

**TOWN OF KEYSTONE
ORDINANCE NO. 2024-O-07**

**AN ORDINANCE OF TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO,
ADOPTING SHORT-TERM RENTAL REGULATIONS**

WHEREAS, the Town of Keystone (“Town”) is a home rule municipal corporation created pursuant to Article XX of the Colorado Constitution; and

WHEREAS, the land that was eventually incorporated into the new Town of Keystone was located in and governed by Summit County, Colorado; and

WHEREAS, the Town is a resort-community and known for its beautiful mountain setting and world-class recreation opportunities; and

WHEREAS, the Town of Keystone is a tourist-based economy; and

WHEREAS, it is important that there are available short-term rental accommodations to those people wanting to visit and spend time in the Town; and

WHEREAS, beginning on October 1, 2024, the Town will provide the service of regulation of short-term rentals in the Town boundaries; and

WHEREAS, recognizing the importance of the tourist-based economy and the availability of short-term rental accommodations, Town Council desires to balance these needs with the potential impacts of short-term rental accommodations on neighbors; and

WHEREAS, the rental of a short-term rental by the property owner is the operation of a business; and

WHEREAS, the Town has the power to regulate businesses that operate within the Town under several laws, including, but not limited to (i) C.R.S. § 31-15-501 (concerning municipal authority to regulate businesses); (ii) C.R.S. § 31-15-401 (concerning municipal police powers); (iii) the authority granted to home rule municipalities by Article XX of the Colorado Constitution; and (iv) the powers contained in the Keystone Home Rule Charter; and

WHEREAS, the Town Council desires to adopt short-term rental regulations consistent with the previously applicable Summit County short-term rental regulations applicable to the Summit County Resort Overlay Zone; and

WHEREAS, the Town Council has determined that these regulations on short-term rentals will strike a balance. The regulations aim to support the Town's tourist-based economy by ensuring adequate accommodations and offering visitors the chance to immerse themselves in the town's stunning mountain scenery and top-tier recreational offerings. Additionally, the regulations seek to establish reasonable guidelines to foster harmonious relations among neighbors.

Ordinance No. 2024-O-07
Page 2 of 19

THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, ORDAINS:

Section 1. The foregoing recitals are hereby affirmed and incorporated herein by this reference as findings of the Town Council.

Section 2. The Town Council adopts the following regulations, Short-Term Rental Regulations, for the licensing of short-term rentals in the Town.

SHORT-TERM RENTAL REGULATIONS

A. Purpose.

The purposes of these regulations are:

1. Reasonably regulate and allow short-term rentals of residential real property;
2. Provide for short-term accommodations and establish operating standards to reduce impacts on adjacent neighbors resulting from short-term rentals; and
3. Designate a department of Town of Keystone to process applications for licenses for short-term rentals and provide the structure by which such entity will process and review the applications.
4. Provide a manner for submission and enforcement of neighbor complaints related to impacts of the use of short-term rentals.

B. Applicability.

The regulations set forth in this Ordinance shall apply to short-term rental Property only, as defined herein. This Ordinance shall not apply to the furnishing of lodging services in hotels, motels, lodges, or units within a building operating akin to that of a hotel/motel with a central check-in located within such facility, or to long-term leases.

C. Definitions.

Unless otherwise defined herein, the words and terms used in these regulations shall have the meaning as set forth in the Town of Keystone Land Use Code ("Land Use Code"), Ordinance No. 2024-O-05.

- a. *Advertise* means any act, method or means of drawing attention to a short-term rental for purposes of promoting the same for rent or occupancy.

Ordinance No. 2024-O-07

Page 3 of 19

- b. *Booking* means an agreement to rent a unit for a period of less than 30 consecutive days for an exchange of consideration.
- c. *Licensee* shall mean the person to whom a short-term rental license has been issued by the Town Clerk.
- d. *Rent* means allow the use of real property for a period of time. Rent includes such terms as lease, let, and borrow.
- e. *Short-term rental* (or "STR") means the rent for any form of consideration of a dwelling, dwelling unit, accessory dwelling unit, or portion of any dwelling unit to a particular person or persons for periods of time less than thirty (30) days. A short-term rental is a use that is accessory to the primary or principal use of such dwelling or dwelling unit..

D. Procedures.

1. Licensing Authority. The Town of Keystone Town Clerk is hereby designated as the licensing authority and enforcement agency for all STR applications and operations and is responsible for collecting fees, providing an application system, assisting the applicant with the application process, and monitoring and enforcement of these regulations and any applicable sections of the Land Use Code (collectively, the "STR Regulations"). The Town Clerk shall be authorized to promulgate all reasonable administrative rules and procedures necessary for the operation and enforcement of the STR Regulations.
2. License Required. No person or entity may advertise or operate an STR without a valid license.
3. Review Process. An application for an STR license shall be reviewed by the Town Clerk in accordance with the applicable criteria set forth in these regulations.
4. Review Criteria. The Town Clerk shall consider all of the required application materials and submissions and determine that all criteria have been met and required materials submitted prior to issuing an STR license.
5. Decision. A decision regarding the issuance of a license under these regulations shall be issued by the Town Clerk within 30 days once the application has been deemed complete.
6. Appeal. If an application for a short-term rental license is denied, the applicant may appeal that decision to the Town Manager or designee within ten (10) days of receipt of written notice of such denial; otherwise, the license denial shall be final and not subject

Ordinance No. 2024-O-07

Page 4 of 19

to appeal. If the Town Manager or designee upholds the denial of the short-term rental license, the applicant may appeal the Town Manager's denial decision within ten (10) days of receipt of written notice to the Town Council. The denial of a short-term rental license is an administrative decision.

7. Length of Validity and Renewal.

- a. A short-term rental license shall expire on September 30 of the calendar year following the year of initial license issuance, or when title of the short-term rental property transfers to a new owner, whichever occurs first. Each change in ownership of a short-term rental property shall require a new license, unless meeting one of the exceptions as listed in Section B.8. below.
- b. An application for renewal of a short-term rental license shall be submitted within the renewal period established by the Town Clerk.
- c. A short-term rental license which is not submitted for renewal during the established renewal period shall be considered expired and the property owner is required to submit a new license application.
- d. Upon receipt of a timely renewal application, the Town Clerk will review the application and administratively approve the renewal of the license, provided that for the year immediately preceding the date of renewal the following conditions are found by the Clerk to be fully satisfied:
 - i. The applicant for license renewal was the original applicant for the license to be renewed;
 - ii. The applicant continues to meet all requirements for issuance of a license provided by Section F.2;
 - iii. The applicant or the property is not presently in violation of this Article, other provisions of the Municipal Code, or conditions imposed upon the license;
 - iv. The applicant has not been cited for, charged with, or determined to be in violation more than three (3) times during the prior calendar year of a provision of this Article, other provisions of the Municipal Code, or a condition imposed upon the license;
 - v. The previously issued short-term rental license is current and valid and has not been suspended during the prior calendar year; and

Ordinance No. 2024-O-07

Page 5 of 19

vi. The property has no outstanding local or state tax obligations.

If any one of the conditions of this subsection (d) are not satisfied, the Town Clerk shall deny the renewal application.

The Town Clerk is authorized to issue a conditional renewal requiring the license holder to promptly remedy or resolve one (1) or more issues that otherwise would necessitate rejection or denial of the application or license renewal. The license holder's failure to timely satisfy a condition of license renewal shall, without any formal action other than notice to the license holder, result in the revocation of the license renewal as if the renewal was rejected upon initial application and never issued.

- e. Applicants whose application for renewal is denied pursuant to subsection d. of this Section may appeal the Town Clerk's decision in accordance with Section J.6.d.
- f. The owner of property for which a renewal application is denied in accordance with subsection d. above shall be ineligible to apply for a new license for a period of one (1) year from the date of rejection of the renewal application.
- g. Open Permits. When there is an open building permit or septic permit for an upgrade, remodel, or demolition, the STR license will remain in effect subject to annual renewal; however, no rentals may occur until the permit has received all final approvals, including a Certificate of Completion, Certificate of Occupancy, or Temporary Certificate of Occupancy, if required.

8. Transfer of Ownership.

- a. Ownership of a license may not be transferred, unless meeting one of the exceptions as listed herein.
 - i. The transfer of title to real property when there is no consideration if the grantee is a member of the grantor's immediate family. For purposes of this section, a family transaction shall mean between parents and children, spouses or domestic partners, siblings, grandparents and grandchildren, or other similar family relationship.
 - ii. The transfer of title to real property from a grantor to a trust established by the grantor.

Ordinance No. 2024-O-07

Page 6 of 19

- iii. The transfer of title to real property from a grantor to a limited liability company or another form of business entity recognized by Colorado law so long as the grantor has a controlling interest in such limited liability company or other business entity. Any transfer of title wherein the majority interest is no longer held by the same party or parties as who *originally* obtained the STR license shall be considered a non-exempt transfer and a new license will need to be obtained.
 - iv. Any transfer of the property between the same parties creating or terminating a joint tenancy in such property.
 - v. The transfer of title or change of interest in real property by reason of death, pursuant to a will, the law of descent and distribution, or otherwise.
 - vi. The transfer of title without consideration for the purpose of confirming, correcting, modifying, or supplementing a transfer previously recorded; making minor boundary adjustments; removing clouds of titles; or granting rights-of-way, easements, or licenses.
 - vii. The transfer of title pursuant to any decree or order of a court of record quieting, determining, or vesting title. The transfer of title between spouses or former spouses made pursuant to a separation agreement, decree of legal separation, or dissolution of marriage.
- b. Either prior to or within 30 days after the transfer, a property transfer purportedly meeting the requirements of this section, the new owners shall contact the Town Clerk and provide all necessary materials to determine if the transfer meets the exempt criteria above.
9. Property Owner. The owner of the STR Property shall be the holder of the license and is called the licensee. A property manager or other individual may submit the application for an STR license on behalf of the Property owner; however, the Town Clerk issues the license to the Property owner and the Property owner has responsibility for compliance with the STR Regulations.
10. Maximum Occupancy.
- a. Maximum occupancy at any time may not exceed the following, unless further restricted by an on-site wastewater treatment system (OWTS), and shall be in accordance with Section D.10.b:

Ordinance No. 2024-O-07

Page 7 of 19

- i. Single family, duplex and townhome units: a) two (2) persons per bedroom plus four (4) additional occupants; OR b) 1 person per 200 square feet of living area, whichever allows for a greater occupancy.
 - ii. Condominium units: a) two (2) persons per bedroom plus four (4) additional occupants, or two (2) persons per bedroom plus two (2) additional occupants in buildings with interior egress components less than 44 inches wide and without a sprinkler system; OR b) 1 person per 200 square feet of living area, whichever allows for a greater occupancy. When a condominium unit contains an approved lock-off room that meets the definition of a lock-off room set forth in Chapter 15 of the Town Land Use Code, the lock-off room shall be allowed a total of 4 occupants.
 - iii. Properties requesting occupancy in excess of 19 must first obtain a Class 2 Conditional Use Permit as required by the Town Land Use Code.
- b. STRs on on-site wastewater treatment systems (OWTS): the maximum overnight occupancy of the unit shall be limited to the capacity established on the OWTS permit. OWTS systems in Summit County are typically designed to accommodate a maximum occupancy of 2 persons per bedroom.
 - c. For the purposes of these regulations, a loft which meets the Building Department requirements for a potential sleeping room shall be allowed 2 occupants. Studios will be treated as one-bedroom units for the purposes of this Section.
 - d. Occupancy as permitted in the license is the total number of persons who may be at the Property at any one time.

E. Responsible Agent Required

1. Responsible Agent. Each licensee of a short-term rental Property shall designate a person or company to serve as the responsible agent ("Responsible Agent"). A licensee of a short-term rental Property may designate themselves as the Responsible Agent.
 - a. The Responsible Agent shall have access and authority to assume management of the unit and take remedial measures. The Responsible Agent shall be available 24 hours per day, 7 days per week to respond to

Ordinance No. 2024-O-07

Page 8 of 19

complaints, issues of concern, and violations related to these short-term rental regulations. The Responsible Agent, or their designee, must be able to affirmatively respond to complaints within an hour of notification of such complaint. Failure of a Responsible Agent to affirmatively respond to a complaint and attempt to resolve such complaint within an hour of notification shall be considered a violation.

- b. In the event of a fire ban within Summit County, the Responsible Agent is required to notify renters of the current fire restrictions and provide renters with instructions on how to access the Summit County Alert System for real-time emergency information during their stay.
- c. The licensee shall keep all property management and Responsible Agent information updated with the Town and in the STR unit.

F. Application

1. Application. The owner shall file a complete application for a short-term rental license with the Town Clerk through the established application system. The application shall not be deemed complete until all required information is submitted.

2. Application Materials. An application for a short-term rental license shall include the following:

- a. Application materials shall include all information and materials as set forth in these regulations as required in the application system.
- b. Contact information for Owner, property manager, if applicable, and Responsible Agent, including names, mailing address, phone number, and email. The licensee is required to keep all contact information up to date.
- c. Application fee as established by the Town Council by resolution.
- d. Self-Compliance Affidavit, signed by the owner under penalty of perjury, certifying compliance with the STR Regulations.
- e. Documentation listing all owners of a property, including form of ownership and percentage share, as applicable.
- f. Designation of Responsible Agent including contact information who shall be available 24 hours per day, 7 days per week, in accordance with the requirements set forth in Section E.1. above.

Ordinance No. 2024-O-07

Page 9 of 19

- g. If applicable, documentation of water supply and septic capacity adequate to serve the proposed use, including but not limited to improvements such as hot tubs. Such documentation shall include submittal of well permit, OWTS permit, and pumper report.
- h. A parking plan or description for the Property, which complies with the parking requirements set forth in Section G.2.a. below.
- i. A waste disposal plan or description for the Property, which complies with the requirements set forth in Section G.2.b below.
- j. Proof of all required state and local sales tax licenses.
- k. Owner shall certify that they have read and understood the Good Neighbor Guidelines, and shall make these guidelines available to all renters in the rental agreement and by posting it in a prominent location within the STR.

G. Standards And Operating Requirements

1. Health and Safety.

- a. All improvements on the Property shall be permitted by the applicable Building Inspection Department, Environmental Health Department, Engineering Department, and all other applicable agencies. Buildings, structures, or rooms shall not be used for purposes other than those for which they were designed or intended, i.e. rooms not approved as "sleeping rooms" by the Building Inspection Department shall not contain beds.¹
- b. Roofs, floors, walls, foundations, ceilings, stairs, handrails, guardrails, doors, porches, all other structural components and all appurtenances thereto shall be capable of resisting any and all forces and loads to which they may be normally subjected, and shall be kept in sound condition and good repair.
- c. Smoke detectors, carbon monoxide detectors and fire extinguishers shall be installed and operable per C.R.S. § 38-45-104, and all wood-burning fireplaces and stoves shall be cleaned on an annual basis.

¹ The Building Inspection Department refers to bedrooms as a sleeping room/ area. The Town Land Use Code and these regulations use the term bedroom which is defined in Chapter 15 of the Town Land Use Code and which definition is the same as the definition of sleeping room/area in the International Residential Code.

Ordinance No. 2024-O-07

Page 10 of 19

- d. An operable toilet, sink, and either bathtub or shower shall be 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.
- e. There shall be a sufficient number of waste receptacles to accommodate all waste generated by those occupying the short-term rental Property.
- f. Partial home short-term rentals are rentals of rooms within a dwelling unit where access and cooking facilities are shared by other occupants within the home. Partial-home rentals may not be advertised as separate units, such as but not limited to, a separate lockoff, studio, or apartment; and advertisements for such Properties shall contain language about shared access and cooking facilities.
- g. Outdoor fire pits on a Property shall be permanently installed improvements that are permitted and inspected by the applicable fire district and/or the Building Inspection Department, if required per applicable building and fire code requirements. STR owners/applicants should check with their applicable fire district and the Building Inspection Department to determine if permits are needed. The use of portable outdoor fireplaces is prohibited.
- h. Electrical panels shall be clearly labeled.
- i. All short-term rental properties shall have reliable cellular or VoIP service available or provide access to a landline telephone to enable renters to call 911 in the event of an emergency.
- j. Sanitary Standards and Rules for Public Accommodations. Where Applicable, all short term rental Property owners shall understand and maintain compliance with the Sanitary Standards and Regulations for Public Accommodations set forth in the Code of Colorado Regulations, Official Publication of the State Administrative Rules Section 6 CCR 1010-14. The purpose of these regulations is to provide minimum requirements for the protection of the health and safety of the occupants of public accommodations and community residents. All hot tub/spa installations require both a building permit and an electrical permit from the Building Inspection Department, in accordance with applicable regulations and compliance with Section G.I.ii below, if applicable. Hot tubs/spas and swimming pools shall be properly maintained in a way to prevent the spread of illness and shall comply with the requirements set forth in the Colorado Regulation Pertaining to Swimming Pools and Mineral Baths 5 CCR 1003-

Ordinance No. 2024-O-07

Page 11 of 19

5.

k. Occupancy of a recreational vehicle is prohibited on any Property that has obtained a short-term rental license.

l. STRs on Well or Septic:

i. If a short-term rental Property is connected to an On-site Wastewater Treatment System (OWTS) for sewer service, a septic tank pumping shall be completed by a Summit County Licensed System Cleaner every 3 years, or more frequently as determined by the Summit County Environmental Health Department during each County review of a STR license renewal application for the Property.

(a) Upon initial application, a pumping report will be accepted within 3 years of the date of that inspection. If the OWTS is in a state of malfunction, the Short-Term Rental license will not be issued until repairs are made and approved.

ii. If a short-term rental Property is served by an on-site well for domestic water use, an adequate water supply in terms of quantity, quality, and dependability for the proposed use per the Colorado Primary Drinking Water Regulation 5 CCR 1002- 1 1 where applicable. In addition, if the property has an improvement such as a hot tub, such Property shall be served by a well that is permitted for such use.

2. Site Plan and Operations.

a. Parking: A minimum of one (1) parking space is required per unit, up to a maximum of five (5) vehicles permitted to be parked outdoors on any Property.

i. Designated parking spaces shall comply with all applicable parking requirements set forth in Section 3700 of the Land Use Code. All vehicles shall be parked on-site in designated parking areas; parking is prohibited on Town roads, in any landscaped area, or in a manner that blocks egress for adjacent residents (driveways, sidewalks, alleys or mailboxes).

ii. The allowable number of parking spaces / vehicles shall be clearly stated in all short-term rental advertising. A copy of the approved parking plan for the short- term vacation rental Property shall be

Ordinance No. 2024-O-07

Page 12 of 19

provided to all renters in the rental agreement and posted in a prominent location within the Property.

- iii. A Property owner may request an increase in the maximum number of allowed parking spaces through a Conditional Use Permit if the proposed parking meets all applicable regulations and criteria, and is found to be consistent with neighborhood character, including location and visual buffering from adjacent properties.
- b. Waste Disposal and Collection: All short-term rental Properties shall provide a waste disposal and collection plan to ensure that waste containers are not left outdoors where they can cause issues for wildlife or snow removal operations. The proposed waste disposal and collection plan shall be reviewed and approved during initial license review and during review of any license renewals, if needed. Waste disposal plans shall comply with all applicable regulations including the Summit County Disposal District Regulations. Examples of acceptable waste disposal and collection plans may include but are not limited to:
 - i. Indoor storage of waste with concierge/valet collection service provided by the waste hauler at the time of pickup.
 - ii. Storage of waste containers in garage, with waste containers to be put out by the Responsible Agent no earlier than 6:00 a.m. and returned to the garage by 7:00 p.m. on the day of pickup.
 - iii. Waste disposal is managed by the development's homeowner's association, and renters will be instructed on the location and requirements for waste disposal.
 - iv. Waste is stored in bear proof containers located outside of the right-of-way and any snow storage areas.
- c. Noise: Renters shall be informed of the applicable noise ordinance, which is enforced by law enforcement.
- d. Outdoor Lighting: All outdoor lighting shall comply with the exterior lighting requirements set forth in Section 3505.07 of the Land Use Code.
- e. Pets: If pets are allowed, renters shall be informed of applicable requirements for controlling pets, pet waste disposal, and barking/noise provisions set forth in the applicable animal control regulations; such regulations are enforced by law enforcement. All short-term rental

Ordinance No. 2024-O-07

Page 13 of 19

Properties shall comply with the animal regulations set forth in Section 3802 of the Land Use Code, and all pet food shall be stored indoors.

- f. Winter Traction and Snow Removal: Renters shall be informed in advance of arrival and via the Good Neighbor Guidelines of winter driving conditions and the need for appropriate vehicle traction, including Colorado Department of Transportation's Traction Law. Snow shall be removed from parking areas as necessary to accommodate the approved parking plan.

3. Good Neighbor Guidelines and Practices. The Town Clerk shall promulgate Good Neighbor Guidelines setting forth various recommended and/or required practices for STR owners and their renters. Licensees shall endeavor to have their renters abide by the Good Neighbor Guidelines in a reasonable and effective manner. This may include changing or altering rental practices to address repeat concerns; for example, posting clear quiet hours for hot tub use, establishing a multi-night minimum for renters, clearly communicating and monitoring number of vehicles allowed, renting to fewer guest than allowed by the maximum occupancy provisions, or other practices to mitigate impacts in the neighborhood.

H. Signage

1. A Licensee shall post a sign or notice conspicuously inside the short-term rental Property, which includes the Responsible Agent's current contact information and/or the owner's current contact information, the street address of the short-term rental Property and the short-term rental license number.

2. The Good Neighbor Guidelines, permitted occupancy, parking plan, and waste disposal requirements, including location of recycling centers, shall be posted in a prominent location within the short-term rental Property.

3. Any exterior signs advertising a short-term rental must first be reviewed and approved in accordance with the sign regulations contained in Chapter 9 of the Land Use Code.

I. One Party Rental, Advertising

1. Unless approved as a Bed and Breakfast per the Land Use Code, a short-term rental property shall not be rented to more than one booking party at a time.

2. All advertising for a short-term rental Property shall include the Town of Keystone short-term rental license number, immediately following the accurate description of the short-term rental Property as reflected by Town records, along with the permitted occupancy, permitted bedroom count, and parking limitations.

Ordinance No. 2024-O-07
Page 14 of 19

H. Taxes

1. All property taxes lawfully assessed against a short-term rental unit shall be paid according to the taxing requirements prior to approval of the short-term rental license, and payment of such taxes shall continue thereafter. Non-compliance with the payment of any taxes may result in suspension, revocation, non-renewal, or denial of the short-term rental license.

I. Notice

1. Any notice of violations, hearings, or other legal matters given to an owner is sufficient if sent by first-class mail to the address provided by the owner on the most recent permit or renewal application. Notice given to the Responsible Agent, by first-class mail, except as provided in Section J.6, to the address provided by the licensee, shall also be sufficient to satisfy any legal notice to the owner under these regulations.

2. The Town Clerk may send notice of administrative matters such as renewals, newsletters, updates, etc. via email to the registrant email address provided by the licensee on the most recent license or renewal. Failure to provide an accurate email address may result in a licensee or registered agent not receiving important information.

J. Violations, Enforcement And Revocation

1. Obligation for Ongoing Compliance of Licensee.

- a. Issuance of a license is expressly contingent upon the licensee maintaining compliance with all requirements set forth in the STR Regulations. If at any time a licensee fails to maintain such compliance as is required, the licensee shall be in violation of these regulations.
- b. A licensee shall avoid any illegal, dangerous, or harmful practices or conditions which are detrimental to the public property, health, welfare, peace or safety.
- c. A licensee shall neither advertise nor operate an STR on the Property during the period the STR license is revoked or suspended.

2. Complaints and Remedies for Non-Compliance.

- a. Complaints concerning a short-term rental Property shall be first directed to the Town's STR Hotline. The STR Hotline will submit the complaint to the Responsible Agent. The Responsible Agent shall respond to the complaint,

Ordinance No. 2024-O-07
Page 15 of 19

including visiting the site if necessary. Failure of a Responsible Agent to affirmatively respond to a complaint and attempt to resolve such complaint within an hour of notification shall be considered a violation of the Ordinance.

- b. The Town will receive reports of complaints from the STR Hotline. The Town Clerk may investigate any complaint received, in order to determine if it is a substantiated complaint which may result in a documented violation of any provision(s) of these regulations. Violations of these regulations shall be subject to the enforcement provisions set forth herein. If violations are not corrected or if there are repeat offenders of the requirements, performance standards, conditions or restrictions in these regulations, the Town may pursue action as provided for herein, including but not limited to suspension or revocation of the rental license.

3. Enforcement. Enforcement of these regulations shall be by the Town Clerk and law enforcement, as deemed necessary and appropriate.

4. Violations. Violations of the STR Ordinance shall be a civil infraction and may be punishable as administrative violations.

5. Graduated Administrative Fine Schedule. A graduated administrative fine schedule is hereby adopted:

- a. 1st: \$250
- b. 2nd: \$750
- c. 3rd or more: \$1,000

6. Revocation.

- a. A license issued pursuant to these regulations *may* be revoked by the Town Clerk following a hearing for *any* violation of the Ordinance.
- b. The Town Clerk *may* commence revocation proceedings if any of the below occurs:
 - i. A licensee has been issued 2 or more citations within a 3-month period;
 - ii. A licensee has had 3 or more documented violations within a 3-month period;

Ordinance No. 2024-O-07

Page 16 of 19

- iii. A licensee submits a license application or other document as part of the license review process that contains or represents fraud, intentional misrepresentation, or a false statement of material fact;
 - iv. A licensee has violated or is currently violating the STR Ordinance or the prior in a manner that significantly endangers the public health, safety, and/or welfare;
 - v. A licensee fails to pay sales and/or property taxes as required.
- c. Hearing on Revocation:
- i. Notice of a hearing pursuant to this Section be given to a licensee in writing at the address shown on the license application, and to the Responsible Agent identified in the license application. Such notice shall be mailed via certified mail at least fourteen (14) calendar days prior to the date set for the hearing.
 - ii. The licensee may appear with or without representation, and may appear remotely by telephone or video conference.
 - iii. The licensee may present evidence at the hearing and shall provide copies of such evidence to the hearing officer at or before the hearing.
 - iv. The hearing officer shall consider the following:
 - (a) The nature and seriousness of the violation
 - (b) Impact of the violation on the neighborhood and/or community
 - (c) Corrective action, if any, taken by the licensee or the designated Responsible Agent
 - (d) Prior violations
 - (e) The likelihood of recurrence of the violation or violations
 - (f) Entirety of the circumstances surrounding the violation

Ordinance No. 2024-O-07

Page 17 of 19

- (g) Willfulness or lack thereof on the part of the licensee
 - (h) Length of time the licensee has held a license
 - v. The hearing officer shall be the Town Manager or designee
 - vi. Following the hearing, if the hearing officer determines that a violation or violations has occurred and good cause exists for the imposition of a sanction against the licensee, the hearing officer may impose the following sanctions:
 - (a) License suspension for a time period not to exceed six months.
 - (b) License revocation.
 - (c) Conditions on the operation of the STR reasonably related to the violation(s), and to which the licensee agrees in lieu of revocation or suspension.
 - vii. Any action taken pursuant to this Section J.6. shall be commensurate with the seriousness of the violation(s) and the action or lack thereof taken by the licensee to resolve the violation(s).
 - viii. The hearing officer shall provide his or her decision in writing to the licensee within 15 days of the hearing.
 - ix. Individuals or entities who have had their license revoked may reapply for a new license after the expiration of one year from the time of revocation, unless a longer period of time is imposed by the hearing officer, which period of time shall not exceed 3 years.
- d. Appeals of License Revocations.
 - i. A licensee who has had their STR license revoked or suspended may appeal the revocation or suspension to the Town Council by emailing, mailing, filing, or otherwise submitting a letter of appeal to the Town Manager within ten (10) days after the date the letter of decision by the hearing officer is emailed. The date of an appeal letter shall be the time it is marked as received by the Manager's Office.

Ordinance No. 2024-O-07

Page 18 of 19

- x. The Town Council shall conduct a de novo hearing on the appeal at a regular or special meeting held within 30 days of the date of the appeal letter.
- xi. Any such hearing shall be conducted pursuant to the parameters set forth in Section 13200 of the Land Use Code.

7. Costs of Enforcement, Revocation, and Appeal. In the event it is necessary for the Town to take action for enforcement of the STR Ordinance, there shall be added to any fees due hereunder all reasonable costs and fees incurred by the Town, including reasonable attorney fees.

8. Additional Remedies. In addition to the remedies set forth herein and in the Land Use Code, the Town reserves the right to employ all other remedies that may exist at law and in equity to enforce the STR Regulations.

K. Licensing Fees

Licensing fees shall apply at the time of application and shall be established and updated by the Town Council by resolution.

L. Compliance Timeline

1. Pre-Existing Licenses. All STR licenses approved by Summit County prior to the effective date of Ordinance 2024-O-07 will be transferred to the Town of Keystone and the Town of Keystone will honor the existing license number.

2. New Licenses. Upon the effective date of these regulations, all new applications for an STR license will be subject to all applicable provisions of these regulations.

Section 3. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 4. Codification. This ordinance may be codified and numbered for purposes of codification without the need for further approval by the Town Council.

Section 5. Effective Date. This ordinance shall take effect thirty (30) days after publication for purposes of processing renewal applications on existing licenses with Summit County. This ordinance shall take effect on October 1, 2024, for purposes of issuing new licenses and enforcement.

Ordinance No. 2024-O-07
Page 19 of 19

INTRODUCED, READ AND PASSED AS AN ORDINANCE, ON FIRST READING, AND SCHEDULED FOR PUBLIC HEARING ON JUNE 25, 2024 AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS

11 DAY OF JUNE, 2024.

DocuSigned by:
Kenneth D. Riley

Kenneth D. Riley, Mayor
ATTEST:

DocuSigned by:
Madeleine Sieber

Town Clerk

APPROVED AS TO FORM:

DocuSigned by:
Jennifer Madsen

Town Attorney

READ, PASSED AND ADOPTED WITH A ROLL CALL VOTE OF 6 IN FAVOR AND 0 OPPOSED AS ON SECOND READING, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS

25 DAY OF JUNE 2024.

DocuSigned by:
Kenneth D. Riley

Kenneth D. Riley, Mayor
ATTEST:

DocuSigned by:
Madeleine Sieber

Town Clerk

APPROVED AS TO FORM:

DocuSigned by:
Jennifer Madsen

Town Attorney