

## **ATTACHMENT 1**

### **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PITKIN COUNTY, COLORADO AMENDING TITLE 6 OF THE PITKIN COUNTY CODE TO ADOPT LAWS PERTAINING TO THE LICENSING AND REGULATION OF SHORT TERM RENTAL OF LODGING UNITS AND RESIDENTIAL PROPERTIES**

**ORDINANCE NO. \_\_\_\_\_-2021**

#### **RECITALS**

1. Pursuant to 30-35-301 C.R.S., the Board of County Commissioners (“BOCC”) of Pitkin County, Colorado a Home Rule County is authorized to make and publish ordinances for carrying into effect or discharging the powers and duties conferred upon such counties by law and as seems necessary.
2. Pursuant to Section 2.8.1 of the Home Rule Charter (“HRC”), the BOCC is authorized to take official action by Ordinance for certain matters where action is prescribed pursuant to the Colorado Revised Statutes as amended.
3. In 2020, the Colorado Legislature adopted an amendment to the County General Police Powers Statute and delegated to counties the ability to license and regulate lodge units rented for short-term stays.
4. This Regulation is established in order to license and regulate short term rental activity in unincorporated Pitkin County.
4. Authority to enact these regulations is specifically found in House Bill 20-1093, codified at C.R.S. § 30-15-401 (1)(s), which delegates to the counties of the State of Colorado the ability to license and regulate residential Dwelling Units used as Lodging Units for Short Term Stays.
5. To implement this delegation of authority these regulations are adopted in order to fully establish a system of registration, tax collection, and regulation of Short Term Rental activity for the health, safety and welfare of the citizens and property owners of Pitkin County.
6. These regulations do not apply or pertain to hotels, motels, lodges, resort cabins, guest ranches, country inns or bed and breakfast establishments as these are defined in the Pitkin County Code and the Land Use Code Chapter 11 in particular.
7. These regulations shall be adopted as Section 6.50 of the Pitkin County Code in substantially the form attached hereto as Attachment 2 and may be referred to as the “Pitkin County Short Term Rental Code”.

8. The Board finds that adoption of this ordinance is necessary for the preservation of the public health, safety and welfare of the citizens of Pitkin County and therefore declares this legislation to be effective March 31, 2022.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pitkin County, Colorado that it hereby adopts an Ordinance Amending Title 6 of the Pitkin County Code to Adopt Laws Pertaining to the Licensing and Regulation of Short Term Rental of Lodging and Residential Properties and authorizes the Chair or the Chair's designee to sign the Ordinance upon the satisfaction of the County Attorney as to form, and to execute any other associated documents necessary to complete this matter.

INTRODUCED AND FIRST READ ON THE 15TH DAY OF DECEMBER 2021 AND SET FOR SECOND READING AND PUBLIC HEARING ON THE 26TH DAY OF JANUARY 2022.

NOTICE OF PUBLIC HEARING AND TITLE AND SHORT SUMMARY OF THE ORDINANCE PUBLISHED IN THE ASPEN TIMES WEEKLY ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

NOTICE OF PUBLIC HEARING AND THE FULL TEXT OF THE ORDINANCE POSTED ON THE OFFICIAL PITKIN COUNTY WEBSITE ([www.pitkincounty.com](http://www.pitkincounty.com)) ON THE \_\_\_\_ DAY OF \_\_\_\_\_ 2022.

ADOPTED AFTER FINAL READING AND PUBLIC HEARING ON THE \_\_\_\_ DAY OF \_\_\_\_\_ 2022.

POSTED BY TITLE AND SHORT SUMMARY ON THE OFFICIAL PITKIN COUNTY WEBSITE ([www.pitkincounty.com](http://www.pitkincounty.com)) ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

PUBLISHED BY TITLE AND SHORT SUMMARY, AFTER ADOPTION, IN THE ASPEN TIMES WEEKLY ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

THIS ORDINANCE IS EFFECTIVE IMMEDIATELY UPON ADOPTION.

ATTEST:

BOARD OF COUNTY COMMISSIONERS

By \_\_\_\_\_  
Jeanette Jones  
Deputy County Clerk

By: \_\_\_\_\_  
Kelly McNicholas Kury, Chair

Date: \_\_\_\_\_

APPROVED AS TO FORM:

MANAGER APPROVAL

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John Ely, County Attorney

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Jon Peacock, County Manager