

STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB4

ORDINANCE NUMBER: 2024-4

TITLE: AN ORDINANCE REPEALING ARTICLE XX OF THE CITY OF BLACK HAWK MUNICIPAL CODE, PROHIBITING SHORT-TERM RENTAL PROPERTIES IN THE CITY OF BLACK HAWK

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

Section 1. Section 6-701 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-701. Intent and purpose.

(a) It is the intent of the City Council to prohibit short-term rental properties in the City, effective on the effective date of the adoption of this amendment to Section 6-701, while allowing any such short-term rental properties existing and licensed as of the date of the adoption of this Section to continue as a legal nonconforming use until such uses are abandoned in accordance with Section 16-367 of the City of Black Hawk Municipal Code, or such licensed property is sold, whichever first occurs.

(b) This Article shall apply to short-term rental properties only as defined herein. This Article shall not apply to motels, hotels, bed and breakfasts, or other establishments providing lodging for the general public.

(c) This Article shall not supersede or affect any private conditions, covenants or restrictions applicable to a parcel of property.

Section 2. Section 6-703 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-703. Short-term rentals prohibited; License required for nonconforming short-term rentals.

(a) Use of property as a short-term rental is prohibited. Any property with a valid short-term-rental license under this Article XX of Chapter 6 of the Black Hawk Municipal Code existing as of February 14, 2024, shall be deemed a legal nonconforming use as set forth in Section 6-701(a) and Section 16-367 of the City of Black Hawk Municipal Code.

(b) A valid license is required for each short-term rental in the City. The City Clerk may require a certificate of occupancy in the City Clerk's discretion.

(c) Licenses shall be issued by the City Clerk, provided the requirements of this Article are met.

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 14th day of February, 2024.


David D. Spellman, Mayor

ATTEST:


Melissa A. Greiner, CMC, City Clerk

