

**CITY OF LEADVILLE, COLORADO
RESOLUTION NO. 16
SERIES OF 2021**

**A RESOLUTION APPROVING THE SUBMISSION TO THE REGISTERED
ELECTORS OF THE CITY OF LEADVILLE AT THE NOVEMBER 2, 2021 REGULAR
ELECTION, A BALLOT ISSUE CONCERNING AN ACCOMMODATIONS TAX
COMMENCING ON JANUARY 1, 2022**

WHEREAS, the City of Leadville (“City”) is a statutory city duly organized and existing under the laws of the State of Colorado; and

WHEREAS, C.R.S. § 31-15-501(1)(c) authorizes the City to levy occupation taxes within its borders; and

WHEREAS, the provision of public accommodations for a term of less than thirty (30) days to the traveling public, whether such accommodations are short-term rental units or commercial public accommodations such as hotels, motels, and bed-and-breakfast establishments, results in increased use of City street and rights-of-way, increased traffic, increased demands upon municipal services, such as police protection, and otherwise has impacts on the health, safety and welfare of the citizens of Leadville; and

WHEREAS, furthermore, support by the City of the Lake County Tourism Panel is important for the continuation of raising funds to promote economic development, tourism, conventions and related activities within the City and Lake County following the commencement of an accommodations tax by the City because Lake County will likely be prohibited from collecting its lodging tax, which currently funds the Lake County Tourism Panel, due to the imposition of a City accommodations tax; and

WHEREAS, the City Council desires and finds that it is necessary to propose an accommodations tax of 4.92% on the amount charged to any person leasing any type of public accommodations within the City, including short-term rental units, hotels, motels, and bed-and-breakfast establishments, for a term of less than thirty (30) days; and

WHEREAS, the purpose of such accommodations tax is to provide funding for affordable and community housing, affordable and community housing programs, and related lawful municipal expenses, as well as providing financial support for the Lake County Tourism Panel in an amount that maintains the Panel’s existing revenues from Lake County’s lodging tax; and

WHEREAS, Section 20 of Article X of the Colorado Constitution requires that all ballot questions calling for an increase in municipal taxes or multiple fiscal year debt be placed before the electorate only at a state general election, biennial local election, or on the first Tuesday in November in odd numbered years; and

WHEREAS, the City of Leadville will hold its regular municipal election on November 2, 2021 and desires to submit to the electors of the City the question of adopting such accommodations tax; and

WHEREAS, the form of the ballot issue set forth in this Resolution below is hereby approved and ordered submitted to the voters of November 2, 2021; and

WHEREAS, upon approval of the ballot issue by the majority of the registered electors voting thereon at the November 2, 2021 election, the City Council shall be authorized to adopt an implementing ordinance, making all necessary changes to Title 3, titled *Revenue and Finance*, of the Leadville Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Leadville, Colorado as follows:

Section 1. The City Council hereby approves and refers the following ballot issue for submission to the voters to appear on the ballot for the regular election to be held on November 2, 2021:

“BALLOT ISSUE _____

SHALL CITY OF LEADVILLE TAXES BE INCREASED BY \$300,000 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE) AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY THE ADOPTION OF AN ACCOMMODATIONS TAX IN THE AMOUNT OF 4.92% ON THE AMOUNT PAID BY OR CHARGED TO THE USERS OF SHORT-TERM RENTAL UNITS AND THE USERS OF COMMERCIAL PUBLIC ACCOMMODATIONS, SUCH AS HOTELS, MOTELS, AND BED-AND-BREAKFAST ESTABLISHMENTS, FOR PUBLIC ACCOMMODATIONS SERVICES OF LESS THAN THIRTY (30) DAYS IN THE CITY OF LEADVILLE, AND SHALL ALL REVENUES DERIVED FROM SUCH ACCOMMODATIONS TAX BE COLLECTED AND SPENT FOR THE PURPOSE OF FUNDING AFFORDABLE AND COMMUNITY HOUSING, AFFORDABLE AND COMMUNITY HOUSING PROGRAMS, AND ANY RELATED LAWFUL MUNICIPAL EXPENSES, AS WELL AS FINANCIALLY SUPPORTING THE LAKE COUNTY TOURISM PANEL SO IT MAINTAINS ITS EXISTING TAX REVENUES, WITH SUCH ACCOMMODATIONS TAX REVENUES TO BE COLLECTED AND SPENT AS A VOTER-APPROVED REVENUE CHANGE NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?

_____ YES
_____ NO”

Section 2. This Resolution shall serve to set the title and content for the ballot issue set forth herein and the ballot title for such issue shall be the text of the issue itself.

Section 3. The Deputy City Clerk is authorized to correct typographical errors and omissions and to cause to be entered into any blanks of the ballot issue the appropriate ballot issue number or letter upon designation of the ballot number or letter by the appropriate election official. The Deputy City Clerk shall certify the ballot content for the regular election, including the ballot issue set forth above no later than 60 days before the election.

Section 4. The City Attorney and Deputy City Clerk are hereby authorized and directed to take all necessary and appropriate action to effectuate the provisions of this Resolution including the taking of all reasonable and necessary action to cause such approved ballot issue to be printed and placed on the ballot for the election. Upon approval of the above ballot issue by a majority of the registered electors of the City voting thereon, the City Council shall enact an implementing ordinance making all necessary changes to Title 3 of the Leadville Municipal Code.

Section 5. **Effective Date.** This Resolution shall become effective immediately upon adoption. Subject to voter approval at the November 2, 2021 regular election, the accommodations tax shall apply to the purchase price paid by or charged to the users of public accommodations for a term of less than thirty (30) days within the City which occurs on or after January 1, 2022.

Section 6. **Repealer.** All resolutions, or parts thereof, in conflict with this Resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 7. **Certification.** The Deputy City Clerk shall certify to the passage of this Resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 17TH DAY OF AUGUST, 2021
by a vote of 7 in favor and 0 against, and 0 abstaining.

CITY OF LEADVILLE, COLORADO:

By: Greg Labbe
Greg Labbe, Mayor

ATTEST:

Duane Kiss
Deputy City Clerk