. 15, Series 2021 will not take effect until November 7, 2021;

WHEREAS, the Board of Trustees desires to extend the moratorium adopted by Ordinance No. 13, Series 2021 until the new short term licensing program pursuant to Ordinance No. 15, Series 2021 is in effect; and

WHEREAS, the Board of Trustees desires to impose this extension effective immediately rather than in thirty (30) days because allowing new and renewal applications to be processed prior to the effective date of Ordinance No, 15, Series 2021 would undermine the Town's intent in adopting the new licensing provisions.

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

Section 1. Findings and Intent. The above and foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Board of Trustees of the Town of Buena Vista.

Section 2. Scope of Moratorium. This moratorium shall only apply to new and renewal short-term rental licenses within the Town.

Section 3. Imposition of Temporary Moratorium on Acceptance and Processing of Applications for Short-Term Rental Licenses. Effective upon the adoption of this Ordinance, the temporary moratorium imposed by Ordinance No. 13, Series 2021 upon the acceptance, processing and approval of all applications for short-term rental licenses is hereby extended through November 7, 2021, unless extended or shortened by further action of the Board of Trustees. Town staff is directed to refuse to accept for filing, and not to process or review, any such applications for short-term rental licenses during the moratorium period. Unless further extended by the Board

of Trustees, new or renewal license applications may be submitted to the Town on November 8, 2021.

Section 4. Authority. The Town Board hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to: (i) the Local Government Land Use Control Enabling Act, Article 20 of Title 29 C.R.S.; (ii) Part 3 of Article 23 of Title 31, C.R.S. (concerning municipal zoning powers); (iii) Section 31-15-103, C.R.S. (concerning municipal police powers); (iv) Section 31-15-401, C.R.S. (concerning municipal police powers); and (v) Section 31-15-501 C.R.S. (concerning municipal power to regulate businesses).

Section 5. Emergency Declaration. This Ordinance is being adopted as an emergency ordinance because delaying the effective date of the moratorium would allow new applications to be processed until the moratorium takes effect and would undermine the ability of the Town to adequately address the impacts of short-term rental licenses.

Section 6. 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 7. Safety. This Ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

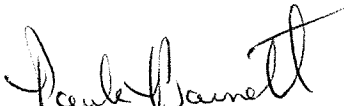
INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 12th day of October, 2021.

THIS ORDINANCE SHALL BECOME EFFECTIVE UPON ADOPTION.

TOWN OF BUENA VISTA, COLORADO

By: 
Duff Lacy, Mayor

ATTEST:


Paula Barnett, Town Clerk

