

**ORDINANCE NO. 8
SERIES 2021**

AN ORDINANCE AMENDING SECTION 5-1-7(D) OF THE VAIL TOWN CODE CONCERNING NOISE REGULATIONS IN CERTAIN ZONE DISTRICTS BETWEEN THE HOURS OF 2:00 P.M. AND 8:00 P.M.

WHEREAS, Town staff has recommended changes to the Vail Town Code to support the goal of the Town to balance the desire to create entertainment activations in Vail Village and Lionshead Village while being respectful of the combination of commercial and residential neighborhoods.

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

Section 1. Section 5-1-7(D) of the Vail Town Code is hereby amended to read as follows:

5-1-7: NOISE PROHIBITED:

* * *

D. Allowable Limits: The following shall be the allowable noise limits for the time periods and zones specified:

Zoning Designation of Property on Which Source of Noise is Located	Maximum Number of Decibels Permitted from 7:00 a.m. to 11:00 p.m.	Maximum Number of Decibels Permitted From 11:00 p.m. to 7:00 a.m.
All residential zones excepting HDMF	55 decibels	50 decibels
Commercial plus HDMF	65 decibels	60 decibels
Industrial service zones	80 decibels	75 decibels

Zoning Designation of Property on Which Source of Noise Is Located	Maximum Number of Decibels Permitted from 2:00 p.m. to 8:00 p.m.	Maximum Number of Decibels Permitted at All Other Times
Lionshead Mixed Use 1, Public Accommodation, Commercial Service Center, Commercial Core 1, Ski Base/Recreation 2	80 decibels	Refer to above table

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Section 2. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance; and the Council hereby declares it would have passed this ordinance, and each part, section, subsection, sentence, clause or phrase thereof, regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

Section 3. The Council hereby finds, determines and declares that this ordinance is necessary and proper for the health, safety and welfare of the Town and the inhabitants thereof.

Section 4. The amendment of any provision of the Town Code as provided in this ordinance shall not affect any right which has accrued, any duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceeding as commenced under or by virtue of the provision amended. The amendment of any provision hereby shall not revive any provision, or any ordinance previously repealed or superseded unless expressly stated herein.

Section 5. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are repealed to the extent only of such inconsistency. This repealer shall not be construed to revise any bylaw, order, resolution or ordinance, or part thereof, theretofore repealed.

INTRODUCED, READ ON FIRST READING, APPROVED, AND ORDERED PUBLISHED ONCE IN FULL ON FIRST READING this 6th day of April, 2021 and a public hearing for second reading of this Ordinance set for the ___ day of _____, 2021, in the Council Chambers of the Vail Municipal Building, Vail, Colorado.

Dave Chapin, Mayor

ATTEST:

Tammy Nagel, Town Clerk

READ AND APPROVED ON SECOND READING AND ORDERED PUBLISHED this ___ day of _____, 2021.

Dave Chapin, Mayor

ATTEST:

Tammy Nagel, Town Clerk