

ORDINANCE 03 – SERIES 2025

**AN ORDINANCE OF THE TOWN OF MINTURN,
COLORADO, AMENDING SECTIONS 6-7-20 AND 6-7-40 OF
THE MINTURN MUNICIPAL CODE AMENDING
REQUIREMENTS FOR APPROVAL OF A SHORT-TERM
RENTAL LICENSE.**

WHEREAS, the Town of Minturn, in the County of Eagle and State of Colorado (the "Town"), is a home rule municipal corporation duly organized and existing under laws of the State of Colorado and the Town Charter (the "Charter"); and

WHEREAS, the members of the Town Council of the Town (the "Council") have been duly elected and qualified; and

WHEREAS, Section 6-7-20 of the Minturn Municipal Code (the "MMC") sets forth the definitions for Chapter 6, Article 7 – Short-Term Rentals; and

WHEREAS, Subsection (d) of Section 6-7-40 of the Code requires that the owner of a short-term rental (STR) own the property for at least two years before filing a STR permit; and

WHEREAS, the Town wishes to amend the language of the MMC to exempt property owners who use thirty-three percent (33%) or less of their property as a STR from the two-year ownership requirement; and

WHEREAS, the Council finds and declares that the amendments of Sections 6-7-20 and 6-7-40 of the MMC set forth in **Exhibit A** and incorporated herein by this reference, to amend the ownership requirement for properties to be eligible for STR licenses, are in the best interests of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE
TOWN OF MINTURN, COLORADO, AS FOLLOWS:**

Section 1. Recitals. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Amendment of Sections 6-7-20 and 6-7-40. Sections 6-7-20 and 6-7-40 of the MMC are amended as shown in **Exhibit A**.

Section 3. Effective Date. Upon passage of this Ordinance, the provisions hereof shall become effective on February 26, 2025.

Section 4. Severability. If any section, subsection, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause, or provision shall in no manner affect any remaining provisions of this resolution, the intent being that the same are severable.

Section 5. Repeal of Inconsistent Laws. All orders, resolutions, bylaws, ordinances or regulations of the Town, or parts thereof, inconsistent with this resolution are hereby repealed to the extent only of such inconsistency.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 5th DAY OF FEBRUARY 2025. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 19th DAY OF FEBRUARY, 2025 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO



Earle Bidez, Mayor

ATTEST:

By: 

Jay Brunvand, Town Clerk



THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THIS 19th DAY OF FEBRUARY, 2025.

TOWN OF MINTURN, COLORADO



Earle Bidez, Mayor

ATTEST:

By: 

Jay Brunvand, Town Clerk



EXHIBIT A

Sections 6-7-20 and 6-7-40 of the Minturn Municipal Code are amended as follows with double underlined text added and ~~strike through text~~ deleted.

Sec. 6-7-20. Definitions.

When not clearly otherwise indicated by the context, the following terms, words, and phrases as used in this Article have the following meanings:

Property means any building, house, structure, or unit entirely consisting of residential “square-foot floor area” as that term is defined in Section 13-1-10.

Sec. 6-7-40. License restrictions.

(d) Two-year ownership. No property shall be licensed as a short-term rental unless the owner has owned the property for two (2) or more years before a license application is filed. Transfers to a trust where the owner of the property is the beneficiary of the trust or to a corporate entity where the owner of the property is the majority owner of the entity shall not constitute a break in the period of ownership. This section shall not be read to prohibit the long-term rental of properties (for periods in excess of thirty (30) days) within the first two (2) years of ownership. The short-term rental license is nontransferable with the sale of the property.

- (1) The 100-Block Zones are exempt from the two-year ownership restriction and can be licensed as a short-term rental immediately only on second floors and above and only if there is an active, licensed sales tax revenue generating commercial use on the ground floor of the structure.
- (2) Partial short-term occupancy. If the property owner wishes to use thirty-three percent (33%) or less of the “square-foot floor area” of the property, as that term is defined in Section 13-1-10, for short-term rental purposes, the owner may, upon compliance with the provisions of this Article, obtain a short-term rental license for up to thirty-three (33%) of the “square-foot floor area” without prior ownership limitations.



To: Town Council
From: Madison Harris
Date: February 14, 2025
Agenda Item: Ordinance 03 - Series 2025 (Second Reading) An Ordinance Amending Sections 6-7-20 and 6-7-40 of the Minturn Municipal Code Amending Requirements for Approval of a Short-Term Rental License.

REQUEST:

Council to approve on second reading Ordinance 03 - Series 2025 An Ordinance Amending Sections 6-7-20 and 6-7-40 of the Minturn Municipal Code Amending Requirements for Approval of a Short-Term Rental License.

UPDATE:

Council reviewed and approved this ordinance on first reading at their regular meeting of February 5, 2025. As part of that approval Council directed staff to remove everything proposed concerning occupancy requirements, leaving only the ability to immediately short term rent a portion of your house not to exceed thirty-three percent (33%). Staff requests that the Council approve the updated ordinance on second reading.

INTRODUCTION:

At the June 19, 2024 Council meeting, there was a discussion spurred by input received on the Community Survey in regards to Short Term Rentals and recommendations from Council members. Due to the breadth of that discussion, it was recommended that there be a separate discussion regarding 2-year residency requirements.

That discussion was had at the January 15, 2025 Council meeting.

ANALYSIS:

Since the introduction in 2017 of Minturn's Short Term Rental policy, little has changed. It has been observed that in the last couple of years, there have been a couple of instances where property owners will use the current 2-year ownership requirement as the time to go through the Design Review and Building Permit process, and, once they've received their Certificate of Occupancy, the two years have passed and the property immediately becomes a Short Term Rental.

At the January 15, 2025 Council meeting direction was given to draft an ordinance addressing two paths for short term rentals. 1. If the whole property is to be given a STR License then it must have functioned as a primary residence for the initial two year ownership, and 2. if only a portion of the property is to operate a STR License then as long as the rest of it functions as a primary residence then the two year ownership requirement is waived.

COMMUNITY INPUT:

In the Community Survey completed in April 2024 and presented to Council, many residents expressed worries about the impacts of short term rentals on the availability of locals housing. There were some suggestions for further tightening regulations on STRs and some residents felt the need for stronger enforcement.

BUDGET / STAFF IMPACT: TBD

STRATEGIC PLAN ALIGNMENT:

The comprehensive review of the Town's Short Term Rental regulations and processes aligns with the following key values:

- Transparency
- Collaboration
- Resourcefulness

Within the Council's priorities in the 2025-2027 Strategic Plan, under Affordability: Update STR regulations to require 2-year owner/local occupancy from time of C-O, not purchase date.

INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Vail Daily (Eagle Valley Enterprise Alternative)** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(970) 949-0555**.

Notice ID: zUrHiof0lacyPCWIF7kJ | **Proof Updated: Feb. 07, 2025 at 08:15am MST**
 Notice Name: 8CD09 Ord. 03 Series 2025

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER	FILING FOR
TOWN OF MINTURN treasurer@minturn.org (970) 827-5645	Vail Daily (Eagle Valley Enterprise Alternative)

Columns Wide: 1 **Ad Class:** Legals

Total Column Inches: 1.91

Number of Lines: 23

02/11/2025: Other	11.73
Affidavit Fee	10.00

Subtotal	\$21.73
Tax	\$0.00
Processing Fee	\$2.17
Total	\$23.90

ORDINANCE 03 – SERIES 2025
 AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO, AMENDING SECTIONS 6-7-20 AND 6-7-40 OF THE MINTURN MUNICIPAL CODE ESTABLISHING OWNERSHIP AND OCCUPANCY REQUIREMENTS FOR APPROVAL OF A SHORT-TERM RENTAL LICENSE

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THIS 19th DAY OF FEBRUARY, 2025.

TOWN OF MINTURN, COLORADO
 Earle Bidez, Mayor

ATTEST:
 Jay Brunvand, Town Clerk

PUBLISHED IN THE VAIL DAILY ON TUESDAY, FEBRUARY 11, 2025.

OFFICIAL AD PROOF

This is the proof of your ad scheduled to run in **Vail Daily (Eagle Valley Enterprise Alternative)** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(970) 949-0555**.

Notice ID: QLdpAabKPWJFKgUhFHDd | **Proof Updated: Feb. 21, 2025 at 10:32am MST**
 Notice Name: 8CD07 ORDINANCE 03 – SERIES 2025

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER	FILING FOR
TOWN OF MINTURN treasurer@minturn.org (970) 827-5645	Vail Daily (Eagle Valley Enterprise Alternative)

Columns Wide:	1	Ad Class: Legals
Total Column Inches:	1.5	
Number of Lines:	18	

02/25/2025: Other Notice	9.18
Affidavit Fee	10.00

Subtotal	\$19.18
Tax	\$0.00
Processing Fee	\$1.92
Total	\$21.10

ORDINANCE 03 – SERIES 2025 AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO, AMENDING SECTIONS 6-7-20 AND 6-7-40 OF THE MINTURN MUNICIPAL CODE AMENDING REQUIREMENTS FOR APPROVAL OF A SHORT-TERM RENTAL LICENSE.

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THIS 19th DAY OF FEBRUARY, 2025. TOWN OF MINTURN, COLORADO Earle Bidez, Mayor ATTEST: By: Jay Brunvand, Town Clerk

PUBLISHED IN THE VAIL DAILY ON TUESDAY, FEBRUARY 25, 2025.