



1340267
Taryn Power – Summit County Recorder

ORDINANCE NO. 22

**BOARD OF COUNTY COMMISSIONERS
OF THE
COUNTY OF SUMMIT
STATE OF COLORADO**

AN ORDINANCE FOR SHORT-TERM VACATION RENTAL SERVICE LISTING REGULATIONS

WHEREAS, Counties have been struggling to address community concerns associated with short-term vacation rentals, which concerns include but are not limited to a) excess noise, parking and trash from short-term vacation rentals, b) the loss of long-term rentals due to the conversion of long-term rentals to short-term rentals, c) the increase in housing prices due to the revenue that can be made off of short-term rentals, and d) the impacts of short-term rentals on the livability and affordability of local neighborhoods; and

WHEREAS, to address these community concerns associated with short-term vacation rentals, the Board of County Commissioners has, in accordance with state law, adopted an ordinance to regulate the licensing and operation of short-term vacation rentals (Ordinance 20-C) as well as an amendment to the Summit County Land Use and Development Code (“Development Code”), which together set forth numerous regulations applicable to short-term vacation rentals (together, the “Regulations”); and

WHEREAS, House Bill 23-1287, which was passed by the Colorado General Assembly and signed into law by Governor Polis on June 5, 2023, gave Counties the authority to regulate Short-Term Vacation Rental Services, as defined by the statute, in a limited manner in order to compel a) the Short Term Vacation Rental Service to require a license number for every short-term rental listing advertised through the Short Term Vacation Rental Service and b) the Short Term Vacation Rental Service to remove the online listings of properties operating without a valid short-term rental license; and

WHEREAS, Short-Term Vacation Rental Services that contract with Short-Term Vacation Rental owners to list properties for short-term rent are a necessary component of short-term renting; and

WHEREAS, without a mechanism to require Short-Term Vacation Rental Services to require a license number for all listings advertised as well as take down listings when the short-term rental properties contained therein are operating without a license, the ability of Summit County staff to enforce the Regulations is severely limited; and

WHEREAS, limitations on the County’s ability to enforce the Regulations will limit the ability of the Regulations to address the community problems set forth above; and

WHEREAS, the Board of County Commissioners finds that requiring Short-Term Vacation Rental Services to require license numbers and remove listings under the circumstances

as set forth in the statute and below is reasonable and necessary to protect the public health, safety, and welfare for both residents of and visitors to Summit County, in that the new rules will enable Summit County staff to appropriately and fairly enforce the County's short-term rental rules and regulations.

NOW THEREFORE, BE IT ORDAINED, BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, that Ordinance 22, "Short-Term Vacation Rental Service Regulations" is hereby adopted setting forth rules and regulations that shall apply to Short Term Vacation Rental Services:

SUMMIT COUNTY SHORT-TERM VACATION RENTAL SERVICE REGULATIONS

SECTION 1. GENERAL

1.1 Definitions.

- a. "Vacation Rental Service" means a person that operates a website or any other digital platform that provides a means through which an owner or owner's agent may offer a lodging unit, or portion thereof, for short-term rentals, and from which the person financially benefits.
- b. "Short-term vacation rental property" is defined as a residential dwelling unit, or any room therein, available for lease or exchange for a term of less than thirty (30) consecutive days.

1.2 **Purpose.** The purpose of this Ordinance is to ensure that Vacation Rental Services are requiring rental license numbers for short term vacation rental listings on their digital platform as well as removing short term vacation rental listings when such listings have either had their license revoked or suspended or didn't obtain a license in the first place.

1.3 Requirements

- a. A Vacation Rental Service shall require the rental license number in any listing for a short-term rental (STR) unit located in unincorporated Summit County on a Vacation Rental Service website or other digital platform.
- b. A Vacation Rental Service shall remove any listing for a short-term rental from its platform(s) after notification by Summit County that the license number associated with the short-term rental is invalid, expired, or has been revoked, or that the County has a prohibition on short-term rentals that applies to the listing(s). The vacation rental service shall remove the listing(s) within 7 days of receiving the notification from the County.
- c. Notifications from the County must be submitted to the contact(s) designated by the Vacation Rental Service through digital or written communication and must include the listing URL and any other identifying information and include the reason for removal. If the Vacation Rental Services fails to provide a contact for this purpose, notification through any publicly available contact information for the Vacation Rental Service shall suffice.

SECTION 2. ENFORCEMENT AND PENALTIES

- 2.1 Enforcement. Enforcement of this Ordinance shall be by the Sheriff’s Office, as deemed necessary and appropriate.
- 2.2 Violations. Violations of this Ordinance shall be a civil infraction and punishable by the procedure established in 30-15-402, C.R.S., as amended from time to time.
- 2.3 Graduated Fine Schedule. A graduated fine schedule is hereby adopted:
 - a. 1st: \$250
 - b. 2nd: \$750
 - c. 3rd or more: \$1,000
- 2.4 Costs of Enforcement, Revocation, and Appeal. In the event it is necessary for the County to take action for enforcement of the Ordinance, there shall be added to any fees due hereunder all reasonable costs and fees incurred by the County, including reasonable attorney fees. If any action is brought in a court of law by or against the County relating to the enforcement, interpretation or construction of this Ordinance, or of any document provided for herein, or of any proceeding hereunder, the prevailing party in such action shall be entitled to reasonable attorney fees as well as all costs incurred in the prosecution or defense of such action.
- 2.5 Additional Remedies. In addition to the remedies set forth, the County reserves the right to employ all other remedies that may exist at law and in equity to enforce Ordinance 22.

SECTION 3. EFFECTIVE DATE

- 3.1. This ordinance shall take effect and be in force for Vacation Rental Services 90 days after enactment.

INTRODUCED, READ, ORDERED PUBLISHED IN FULL ON FIRST READING ON THIS 27TH DAY OF AUGUST, 2024.



BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO

[Signature]

Tamara Pogue, Chair

READ, PASSED AND ADOPTED AFTER PUBLIC HEARING AND ORDERED PUBLISHED IN FULL THIS 24TH DAY OF SEPTEMBER, 2024.




**COUNTY OF SUMMIT
STATE OF COLORADO
BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS**

[Signature]

Tamara Pogue, Chair

ATTEST:


Taryn Power, Clerk & Recorder