

**TOWN OF BLUE RIVER, COLORADO**

**ORDINANCE NO. 2023-04**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BLUE RIVER, COLORADO, AMENDING CHAPTERS 16 AND 16A, WHICH ARE PART OF THE LAND USE CODE, OF THE BLUE RIVER MUNICIPAL CODE, TO ADDRESS CAMPING AND USE OF VEHICLES FOR OVERNIGHT ACCOMMODATIONS**

**WHEREAS**, the Town of Blue River, Colorado (“Town”) is a statutory municipality incorporated and organized pursuant to the provisions of Section 31-2-101, et seq., C.R.S.; and

**WHEREAS**, in furtherance the public health, safety, and welfare of the inhabitants of the Town, the Board of Trustees of the Town adopted a Land Use Code in June of 2023; and

**WHEREAS**, the Town desires to protect the integrity of neighborhoods, preserve public streets, rights-of-way and parks for their intended public purposes, ensure the proper use of property in conformity with zoning and land use regulations, and promote the public health and safety; and

**WHEREAS**, camping on property within the Town can lead to congestion, unwanted noise, sanitation problems, unsightly visual conditions, and risk of fire, which is or may be inconsistent with the Town’s longstanding goal and policy of protecting the natural residential mountain character and environment; and

**WHEREAS**, the use of recreational vehicles for overnight accommodation is inconsistent with the Town’s longstanding goal and policy of protecting the natural residential mountain character and environment; and

**WHEREAS**, opportunities for overnight accommodation through camping and use of recreational vehicles are readily available in locations properly designated for such uses elsewhere in Summit County; and

**BE IT ORDAINED** by the Board of Trustees of the Town of Blue River, Colorado, as follows:

**Section 1.** **Amendment of Section 16-3-20.** Section 16-3-20 of the Municipal Code of the Town of Blue River titled *Definitions* is hereby amended to add the following definitions in alphabetical order as follows:

**Sec. 16-3-20. Definitions.**

*Camp or camping* means to use property other than a *dwelling unit* for permanent or temporary living accommodation, which may include, but is not limited to, one or more of the following activities and circumstances:

(1) sleeping or preparing to sleep, including lying down of bedding for the purpose of sleeping; (2) occupying a shelter outside of a *dwelling unit*. “Shelter” shall mean any cover or protection from the elements other than clothing, such as a tent, yurt, tarpaulin, shed, shack, sleeping bag, bedroll, blanket, or other structure or material; (3) the presence or use of a campfire, camp stove, or other heating source or cooking device; (4) keeping or storing personal property.

*Recreational/Camping Vehicle* means a *motor vehicle* or a portable unit or structure mounted on a chassis and wheels, which either has its own motive power or is mounted on or drawn by another vehicle, such as a travel trailer, fifth wheel trailer, camping trailer, campervan, coach, popup camper or motor home designed as or intended for permanent or temporary living quarters and often used for recreational, camping, travel, or seasonal use.

**Section 2. Article 22 of Chapter 16A is added to read in full as follows:**

**Article 22 Camping and Recreational/Camping Vehicles.**

**Sec. 16A-22-10. Camping Generally Prohibited.**

It shall be unlawful for any person to *camp* on any private or public property, except that it shall not be unlawful if such activity is conducted:

- (1) By the owner or lessee of a lawful principal permitted residential *dwelling unit* and/or their invitees as an infrequent use on the same property, so long as no compensation or consideration is provided for the activity. “Infrequent” shall mean two (2) or fewer consecutive nights and no more than eight (8) nights in a calendar month. The purpose of the exemption is to permit an owner or lessee of residential property to use a tent or other similar form of shelter for overnight stay by persons related to the owners or invited to the property such as children or friends. This exemption shall not apply to property subject to a Short-Term Rental License (see Article I of Chapter 6 of the Municipal Code) for any period during which the property is leased or rented as a short-term rental.
- (2) Pursuant to a permit issued by the Town Manager in accordance with the Municipal Code or for special events approved by the Board of Trustees.

**Sec. 16A-22-20. Use of Vehicles for Overnight Accommodation.**

- (1) Except as provided in section 2, no person shall occupy a *motor vehicle* or a *Recreational/Camping Vehicle* upon any municipal street, state highway, alley, public right-of-way, public property, or private property for the purpose of providing a residence, residential living or sleeping quarters or storage, or for overnight accommodation whether temporary or permanent. The name, type, nature, or operational condition of any given *motor vehicle* or *Recreational/Camping Vehicle* shall not be conclusive as to whether a vehicle is being occupied for living or sleeping quarters or other residential use.
- (2) Residents of the subject property and/or their invitees may occupy a *Recreation/Camping Vehicle* for overnight accommodation on private property for infrequent use on property that has a lawful principal permitted residential *dwelling unit*, so long as no compensation or consideration is provided for the activity. “Infrequent” shall mean two (2) or fewer consecutive nights and no more than eight (8) nights in a calendar month. This exemption shall not apply to property subject to a Short-Term Rental License (see Article I of Chapter 6 of the Municipal Code) for any period during which the property is leased or rented as a short-term rental.

**Section 3. Severability.** Should any one or more sections or provisions of this Ordinance or of the Code provisions enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance or of such Code provision, the intention being that the various sections and provisions are severable.

**Section 4. Repeal.** Any and all Ordinances or Codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such Ordinance or Code or part thereof shall not revive any other section or part of any Ordinance or Code provision heretofore repealed or superseded.

**Section 5. Minor Revision or Correction Authorized.** The Town Manager, in consultation with the Town Attorney, is authorized to make minor revisions or corrections to the codified version of the provisions of this Ordinance provided that such revisions or corrections are grammatical, typographical, or non-substantive and do not alter or change the meaning and intent of this Ordinance.

**Section 6.** **Effective Date.** The provisions of this Ordinance shall become effective thirty (30) days after publication following the final passage.

**INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED** at a regular meeting of the Board of Trustees of the Town of Blue River, Colorado, held on the 21st day of November, 2023.

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Mayor

ATTEST:

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Town Clerk

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