

ORDINANCE

AN ORDINANCE OF THE CITY OF MANITOU SPRINGS, COLORADO, IMPOSING A TWELVE MONTH MORATORIUM ON THE ISSUANCE OF CONDITIONAL USE PERMITS FOR VACATION RENTALS IN ALL ZONES

WHEREAS, the City is in the process of revising portions of its Master Plan, in particularly the portions on Recreation, Tourism, Economic Development and Housing;

WHEREAS, as part of this revision process, the City desires to study to appropriate methods for the issuance of conditional use permits for vacation rentals in all City zones and the impact short term rentals have on neighboring properties;

WHEREAS, the Local Government Land Use Control Enabling Act, C.R.S. § 29-20-101 *et seq.*, permits the City to impose a moratorium on land use applications, after a properly noticed public hearing, while it prepares the Master Plan revisions; and

WHEREAS, the City Council desires to impose a twelve month moratorium on the issuance of conditional use permits for vacation rentals to further study this use and its impact in the context of potential revisions to the City's Master Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:

Section 1: Upon the effective date of this ordinance and for a period of twelve months after, the City will not accept any applications for conditional permits for vacation rentals within all zones or issue any conditional use permits for vacation rentals within all zones. This moratorium will not affect conditional use permits that are valid on the effective date of this ordinance.

Section 2: For purposes of this moratorium, vacation rental means the rental or lease of any property, or portion thereof, for a period of less than thirty (30) days.

Section 3: 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 City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 4: The repeal or modification of any provision of Manitou Springs Municipal Code by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions,

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suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

Section 5: This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Section 6: This ordinance shall take effect five (5) days after final approval on second reading and publication.

Passed on first reading and Ordered Published this 17th day of March, 2015.

/s/Donna Kast
City Clerk

A Public Hearing on this ordinance will be held at the April 7, 2015 City Council meeting. The Council Meeting will be held at 7:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

A Second Public Hearing on this ordinance will be held at the April 14, 2015 Special City Council meeting. The Council Meeting will be held at 7:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: March 19, 2015 (in full)
City's Official Website and in City Hall

Passed on Second Reading and Ordered Published this 14th day of April, 2015.

Approved: /s/ Marc A. Snyder
Mayor and City Council

Attest: /s/ Donna Kast
City Clerk

Ordinance Published: April 16, 2015 (in full)
City's Official Website and City Hall