

A REVISED AND RESTATED ORDINANCE REGULATING SHORT-TERM RENTALS IN PARK COUNTY

WHEREAS the Board of County Commissioners has authority pursuant to C.R.S. Sections 30-15-401(1)(s) to enact ordinances which license and regulate an owner or owner's agent who rents or advertises the owner's lodging unit for a short-term stay, and to fix the fees, terms and manner for issuing and revoking licenses issued for such lodging units; and

WHEREAS the Board of County Commissioners respects the rights of private property owners to use and enjoy their property, but desires to ensure that lodging units rented for short-term stay are operated in a manner that protects the health, safety, and quality of life of the residents and visitors of Park County; and

WHEREAS the operation of a short-term rental business is not a use by right per county zoning; it is a privilege and must be run in a manner that respects the residents' expectation of a peaceful neighborhood; and

WHEREAS the Board of County Commissioners adopted Ordinance 20-03 recorded on January 4, 2021, to provide for the regulation of Short-Term Rentals and now wishes to revise and restate the Ordinance to update the Regulations; and

WHEREAS the Board of County Commissioners hereby finds, determines and declares that adoption of this Ordinance is necessary for the preservation and protection of the public health, safety and welfare of the inhabitants and visitors of Park County, Colorado.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PARK COUNTY, COLORADO AS FOLLOWS:

Section 1. Title and Purpose: The title of this Ordinance is the Park County Short-Term Rental Ordinance. The purpose of this Ordinance is to establish standards for lodging units rented for short-term stay in unincorporated Park County to safeguard public health, safety and welfare by regulating and controlling the use, occupancy, and maintenance of short-term rental properties.

Section 2. Authority: This Ordinance is authorized pursuant to Colorado Revised Statutes Section 30-15-401(1)(s).

Section 3. Scope. This Ordinance shall apply to short-term rental property, as defined herein, in all zone districts in unincorporated Park County. This Ordinance shall not apply to lodging services in hotels, motels, lodges or bed and breakfast establishments, or to properties with long-term (more than 30-day) leases.

Section 4. Definitions: As used in this Ordinance, unless the context otherwise requires:

- A. A SHORT-TERM RENTAL UNIT (STR Unit): a building, structure, living space, residential dwelling unit or any room therein which is leased for lodging accommodations in periods of thirty (30) days or fewer. Temporary structures or camping structures like yurts, tents, tent type structures, or recreation vehicles cannot be used as an STR unit.
- B. SHORT-TERM RENTAL PROPERTY (STR Property): A property that contains an STR Unit.
- C. DEPARTMENT: The Development Services Department, specifically STR Department.
- D. DIRECTOR: The Director of Development Services, or the Director's designee.
- E. LEASE: An agreement or act by which an owner gives to a tenant, for valuable consideration, possession and use of property or a portion thereof for a definite term, at the end of which term the owner has an absolute right to retake control and use of the property.

- F. OWNER: The owner of an STR unit in unincorporated Park County who intends to lease or does lease the unit or portion of the unit as an STR Unit.
- G. RESPONSIBLE AGENT: A management company or individual who is identified by a licensee as licensee’s agent, and who is available 24 hours per day, 7 days per week to respond as the initial point of contact for the short-term rental unit with a maximum response time of (1) one hour.
- H. RESPONSIBLE OWNER: An owner that has met the following requirements:
  - 1. Has applied for and received a valid Park County Short Term Rental License
  - 2. Renewed the license in accordance with these regulations for each renewal period and has held the license for a minimum of 24 consecutive months
  - 3. Has had no complaints or violations for the term(s) of the license
  - 4. The Director shall have sole discretion for compliance review
- I. SHORT-TERM RENTAL PLATFORMS: A person or company that operates a website or any other digital or print platform that provides a means through which a property owner or their responsible agent may offer a residential property or dwelling unit, or portion thereof, for short-term rentals, and from which a person or company financially benefits.

Section 5. License Required: It shall be unlawful for an Owner to lease or advertise for lease, or to permit the leasing or advertising for lease, of any short-term rental property within the County without a valid license for the same issued pursuant to this Ordinance.

Section 6. License Application Type; Term; Renewal; Non-Transferable:

- A. A Short-term Rental License Term: shall expire one calendar year after its issuance, or when title of the STR Unit transfers to a new Owner, whichever occurs first. Each change in ownership of STR Unit requires a new application and license. An application for renewal of a short-term rental license shall be submitted at least thirty (30) days and no more than forty-five (45) days prior to expiration of the existing license. Failure to file a renewal application at least 30 days prior to expiration of the existing license will result in the expiration of the license on the date listed on the prior license and payment of new license fees and be subject to current limitations for licensing.
- B. License Types:
  - 1. Original or New Owner License: A license issued to an applicant who has not previously held a license under this Ordinance, or who is applying as a new Owner of an STR Unit due to a change in ownership of the STR Unit, or an Owner who has not renewed in compliance with this ordinance. The term of the license shall be one (1) year from the date of issuance.
  - 2. Standard Renewal License: A license issued upon first renewal of an annual license, provided the applicant remains in compliance with this Ordinance and all other applicable requirements. The standard renewal license shall be valid for one (1) year from the date of issuance
  - 3. Responsible Owner Renewal License: A license valid for three (3) years, with fees and documentation required annually as posted on the County website. May be issued to an applicant who meets the following criteria:
    - a. Has held a license for at least two full license consecutive cycles (24 consecutive months)
    - b. Has no record of violations of this Ordinance, enforcement actions, or founded complaints during the preceding license year

- c. Submits an annual renewal application with all required documentation pays applicable fees annually the documentation list is available on the County website
- d. After 3 years of consecutive approved renewals complete documentation will be required, there will be the renewal fee and the document review fee for this license, the documentation list is available on the website
- e. Remains in full compliance with all applicable laws, regulations, and conditions of the license for all terms of the license(s)
- f. The determination of eligibility for a Responsible Owner Renewal License shall be at the sole discretion of the Director based on review of compliance history and the submitted application materials.

C. Original or new or license application requirements: Applications for a short-term rental license shall be submitted to the Director by the Department's approved method and the Director shall not accept incomplete applications. Applications submitted by the Department's approved method must provide a minimum of the following information. A complete list of documents is posted on county website:

- 1. Park County property address and/or parcel number for the STR Unit
- 2. The full name, residential address, and telephone number for the applicant
- 3. The full name, business address, and telephone number of the Owner(s) and/or Responsible Agent for the STR Unit
- 4. The document that designates the agent to act (including if the owner is the Responsible Agent), as the representative of the applicant on issues related to the short-term rental and agrees that the Owner(s) and Responsible Agent shall comply with requirements and limitations of this Ordinance
- 5. License application fees as provided by a resolution of the Board of County Commissioners
- 6. A copy of the Colorado State Sales Tax license showing the rental property location and/or the rental site(s) report of taxes paid
- 7. A parking plan that complies with the requirements of Section 7.I
- 8. An affidavit signed by the owner or authorized agent, and notarized under penalty of perjury, certifying that the STR Unit complies with the life safety standards set forth in Section 7.F, and that the information notices required by Section 7.P and 7.Q have been and will remain posted or placed at a conspicuous location on or in the STR Unit
- 9. Documents for the on-site wastewater treatment system. If the on-site wastewater treatment system is undocumented in County records, the license shall not be processed until an application for its registration and an inspection report prepared by an inspector certified by the National Association of Wastewater Technicians (or similar pre-approved certification) on forms provided by the County is approved
- 10. A copy of the county issued Certificate of Occupancy if constructed after 1974
- 11. URLs for all rental platforms must be blocked and not renting for new applications until the license is issued
- 12. Such other information determined necessary or desirable by the Director to evaluate the compliance of the application and the proposed STR Unit with the requirements of this Ordinance including but not limited to planning and zoning requirements, building code and inspection requirements. A complete list will be posted to the county website
- 13. The application shall not be deemed complete until all required information is submitted
- 14. Duty to Update: It is the duty of each licensee to ensure that the information provided in the application is always kept up to date. A licensee is required to provide updated information to the County within (10) ten days after the date upon which any information provided is no longer accurate.

D. Standard Renewal or Responsible Owner Application: Applications for renewal of a short-term rental license shall be submitted to the Director by the Department's approved method and the Director shall not accept incomplete applications. For a renewal application the applicant must provide the following information:

- 1. License renewal fees as provided by resolution of the Board of County Commissioners

2. The information for renewal application that shall be posted on the county website
  3. The applicant shall provide all information required in the renewal application
- E. Completeness Determination: An application shall not be deemed complete until all required information is submitted. See county website for application requirements list.
- F. Inspection requirements:  
 Safety inspection: A safety inspection may be required for any STR Unit that was constructed prior to 2006. The inspection shall be completed prior to the issuance of a short-term rental license. The inspection will be conducted in accordance with inspection list and procedures provided by the Director.
- Site Inspection: A lot that is .75 acre or less in size requires a site inspection.
- G. Responsible Agent Required. As a requirement of receiving a License, each owner shall appoint a responsible agent for the STR Unit. The agent must be able to respond to the location within one (1) hour. The agent should contact the lessee via phone as necessary. The owner shall notify the Director in writing of the appointment of a Responsible Agent within five (5) days of such appointment or modification of any such appointment and shall provide the responsible agent's name, address and telephone number. It is the owner's responsibility to update this information throughout the term of the license. The owner is the alternate responsible agent if the responsible agent cannot be contacted unless another alternate responsible agent is identified on the application. Note: The Owner(s) may appoint themselves as the responsible agent if they meet Responsible Agent travel requirement.
- H. Licenses Are Not Transferable. No license issued under this Ordinance shall be transferable and no license is valid for any person or entity other than the person or entity named on the license.

Section 7. Requirements and Limitations. In addition to the other requirements of this Ordinance, an STR unit licensed pursuant to this Ordinance shall, as a condition of such license, be subject to the following requirements and limitations:

- A. No more than one STR Unit license shall be issued for a single lot.
- B. An STR License will not be issued to condominiums (including lots that are condominium platted), apartments, or any structure that does not own the property/ground/land/surrounding the unit.
- C. Limitations for STR Licenses will be set by the county and recorded as amendment to this ordinance. When limitations are set. Applications will be processed in order received and the application will be put on a waiting list for processing. Notification of waitlisting and availability will be communicated to property owner and responsible agent.
- D. An STR License will not be issued to properties where the HOA covenants do not allow STRs, the applicant or owner is responsible for contacting the HOA for the subdivision if one exists and providing documentation of HOA approval.
- E. The owner or responsible agent is responsible for ensuring the STR Unit meets all applicable local, state and federal standards and regulations, including but not limited to the requirements and limitations of this ordinance.
- F. No Short-term License shall be issued for rooms, structures, properties or uses that have not been issued a Certificate of Occupancy consistent with the proposed use.

- G. Life Safety Standards: Each STR Unit licensed under this Ordinance shall conform to the applicable life and safety requirements of the County.
1. Wastewater Treatment: Conform to the applicable requirements of the County's on-site wastewater treatment system regulations. No STR Unit license shall be issued for any STR Unit for which an on-site wastewater treatment system was not permitted and approved by the County for use consistent with the proposed use; or for which the inspection report required by Section 6.A.9 indicates that the system is not functioning properly or does not otherwise conform with applicable regulations. The occupancy must not exceed the Soil Treatment Area capacity.
  2. Potable Water Sources: Wells and Cisterns shall be tested annually for water quality and potential contaminants detrimental to safety and public health. (Note: Most properties are not serviced by municipal water systems/districts.)
    - a. Future amendments to this ordinance may include metering of well water consumption or a water management plan. Amendments or additions to restrictions may occur at any time and may be dictated by actions of the state of Colorado or United States Federal governance.
  3. Habitable Spaces: Buildings, structures, or rooms shall not be used for purposes other than those for which they were designed or intended.
    - a. Have roofs, floors, walls, foundations, ceilings, stairs, handrails, guardrails, doors, porches, and all other structural components and all appurtenances that can resist all forces and loads to which they may be normally subjected and are in sound condition and in good repair. All Life Safety Items shall meet the County's current adopted ordinances and regulations.
    - b. Have interconnected smoke detectors, carbon monoxide detectors and fire extinguishers installed and operable per C.R.S. § 38-45-104.
    - c. Have an operable toilet, sink, and a bathtub or shower located within the same building, and every room containing a toilet or bathtub/shower shall be completely enclosed by walls, doors, or windows that will afford sufficient privacy.
    - d. Have electrical panels that are clearly labeled in English and are easily accessible.
  4. PROHIBITED USE on the property:
    - a. Outdoor charcoal grills
    - b. Fireplaces
    - c. Fire rings
    - d. Any other ember-producing equipment.
  5. The Lease: The lease for the rental shall list the prohibited use items from 7.F.4, 7.M and 7.N.
- H. Trash Handling. There shall be enough trash receptacles to accommodate all trash generated by those occupying the STR unit. The Owner shall provide instructions for bear resistant containers and all outdoor trash containers. Storage and pickup locations, and times for trash pick-up. The instructions shall be posted in the STR unit. Where the STR Unit is served by curbside garbage pickup, the garbage can or similar receptacle shall be removed from public view the same day as pickup and there shall be no garbage can or similar refuse receptacle at the curb on any day except the day of pickup. It shall not be the renter's responsibility to handle the trash to and from the pickup location.
- I. Occupancy. Occupancy for an STR Unit shall not exceed the design capacity of the on-site wastewater treatment system and the design capacity of the Soil Treatment Area. The permitted occupancy shall be stated on the short-term rental license. It shall be unlawful for the owner of an STR Unit to allow the overnight occupancy of an STR Unit by more than the maximum number of people permitted by the license.
- J. Parking:
1. The motor vehicles of all occupants of the STR Unit shall be parked only on the permitted and approved driveway of the STR Property. No motor vehicles shall be parked in vegetated areas of the STR Property, or in

the public right of way or roadway. While occupying an STR Unit, no person shall park in violation of this Ordinance or in violation of the parking plan

2. All parking spaces provided shall match the approved parking plan
  3. No privately owned, non-governmental vehicle with a passenger capacity of sixteen (16) persons or more shall be parked on the premises of an STR Property
- K. Noise. While occupying an STR Unit no person shall amplify music outdoors or make any noise that violates any provision of a County noise ordinance or C.R.S. Section 25-12-101, *et seq.*
- L. Camping and temporary structures. While occupying an STR Property as a short-term rental, no person shall construct or use any temporary structure or recreational vehicle or trailer, for overnight purposes. STR License will not be issued for any temporary structure.
- M. Fires and Grills. While occupying an STR Property as a short-term rental, no person shall make a campfire or use any outdoor charcoal grill, fireplace, or any other ember-producing equipment.
- N. ATVs, OHVs or other unlicensed vehicles. While occupying an STR Property as a short-term rental, no person shall use an ATV, OHV and/or other non-licensed vehicle on any County Road and shall be used only in designated areas.
- O. Shooting. While occupying an STR Property as a short-term rental, no person shall shoot a firearm or a weapon with a projectile that can cause harm to people or wildlife for recreational purposes on the STR Property.
- P. Security Cameras. The Owner may install, use, or maintain security cameras for the purposes of personal safety and property protection. However, security cameras may not be installed, used or maintained in any location where individuals have an expectation of privacy. This includes but is not limited to: (1) bathrooms, (2) bedrooms, (3), shower rooms, (4) sleeping areas, or (5) any other area intended for personal privacy
- Q. Renter Information-Posted on Signs within the STR Unit. An owner shall post and maintain signage in a conspicuous location within each STR Unit that shall contain the following information:
1. An emergency evacuation plan and egress routes
  2. The STR license and number
  3. The maximum number of people permitted for overnight occupancy
  4. Physical address number of the STR Unit
  5. Emergency and non-emergency contact information for law enforcement, fire, ambulance service, and towing services
  6. Correct and current contact information for responsible agent and owner, including a phone number for 24-hour response to emergencies
  7. Description of location of fire extinguishers, electrical panels, shut offs for propane/natural gas, and water main, and shut offs for appliances
  8. Good neighbor/renter guidelines regarding property boundaries, noise, parking, ATV/OHV use, trash handling, wildlife guidelines, and fire restrictions
  9. Any other information deemed necessary by the County to ensure the public's health and safety.
- R. Renter Information-Written Information. An owner shall place and maintain at a conspicuous location within in each STR Unit written information that provides:
1. The location, by description or depiction, for vehicle parking and maximum number of parked vehicles permitted for the property shall not exceed occupancy for the STR unit, the standard is 2 persons per vehicle

2. The location of trash and recycling receptacles and the rules and regulations regarding the handling of the same
  3. Snow removal instructions and/or contact information the snow removal service
  4. Policies regarding noise; limits must not exceed state or county limits
  5. Policies regarding pets and wildlife; no interference with wildlife
  6. Property boundaries to prevent trespassing on private properties
  7. Applicable homeowners' association policies, if any, specific to the property.
- S. Advertising Requirements. The owner or designated Responsible Agent must ensure that every advertisement for the STR Unit Complies with the provisions of this section. Once the STR license is issued, the rental listings will be reviewed for compliance with the following standards.
1. Advertising for Owner/Responsible Agent Requirements:
    - a. Owner/Responsible Agent shall ensure that all advertisements for the STR clearly display the valid Park County STR License number and the maximum occupancy for the property in any listing that advertises or accepts bookings for short-term rental use.
    - b. Shall ensure that the STR License number, as stated on the license issued by Park County to the Owner must be visible on all STR advertisements. The license number shall be included in either the listing, title, the listing description, or in any field specifically designated for license numbers. Rental dates must be blocked until the STR License has been issued.
    - c. Properties that are on a waitlist for an STR License shall not be advertised as short-term rentals until a valid STR License has been issued to the Owner. If, during the waitlist period, a waitlisted property is found to be advertised in violation of this provision, the STR application shall be denied, and the property shall be removed from the waitlist.
    - d. STR listings that fail to display the license number, maximum occupancy, that display an incorrect maximum occupancy, or that use a license number that is expired, abandoned, or revoked, are subject to enforcement and penalties pursuant to § 30-15-402(1), which may include issuance of a Notice of Violation (NOV) and/or revocation of an existing STR License.
  2. STR Platform Requirements:
    - a. Consistent with CRS 30-150-401(1)(s)(III), any short-term rental service that hosts advertisements for STR properties in unincorporated Park County must require that each Owner, Responsible Agent, or their representative include a valid STR license number issued by Park County in any STR advertisement posted on that platform.
    - b. Upon receiving notice from the Director of Development Services that an STR listing is associated with a missing, invalid, abandoned, or expired permit number, or that the STR permit for the property has been revoked, the short-term rental service shall remove the advertisement from its platform. The notice will include the listing URL, the basis for removal, and any other identifying information available to Park County. The short-term rental service must remove the listing within fourteen (14) days of receiving such notice from the Director.
    - c. A short-term rental service that fails to remove an STR advertisement within fifteen (15) or more days after receiving a removal notice from Park County shall be subject to enforcement and penalties pursuant to § 30-15-402(1). Violations, Penalty and Enforcement.
- T. Taxes. The owner or responsible agent shall collect and remit all applicable local, state and federal taxes on each STR Unit. The Director can request a state sales tax submission report at any time

- U. Notice to Owner. Any notice required by this Ordinance to be given to an owner is sufficient if sent by electronic or first-class mail to the address provided by the owner on the most recent license or renewal application. Notice given to the Responsible Agent, by electronic or first-class mail to the address provided by the owner, shall also be sufficient to satisfy any required notice to the owner under this Ordinance.
- V. Owner liable. Compliance with, and ensuring compliance with, the requirements set forth in this Ordinance shall be a nondelegable responsibility of the owner of an STR Unit, and each owner of an STR Unit shall be strictly liable for complying with, and ensuring compliance with, the conditions and limitations set forth in this Ordinance.
- W. Inspection. Because short-term rental properties are, by their nature, intended to be occupied by numerous guests for short periods of occupancy, it is determined that the County's ability to inspect STR units is in the interest of public safety. Therefore, whenever it is necessary or desirable to inspect to enforce the requirements of this Ordinance, an authorized county inspector may enter such STR unit at all reasonable times as scheduled with the owner or responsible agent to inspect the same for the purpose of enforcing such special conditions. If such STR Unit is occupied, the authorized county inspector shall first present proper credentials and request entry. If such STR Unit is unoccupied the county shall first make a reasonable effort to locate the owner, the responsible agent, or other person having charge or control of the STR Unit and schedule entry.

#### Section 8. Denial of License.

- A. A short-term rental property license application shall be denied by the Director based on any of the following grounds:
  - 1. The application has not paid property taxes
  - 2. The required application fees have not been paid
  - 3. The application is incomplete or contains false, misleading or fraudulent statements
  - 4. All applicable provisions of this Ordinance or any applicable County regulation or State law have not been met.
  - 5. Any reason that justifies denial of a license.
- B. In the event of a denial, the Director shall mail or deliver to the applicant by electronic means a written order of denial stating the reason or reasons for the denial within ten (10) days of the denial.

#### Section 9. Revocation of License

- A. Revocation. The Director of Development Services may revoke a short-term rental property license upon determining that a licensee has
  - 1. Been found in violation of any provision of the Ordinance on three (3) or more occasions within the last year
  - 2. Continued to operate the STR Unit under an expired or revoked license
  - 3. Operated the business in violation of a building, fire, health or safety code adopted by the County, said determination being based on investigation by the department, division, or agency charged with enforcing said code. In the event of such a code violation, the Director shall promptly notify the licensee of the violation and shall allow the licensee a twenty (20) day period in which to correct the violation. If the licensee fails to correct the violation before the expiration of the twenty (20) day period, the Director of Development Services shall revoke the license and shall notify the licensee of the revocation
  - 4. Failed to pay taxes due to the County
  - 5. Failed to pay the annual license fee
  - 6. Given false or misleading information in the material submitted during the application process

7. Any fact or condition exists that, if it had existed or had been known to exist at the time of the application for the license, would have warranted the denial of the license
  8. There have been three (3) or more violations by occupants of this STR Property in the past calendar year
  9. Short-term Rental Services are to take down advertisements for STRs located within Park County that do not comply with the County's STR advertising requirements (26.530.050 - Occupancy and Operational Standards).
- B. When the Director revokes a short-term rental license, the revocation shall continue for one (1) year, and the licensee shall not be issued a short-term rental license for one (1) year from the date revocation became effective.

#### Section 10. Appeal Hearing on Denial or Revocation.

- A. Appeal. An applicant or licensee may appeal a denial or revocation of his or her short-term rental license to the hearing officer designated by the Board of County Commissioners and shall be entitled to a hearing before the hearing officer. Said appeal shall be made in writing, stating the grounds for appeal, within five (5) working days of the decision of the Director. In the event of a suspension or revocation hearing, the business may continue to operate during the hearing process.
- B. Hearing. At the hearing, the hearing officer shall hear such statements and consider such evidence offered that is relevant to the grounds alleged for denial or the violation alleged for suspension or revocation. The hearing shall be conducted pursuant to the rules of procedure adopted by the Director. The hearing officer shall make findings of fact from the statements and evidence offered as to whether such grounds exist or such violation occurred. If the Hearing officer determines that grounds for revocation exists, he or she shall issue an order revoking the license within thirty (30) days after the hearing is concluded, based on the findings of fact. A copy of the order shall be mailed to or served on the licensee at the address on the license.
- C. Final order. The order of the hearing officer made pursuant to subsection B above shall be a final decision and may be appealed to the District Court pursuant to Colorado Rule of Civil Procedure 106(a)(4). Failure of a licensee to appeal said order in a timely manner constitutes a waiver by him or her of any right he or she may otherwise have to contest the revocation of the short-term rental property license.
- D. Hearing powers. The hearing officer shall have the power to administer oaths, issue subpoenas, and when necessary, grant continuances. Subpoenas may be issued to require the presence of persons and production of papers, books and records necessary to the determination of any hearing that the hearing officer conducts. It is unlawful for any person to fail to comply with any subpoena issued by the hearing officer. A subpoena shall be served in the same manner as a subpoena issued by the District Court of the State of Colorado.
- E. Recording. All hearings held before the Hearing Officer regarding denial, or revocation of a short-term rental property license issued under this code shall be recorded by an electronic recording device. Any person requesting a transcript of such record shall post a deposit in the amount required by the County Manager and shall pay all costs of preparing such record.
- F. No refund of license fee. In the event of denial revocation or cessation of business, no portion of the short-term rental property license application fee shall be refunded.

#### Section 11. Fees.

- A. The short-term rental property license fee and renewal fee shall be set by Resolution of the Board of County Commissioners. No short-term rental property license shall be reviewed until the applicable fee has been received by the Director.

- B. The fees imposed for short-term rental property licenses shall be used to cover the administrative and personnel costs associated with developing and implementing the Short-term Rental License program and enforcing the regulations in this Ordinance, including but not limited to inspecting STR Unit and Property. These fees provide a reasonable relationship to the cost of regulation, administration and enforcement of this Ordinance. The fees are non-refundable.

Section 12. Limitations.

- A. The STR Property limitations are set by an appendix to this ordinance they are based on lot size, and number of developed lots in subdivisions with 50 or more lots and in Metes and Bounds. Lots .75 acre or less will require a site inspection.

Section 13. Violations, Penalty and Enforcement.

- A. It is unlawful for any owner, responsible agent or occupant of an STR unit to violate any provision of this Ordinance, as applicable.
- B. In addition to denial and revocation actions pursuant to Section 9 of this Ordinance, violations of this Ordinance are subject to the penalties set forth in this Section, and each day or portion thereof during which any violation is committed, continued or permitted shall constitute a separate offense and shall be punishable as a separate offense.
- C. Any violation of this Ordinance may be separately, concurrently or together enforced through this Ordinance, other applicable County Ordinances, the Park County Building Code and the Park County Land Use Regulations.
- D. Pursuant to C.R.S. § 30-15-402(1), as amended, any violation of this Ordinance shall be a civil infraction and shall be punishable by a fine of not more than one thousand dollars (\$1,000).
- E. Graduated Fine Schedule:
  - 1. Pursuant to C.R.S. § 30-15-402, there shall be a graduated fine schedule for repeat offenses by the same individual as follows:
    - a. First and Second Offense: maximum fine of \$200 per day of offense
    - b. Third Offense: maximum fine of \$300 per day of offense
    - c. Subsequent offenses: maximum fine \$1,000 per day of offense.
- F. Surcharges. Pursuant to C.R.S. § 30-15-402(2)(a), there shall be a surcharge of ten dollars that shall be paid to the Clerk of the Court by the defendant. All monies collected for that surcharge shall be paid to the Clark of the Court by the defendant. The monies collected for that surcharge shall be placed in a fund established by the 11<sup>th</sup> Judicial District for victims and witness assistance and law enforcement pursuant to C.R.S. § 24-4.2-103.
- G. Remedies Not Exclusive  
The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable federal, state, or local law, and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

H. Disposition of Fines

Unless otherwise provided for, all fines, penalties, and surcharges shall be paid into the treasury of Park County pursuant to C.R.S. § 30-15-408. Court costs, if any, shall be paid directly to the Clerk of the Court by each defendant.

Section 14. Severability. If a Court of competent jurisdiction shall hold any part of this Ordinance void or unconstitutional, such part shall be deemed severable, and the invalidity thereof shall not affect the remaining provisions of the Ordinance.

Section 15. Effective Date. The publication and notice of this Ordinance will be performed in accordance with C.R.S. 30-15-405 and 30-15-406 and shall become effective thirty (30) days after the final publication of its adoption by the Board of County Commissioners.

CERTIFICATION: The foregoing Ordinance was introduced and read on, by the Board of County Commissioners of Park County, Colorado and approved for publication.

DATE OF FIRST PUBLICATION: [DATE]

The foregoing Ordinance was considered on \_\_\_\_\_, and adopted by the Board of County Commissioners of Park County and ordered published by reference to title and changes only in *The Park County Republican & Fairplay Flume*.

DATE OF SECOND PUBLICATION:

EFFECTIVE DATE:

BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Chairman

Upon motion duly made and seconded the foregoing Ordinance was adopted by the following vote:

Wissel \_\_\_\_\_  
Mitchell \_\_\_\_\_  
Gemmer \_\_\_\_\_  
Commissioners

CERTIFICATE OF ATTESTATION

STATE OF COLORADO )  
COUNTY OF PARK )

I, Milena Kassel, County Clerk, an ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Park County, now in my office.

The Foregoing text is the authentic text of Park County Ordinance \_\_\_\_\_. The first reading of said Ordinance took place on \_\_\_\_\_, at a regular Board of County Commissioners meeting. It was published in full in a newspaper of general circulation at least ten days before its adoption: to wit, in the Park County Republican & Fairplay Flume on \_\_\_\_\_. The Ordinance was adopted on second reading at a regular Board of County Commissioners meeting on \_\_\_\_\_ and shall become effective on \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Fairplay, Colorado this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

County Clerk and ex-officio Clerk to the Board of County Commissioners Milena Kassel: