



Short-Term Rental Permit Policy Crested Butte South Property Owners Association

Draft FNL - 20240707

Short-Term Rental Policy and License Information

The Crested Butte South Property Owners Association understands that Short-Term Rentals (STRs) have the potential to bring both positive and negative impacts to the residential zone. The Association does not restrict or prohibit the number of days that can be rented as charted in Colorado Statute and Crested Butte South Property Owners Association governing documents. The Association has revised the Policy for Short-Term Rentals to minimize the impacts on our members, common areas, and the community as a whole. The policy creates points of contact and reiterates the rules and requirements for all owners in the residential zone.

Property owners desiring to rent their residential dwelling unit for twenty-nine (29) consecutive days or less are required to first obtain a Short-Term Rental License from the Crested Butte South Property Owners Association. The license term is from January 1 to December 31 of the current year. Applications for Short-Term Rental License renewal must be received and the fee paid on or before December 15th for the following year, to begin on January 1. Application for a new STR license may be made at any time during the year however, the license will expire on December 31. STR licenses are not transferable between owners; the new owner must apply for a STR license even if the sellers of the property had a valid Short-Term Rental License at the time of purchase/sale.

If you collect monetary funds for Short-Term Rental units that are rented for 29-day periods or less, you are required to collect and remit sales tax. Two sales tax return forms are to be remitted to the State of Colorado monthly along with any collected tax. The first return is a "Retail Sales Tax Return" (DR 0100). The second form is the "Local Marketing District Tax Return" (DR 1490). Please visit www.colorado.gov/tax/education for more information about sales tax collection and reporting requirements or discuss with your accountant and/or legal counsel.

Application and Review Process

Please review the regulations and the frequently asked questions (FAQ). If you determine you are eligible, submit the Short-Term Rental License Application, Declaration, and associated fees to the Crested Butte South POA office.

The Short-Term Rental Self-Compliance Declaration is required, stating that information contained within said Declaration is true and correct to the best of your knowledge and you

agree to abide by the requirements and restrictions of applicable zoning, land use, and building codes.

The Association will grant a license based on the completeness of the application, the declaration, and upon receipt of the annual license fee. All three (3) items are required to comply with the policy.

Frequently Asked Questions

What is a Short-Term Rental? A Short-Term Rental is the rental of a residential dwelling unit for monetary consideration for twenty-nine (29) consecutive days or less, not including a bed and breakfast, hotel, or other commercial facilities. This definition does not include offering the use of one's property where no fee is charged or collected. A Short-Term rental includes but is not limited to the rental of a garage apartment, an entire residence, or a single bedroom.

Is a CB South POA license required as a prerequisite to having a Short-Term Rental?

Yes. It will be necessary to obtain a Short-Term Rental License and a completed/signed Short-Term Rental affidavit. Business Licenses are not required to rent property as a Short-Term rental in unincorporated Gunnison County.

If I swap my house for another home elsewhere and no money is exchanged, do I need a Short-Term Rental License? The offering of the use of one's home where no fee is charged or collected is exempt from any permit. You are responsible, however, for educating your exchange partner on the rules and regulations of the subdivision.

Who may apply for a Short-Term Rental License? All permits shall be issued only to the owner of the property. Licenses are limited to one per deeded property. Licenses are only issued to natural persons. Licenses are not issued to properties. If your property is owned under an LLC, corporation, trust, or partnership, a person with at least a 10% ownership interest in the property may apply for and put their name on the license. In the case of a multifamily property with a Homeowners Association and a subset of covenants, there may be additional regulations prohibiting Short-Term Rental within that Association.

Proof of residency requires the presentation of any three (3) of these current documents: Driver's license or passport, voter registration card, vehicle registration, or utility bill.

Proof of ownership requires the presentation of a copy of the warranty deed and a recent property tax bill showing the owner's name.

Will I need to have my home inspected? No, the property owner must complete and sign a Short-Term Rental Declaration in place of inspection.

What is a "Designated Responsible Party"? A Designated Responsible Party is a person physically located in Gunnison County who is on-call 24/7 and able to respond **within 60**

minutes from contact to any issues arising from the short-term rental of the property, whether it is from the rental party, public safety personnel, utility personnel, or any other party.

What are the requirements for a Short-Term Rental License? The requirements for a Short-Term Rental property are enumerated in the Residential Design Guidelines, Policies, and the Rules and Regulations that govern Crested Butte South. Additionally, a list of the requirements will be attached that will need to be met before the issuance of a license.

Can I be fined for violations created by my guests? Yes. The OWNER, as the Short-Term Rental License holder, is responsible for the renter's compliance with the rules and regulations of the Association and can be levied a fine for non-compliance with any policies that govern Crested Butte South. Violation of Crested Butte South Property Owners Association rules and regulations by the RENTER will result in an immediate termination of their rental agreement.

What are the parking requirements? A licensed Short-Term Rental property is allowed the same number of spaces and locations of spaces as indicated on the original building plan of the property. Spaces must accommodate both owners and renters. Vehicles not capable of being parked in the driveway are not permitted. As the license holder, it is the responsibility of the Property Owner to communicate to renters the location of approved, designated parking spaces as well as the total number of vehicles allowed on the property and provide the parking plan approved by the Design Review Committee (DRC). Overnight parking on the roads and streets is not permitted in Crested Butte South. The Association has the express authority to have vehicles towed and impounded at the owner's expense.

For additional questions regarding Short-Term Rentals, please contact the **Association Manager for the** Crested Butte South Property Owners Association at 970-349-1162.

Requirements, Restrictions, and Standards for all Short-Term Rentals

1. There shall be a designated responsible party, physically located within Gunnison County, available to respond 24/7 within 60 minutes to any issues arising from the short-term rental. The designated responsible party may be the owner of the property. The owner must notify adjacent neighbors of the emergency contact person or designated responsible party.
2. The Short-Term Rental License holder or responsible party shall collect and pay all applicable local, state, and federal taxes including sales and Gunnison County lodging taxes.
3. The Short-Term Rental License holder or responsible party is responsible for ensuring the short-term rental meets all applicable local, state, and federal regulations.
4. All renter vehicles shall be parked in designated parking areas, such as driveways and garages. No parking shall occur on lawns or sidewalks.

5. Renter information must be posted in a prominent and visible location in the Short-Term rental unit that informs guests of the applicable Rules and Regulations including but not limited to parking, off-highway vehicles, pets, trash, bears, external lighting, and noise. Please post a copy of the “Good Neighbor Guidelines” poster within the Short-Term rental property.
6. The Short-Term Rental License holder or responsible party must provide a clearly defined trash and recycling storage area and an adequate number of bear-proof trash and recycling containers. No trash bags are allowed. Trash may not be set out by the roadside before 6 a.m. on the day of trash collection. All trash cans must be removed from the roadside by 9 p.m. the day of trash collection.
7. The Short-Term Rental License holder or responsible party must hold and maintain the required insurance homeowner’s insurance policy and insurance covering short-term rentals.
8. A Short-Term Rental License shall be issued for one (1) year and is renewable annually by December 15 for the following year. A new application, declaration, and associated fees will be due to renew a Short-Term Rental License. A change in ownership shall necessitate the application for, and issuance of, a new license.
9. Three (3) violations or fines documented by the POA staff and communicated to the Short-Term Rental License holder will result in the license being revoked.
10. Maximum occupancy for a licensed Short-Term Rental equals two persons per bedroom plus 2 additional occupants. Failure of your renters to adhere to the maximum occupancy restriction will result in revocation of your license.
11. STR property owners/hosts who are known to have rented but do not have a valid STR license with the POA will be subject to a \$400 fine, after being given a 30-day opportunity to correct. Failure to comply with Short-Term Rental License Policies and Guidelines will result in a reduction or revocation of renting privileges.

The following information is **required** to be included in any advertisement for your Short-Term Rental property:

- Your unique Short-Term Rental License number, issued by the Crested Butte South POA.
- The maximum occupancy of the Short-Term Rental unit.
- Number and location of designated parking spots.