

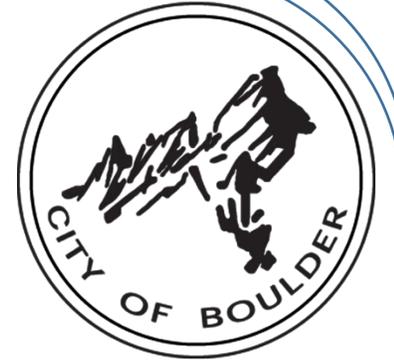


# Short-Term Rentals

November 10, 2016

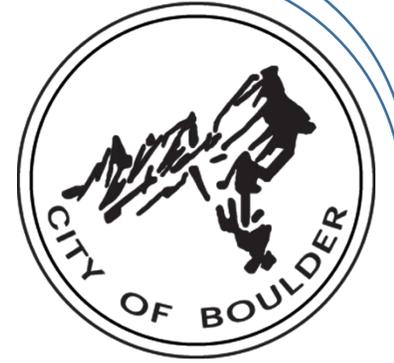


# Background



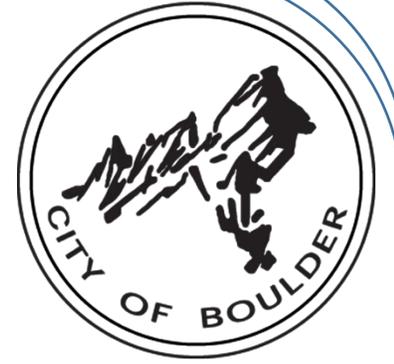
- Council adopted Ordinance 8050 on September 29, 2015, with an effective date of January 4, 2016.
- After a six month education period with limited enforcement, active enforcement began in June 2016.
- Residents identified issues with the ordinance.
- The purpose of this agenda item is to consider potential changes.

# Licensing Data as of September 1, 2016



Total License Applications Received:	395
Licenses Issued:	342
Incomplete Applications Pending:	9
Applications Being Processed:	13
Applications Moved to Enforcement:	20
Denied/Withdrawn ( <i>could not meet requirements</i> ):	35

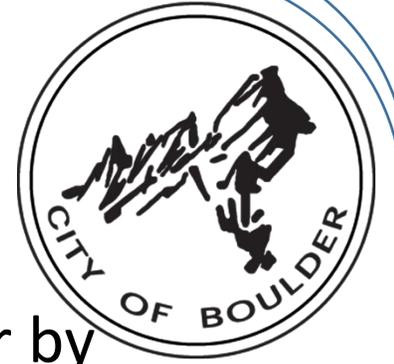
# Enforcement Activity



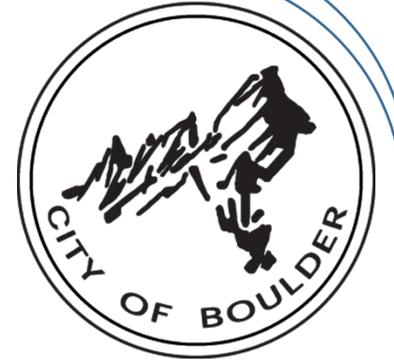
Complaint	Pro-Active	% Pro-active	Complaint	Pro-Active	% Pro-active
121	522	81%	33	120	78%

In 2016 staff has investigated 796 rental enforcement cases.  
642 or 81% were staff initiated.

# Proposed Changes in the Published Memorandum



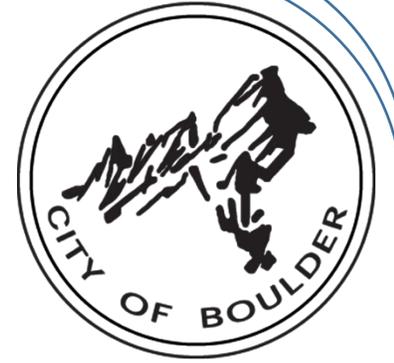
- Allow for licenses to be issued to properties held in a living trust or by a not-for-profit
- Define Principal Residence
- Limit the “Roomers” and “Sabbatical” exceptions to long-term rentals
- Prohibit licensing of uninhabitable units
- Align the definitions in sections 10-1-1 and 3-13-2 so they both define short term rental as less than thirty days
- Require one additional contact
- Clarify language relating to properties with accessory units
- Require that advertisements include the maximum unrelated occupancy.



# Additional Proposed Changes

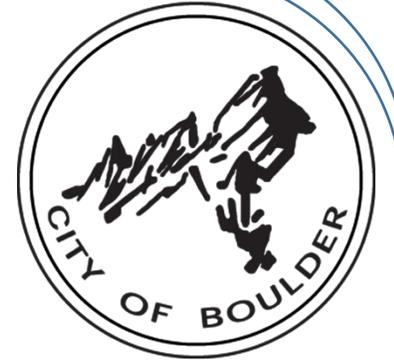
- Provide for immediate revocation if the property is not the applicant's principal residence or if the applicant is a trust, the beneficiary's principal residence.
- Require a six month waiting period after revocation and proof of compliance.
- Limit applicants to one license.
- Eliminate the reference to Boulder County for second homes.
- Change "operator" to "licensee" in section 10-3-19(j)

# Additional Licensees



- (b) The City Manager shall only issue a rental license for short-term rental to
- (1) A natural person, whose name appears on the deed to the property;
  - (2) A trust, if the beneficiary of the trust is a natural person;
  - (3) A not-for-profit corporation licensed pursuant to section 501(c) of the Internal Revenue Code, provided, however, the City Manager shall have discretion to reject any application for a not-for-profit corporation if the City Manager deems the application to be inconsistent with the goals of this chapter;

# Principal Residence



Principal Residence means the dwelling unit in which a person resides for more than one half of the year. However, if (1) the entire unit is offered and available for rental for more than 20 days in any month; or, (2) the person owns another dwelling unit in Boulder County that is not licensed for rental; (3) the person's spouse or domestic partner has a different principal residence; (4) the person's driver's license, voter registration or any dependent's school registration shows a different residence address, or (5) the Boulder County Assessor lists a mailing address different from the dwelling unit address it shall be presumed that the dwelling unit in question is not a principal residence. Provided, however, no presumption shall apply in any criminal proceeding.

These presumptions are rebuttable, but each must be rebutted by credible evidence from the party claiming that the dwelling is a principal residence.