

CHAPTER 26-148 COMMUNITY HOUSING

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Sec. 26-148(a). Purpose.

The purpose of this Section is to ensure that a reasonable amount of Community Housing is provided in the City of Steamboat Springs that meets the needs of all economic groups. This is accomplished through the establishment of regulations that require either (a) the set-aside of a portion of new residential development for Community Housing purposes, or (b) a financial equivalent, as a condition of approval. This Section also provides incentives and concessions for Community Housing. It is the City's intent that Community Housing is intermingled throughout the City and is not concentrated in one area of the City. Where alternatives to the on-site provision of such housing are determined to be more practical, efficient, and equitable, this Section will set forth standards for off-site housing, the dedication of land, or the payment of a fee in lieu or other financial equivalent as compliance methods.

Sec. 26-148(b). Definitions.

When used in this Section, the following words and phrases shall have the specific meaning as defined in this section:

Accommodations shall mean any hotel, lodge or similar building in which rooms without kitchens are rented on a nightly basis; each room in which beds are located shall be considered a room.

Affordable shall mean the total monthly housing payment that can be managed comfortably by low to moderate income households so as not to encounter financial difficulties that jeopardize their overall financial status or lead to foreclosure.

AMI shall mean the area median income for Routt County as published annually by the Department of Housing and Urban Development and updated annually.

Community Housing shall mean units restricted for occupancy by eligible households that meet size, rental and for-sale price requirements and that are deed restricted in accordance with a covenant approved by the City Council of the City of Steamboat Springs.

Community Housing Guidelines shall mean the document that contains procedures and guidelines for complying with the requirements of this Section, updated at least annually.

Deed Restriction shall mean a contract entered into between the City of Steamboat Springs or their designee with the owner or purchaser of real property which is developed or to be developed for permanently affordable community housing and identifies the conditions of occupancy, rental, sale and resale. Deed Restrictions for rental units shall include a provision conveying an interest in the unit or units to the Program Administrator meeting the requirements of §38-12-301, 10 C.R.S. (1999). Such interest may include:

1. A fractional undivided ownership or trustee interest provided that Program Administrator shall be indemnified against any and all liability by reason of its interest.
2. A lease to Program Administrator of the unit or units with authorization to Program Administrator to sublet pursuant to Community Housing Guidelines, provided that Program Administrator assumes no liability by reason thereof. Program Administrator may in its sole discretion accept or reject any proposed conveyance or lease pursuant to this Section.

Development shall mean:

1. The construction, improvements, alterations, installation, erection, restoration, change of color or building materials, or expansion of any building, structure or other improvement including utility facilities;

2. The demolition or destruction by voluntary action of any building, structure, or other improvement;
3. The grading, excavation, filling or similar disturbance to the ground level, change of drainage without limitation, change of grade, change of ground level, change of drainage pattern, or change of stream bed;
4. Landscaping, planting, clearing, or removing of natural vegetation or revegetation including trees, shrubs, grass, or plants; or
5. Any change in use that may alter the character, use, or appearance of a parcel of land.

Eligible Household shall mean a household that is comprised entirely of one or more residents of Routt County with gross income that does not exceed guidelines established annually based upon the AMI; 80% of the household's income must consist of wages and salaries earned within Routt County or distribution of profits from business operations within Routt County unless the household is headed by a retired or disabled resident.

Employee Unit shall mean a unit that is rented and, that is restricted on the deed of the property for continuous occupation by at least one employee employed at least 30 hours per week at one or more businesses (or self-employed) located within Routt County, or a retired employee who has ceased active employment but was a full-time employee in Routt County for a minimum of two years immediately prior to his or her retirement.

Existing Unit shall mean a unit located within the City, which existed prior to the development which requires Community Housing.

Fee in Lieu shall mean the payment of a fee in place of other compliance methods as set forth in § 26-148(g)(6). All fees in lieu of other compliance methods shall be paid directly to the City to be used for the provision of affordable housing.

Free Market Units shall mean residential units upon which there are no restrictions on the occupancy, price or resale.

Full Time Equivalent (FTE) shall mean the conversion of part-time work hours to the equivalent number of full-time work hours based on a forty (40) hour work week.

Gross Income shall mean the total income of a household derived from employment, business, trust or other income producing assets including wages,

alimony and child support, distributions and before deductions for expenses, depreciation, taxes and similar allowances.

Household shall mean all individuals who will be occupying the unit regardless of legal or familial status.

HUD shall mean the US Department of Housing and Urban Development.

Inclusionary Zoning shall mean the mandatory provision of Community Housing units, or financial set-aside, as a quid pro quo for development approval.

Income Limits shall mean the income amounts on which the eligibility of households is based expressed as percentages of the AMI and in absolute dollar amounts, updated annually and contained in the Community Housing Guidelines.

Interim Covenant shall mean a covenant placed on lots or parcels that conveys the conditions of the deed restrictions that will be filed upon Community Housing units built on the lots or parcels.

Off Site shall mean a location for Community Housing units other than the parcel, or lot where the residential development that generates the requirement for Community Housing units is located. Off site location is to be within the municipal boundaries of the City of Steamboat Springs.

Permanently Affordable shall mean a unit that is deed-restricted and available to income-eligible households. This may be accomplished through income limitations, contractual agreements, restrictive covenants, and resale restrictions, subject to reasonable exceptions, including, without limitation, subordination of such arrangements, covenants, and restrictions to a mortgagee. No unit shall be considered as permanently affordable until the City Council has approved the location and techniques used to ensure that the unit will remain affordable.

Plat shall mean a map and supporting materials of described land prepared in accordance with subdivision regulations as an instrument for recording of real estate interests with the county clerk and recorder.

Price-Cap shall mean a deed-restriction limiting maximum resale price to an annual increase as defined in the Community Housing Guidelines.

Program Administrator shall mean the City of Steamboat Springs, or its designee.

Real Estate Transfer Fee ("RETF") shall mean a voluntary fee imposed upon the units in a project by a Developer in satisfaction of a portion of the Compliance Methods set forth in § 26-148(g).

Redevelopment shall mean the removal or demolition of existing structures buildings, residential units, rental units, and commercial units for the purpose of reconstruction of a new development on the same site.

Resale Controls shall mean deed restrictions or mortgage provisions that limit the maximum resale price of a Community Housing unit.

Square Feet shall mean the sum of the gross horizontal floor areas of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings.

Unit shall mean a structure or portion of a structure, other than a mobile home, that is designed, occupied or intended to be occupied as living quarters and includes facilities for cooking, sleeping and sanitation; but not including hotels, motels, clubs, boarding houses, or any institution where human beings are housed by reason of illness or under legal restraints.

Unit - Duplex shall mean a single building containing two (2) separate single family residential dwelling units where the two units are connected by heated enclosed space, such as a garage, mud-room or other fully enclosed space that results in a common wall a minimum of twelve (12) feet in length.

Unit - Multi-family shall mean a residential building designed for or occupied by three (3) or more families, maintaining independent access to each unit and separate living, kitchen and sanitary facilities.

Unit - Single-family shall mean a dwelling designed for, or used as a dwelling unit exclusively by one family as an independent housekeeping unit. A Single Family Dwelling Unit contains no more than one dwelling unit and does not include Mobile Homes.

Sec. 26-148 (c). Applicability.

Community Housing shall be required as a condition of approval for all developments that contains the addition of three (3) or more residential units, including, without limitation: annexations, development plans, final development plans, preliminary plats, and final plats. The amended provisions of this Section 26-148, entitled "Community Housing" shall not apply to any development for which a completed application has been received prior to the effective date of the ordinance

adopting these provisions, unless the Developer elects to avail itself of the new, amended provisions.

Sec. 26-148 (d). Exemptions.

The following development is exempt from the requirements of this Section:

- 1) *Community Housing.* Community Housing units as defined herein are exempt from the requirements of this Section.
- 2) *Secondary Units.* Secondary units shall be exempt from the requirements of this Section.
- 3) *Institutional Uses.* Institutional uses listed in Sec. 26-92, Use Classification Table, shall be exempt from the requirements of this Section.
- 4) *Redevelopment.*
 - a. Inclusionary Zoning: For developments that involve demolition of existing residential units, the minimum requirements of this Section shall apply to the increase in net saleable square footage divided by 1,450 square feet multiplied by 15% provided that construction of the new development commences within three years of the demolition.
- 5) *Employee Units.* Employee units shall be exempt from the requirements of this Section.
- 6) *Change of Use.* The change from one use to another is exempt.
- 7) *Vested Approvals.* Development permits with vested approvals and development in accordance with development permits with vested approvals pursuant to Section 26-4(d)(1), development in substantial conformance with development permits with vested approvals pursuant to Section 26-4(d)(1), and development in accordance with revised vested approvals in accordance with Section 26-4(d)(2), shall all be exempt from this Section.
- 8) *Existing Agreements.* All residential developments for which agreements for the development of Community Housing had been executed prior to the adoption of this ordinance shall be exempt from the requirements of this Section unless major alterations as defined by Sec. 26-402 (a) Substantial Conformance are made.

Sec. 26 – 148 (e). Minimum Requirements.

The minimum Community Housing requirement for development in all zoning districts shall be determined according to the following:

- 1) Inclusionary: All new developments with three (3) or more additional residential units shall set aside units for Community Housing, as follows:
 - a. Fifteen percent (15%) of all single-family units shall be developed as Community Housing for sale or rent to eligible households;
 - b. The following percentages of all new multi-family units shall be developed as Community Housing for sale or rent to eligible households:

| Market Rate Unit Size (Gross Floor Area) | Number of Affordable Housing Units to be Provided Per Market Rate Unit |
|---|---|
| < 999 | .05 |
| 1,000 – 1,500 | .10 |
| 1,501 - 2,000 | .15 |
| 2,001-3,000 | .17 |
| 3,001-4,000 | .20 |
| ≥ 4,001 | .25 |

Sec. 26 – 148 (f). Income Eligibility.

Community Housing required by this Chapter shall be permanently deed restricted, in accordance with a deed restriction enforceable in the State of Colorado, as approved by the City Council, to rental or ownership and occupancy by eligible households with incomes as follows:

- 1) Inclusionary Requirements: Between thirty (30% and one-hundred and fifty percent (150%) of AMI, with an average of the Community Housing units being permanently deed restricted for ownership or rental and occupancy by eligible households with incomes as recommended on a semi-annual basis by the Program Administrator and approved by City Council. Generally, units for households at or below 60% AMI will be designated as rental units, units for households at or above 120% AMI will be designated as

ownership units and units for households between 60 and 120% AMI will be a mixture of rental and ownership units.

The mix of units within these ranges shall be adjusted semi-annually to meet community need as determined by the Program Administrator.

Sec. 26 – 148 (g). Compliance Methods.

There are multiple ways by which each of the housing requirements can be satisfied. Options are provided to allow flexibility, maximize project-financing alternatives, and provide opportunities to creatively achieve the City's goals and objectives for housing.

1. **Develop Units.** In the case of single-family/duplex subdivisions, directly develop the lots with single-family detached or duplex units priced initially in targeted range, or transfer ownership of lots to builders who, in accordance with the interim covenants filed on the lots, must develop them in accordance with this Section. In the case of multi-family developments, directly develop the multi-family dwellings priced for sale to eligible households.
2. **Develop Units Off-Site.** In the case of single-family/duplex subdivisions, develop single-family detached or duplex units priced initially in targeted range off-site, but within the municipal boundaries of the City of Steamboat Springs. In the case of multi-family developments, develop the multi-family dwellings off-site, but within the municipal boundaries of the City of Steamboat Springs priced for sale to eligible households. The number of Community Housing units developed must equal 100% of the required number of units.
3. **Dedication of Lots On-Site.** Dedicate lots on site to the City of Steamboat Springs provided that there are no covenants, restrictions, or issues that would limit the construction of Community Housing units on the lots. Land dedicated in lieu of Community Housing Units must be of an equivalent or greater value than the payment in lieu contribution.
4. **Dedication of Lots Off-Site.** Dedicate lots off-site, provided lots are within the municipal boundaries of the City of Steamboat Springs, to the City of Steamboat Springs, provided that there are no covenants, restrictions, or issues that would limit the construction of Community Housing units on the lots. Land dedicated in lieu of Community Housing Units must be valued at 100% of the payment in lieu contribution.

5. **Dedication of Land.** With the approval of the City Council, dedicate land to the City of Steamboat Springs. The land may be off site but within the municipal boundaries of the City of Steamboat Springs provided there are no covenants or other restrictions placed on, or issues associated with the land that would limit the appropriateness for Community Housing. Land dedicated in lieu of Community Housing Units must be valued at 100% the payment in lieu contribution.

6. **Payment of a Fee in Lieu.** A Developer may, at the Developer's sole option, satisfy all of the Community Housing requirements set forth in this Sec. 26 – 148 (g) by the Payment of a Fee in Lieu of all other compliance methods. This option for the Payment of a Fee in Lieu must be elected, if at all, no later than the date of the approval of the Community Housing Plan for the Development.
 - a. The payment of a Fee in Lieu of all other compliance methods is to be based on a formula approved by City Council, plus an administration fee of up to 15%. The fee per unit of Community Housing shall be stipulated in the Community Housing Guidelines and updated semi-annually.

 - b. Unless otherwise agreed to, fees shall be due and payable to the City of Steamboat Springs anytime after development approvals and no later than the date of closing on any sale of a Unit or Lot in the development that triggered the requirement. If the Developer elects to make the payment of a Fee in Lieu after the time of issuance of a building permit, the City and the Developer, as a condition of the issuance of a building permit, shall execute and record a lien on the property that is the subject of the development approval, which lien shall be released at time of payment of the Fee in Lieu. The City agrees to subordinate its lien to that of any lender that has a first position lien on the property that is the subject of the development approval. If the Fee in Lieu for the Development is to be paid at the time of closing of the sale of the Units or Lots, the Fee in Lieu shall be spread equally over the first 15% of the Units or Lots sold in the Development. For example, if the Fee in Lieu for a Development of 100 units is calculated to be \$600,000, at the closing of each of the first 15 Units or Lots sold, the closing agent shall collect and remit to the City the sum of \$40,000 per closing. At each such closing the City shall partially release its lien as to the Unit or Lot closing. Upon the closing of the final sale and payment of the last portion of the Fee in Lieu, the City shall release its lien on the remaining Units or Lots in the Development, which was being held as security for the payment of the Fee in Lieu.

- c. **Real Estate Transfer Fee Alternative.** The Developer may, as an alternative within, and as an integral part of, the Fee in Lieu option, elect to pay a Fee in Lieu of ½ of the Fee per unit as set forth in the Community Housing Guidelines, on condition that a voluntary Real Estate Transfer Fee is imposed on each and every Unit or Lot sold in the development of 0.50%, which RETF shall be imposed on the second sale and all subsequent sales in perpetuity. The RETF shall be documented by a recorded covenant either in accordance with (a) required forms set forth in the Community Housing Guidelines, or, if none, with (b) such covenants as may be approved from time to time by the City. All proceeds of a RETF shall be paid at closing to the City of Steamboat Springs and shall be used to provide affordable housing.
7. **Alternative Compliance Methods.** The City Council shall have the discretion to accept in-lieu consideration in any form so long as the value of that consideration is equivalent to or greater than the payment-in-lieu contribution required by this Section and that the acceptance of an alternative form of consideration will result in additional benefits to the City of Steamboat Springs consistent with the purpose of this Section.

Sec. 26-148 (h). Exit Strategy.

In the event buyers cannot be found for the Community Housing Units that meet the income eligibility requirements of this Section within twelve (12) months of the date the Community Housing units are made available for contract, and no less than twelve (12) months after issuance of Certificate of Occupancy, in accordance with the Community Housing Guidelines, any unsold Community Housing units may be offered to the City of Steamboat Springs or the Yampa Valley Housing Authority, subject to Community Housing price and deed restrictions. The offer price to the City or the Yampa Valley Housing Authority shall be equivalent to the purchasing ability of a purchaser at the average income requirements in effect at the time of offer (a 2.5 person household size shall be utilized to determine the appropriate AMI). If the City or the Yampa Valley Housing Authority does not agree in writing to purchase the units within sixty (60) days of the offer, the Developer shall comply with the provisions of Sec. 26 – 148 (g)(6), entitled “Payment of a Fee in Lieu”.

Sec 26-148 (i). Unit Sizes.

The Community Housing units required under this Section shall meet the minimum size requirements as specified below. On a semi-annual basis the Program Administrator will recommend and City Council approve targets for Community Housing unit sizes and types for development. :

1) Inclusionary Requirements: a minimum of seven hundred (700) square feet.

Sec. 26-148 (j). Timing of Occupancy.

The Community Housing units shall be ready for occupancy no later than the issuance of certificates of occupancy for the non-residential portion or the free market residential units within the project. If the development is to occur in phases, Community Housing units shall be phased to coincide with employment generation or other performance indicators specified in the Community Housing Plan.

Sec. 26-148 (k). Intentionally Left Blank.

Sec. 26-148 (l). Community Housing Plan Required.

An applicant for any new development that is required to provide Community Housing within the City of Steamboat Springs shall submit a Community Housing Plan or Statement of Exemption to the City of Steamboat Springs for approval.

1. The Community Housing Plan shall include the following:
 - a. Calculation Method. The calculation and method by which housing is to be provided.
 - b. Unit Descriptions. A site plan and building floor plans (if applicable), illustrating the number of units proposed, their location, the number of bedrooms and size (s.f.) of each unit, the rental/sale mix of the development, and the categories to which each unit is proposed to be restricted. A tabulation of this information shall also be submitted.
 - c. Lot sizes. Average lot size of proposed Community Housing units and average lot size of market rate housing units.
 - d. Schedules. The timeline for construction of Community Housing units shall be proposed accompanied by the schedule for the entire development and a description of any performance factors that are to be used to set the schedule for satisfaction of Community Housing requirements.
 - e. Terms. Terms for the development agreement that would provide surety to insure that any Community Housing units scheduled for future development ultimately get developed.

- f. Sale Price or Rent Rates. Computation that clearly delineates how the initial sales price or the proposed rents for the Community Housing units were derived to meet the requirement of this Section.
 - g. Payment-in-lieu. Computation for any payment-in-lieu for all compliance to be provided pursuant to Sec. 26 – 148 (g)(6) and a statement as to whether or not the Developer has determined if Developer will elect to pay ½ of the Fee in Lieu and implement a RETF, although election of that option is not due at the time of providing the Community Housing Plan for approval.
 - h. Variances. A description of any requested variance, as well as an explanation as to how the overall outcome will advance the goal of obtaining community housing in a manner which meets or exceeds the requirements herein.
2. The Community Housing Plan shall be submitted to and approved by the City of Steamboat Springs prior to, or concurrent with, application to the City of Steamboat Springs for the development. After review and recommendation by the Planning Commission, the City Council shall approve, approve with revisions, or deny the Community Housing Plan. The City Council may approve a Community Housing Plan prior to receiving an application for, or prior to approving, a development plan; provided, however, the Community Housing Plan shall expire one (1) year after final approval by the City Council, unless within that one (1) year period, the applicant files a complete application for a development plan for the property covered by the approved Community Housing Plan. If the complete application for the development plan is made more than one (1) year after the approval of the Community Housing Plan, that approval lapses and the applicant must resubmit the Community Housing Plan. If the submitted development application changes the obligations of the applicant under this chapter, applicant must submit a revised Community Housing Plan. An approved Community Housing Plan will become part of the development application and development agreements subsequently executed by the City of Steamboat Springs for any approved project. Any amendment to the Community Housing Plan deemed to be significant by the Director of Planning Services shall require the approval of the City Council.

Sec. 26-148 (m). Variances.

The City Council shall have the authority to grant variances from this Section when it is deemed to be in the best interest of the community and when it

further the overall goal of promoting community housing to Steamboat Springs citizens.

The City Council shall have the sole authority to grant variances to this Section. In doing so, the City Council shall approve variances only in the instances where the overall outcome will advance the goal of obtaining community housing in a manner which meets or exceeds the requirements herein.

All requests for variances shall be submitted with the Community Housing Plan as required in Sec. 26-184 (l).

Sec. 26-148 (n). Incentives.

Developments that provide Community Housing units above and beyond the minimum requirements shall be eligible for incentives/concessions as specified in the following matrix. These incentives/concessions shall only be provided for the number of Community Housing units above and beyond the minimum requirements.

| Permit Fee Calculation | |
|-------------------------------|---|
| Fee Exemption | <p>Applicants proposing bonus units of affordable housing units are eligible for exemption from the following fees*:</p> <ul style="list-style-type: none"> • Building Fee • Plan Review • Planning Dept fees • City Tap Fees • Building Use Tax • Excise Tax <p>*Fees are exempted from the bonus affordable housing units only, not to the overall project.</p> |
| Expedited Plan Review | <p>Projects proposing bonus affordable housing units shall be given the highest priority and processed in an expedited manner.</p> |

Sec. 26-148 (o). Administration.

The City of Steamboat Springs Director of Planning Services shall be responsible for the administration of this Section. The Director of Planning Services, or his/her designee shall have the authority and duty to:

1. Exercise administration of this Section pertaining to all building and developments where applicable.
2. Enforce all terms of the Section.

3. Review and recommend approval or denial of all Community Housing Plans submitted in accordance with this Section.
4. Review and recommend approval or denial of all variance requests submitted pursuant to the provisions of this Section, subject to the approval of the City Council.

The City of Steamboat Springs may also enter into contracts with other agencies, including the Yampa Valley Housing Authority, to administer this Section, subject to approval of the City Council.

Sec. 26-148 (p). No Taking of Property without Just Compensation.

1. *Purpose:* It is the intention of the City of Steamboat Springs that the application of this Section not result in an unlawful taking of private property without the payment of just compensation.
2. *Request for Review:* Any applicant for the development of a housing project who feels that the application of this chapter would effect such an unlawful taking may apply to the City Manager for an adjustment of the requirements imposed by this Section.
3. *City Manager Review:* If the City Manager determines that the application of the requirements of this chapter would result in an unlawful taking of private property without just compensation, the City Manager may alter, lessen or adjust permanently affordable unit requirements as applied to the particular project under consideration such that there is no unlawful uncompensated taking.
4. *Hearing:* If after reviewing such application, the City Manager denies the relief sought by an applicant, the applicant may request an hearing before City Council with which to seek relief from the provisions of this Section. Such hearing shall be a "quasi-judicial" hearing and conducted according to the City's rules and regulations regarding "quasi-judicial" hearings. At such hearing, the burden of proof will be upon the applicant to establish that the fulfillment of the requirements of this Section would effect an unconstitutional taking without just compensation pursuant to the applicable law of the United States and the State of Colorado. If it is determined at such hearing that the application of the requirements of this Section would effect an illegal taking without just compensation, the City Council shall alter, lessen or adjust permanently affordable unit requirements as applied to the particular project under consideration such that no illegal uncompensated taking takes place.

Sec. 26 - 148 (q). Administrative Regulations.

To the extent that Director of Planning Services deems necessary, rules and regulations pertaining to this Section will be developed, maintained and enforced in order to assure that the purposes so this Section are accomplished.

Sec. 26 – 148 (r). Monitoring.

At least annually, the Director of Planning Services will present sufficient information to the City Council so that it can effectively review the operation of this Section and determine whether any of the provisions of this Section should be amended, adjusted or eliminated. Such information should be sufficient to allow the City Council to evaluate the following:

1. The appropriateness of goals, objectives and actions for Community Housing development specified in the Community Housing Implementation Program adopted by the City Council April 17, 2007; and,
2. The level of integration of the provisions of this Section with other tools being utilized by the City of Steamboat Springs as part of a comprehensive approach toward obtaining the goals of this Section.

Sec. 26 – 148 (s). Transition Rules.

Upon the effective date of this revised/amended Chapter 26-148, Developers with completed applications and those with approved Community Housing Plans may, but are not obligated to, avail themselves of the additional compliance methods set forth in this revised and amended Chapter 26-148, entitled "Community Housing." Developers with approved Community Housing Plans may apply to amend their Community Housing Plans based on the provisions of this amended Chapter 26-148.

SECTION 3

If any section, subsection, clause, phrase, or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

SECTION 4

This Ordinance shall take effect five (5) days after publication following final passage, as provided in Section 7.6 of the Steamboat Springs Home Rule Charter.

INTRODUCED, READ AND ORDERED PUBLISHED, as provided by law, by the City Council of the City of Steamboat Springs, at its regular meeting held on the 21st day of July, 2009.

**Paul Antonucci, President
Steamboat Springs City Council**

ATTEST:

**Julie Franklin, CMC
City Clerk**

FINALLY READ, PASSED AND APPROVED this 16th day of February, 2010.

**Cari Hermacinski, President
Steamboat Springs City Council**

ATTEST:

**Julie Franklin, CMC
City Clerk**