

**RESOLUTION NO. 26-\_\_\_** First Reading on proposed Ordinance Number 2026-01 related to the regulation of Short-Term Rental Properties within unincorporated Arapahoe County was held, pursuant to Section 30-15-406, C.R.S. Said Ordinance was read into the record. It was moved by Commissioner \_\_\_\_\_ and duly seconded by Commissioner \_\_\_\_\_ to set a public hearing on the proposed Ordinance for April 28, 2026, at 9:30 a.m. The proposed Ordinance was ordered to be published in the Colorado Community Media newspapers at least ten days prior to April 28, 2026. The text of the proposed Ordinance is as follows:

**ARAPAHOE COUNTY, COLORADO  
ORDINANCE NO. 2026-01**

**AN ORDINANCE REGULATING SHORT-TERM RENTAL PROPERTIES IN  
UNINCORPORATED ARAPAHOE COUNTY**

**WHEREAS**, the Board of County Commissioners of the County of Arapahoe (“Board”), pursuant to C.R.S. § 30-15-401(1)(s), is authorized to enact ordinances which License and regulate an Owner or Owner's agent who rents or advertises the Owner's Lodging Unit for a short-term stay, and to fix the fees, terms, and manner for issuing and revoking Licenses issued for such Lodging Units;

**WHEREAS**, the Board respects the rights of private property Owners to use and enjoy their property, but desires to ensure that Lodging Units rented for short-term stay are operated in a manner that protects the health, safety, and quality of life of the residents and visitors of Arapahoe County; and

**WHEREAS**, the Board hereby finds, determines, and declares that adoption of this Ordinance is necessary for the preservation and protection of the public health, safety, and welfare and environment of the residents and visitors of Arapahoe County, Colorado.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
COMMISSIONERS OF ARAPAHOE COUNTY as follows:**

**Section 1. Scope of Ordinance and Authority**

This Ordinance shall apply to all Short-Term Rental of property, as defined herein, in unincorporated Arapahoe County. This Ordinance shall not apply to lodging services in hotels, motels, guest ranches, or bed and breakfast establishments, or to properties with Leases of thirty (30) days or more. This Ordinance is authorized pursuant to C.R.S. § 30-15-401(1)(s).

**Section 2. Definitions**

A. As used in this Ordinance, the following terms are defined as follows:

“Affected Party” means any person or property immediately adjacent to or within five hundred (500) feet of the property where the Short-Term Rental is situated if a single-family home, and within five hundred (500) feet of the Short-Term Rental itself if within a multifamily building or structure.

“Application” means a submittal of required information on the designated form to the Director of Public Works and Development to obtain a Short-Term Rental License.

“Authorized Public Inspector” or “API” means the Director of the Department of Public Works and Development, his or her designee, or the Arapahoe County Sheriff or Deputy Sheriff.

“Bedroom” means an area intended for sleeping that is at least seventy (70) square feet with a ceiling height of not less than seven (7) feet, two (2) means of egress (e.g. door and egress window), and has been inspected and permitted per applicable building codes at the time of construction.

“Good Neighbor Notice and Guidelines” means a document advising neighbors of the existence of a Short-Term Rental Property, its specific location by address, contact information for the Local Responsible Agent, and containing guidelines for Short-Term Rental operators and guests. The notice and guidelines shall document expectations for Renters and guests utilizing the Short-Term Rental Property including noise, parking, prohibited use of unlicensed vehicles, wildlife guidelines, and fire restrictions.

“Hotel Unit” means a portion of a structure that is:

1. Used by a business establishment to provide commercial lodging to the general public for predominantly overnight or weekly stays; and
2. Classified as a hotel or motel for purposes of property taxation.

“Lease” means an agreement or act by which an Owner of a property authorizes a tenant to assume, for valuable consideration, possession and use of the property or a portion thereof for a definite term, at the end of which term the Owner has a right to retake control and use of the property.

“Legacy” refers to a Lodging Unit that was legally operating prior to the effective date of the County’s Short-Term Rental regulations.

“License” means a formal written authorization issued by Arapahoe County to use a Lodging Unit for Short-Term Rental purposes.

“Licensee” means the Owner(s) of record or lessee(s) of a Lodging Unit that has been issued a Short-Term Rental License pursuant to this Ordinance.

“Local Responsible Agent” or “LRA” means a property management company or person designated by the Owner or Licensee and authorized to act on the Owner or Licensee’s behalf in the management of the property and having the authority to manage the Short-Term Rental on a day-to-day basis including the ability to make repairs or arrange for repairs to be made.

“Lodging Unit” means any property or portion of property that is available for lodging except that the term excludes a Hotel Unit.

“Multi-Family Building or Structure” means any building comprised of more than one dwelling unit such as apartments or condominiums, but excluding two-family dwellings, townhome dwellings, single-family attached dwellings, and duplex dwellings.

“Owner” means the Owner or Owners of record of a Lodging Unit in unincorporated Arapahoe County. As used herein, where multiple Owners of a property exist, they may be referred to in the singular as Owner.

“Renter” means an individual or group staying in a Short-Term Rental Property, including their guests, pursuant to a rental agreement.

“Primary Residence” means the place in which a person’s habitation is fixed for the term of the License and is the person’s usual place of return. A person can only have one (1) Primary Residence.

“Short-Term Rental” means the rental of a Lodging Unit for less than thirty (30) days.

“Short-Term Rental License” means the same as License.

“Short-Term Rental Property” means a Lodging Unit that has been licensed by the County pursuant to this Ordinance for use as a Short-Term Rental.

“Vacation Rental Service” means a person or entity that operates a website or any other digital platform that provides a means through which a Lodging Unit, or portion thereof, may be offered for Short-Term Rental.

- B. Where a definition herein shares a definition with that created by state statute, then any amendment to the definition in the State Statute shall effectively amend the definitions set forth herein.

**Section 3. Short-Term Rental License Required, Transferability**

- A. It shall be unlawful to use a Lodging Unit for Short-Term Rental purposes or to Lease or advertise for Lease, or to permit the leasing or advertising for Lease of any property or Lodging Unit for Short-Term Rental purposes within the unincorporated territory of Arapahoe County without a valid License issued by the County.
- B. A License issued under this Ordinance shall be applicable to only one Lodging Unit. A License issued under this Ordinance is not transferable. A License is only valid as to the person or entity named thereon.
- C. A License shall only be issued to the Owner or lessee of the Lodging Unit serving as Owner or lessee’s Primary Residence. A License Application submitted by a lessee must include an Owner’s authorization to request a License. A License Application for a

property with more than one Owner must be submitted and signed by all Owners or their legally authorized agents.

#### **Section 4. License Application, Term and Renewal, Responsible Agent, and Noticing Requirements**

##### **A. License Application**

1. Applications for a License shall be submitted to Arapahoe County Public Works and Development.
2. The Application shall not be processed until deemed complete. To be deemed complete, the Application must include all information as required herein and payment of fees completed.
3. An Application may be submitted by the Owner, by a legally authorized agent of the Owner, or by a lessee, with written consent of the Owner. If a property has multiple Owners, the Application must include signatures from all Owners of record.
4. It is the duty of each applicant to ensure that all information provided in the License Application is accurate during the pendency of Application review. The Licensee shall provide updated information to the County within ten (10) days of a change which makes the information in the Application no longer accurate. Failure to do so may constitute grounds for denial or revocation of the License.
5. An Application shall be made in the manner provided by the Director of Public Works and Development and shall include the following information:
  - a. The address of the Lodging Unit proposed to be used as a Short-Term Rental.
  - b. The full name, address, email and telephone numbers of the Owners, lessee (if different from Owners), and the Local Responsible Agent.
  - c. At least two (2) of the following documents showing that the Lodging Unit is the applicant's Primary Residence:
    - i. Proof of valid motor vehicle registration;
    - ii. Proof of voter registration;
    - iii. Federal or state tax returns or other financial documents;
    - iv. Any other legal documentation deemed sufficient by the Director which is pertinent to establishing primary residency.
  - d. A signed authorization for the LRA to act, as the representative of the Licensee, on issues related to the Lodging Unit and Short-Term Rental.
  - e. Proof of insurance covering property damage and bodily injury related to use of the Lodging Unit as a Short-Term Rental in an amount of no less than one million dollars (\$1,000,000.00) per claim and in the aggregate. Such coverage shall be maintained for the term of the License. Alternatively, a Licensee may elect to conduct each Short-Term Rental transaction through a hosting platform that provides equal or greater insurance coverage for each Short-Term Rental.
  - f. All applicable fees (e.g. Application review fee, annual License fee).
  - g. Parking Plan. A parking plan that demonstrates the following: A minimum of one (1) parking space for a studio or 1-Bedroom Lodging Unit and two (2) parking spaces for a Lodging Unit with two (2) or more Bedrooms must be provided.
  - h. Evidence demonstrating compliance with each requirement of the life safety standards set forth in Section 5.G.

- i. A copy of the Renter Information Interior Signage and Renter Written Instructions compliant with Sections 5.N. and 5.O.
  - j. Good Neighbor Notice and Guidelines document completed and signed by the Licensee of the proposed Short-Term Rental Property.
6. An Application shall include an affidavit signed by the applicant, under penalty of perjury, annually certifying that the Lodging Unit to be used as a Short-Term Rental Property complies with the life safety standards set forth in Section 5.G, and that the Renter Information Interior Signage and Renter Written Instructions, required by Sections 5.N. and 5.O. will be posted and placed at a conspicuous location on or in the Short-Term Rental Property and will remain there in good condition for the duration of the License term.
  7. Such other information determined necessary or desirable by the Director to reasonably evaluate compliance of the Application and the Lodging Unit with the requirements of this Ordinance, any other ordinance, or regulation.

**B. License Term**

A License shall expire one (1) calendar year from the date of issuance. This License is personal to the Licensee and therefore automatically terminates when the Lodging Unit is no longer the permanent residence of the Licensee.

1. An Application for renewal of a License shall be submitted at least sixty (60) days prior to expiration of the existing License but no more than one hundred and twenty (120) days prior to expiration.
2. An Application for renewal of a License shall have the same submittal requirements as detailed in Section 4.A. above. The applicant is required to submit revised and updated Application materials. The renewal Application shall be considered in the same manner as the original Application.
3. Failure to file a renewal Application and pay the License Application review fee less than sixty (60) days prior to expiration of the existing License may constitute grounds for denial.

**C. Change in Ownership or Licensed Lessee**

1. When title of the property containing the Lodging Unit is transferred or is otherwise conveyed to a new Owner, the License shall automatically expire.
2. When a licensed lessee is no longer a lessee, the License shall automatically expire.
3. Each change in ownership or change in lessee of a Short-Term Rental Property shall require a new License except as follows:
  - a. Where one Owner among several Owners transfers or conveys their interest in the property to another Owner or Owners previously licensed as Owners, then the License will not terminate but the updated Owner information must be provided to the County indicating the limited change in ownership, in accordance with 4.A.4.
  - b. Where one lessee among several lessees no longer maintains permanent residency in the Lodging Unit, then the License will not terminate as to the remaining lessees, but the updated lessee information must be provided to the County indicating the change in lessees in accordance with 4.A.4.

- c. No Application or processing fee will be charged for submitting updated information identifying a change in ownership or lessee when covered by these exceptions.
- D. Responsibilities of Licensee and Local Responsible Agent (LRA)
  - 1. An applicant shall designate a LRA to perform duties as required herein. The applicant may designate themselves as the LRA if the applicant meets the requirements of a LRA.
  - 2. The applicant shall cause the contact and address information of the LRA to remain current throughout the term of the License. The applicant shall cause the Director to be notified in writing of any change or modification of the designated LRA within five (5) days of such change or modification and provide the updated LRA's contact information including name, address, email address, and telephone number.
  - 3. Where the applicant has designated a LRA, the LRA must be available to be contacted at all times that a Short-Term Rental Property is being rented. For the purposes of this section, a LRA is available at all times only if the LRA is responsive to and speaks directly with a Renter or Affected Party within fifteen (15) minutes of being contacted by the Renter or Affected Party. If necessary and unable to resolve by phone, the LRA must be able to physically respond to the Short-Term Rental Property within sixty (60) minutes of speaking to the Renter or Affected Party. The use of telephone answering services, text messaging, online messaging platforms, email, or other intermediary means of communication does not constitute availability as required herein.
  - 4. The LRA must be authorized to manage the Short-Term Rental, including the following: enter into Leases for short term rental use, make repairs, arrange for repairs, evict tenants, respond to the property, access and enter the property, and be authorized to manage accounts and contracts for the property services where offered including internet, cable, utilities, telephone, snow removal, and garbage.
  - 5. Either the Licensee or the LRA shall be available 24 hours per day, 7 days per week when being rented or occupied.
- E. Notice Requirements

Within fourteen (14) days of Application approval, Licensee shall provide a completed Good Neighbor Notice and Guidelines to each property Owner and resident of an adjoining property line or directly across a street or alley. A list of recipient properties and a certification of mailing must be uploaded to the Application packet.

**Section 5. Requirements and Limitations**

A Short-Term Rental Property shall, as a condition of such License, be subject to the following requirements and limitations:

- A. The Short-Term Rental must be the Primary Residence of the Licensee.
- B. No more than one Short-Term Rental License shall be issued for a single lot or parcel, except parcels that contain Multifamily Buildings or Structures.
- C. An Accessory Dwelling Unit shall not be used or occupied for Short-Term Rental use except where the underlying property is nine (9) acres or greater.
- D. A Short-Term Rental Property must meet all applicable local, state, and federal standards and regulations, including, but not limited to, the requirements and limitations of this Ordinance.

E. No License shall be issued for a Lodging Unit that has not been issued a Certificate of Occupancy or is within a building or structure that has not been issued a Certificate of Occupancy.

F. No License shall be issued where the use is prohibited under the Arapahoe County Land Development Code.

G. Life Safety Standards

A Short-Term Rental Property licensed under this Ordinance shall:

1. Conform to the applicable requirements of the County's on-site wastewater treatment system regulations. No License shall be issued for any Lodging Unit dependent upon an on-site wastewater treatment system that was not properly permitted and approved or does not otherwise conform with applicable regulations.
2. Not use any building, structure, or room for purposes other than those for which they were designed or intended.
3. Have roofs, floors, walls, foundations, ceilings, stairs, handrails, guardrails, doors, porches, and all other structural components and all appurtenances that are capable of resisting any and all forces and loads to which they may be normally subjected and are in sound condition and in good repair.
4. Contain smoke detectors, carbon monoxide detectors, and fire extinguishers installed, operable, and in working condition. If the residence has a fire sprinkler system, it shall be operable and in working condition.
5. Contain operable plumbing including toilets, sinks, bathtubs and showers. A shower or bathtub must be located within the same building as the licensed Lodging Unit, and every room containing a toilet, bathtub, or shower shall be completely enclosed by walls, doors, and windows that will afford sufficient privacy.
6. Contain clearly labeled electrical panels.
7. Not have on the premises any portable outdoor charcoal grills, portable fireplaces or similar, fire rings, or any other portable ember-producing equipment. (Permanently installed flame producing grills and fire pits, inspected and approved by the applicable fire district or County Building Division, are not prohibited.)
8. Maintain hot tubs, spas, and swimming pools in a way to prevent the spread of illness.
9. Document in the Short-Term Rental Lease that the following are prohibited: campfires and the use of portable outdoor charcoal grills, or any other ember-producing equipment; shooting of weapons for recreation; and the use of non-licensed motorized vehicles on the rental property.
10. Provide a sufficient number of trash receptacles to accommodate all trash generated by those occupying the Short-Term Rental Property. Instructions identifying outdoor trash containers, proper storage, trash pickup locations and times shall be posted within the interior of the Short-Term Rental Property.

H. Occupancy

1. Occupancy of a Short-Term Rental Property shall not exceed two (2) persons per Bedroom (as defined herein) plus two (2) persons. The permitted occupancy limit shall be stated on the License. Overnight occupancy of a Short-Term Rental Property shall not exceed the maximum number of people permitted by the License.
2. Where a Short-Term Rental Property is served by an on-site wastewater treatment system (OWTS), occupancy shall not exceed that allowed by the OWTS Permit.

3. No more than one (1) Renter, as defined herein, may occupy a Short-Term Rental Property at any given time.
- I. Large Gatherings Prohibited  
Licensee shall not allow the occupancy or use of the Short-Term Rental Property for any event or gathering with attendees in a number greater than 100% over the allowed maximum occupancy identified on the License.
- J. Amplified music or noise shall not exceed the levels set forth in C.R.S. § 25-12-103, or occur in violation of C.R.S. § 18-9-106.
- K. No camping shall be permitted; no tents or temporary structures shall be erected or used; and no recreational vehicles or trailers shall be used for overnight purposes on or at Short-Term Rental Properties or their parking areas.
- L. Use of non-licensed motorized vehicles, by any Renter or their guests, on the Short-Term Rental Property is prohibited.
- M. Discharge of firearms, by any Renter or their guests, on the Short-Term Rental Property is prohibited.
- N. Renter Information Interior Signage  
Licensee shall post and maintain a copy of the approved License in a conspicuous location within the interior of the Short-Term Rental Property with the following information:
  1. The Short-Term Rental License number.
  2. The maximum number of people permitted for overnight occupancy.
  3. Physical address number of the Short-Term Rental Property.
  4. Contact information for law enforcement, fire, and ambulance service in case of an emergency.
  5. Contact information for the Licensee and LRA, including a phone number for 24-hour response.
- O. Renter Written Instructions  
Licensee shall maintain within the Short-Term Rental Property written instructions that includes the following:
  1. A copy of this Ordinance.
  2. Description of location of fire extinguishers and emergency egress.
  3. The location, by description or depiction, for vehicle parking and maximum number of parked vehicles permitted for the property consistent with the Parking Plan.
  4. Alternative parking locations (if any) for extra vehicles, trailers, and campers.
  5. The location of trash and recycling receptacles and the rules and regulations regarding handling of the same.
  6. Snow removal instructions or information.
  7. Policies regarding noise.
  8. Policies regarding pets.
  9. Applicable homeowners' association policies, if any, specific to the property or community.
  10. Good Neighbor Notice and Guidelines regarding property boundaries, noise, parking, prohibitive use of unlicensed vehicles, wildlife guidelines, and fire restrictions.
  11. Any other information deemed necessary by the County to ensure the public's health and safety.

12. Renter's Written Instructions must be made available electronically prior to the stay and as a hard copy placed in a visible location within the Short-Term Rental Property. It is the Licensee's responsibility to ensure the Renter Written Instructions are maintained and readable.

P. Advertising

1. All advertisements for a Short-Term Rental Property shall include a description of the Short-Term Rental Property, including the permitted occupancy, and the County Short-Term Rental Property License number.
2. A Vacation Rental Service shall remove a listing for Short-Term Rental from its website or other digital platform after notification by the County that the listed Lodging Unit is no longer licensed.

Q. Taxes

The Licensee or LRA shall collect and remit all applicable local, state, and federal taxes on rents and the Short-Term Rental Property.

R. Notice to Licensee

Any notice required is sufficient if provided in-person to the Licensee or sent by first-class mail to the address provided by the Licensee, or any one of the several Owners, on the most recent License or renewal Application. Notice given to the LRA, in-person or sent by first-class mail to the address provided by the Licensee, shall also be sufficient to satisfy any required notice under this Ordinance.

S. Licensee & Owner Liable

Compliance with the requirements set forth in this Ordinance shall be the nondelegable responsibility of the Licensee. Each Licensee and Owner shall be jointly and severally liable for violations of this Ordinance.

T. Inspection

Because Short-Term Rental Properties are, by their nature, intended to be occupied by numerous guests for short periods of occupancy, it is determined that the County's ability to inspect any Short-Term Rental Property is in the interest of the public health, safety, and welfare. Therefore, an Authorized Public Inspector (API) may enter such Short-Term Rental Property at reasonable times as scheduled, with the Licensee or LRA, to inspect the same for the purpose of enforcing such Ordinance. If such Short-Term Rental Property is occupied, the API shall present proper credentials and request entry, and if such Short-Term Rental Property is unoccupied, shall make a reasonable effort to locate the Licensee, the LRA, or occupant of the Short-Term Rental Property and request entry. If such entry is refused or the API otherwise unable to obtain consent, then the API shall have recourse to every remedy provided by law to secure entry.

U. Separation Requirements

1. No Short-Term Rental License shall be issued for a Lodging Unit in any detached single-family dwellings, two-family dwellings, townhome dwellings, single-family attached dwellings, and duplex dwellings within five hundred (500) feet of any other such dwelling licensed for Short-Term Rental use, as measured from the respective nearest property lines.
2. There shall be no more than one hundred (100) licenses in Multi-Family Buildings or Structures available in the unincorporated Arapahoe County area, irrespective of location and proximity to other Short-Term Rentals.

3. The Director shall create a waitlist to prioritize the processing of future Applications that are otherwise not approvable due to a License cap requirement.

### **Section 6. Legacy Designation of Existing Short-Term Rentals**

#### **A. Eligibility**

Any Owner or lessee operating a Short-Term Rental in unincorporated Arapahoe County prior to the County's regulation of Short-Term Rentals, may be eligible to obtain a License with a Legacy designation. A Legacy designation may allow the Short-Term Rental Property to be excused from one or both of the following: (1) the Primary Residence Requirement set forth in section 5.A., or (2) the Separation Requirement and multi-family license cap set forth in section 5.U., depending on the previous existing use.

#### **B. Application Requirements**

Within sixty (60) calendar days following the effective date of this Ordinance, in addition to the Application requirements set forth in Section 4 above, an applicant seeking a Legacy designation shall also submit evidence the Lodging Unit was marketed and used as a Short-Term Rental within the preceding six (6) months prior to the County's regulation of Short-Term Rentals as set forth herein.

#### **C. Legacy Use Documentation**

Applicants seeking Legacy designation must provide documentation demonstrating a history of Short-Term Rental use, sufficient to demonstrate such use was active and in existence prior to the regulation of Short-Term Rentals. It is the obligation of the applicant to identify and provide all relevant evidence for consideration by the Director at the time of Application. Supplemental materials will not be considered. Such evidence may include:

1. Booking records from a Vacation Rental Service;
2. Receipts from a Vacation Rental Service;
3. Marketing records;
4. Tax filings showing rental income;
5. Copies of rental agreements;
6. Other documentation of Short-Term Rental use.

#### **D. Expiration of Legacy Designation**

Legacy designation of a Short-Term Rental License shall expire upon:

1. A change in property Ownership or tenancy (unless otherwise allowed under Section 4.C).
2. Failure to apply for, obtain, or renew a License, as set forth in this Ordinance.

### **Section 7. Denial of License**

- #### **A. A License Application shall be denied by the Director based on any of the following grounds:**

1. In the reasonable discretion of the Director, it is determined that the Application fails to meet all applicable provisions of this Ordinance or any applicable County regulation or State law.
  2. The required License Application review fee(s) has not been paid.
  3. The Application is incomplete, or contains materially false, misleading, or fraudulent statements.
  4. Any reason that would justify suspension or revocation of a License as set forth herein.
- B. In the event of a denial, the Director shall deliver to the applicant a written order of denial stating the reason or reasons for the denial within ten (10) days of the denial.

## **Section 8. Suspension or Revocation of License**

### **A. Suspension**

The Director may suspend a License upon determining, by a preponderance of the evidence, that:

1. This Ordinance has been violated on more than one occasion since the License was issued.
2. The Licensee or LRA fails to be available as required herein.
3. The Short-Term Rental Property is in violation of a building, fire, health or safety code adopted by the County, said determination being based on investigation by the Department, division, or agency charged with enforcing said code.
  - a. In the event of such a code violation, the Director shall promptly notify the Licensee or, where applicable, the LRA of the violation and shall allow the Licensee or LRA a ten (10) day period in which to cure the violation.
  - b. If the Licensee fails to cure the code violation before the expiration of the ten (10) day period, the Director shall forthwith suspend the License and shall notify the Licensee of the suspension.
4. The Owner failed to pay property taxes due to the County for the property containing the Licensed Lodging Unit.
5. The Licensee failed to pay the License Application review fee or annual License fee at the time of Application or renewal.
6. The Licensee failed to apply for renewal of the License including completing a renewal Application and paying the annual License fee.
7. The Director may suspend a License for a period not to exceed ninety (90) days or until such time as the code violation or Ordinance violation causing suspension has been corrected, whichever is later. If an enforcement or a revocation proceeding commences, the License shall remain suspended until the conclusion of said proceedings.

### **B. Revocation**

The Director shall revoke a Short-Term Rental Property License upon determining that:

1. The License has been suspended more than one time during a twelve (12) month period.
2. A Licensee provided materially false or misleading information when applying for a License.
3. A Licensee allowed Short-Term Rental occupancy during a period of time when the License was suspended.

4. Any fact or condition exists that, if it had existed or had been known to exist at the time of the Application for the License, would have warranted the denial of the License.
- C. Revocation of a License shall be for a minimum of one-year during which time the Lodging Unit shall be ineligible for use as a Short-Term Rental Property. Any subsequent reinstatement shall require a new Application and will be subject to meeting all applicable licensing requirements including separation requirements.
- D. In accordance with the authority conferred by C.R.S. § 30-15-401(1)(s)(III), a Vacation Rental Service shall not display or advertise any rental listing of any Short-Term Rental Property in unincorporated Arapahoe County during any term of suspension of the License for such property and shall remove all rental listings for any unlicensed property or property for which a License has been revoked from its website or other digital platform upon written notice from the County to the Vacation Rental Service. Such notice shall identify the property address and the previously approved Licensee, and shall state the grounds for requiring removal and, for any suspension, the dates of such suspension.

### **Section 9. Appeal; Hearing on Denial, Suspension or Revocation**

- A. Appeal  
An applicant or Licensee, as may be applicable, may appeal a License Application denial, License renewal denial, License suspension, or License revocation to the Board of Adjustment and shall be entitled to a hearing before the Board of Adjustment. An appeal request shall be made in writing, stating the grounds for appeal, within ten (10) business days of the date of denial, suspension, or revocation. The filing of an appeal shall not stay the decision appealed from.
- B. Appeal Hearing  
Upon appeal, the Board of Adjustment shall conduct a public hearing to consider whether the Director of Public Works and Development abused their discretion by denying, suspending, or revoking the Application or License. The Board of Adjustment shall make findings of fact from the statements and evidence offered as to whether the Director's determination was unsupported by the record. The Board of Adjustment shall issue an order granting or denying the appeal within twenty-eight (28) days of the conclusion of the hearing. A copy of the order shall be mailed to or served on the appellant.
- C. Recording  
All public hearings held before the Board of Adjustment regarding denial, suspension, or revocation of an allocation or License pursuant to this Ordinance shall be recorded electronically.

### **Section 10. Fees**

- A. The License Application review fee, License fee, and License renewal fee shall be set by Resolution of the Board of County Commissioners. No License shall be issued until the applicable fee(s) has been received by the County.
- B. Fees are non-refundable. No fee paid for Application review, licensing, or renewal shall be refundable. Denial, revocation, Application withdrawal, or cessation of use shall not constitute grounds for a fee refund.

## **Section 11. Violations, Penalties and Enforcement**

- A. It is unlawful for any Owner, Licensee, LRA, Renter, or occupant of a Short-Term Rental Property to violate or allow a violation of any provision of this Ordinance.
- B. In limited circumstances, the County may issue a warning with a request for voluntary compliance with this Ordinance, prior to other enforcement actions or the issuance of civil infractions. A warning may be provided orally (such as in-person or via telephone), digitally (such as e-mail or text), or in writing. The warning may include a request that immediate action be taken by the Licensee, LRA, or occupant.
- C. When any of the following occur or is imminent, a warning need not be provided:
  - 1. The violation poses a risk to human health or safety, or a risk of degradation of the natural environment that must be remedied in an expedited manner.
  - 2. The violation is determined to be affecting the quality of life of residents or visitors within proximity of the Short-Term Rental Property.
  - 3. Time is of the essence and authorized by the Director, the Director's designee, or Arapahoe County Sheriff.
- D. In addition to suspension and revocation actions pursuant to Section 7 of this Ordinance, violations of this Ordinance are subject to the penalties set forth below. Each day or portion thereof during which any violation is committed, exists, or continues, shall constitute a separate offense and shall be punishable as a separate offense.
- E. Any violation of the terms of this Ordinance may be enforced separately, concurrently, or together through this Ordinance, any other applicable County Ordinance, the Arapahoe County Building Code, the Arapahoe County Health Department Regulations, and the Arapahoe County Zoning Resolution.
- F. Any person who violates any provision of this Ordinance commits a civil infraction and is subject to the penalty assessment procedures of C.R.S. § 16-2-201 and, upon conviction thereof, shall be punished by a fine of two hundred fifty dollars (\$250.00) for a first violation, a fine of five hundred dollars (\$500.00) for a second violation, and a fine of one thousand dollars (\$1000.00) for the third and subsequent violations.
- G. In addition to the penalties prescribed above, persons convicted of a violation of this Ordinance shall be subject to a surcharge of ten dollars (\$10.00) that shall be paid to the clerk of the court by the defendant as provided by C.R.S. § 30-15-402(2)(a).

## **Section 12. Severability**

Should any section, clause, sentence, or part of this Ordinance be adjudged by any court of competent jurisdiction to be unconstitutional or invalid, the same shall not affect, impair or invalidate the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

## **Section 13. Effective Date**

This Ordinance shall take effect thirty (30) days following publication after adoption as provided in C.R.S. § 30-15-405.

The vote was:

Commissioner Baker, \_\_; Commissioner Campbell, \_\_; Commissioner Fields, \_\_;  
Commissioner Summey, \_\_; Commissioner Warren-Gully, \_\_.

The Chair declared the motion carried and so ordered.