

**TOWN OF SILT
ORDINANCE NO. 9
SERIES OF 2022**

AN ORDINANCE OF THE TOWN OF SILT, COLORADO AMENDING SECTION 3.32.030 OF THE TOWN CODE TO IMPLEMENT A LODGING TAX INCREASE APPROVED BY VOTERS.

WHEREAS, the Town of Silt, Colorado (the "Town"), is a municipal corporation duly organized and operating as a home-rule municipality under its Town Charter and the Constitution and laws of the State of Colorado; and

WHEREAS, Section 3.32.030 of the Town Municipal Code ("Code") imposes a 2.5% lodging tax in the Town, the proceeds from which support the Town of Silt Beautification Fund; and

WHEREAS, Section 8-16 of the Town Charter authorizes the Board of Trustees to adopt or increase municipal taxes by ordinance, provided that the taxes or tax increases comply with the applicable limits in the Colorado Constitution; and

WHEREAS, Article X, Section 20 of the Colorado Constitution ("TABOR") requires voter approval for any increase in taxes; and

WHEREAS, At the April 5, 2022 regular municipal election, the eligible electors of the Town approved an increase in the Town's lodging tax from 2.5% to 5% through a vote on the following ballot language:

SHALL TOWN OF SILT TAXES BE INCREASED BY \$90,000 IN THE FIRST FISCAL YEAR (2023) AND BY SUCH AMOUNTS AS MAY BE GENERATED ANNUALLY THEREAFTER BY INCREASING THE TOWN LODGING TAX RATE FROM 2.5 PERCENT TO 5 PERCENT PER OVERNIGHT STAY, WHICH IS AN INCREASE OF 2.5 PERCENT, BEGINNING JULY 1, 2022; SHALL ALL REVENUES GENERATED THEREFROM, NET OF THE COSTS OF COLLECTION, BE DEPOSITED INTO THE TOWN OF SILT BEAUTIFICATION FUND, AN ENTERPRISE FUND SEPARATE AND DISTINCT FROM THE GENERAL FUND, AND BE USED, TOGETHER WITH THE INVESTMENT EARNINGS THEREON, FOR BEAUTIFICATION PURPOSES INCLUDING BUT NOT LIMITED TO:

- DEVELOPMENT AND MARKETING OF VISITOR IMPROVEMENTS AND ATTRACTIONS,
- SPECIAL EVENTS,
- BEAUTIFICATION PROJECTS AND HISTORIC PRESERVATION OF THE TOWN, AND
- THE GENERAL PROMOTION OF THE TOWN AND ITS ENVIRONS,

AND IN CONNECTION THEREWITH SHALL THE TOWN BE AUTHORIZED TO COLLECT AND RETAIN OR EXPEND THE PROCEEDS OF SUCH TAX AND INVESTMENT EARNINGS THEREON, NOTWITHSTANDING ANY APPLICABLE LIMITATION ON REVENUES AND EXPENDITURES, INCLUDING THE LIMITATIONS SET FORTH IN ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?

With the results of the vote being 189 Yes, 154 No; and

WHEREAS, the Board of Trustees has determined that it is in the best interests of the Town to amend the Town Code to increase the lodging tax rate from 2.5% to 5% as shown on **Exhibit A** to this Ordinance and that this increase complies with the applicable provisions of the Colorado Constitution and the Town Charter.

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

SECTION 1

The foregoing recitals are hereby incorporated into this Ordinance.

SECTION 2

The Town Code is hereby amended as shown in **Exhibit A**, which is attached to and incorporated into this Ordinance by reference. The amendment shall take effect on July 1, 2022.

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 9th day of May 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 23rd day of May 2022.

TOWN OF SILT


Mayor Keith B. Richel

ATTEST



Town Clerk Sheila M. McIntyre, CMC



EXHIBIT A

Additions shown in double underline; deletions shown in ~~strikethrough~~.

Section 3.32.030 - Imposition and rate of tax.

On and after July 1, ~~2008~~2022, there is levied and shall be paid and collected a tax of ~~two and one-half percent (2.5%)~~ five percent (5%) on the price paid or charged for the leasing or rental, for less than thirty (30) consecutive days, of any lodging accommodation in the town of Silt.