

**TOWN OF RIDGWAY, COLORADO
ORDINANCE NO. 01-2025**

**AN ORDINANCE OF THE TOWN OF RIDGWAY, COLORADO
AMENDING SECTION 7-4 “ZONING REGULATIONS” OF THE RIDGWAY MUNICIPAL
CODE REGARDING SHORT-TERM RENTAL REGULATION AND AMENDING SECTION 8-
5 “SHORT-TERM RENTALS” OF THE RIDGWAY MUNICIPAL CODE**

WHEREAS, the Town of Ridgway, Colorado (“Town”) is a home rule municipality existing pursuant to the laws of the Colorado Constitution, the Colorado Revised Statutes and the Town's Home Rule Charter; and

WHEREAS, the zoning and land use powers conferred upon the Town by the State of Colorado as a Home Rule Municipality empower the Town to manage land use to ensure the public health, safety, and welfare; and

WHEREAS, the Town currently regulates land uses within the Town limits in accordance with Chapter 7 “Land Use Regulations” of the Ridgway Municipal Code (“RMC”), adopted pursuant to its Home Rule Constitutional authority and the Local Government Land Use Control Enabling Act of 1974, as amended, §§29-20-101, et seq. C.R.S; and

WHEREAS, the Town has determined that it is appropriate to amend RMC Subsection 7-4-6(N) “Short-Term Rental Regulations” to provide additional clarity and flexibility in our regulations; and

WHEREAS, the Town has determined that it is appropriate to amend RMC Section 8-4 “Short-Term Rentals” to provide additional clarity in Short-Term Rental (“STR”) license administration; and

WHEREAS, modifications to the Town’s Short-Term Rental Regulations will help advance *POLICY ECO-2.4: Ease of Doing Business* in the Town of Ridgway Master Plan; and

WHEREAS, modifications to the Town’s Short-Term Rental Regulations will help advance *POLICY ECO-3.2: Local Goods, Products, and Services* in the Town of Ridgway Master Plan; and

WHEREAS, Town staff held a Work Session with the Ridgway Planning Commission on January 7th, 2025 and received recommendations from the Planning Commission; and

WHEREAS, the Ridgway Town Council finds that this ordinance furthers and is necessary to promote the health, safety and general welfare of the Ridgway community.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF RIDGWAY, COLORADO the following:

Section 1. Recitals Incorporated. The above and foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Town Council.

Section 2. Amendment of Subsection (N) of Section 7-4-6. Subsection (N) of Section 7-4-6 of the Ridgway Municipal Code is hereby repealed and reinstated to read as set forth in *Exhibit A*.

Section 3. Amendment of Section 4 of Chapter 8. Section 4 of Chapter 8 of the Ridgway Municipal Code is hereby repealed and reinstated to read as set forth in *Exhibit B*.

Section 4. Codification of Amendments. The Town Clerk, as the codifier of the Town's Municipal Code, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Ridgway Municipal Code. The Town Clerk is authorized to correct, or approve the correction by the codifier, of any typographical error in the enacted regulations, provided that such correction shall not substantively change any provision of the regulations adopted in this Ordinance. Such corrections may include spelling, reference, citation, enumeration, and grammatical errors.

Section 5. Severability. If any provision of this Ordinance, or the application of such provision to any person or circumstance, is for any reason held to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable. The Town Council hereby declares that it would have passed this Ordinance and each provision thereof, even though any one of the provisions might be declared unconstitutional or invalid. As used in this Section, the term "provision" means and includes any part, division, subdivision, section, subsection, sentence, clause or phrase; the term "application" means and includes an application of an ordinance or any part thereof, whether considered or construed alone or together with another ordinance or ordinances, or part thereof, of the Town.

Section 6. Effective Date. This Ordinance shall take effect thirty (30) days after the date of final passage in accordance with Article 3-7 of the Ridgway Charter.

Section 7. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Ridgway, 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 Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

Section 8. No Existing Violation Affected. Nothing in this Ordinance shall be construed to release, extinguish, alter, modify, or change in whole or in part any penalty, liability or right or affect any audit, suit, or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing which may have been incurred or obtained under any ordinance or provision hereby repealed or amended by this Ordinance. Any such ordinance or provision thereof so amended, repealed, or superseded by this Ordinance shall be treated and held as remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions, for the enforcement of such penalty, liability, or right, and for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered, or made in such actions, suits or proceedings, or prosecutions imposing, inflicting, or declaring such penalty or liability or enforcing such right, and shall be treated and held as remaining in force for the purpose of sustaining any and all proceedings, actions, hearings, and appeals pending before any court or administrative tribunal.

Section 9. Publication. The Town Clerk is ordered to publish this Ordinance in accordance with Article 3-7 of the Ridgway Charter.

INTRODUCED AND REFERRED TO PUBLIC HEARING on February 12, 2025, and setting such public hearing for March 12, 2025, at Ridgway Town Hall, located at 201 N. Railroad Street, Ridgway, Colorado.

BY:

ATTEST:

John Clark, Mayor

Pam Kraft, Town Clerk

ADOPTED on _____, 2025.

BY:

ATTEST:

John Clark, Mayor

Pam Kraft, Town Clerk

APPROVED AS TO FORM:

Bo James Nerlin, Town Attorney

Exhibit A:

Amendment of Subsection (N) of Section 7-4-6 “Short-Term Rental Regulations”.

Exhibit B:

Amendment of Section 8-5 “Short-Term Rentals”.

SECTION 5 Short-Term Rentals

Subsections:

(Section enacted by Ord. 3-2017)

8-5-1 LICENSES REQUIRED.

- (A) Any property owner who rents out a bedroom or unit on a short-term basis within the Town shall be required to obtain a short-term rental license (hereinafter a "Short-Term Rental License") for each short-term rental unit from the Town. The property owner is responsible for prominently displaying the Short-Term Rental License number in all advertising/listing of the unit. The cost of such licensing and renewals shall be set by resolution of the Town Council. Short-Term Rental Licenses are nontransferable, except where upon death the property is transferred to an immediate family member, the short-term license may be transferred with the property.
- (B) All short-term rental units, except the short-term rental of a single bedroom inside an owner-occupied dwelling unit, are required to have and pass a health, safety, and welfare inspection by the Town Building Inspector. This inspection will be completed with the initial licensing and renewal licensing processes.
- (C) The total number of short-term rental licenses in the Town shall be limited to 50 at any one time. The short-term rental of a single bedroom inside an owner-occupied dwelling unit shall not be counted toward the maximum number of licenses to be issued.
- (D) Short-Term Rental Licenses shall be issued for a period of two years and subject to biannual renewal (every two years). Notwithstanding this two-year term, the Town may determine a more frequent licensing schedule is needed for any particular unit, and the initial term for licensing.

8-5-2 LICENSE FEES.

- (A) The local application and license fees for all short-term rental licenses issued, and applications submitted shall be enacted by Town Council resolution.
- (B) In addition to the above fees, the applicant/licensee shall reimburse the Town for all out-of-pocket costs incurred during review of the application, or license, including legal fees, consultant fees, postage, notice and publishing costs. The Town shall bill the applicant/licensee upon completion of the application or review process and completion of any conditions thereof. No application or license shall be finally approved until the bill is paid. Each bill shall be overdue 30 days after its date. Bills not paid by the due date shall accrue interest at the rate of one and one-half percent per month or part thereof. Such fees may be certified to the County Treasurer for collection as delinquent charges or collected in any other lawful manner.
- (C) The Town Council may revise such amounts by resolution based on costs incurred by the Town in the administration and enforcement of the short-term rental licensing and related provisions.

8-5-3 LICENSE ADMINISTRATION

- (A) All dwelling units, for Short-Term Rental Licenses issued, shall comply with applicable requirements of Town ordinances, including building and zoning regulations, inclusive of Chapter 7, 7-4-6 Supplemental Regulations, and this Section.

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- (B) The Town Council shall be the local licensing authority for the Town for Short-Term Rental Licenses. The Town Manager or their designee shall review and act upon all Short-Term Rental License applications without hearing.
 - (C) The Town Manager or their designee is hereby designated as the entity responsible for processing procedures and reviewing Short-Term Rental Licenses for compliance with Town ordinances and regulations.
 - (D) The Town Manager shall make reasonable rules and regulations in conformity with this Article for the proper administration and enforcement of Short-Term Rental Licenses.
 - (E) There shall be an owner's agent available to be at the unit within 20 minutes, who is on call full-time to manage the property during any period the unit is rented. The name, address and phone number of the agent must be kept current on file with the Town and posted in the short-term rental.
 - (F) The unit being rented shall be a dwelling unit, as defined pursuant to Section 9 shall not have more than five bedrooms, nor be used by any group containing more than ten people over the age of 18.

8-5-4 REVOCATION OF LICENSE.

- (A) The Town Manager may revoke or suspend a Short-Term Rental License. The following shall be prima facie evidence for revocation or suspension of a Short-Term Rental License:
 - (1) A holder of a Short-Term Rental License is in violation of the Town Municipal Code;
 - (2) A holder of a Short-Term Rental License has violated the rules and regulations for short term rentals, as established by the Town Manager;
 - (3) There have been two or more violations of Chapter 2, Section 1, the General Administrative Provisions of the Town Municipal Code, at the short-term rental;
 - (4) The holder of the Short-Term Rental License has failed to remit sales and/or lodging taxes.
- (B) In the event a licensee wishes to challenge the revocation or a suspension of a license by the Town Manager, they can request, in writing, an administrative hearing before the Town Council within 30 days of the license being revoked or suspended.
- (C) No license shall be issued to any property owner for whom a license has been revoked, until at least one year has elapsed since revocation. This will require application for a new license, which may not be available at the time of application.

7-4-6 SUPPLEMENTAL REGULATIONS.

- (N) Short-Term Rental Regulations.
 - (1) Intent and Purpose: Establish standards and procedures by which residential short-term rentals can be provided in a manner that protects both the quality of experience and the character of the Town. It is the Town's intent to establish short-term rental regulations to promote a mix of lodging options, support the local economy, while also upholding the integrity of the Town.
 - (2) Short-term rentals shall comply with the provisions of this Subsection (N) and shall be licensed per Chapter 8, Section 5 of the Municipal Code.
 - (3) Permitted Use of Short-Term Rentals:
 - (a) For short-term rentals outside of the "HB" Historic Business, "DS" Downtown Service, or "GC" General Commercial Districts, the structure involved:

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- (i) Shall be a single-family dwelling structure; or
 - (ii) Shall be a single residential unit in structures with mixed uses; or
 - (iii) Shall be a property with multiple dwelling units owned by the same owner, in which one of the dwelling units may be used as a short-term rental as long as at least one of the other dwelling unit(s) is/are owner occupied; and
 - (iv) Shall not be a multiple family dwelling or structure as short-term rentals are prohibited in multiple family structures in districts other than HB, DS, and GC.
 - (b) In the HB, DS, and GC Districts, a maximum of five short-term rentals are allowed per building or structure.
 - (4) Performance Standards for Short-Term Rentals:
 - (b) The unit shall have a minimum of two off-street parking spaces available and any additional spaces necessary to accommodate the tenant's vehicles off-street.
 - (d) Adequate animal resistant trash and recycling containers shall be provided, and information on placement for collection shall be provided in the short-term rental as stated in Ridgway Municipal Code Section 9-2.
 - (e) The unit shall be maintained in compliance with applicable Town ordinances and regulations. The rental of residential units as provided herein shall not unreasonably annoy or interfere with the use or enjoyment of public or private property or constitute a health or safety hazard.
 - (f) The owner must have current State and Town sales tax licenses, a Town business license, if at such time the Town has business licensing, and collect and remit sales taxes and lodging taxes.