



## Vacation/Short Term Rentals Frequently Asked Questions

1. **When did the new 2022 rules go into effect?** January 1<sup>st</sup>, 2023.
2. **What types of licenses are there for vacation rentals?**
  - Unlimited License – Issued based on a concentration limit of two per block face, with a town wide maximum of 199. No limit on total rental nights per year. Must rent a minimum of 30 nights per year.
  - Primary Occupancy License – This license can be obtained for a home that is long-term occupied by the owner or a tenant for a minimum of six months per year. Cannot rent more than 90 nights per year. Not subject to zone district or block face concentration limits.
3. **In what zones are Unlimited vacation rentals permitted?** They are permitted in R1, R1A, R1C, R1D, R1E, R2, R2C, R3C, B3, and B4 zone districts.
4. **What if my home is in a zone not listed above in question #3?** Unlimited vacation rentals are not permitted in the R1B, R4, R2A, B1, B2, M, T, C, AO and P zones. If the unit is occupied long-term for a minimum six months per year, it may be eligible for a primary occupancy license.
5. **What if I have an existing unlimited vacation rental in one of the zones mentioned in #4?** Grandfathered licenses can continue to operate so long as you continue to own and rent the property. When the license is not renewed, the property sells, or the license is revoked the property will no longer be eligible for an unlimited license.
6. **What if I have an existing vacation rental on a block face with more than two other active rentals?** When the new concentration limit was adopted in 2022, all existing vacation rental properties were grandfathered into the concentration limits. They are allowed to exist on those blocks until the license is not renewed, the property is sold, or the license is revoked.
7. **How long is my vacation rental license active?** Both types of vacation rental license are active for one year, from January 1<sup>st</sup> – December 31<sup>st</sup>. You must renew your license annually.
8. **When should I renew my License?** The license renewal window is from October 1<sup>st</sup> – 31<sup>st</sup>
9. **If I purchase a home that is an existing vacation rental, does that mean that I can use it as such?** No, licenses are non-transferable. New owners will need to apply for a new license.
10. **My property is historic, and I do not have any parking, will this prohibit me from obtaining a license?** Existing licensed properties that are historic without approved parking or projects that have been approved through BOZAR without parking will be allowed to continue to have a license. All properties applying for a new license as of November 21, 2022 will be required to provide parking as specified by the Town Code.
11. **Are there homes in which vacation rentals are not allowed?** Vacation rentals are not permitted in properties subject to a deed restriction, private covenant or other Town restriction regarding occupancy.

12. **If I don't get a license and choose to vacation rent my property, what are the repercussions?** If a license is not obtained and a property is being rented, the property will have a two-year suspension for eligibility to apply for a license. This violation may result in a summons to Municipal Court or assess a fine of up to \$1,000 per day. The Town will place a lien against the property for unpaid sales and excise taxes.
13. **Is there any type of monitoring or inspection that I might need to know about?** Yes, the property is subject to inspection by the Town Vacation Rental Inspector for compliance with the Vacation Rental provisions in Chapter 6, Article 5 of the Crested Butte Municipal Code.
14. **What happens if complaints are registered against my property?** Noise and trash complaints that result in citations from the CB Marshal's Department will count as a strike against the property. When a property receives three strikes in a rolling 12 month period the vacation rental license will be revoked. The property's local contact is required to seek resolution for all types of complaints resulting from guest behavior. The local contact must respond to complaints within one hour. Town staff will follow up with all parties including the complainant, local contact, and property owner to ensure the issue was resolved.
15. **If there are no more unlimited licenses available, can I get a primary occupancy license and be on the waiting list for an unlimited license?** Yes/No. Yes, so long as the property meets all the requirements of the primary occupant license. No, there is no waitlist for unlimited licenses.
16. **I own multiple homes can I have two licenses, or one of each?** No, one license per person regardless of type.
17. **My property is owned under an LLC, trust, partnership, or corporation can I get a license?** Yes, but a natural person must apply for the license this must be a member of the LLC, trust, partnership, or corporation with more than 10% ownership interest. This person will be responsible for the property and any issues that arise. Their name must be on the license application.
18. **What qualifies as Primary Occupancy?** A residence which is the usual place of return for housing for either the owner or a long-term renter for a minimum six months per calendar year. Applicants must attest under penalty of perjury that they meet the requirements for this license type.
19. **Can I get a unlimited vacation rental license to hold in case I might want to rent my house some day?** No. All unlimited vacation rentals within the town must be used a minimum of 29 nights per year. If you cannot show proof of 29 rental nights your renewal application will be denied.
20. **What if my property fails inspection?** Dependent on the nature of the violations at the time of the inspection, applicants will have an identified time frame to rectify the issues.
21. **Is there a maximum occupancy?** Yes, an allowance of two occupants per legitimate bedroom plus two additional occupants. The maximum occupancy of any vacation rental property is 10 people. Any increase above 10 people requires additional parking spaces and approval from the licensing official and zoning department.
22. **Under what circumstances can the Town revoke my vacation rental license?** Failure to rectify issues identified during the property inspection; failure to timely renew the annual license; failure to file and pay sales & excise tax; three noise or trash citations for the property in a 12 month period; continued vacation rental related complaints registered against the property; failure to rent for 29 nights or more (unlimited only); renting for more than 90 nights (primary only).
23. **What does it mean to have my vacation rental license revoked?** Immediate termination of the property as a vacation rental and you may not apply for a new license for 2 full years.
24. **Is there a waiting list for unlimited license?** No. As of 2023 unlimited licenses will be issued via a lottery system based on availability.
25. **When can I apply for a new license?** Open enrollment for new unlimited licenses and the renewal of unlimited licenses is from October 1<sup>st</sup> – 31<sup>st</sup>. Applications outside this window cannot be accepted. Primary occupant licenses can be applied for any time of year.

26. **Why are there more than two unlimited vacation rentals on my block?** When the new concentration limitation was adopted Town Council chose to grandfather in all existing license holders regardless of block concentration. The goal is to reach the concentration limits through the attrition of licenses through property sales, failure to renew, or revocation.