

TOWN OF BLUE RIVER, COLORADO

STAFF REPORT

TO: Mayor & Members of the Board of Trustees

THROUGH: Michelle Eddy, Town Manager
Bob Widner, Town Attorney

FROM: Molly Schultz, Deputy Town Attorney

DATE: November 19, 2024

SUBJECT: Ordinance Related to Short Term Rental Advertising - Ordinance No. 2024-07

In 2020, the Town adopted regulations governing the operation of short-term rentals. The operation of a short-term rental within the Town is a privilege which requires a license. To protect the residential character of the Town, there are several requirements to maintain a short-term rental license. Some of those requirements include adhering to occupancy and parking limits and complying with Town Code related to noise, lighting, and trash, for example.

It has come to the Town's attention through a review of postings by hosting platforms (such as Airbnb and VRBO) that properties have been operating as short-term rentals without a required license or not operating in compliance with license requirements. To address this issue, staff is proposing amendments to the Town Code to require hosting platforms to prominently display in each listing:

- The property's short-term rental license number
- Maximum permitted occupancy; and
- Parking limits.

The amendments would allow staff to contact a hosting platform and request that a hosting platform remove any listing which does not comply with the Town's advertising requirements. This is *not* the first step in the enforcement process. The Town will first contact the rental operator to attempt to obtain compliance before requesting the removal of a listing.

The Town currently has in place mechanisms to revoke, suspend, or penalize license-holders who do not comply with the Town Code. These proposed amendments, however, would add another enforcement tool for the Town. They would also provide an incentive for those properties operating without a license to obtain a license.

To avoid interfering with contractual relationships between hosting platforms and property listers, the Town would require a license applicant to sign a written authorization that the Town may contact a hosting platform to demand the removal of any advertisement or listing that fails to comply with Town Code.

These changes are similar to those adopted by Breckenridge and Summit County. Other counties have reported that hosting platforms have been willing to work with municipalities to remove illegal listings. If a hosting platform does not comply with the Town's request to remove a listing, the Town may request a monetary penalty.

If you have any questions, please do not hesitate to contact us at any time.