

**TOWN OF WINTER PARK
ORDINANCE NO. 574
SERIES OF 2022**

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 10, OF THE
WINTER PARK TOWN CODE REGARDING PENALTIES FOR
SHORT-TERM RENTAL VIOLATIONS**

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF WINTER PARK, COLORADO THAT:

Section 1 Section 3-10-6 of the Winter Park Town Code is hereby amended to read as follows:

Section 3-10-6: Penalties and Revocation

A. It is unlawful to violate any provision of this Chapter. Violations of this Chapter shall be civil infractions. Each day a violation exists shall be deemed a separate offense and be punishable as such.

B. Town Code and registration violation penalties are as follows and are considered within a registration's 12-month term:

1. 1st offense - warning;
2. 2nd offense - five hundred dollar (\$500) fine; and
3. 3rd & subsequent offenses - one thousand dollar (\$1000) fine and/or administrative revocation of the short-term rental registration and/or new registration prohibited for up to two (2) years.

C. Upon notice by the Finance Director of the finding of a violation and imposition of a fine or administrative revocation, the owner may appeal the decision to the Town Manager by filing a written appeal within ten (10) days of the notification of the violation. The appeal shall specify the grounds for the appeal and the relief sought by the owner. The Town Manager shall hold a hearing on the appeal within ten (10) days of the receipt of the appeal. The Town shall provide at least five (5) days' notice to the owner of the hearing. The Town Manager shall make a determination on the appeal within five (5) days of the hearing and shall notify the owner of the decision in writing. The Town Manager's decision is final, subject only to judicial review.

D. Enforcement of this Chapter may be initiated any of the following ways:

1. A notice of violation may be served by posting on the front door of the short-term rental unit, or by personally serving the owner or the responsible agent, or by mailing first class or certified mail to the last known address of the owner or responsible agent;

2. A summons and complaint may be served on the owner of the short-term rental unit as provided in the Colorado Municipal Court Rules of Civil Procedure; or

3. A summons and complaint may be served on the responsible agent or the associated property management company of the short-term rental unit as provided in the Colorado Municipal Court Rules of Civil Procedure.

4. For a high-impact short-term rental, its special use permit may be revoked pursuant to Title 7, Chapter 9 of this Code.

E. In addition to the penalties described above, the Town shall have any and all remedies provided by law and in equity for a violation of this Chapter, including without limitation: damages; specific performance; and injunctive relief, including without limitation an injunction requiring eviction of any occupants of the short-term rental unit and an injunction to prohibit the occupancy of the property in violation of this Chapter. All remedies shall be cumulative.

INTRODUCED, APPROVED ON FIRST READING, AND ORDERED PUBLISHED IN SUMMARY this 15 day of March, 2022. A public hearing shall be held at the regular meeting of the Winter Park Council on the 29 day of March, 2022, or as soon thereafter as possible, at the Winter Park Town Hall.

TOWN OF WINTER PARK



Nick Kutrumbos, Mayor

ATTEST:



Danielle Jardee, Town Clerk

READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 6 to 0 on the 29 day of March, 2022.

TOWN OF WINTER PARK



Nick Kutrumbos, Mayor

ATTEST:



Danielle Jardee, Town Clerk