

STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB19

ORDINANCE NUMBER: 2022-19

TITLE: AN ORDINANCE AMENDING ARTICLE XX OF CHAPTER 6 OF THE BLACK HAWK MUNICIPAL CODE REQUIRING SHORT-TERM RENTAL PROPERTIES TO BE CONDUCTED ONLY IN THE APPLICANT'S PRIMARY RESIDENCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. The definition of "*Primary residence*" is added to Section 6-702 of the City of Black Hawk Municipal Code, and the term "*Short-term rental*" in Section 6-702 of the City of Black Hawk Municipal Code is amended to read as follows:

Sec. 6-702. Definitions.

As used in this Article, the following words shall have the meaning ascribed below:

Primary residence means the place in which a person's habitation is fixed for the term of the license and is the person's usual place of return. A person can have only one (1) primary residence.

Short-term rental shall have the same meaning as in Section 16-24 of the Black Hawk Municipal Code, except that such *short-term rental* shall be the applicant's primary residence.

Section 2. Section 6-706 of the City of Black Hawk Municipal Code is repealed and reenacted to read as follows:

Sec. 6-706. Health and Safety Standards.

Each short-term rental property shall be licensed and in compliance with all applicable standards established under this Article as follows:

- (a) A short term rental may only be operated in the applicant's primary residence.
- (b) Each short-term rental property shall have a posting of the following information in a conspicuous place and manner available to renters:
 - (1) The short-term rental license number;

- (2) The contact information for all emergency services;
 - (3) Fire escape routes (if a multi-story building); and
 - (4) Method and timing of trash disposal and recycling.
- (c) Each short-term rental shall ensure that the address number of the rental property is visible and easy to read from the road to the front of the building.
- (d) Each short-term rental shall ensure that all smoke and carbon monoxide detectors are in working order and in compliance with Article IX, Chapter 7 of this Code.
- (e) Each short-term rental shall ensure that fire extinguishers are present and maintained as required by the International Fire Code, as adopted in Section 18-2(b)(1).
- (f) Each short-term rental shall ensure that the property is serviced by water and sanitation systems that have been approved to meet all state health standards.
- (g) Each short-term rental shall ensure the exterior and interior of the property are in good repair, including, but not limited to, kitchen facilities that are provided which shall be maintained in good repair.
- (h) Each short-term rental shall ensure that there are no active hazards present.
- (i) Each short-term rental shall ensure that the property is pest and vermin free.
- (j) Each short-term rental shall be prohibited from any retail or commercial activities other than the short term rental of rooms as provided by this Article XX of Chapter 6.
- (k) Each short-term rental shall comply with the applicable provisions of the City's zoning and subdivision regulations with respect to adopted bulk standards, including, but not limited to, height, setbacks, area, lot coverage, external signage and parking.

Section 3. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

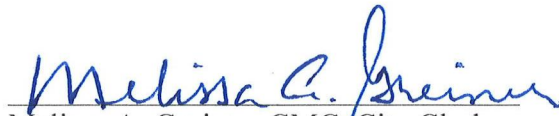
Section 4. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 5. Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

READ, PASSED AND ORDERED POSTED this 24th day of August, 2022.


David D. Spellman, Mayor

ATTEST:


Melissa A. Greiner, CMC, City Clerk

