

COUNCIL BILL NO. 28

Series 2023

**A BILL FOR AN ORDINANCE AMENDING THE MUNICIPAL CODE TO  
DISPLAY MERCHANDISE OUTDOORS.**

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF  
BRECKENRIDGE, COLORADO:

**Section 1.** That section 9-7-4, entitled DEFINITIONS, is amended to add the language underlined to read as follows:

BICYCLE: Every vehicle propelled solely by human power applied to pedals upon which any person may ride having two (2) tandem wheels or two (2) parallel wheels and one forward wheel, all of which are more than fourteen inches (14") in diameter. For purposes of the development code, the term "bicycle" includes ski bikes and electric bikes.

**Section 2.** That subsection C of section 9-7-6 shall be amended by deleting the language stricken and adding the language underlined to read as follows:

C. ~~Bicycles, Canoes, Kayaks, Paddleboards ("oversized outdoor equipment"):~~ Oversized outdoor equipment for sale or rent may be displayed outdoors subject to a permit under bicycles offered for sale or rental, subject to the following conditions:

1. The person desiring to display ~~bicycles outdoors~~ oversized outdoor equipment shall obtain a class D minor development permit prior to any such display. The application for such permit shall include a site plan indicating where ~~bicycles~~ the oversized outdoor equipment ~~are~~ is to be displayed and where existing, approved and/or required landscaping is located or is to be located. If the applicant for the permit is not the owner of the property on which the ~~bicycles~~ oversized outdoor equipment ~~are~~ is to be displayed, the written consent of the property owner to the proposed application shall be submitted concurrently with the application.

2. The outdoor display of ~~bicycles~~ oversized outdoor equipment shall be confined to the private property of the business which is offering ~~the bicycles~~ it for sale or rental.

3. No ~~bicycle~~ oversized outdoor equipment shall be hung from or on any exterior portion of a building or structure; provided, that ~~bicycles~~ oversized outdoor equipment may be so hung for storage purposes only if the applicant lacks sufficient space to otherwise store the ~~bicycles~~ oversized outdoor equipment and then only if the ~~planning commission~~ Community

1 Development Director makes the following findings and incorporates such findings into the  
2 development permit as conditions:

- 3 a. The hanging of ~~bicycles~~ oversized outdoor equipment will be for storage purposes only and  
4 will not be used as signage or as an attention getting device.
- 5 b. The hanging of ~~bicycles~~ oversized outdoor equipment will not destroy any historic structure  
6 or significantly alter the historic character of a structure.
- 7 c. The hanging of ~~bicycles~~ oversized outdoor equipment will not hide a historic structure or  
8 significantly alter the historic character of a structure.
- 9 d. No rack for the hanging of ~~bicycles~~ oversized outdoor equipment will be mounted on a  
10 facade of a building which faces a street (not including an alley).
- 11 e. ~~Bicycles~~ Oversized outdoor equipment will be hung so as not to constitute a safety hazard  
12 for pedestrians.
- 13 f. The ~~bicycles~~ oversized outdoor equipment to be hung will be screened in a manner  
14 appropriate for the location.

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16 **Section 3.** That subsection I of 9-7-6, entitled “Exemptions” be amended by adding the  
17 language underlined to read as follows:

18 I. Outdoor Sales Days: Outdoor displays of merchandise conducted on the following Outdoor  
19 Sales Days: Memorial Day weekend including Friday through Monday and Labor Day Weekend  
20 including Friday through Monday, and a third weekend within the calendar year if designated by  
21 the Town Manager within their sole discretion.

22 **Section 4.** That a new subsection N be added to section 9-7-6, entitled “Exemptions” by  
23 adding the language underlined to read as follows:

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25 **Section 5.** This ordinance shall be published and become effective as provided by  
26 Section 5.9 of the Breckenridge Town Charter.

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28 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED  
29 PUBLISHED IN FULL this 8<sup>th</sup> day of August, 2023. A Public Hearing shall be held at the regular  
30 meeting of the Town Council of the Town of Breckenridge, Colorado on the 22nd day of August,  
31 2023, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the Town.

32  
33 TOWN OF BRECKENRIDGE, a Colorado  
34 municipal corporation

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By: \_\_\_\_\_  
Eric S. Mamula, Mayor

ATTEST:

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Helen Cospolich, CMC,  
Town Clerk