

**TOWN OF BUENA VISTA, COLORADO
ORDINANCE NO. 14
(SERIES OF 2021)**

**AN EMERGENCY ORDINANCE IMPOSING A TEMPORARY
MORATORIUM ON THE ACCEPTANCE, PROCESSING AND
APPROVAL OF ANY APPLICATION FOR THE
CONDOMINIUMIZATION OF EXISTING BUILDINGS WITHIN THE
TOWN**

WHEREAS, the Town of Buena Vista currently has a limited process for the condominiumization of existing buildings;

WHEREAS, the Town desires to review and update the process for conversions of existing buildings into condominiums; and

WHEREAS, the Board of Trustees desires to prevent any new applications for condominiumization of existing buildings until it has time to review and possibly adopt new regulations; and

WHEREAS, the Board of Trustees desires to impose this moratorium effective immediately rather than in thirty (30) days because allowing new applications to be processed would undermine the ability of the Town to adequately address the process and impact of the condominiumization of existing buildings.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, THAT:

Section 1. Findings and Intent. The above and foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Board of Trustees of the Town of Buena Vista.

Section 2. Scope of Moratorium. This moratorium shall only apply to buildings which, at the time of this Ordinance, are fully constructed are under single ownership and have not submitted a land use application for condominiumization.

Section 3. Imposition of Temporary Moratorium on Acceptance and Processing of Applications for the Condominiumization of Existing Buildings. Effective upon the adoption of this Ordinance, a temporary moratorium is imposed upon the acceptance, processing and approval of all applications for the condominiumization of existing buildings. Town staff is directed to refuse to accept for filing, and not to process or review, any such applications for the condominiumization of existing buildings during the moratorium period. The moratorium shall remain in effect until February 24, 2022, unless extended or shortened by further action of the Board of Trustees.

Section 4. Authority. The Town Board hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to: (i) the Local Government Land Use Control Enabling Act, Article 20 of Title 29 C.R.S.; (ii) Part 3 of Article 23 of Title 31, C.R.S. (concerning

municipal zoning powers); (iii) Section 31-15-103, C.R.S. (concerning municipal police powers); (iv) Section 31-15-401, C.R.S. (concerning municipal police powers); and (v) Section 31-15-501 C.R.S. (concerning municipal power to regulate businesses).

Section 5. Emergency Declaration. This Ordinance is being adopted as an emergency ordinance because delaying the effective date of the moratorium would allow new applications to be processed until the moratorium takes effect and would undermine the ability of the Town to adequately address the impacts of and requirements for condominiumization of existing buildings.

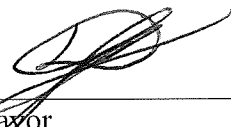
Section 6. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any part or parts be declared unconstitutional or invalid.

Section 7. Safety. This Ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

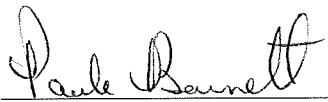
INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 24th day of August, 2021.

THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY (30) DAYS FROM PUBLICATION.

TOWN OF BUENA VISTA, COLORADO

By: 
Duff Lacy, Mayor

ATTEST:


Paula Barnett, Town Clerk

