



**ORDINANCE NO. 19**

**AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS OF  
CLEAR CREEK COUNTY FOR THE LICENSING OF SHORT-TERM RENTALS**

**WHEREAS**, the Clear Creek County Board of County Commissioners (“Board”) is empowered by C.R.S. § 30-15-401(1)(s) to "license and regulate" short-term rentals and to "fix the fees, terms, and manner for issuing and revoking licenses"; and

**WHEREAS**, the use of short-term rentals has grown tremendously in the past decade;  
and

**WHEREAS**, short-term rentals can benefit communities by offering supplemental income to property owners, supporting the local economy through tourism, creating local job opportunities, and fostering community between the short-term rental hosts and renters; and

**WHEREAS**, conversely, studies and reports have concluded that short-term rentals can also create adverse impacts to the health, safety, and welfare of communities, including an increase in housing costs and depletion of residential housing opportunities for persons seeking full-time lodging; and

**WHEREAS**, Clear Creek County has received comments from members of the community expressing concern about how short-term rentals might impact housing stock, as well as concerns relating to parking, increased noise and trash; and

**WHEREAS**, the Board desires to ensure that regulation of short-term rentals within the community addresses and balances the benefits and burdens on the local community relating to those rentals; and

**WHEREAS**, the Board further desires to track, manage, and enforce violations of this Ordinance to protect the health, safety, and welfare of the public; and

**WHEREAS**, this Ordinance supersedes any prior ordinance, resolution or decision by the Board concerning regulation of short-term rentals and other matters addressed herein; and

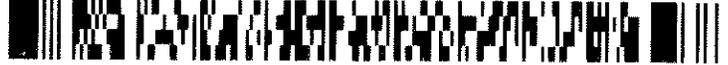
**WHEREAS**, the Board finds such rules and regulations are reasonable and necessary to protect the public health, safety, and welfare for both residents of and visitors to Clear Creek County.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Clear Creek County, Colorado, as follows:

**Section 1. General.**

1.1. Definitions. Where words or term are not defined, such words or terms shall have ordinarily accepted interpretations as the context implies.

a. **GOOD NEIGHBOR GUIDELINES:** A living document promulgated by the Planning



and Building Services Department that sets forth various recommended and/or required practices for STR License holders and their renters, and that is required to be provided by STR License holders to their renters upon booking.

b. **DEFENSIBLE SPACE:** Area around a structure where fuels and vegetation are treated, cleared, or reduced to slow the spread of wildfire towards the structure in conformance with the Clear Creek County Building Code and the Colorado State University Cooperative Extension Factsheet “Creating Wildfire-Defensible Zone no. 6.302,” both of which may be amended from time to time.

c. **SHORT TERM RENTAL (“STR”):** The nightly or weekly rental of dwellings, dwelling units, mobile homes or rooms, excluding hotels/motels and bed and breakfast establishments, for less than 30 consecutive days, including but not limited to: single-family dwellings, duplexes, multi-family dwellings, townhomes, condominiums, time shares, or similar dwellings. Other structures, such as but not limited to, yurts, tents and other tent-type structures, primitive structures, recreational vehicles, campers, and any otherwise temporary structures, are not permitted to be used as STRs.

d. **PRIMARY RESIDENCE:** A home or abode used and occupied by a person as that person’s principal place of residence at least nine months each calendar year, and that person owns the residence, holds a controlling interest in a business entity that owns the residence, or is the beneficiary of a trust holding the residence.

e. **REVIEW AUTHORITY:** The Clear Creek County Planning and Building Services Department is hereby designated as the Review 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 this Ordinance and any applicable sections of the Zoning Regulations (collectively, the “STR Regulations”). The Planning and Building Services Department shall be authorized to promulgate all reasonable administrative rules and procedures necessary to the operation and enforcement of the STR Regulations.

f. **VACATION RENTAL SERVICE:** Defined by C.R.S. § 30-15-401(s) as “a person that operates a website or any other digital platform that provides a means through which an owner or owner’s agent may offer a lodging unit, or portion thereof, for STRs, and from which the person financially benefits.”

1.2. Purpose. The purpose of this Ordinance is to:

a. Designate a department of Clear Creek County Government to process applications for licenses for STRs in unincorporated Clear Creek County and to provide the structure by which such entity will process and review applications.

b. Establish comprehensive licensing regulations to safeguard the public health, safety and welfare by regulating and controlling the use, occupancy, location and maintenance of STRs within the unincorporated areas of Clear Creek County.

c. Ensure that STRs are operated in a manner that follows all applicable rules, laws, and regulations, as well as compatible with the surrounding neighborhood and protects the overall community character.

1.3. Applicability. The regulations set forth in this Ordinance shall apply to STRs only, as defined herein above.

**Section 2. Procedures.**

2.1. License Required. No person or entity may advertise or operate an STR without a valid



license. Any STR in operation without a valid license may be issued a Notice of Violation and will be required to cease all operations and advertising immediately. Following the issuance of a Notice of Violation, an application fee, two times the amount of the adopted Licensing Fee, will be due upon application for an STR License.

2.2. Process. An application for an STR license shall be reviewed by the Review Authority in accordance with the applicable criteria set forth in this Ordinance.

2.3. Criteria. The Review Authority shall consider all of the required application materials and submissions, more specifically set forth in Section 6 of this Ordinance, and determine that all criteria have been met and required materials submitted prior to issuing an STR license.

2.4. Decision. A decision regarding the issuance of a license under this Ordinance shall be issued by the Review Authority within 30 days once the application has been deemed complete.

2.5. Appeal of Denial. If an application for a STR License is denied, the applicant may appeal that decision to the Planning and Building Services Operations Manager by submitting a written or electronic request to appeal to the Planning and Building Services Operations Manager within 10 days of receipt of written notice of such denial; otherwise, the license denial shall be final and not subject to appeal. Appeal of a denial by the Planning and Building Services Operations Manager may be taken in the manner set forth in Section 8.7 of this Ordinance. During the appeal process the short-term rental shall not be operated or listed on a Vacation Rental Service platform.

2.6. License Duration/Renewal.

a. All STR Licenses shall expire one year from the date the initial License was issued.

b. An application for renewal of an STR Standard or Primary Residence License shall be submitted no less than 30 days prior to the expiration of the STR License within the renewal period established by the Review Authority.

c. An STR License for which a renewal application which is not submitted at least thirty days in advance of expiration for renewal during the established renewal period shall be considered expired one year from the date the initial License was issued.

d. Open Permits. When there is an open building permit or OWTS permit for an upgrade, remodel, or demolition, the STR License will remain in effect subject to renewal; however, no rentals may occur until the permit has received all final approvals from the County, including a Certificate of Compliance or Certificate of Occupancy, if required.

2.7. Transfer of Ownership.

a. Ownership of a license may not be transferred, unless meeting one of the exceptions as listed herein.

1) 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.

2) The transfer of title to real property from a grantor to a trust established by the grantor.

3) 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, provided that the grantor submits proof to the Review Authority establishing that the grantor maintains 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.
- 4) Any transfer of the property between the same parties creating or terminating a joint tenancy in such property.
  - 5) 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.
  - 6) 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.
  - 7) The transfer of title pursuant to any decree or order of a court of record quieting, determine, 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 Review Authority, providing all necessary materials to determine if the transfer meets the exempt criteria above.

2.8. Property Owner. The property owner of the STR property shall be the holder of the STR License, i.e. the licensee. A property manager or other individual may submit the application for an STR License, but the License will be issued in the property owner's name and the property owner is ultimately liable for compliance with the STR Regulations.

### **Section 3. License Types.**

3.1. Standard STR License. Any current legal residential unit that meets the provisions of this Ordinance is eligible for an STR License, subject to the limitations set forth in Section 4 of this Ordinance. Standard STR Licenses are valid for a period not to exceed one (1) year.

3.2. Primary Residence – Occupied STR License. A residence that meets the definition of a Primary Residence in which the applicant supplies the required documentation of Primary Residence, is eligible for a Primary Residence - Occupied STR License. Occupied Licensees may rent out a portion of their home in which they live full time, a floor plan must be submitted which indicates the portion of the home which will be rented. Primary Residence STR Licenses are valid for a period not to exceed one (1) year. The license holder may live on a property with a permitted Accessory Dwelling Unit (ADU), as defined in the *Clear Creek County Zoning Regulations* and obtain a Primary Residence STR License for the permitted ADU, or vice-versa. There is special guidance set out by the Colorado Division of Water Resources concerning water supplies for ADUs that is outlined in Guideline 2016-1. Use of an ADU as an STR must demonstrate it can follow this Guideline in addition to providing evidence of a legal water supply.

3.3 Primary Residence – Seasonal STR License. A residence that has established primary residency is eligible for a Primary Resident – Seasonal STR License. This license type allows the owners to rent out the entirety of their home in which they live nine (9) months or more. The residence may not be rented more than 90 days in a license period, except that for licenses issued during calendar year 2025 only, the residence may be rented for up to 120 days for the duration of the 2025 license. This exception does not carry over to licenses issued or renewed after 2025. Primary Residence – Seasonal Licenses are valid for a period not to exceed one (1) year. Accessory Dwelling units are not eligible for Primary Residence – Seasonal STR License. Monitoring software may be used to verify compliance.



### 3.4. Occupancy Standards.

a. Units 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 Clear Creek County are typically designed to accommodate a maximum occupancy of 2 persons per bedroom.

b. For purposes of these STR Regulations, a room which meets the Clear Creek County Planning and Building Services Department requirements for a potential sleeping room shall be allowed two occupants.

c. Units on a central sewerage system are permitted two people per legal bedroom plus two more people per residence.

3.5. Process for Managing the Cap. By October 1 of each calendar year, unless otherwise authorized by the Board of County Commissioners (“Board”), the Review Authority will determine the number of licenses available for the subsequent calendar year based on the total number of residences that exist on October 1.

## **Section 4. Limitations on Number of STR Licenses.**

### 4.1. STR License.

a. No more than 4.5% of the total number of residences, in any given year, in unincorporated Clear Creek County shall be issued permits for STRs (this does not include Primary Residence STR Licenses). The number of residences shall be determined by calculating the total number of residential addresses as found in the Clear Creek County Mapping & Geographic Information Systems address database.

b. No Standard STR licensed property shall adjoin another Standard STR property directly or oppose across a common roadway. Where Standard STR licenses are issued within apartments, condominiums or other multi-unit buildings, the ratio of STR units to all other units within that building shall not exceed 4.5%. STRs that had been issued permits under the former STR permitting system that existed prior to the adoption of this ordinance shall be exempt from the restrictions of this subsection 4.1.b.

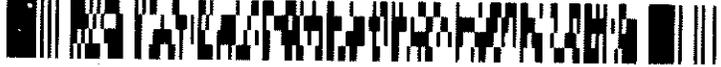
c. A first come, first served waiting list may be established for applicants to be able to wait in line for an STR License to come available. A complete application with registration fee shall be submitted and a Life Safety Inspection passed by the Building Department in order for the applicant to be placed on the Waiting List. A portion of the registration fee may be returned if removed from the Waiting List.

4.2. Primary Residence STR License. There is no limit on the number of Primary Residence STR Licenses available.

## **Section 5. Responsible Agent Required.**

5.1. Responsible Agent. Each owner of an STR shall designate a person or company to serve as the responsible agent (“Responsible Agent”). An owner of an STR 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, seven days per week to respond to complaints, issues of concern, and violations related to this Ordinance. The Responsible Agent 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 of the Ordinance.

b. The Responsible Agent is required to be registered with the Clear Creek County alert system and must notify renters of the current fire restrictions and provide renters with instructions on how to access the Clear Creek County alert system for real-time emergency information during their stay.

c. The owner shall keep all property management and Responsible Agent information updated in the established STR system.

d. Adjacent property owners whose property boundaries are within three hundred (300) feet of the subject parcel where the STR is located shall be provided written notice of the 24-hour contact person.

e. Responsible Agent contact information may be made available by the Review Authority to the general public.

### **Section 6. Application and Submittal Requirements.**

6.1. Application. The owner shall file a complete application for an STR license with the Planning and Building Services Department using the established application system. The application shall not be deemed complete until all required information is submitted. An applicant for an STR Primary Residence License may only have one Primary Residence for purposes of these STR Regulations.

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

a. Completed Short-Term Rental Registration Form as provided by the Review Authority;

b. Registration fee;

c. Evidence of legal water supply;

d. Evidence of the availability of connection to a sanitary sewer system or an adequate County approved onsite wastewater treatment system (OWTS) for the number of occupants proposed;

e. A scaled map or narrative clearly indicating and explaining the following:

1) lot size;

2) subject parcel boundaries;

3) location of residence;

4) location of appropriate parking spaces;

5) location of any outdoor garbage storage areas;

6) location of snow storage areas;

7) location of any outdoor cooking/fire facilities; and

8) Number of bedrooms to be rented and number of occupants;

f. Landowner Authorization if the applicant is someone other than the registered owner of the property;

g. Approval from adjacent property owners where shared driveway exists which access property;

h. Proof of Primary Residence by providing all of the following:

1) Colorado driver's license OR Colorado state identification card;

2) voter registration OR motor vehicle registration;

3) designated residence for tax purposes as shown on the occupant's tax documents such as a 1041 or W2;



- 4) affidavit submitted by the applicant at time of application attesting to the STR being their Primary Residence for a minimum of nine months of the year; and,
- 5) relevant resident mailing address. An applicant for a license under this Ordinance may have only one Primary Residence for purposes of these Regulations;
- 6) Documentation establishing that the applicant holds ownership of the residence in the applicant's name, holds a controlling interest in a business entity that owns the residence, or is the beneficiary of a trust holding the residence.
  - i. Proof of home-share insurance or short-term rental insurance policy providing comprehensive liability coverage for property damage to, and theft of, STR and guest property (including personal belongings) and bodily injury to guests (including guest medical expenses related thereto).

**Section 7. Standards for STR Licenses.**

**7.1. Issuance and Operation.**

a. An STR Standard License and an STR Primary Residence License shall be effective on and following the date of issuance and remain in effect until expiration as set forth in Section 2.6 of this Ordinance, or if surrendered, suspended or revoked earlier. No more than one STR License shall be issued and effective for each STR.

b. Regulations Compliance. No STR License will be issued for a property that is not in compliance with Clear Creek County regulations applicable to the property. Non-compliance with any of those regulations, or receipt of multiple credible or validated complaints during the most recent calendar year of operating as an STR, are grounds for non-renewal or revocation of an STR License.

c. Fees. Fees will be established by the Board and published in the Short-Term Rental Fee Schedule. Proration for an operating permit issued after January 1 in any given year shall not be authorized.

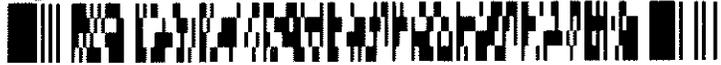
d. Taxes. Owner is responsible for demonstrating Federal, State, and Local taxes have been remitted upon license renewal.

e. Safety. The short-term rental shall undergo and pass annual safety inspections, or provide other evidence of adequate safety, as determined by the Chief Building Official prior to issuance of the operating permit.

f. Guests. Guest load for an STR shall not be greater than two occupants per sleeping room, unless otherwise determined by the Review Authority. The maximum number of overnight guests shall not exceed this calculated figure and shall be communicated to guests. Maximum occupant load at any time in the STR shall not exceed one person per 200 square feet of conditioned home area or the calculated guest load whichever is greater.

g. Fire/Smoke/CO. The STR shall contain at least one operable 5 pound or greater 3A:40B:C fire extinguisher which shall be inspected annually and be placed in a visible, noticeable location. Operable smoke alarms shall be provided as required by the Chief Building Official. The STR shall contain operable carbon monoxide alarms in compliance with Title 38, Article 45 or the Colorado Revised Statutes.

h. Water/Sanitation and Occupancy. The short-term rental shall submit verification of the availability of an adequate water supply plan or State-approved well permit, and verification of connection to a sanitary sewer system or the availability of an adequate County approved onsite wastewater treatment system (OWTS) for the number of occupants proposed. Such OWTS permit



may be supplied by the Environmental Health Department as determined by the Environmental Health Director.

i. Noise. While occupying or visiting a short-term rental, no person shall make, cause, or permit unreasonable noise to be emitted from the short-term rental that is audible upon private premises in excess of the limits set forth in title 25, Article 12, Colorado Revised Statutes or otherwise disturbs the peace.

j. Garbage. Clearly defined garbage storage areas shall be provided, with an adequate number of garbage containers. A plan for regular garbage pick-up or individual plan for garbage removal (including name and location) must be identified for all occupants. All outside garbage storage areas and containers shall be of a bear-proof design that is Interagency Grizzly Bear Committee (IGBC) certified. Otherwise, all other garbage containers shall not be left unattended for on-street pick-up and shall only be left outside on the day of on-street pick-up. The property shall be properly maintained and free of garbage, trash and litter.

k. Lighting. Outdoor lighting shall conform to the Lighting standards expressed in Section 10: Development Standards (1008.4: Lighting) of the *Clear Creek County Zoning Regulations*.

l. Good Neighbor Guidelines. STR guests shall be provided Good Neighbor Guidelines upon booking, which shall provide access and information regarding of winter driving conditions and the need for appropriate vehicle traction, including Colorado Department of Transportation's Traction Law. All STRs accessed by non-maintained public roads shall inform STR guests in advance of arrival, when providing the Good Neighbor Guidelines, of hazardous driving conditions due to lack of road maintenance and the need for appropriate 4x4, high clearance, or other appropriate vehicles to access the property.

m. Parking. Off-street parking shall be provided in the amount of 1 space per bedroom. If an STR is accessed by a shared driveway, written permission to access the drive must be obtained from each shared driveway property owner. Occupants and visitors utilizing STRs must park in designated off-street parking spaces. On-street parking within a County road or right-of-way or within a private road right-of-way is prohibited. Written property owner permission is required for parking on adjacent or neighboring properties. No person shall be permitted to stay overnight in any motor vehicles, recreational vehicles (RV's) or other types of camping vehicles, which are parked at a short-term rental.

n. Snow Storage and removal. On site snow storage shall be provided. Snow shall be removed from parking areas as necessary to accommodate the approved parking plan. The STR property must have a clear and effective snow removal plan to ensure continuous and safe access throughout the winter/spring snow season.

o. Fires. Open burning, fueled by any source, is not permitted, including recreational fires such as campfires, fireplaces, fire pits, charcoal braziers wood burning stoves, or other outdoor cooking or fire facilities that could throw off embers. Outdoor cooking with propane, natural gas, charcoal, or any other fuel sources are also not permitted. A Defensible Space is required for all STR properties. STR license applicants must provide defensible space as required for new construction by the building code prior to being issued a license. Existing facilities shall be removed, or if permanent, must be blocked off in a way that prohibits their use.

p. Firearms and Fireworks. The discharging of firearms or fireworks on the premises of the short-term rental is strictly prohibited. "Fireworks" means any combustible or explosive composition or any substance or combination of substances, or device prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation.



This includes items such as firecrackers, rockets, Roman candles, sparklers, and other similar devices designed for entertainment purposes.

q. Signs. Signs for advertising shall not be permitted on STRs except as outlined in Section 10 (1004) of the *Clear Creek County Zoning Regulations*.

r. Compliance. Compliance with the terms and conditions set forth herein shall be the non-delegable duty of the owner of the STR property; and each owner of an STR property shall be strictly liable for complying with the conditions set forth in this Ordinance or imposed by Clear Creek County. The owner shall comply with all applicable County, State and Federal Regulations.

s. Addressing. Address numbers shall be posted on the exterior of the building so that it is clearly visible from the traveled road. If addressing is not visible from the public road due to site distance or other obstruction, address numbers shall also be posted at the driveway entrance from the public road.

t. Limitation of Liability. Clear Creek County assumes no responsibility for the operation of the site and Owner covenants and agrees to hold Clear Creek County harmless for any injury or damage which may occur, or whatever types or nature, as the result of the operation of the short-term rental. Owner shall maintain home-share or short-term rental insurance for the STR as required by section 6.2.i. of these regulations. Owner further warrants and agrees to compensate Clear Creek County for any expense incurred in the defense of any lawsuit or other type of action which may be brought against said County as a result of said Owner's operation of this use. Nothing contained in this Section shall allow STRs if otherwise prohibited by any applicable private covenants. Covenants are privately enforced according to their terms. The Review Authority may suspend or revoke STR licenses when petitioned by a homeowner's association and the STR is prohibited within community bylaws or other home owner agreements when registered with the Colorado Division of Real Estate.

u. Posting of Information. The owner shall post on the back of or to the right of the entry door at a height not less than 48 inches and not greater than 68 inches the STR License issued by the Review Authority. The owner shall assemble an STR Guest Guidebook and provided it in a conspicuous location that contains the following information:

- 1) A copy of the STR License.
- 2) The name, address, and telephone number of the designated Responsible Agent, or owner of the short-term rental that can be reached on a twenty-four (24)-hour basis.
- 3) The maximum number of persons allowed to occupy the short-term rental.
- 4) The maximum number of vehicles allowed to park on the short-term rental property. All vehicles must park in designated off-street parking spaces. On-street parking or on neighboring properties is prohibited.
- 5) A map clearly indicating the subject parcel boundaries, location of residence, and location of appropriate parking spaces.
- 6) The day of garbage pick-up or plan for garbage removal and notification of all rules and regulations regarding garbage removal.
- 7) The entire property address (including house number, street name, and city) shall be visibly posted inside the STR with instructions to call 911 in the case of an emergency.
- 8) Information regarding fire suppression types available onsite. If a Fire Ban is in effect, the terms of that ban must be included.
- 9) Information regarding fire/emergency evacuation routes out of the area.



- 10) The discharging of firearms or fireworks on the premises is strictly prohibited.
- 11) Information regarding winter driving conditions and the need for appropriate vehicle traction, including Colorado Department of Transportation's Traction Law.
- 12) Road information regarding the need for appropriate vehicles such as four-wheel drive, high clearance, all-wheel drive, or other appropriate means to access the STR.
- 13) Good Neighbor Guidelines as defined by this Ordinance in the most current form as posted on the County's website and available at this link:

7.2. Vacation Rental Service Mandatory Field and Takedown. Pursuant to C.R.S. § 30-15-401(1)(s)(III), all Vacation Rental Services that display STR listings for properties in unincorporated Clear Creek County shall require that each owner or owner's agent using the Vacation Rental Service include the license number from the County-issued STR license in any listing for an STR on the vacation rental service. A vacation rental service shall remove any listing for an STR from the platform after notification by the Review Authority that the license number associated with an STR listing is invalid, expired, has been revoked, or that the County has a prohibition on STRs that applies to the listing. The notification shall include the listing URL and any other identifying information available to the Review Authority and include the reason for removal. The platform shall remove the listing within seven days of receiving the notification from the County.

## **Section 8. Violations, Enforcement and Revocation.**

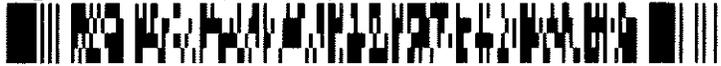
### **8.1. Obligation for Ongoing Compliance of Licensee.**

- a. Issuance of a license is expressly contingent upon the licensee maintaining compliance with all requirements set forth in the STR Ordinance. If at any time a licensee fails to maintain such compliance as is required, the licensee shall be in violation of this Ordinance.
- 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.

### **8.2. Complaints and Remedies for Non-Compliance.**

- a. Complaints concerning a short-term rental property shall be first directed to the Responsible Agent. The agent shall respond to the complaint, 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 County 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 this Ordinance. Violations of this Ordinance 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 this Ordinance, Clear Creek County may pursue action as provided for herein, including but not limited to suspension or revocation of the rental license. In cases where a violation is deemed egregiously harmful to public health, safety or welfare, the County may seek immediate permission from the Review Authority to revoke the STR license after a single violation.

### **8.3. Enforcement.** Enforcement of this Ordinance shall be by the Review Authority and the



Sheriff's Office, as deemed necessary and appropriate.

8.4. Violations. Violations of the STR Ordinance shall be a civil infraction and punishable by the procedure established in C.R.S. §§ 16-2-201 and 30-15-402, as amended from time to time.

8.5. Fines. A graduated fine schedule is hereby adopted:

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

Each day such violation continues shall be deemed a separate offense. Fines may be waived if violations are rectified quickly and properly.

8.6. Revocation. If non-compliance with this Ordinance is not cured timely, or if there are multiple credible or validated complaints manifesting the owner's inability or unwillingness to control the use of the STR, the Review Authority may revoke the STR License. The Review Authority shall notify the owner or owner's agent by phone and certified mail of the revocation. The Review Authority's decision to revoke an STR License may be appealed as forth in Section 8.7.

8.7. Appeals and Hearing.

a. Appeal to County Manager. Appeal from a decision of the Review Authority or of the Planning and Building Services Manager may be made to the County Manager by submitting a written or electronic request to appeal to the County Manager within 10 days of receipt of written notice of the decision. The County Manager will schedule a meeting with the appellant and County staff, as appropriate, to consider the issues, and will then render a written decision within ten days of the meeting. During the appeal process, the STR shall not be operated or listed on a vacation rental service platform.

b. Final Appeal. An appeal of the decision of the County Manager may be brought to the Board by submitting a written or electronic request to appeal to the Clerk to the Board. The request must be submitted within ten days of receipt of the decision by the County Manager. Upon receipt of the request, the Clerk to the Board shall schedule a public hearing in which the appeal will be heard. The appeal will be scheduled to occur no sooner than 30 and no later than 60 days from the date of receipt by the Clerk of the request. The person requesting the appeal shall be notified of the hearing date and time by electronic mail, personal delivery, posting on the property, or first-class mail.

c. Hearing.

- 1) At least 20 days prior to the hearing, the appellant must submit to the Clerk, in written or electronic form, the issues for the Board to consider and the reason for appeal, including why the decisions of County staff and the County Manager should be modified or overturned.
- 2) At the hearing, the Board may consider witness testimony and other evidence presented by the appellant and the County. The Board may choose to render a decision at the conclusion of the hearing or take any other action it deems appropriate.

## **Section 9. Licensing Fees.**

Licensing fees shall apply at the time of application and shall be established and updated in the Short-Term Rental Fee Schedule.

## **Section 10. Compliance Timeline.**



10.1. Pre-Existing STR Permits. All STR permits approved prior to the effective date of this Ordinance shall continue to be governed by the regulations under which those permits were originally granted (1207. Short Term Rental Permit of the *Clear Creek County Zoning Regulations*) until their expiration, notwithstanding the sunseting of those regulations with the adoption of this Ordinance. There shall be no renewals of those permits upon expiration.

10.2 Licenses Issued after the Adoption of this Ordinance. Upon the effective date of this Ordinance, all applications to operate an STR, whether initial or for renewal, will be subject to the provisions of this Ordinance and shall require an STR License.

**Section 11. Authority.** This Ordinance is adopted pursuant to the authority of C.R.S. § 30-15-401.

**Section 12. Repealer.** All resolutions and ordinances, or parts thereof, in conflict with this Ordinance are hereby repealed.

**Section 13. Effective Date.** To immediately preserve the public health and safety, including ensuring compliance with building and fire codes and other applicable regulations, this Ordinance will be effective immediately upon adoption on second reading, as provided in C.R.S. § 30-15-405.

INTRODUCED, READ, ORDERED PUBLISHED IN FULL AND SET FOR PUBLIC HEARING THIS 19<sup>th</sup> DAY OF November, 2024.

BOARD OF COUNTY COMMISSIONERS  
CLEAR CREEK COUNTY, COLORADO

  
George Marlin, Chair

  
Randall P. Wheelock, Commissioner

  
Mitch Houston, Commissioner

CERTIFICATION: THE FOREGOING ORDINANCE WAS INTRODUCED AND READ ON November 19, 2024, BY THE BOARD OF COUNTY COMMISSIONERS OF CLEAR CREEK COUNTY, COLORADO, AND APPROVED FOR PUBLICATION.

DATE OF PUBLICATION: December 5, 2024



*Beth Luther*

Beth Luther  
Deputy Clerk & Recorder  
Clear Creek County

APPROVED AND ADOPTED AFTER PUBLIC HEARING AND ORDERED  
PUBLISHED THIS 17<sup>th</sup> DAY OF December, 2024.

BOARD OF COUNTY COMMISSIONERS  
CLEAR CREEK COUNTY, COLORADO

*George Marlin*  
George Marlin, Chair

*Randall P. Wheelock*  
Randall P. Wheelock, Commissioner

*Mitch Houston*  
Mitch Houston, Commissioner

CERTIFICATION: THE FOREGOING ORDINANCE WAS APPROVED AND ADOPTED  
AFTER PUBLIC HEARING ON December 17, 2024, BY THE BOARD OF  
COUNTY COMMISSIONERS OF CLEAR CREEK COUNTY, COLORADO, AND  
APPROVED FOR PUBLICATION.

DATE OF PUBLICATION: 12/26/24

*Beth Luther*

Beth Luther  
Deputy Clerk & Recorder  
Clear Creek County