ORDINANCE 378

AN EMERGENCY ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF IGNACIO, COLORADO, TEMPORARILY SUSPENDING THE SPECIAL USE PERMIT REQUIREMENT FOR VACATION RENTALS OF ENTIRE DWELLINGS AND INDIVIDUAL ROOMS, ESTABLISHING A TEMPORARY REGISTRATION PROCESS, AND DECLARING AN EMERGENCY IN RESPONSE TO FLOODING

WHEREAS, the Town of Ignacio (the "Town") is a Colorado statutory town with authority to regulate land use and to adopt ordinances necessary for the public health, safety, and welfare; and

WHEREAS, Chapter II, Section 4 of the Town's Land Use Code (the "Code") allows vacation rental homes in the AG, R-1, R-2, and R-3 zones only with a special use permit; and

WHEREAS, beginning on or about October 20, 2026 and continuing through November 2, 2026, the Town and surrounding areas of La Plata County received several inches of rainfall, which has caused the Pine River and associated drainages to exceed their banks, resulting in flooding in and around the Town that has destroyed homes and left others uninhabitable until they can be inspected and repaired; and

WHEREAS, on November 3, 2026 the principal executive officer of the Town declared a local disaster emergency arising from the flooding pursuant to C.R.S. § 24-33.5-709. On October 27, 2026 La Plata County declared a local disaster emergency. The State of Colorado declared a disaster emergency on October 22, 2026; and

WHEREAS, the displaced residents, their families, and the contractors, inspectors, and relief workers responding to the flood need short-term housing in or near the Town right away; and

WHEREAS, the special use permit process requires notice, a public hearing, and review that would take weeks or months, which is too slow to meet this need; and

WHEREAS, the Board of Trustees finds that temporarily letting property owners rent entire dwellings or individual rooms after a simple registration, while keeping basic safety and neighborhood standards in place, is necessary to protect the public health and safety;

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

Section 1. Findings and Declaration of Emergency

As required by C.R.S. 31-16-105, the Board of Trustees finds and declares that this ordinance is necessary for the immediate preservation of the public health and safety, for the following reasons:

1. Flooding has destroyed dwellings in the Town and made others unsafe to occupy until they are inspected and repaired.
2. Displaced residents, including families with children, older adults, and people with disabilities, need safe shelter now. Without it they face exposure, crowded conditions, or having to leave the community.
3. Recovery workers, inspectors, contractors, and utility crews need lodging near the Town to restore homes and infrastructure quickly.
4. There is too little hotel, motel, and long-term rental housing in and near the Town to meet the immediate demand.
5. The special use permit process for vacation rentals cannot be completed in time to provide this housing.

6. Any delay in the effective date of this ordinance would prolong displacement and slow recovery, endangering public health and safety.
This ordinance therefore takes effect immediately upon adoption by an affirmative vote of at least three-fourths of the members of the Board of Trustees.

Section 2. Temporary Authorization of Vacation Rentals; Registration
(a) Permit requirement suspended. While this ordinance is in effect, the special use permit requirement of Code Chapter 2 Section 4 (Vacation Rentals) is suspended. A "temporary vacation rental" may operate in the AG, R-1, R-2, and R-3 zones, and in any other zone where dwellings are allowed, after it is registered under subsection (c).
(b) Definition. A "temporary vacation rental" means renting, for compensation, either:
1. an entire dwelling unit; or
2. one or more bedrooms in a dwelling unit in which the owner or a long-term lessee lives during the rental.
A single stay may not exceed 180 consecutive days.
(c) Registration. Before the first rental, the owner shall file a registration form with the Town. The form shall include:
1. the property address and the owner's name and contact information;
2. whether the entire dwelling or individual rooms will be rented, and the number of bedrooms offered;
3. the name, address, and 24-hour telephone number of the local contact person required by Section 3;
(d) Existing permits. Vacation rentals that already hold a special use permit are not affected by this ordinance and need not register.

Section 3. Standards That Continue to Apply
Every temporary vacation rental shall meet the following standards. Unless this section says otherwise, they are the standards of Code Chapter 2 Section 4, with each reference to a "permit" read as a "registration."
(a) Occupancy. The number of occupants may not exceed the lesser of three (3) persons per on-site parking space, or two (2) persons plus two (2) persons per bedroom. For room rentals, the count includes the resident owner or lessee and their household.
(b) Life safety. Each rental shall have:
1. a working fire extinguisher;
2. working smoke alarms and carbon monoxide alarms as required by the Town's adopted building codes; and
3. at least one unobstructed emergency exit from each sleeping room.
(c) Taxes and licenses. The owner shall obtain a Town sales tax license and business license within 30 days after registration. The owner shall collect and remit all applicable sales taxes. Stays by households displaced by the flood are exempt from Town lodging tax.
(d) Inspection. The Administrator or Building Official may inspect a temporary vacation rental at a reasonable time, with reasonable notice to the owner, to confirm that it meets this section.

Section 4. Duration and Sunset
(a) This ordinance expires 180 days after its effective date unless the Board of Trustees repeals it or extends it by ordinance before then.
(b) When this ordinance expires, every registration issued under it ends. A temporary vacation rental must then stop operating unless the owner has applied for a special use permit under Code Chapter 2 Section 4. If an application was filed before expiration, the rental may keep operating until the Town makes a final decision on it.
(c) A tenancy that began before expiration may continue to the end of its agreed term, up to 60 days after expiration.
(d) A registration is not a vested right. It does not count toward, and does not prejudice, any later special use permit application.

Section 5. Enforcement and Revocation
(a) A violation of this ordinance is a violation of the Code and is subject to the penalties of Section 2.1.6.
(b) The Administrator may suspend or revoke a registration after written notice to the owner if the rental:
1. violates Section 3;
2. is the subject of repeated, verified complaints; or
3. poses a threat to health or safety.
The owner may appeal a revocation to the Board of Trustees within ten (10) days after receiving notice.
(c) Registrations may not be transferred and end automatically when the property is sold or changes ownership.

Section 6. Relationship to Code
This ordinance controls over any conflicting provision of the Code while it is in effect. All other provisions of Code Chapter 2 Section 4 and the Town's adopted building codes remain in full force.

Section 7. Severability
If any section, sentence, clause, or phrase of this ordinance is held invalid, the remaining provisions remain in effect. The Board of Trustees declares it would have adopted this ordinance and each part of it regardless of whether any one part is declared invalid.

Section 8. Effective Date
Under C.R.S. 31-16-105 and the findings in Section 1, this ordinance takes effect immediately upon adoption by an affirmative vote of at least three-fourths of the members of the Board of Trustees. It shall be published by Title Only, as permitted in Ordinance 313, adopted on February 11, 2014.

Section 9. Safety Clause.
The Board of Trustees hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance bears a rational relation to the legislative object sought to be obtained.

INTRODUCED, READ, PASSED, AND ADOPTED AS AN EMERGENCY ORDINANCE BY AN AFFIRMATIVE VOTE OF THREE-FOURTHS OF THE MEMBERS OF THE BOARD OF TRUSTEES OF THE TOWN OF IGNACIO, COLORADO, THIS 9TH DAY OF NOVEMBER, 2026.

TOWN OF IGNACIO, COLORADO

Alison deKay, Mayor

ATTEST:

Tuggy Dunton, Clerk/Treasurer