

**TOWN OF SILT
ORDINANCE NO. 6
SERIES OF 2022**

AN ORDINANCE OF THE TOWN OF SILT, COLORADO, AMENDING CHAPTERS 3.32 AND 5.04 OF THE SILT MUNICIPAL CODE PERTAINING TO LODGING TAX AND BUSINESS LICENSES IN ORDER TO FACILITATE THE OPERATION OF SHORT-TERM RENTALS IN THE TOWN.

WHEREAS, the Town of Silt ("Town") is a Colorado home rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Silt Home Rule Charter; and

WHEREAS, pursuant to C.R.S. Section 31-15-103, the Board of Trustees of the Town of Silt, Colorado has the authority to make and publish ordinances necessary and proper to provide for the safety, health, prosperity, and order of the Town; and

WHEREAS, the Board desires to amend the current Town of Silt Municipal Code ("Code") provisions pertaining to business licenses and lodging tax to address the growth of short-term rentals in the Town; and

WHEREAS, the Board desires to permit the use of residential properties in the Town for short-term rentals not to exceed thirty (30) consecutive days, provided that the residential property owner offering the short-term rental (1) applies for and receives a business license and (2) remits the applicable lodging tax to the Town; and

WHEREAS, the Town gave proper and timely published and/or posted notice of the dates and times of the public hearings at which Board considered this ordinance; and

WHEREAS, the Board has determined that the adoption of this ordinance and the amendments set forth herein are necessary and proper to provide for the safety, health, prosperity, and order of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILT THAT:

SECTION 1

Section 3.32.021 of the Silt Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language deleted~~:

* * *

"Lodging accommodation" means any room in a hotel, apartment hotel, bed and breakfast, lodging house, fractional fee club, time share, short-term rental of a private residence, motor hotel, guesthouse, guest ranch, trailer coach, mobile home, auto camp, or trailer court and park, or any such similar place that furnishes sleeping accommodations for commercial purposes.

* * *

"Lodging services" means the furnishing of rooms or accommodations by any person, partnership, association, corporation, estate, representative capacity or any other combination of individuals by whatever name known to a person who for a consideration uses, possesses, or has the right to use or possess any room in a hotel, apartment hotel, bed and breakfast, lodging house, short-term rental of a private residence, motor hotel, guesthouse, guest ranch, trailer coach, mobile home, auto camp, or trailer court and park, for a period of less than thirty (30) consecutive days under any concession, permit, right of access, license to use, or other agreement, or otherwise.

* * *

"Person" means any individual, firm, partnership, joint venture, corporation, estate or trust, receiver, trustee, assignee, lessee or any person acting in a fiduciary or representative capacity, whether appointed by the court or otherwise, or any group or combination acting as a unit, and includes a plural as well as a singular number.

"Short-term rental" means the rental or lease of an entire residential property or any portion thereof for a period of less than thirty (30) consecutive days in exchange for payment or consideration.

"Taxpayer" means any person obligated to account to the town for taxes collected or to be collected under the terms of this chapter.

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SECTION 2

Section 5.04.010 of the Silt Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language deleted~~:

For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meanings given in this section:

- A. "Business" includes all kinds of vocations, occupations, professions, enterprises, establishments and all other kinds of activities and matters, including the provision of a short-term rental as defined in section 3.32.021, together with all devices, machines, vehicles and appurtenances used therein,

any of which are conducted for private profit or benefit, either directly or indirectly, within the town.

- B. "Casual sale" means an individual, single or incidental transaction which in itself does not constitute the carrying on of business.
- C. "License" or licensee," include, respectively, "permit" or "permittee," or the holder for any use or period of time of any similar privilege, whether relevant to any provision of the ordinance codified at this chapter or any other ordinance of the town.

SECTION 3

All ordinances heretofore passed and adopted by the Board of Trustees of the Town of Silt, Colorado are hereby repealed to the extent that said ordinances, or parts thereof, are in conflict herewith.

SECTION 4

If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

INTRODUCED, READ, AND APPROVED ON FIRST READING this 24th day of January 2022, at 7:00 PM in the Town Hall, Town of Silt, Colorado.

PASSED, APPROVED ON SECOND READING, ADOPTED, AND ORDERED PUBLISHED following a continued public hearing this 14th day of February 2022, at 7:00 PM in the Town Hall, Town of Silt, Colorado.

TOWN OF SILT



Mayor Keith B. Richel

ATTEST:



Town Clerk Sheila M. McIntyre, CMC

