

**TOWN OF RED CLIFF, COLORADO
ORDINANCE 3, SERIES 2020**

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF RED CLIFF, COLORADO, AMENDING CHAPTER 16 OF THE RED CLIFF MUNICIPAL CODE TO INCLUDE A DEFINITION FOR SHORT TERM RENTALS THEREIN AND PROHIBITING SHORT TERM RENTALS IN RED CLIFF

WHEREAS the Town of Red Cliff, Colorado (the “**Town**”) is a statutory municipal corporation duly organized and existing under the laws of the State of Colorado and possessing the maximum powers, authority and privileges to which it is entitled under Colorado law;

WHEREAS, Chapter 16 of the Red Cliff Municipal Code (the “**Code**”) contains a list of zone districts and the uses permitted by right and those following special review approval in each zone;

WHEREAS, the Town staff has recommended to the Town Board of Trustees (the “**Board**”) include a definition for short term rentals in the Code in order to distinguish short term rentals from certain other uses such as, without limitation, residential dwelling unit, hotels and lodges and beds and breakfasts and prohibiting the same in Red Cliff;

WHEREAS, the Board finds that short term rental uses have different impacts on properties, both on those on which they are undertaken and neighboring properties alike, than hotels and lodges where there is central management, front desk and other central services and residential dwelling which create less trash, less parking pressures and do not require any property management services; and

WHEREAS, the Board finds that it is in the best interest of the health, safety and general welfare of the residents and visitors of Red Cliff that a definition for short term rentals be included in the Code in order to distinguish short term rentals from certain other uses such as, without limitation, residential dwelling units, hotels and lodges and beds and breakfasts and to prohibit the same in Red Cliff.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF RED CLIFF, COLORADO:

Section 1. The foregoing Recitals are incorporated by reference herein as findings and determinations of the Board.

Section 2. A new defined term is added to Section 16.2.20 that shall read as follows:

“*Short term rental* means the use of a dwelling, residential unit, accommodation unit, accessory unit, accessory structure or mobile home for transient lodging for a period of less than thirty (30) consecutive days and do not have the same impacts as residential uses, but instead have similar impacts as hotel and lodge use. Hotel, lodge and bed and breakfast uses shall not be deemed to be short term rentals.”

Section 3. New Section 16-4-80. A new Section 16-4-80 is added to the Code and shall read as follow:

“Sec. 16-4-80. Short Term Rentals.

No short term rentals shall be permitted in any zone district. In addition to any other penalties or fines permitted under the Code, conducting a short term rental in Town shall result in a \$100.00 per day fine.”

Section 3. Severability. If any part or provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which may be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are declared to be severable.

Section 6. Savings Clause. Except as amended hereby, the Red Cliff Municipal Code, as previously amended, shall remain valid and in full force and effect. Any provision of any ordinance previously adopted by the Town which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

INTRODUCED, TITLE READ IN FULL, APPROVED ON FIRST READING AND ORDERED POSTED IN FULL THIS 4th DAY OF FEBRUARY, 2020. A public hearing on the SECOND READING of this Ordinance No. 3, Series 2020, will be held at the regular meeting of the Board of Trustees of the Town of Red Cliff on the 3rd day of March, 2020, at 7:00 p.m. in the Town Hall of the Town of Red Cliff.

BOARD OF TRUSTEES OF TOWN OF
RED CLIFF, COLORADO

ATTEST:

Duke Gerber, Mayor

Barb Smith, Town Clerk

ADOPTED AND ORDERED PUBLISHED by a vote of ___ to ___ at a duly noticed public meeting held by the Town of Red Cliff Board of Trustees this 3rd day of March, 2020.

BOARD OF TRUSTEES OF TOWN OF
RED CLIFF, COLORADO

ATTEST:

Duke Gerber, Mayor

Barb Smith, Town Clerk