

ORDINANCE NO. 27

Series 2023

A BILL FOR AN ORDINANCE AMENDING THE MUNICIPAL CODE TO DISPLAY MERCHANDISE OUTDOORS.

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

Section 1. That section 9-7-4, entitled DEFINITIONS, is amended to read as follows:

BICYCLE: Every vehicle propelled solely by human power applied to pedals upon which any person may ride having two (2) tandem wheels or two (2) parallel wheels and one forward wheel, all of which are more than fourteen inches (14") in diameter. For purposes of the development code, the term "bicycle" includes ski bikes and electric bikes.

Section 2. That subsection C of section 9-7-6 shall be amended to read as follows:

C. Bicycles, Canoes, Kayaks, Paddleboards ("oversized outdoor equipment"): Oversized outdoor equipment for sale or rent may be displayed outdoors subject to a permit under the following conditions:

1. The person desiring to display oversized outdoor equipment shall obtain a class D minor development permit prior to any such display. The application for such permit shall include a site plan indicating where the oversized outdoor equipment to be displayed and where existing, approved and/or required landscaping is located or is to be located. If the applicant for the permit is not the owner of the property on which oversized outdoor equipment is to be displayed, the written consent of the property owner to the proposed application shall be submitted concurrently with the application.
2. The outdoor display of oversized outdoor equipment shall be confined to the private property of the business which is offering it for sale or rental.
3. No oversized outdoor equipment shall be hung from or on any exterior portion of a building or structure; provided, that oversized outdoor equipment may be so hung for storage purposes only if the applicant lacks sufficient space to otherwise store the oversized outdoor equipment and then only if the Community Development Director makes the following findings and incorporates such findings into the development permit as conditions:
 - a. The hanging of oversized outdoor equipment will be for storage purposes only and will not be used as signage or as an attention getting device.
 - b. The hanging of oversized outdoor equipment will not destroy any historic structure or significantly alter the historic character of a structure.
 - c. The hanging of oversized outdoor equipment will not hide a historic structure or significantly alter the historic character of a structure.
 - d. No rack for the hanging of oversized outdoor equipment will be mounted on a facade of a building which faces a street (not including an alley).
 - e. Oversized outdoor equipment will be hung so as not to constitute a safety hazard for pedestrians.
 - f. The oversized outdoor equipment to be hung will be screened in a manner appropriate for the location.

