



2018

Short-Term Rental Licensing Guide

If you are interested in renting your home for periods of less than 30 consecutive days, you qualify as operating short-term rental lodging within the Town of Vail.

As an owner of a short-term rental property, you are required to obtain a short-term rental license and remit taxes on the gross sales received from your short term rental.

- Read the attached Ordinance regarding the regulations of short-term rentals
- Obtain a Short-Term Rental License from The Town of Vail
 - Complete the [Application for a Short-Term Rental License Form](#)
 - Complete and Notarize the [Short-Term Rental Self-Compliance Affidavit](#)
 - Complete the [Short-Term Rental Local Agent & Owner Authorization Form](#) and provide a copy of the designated agent's driver license
 - Read and Sign the [Good Neighbor Guidelines](#)
 - Submit application documents and application fee of \$150 to the Town of Vail
- Be Aware of the Tax Rate to Collect:
 - Town of Vail – 4%
 - State of Colorado – 2.9%
 - Eagle County – 1.5%
 - Vail Local Marketing District – 1.4%

Total of 9.8%
- Post your Short-Term Rental License Number on all advertising (print, online, etc.)
- Verify that all of the life-safety requirements required are in place at your property.
- Submit your monthly or quarterly taxes to the following agencies:
 - Town of Vail
 - State of Colorado (State Sales Tax & Vail Local Marketing District & Eagle County)

Questions? Contact: shorttermrentals@vailgov.com

**ORDINANCE NO. 15
SERIES 2017**

**AN ORDINANCE AMENDING TITLE 4 OF THE VAIL TOWN CODE BY
THE ADDITION OF A NEW CHAPTER 14, ENTITLED SHORT-TERM
RENTAL PROPERTIES, AND REPEALING SECTIONS IN CONFLICT
THEREWITH**

**NOW BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VAIL,
COLORADO:**

Section 1. Title 4 of the Vail Town Code is hereby amended by the addition of a new Chapter 14 to read as follows:

**CHAPTER 14
SHORT-TERM RENTAL PROPERTIES**

4-14-1: PURPOSE AND APPLICABILITY:

A. The purpose of this Chapter is to establish comprehensive licensing regulations to safeguard the public health, safety and welfare by regulating and controlling the use, occupancy, location and maintenance of short-term rental properties in the Town.

B. This Chapter shall apply to short-term rental property only, as defined herein. This Chapter shall not apply to the furnishing of lodging services in hotels, motels, lodges or bed and breakfast establishments, or to properties with long-term leases.

C. This Chapter shall not supersede or affect any private conditions, covenants or restrictions applicable to a short-term rental property.

4-14-2: DEFINITIONS:

For purposes of this Chapter, the following terms shall have the following meanings:

OWNER: The record owner of a residential dwelling unit in the Town who intends to lease or leases the unit as a short-term rental property.

LEASE: An agreement or act by which an owner gives to a tenant, for valuable consideration, possession and use of property or a portion thereof for a definite term, at the end of which term the owner has an absolute right to retake control and use of the property.

RESIDENTIAL DWELLING UNIT: A building or group of rooms with kitchen facilities designed or used as a dwelling by a family as an independent housekeeping unit, excluding the following, as defined in Title

12 of this Code, if serviced by a full-time on-site property manager: accommodation unit, bed and breakfast, employee housing unit, fractional fee club unit, lodge dwelling unit, limited service lodge unit, or timeshare unit.

SHORT-TERM RENTAL PROPERTY: A residential dwelling unit, or any room therein, available for lease for a term of less than thirty (30) consecutive days.

4-14-3: LICENSE REQUIRED:

A valid license is required for each short-term rental property in the Town.

4-14-4: APPLICATION:

A. At least thirty (30) days prior to any advertising for or lease of a short-term rental property, the owner shall file a written application for a short-term rental license with the Finance Director or designee, on forms supplied by the Town. The application shall not be deemed complete until all required information is submitted.

B. The application fee shall be set by resolution of the Town Council.

C. If the proposed short-term rental property is located within a duplex, the application shall include a copy of a written notice provided by the owner to the last known address of the record owner of the adjoining residential dwelling unit. The written notice shall include a copy of the completed application, and shall be sent by first-class United States mail at least seven (7) days prior to the filing of the application.

D. No license shall be issued without an affidavit, signed by the owner under penalty of perjury, certifying that the short-term rental property is in habitable condition and complies with the health and safety standards set forth in Section 4-14-7.

E. Within thirty (30) days of receipt of a complete application for a short-term rental license, if the Finance Director or designee finds that the application complies with this Chapter, the Finance Director or designee shall issue a short-term rental license. The license shall be issued in the name of the owner, and shall not be transferable.

4-14-5: LICENSE TERM:

A. A short-term rental license shall expire on December 31 of each calendar year, 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.

B. An application for renewal of a short-term rental license shall be submitted at least thirty (30) days prior to expiration of the existing license.

4-14-6: LOCAL AGENT REQUIRED:

Each owner shall appoint a natural person who remains within a sixty (60) minute distance of the short-term rental property and is available 24 hours per day, 7 days per week, to serve as the local agent for the short-term rental property. The owner shall notify the Finance Director or designee in writing of the appointment of a local agent within five (5) days of such appointment or modification of any such appointment.

4-14-7: HEALTH AND SAFETY STANDARDS:

Each short-term rental property shall comply with all of the following standards, at a minimum, at all times while the property is being leased:

1. Buildings, structures or rooms shall not be used for purposes other than those for which they were designed or intended.

2. 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 in good repair.

3. Smoke detectors, carbon monoxide detectors and fire extinguishers shall be installed and operable, and all wood-burning fireplaces and stoves shall be cleaned on an annual basis.

4. An operable toilet, sink, and either a 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 sufficiency privacy.

5. There shall be a sufficient number of trash receptacles to accommodate all trash generated by those occupying the short-term rental property, and all receptacles shall comply with Chapter 9 of Title 5 of this Code.

6. Occupancy of a short-term rental property shall comply with Chapter 2 of Title 12 of this Code.

7. The use of portable outdoor fireplaces is prohibited.

8. Electrical panels shall be clearly labeled.

9. All pets shall be subject to Title 6, Chapter 4 of this Code.

4-14-8: PARKING:

Parking shall comply with all applicable provisions of this Code. All vehicles shall be parked in designated parking areas, and parking is prohibited in any landscaped area.

4-14-9: SIGNAGE:

An owner shall post a sign conspicuously inside the short-term rental property. The sign shall include the local agent's current contact information, the owner's current contact information, the street address of the short-term rental property and the short-term rental license number.

4-14-10: ADVERTISING:

All advertising for a short-term rental property shall include the short-term rental license number, immediately following the description of the short-term rental property.

4-14-11: TAXES:

The owner shall collect and remit Town sales and lodging taxes on each short-term rental property.

4-14-12: NOTICE:

Any notice required by this Chapter to be given to an owner is sufficient if sent by first-class mail to the address provided by the owner on the most recent license or renewal application. Notice given to the local agent, by first-class mail to the address provided by the owner, shall also be sufficient to satisfy any required notice to the owner under this Chapter.

4-14-13: INITIAL COMPLAINTS:

Initial complaints concerning a short-term rental property shall be directed to the local agent. The local agent shall resolve the issue that was the subject of the complaint within sixty (60) minutes, or within thirty (30) minutes if the problem occurs between 11:00 p.m. to 7:00 a.m., including visiting the site if necessary.

4-14-14: FORMAL COMPLAINTS AND REVOCATION:

A. If an initial complaint is not resolved, a formal complaint may be filed with the Town Manager or designee, on forms provided by the Town. The formal complaint shall describe in detail the violation(s) of this Chapter alleged to have occurred on the short-term rental property. Within three (3) days of receipt of such a complaint, the Town shall provide a copy of the formal complaint to the owner. Formal complaints

shall be signed by an individual and subject to public inspection; no anonymous formal complaints shall be accepted.

B. If there are three (3) or more formal complaints issued for the same short-term rental property within any consecutive twelve-month period, the Town Manager or designee may revoke the license for that short-term rental property upon written notice to the owner. The Town Manager or designee may also revoke any short-term rental license that was issued in error. The Town shall notify an owner, in writing, of any revocation and the reasons therefor.

C. The owner may appeal any revocation by filing a written appeal with the Town Manager or designee within ten (10) days of the date of the revocation notice. In the written appeal, the owner shall describe the reason for the appeal, and may request a hearing before the Town Manager or designee. The hearing shall be informal, and may be conducted in person or by telephone, at the discretion of the Town Manager or designee. At the hearing, the owner shall have the opportunity to be heard on the revocation. Within ten (10) days of the hearing, the Town Manager or designee shall either uphold or reverse the revocation, in writing. The decision of the Town Manager or designee shall be final, subject only to review under C.R.C.P. 106(a)(4) by a court of competent jurisdiction.

D. For a minimum of two (2) years following revocation of a short-term rental license, the Town shall not accept an application for a new license for the same short-term rental property, unless the ownership of the short-term rental property has transferred and a real estate transfer tax has been paid for such transfer pursuant to Chapter 6 of Title 2 of this Code. Following such two-year period, a new short-term rental license shall only be issued for a short-term rental property within a duplex if the record owner of the adjoining residential dwelling unit consents in writing to the issuance of such license.

4-14-15: VIOLATION AND PENALTY:

A. It is unlawful for any owner, local agent or occupant of a short-term rental property to violate any provision of this Chapter or any other applicable provision of this Code.

B. In addition to any revocation proceedings pursuant to Section 4-14-13, violations of this Chapter shall be subject to the penalties set forth in Section 1-4-1 of this Code. Each separate act in violation of this Chapter, and each and every day or portion thereof during which any separate act in violation of this Chapter is committed, continued, or permitted, shall be deemed a separate offense. Any remedies provided for in this Chapter

shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law.

Section 2. The definition of "short term rental" contained in Section 4-1-2 of the Vail Town Code and Section 4-1-4.B. of the Vail Town Code are hereby repealed in their entirety.

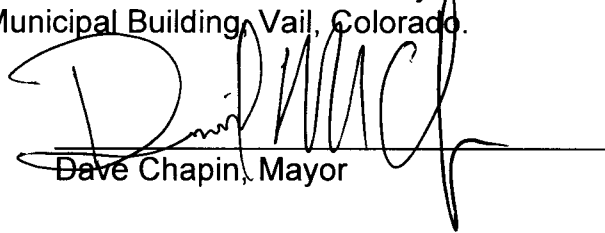
Section 3. The Town Council hereby finds, determines and declares that this ordinance is necessary and proper for the health, safety and welfare of the Town and the inhabitants thereof.

Section 4. The amendment of any provision of the Vail Town Code, as provided in this ordinance, shall not affect any right which has accrued, any duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceeding as commenced under or by virtue of the provision amended. The amendment of any provision hereby shall not revive any provision or any ordinance previously repealed or superseded unless expressly stated herein.

Section 5. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are repealed to the extent only of such inconsistency. This repealer shall not be construed to revise any bylaw, order, resolution or ordinance, or part thereof, theretofore repealed.

Section 6. Effective Date. This ordinance shall take effect on March 1, 2018.

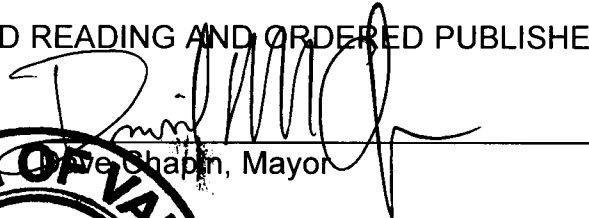
INTRODUCED, READ ON FIRST READING, APPROVED, AND ORDERED PUBLISHED ONCE IN FULL ON FIRST READING this 21st day of November, 2017 and a public hearing for second reading of this Ordinance is set for the 5th day of December, 2017, in the Council Chambers of the Vail Municipal Building, Vail, Colorado.


Dave Chapin, Mayor

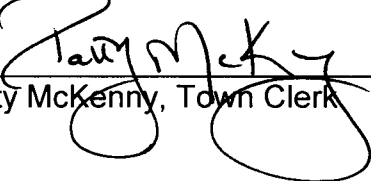
ATTEST:


Patty McKenny, Town Clerk

READ AND APPROVED ON SECOND READING AND ORDERED PUBLISHED this 5th day of December, 2017.


Dave Chapin, Mayor

ATTEST:


Patty McKenny, Town Clerk





Short-Term Rental (STR) License Application

Short-Term Rental License
Application Fee - \$150

STR Property Address: _____

Parcel ID: _____

Check One: Existing STR – TOV License Number: _____ New STR

Is this property a deed restricted employee housing unit (EHU)? Yes No

Is the property subject to a homeowners association or private covenant? Yes No

If Yes, please select a statement below that applies to the property:

The property is subject to a homeowners association or private covenant and the operation of a short-term rental does not require approval by the homeowners association or covenant beneficiary.

The property is subject to a homeowners association or private covenant and the operation of a short-term rental has been approved by the homeowners association or covenant beneficiary.

Is this property a duplex unit? Yes No

If Yes, has written notification been provided to the owner of the adjoining residential unit? Yes No

(Attach copy of notice sent with proof of mailing to the owner of adjoining residential unit)

Type of Ownership: Sole Proprietor Partnership Corporation Other _____

Owner's Name(s) or Name of Ownership: _____

Mailing Address: _____

City: _____ State/Zip: _____

Preferred Telephone: _____ Email: _____

If Corporation - Registered Agent: _____

Name of Person or Entity Preparing Tax Return: _____

Telephone Number: _____ Email: _____

If a property manager will be remitting taxes on your behalf, provide their TOV business license number: _____

Select the hosting platform(s) or website(s) that the property is advertised on:

Air B&B VRBO HomeAway TripAdvisor FlipKey Vacasa Evolve

Other _____ Other _____ Other _____ Other _____

Select the type of rental that this property is offered as:

Entire Home (Host Absent) Entire Home – Detached Residence (Host Present)

Private Room (Host Present) Shared Room (Host Present)

Self-Compliance Affidavit

*Please Note: All statements listed below must be initialed.
Failure to initial any question will delay your license issuance.*

Occupancy: Occupancy limits of 2 per bedroom, plus 2 will be adhered to and appropriately listed in rental advertisements

Number of Bedrooms: _____ Total Overnight Occupancy Advertised: _____

Health & Life Safety Standards:

_____ Buildings, structures or rooms shall not be used for purposes other than those for which they were designed or intended.

_____ 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 in good repair

_____ The street address, license number, local agent and property owner contact information is posted conspicuously in the interior of the property.

_____ The operation of the short-term rental will comply with all town ordinances that apply to a residential dwelling.

_____ Smoke detectors are installed outside of each sleeping area, in each room used for sleeping purposes, and on each level of a living area, including basements.

_____ Carbon monoxide detectors are installed within twenty feet of sleeping areas, within twenty feet of fuel fired appliances (including wood/ gas fireplaces), and within 10 feet of the doorway of an attached garage.

_____ Fire extinguishers are located within thirty feet of the kitchen, on each level of a living area, and in the garage; and they are readily available for immediate use.

_____ Wood Burning Fireplaces / Stoves - Fireplaces and flues are maintained in accordance with recognized standards and have been inspected and cleaned on an annual basis. Proof of inspection and cleaning for the current year is required to be available upon request.

_____ An operable toilet, sink, and either a 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.

_____ Electrical panels shall be accessible at all times with 36 inches of clearance maintained in front of the panels, and shall be clearly labeled.

_____ Outdoor Fires – portable outdoor fireplaces are prohibited.

_____ Portable electric space heaters shall not be operated within 3 feet of combustible materials and shall not be plugged into extension cords. Space heaters must be plugged directly into outlets.

_____ The use of outdoor heating appliances is prohibited on balconies. Outdoor heating appliances shall not be operated beneath or closer than 5 feet to buildings, overhangs, awnings, sunshades or similar combustible attachments.

_____ Property Address - Property address is required to be visible from the street. Minimum 4 inches in height, 1/2" width numbers permanently affixed on a contrasting background.

_____ Emergency Exits - The property must have a map or floor plan showing two ways out of the building to a designated meeting place.

Community Impacts:

_____ Renters will be informed that on-street parking is not allowed.

_____ Adequate parking spaces will be provided for renter's use.

_____ Renters will be informed of the noise ordinance. No excessive or unreasonable noise will be permitted at any time.

_____ Renters will be informed of trash / recycling regulations and scheduled trash pickup times.

_____ A sufficient number of trash and recycling receptacles to accommodate all trash generated by those occupying the short-term rental property and all receptacles shall comply with Town Code.

_____ Night lighting ordinances will be complied with to reduce exterior light usage after dark.

_____ If pets are allowed, renters will be informed of leash laws, pet waste disposal, and barking/noise considerations.

_____ The operation of the short-term rental will comply with the "Good Neighbor Guidelines" and a copy of the guidelines will be provided to the renters in the rental agreement or by posting it in a prominent location within the property.

Advertising:

_____ All advertising for this short-term rental shall include the short-term rental license number, immediately following the description of the property.

By completing and signing this affidavit I (we) affirm that, under pains and penalties of perjury, that I have inspected this property and that it complies with all applicable laws, and codes.

_____ Owner Signature Printed Name Date

_____ Owner Signature Printed Name Date

Subscribed and affirmed before me in the county of _____,

State of _____, this _____ day of _____, 20_____.

(Notary's official signature)

Notary Seal

(Commission Expiration)



Short-Term Rental (STR) Local Agent Responsibility and Owner Authorization

Check One: New STR
 Existing STR – Change of Property Contact – TOV License Number _____

STR Street Address: _____

Owner's Name: _____

Designated Local Agent:

Name: _____

Address of Physical Residence: _____

Phone Number: _____

Email Address: _____

A copy of designated local agent's drivers license must be attached for address verification.

Owner Declaration:

Each owner of a short-term rental property shall designate a local person whose physical address of residence is **within** an hour's travel time to the licensed STR's street address to serve as the local agent. The local agent shall have access and authority to assume management of the unit and take remedial measures. The agent shall be available 24 hours a day, 7 days a week to respond to tenant and neighborhood questions or concerns and must have a text-enabled phone. An owner of a short-term rental may designate himself/herself as the agent, as long as their physical address of primary residence is **within** an hour's travel time to the licensed STR's street address.

If you have listed yourself as the designated local agent and will be renting out your entire primary residence, you certify that you will remain within an hour's travel time to the licensed STR throughout the duration of the rental.

I am the owner(s) of the subject property and hereby authorize the designated person listed above to assume responsibility as the local agent.

Owner Signature Printed Name Date

Agent Responsibility:

As the local agent, and due to the language "assume management of the unit and take remedial measures", you are responsible for contacting the renters when you have been notified of a complaint. You may be contacted by the Town of Vail Police Department to secure the property as needed. Therefore, your phone number will be available to police staff, and will be listed under the short term rental license and posted for renters within the interior of the unit.

Agent Signature Printed Name Date

Any change of the agent or modification of contact information must be furnished to the town within five (5) days of effective date of change.



Good Neighbor Guidelines

The Good Neighbor Guidelines were created to educate Short Term Rental (STR) owners and tenants/guests on the importance of being a good neighbor.

- **24-Hour Local Agent Contact Information** - If at any time you have concerns about your stay or in regards to your neighbors, please call the 24-hour contact number listed in the rental lease agreement or posted in the property. In the event of an emergency, please call 911.
- **General Respect for Neighbors** - Be friendly, courteous, and treat your neighbors like you want to be treated. Respect your neighbors and their property.
- **Noise and Outdoor Lighting**- Be considerate of the neighborhood and your neighbor's right to the quiet and peaceful enjoyment of their home and property, especially after 11 p.m.
- **Maintenance of Property** - Be sure to pick up after yourself and keep the property clean, presentable, and free of trash.
- **Garbage Disposal** - Place trash and recycling containers at the appropriate place no earlier than 6:00 am for pickup. Return trash and recycling containers to the designated location by 7:00 pm on the day of pickup. Cigarette butts should be properly extinguished and disposed of.
- **Parking & Traffic Safety** - Do not park on roadways, lawns, or in a manner which blocks driveways, sidewalks, alleys or mailboxes. Drive slowly through neighborhoods and watch for pedestrians and children playing.
- **Pets** - Promptly clean-up after your pets. Prevent excessive and prolonged barking, and keep pets from roaming the neighborhood. Control aggressive pets, and be sure to abide by the local leash laws. Store pet food indoors and in a secure container to reduce the likelihood of unwanted pest problems.
- **Tenant/Guest Responsibility** - Approved guests and visitors are expected to follow the Good Neighbor Guidelines. Be sure to read your rental agreement for additional terms and restrictions which may include consequences for violating the Good Neighbor Guidelines.

Owner Signature

Printed Name

Date

Owner Signature

Printed Name

Date



Short-Term Rental License # _____

STR Property Address (include unit number)

Property Contact:

Name:

Phone Number:

Owner:

Name:

Phone Number: