

GATEWAY TO ALL SEASON FUN

TOWN OF DEL NORTE

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DEL NORTE, CO 81132



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## SHORT TERM RENTAL USE APPROVAL REQUIREMENTS

### TOWN OF DEL NORTE SHORT TERM RENTAL POLICIES AND PROCEDURES

*The purpose of this policy is to establish guidelines for operating a licensed Short-Term Rental (STR) the Town of Del Norte.*

*The following criteria shall be met before the Short Term Rental Use Permit is issued. Any violation of these conditions may result in an administrative revocation of this permit. Excessive number of verified complaints associated with the short term rental us of this property may result in an administrative revocation of this permit.*

#### **Del Norte Town Code -Sec. 16-13-10. Definition and Purpose.**

- (a) **Definition:** A “short-term rental” (STR) is the renting out of a furnished house, a condominium, multi-family dwelling, apartment or room(s) within an owner-occupied house for a short-term stay for periods of no longer than thirty days, either on a weekly or daily basis. Short-term rentals are not allowed in buildings within public or subsidized housing.
- (b) **Purpose:** Short-term rentals of dwelling units in any zoned district in the Town for a period of thirty (30) or less consecutive days shall be allowed only as a conditional use in accordance with the procedures in Article 8 (Conditional Use Review Procedures) of this Chapter. Short-term rentals shall not be applicable to trailer coaches, motor homes, camper coaches, camper trailers, fifth wheel trailers, recreational park trailers, recreational vehicles, travel trailers, or truck campers as the same are defined in the Colorado Revised Statutes.

#### **Sec. 16-13-20. Permits, insurance, and taxes.**

- a. Before issuing a short-term rental related permit, all owners of said property within three hundred feet (300') of the proposed short-term rental property shall be notified of their opportunity to make comments or objections on the applications as provided in the conditional use review process. The notices shall contain the property location, that the full application may be copied and reviewed at Town Hall, and the date (at least fifteen (15) days from the date of the Notice) by which comments must be received. The Notice shall be posted on the property and at the Town Hall and mailed.
- b. Upon approval of a short-term rental the owner shall obtain a permit from the Town Administrator. The permit application must include the owner or lessee's name, address, the short-term rental address, the maximum number of guests, the owner or lessee's representative and contact information, a parking plan for guests, evidence of property and liability insurance, and be accompanied by an application fee set forth in the consolidated fee schedule (Appendix 2-F of this Code). The permit will expire at the end of the year in which it was issued and may be renewed at the beginning of the following year upon the approval of the Town Administrator and payment of the yearly fee. In determining whether to renew a permit the Town Administrator will consider the history of any violations of the STR license and any documented complaints from nearby property owners or lessees. The parking plan shall comply with all provisions of the residential or commercial zone for parking in which the short-term rental is located.

- c. The number of short-term rentals within the Commercial Highway zoned corridors and commercial business districts shall not exceed ten (10) each for said districts.
- d. Short-term rentals in residentially zoned areas (RU, R1, and R2) are limited to renting, furnished rooms, and furnished portions of an owner-occupied dwelling. The number of short-term rentals within RU, R1, and R2 shall not exceed one (1) per block. Those units being utilized as short-term rentals upon the effective date of this article shall first be eligible to be issued permits under this section. An apartment within R1 and R2 is defined as a furnished, self-contained dwelling unit or attached to a dwelling structure. Short-term rentals, within residentially zoned areas must be held in the name of a natural person, and shall not be held by a corporation, LLC, or other business entity.
- e. In order to operate a short-term rental in the Town of Del Norte, Colorado the owner must have primary residency within Rio Grande County, Colorado.
- f. An owner can operate a maximum of two (2) short-term rental properties within town.
- g. All owners of short-term rentals are required to collect and remit lodging tax and sales tax. Evidence of issuance of a State sales tax license number is required as a condition of the Town Administrator's consideration of a short-term rental property license application to be complete.
- h. Short-term rental permits may be used only for the owner of the property for which they are issued and are not transferable upon sale of the property.

**Sec. 16-13-30. Occupancy.**

*Number of inhabitants:* The owner is required to submit a floor plan and site sketch plan with property dimensions, buildings, designation of the number of bedrooms and beds (with a maximum of two persons per bed, and up to a maximum of eight (8) persons per dwelling unit), parking, trash disposition, fire egress, location of smoke and CO alarms and fire extinguishers.

**Sec. 16-13-40. Licensing.**

*Business license:* The owner of a short-term rental property must possess a current Town business license for each such short-term rental property which will be issued concurrently with the payment of the fee specified in §16-13-20(a). The business license must be renewed concurrently for every year the owner desires to let the premises as a short-term rental in accordance with Sec. 16-13-10(a).

**Sec. 16-13-50. Safety and operations.**

1. **Safety and Operations.** All short-term rentals shall comply with the following safety and operational requirements:
  - (a) There shall be an owner (or representative) who shall reside within Rio Grande County, who shall be on call full time (24/7) to manage the property during any period within which the property is occupied as a short-term rental. The name, address, and phone number of the owner representative shall be listed on the business license which is on file at Town Hall, and shall be prominently posted inside and outside of the rental property. The short-term rental property license number and the number assigned by all online companies advertising the property will be posted outside the property and will be on file at Town Hall. It is the responsibility of the owner representative to inform short-term rental tenants regarding Town ordinances including but not limited to pets, parking, trash, and noise and to specifically make them aware of Town nuisance ordinances which are applicable to all short-term rentals. In addition, quiet times beginning at ten (10) p.m. will be strictly enforced.
  - (b) No trash or garbage shall be left outside the unit except in commercial type containers as utilized by commercial trash collectors.
  - (c) The owner shall ensure compliance with the parking plan approved as part of the application.
  - (d) A life safety inspection shall be ordered by the owner, at the owner's expense, and provided to the Town prior to issuance of the initial license, and within sixty (60) days prior to each annual renewal.

The inspection may be conducted by a certified inspector approved by the Town, at the owner's expense. Such inspection shall determine the following:

- Adequate fire extinguishers shall be installed and maintained together with smoke alarms and CO alarms; and
- Maximum occupancy notice(s) shall be clearly posted based on square footage.

Short-term rentals shall be subject to all of the applicable provisions of the Chapters of the Del Norte Municipal Code addressing zoning regulations, nuisances, and offenses.

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Payment of \$50.00 Short Term Rental Application Fee                      \$25.00 Business License Fee

The owner must possess a current Town of Del Norte Business license the license must be renewed yearly. The business license must be renewed annually for every year the Owner desires to let the premises be used as a short-tem rental unit.

Colorado Sales Tax license is required and filings of sales tax returns are required along with Rio Grande County Lodging Tax. Failure to report sales tax and/or lodging tax will result in fines and/or revocation of ability to conduct short-term rentals on the property. Evidence of the issuance of the Colorado State sales tax license is required as a condition of the Town approval of the permit.

Colorado Sales Tax 2.9%                      Town Sales Tax 2.0%                      Rio Grande Lodging Tax 1.9%

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**New Short Term Rentals must apply for a Conditional Use Application Fee \$150.00**

Conditional use applications require a pre-application meeting with staff prior to application submittal and review. Conditional use applications also may require a public hearing review by the Planning and Zoning Commission. The Planning and Zoning Commission's decision is subject to appeal to Town of Del Norte Board of Trustees.

If conditional use review is required and you are interested in applying, please call Town Hall 719-657-2708. Or contact for a conditional use application.

**Del Norte Short Term Rental Use Application**

Date: \_\_\_\_\_ New Application  Annual Renewal

**GENERAL INFORMATION**

Name of Property Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Street Address of Property: \_\_\_\_\_

Home Telephone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Name of Property: \_\_\_\_\_

Existing Use of Property: \_\_\_\_\_

Existing Zoning: \_\_\_\_\_ Assessor Parcel #: \_\_\_\_\_

Legal Description: (Please Attach a Location Map, it is required) \_\_\_\_\_

Authorized Representative of Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Cell Phone: \_\_\_\_\_ Office or Alt. Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_ Airbnb # \_\_\_\_\_ VRBO# \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

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**TOWN STAFF USE ONLY**

Application received by: \_\_\_\_\_ on Date: \_\_\_\_\_

Notice Sign Displayed: Date: \_\_\_\_\_ to Date: \_\_\_\_\_

Safety Inspection Completed (Date): \_\_\_\_\_

Check No. or Credit Card: \_\_\_\_\_

**SHORT TERM RENTAL INSPECTION FORM**

A life safety inspection shall be ordered by the owner, at the owner's expense, and provided to the Town prior to issuance of the initial license, and within sixty (60) days prior to each annual renewal. The inspection may be conducted by a certified inspector approved by the Town at the owner's expense. Such inspection shall determine the following:

By initialing next to each line, the owner has conformed compliance with each item listed.

**STR Address:** \_\_\_\_\_

**STR NOTICE REQUIREMENTS:** Below are the required notices/postings that must be in the home:

- \_\_\_\_\_ Owner's contact information
- \_\_\_\_\_ Emergency contact information
- \_\_\_\_\_ Garbage and refuse regulations
- \_\_\_\_\_ Trash and recycling schedule (if applicable)
- \_\_\_\_\_ Parking restrictions (if applicable)
- \_\_\_\_\_ Water restrictions (if applicable)
- \_\_\_\_\_ Fire restrictions such as active fire bans or restrictions (if applicable)
- \_\_\_\_\_ Fire evacuation directions in the event of a fire or emergency
- \_\_\_\_\_ Location of the fire extinguisher, smoke alarms, and carbon monoxide alarms

**OPERATIONAL EQUIPMENT REQUIREMENTS:**

Outlined below is the equipment that must be provided in each home:

- \_\_\_\_\_ Adequate Fire extinguisher
- \_\_\_\_\_ Smoke detector
- \_\_\_\_\_ Carbon monoxide detector

**EXTERIOR SAFETY:**

- \_\_\_\_\_ House number visible from the street.
- \_\_\_\_\_ All exits unobstructed and clear and maintained that way at all times.

**INTERIOR SAFETY:**

- \_\_\_\_\_ All exit doors are free from obstructions.
- \_\_\_\_\_ Approved covers are in place on all electrical switch and outlet boxes.
- \_\_\_\_\_ Bathroom and kitchen electrical outlets should be GFI protected.
- \_\_\_\_\_ All natural-gas appliances have individual gas shut-off valves
- \_\_\_\_\_ Stairs are free of tripping hazards. Hallways unobstructed and clear and maintained that way at all times.
- \_\_\_\_\_ Wood burning fire places or stoves are maintained in accordance with recognized standards and include appropriate ash disposal receptacles. Wood burning fire places or stove must have been inspected and cleaned on an annual basis.

I, \_\_\_\_\_, do attest that I have completed my Short-Term Rental inspection to the best of my ability with honesty and accuracy.

\_\_\_\_\_  
Certified Inspector

Date \_\_\_\_\_

\_\_\_\_\_  
Property Owner

Date \_\_\_\_\_