

ORDINANCE NO. 22

Series 2021

AN ORDINANCE AMENDING SECTION 4-1-8-1 OF THE BRECKENRIDGE TOWN CODE
CONCERNING UNREASONABLE NOISE EMANATING
FROM AN ACCOMMODATION UNIT

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,
COLORADO:

Section 1. Section 4-1-8-1(A)(3) of the Breckenridge Town Code is amended to read as follows:

4-1-8-1: SPECIAL CONDITIONS OF LICENSE - ALL ACCOMMODATION
UNITS:

A. Special Conditions: Except as provided in subsection G of this section, in addition to the other requirements of this chapter, the owner of an accommodation unit licensed pursuant to this chapter shall, as a condition of such license, be subject to the following requirements:

...

3. No unreasonable noise shall be permitted to emanate from an accommodation unit or the real property upon which an accommodation unit is located. In determining whether a particular noise is unreasonable, the Hearing Official shall consider: (i) the time of the day that the noise emanated from the accommodation unit; (ii) the location of the noise in relation to the location of the person who heard such noise; and (iii) all other relevant factors.

Section 2. Section 4-1-8-1(B) of the Breckenridge Town Code is amended to read as follows:

B. Owner Liable: Compliance with the special conditions set forth in Subsection A of this Section shall be the nondelegable responsibility of the owner of an accommodation unit; and each owner of an accommodation unit shall be strictly liable for any violation of the special conditions set forth in Subsection A of this Section occurring on the premises of the owner's accommodation unit.

Section 3. Except as specifically amended hereby, the Breckenridge Town Code, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

Section 4. The Town Council hereby finds, determines and declares that this ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants thereof.

Section 5. The Town Council finds, determines, and declares that it has the power to adopt this ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution, and, particularly, Section 12.1 of the Breckenridge Town Charter.

Section 6. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
PUBLISHED IN FULL this 13th day of July, 2021.

This ordinance was published in full on the Town of Breckenridge website on July 16, July 17, July 18, July 19 and July 20, 2021.

A public hearing on this ordinance was held on July 27, 2021.

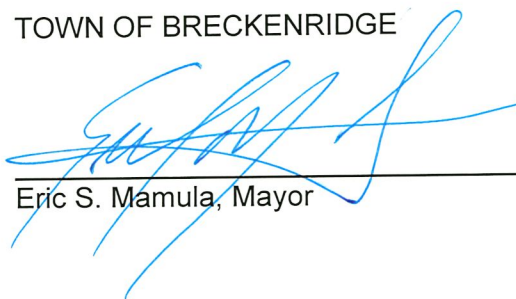
READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE
TOWN'S WEBSITE this 27th day of July, 2021. A copy of this Ordinance is available for
inspection in the office of the Town Clerk.

ATTEST:

TOWN OF BRECKENRIDGE



Helen Cospolich, CMC, Town Clerk



Eric S. Mamula, Mayor

APPROVED IN FORM



Town Attorney

7/27/21

Date

This Ordinance was published on the Town of Breckenridge website on July 29, July 30, July 31, August 1 and August 2, 2021. This ordinance shall become effective on September 1, 2021.