

TOWN OF EMPIRE
Clear Creek County, Colorado
Ordinance 249

**AN ORDINANCE OF THE TOWN OF EMPIRE, COLORADO
ESTABLISHING A TEMPORARY MORATORIUM ON THE USE OF ANY
PROPERTY WITHIN THE TOWN OF EMPIRE FOR THE PURPOSE OF
SHORT-TERM RENTAL HOUSING**

WHEREAS, the owners of real property in the Town of Empire are increasingly using their property for rentals to individuals, groups or entities for a period of less than thirty (30) days (Short Term Rental(s)); and

WHEREAS, the Board of Trustees, with the help of the Planning Commission, and zoning officials, would like to research the potential impacts concerning the operation of Short Term Rentals within the Town including possible complaints about noise, parking, traffic, refuse, disturbance of the peace and other issues; and

WHEREAS, without understanding the potential negative impacts of Short Term Rentals on the Town of Empire it could have a negative impact on the quality of life and the health and welfare of the citizens of the Town of Empire; and

WHEREAS, the Board of Trustees, Planning Commission, and zoning officials need necessary time in order to develop appropriate Short Term Rental land use regulations for consideration by the Board of Trustees; and

WHEREAS, while appropriate regulations are developed it is the desire of the Board of Trustees to temporarily halt the establishment of any Short Term Rentals in the Town of Empire.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF EMPIRE, COLORADO, AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The aforementioned recitals are hereby fully incorporated herein.

- A. **Moratorium**. The Town shall, effective ^{June 20} May 16, 2017, not allow for any Short Term Rentals in the Town of Empire, and will halt the acceptance, processing and approval of applications for all Short Term Rental Licenses within the Town of Empire.
- B. **Sunset**. The moratorium declared herein shall expire automatically without further action by the Board of Trustees six (6) months after the date of adoption, unless repealed sooner by Board action.
- C. **Emergency**. The Board of Trustees hereby finds and declares that an emergency exists and that the public health, welfare, and safety require that this Ordinance shall become effective immediately after its final passage and publication.

INTRODUCED, READ AND PASSED ON FIRST READING at a Regular Meeting of the Board of Trustees of the Town of Empire, Colorado, held on the 16th day of May, 2017.

PASSED, ADOPTED AND APPROVED, on second reading and following public hearing, by the Board of Trustees of the Town of Empire, Colorado on the 20th day of June, 2017.

Mayor

APPROVED AS TO FORM:

Town Attorney

ATTEST: _____
Town Clerk

**NOTICE OF PUBLIC
HEARING
TOWN OF EMPIRE**

Notice is hereby given that the Empire Board of Trustees will hold a public hearing at 6:00 p.m. on Tuesday, June 20, 2017 at Empire Town Hall. The purpose of this hearing is to consider an Ordinance (249) establishing a temporary moratorium on the use of any property within the Town of Empire for the purpose of short-term rental housing. Interested persons are encouraged to attend and give comment at the public hearing.

Published in the Clear Creek Courant on May 31, 2017.

NOTICE - TOWN OF EMPIRE

The Empire Board of Trustees adopted Ordinance 249, AN ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON THE USE OF ANY PROPERTY WITHIN THE TOWN OF EMPIRE FOR THE PURPOSE OF SHORT-TERM RENTAL HOUSING.

at their regularly scheduled meeting on June 20, 2017
Effective immediately upon passage.

Published in the Clear Creek
Courant on June 28, 2017

TOWN OF EMPIRE
Clear Creek County, Colorado
Ordinance 248

**AN ORDINANCE OF THE TOWN OF EMPIRE CONCERNING THE TAKING OF ACTION
MINUTES FOR REGULAR BOARD OF TRUSTEE MEETINGS**

Whereas, the Town of Empire has directed staff to prepare action minutes for regular board of trustee meetings moving forward from the adoption of this ordinance; and

Whereas, all board of trustee meeting minutes will follow the same procedure;

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE
TOWN OF EMPIRE, COLORADO, AS FOLLOWS:**

SECTION 1. Definition

MINUTES: For purposes of the Town of Empire Code, the term minutes shall mean action minutes of the meeting of board of trustees. Action minutes shall mean motions, resolutions and/or ordinances, the vote of any motions, resolutions and/or ordinances, and the name of any citizens speaking under public comment and/or public hearings and their stance.

In case of conflict or need for clarification between the action minutes and the board of trustee meeting audio recording, the audio recording shall be consulted for interpretation. The audio recordings of meetings shall be kept in accordance with the Town of Empire Records Retention Policy, effective January 2011, following the Colorado Municipal Records Retention Schedule, as currently approved by the Colorado State Archives and as it may be revised and amended from time to time.

SECTION 2: Severability

If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance, including each part, section, subsection, sentence, clause or phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases may be declared invalid.

SECTION 3: Repealer

All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED, READ AND PASSED ON FIRST READING at a Regular Meeting of the Board of Trustees of the Town of Empire, Colorado, held on the 21st day of March, 2017.

PUBLIC HEARING held on the 21st day of March, 2017.

PASSED, ADOPTED AND APPROVED, on first reading and following public hearing, by the Board of Trustees of the Town of Empire, Colorado, on the 21st day of March, 2017.



Mayor

APPROVED AS TO FORM:



Town Attorney

ATTEST: 

Town Clerk