

Town of Silver Plume

ORDINANCE NO. 355

AN ORDINANCE AMENDING ORDINANCE NO. 353 ADOPTED ON JUNE 26<sup>th</sup>, 2023, BY THE BOARD OF TRUSTEES OF THE TOWN OF SILVER PLUME, COLORADO CONCERNING THE SHORT-TERM RENTAL OF RESIDENTIAL STRUCTURES WITHIN THE TOWN OF SILVER PLUME, TO AMEND SECTION 3(c) REGARDING THE DEFINITION OF THE LICENSE RENEWAL DEADLINE; AS WELL AS SECTION 10 (a) REGARDING THE MAXIMUM NUMBER OF LICENSES ALLOWED.

WHEREAS, the Town of Silver Plume (the “Town”) is a home rule municipal corporation created and organized pursuant to Article 20 of the Colorado Constitution and the Home Rule Charter of the Town of Silver Plume; and

WHEREAS, on July 11, 2022, the Board of Trustees of the Town adopted Ordinance No. 348 concerning the short-term rental of residential structures within the Town of Silver Plume; and

WHEREAS, on November 14, 2022, the Board of Trustees of the Town adopted Ordinance No. 349, which amended Ordinance No. 348 with respect to Section 3(a) concerning the definition of the “initial application deadline” and Section 6(f) concerning the time period for the Short-Term Rental Administrator to issue or deny a license; and

WHEREAS, on January 23, 2023, the Board of Trustees of the Town adopted Ordinance No. 350, which amended Ordinance No. 349 with respect to Section 3(a) concerning the definition of the “initial application deadline” to submit an application for a short-term rental license; and

WHEREAS, on March 27, 2023, the Board of Trustees of the Town adopted Ordinance No. 352, which amended Ordinance No. 350 with respect to Section 3(a) concerning the definition of the “initial application deadline” to submit an application for a short-term rental license; and

WHEREAS, on June 26, 2023, the Board of Trustees of the Town adopted Ordinance No. 353, which amended Ordinance No. 352 with respect to Section 3(a) concerning the definition of the “initial application deadline” to submit an application for a short-term rental license; and

WHEREAS, the Board of Trustees of the Town has determined that an amendment to Ordinance No. 353 is necessary with respect to Section 3(c) concerning the definition of the “license renewal deadline” to renew an application for a short-term rental license, as more fully set forth below, due to issues concerning staffing changes in the Town and the Town’s inability to secure a Short-Term Rental Administrator by the initial application deadline of September 30, 2023, and the desire of the Town to provide reasonable renewal timeframes; and

WHEREAS, the Board of Trustees of the Town has determined that an amendment to Ordinance No. 353 is necessary with respect to Section 10(a) concerning the maximum number of outstanding

licenses allowed within the Town, as more fully set forth below, due to issues concerning staffing changes in the Town and the Town's inability to secure a Short-Term Rental Administrator by the initial application deadline of September 30, 2023, and the desire of the Town to provide reasonable opportunity to interested applicants; and

WHEREAS, Ordinance No. 310, Section 4 of the Town provides for expedited procedures to adopt an ordinance if it is necessary to the immediate protection of the public health and safety, and, in such instance, to adopt the ordinance at the same meeting of the Town Board during which it is introduced upon proper notice; and

WHEREAS, proper notice was provided of the proposed amendment to Ordinance No. 353 as more fully set forth below and a reasonable opportunity has been afforded to all persons attending the meeting to ask questions about or comment on the proposed Ordinance No. 355 amending Ordinance No. 353; and

WHEREAS, the Board of Trustees finds that Ordinance No. 355 amending Ordinance No. 353 is necessary to the immediate protection of public health and safety. The Board of Trustees finds, determines, and declares that Ordinance No. 355 amending Section 3(c) "license renewal deadline", and Section 10(a) "maximum number of licenses allowed" set forth in Ordinance No. 353 is necessary to preserve and protect the health, welfare, safety, and economic well-being of the Town and its citizens, and to facilitate the administration of the Short-Term Rental Ordinance for the welfare and economic well-being of the Town and its citizens. The Board of Trustees further determines that the adoption of Ordinance No. 355 amending Ordinance No. 353 is in the best interests of the citizens of the Town. This Ordinance No. 355 amending Ordinance No. 353 shall be effective upon adoption; and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILVER PLUME, COLORADO:

**1. Section 3. (c) under "Definitions" is amended and replaced in its entirety to read:**

(c) "License Renewal Deadline" means each anniversary of the initial application deadline beginning on September 30, 2025. While an initial application may be received and approved at any time during the year, its renewal deadline shall be the next ensuing anniversary of the initial application deadline, beginning September 30, 2025. When a license renewal deadline falls on a Saturday, Sunday, or holiday, it shall be extended to the next regular business day.

**2. Section 10. (a) under "Maximum Number of Licenses, Wait List, Exception." is amended and replaced in its entirety to read:**

(a) The maximum number of outstanding licenses allowed within the Town at any one time shall be 20.

**3. Repeal.**

Existing Ordinances or parts of Ordinances covering the same matters as embraced in this Ordinance are hereby repealed and all Ordinances or parts of ordinances inconsistent with the provisions of this

Ordinance are hereby repealed.

**4. Severability.**

If any part, section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

INTRODUCED, ADOPTED, AND ORDERED PUBLISHED by the Board of Trustees of the Town of Silver Plume, Colorado on the 12<sup>th</sup> day of February 2024.

Town of Silver Plume, Colorado

Alessandria Regester  
Mayor Alessandria Regester

Attest:

Chelsea Nihiser  
Town Clerk Chelsea Nihiser

Seal:

