

Section 1: Section 2 of Chapter 1 of Title 10 of the City Code is hereby amended to delete the existing and add correct definitions for rental uses as follows:

BED AND BREAKFAST: AN OWNER OCCUPIED, SINGLE FAMILY DETACHED HOME HAVING FROM ONE TO NOT MORE THAN SIX (6) GUESTROOMS, AND PROVIDES BREAKFASTS TO GUESTS.

DWELLING UNIT: ~~One (1) or more rooms connected together but structurally divided from other structures or from all other rooms in the same structure and providing residence for a family living together as a single housekeeping unit. No such dwelling unit shall be occupied by more than one (1) unrelated individual over the age of twelve (12) years who is required to register as a sex offender under the provisions of Colorado Revised Statutes section 18-3-412.5, as amended. Provided however, that this section shall not require a resident to leave the home upon becoming twelve (12) years of age.~~ ONE (1) OR MORE HABITABLE ROOMS CONSTITUTING A UNIT FOR RESIDENTIAL OCCUPANCY, WITH FACILITIES FOR EATING, SLEEPING, BATHING, THAT OCCUPIES A STRUCTURE OR A PORTION OF A STRUCTURE. NO SUCH DWELLING UNIT SHALL BE OCCUPIED BY MORE THAN ONE (1) UNRELATED INDIVIDUAL EIGHTEEN (18) YEARS OF AGE OR OLDER WHO IS REQUIRED TO REGISTER AS A SEX OFFENDER UNDER THE PROVISIONS OF THE COLORADO REVISED STATUTES SECTION 18-3-412.5, AS AMENDED. PROVIDED, HOWEVER, THAT THIS SECTION SHALL NOT REQUIRE A RESIDENT TO LEAVE THE HOME UPON BECOMING EIGHTEEN (18) YEARS OF AGE.

DWELLING, MULTIPLE-FAMILY: Any building structurally divided into two (2) or more separate dwelling units ~~including rooming/boarded houses and tourist homes. No such dwelling unit shall be occupied by more than one (1) unrelated individual over the age of twelve (12) years who is required to register as a sex offender under the provisions of Colorado Revised Statutes section 18-3-412.5, as amended. Provided however, that this section shall not require a resident to leave the home upon becoming twelve (12) years of age, nor shall this section apply to any child required to register as a sex offender under said statute who is placed pursuant to section 19-3-103(51.3), Colorado Revised Statutes in a foster care home certified or licensed pursuant to article 6 of title 26, Colorado revised Statutes.~~ NO SUCH DWELLING UNIT SHALL BE OCCUPIED BY MORE THAN ONE (1) UNRELATED INDIVIDUAL EIGHTEEN (18) YEARS OF AGE OR OLDER WHO IS REQUIRED TO REGISTER AS A SEX OFFENDER UNDER THE PROVISIONS OF THE COLORADO REVISED STATUTES SECTION 18-3-412.5, AS AMENDED. PROVIDED, HOWEVER, THAT THIS SECTION SHALL NOT REQUIRE A RESIDENT TO LEAVE THE HOME UPON BECOMING EIGHTEEN (18) YEARS OF AGE.

FAMILY: IS DEFINED AS:

- A. AN INDIVIDUAL LIVING ALONE;
- B. ANY NUMBER OF INDIVIDUALS, WHO ARE RELATED BY BLOOD, MARRIAGE, OR LEGAL ADOPTION, INCLUDING FOSTER CHILDREN; AND IMMEDIATE FAMILY AS DEFINED IN SUBSECTION

- E.
- C. ANY UNRELATED GROUP OF INDIVIDUALS LIVING TOGETHER AS A SINGLE HOUSEKEEPING UNIT UP TO A MAXIMUM OCCUPANCY AS OUTLINED IN THE CITY'S ADOPTED BUILDING CODE AND WITH NO MORE THAN A TOTAL OF FIVE UNRELATED PERSONS.
- D. NO MORE THAN TWO UNRELATED INDIVIDUALS AND THEIR RELATED CHILDREN AND/OR PARENTS;
- E. FAMILY SHALL NOT INCLUDE MORE THAN ONE INDIVIDUAL WHO IS REQUIRED TO REGISTER AS A SEX OFFENDER PURSUANT TO SECTION 18-3-412.5 COLORADO REVISED STATUTES. THIS SECTION SHALL NOT APPLY TO A REGISTERED SEX OFFENDER WHO IS LIVING WITH HIS IMMEDIATE FAMILY, FOR PURPOSES OF THIS SECTION, IMMEDIATE FAMILY IS DEFINED AS A PERSON, THE PERSON'S SPOUSE, THE PERSON'S PARENT, THE PERSON'S GRANDPARENT, THE PERSON'S BROTHER OR SISTER OF THE WHOLE OR HALF BLOOD, THE PERSON'S CHILD, THE PERSON'S STEP-CHILD OR THE PERSON'S CHILD BY ADOPTION AND SHALL INCLUDE CHILDREN WHO HAVE BEEN PLACED IN FOSTER CARE, AS DEFINED BY THE COLORADO REVISED STATUTES.

HOTEL: A BUILDING IN WHICH OVERNIGHT LODGING IS PROVIDED AND OFFERED TO THE PUBLIC FOR COMPENSATION, AND IS NOT A ROOMING FACILITY OR BOARDING HOUSE. A GUEST SHALL AT ALL TIMES BE PROHIBITED FROM USING A HOTEL ROOM OR SUITE AS A PRIMARY PERMANENT RESIDENCE. A HOTEL IS CHARACTERIZED BY AND MAY PROVIDE SOME OF THE FOLLOWING AMENITIES:

- A. A RESTAURANT OR OTHER FOOD KIOSK OPTIONS THAT MAY BE AVAILABLE FOR FOOD SERVICE.
- B. A CENTRAL, COMMON LOBBY WITH CHECK-IN/CHECK-OUT AND GUEST SERVICES. EXAMPLES ARE VALET PARKING AND ROOM SERVICE.
- C. ACCESS TO INDIVIDUAL HOTEL ROOMS OR SUITES SHOULD BE EITHER INTERNAL OR THROUGH A SECURED INTERNAL COURTYARD.
- D. PROVIDE HOUSEKEEPING SERVICES.
- E. OFFER INTERNET ACCESS, DATA PORTS AND PHONE LINES IN ALL ROOMS.
- F. PROVIDE A GUEST FITNESS CENTER WITH EXERCISE AND FITNESS EQUIPMENT.
- G. A HOTEL SHALL AT ALL TIMES OPERATE ONLY AS A HOTEL, AND IN NO EVENT SHALL IT BE CONVERTED TO A MULTIPLE FAMILY

DWELLING UNIT OR ANY OTHER FORM OF PERMANENT RESIDENCE.

H. AN EXTENDED STAY HOTEL IS CHARACTERIZED BY ONE OR MORE OF THE FOLLOWING:

1. PROVIDE LARGER ROOMS (GREATER THAN 400 SQUARE FEET) WITH A LIVING SPACE SEPARATE FROM THE BEDROOM.
2. EXTENDED STAY HOTELS SHALL PROVIDE 75 PERCENT OF ALL SUITES WITH PULLMAN KITCHENS (PULLMAN KITCHENS MAY CONTAIN SOME OR ALL OF THE FOLLOWING: SINK, BUILT-IN COOKTOP OR STOVE, MICROWAVE OVEN AND REFRIGERATOR).
3. NINETY PERCENT OF ALL ROOMS WITHIN THIS CATEGORY SHALL BE AVAILABLE TO GUESTS STAYING 90 DAYS OR LESS.
4. THIS TYPE OF FACILITY SHALL PROVIDE A HOSPITALITY LOUNGE AND/OR MEETING ROOMS AND MAY PROVIDE LIMITED RETAIL SPACE FOR NEWSSTANDS, GIFT SHOPS, AND BUSINESS SERVICE CENTER.
5. EXTENDED STAY HOTELS MAY ALSO PROVIDE A RESTAURANT/CAFÉ OR FOOD SERVICE, AND A FULLY EQUIPPED FITNESS CENTER FOR GUESTS.

LOCAL CONTACT: A PROPERTY OWNER'S REPRESENTATIVE WHO RESIDES WITHIN TEN MILES OF THE SUBJECT PROPERTY. A LOCAL CONTACT MAY BE LOCATED OUTSIDE OF THE BOUNDARIES OF THE CITY OF LITTLETON.

MOTEL: A BUILDING OR GROUP OF BUILDINGS IN WHICH OVERNIGHT LODGING IS OFFERED TO THE PUBLIC FOR COMPENSATION, WHETHER DETACHED OR CONNECTED, OF ONE OR MORE STORIES WITH ROOMS THAT OPEN TO AN OPEN OR ENCLOSED EXTERIOR WALKWAY ACCESS THAT IS NOT CONSIDERED AS AN INTERIOR BUILDING CORRIDOR. A GUEST SHALL AT ALL TIMES BE PROHIBITED FROM USING A MOTEL ROOM AS A PRIMARY PERMANENT RESIDENCE. A MOTEL MUST MEET ALL OF THE FOLLOWING:

- A. NO MORE THAN TEN PERCENT OF THE GUESTS RESIDE FOR A PERIOD OF MORE THAN 30 DAYS.
- B. A MOTEL SHALL AT ALL TIMES OPERATE ONLY AS A MOTEL AND IN NO EVENT SHALL IT BE USED AS A MULTIPLE FAMILY DWELLING UNIT OR ANY OTHER FORM OF PERMANENT RESIDENCE.
- ~~C. THE ESTABLISHMENT SHALL PROVIDE DAILY HOUSEKEEPING, LINEN TELEPHONE AND OTHER SIMILAR SERVICES.~~
- ~~D. A MAIN OFFICE PROVIDING CHECK-IN, CHECK-OUT AND CUSTOMER SERVICE FUNCTIONS.~~

Comment [1]: Discussion with Council members Fey and Elrod

~~ROOMING/BOARDING HOUSE: A residential structure containing a single dwelling unit and~~

~~two (2) or more guest rooms where lodging is provided, with or without meals, for compensation. Includes rooming/boarding as a permitted use, as an accessory use, and as a tourist home as provided in section 10-3-2 of this title.~~

ROOMING FACILITY AND/OR BOARDING HOUSE: A SINGLE DETACHED DWELLING UNIT IN WHICH THE OWNER RENTS INDIVIDUAL ROOMS AND THE INDIVIDUAL ROOMS DO NOT HAVE INDIVIDUAL COOKING/RESTROOM FACILITIES. THE OWNER RESIDES ON THE PREMISE. THE UNIT IS DESIGNED TO SERVE AS THE RESIDENCE OF INDIVIDUALS SUBJECT TO THE FOLLOWING:

- A. ROOMS MAY BE RENTED ON A MONTHLY BASIS.
- B. THE ROOMS ARE GENERALLY FURNISHED BY THE OWNER.
- C. COMMUNAL COOKING AND RESTROOM FACILITIES ARE PROVIDED.
- D. OWNER PROVIDES SOME HOUSEKEEPING AND LINEN SERVICES.
- E. THE RELATIONSHIP BETWEEN OWNER AND RESIDENT IS THAT OF A LANDLORD/TENANT WITH REFERENCES AND DEPOSITS REQUIRED OF THE RESIDENT.
- F. ROOMS RENTED FOR A PERIOD OF LESS THAN THIRTY-ONE (31) DAYS SHALL BE DEEMED A SHORT-TERM RENTAL.

SHORT-TERM RENTAL: A RENTAL OF A DWELLING UNIT OR PORTION THEREOF ~~FOR A PERIOD OF LESS THAN THIRTY ONE (31) CONSECUTIVE DAYS,~~ CHARACTERIZED BY ONE OR MORE OF THE FOLLOWING:

- A. THE RENTAL IS MARKETING ON-LINE AND MAY BE OFFERED THROUGH A THIRD PARTY ENTITY (SUCH AS AIRBNB AND/OR TRIP ADVISOR) AND SIMILAR ON-LINE ENTITIES.
- B. THE RENTER HAS EXCLUSIVE USE OF THE PORTION OF THE PREMISES RENTED.
- C. DEPOSITS AND FEES MAY BE PAID IN ADVANCE AND MAY BE NON-REFUNDABLE.
- D. GENERALLY RENTED FOR A PERIOD OF OF LESS THAN THIRTY-ONE CONSECUTIVE DAYS.
- E. THIS DEFINITION DOES NOT INCLUDE HOTELS OR MOTELS

Comment [2]: Noted from Research and a suggestion from Mayor Brinkman that short term rentals may last longer than 31 days

Section 2: Section 1(A) of Chapter 3 of Title 10 of the City Code is hereby amended by adding an additional symbol of "ST" which is "Permitted pursuant to section 10-4-18 of this title."

Section 3: Section 1(A) of Chapter 3 of Title 10 of the City Code is hereby amended by renaming subcategory 3.60 to "LODGING SERVICES," renaming subcategory 3.61 to "ROOMING FACILITY/BOARDING HOUSE," renaming subcategory 3.62 to "HOTEL," renaming subcategory 3.63 to "MOTEL."

Section 4: The addition of subcategory 3.67 will be named "BED AND

BREAKFAST" and be a permitted use (P) in zone district R-5, T and CA. The addition of subcategory 3.68 will be named "SHORT TERM RENTALS" and be permitted pursuant to section 10-4-18 of this title (ST) IN ALL RESIDENTIAL ZONING DISTRICTS, AND ANY OTHER DISTRICT, INCLUDING PLANNED DEVELOPMENT DISTRICTS THAT PERMIT RESIDENTIAL USES.

Section 5: Chapter 4 of Title 10 of the City Code is hereby amended by the addition of a new Section 18 as follows:

SECTION 10-4-18: SHORT-TERM RENTALS:

(A) PRIOR TO ISSUING A LICENSE UNDER THIS SUBSECTION ALL ADJACENT PROPERTY OWNERS WITHIN THREE HUNDRED FEET, NOT INCLUDING PUBLIC RIGHTS OF WAY SHALL BE NOTIFIED OF THE REQUEST FOR THE LICENSE AND THAT THEY SHALL HAVE FOURTEEN (14) CALENDAR DAYS TO PROVIDE COMMENTS TO THE COMMUNITY DEVELOPMENT DEPARTMENT ON WHETHER THE LICENSE SHALL BE ISSUED. THE COMMENTS THAT ARE RECEIVED SHALL BE CONSIDERED AS TO WHETHER THE APPLICATION MEETS THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION. THE DECISION OF THE COMMUNITY DEVELOPMENT DIRECTOR IS FINAL AND NOT SUBJECT TO APPEAL.

Comment [3]: Mayor Brinkman would like to discuss this provision

Comment [4]: Staff suggests this may be excessive, is there an easier way, such as relying on Host Compliance

(B) SHORT-TERM RENTALS, AS DEFINED IN SECTION 10-1-2, ARE PERMITTED ALL RESIDENTIAL ZONING DISTRICTS AND OTHER NON-RESIDENTIAL ZONING DISTRICTS THAT ALLOW RESIDENTIAL USES. SHORT-TERM RENTALS SHALL BE DEEMED PERMITTED RESIDENTIAL USES IN THE PLANNED DEVELOPMENT DISTRICTS UNLESS SUCH PLANNED DEVELOPMENT DISTRICT LISTING OF ACCEPTABLE USES PROHIBITS SHORT-TERM RENTALS. SHORT-TERM RENTALS SHALL COMPLY WITH THE FOLLOWING REGULATIONS:

1. OPERATOR'S LICENSE. EACH PROPERTY OWNER OPERATING A SHORT-TERM RENTAL SHALL OBTAIN A SHORT-TERM RENTAL OPERATORS LICENSE FROM THE COMMUNITY DEVELOPMENT DEPARTMENT. OPERATOR'S LICENSES ARE NOT TRANSFERABLE AND EXPIRE UPON CHANGE IN OWNERSHIP OF THE SUBJECT PROPERTY. OPERATOR'S LICENSES ARE PERSONAL AND DO NOT RUN WITH THE LAND
2. OWNERSHIP. THE APPLICANT MUST PROVIDE PROOF THAT THEY ARE:
 - a. THE FEE OWNER OF RECORD OF THE SUBJECT PROPERTY, AND
 - b. MUST BE A RESIDENT OF THE CITY OF LITTLETON OR HAVE A

Comment [5]: Found in other cities and important to note that this is a personal license, not zoning

REGISTERED CURRENT BUSINESS ADDRESS IN THE CITY OF LITTLETON, AND
c. HAVE A VALID SALES AND TAX USE LICENSE IN THE CITY OF LITTLETON.

AN APPLICANT SHALL BE LIMITED TO ONE SHORT-TERM RENTAL LICENSE FOR ONE A DWELLING UNIT WITHIN THE CITY. THE APPLICANT FOR THE LICENSE SHALL SIGN THE LICENSE APPLICATION. SIGNATURE OF AN AGENT OR REPRESENTATIVE OF THE APPLICANT IS NOT PERMITTED FOR A SHORT-TERM RENTAL LICENSE.

Formatted: Indent: First line: 0"

Comment [6]: Council member Schlacter raised the question should it be one or more

Formatted: Font: (Default) Arial, 11 pt, Font color: Black

3. PRIMARY RESIDENCE. PROOF OF PRIMARY RESIDENCE. A LICENSE SHALL PROVIDE PROOF OF PRIMARY RESIDENCE AND MUST PHYSICALLY RESIDE AT THE PRIMARY RESIDENCE FOR NOT LESS THAN EIGHT MONTHS OF EACH LICENSING PERIOD. TWO ACCEPTABLE FORMS OF PROOF MUST BE PROVIDED WHICH ACCEPTABLE FORMS OF PROOF INCLUDE:

- (A) VOTER REGISTRATION SHOWING THE ADDRESS AS THE ADDRESS FOR VOTING IN FEDERAL, STATE AND LOCAL ELECTIONS;
- (B) CAR REGISTRATION, SHOWING THE ADDRESS AS THE ADDRESS FOR WHICH MOTOR VEHICLES ARE REGISTERED;
- (C) DRIVER'S LICENSE SHOWING THE ADDRESS AS THE PLACE OF RESIDENCE;
- (D) FEDERAL OR STATE INCOME TAX RETURNS SHOWING THE ADDRESS AS THE PLACE OF RESIDENCE OR A COUNTY PROPERTY TAX BILL SHOWING THE PROPERTY ADDRESS AS OWNER OCCUPIED;
- (E) FEDERAL GOVERNMENT ISSUED DOCUMENT OR STATE IDENTIFICATION DOCUMENT SHOWING THE ADDRESS AS THE PLACE OF RESIDENCE; OR

(F) A BILL CONTAINING THE ADDRESS AND ISSUED BY A PUBLIC UTILITY, PRIVATE UTILITY, CABLE COMMUNICATIONS PROVIDER OR TELECOMMUNICATIONS PROVIDER.

FOR THOSE SHORT TERM RENTAL LICENSEES WHO HELD A VALID SALES TAX AND USE LICENSE AS OF JULY 16, 2018. SUCH LICENSEES SHALL NOT HAVE TO MEET THE PROVISIONS OF THIS SUBSECTION 3 UNTIL JANUARY 1, 2020

Comment [7]: Current draft ordinance is 2020, however a number of council members have raised the issue of extending this date out, this is an example of how it would look

Comment [8]: Options other than Primary Residence are listed at the end of the draft ordinance

Comment [9]: This is used for virtually everything else

Formatted: Indent: Left: 1", Hanging: 0.5"

4. PERMITTED STRUCTURES. PRIMARY AND ACCESSORY STRUCTURES

MAY BE ALLOWED AS PROVIDED BY SECTION 10-4-4 OF THIS CODE. ALL STRUCTURES SHALL COMPLY WITH THE REGULATIONS FOR PRIMARY AND ACCESSORY STRUCTURES, INCLUDING MAXIMUM SIZE, HEIGHT, LOT, COVERAGE, AND SETBACKS, FOR THE PROPERTY'S ZONE DISTRICT.

5. NUMBER OF SHORT-TERM RENTALS PER PROPERTY. IF A LOT CONTAINS MORE THAN ONE LEGAL DWELLING UNIT, INCLUDING ACCESSORY DWELLING UNITS, ONLY ONE DWELLING UNIT ON SUCH LOT IS ELIGIBLE FOR AN OPERATOR'S LICENSE FOR A SHORT-TERM RENTAL UNDER THIS CHAPTER. ALL APPLICABLE ZONING REGULATIONS REGARDING DENSITY MUST BE MET IN ORDER TO ALLOW A SHORT-TERM RENTAL TO OPERATE.
6. THE OWNER SHALL DISPLAY A COPY OF THE OPERATOR'S LICENSE IN PROMINENT PLACE INSIDE THE PREMISES AND INDICATE THE LICENSE NUMBER ON ANY ADVERTISING OR OTHER ANNOUNCEMENTS OF THE SHORT-TERM RENTAL. THE OWNER SHALL PROVIDE CONTACT INFORMATION FOR THE OWNER AND/OR THEIR AGENT AND THEIR DESIGNATED LOCAL CONTACT IN WRITING AND POST IN A PROMINENT PLACE INSIDE THE PREMISES.
7. THE OPERATOR OF A SHORT-TERM RENTAL SHALL PROVIDE THE CONTACT INFORMATION FOR THE OWNER AND/OR THEIR AGENT AND THEIR DESIGNATED LOCAL CONTACT IN WRITING TO EACH NEIGHBOR ADJACENT TO THE PROPERTY. PUBLIC RIGHT OF WAY SHALL BE EXCLUDED.
8. SALES AND USE TAX LICENSE REQUIRED. IT SHALL BE UNLAWFUL TO OPERATE A SHORT-TERM RENTAL WITHOUT HAVING FIRST OBTAINED AND MAINTAINING IN GOOD STANDING A VALID CITY OF LITTLETON SALES AND USE TAX LICENSE FOR THE PROPERTY OR DWELLING UNIT TO BE UTILIZED AS A SHORT-TERM RENTAL.
9. OCCUPANCY. THE OCCUPANCY OF A SHORT-TERM RENTAL SHALL NOT EXCEED A MAXIMUM OF 200 SQUARE FEET PER OCCUPANT DIVIDED BY THE TOTAL AMOUNT OF LIVABLE SQUARE FEET OF THE RENTAL BASED ON THE DEFINITION OF LIVABLE SPACE AS SET FORTH IN THE INTERNATIONAL RESIDENTIAL CODE ADOPTED BY THE CITY AND SUBJECT TO THE MAXIMUM OCCUPANCY LIMITS THAT ARE APPLICABLE REQUIREMENTS OF THE ZONE DISTRICT, BUILDING CODE OR ANY OTHER CITY CODE APPLICABLE TO THE SUBJECT PREMISES. CONVERSIONS OF NON-

LIVABLE SPACE SUCH AS GARAGES OR BASEMENTS SHALL NOT COUNT AS LIVABLE SQUARE FEET UNLESS SUCH SPACES MEET ALL REQUIREMENTS OF THE INTERNATIONAL BUILDING CODE ADOPTED BY THE CITY.

10. ~~ALL SHORT TERM RENTALS MUST BE FOR A MINIMUM OF TWO (2) CONSECUTIVE NIGHT RENTALS TO THE SAME PARTY.~~

10. RECREATIONAL VEHICLES, WHICH INCLUDES ALL VEHICLES HAVING A VEHICLE IDENTIFICATION NUMBER ARE NOT ELIGIBLE FOR A SHORT TERM RENTAL LICENSE

11. PARKING REQUIREMENTS. PARKING REQUIREMENTS FOR THE PROPERTY SHALL MEET THE NUMBER OF OFF-STREET PARKING SPACES AS WOULD OTHERWISE BE REQUIRED TO SERVE RESIDENTIAL USES FOR THE SPECIFIC AREA OF THE CITY IN WHICH THE LICENSED PREMISES IS LOCATED, AS SET FORTH IN SECTION 10-4-9 OF THIS CODE. NOTWITHSTANDING ANY OTHER PROVISION OF THIS CODE, NON-CONFORMING PROPERTIES SHALL BE REQUIRED TO COME INTO COMPLIANCE WITH THE PARKING REQUIREMENTS. THE LOCATION OF REQUIRED OFF-STREET PARKING SHALL BE IDENTIFIED IN THE LICENSE APPLICATION. A PROPERTY MAY NOT PAVE ADDITIONAL PARKING SPACES AND REMOVE LANDSCAPING TO ACCOMMODATE OFF-STREET PARKING SPACES ABOVE THE PARKING REQUIREMENTS. IF THERE IS A CHANGE IN USE OF A PROPERTY FROM COMMERCIAL FLOOR SPACE TO RESIDENTIAL FLOOR SPACE, THEN PARKING REQUIREMENTS SHALL BE CALCULATED BASED ON THE CHANGE IN FLOOR SPACE AND APPLIED ACCORDINGLY

12. SAFETY REQUIREMENTS.

- A. EACH SHORT-TERM RENTAL SHALL BE EQUIPPED WITH OPERATIONAL SMOKE DETECTORS, CARBON MONOXIDE DETECTORS, AND FIRE EXTINGUISHERS ON THE LICENSED PREMISES DURING EACH SHORT-TERM RENTAL OCCUPANCY. IT SHALL BE UNLAWFUL TO OPERATE A SHORT-TERM RENTAL WITHOUT A SMOKE DETECTOR, CARBON MONOXIDE DETECTOR OR FIRE EXTINGUISHER.
- B. EACH SHORT TERM RENTAL SHALL COMPLY WITH THE CITY'S ADOPTED BUILDING CODES AS SET FORTH IN SECTION 4-1-1 OF THIS CODE. AND THE APPLICANT FOR A SHORT TERM RENTAL OPERATOR'S LICENSE SHALL SUBMIT AN INTERIOR PLAN SATISFACTORY TO THE CITY SHOWING COMPLIANCE WITH THE CODES

Comment [10]: Suggestion from Mayor Brinkman, we should have an absolute limit on the number of people. A large house could hold a huge number of people

Comment [11]: Does council desire to revisit a maximum number of occupants

Comment [12]: Raised by council members, should it have to be a minimum of two nights

C. THE COMMUNITY DEVELOPMENT DIRECTOR OR HIS/HER
DESIGNEE MAY INSPECT THE DWELLING UNIT PROPOSED TO
BE LICENSED FOR THE PURPOSE OF VERIFYING COMPLIANCE
WITH SUCH REQUIREMENTS. REFUSAL BY THE APPLICANT TO
ALLOW SUCH INSPECTION SHALL BE GROUNDS FOR DENIAL,
NONRENEWAL OR REVOCATION OF AN OPERATOR'S LICENSE.

Formatted: Outline numbered + Level: 1 +
Numbering Style: A, B, C, ... + Start at: 1 +
Alignment: Left + Aligned at: 1.25" + Indent
at: 1.5"

13. INSURANCE. THE LICENSEE MUST MAINTAIN UP TO DATE FIRE,
HAZARD AND LIABILITY INSURANCE.
14. COMPLIANCE WITH OTHER LAWS. THE DWELLING OR DWELLING
UNIT TO BE LICENSED MUST COMPLY WITH ALL APPLICABLE
FEDERAL, STATE AND LOCAL LAWS, INCLUDING BUT NOT
LIMITED TO, THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE
SOUTH METRO FIRE RESCUE FIRE PROTECTION DISTRICT AND ALL
CITY OF LITTLETON CODES.
15. THE LICENSEE SHALL PROVIDE TO EACH SHORT-TERM RENTAL
CUSTOMER A COPY OF THE CITY'S NOISE, TRASH AND RELATED
REGULATIONS AND SHALL INDICATE A PRIMARY LOCAL CONTACT
WHO MAY BE CONTACTED BY THE CITY ON A 24 HOUR/7 DAY A
WEEK BASIS REGARDING ANY PROBLEMS WITH THE PROPERTY.

(C) CODES, COVENANTS AND RESTRICTIONS. NOTHING CONTAINED IN THIS
SECTION SHALL BE CONSTRUED AS OVERRULING ANY PROPERTY
RECORDED CODES, COVENANTS AND RESTRICTIONS THAT A DECLARANT
MAY HAVE ESTABLISHED AND RECORDED AND WHICH PROHIBIT SHORT -
TERM RENTALS WITHIN THE SUBJECT PROPERTY.

(D) LICENSE REQUIREMENTS:

1. NOTWITHSTANDING ANY OTHER PROVISION OF THIS CODE, A
SHORT-TERM RENTAL OPERATOR'S LICENSE SHALL BE GOOD
FOR A PERIOD OF ONE YEAR AND MUST BE RENEWED. THE
LICENSE MAY BE ISSUED FOR A PRO-RATA PERIOD.
2. ANY PROPERTY CURRENTLY LICENSED WITH A SALES TAX AND USE
LICENSE ISSUED BY THE CITY AND OPERATED AS A SHORT-TERM
RENTAL SHALL OBTAIN AN OPERATOR'S LICENSE PRIOR TO
JANUARY 1, 2020.
3. THE ANNUAL FEE FOR THE SHORT-TERM RENTAL OPERATOR'S
LICENSE SHALL BE ~~\$45.00~~ 150.00 AND AS SUBSEQUENTLY AS
DETERMINED BY CITY COUNCIL THROUGH ADOPTION OF THE CITY'S

Formatted: Strikethrough

FEE SCHEDULE, WHICH MAY BE AMENDED FROM TIME TO TIME. SUCH FEE IS TO COVER THE CITY'S COST IN ISSUING AND MONITORING LICENSES AND SHALL NOT BE A ~~TAX~~.

Comment [13]: Staff has determined that the Initial city cost was at least \$45.00, however that does not include the cost of Host Compliance which is estimated to be \$85.00, together with the costs of processing of applications estimated to be at least \$20.00 an application, therefore staff recommends an initial fee of \$150.00

4. THE APPLICANT MUST PROVIDE PROOF THAT INDICATES THEY ARE THE FEE OWNER OF RECORD OF THE SUBJECT PROPERTY AND MUST BE THEIR PRIMARY RESIDENCE. AN APPLICANT SHALL BE LIMITED TO ONE SHORT-TERM RENTAL LICENSE FOR ONE DWELLING UNIT WITHIN THE CITY.
5. A SITE PLAN OF THE PROPERTY MUST BE SUBMITTED TO THE CITY TO PROVIDE DETAILED INFORMATION AS OUTLINED IN SECTION 10-4-18.
6. A COPY OF THE PROPERTY'S UP TO DATE FIRE, HAZARD AND LIABILITY INSURANCE SHALL BE PROVIDED.
7. A PRIMARY LOCAL CONTACT FOR THE PROPERTY MUST BE PROVIDED TOGETHER WITH TELEPHONE NUMBERS, E-MAIL AND SUCH OTHER INFORMATION AS DETERMINED TO BE RELEVANT BY THE COMMUNITY DEVELOPMENT DEPARTMENT. SUCH CONTACT MUST BE AVAILABLE 24 HOURS/7 DAYS A WEEK. A PRIMARY CONTACT MUST BE LOCATED WITHIN TEN (10) MILES OF THE PROPERTY'S ADDRESS. THE INFORMATION PERTAINING TO PRIMARY CONTACT SHALL BE A PUBLIC RECORD SUBJECT TO DISCLOSURE.
8. PAYMENT IN FULL OF ANY OUTSTANDING CIVIL PENALTY OR SALES TAX LIABILITY OWED TO THE CITY.
9. COMPLIANCE WITH THE SUBMISSION, MONITORING AND ANY OTHER REQUIREMENTS OF A CONTRACTOR OF THE CITY WHO IS OPERATING A SHORT TERM RENTAL MONITORING AND COMPLIANCE PROGRAM ON BEHALF OF THE CITY.

(E) TERMINATION

SHORT TERM RENTAL OPERATOR'S LICENSES ARE PERSONAL TO THE APPLICANT AND DO NOT RUN WITH THE LAND. NOTHING IN THIS CODE SHALL BE CONSTRUED TO CREATE A NON-CONFORMING USE UNDER THIS CODE FOR A SHORT TERM RENTAL

Formatted: Indent: Left: 0", First line: 0"

Comment [14]: Short term rentals are a license not zoning. Taken from the Lyons code.

(F) VIOLATIONS

Comment [15]: Suggestion from Council member Fey to impose time frames on violations

1. UPON DETERMINATION OF THE COMMUNITY DEVELOPMENT DIRECTOR THAT A LICENSEE HAS VIOLATED A REQUIREMENT OF THIS CHAPTER PERTAINING TO SHORT-TERM RENTALS WITHIN THE PRIOR THREE YEARS, THE COMMUNITY DEVELOPMENT DIRECTOR SHALL PROVIDE WRITTEN NOTICE OF THE IMPOSITION OF A CIVIL PENALTY FOR THE FIRST OFFENSE DURING THE LICENSE PERIOD OF TWO HUNDRED AND FIFTY (\$250.00) DOLLARS. THE CIVIL PENALTY SHALL BE PAID TO THE CITY PRIOR TO THE RENEWAL OF ANY BUSINESS LICENSE OR SHORT-TERM RENTAL OPERATOR'S LICENSE. AFTER THIRTY CALENDAR (30) DAYS, SUCH CIVIL PENALTIES SHALL BE SUBJECT TO INTEREST AT A RATE ESTABLISHED FOR UNPAID SALES TAXES.
2. UPON DETERMINATION OF THE COMMUNITY DEVELOPMENT DIRECTOR THAT A LICENSEE HAS VIOLATED A REQUIREMENT OF THIS CHAPTER PERTAINING TO SHORT-TERM RENTALS AND HAVING DETERMINED THAT THE LICENSEE HAS HAD ONE OR MORE PRIOR VIOLATIONS DURING ~~THE LICENSING PERIOD~~ THE PRIOR THREE YEARS, THE COMMUNITY DEVELOPMENT DIRECTOR SHALL PROVIDE WRITTEN NOTICE OF THE IMPOSITION OF A CIVIL PENALTY FOR THE SECOND AND EACH SUBSEQUENT OFFENSE DURING THE ~~LICENSE PERIOD~~ THREE YEAR PERIOD FOLLOWING THE SECOND VIOLATION OF FIVE HUNDRED (\$500.00) DOLLARS. THE CIVIL PENALTY SHALL BE PAID TO THE CITY PRIOR TO THE RENEWAL OF ANY BUSINESS LICENSE OR SHORT-TERM RENTAL OPERATOR'S LICENSE. AFTER THIRTY CALENDAR (30) DAYS, SUCH CIVIL PENALTIES SHALL BE SUBJECT TO INTEREST AT THE RATE ESTABLISHED FOR UNPAID SALES TAXES. NOTHING IN THIS SUBSECTION SHALL PRECLUDE REVOCATION OF AN OPERATOR'S LICENSE FOR A SECOND OR SUBSEQUENT VIOLATION.
3. FAILURE TO COMPLY WITH ANY OF THE REQUIREMENTS OF THIS SECTION, OR ANY OTHER ZONING, BUILDING OR CITY CODE APPLICABLE TO THE SUBJECT PREMISES OR THE FAILURE TO PAY ANY CIVIL PENALTIES IMPOSED UNDER THIS CHAPTER SHALL BE GROUNDS FOR DENIAL, NONRENEWAL OR REVOCATION OF A SHORT-TERM RENTAL OPERATOR'S LICENSE. A SHORT-TERM RENTAL OPERATOR'S LICENSE SHALL BE REVOKED IN THE SAME MANNER AS A BUSINESS LICENSE UNDER CHAPTER 3 OF THIS CODE.
4. A SHORT-TERM RENTAL OPERATOR LICENSEE MAY APPEAL THE IMPOSITION OF A CIVIL PENALTY OR THE REVOCATION OF A LICENSE BY FILING A NOTICE OF APPEAL WITH THE FINANCE DIRECTOR WITHIN FOURTEEN CALENDAR DAYS OF THE

IMPOSITION OF THE PENALTY OR REVOCATION OF THE LICENSE. THE FINANCE DIRECTOR OR A HEARING OFFICER APPOINTED BY THE FINANCE DIRECTOR SHALL HEAR THE APPEAL. IF THE FINANCE DIRECTOR OR HEARING OFFICE FINDS BY A PREPONDERANCE OF THE EVIDENCE THAT A VIOLATION WARRANTING IMPOSITION OF A CIVIL PENALTY HAS OCCURRED OR A VIOLATION WARRANTS REVOCATION OF LICENSE, THE ACTION OF THE COMMUNITY DEVELOPMENT DIRECTOR SHALL BE UPHELD. ANY FURTHER APPEAL SHALL BE PURSUANT TO COLORADO RULES OF CIVIL PROCEDURE RULE 106(a)(4).

5. THE CITY ATTORNEY MAY FILE AN ACTION IN A COURT OF COMPETENT JURISDICTION TO COLLECT ANY UNPAID CIVIL PENALTIES AND INTEREST.

G. UNLAWFUL ACTS. NOTWITHSTANDING SUBSECTION F OF THIS SECTION, VIOLATIONS OF THIS TITLE SHALL BE A MISDEMEANOR UNDER THE JURISDICTION OF THE MUNICIPAL COURT

Formatted: Indent: Left: 0", First line: 0"

Section 6: Section 2-1 of Chapter 9 of Title 3 of the City Code is hereby amended as follows:

SECTION 3-9-2-1: LICENSE REQUIRED:

(A) It shall be unlawful for any person to engage in the business of selling at retail, as the same is defined in this chapter, without first having obtained a license therefor, which license shall be applied for on a form prepared by the ~~city treasurer~~ FINANCE DIRECTOR. EXCEPT FOR THOSE LICENSES IN SUBSECTION B OF THIS SECTION, no fees shall be charged for issuance of the license, and it shall be issued by the ~~treasurer~~ FINANCE DIRECTOR unless he or she determines that the business to be operated would violate any of the statutes of the state of Colorado, of the United States or any of the provisions of this code. FAILURE TO PAY ANY OUTSTANDING CIVIL PENALTIES OWED TO THE CITY OR ANY SALES TAX LIABILITY TO THE CITY SHALL BE GROUNDS FOR REFUSING TO ISSUE A BUSINESS LICENSE. Zoning approval shall be required for all sales and use tax licenses provided, however, that if the person or entity seeks a sales and use tax license for an adult entertainment establishment, the license shall be issued by the ~~treasurer~~ FINANCE DIRECTOR within five (5) days of application therefore, unless the adult entertainment establishment is in or proposed to be located in a location where such establishments are not permitted under this code. Except for those licenses in subsection B of this section, said license shall be and remain in full force and effect until and unless revoked.

(B) FOR THOSE BUSINESS, SALES AND USE TAX LICENSES ISSUED FOR THE FOLLOWING ITEMS UNDER THIS SECTION, SUCH LICENSES SHALL BE ISSUED FOR A ONE YEAR CALENDAR PERIOD BEGINNING ON JANUARY 1 OF EACH YEAR, EXCEPT THE PRORATED PERIOD OF THE YEAR IN WHICH THIS SECTION WAS

ADOPTED MAY BE ADDED TO THE FIRST YEAR. FOR EACH LICENSE ISSUED PURSUANT TO THIS SUBSECTION NO FEE SHALL BE CHARGED:

1. SHORT-TERM RENTALS AS DEFINED IN CHAPTER 10 OF THE CODE.

(C) FOR THOSE CURRENT SALES AND USE TAX LICENSES ISSUED FOR AN ITEM UNDER SUBSECTION (B) OF THIS CODE, SUCH LICENSES SHALL EXPIRE ON DECEMBER 31, 2019.

Formatted: Font color: Auto

OPTIONS IF A PRIMARY RESIDENCE REQUIREMENT IS NOT USED:

Formatted: Font color: Auto

1. Require licensees to be residents of the City of Littleton
2. No residence requirement
3. Require licensees to live within a certain distance of the primary rental
4. Limit on the number of licenses held by one individual

Comment [16]: Requested by Council members as an option to Primary Residence Requirement

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"