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Short-Term Rental Permit and Application Crested Butte South Property Owners Association

General Information

The Crested Butte South Property Owners Association (CB South POA) understands that Short-Term Rentals (STRs) have the potential to bring negative impacts to the residential zone. The CB South POA does not restrict or prohibit the amount of days that can be rented as charted in Colorado Statute and in our own governing documents. The CB South POA has developed a Policy for Short-Term Rentals in order to minimize the impacts such business activity can potentially have on our members, common areas and community as a whole. The Policy creates points of contact and reiterates the rules and requirements for all owners in the residential zone.

If you want to rent a residential dwelling unit for a period of less than 30 consecutive days, you are required to first obtain a Short-Term Rental (STR) Permit from the Crested Butte South Property Owners Association.

If you collect monetary funds for Short-Term Rental units that are rented out for less than 30 day periods, you are required to collect and remit sales tax [§39-26-104 (1) (f) and 39-26-102 (11), C.R.S.]. There are two sales tax returns forms that are to be remitted to the State of Colorado on a monthly basis along with any collected tax. The first return is a “Retail Sales Tax Return” (DR 0100). The second is a “Local Marketing District Tax Return” (DR 1490). Please visit www.colorado.gov/tax/education for more information about sales tax collection and reporting requirements.

Application & Review Process

Review the Regulations which are located after the Frequently Asked Questions. If you determine you are eligible to apply, complete the attached Short-Term Rental Permit application and submit along with the applicable fee to the CB South POA office.

You will be required to fill out a Short-Term Rental Affidavit, stating that information contained within said affidavit is true and correct to the best of your knowledge and, you agree to abide by the requirements and restrictions of applicable zoning, land use and building codes.

Frequently Asked Questions

What is a Short-Term rental? *A Short-Term rental is the rental of a residential unit or dwelling unit for monetary consideration for a period of time less than thirty (30) consecutive days, not including a bed and breakfast, hotel or other commercial facility. This definition does not include offering the use of one's property where no fee is charged or collected. A Short-Term rental includes, but is not limited to, rental of a garage apartment, an entire residence, or a single bedroom.*

Are CB South POA permits and licenses required as a pre-requisite to having a Short-Term rental? *Yes. It will be necessary to obtain a Short-Term Rental Permit and a completed/signed Short-Term Rental affidavit. No Business License is required to rent a property as a Short-Term rental in unincorporated Gunnison County.*

If I swap my house for another home elsewhere and no money is exchanged, do I need a short term rental permit? *The offering of the use of one's home where no fee is charged or collected is exempt from any permitting. You are responsible, however, for educating your exchange partner on the rules and regulations of the subdivision.*

Who may apply for a Short-Term Rental Permit? *All permits shall be issued only to the owner of the property.*

Will I need to have my home inspected? *No, the property owner will complete and sign a Short-Term Rental affidavit in place of an inspection.*

What is a "designated responsible party?" *A designated responsible party is a person located in the local area who will be available to immediately respond to any issues arising from the Short-Term rental of the property, whether it is from the rental party, public safety personnel, utility personnel or any other municipal party.*

What are the requirements for a Short-Term Rental Permit? *The requirements are enumerated in the Covenants and Restrictions, Residential Design Guidelines and the Rules and Regulations that govern Crested Butte South. Additionally, a list of the Requirements will need to be met prior to the issuance of a permit.*

Can I be fined for violations by my guests? *Yes, owners are responsible for renter's compliance with the rules and regulations of the Association and can be levied a fine for non-compliance of any and all policies' that govern Crested Butte South.*

For additional questions regarding Short-Term rentals, please contact the Association Manager for the Crested Butte South Property Owners Association at 970-349-1162.

Requirements, Restrictions, and Standards for all Short-Term Rentals

- 1) There shall be a designated responsible party, located within the local region, available for immediately responding to any issues arising from the short term rental. The designated responsible party may be the owner of the property.
- 2) The owner or responsible party shall collect and pay all applicable local, state, and federal taxes including sales and lodging taxes.
- 3) The owner or responsible party is responsible for ensuring the short term rental meets all applicable local, state, and federal regulations. For example, §38-45-101 C.R.S. et seq. requiring carbon monoxide alarms in residential property. *International Property Maintenance Code (IPMC), International Residence Code (IRC), or International Building Code (IBC) as applied and applicable to the Gunnison Land Use Resolution.*
- 4) All vehicles shall be parked in designated parking areas, such as driveways and garages, or on-street parking during the day, where permitted. No parking shall occur on lawns or sidewalks.
- 5) Information must be posted in a prominent and visible location in the Short-Term rental unit that clearly informs guests as to the applicable Rules and Regulations including but not limited to parking, off-highway vehicles, pets, trash, bears, light and noise.
- 6) There is a clearly-defined trash and recycling storage area and an adequate number of bear proof trash and recycling containers provided. No trash bags are allowed and trash may not be set out by any roadside before 6 am the day of trash collection and all trash cans must be removed from the roadside by 9 pm the day of trash collection.
- 7) A yearly affidavit is signed by the owner attesting to duration and frequency of the prior year short term rental history.
- 8) The owner will hold and maintain the required homeowner's insurance policy and insurance covering short-term rentals.
- 9) Occupancy limitations of short term rental shall be established by the International Property Maintenance Code (IPMC).
- 10) Short Term Rental Permit. The permit shall be issued for a period of two (2) years. A change in ownership shall necessitate the issuance of a new permit.
- 11) Failure to comply will result in fines as stated in the Notice, Hearing and Enforcement Policy and applicable fine schedule.