

Town of Breckenridge Frequently Asked Questions On 2018 Short Term Rental Regulations

1. What is an accommodation unit under the Town of Breckenridge BOLT ordinance?

The BOLT Ordinance defines an “accommodation unit” as:

Any person engaged in the business of accommodations rentals within the Town. Specifically short-term rentals, defined as ‘Accommodation Unit’ in Section 4-1-2 of the Breckenridge Town Code as, ‘A separate and distinct living unit including condominium, townhome, house, trailer, studio unit, condominium unit, or any such other similar unit which is rented to any person, who, for consideration, uses, possesses or has the right to use or possess such accommodation unit **for a period of less than 30 consecutive days**, regardless of the number of days during a license year such unit is rented.’

2. What is a Responsible Agent? What is the Responsible Agents’ role?

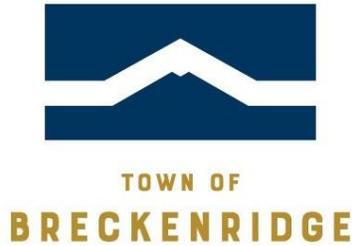
A management company, rental agent, or individual who is identified by a licensee as the licensee’s responsible agent. The responsible agent must be available **twenty four (24) hours per day, seven (7) days per week**, to respond (as defined in the [administrative rules and regulations](#)) to any complaint filed with or through the Town, or a website provided by the Town for such purpose, about the operation or condition of the licensee's accommodation unit. **Such responsible agent shall respond to a complaint within a sixty (60) minutes of receiving notice of such complaint.**

3. Does a Responsible Agent need to register with the Town?

A responsible agent must register with the Town if the agent is engaged in business within the Town and receiving compensation for acting as a registered agent. If the responsible agent is personal contact of the accommodation unit owner and not receiving compensation, then they do not need to register.

4. What is the difference between a Responsible Agent and a Rental Agent?

A rental agent is a management company, or other person employed or engaged by the licensee to advertise the accommodation unit for rent, or to remit any required tax to the Town. A rental agent can act as responsible agent if designated by the licensee.



5. What is an Alternate Responsible Agent?

An alternate responsible agent is an optional agent identified by a licensee to act for the licensee if the responsible agent, for any reason, is not successfully contacted by the Town in response to a complaint, or the administrative regulations.

6. When should the Alternate Responsible Agent be contacted?

If the licensee's responsible agent cannot be reached by telephone, the call center will attempt to notify a licensee's alternate responsible agent that a complaint concerning the accommodation unit has been received. The phone number used to attempt to contact an alternate responsible agent shall be the phone number for the alternate responsible agent on file with the Town. The time that the responsible agent (or the alternate responsible agent, if applicable) was notified shall be recorded by the call center.

7. What does it mean to respond to a complaint? Is the Responsible Agent required to respond in person?

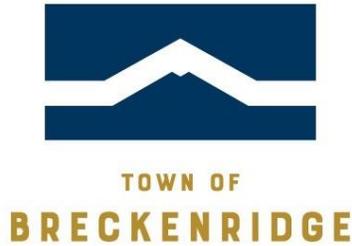
Not necessarily, a responsible agent (or alternate responsible agent, if applicable) may initially respond to a complaint by contacting the renter of the accommodation unit, by telephone, other electronic form of communication, or in person, and requesting the renter to take such action as is required to eliminate the problem that was the subject of the complaint. A proper response to a complaint may also require the responsible agent (or alternate responsible agent, if applicable) to visit the accommodation unit if such action is necessary to attempt in good faith to eliminate the problem that was the subject of the complaint. A responsible agent (or an alternate responsible agent if applicable), is not required to, and should not, place themselves in a situation that could cause them physical harm in order to attempt to address a complaint.

8. How do I apply for my license and pay the license fee?

The [Accommodation Unit License Information Sheet](#) is submitted to the Finance Department, 150 Ski Hill Road, PO Box 8629, Breckenridge, CO 80424 or emailed to websitefinance@townofbreckenridge.com. The Finance Department will process the form and then send an invoice for the amount due for the license. Payments can be made via xpressbillpay.com or send to PO Box 8629, Breckenridge, CO 80424.

9. How much does it cost to get an accommodation unit/short-term rental license?

An owner of a short term rental must pay the annual accommodation unit license and the annual accommodation unit administrative fee. Per Town Code a license will not be issued if the proper fee is not paid.



The annual cost for an accommodation unit license is based on the number of bedrooms in the unit or house as follows:

Studio Unit	\$75.00
One-Bedroom Unit	100.00
Two-Bedroom Unit	125.00
Three-Bedroom Unit	150.00
Four or more Bedroom Unit	175.00

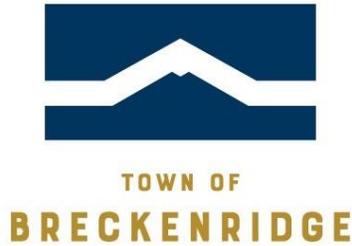
The accommodation unit administrative fee commences January 1, 2019 and is due at the same time as the annual accommodation unit license. The annual accommodation unit administrative fee for license holders is as follows:

Studio Unit	\$25.00
One-Bedroom Unit	30.00
Two-Bedroom Unit	35.00
Three-Bedroom Unit	100.00
Four or more Bedroom Unit	150.00

Example: Owner of a four bedroom house would owe annual fees of \$325 (\$175 for the annual license and \$150 for the annual accommodation unit administrative fee).

10. Are any properties exempt from paying the accommodation unit administrative fee?

Yes, Condominiums, condominium/hotels, and hotels/lodgings/inns as defined in [Section 9-1-5](#) of Town Code are exempt from the requirement to pay the annual accommodation unit administrative fee if they have: (a) a twenty four (24) hour front desk; (b) a twenty four (24) hour telephone system; and (c) twenty four (24) hour on site private security; chalet houses as defined in Section 9-1-5 of Town Code are exempt from the requirement to pay the annual accommodation unit administrative fee.



11. **Are there special conditions associated with renting your unit in the Town?**

Yes, there are several special conditions that apply to license holders' short term renting in the Town. Failure to comply with the conditions could result in suspension or revocation of license.

The conditions include:

a. Parking: The motor vehicles of all occupants of the accommodation unit shall be parked only on the site of the accommodation unit, or in a Town designated parking area located off of the site of the accommodation unit. No motor vehicles shall be parked on the lawn or landscaped areas of an accommodation unit, or in the public street or right of way adjacent to the accommodation unit. No person shall be permitted to stay overnight in any motor vehicle which is parked at an accommodation unit. Further, all motor vehicles parked at an accommodation unit shall comply with the requirements and be subject to the limitations of [Section 9-3-11](#) of Town Code.

b. Trash: The storage and disposal of all trash and garbage from an accommodation unit shall comply with the requirements of [Title 5, Chapter 2 of Town Code](#).

c. Noise: While occupying an accommodation unit, no person shall: a) make, cause or control unreasonable noise upon the accommodation unit which is audible upon a private premises that such occupant has no right to occupy in violation of [Subsection 6-3C-1A2](#) of this Code, or b) violate [Title 5, Chapter 8](#) of Town Code.

d. Nuisance: No accommodation unit shall be operated in such a manner as to constitute a nuisance pursuant to [Title 5, Chapter 1](#) of Town Code.

e. Responsible Agent: Licensee shall provide to the Finance Director the name, address and telephone number of a responsible agent who is authorized by the licensee to receive communications from the Town concerning the accommodation unit, and who agrees in writing to comply with the special conditions of license.

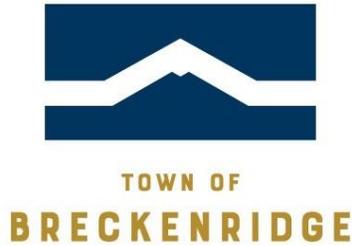
f. Minimum health and safety standards:

a. The applicable requirements of the Town's building and technical codes adopted by reference in [Title 8, Chapter 1](#) of Town Code.

b. The applicable requirements of any other ordinance, rule, or administrative regulation of the Town.

c. The terms and conditions of any development permit issued to the licensee with respect to the accommodation unit.

d. Smoke detectors and carbon monoxide detectors shall be installed in the accommodation unit and shall be operable at all times.



e. Wood-burning fireplaces and stoves in the accommodation unit shall be cleaned on an annual basis.

h. Right to inspection: When necessary or desirable to make an inspection to enforce the special requirements licensure, an authorized public inspector may enter such accommodation unit at all reasonable times to inspect for the purpose of enforcing special conditions. No inspection warrant or permission is required for an authorized public inspector to enter and inspect an accommodation unit in the case of an emergency involving the potential loss of property or human life.

i. Taxes paid: All property taxes that are lawfully assessed against an accommodation unit shall be paid to the appropriate taxing authority.

j. Owner Liable: Compliance with the special conditions is a nondelegable responsibility of the owner of an accommodation unit; and each owner of an accommodation unit shall be strictly liable for complying with the special conditions of licensure.

k. Licensee to Post License and Special Conditions: At the time of the issuance of a license, the Town will provide the licensee with a copy of the special conditions of licensure. The licensee must post a copy of the special conditions within five (5) feet of the main entrance of the accommodation unit. Licensee must provide the designated Rental Agent and Responsible Agent with a copy of the special conditions.

*Condominiums, condominium/ hotels, and hotels/lodgings/inns are exempt from the provisions of this section if they have: (a) a twenty four (24) hour front desk; (b) a twenty four (24) hour telephone system; and (c) twenty four (24) hour on site private security. Chalet houses as defined in [Section 9-1-5](#) of Town Code are exempt from the special conditions of licensure.

12. What does it mean the Town can inspect my short term rental?

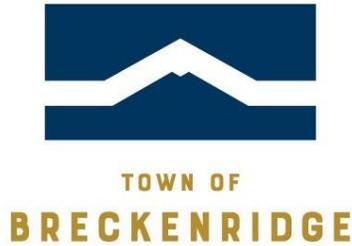
Pursuant to [Section 4-1-8-1A9](#) of Town Code, the Town can inspect an accommodation unit for non-emergency or emergency purposes.

13. Who will conduct the inspection?

Any employee or representative of the Town's Finance Department, except the Finance Director. This employee or representative is defined as the 'authorized public inspector'.

14. What is the inspection process?

If the inspection is a **non-emergency** prior to entering an accommodation unit to conduct an inspection the authorized public inspector will first attempt to contact the owner of the



accommodation unit, or the responsible agent for such owner, and arrange for a mutually agreeable date and time for the inspection.

15. What happens if an owner doesn't comply with special conditions of licensure?

The failure of the licensee of an accommodation unit to comply with the special conditions shall constitute grounds for the suspension or revocation of the license. Any action to suspend or revoke the license shall be conducted by the Finance Director in accordance with [Section 4-1-10-1](#) of Town Code. The Town will give the responsible party written notice of a suspected violation, and the licensee shall be given a reasonable opportunity to cure such apparent violation. A copy of such written warning notice will also be sent to any rental agent, and to the responsible agent identified by the licensee. Not more than one written warning shall be required to be sent during the term of each license.

16. What is the fine structure for non-compliance?

Violations within 12 months	Penalty
First violation	Suspension of license for 30 days. Licensee may pay administrative fine of \$200.00 within 3 days of entry of suspension order in lieu of serving suspension.
Second violation	Suspension of license for 60 days. Licensee may pay administrative fine of \$500.00 within 3 days of entry of suspension order in lieu of serving suspension.
Third violation	Suspension of license for 90 days. Licensee may pay administrative fine of \$999.00 within 3 days of entry of suspension order in lieu of serving suspension.
Fourth and each subsequent violation	Suspension for such period of time as finance director may determine, not to exceed 1 year, or revocation of license. For a fourth and each subsequent violation occurring within a 12 month period, no administrative fine may be accepted by the finance director in lieu of the licensee serving a suspension or revocation.