

**TOWN OF NORWOOD**  
**STATE OF COLORADO**  
**ORDINANCE NO. 1109 SERIES 2022**

**AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF NORWOOD, COLORADO APPROVING  
AMENDMENTS TO THE NORWOOD LAND USE CODE TO INCLUDE THE ADDITION OF SECTION 6.23  
SHORT TERM RENTALS.**

**WHEREAS**, Section 6.02 of the Norwood Land Use Code contains approval criteria for Land Use Code Amendments; and

**WHEREAS**, the Planning & Zoning Commission and the Board of Trustees sponsored the addition of the Sketch Plan application to the Norwood Land Use Code; and

**WHEREAS**, the Board of Trustees for the Town of Norwood, Colorado finds that the proposed amendments are intended to meet the purposes of the Town of Norwood Comprehensive Plan as amended by the Norwood Major Streets and Future Land Use Plan; and

**WHEREAS**, at their October 17, 2022 public meeting, the Norwood Planning and Zoning Commission recommended the amendments as set forth herein be approved by the Norwood Board of Trustees.

**NOW, THEREFORE, BE IT ORDINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF NORWOOD, COLORADO as follows:**

**Section 1:** The Norwood Land Use Code shall be amended to include Section 6.23 Short Term Rentals as set forth in Exhibit A, attached hereto.

**Section 2:** The provisions of this ordinance are severable and the invalidity of any section, phrase, clause or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity of effectiveness of the remainder of the ordinance.

**Section 3:** The effective date of this Ordinance shall be November 9, 2022.

**APPROVED AND ADOPTED** this 9<sup>th</sup> day of November 2022.  
**BOARD OF TRUSTEES**  
**TOWN OF NORWOOD, COLORADO**

By:   
Candy Meehan, Mayor

ATTEST  
By:   
Amanda Pierce, Town Clerk

## EXHIBIT A

ADDITION to Section 2.02

*Short-term rental is a type of lodging wherein a dwelling unit, either in full or in part, is rented to a temporary occupant(s) for monetary consideration for fewer than thirty (30) consecutive days. Short-Term Rental is also referred to as a vacation rental, vacation rental by owner, Airbnb, or other related references.*

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Addition of Section 6.23:

### 6.23 Short-Term Rental Regulations

**a) Purpose.**

- 1) To establish procedures and standards pertaining to Short-Term Rentals within the Town of Norwood in certain zone districts pursuant to permits and regulations that are intended to protect the health, safety, and welfare of the Town. It is also the intent to protect and preserve the current community character.
- 2) To establish a community standard for the integration of short-term rental units within existing neighborhoods while maintaining neighborhood and community character.
- 3) To ensure health and safety of visitors and residents by re-affirming police, fire, and building safety guidelines for transient lodgers who may not be familiar with local laws.

**b) Applicability.**

- 1) These regulations apply to any property owner of real property used as a Short-Term Rental for less than thirty (30) consecutive days.
- 2) Private covenants or deed restrictions running with the land may restrict or prohibit Short-Term Rentals. It is the responsibility of the property owner, not the Town or any employee or agent thereof, to ensure compliance with restrictive covenants or deed restrictions.
- 3) These regulations shall not apply to motels or hotels.
- 4) A Short-Term Rental land use is only allowed in the R-1 and Medium Density Residential zone districts. Short-Term Rentals are not allowed in any other zone district.

**c) Short-Term Rental Permit Required.**

- 1) Prior to the operation of a short-term rental, a short-term rental permit must be obtained.
- 2) The Short-Term Rental permit does not run with the land but is issued to the specific property owner. The permit shall expire upon the sale or transfer of the property. The permit shall not be transferred or assigned to another individual, person, or entity.

- i. Proof of ownership is required prior to the issuance of a short-term rental permit and must be provided with the application. Proof of ownership, in the form of a deed, of the property on which the structure, for which the application is being submitted, is located. The applicants name must appear on the deed for the property on which the proposed short-term rental is located.
- 3) The Short-Term Rental permit is valid for the calendar year in which it was issued.
- 4) Applications for a short-term rental permit, including renewals, shall submit a complete application form which contains such information as required by the Town, and shall pay all fees required for a permit application.

**d) Permit Renewals.**

- 1) A Short-Term rental permit must be renewed by the property owner in which it was originally approved.
- 2) Renewal requests must be received by the Town no later than October 31<sup>st</sup> of the calendar year.
- 3) Existing short-term rental permits have first right of refusal for renewal before new permits are considered, if the maximum number of allowed short-term rental permits has been reached.

**e) Cap on Short-Term Rental Permit Licenses.**

- 1) A maximum of five (5) Short-Term Rental permits are allowed within the Town of Norwood.
- 2) STR permit applications will not be accepted by Town Staff for review until a permit spot becomes available. Meaning, if the cap has been reached no additional applications will be accepted by Staff until a spot becomes available.

**f) Requirements and Limitations.** In addition to the other requirements of the Land Use Code and other Town Ordinances, a Short-Term Rental permit issued pursuant to this Ordinance shall, as a condition of such permit, be subject to the following requirements and limitations:

- 1) Where a lot contains a single-family dwelling and a cottage house (accessory dwelling unit), the owner is allowed to use only one or the other, but not both, as a short-term rental. No more than one short-term rental permit shall be issued for a single lot.
- 2) Must be owner-occupied. Meaning the owner must permanently reside at the subject property.
- 3) No outdoor sign advertising or identifying the short-term rental is allowed.
- 4) The owner is responsible for ensuring the short-term rental meets all applicable local, state and federal standards and regulations, including but not limited to the requirements and limitations of this Ordinance.
- 5) No short-term rental permit shall be issued for rooms, structures, properties or uses that have not been issued a Certificate of Occupancy consistent with the proposed use.
- 6) Use of the short-term rental for any commercial or large social events or gatherings, such as weddings, is prohibited.
- 7) The permit with all local contact information and emergency safety information shall be displayed within the short-term rental.

- 8) The Town issued permit number shall be used in all rental marketing materials.
- 9) Life Safety Standards:
  - i. Each Short-Term rental property licensed under this Ordinance shall obtain an inspection from the Building Department and/or the Fire Department prior to scheduling the required public hearing dates.
  - ii. Each Short-Term rental unit shall be equipped with operational smoke detectors, carbon monoxide detectors, fire extinguishers, and other life safety equipment as may be required by the Town.
- 10) Trash Handling:
  - i. There shall be a sufficient number of trash receptacles to accommodate all trash generated by those occupying the short-term rental property, and instructions on outdoor trash containers, storage, pickup locations, and times shall be posted within the short-term rental property. Where the short-term rental property is served by curbside garbage pickup, the garbage can or similar receptacle shall be removed from public view the same day as pickup and there shall be no garbage can or similar refuse receptacle at the curb on any day except the day of pickup.
- 11) Parking in private driveways shall be utilized first with overflow parking on the street where permitted. Parking on-site in no-driveway areas (i.e., front yard areas, parkways, and rear-yards) shall be prohibited.
- 12) During the term that the short-term rental unit is occupied by a short-term rental tenant, the owner and/or the local contact person designated by the owner shall be available twenty-four (24) hours per day, seven (7) days per week, for the purposes of responding within one (1) hour to complaints regarding the condition or operation of the short-term rental unit of the conduct of the short-term rental tenants. If the local contact person designated by the owner changes, then the owner shall update the permit on file within three (3) days.
- 13) An operator of a short-term rental must renew the permit each year.
  - i. A renewal application shall be submitted from October 1<sup>st</sup> to October 31<sup>st</sup> of each year prior to the expiration of the license.
- 14) The owner shall obtain a business license and shall be responsible for payment of all applicable sales and lodging taxes.

**g) Prohibitions and Conditions.**

- 1) Short-Term rentals are only allowed in either primary dwelling units or accessory dwelling units. Short-Term rentals are not allowed in campers, recreational vehicles, tents, temporary structures or other dwellings that do not have a certificate of occupancy.
- 2) In the permitting of the short-term rental, or in the renewal of a permit, the Planning & Zoning Commission or the Board of Trustees shall have the authority to require such reasonable conditions as necessary to protect the public health, safety, and general welfare and to ensure that the use, value and qualities of the neighborhood surrounding the proposed location will not be adversely affected.

**h) Violations, Penalty and Enforcement.**

- 1) It is unlawful for any owner, responsible agent or occupant of a short-term rental property to violate any provisions of this Ordinance, as applicable.
- 2) It shall be unlawful to submit an application with information that is materially false or misleading.
- 3) Any properties used for short-term rental purposes in violation of this title, shall be subject to the following administrative penalties:
  - i. First offence: written warning
  - ii. Second offense: fine as established by the Board of Trustees.
  - iii. Third offense: revocation of license without possibility of reapplication for the subject property for two (2) years from the date of revocation and fine established by the Board of Trustees.
- 4) The Town expressly reserves the right to accelerate any enforcement action as it deems appropriate and shall not be required to follow the enforcement steps in the subsection above.
- 5) Failure to pay the penalty shall constitute a further violation of this Title, which shall subject the license to revocation; provided that there shall be no administrative appeal right for a revocation based on failure to pay the penalty.

**i) Permit Suspension or Revocation.**

- 1) The Board of Trustees finds that the suspension or revocation of a short-term rental permit may be necessary when an owner fails to operate the short-term rental in accordance with the provisions of this part. The Town Administrator is authorized to initiate permit suspension or revocation proceedings against an owner when these circumstances arise, by issuing a notice to show cause to the owner.
- 2) The Planning & Zoning Commission and Board of Trustees shall hold a public hearing on the allegations contained in the notice to show cause. Notice to show cause shall be served to the owner not less than ten (10) days prior to the scheduled hearing date. Service may be accomplished by hand delivery to the owner or the local contact person or by first class mail, postage prepaid, to the last address furnished to the Town by the owner. The notice to show cause shall give the owner notice of the alleged grounds for suspension or revocation and of the date, time and place of the hearing on the alleged violations.
- 3) The Planning & Zoning Commission may recommend to the Board of Trustees to suspend or revoke a permit if it finds, by a preponderance of the evidence, that:
  - i. The operation of the short-term rental no longer conforms with the review criteria of this part; or
  - ii. The owner has violated a condition of approval; or
  - iii. The owner has violated the rules and regulations provided for in the part.
- 4) A suspension or revocation shall be effective immediately upon the decision of the Board of Trustees.

- 5) A suspended permit shall be suspended for a term not to exceed sixty (60) days, and for so long thereafter until proof of the cause of suspension has been remedied at the discretion of the Town Administrator.
- 6) A revoked permit may not be considered for re-approval for one (1) year from the date of revocation of the Board of Trustees.

**j) Review by the Planning and Zoning Commission.**

- 1) The Planning and Zoning Commission shall hold a public hearing on any application for a Short-Term Rental permit prior to making its recommendation to the Board of Trustees.
- 2) Notification requirements:
  - i. The applicant shall mail the written notice of public hearing before the Planning and Zoning Commission meeting on the proposed Short-Term Rental permit, after obtaining a copy of the notice from the Town Staff, to all owners of real property lying within one hundred (100') feet of the property on which the permit applies. The notice shall be given not less than fifteen (15) days prior to the date set for public hearing by depositing in the mail such notice properly addressed, and postage paid to each such owner as the ownership appears on the last approved County assessor records. Applicants shall provide proof of mailing of notice to the Town prior to the public meeting or hearing that is subject of the mailing of a notice.
  - ii. The Town Clerk shall cause notice of the public hearing of the Planning and Zoning Commission to be given by one publication in a newspaper of general circulation in the Town of Norwood without the necessity of notifying property owners by mail. Such notice shall state the time and place of such hearing and the nature of the subject to be considered, which time shall not be less than fifteen (15) days prior to the hearing date.

**k) Review by the Board of Trustees.**

- 1) Following the recommendation of the Planning and Zoning Commission, the Board of Trustees shall hold a public hearing on the consideration of Short-Term Rental permits.
- 2) The Board of Trustees shall approve or disapprove the Short-Term rental permit application with or without conditions.