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Debra A Green
Park County Clerk

ORDINANCE NO. 21-01
AN ORDINANCE FIXING FEES FOR SHORT-TERM RENTAL PROPERTY LICENSES IN PARK COUNTY

WHEREAS, pursuant to Ordinance No. 20-03, the Board of County Commissioners enacted regulations for short-term rental properties (the "Park County Short-Term Rental Ordinance"); and

WHEREAS, the Board of County Commissioners has authority pursuant to C.R.S. Section 30-15-401(1)(s) to enact ordinances to fix license fees for short-term rental properties; and

WHEREAS, the Board of County Commissioners desires to fix license fees for short-term rental properties; and

WHEREAS, a fee charged as part of a regulatory regime must bear a reasonable relationship to the cost to administer such regulations (*Colorado Union of Taxpayers Found. v. City of Aspen*, 418 P.3d 506, 515 (Colo. 2018)); and

WHEREAS, the County has performed an evaluation to determine the reasonable direct and indirect costs of administering the Park County Short-Term Rental Ordinance, including application intake, planning review, building review, environmental health review, complaint intake and investigation, assessor fees, Public Works and Sheriff's Office participation, dispatch, and legal and has developed the Short-Term Rental Fee Schedule to defray the costs of administering the Park County Short-Term Rental Ordinance; 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. Purpose. The purpose of this Ordinance is to establish a fee schedule for the operation of short-term rental properties ("STRs") 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 all properties and the owners thereof who are required to have a license pursuant to the Park County Short-Term Rental Ordinance.

Section 4. Fee Schedule.

New STR License application: \$605
Annual STR License renewal: \$215

These license application and renewal fees will be analyzed regularly and will be adjusted as needed based on the volume of STR licenses and associated administrative costs.

Section 5. 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 6. 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 this Ordinance shall become effective in accordance with Colorado law.

CERTIFICATION: The foregoing Ordinance was introduced and read on January 26, 2021, by the Board of County Commissioners of Park County, Colorado and approved for publication.

DATE OF FIRST PUBLICATION: February 5, 2021.

The foregoing Ordinance was considered on February 16, 2021, and adopted by the Board of County Commissioners of Park County and ordered published by reference to title and changes only in The Flume.

DATE OF SECOND PUBLICATION: February 26, 2021.

EFFECTIVE DATE: March 28, 2021.

BOARD OF COUNTY COMMISSIONERS



Chairman Richard Elsner