

**ORDINANCE NO. 1921
SERIES 2026**

**AN ORDINANCE AMENDING THE LOUISVILLE MUNICIPAL CODE CONCERNING
TEMPORARY SHORT-TERM RENTALS**

WHEREAS, the City Council finds that short-term rentals can result in over-occupancy, excessive noise, and otherwise strain the residential character of the City's neighborhoods, and are currently not permitted anywhere within the City; and

WHEREAS, the Sundance Film Festival has announced its move to nearby Boulder, which will create a temporary need for additional lodging in the City and surrounding areas; and

WHEREAS, the City Council finds the Sundance Film Festival will benefit the City, its businesses, and its residents in many ways, and therefore the City Council finds that allowing temporary short-term rentals during the limited time periods to address the additional lodging needs during the Sundance Film Festival will enhance the public health and welfare of the City, its businesses, and its residents; and

WHEREAS, temporary short-term rentals are required to pay the City's lodging tax, and such amounts may be collected by online marketplace facilitators or marketplace sellers; and

WHEREAS, the intent of the amendments to the City's lodging tax ordinances set forth herein is to clarify the obligation for collection and remittance by marketplace facilitators and marketplace sellers that already exists, and are not a new obligation or tax policy change as that term is used in the Taxpayer's Bill of Rights ("TABOR") in Article X, Section 20 of the Colorado Constitution.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. Title 5 of the Louisville Municipal Code is hereby amended by the addition of a new Chapter 5.28 to read as follows:

**TITLE 5
BUSINESS LICENSES AND REGULATIONS**

**Chapter 5.28
Temporary Short-Term Rentals**

Sec. 5.28.010 Purpose and applicability.

A. The purpose of this Chapter is to establish a comprehensive licensing program to safeguard the public health, safety, and welfare by regulating and controlling the use, occupancy, location, and maintenance of temporary short-term rentals in the City.

B. This Chapter shall apply to temporary short-term rentals only, as defined herein. This Chapter shall not supersede or affect any private conditions, covenants, or restrictions applicable to temporary short-term rentals.

Sec. 5.28.020 Definitions.

For purposes of this Chapter, the following terms shall have the following meanings:

Accessory dwelling unit means a residential dwelling unit constructed and occupied in compliance with Chapter 17 of this Code.

Principal place of residence means the home or place in which one's habitation is fixed and to which one has a present intention of returning after a departure or absence therefrom. In determining what is a principal place of residence, the City shall consider the criteria set forth in C.R.S. § 31-10-201(3), as amended.

Temporary short-term rental means a residential dwelling unit, or any room therein, or a permitted accessory dwelling unit available for lease for a term of less than thirty (30) consecutive days during the period specified in the license issued by the City, excluding bed and breakfasts and accommodation units.

Sec. 5.28.030 License required.

A. General. A current, valid license is required for each temporary short-term rental in the City. Each temporary short-term rental license is non-transferable and is only valid for the dates specified in the license.

B. Application. For new licenses and renewals, the temporary short-term rental owner shall file an application with the City Clerk, on forms supplied by the City, accompanied by the following:

1. An application fee as set by resolution of the City Council;
2. An affidavit, signed by the owner, under penalty of perjury, certifying that the temporary short-term rental is in

habitable condition, that the owner's principal place of residence is in the City, that the temporary short-term rental complies with the health and safety standards set forth in this Chapter, that the owner has complied with subsection (3) hereof, when applicable, and that the owner has complied with all other applicable provisions of the Code; and

3. If the temporary short-term rental is subject to a homeowners' association or private covenant, the temporary short-term rental owner shall provide evidence that the temporary short-term rental is allowed under the homeowners' association or private covenant terms and has received approval to operate.

C. Expiration. Each temporary short-term rental license shall expire on the date following the permitted dates listed in the license or when title of the temporary short-term rental transfers to a new owner, whichever occurs first. Each change in ownership of a temporary short-term rental shall require a new license.

D. Revocation. In addition to any other penalties allowed by this Chapter, the City may revoke any temporary short-term rental license if the City finds and determines that any violation of this Chapter exists at the temporary short-term rental; provided that the City provides the licensee with at least fourteen (14) days' prior written notice and an opportunity to be heard prior to revocation. The notice shall include a description of the violation and the date and time when the temporary short-term rental owner may appear and be heard, and the notice shall be either personally served on the temporary short-term rental owner or mailed by first-class United States mail to the last-known address of the temporary short-term rental owner.

Sec. 5.28.040 Term of temporary short-term rental license.

A temporary short-term rental license shall authorize rental or lease for limited dates as specified in the license. Such dates shall be established annually by resolution of the City Council. Any rental outside the authorized dates, or advertising for rental for unauthorized dates, is unlawful and subject to enforcement pursuant to Section 5.28.090 of this Code.

Sec. 5.28.050 Insurance.

Every temporary short-term rental shall be continuously insured, with minimum limits of one million dollars (\$1,000,000) per occurrence. The insurance may be in any of the following forms: property liability insurance; commercial liability insurance; or an endorsement to a homeowner's policy for coverage of temporary short-term rental activities.

Insurance provided by online short-term rental platforms does not qualify as valid insurance under this subsection.

Sec. 5.28.060 Health and safety.

A. Standards. Each temporary short-term rental shall comply with all applicable building, health and safety standards adopted by the City, and the following additional standards:

1. Buildings, structures and rooms shall not be used for purposes other than those for which they were designed or intended.
2. Roofs, floors, walls, foundations, ceilings, stairs, handrails, guardrails, doors, porches, all other structural components and all appurtenances thereto shall be capable of resisting any and all forces and loads to which they may be normally subjected and shall be kept in sound condition and in good repair.
3. An operable toilet, sink, and either a bathtub or shower shall be located within the same building, and every room containing a toilet or bathtub/shower shall be completely enclosed by walls, doors, or windows that will afford sufficient privacy.
4. There shall be a sufficient number of trash receptacles to accommodate all trash generated by the occupants.
5. Outdoor fires are prohibited, including without limitation those outdoor fires contained to a fire pit, grill, or outdoor fireplace.
6. Electrical panels shall be clearly labeled.
7. Each temporary short-term rental shall have operational smoke and carbon monoxide detectors as required by all applicable building, health and safety standards adopted by the City, provide for evacuation routes, and have operational fire extinguishers.

B. Signage. A sign, in a form approved by City, shall be conspicuously posted inside each temporary short-term rental with the temporary short-term rental license number, the owner's current contact information, and the physical address of the temporary short-term rental, including unit number if applicable.

C. Maximum occupancy. The maximum number of persons allowed to occupy a temporary short-term rental shall not exceed that permitted by the City's adopted building codes.

D. Multiple temporary short-term rentals.

1. Multiple temporary short-term rentals on the same lot or parcel of real property are prohibited. This limitation applies to two (2) or more temporary short-term rentals operating within the same dwelling unit at the same time, or within a dwelling unit and an accessory dwelling unit at the same time.

2. An owner of a temporary short-term rental shall only operate a single temporary short-term rental in the City.

E. Inspection. The City Manager may, in the City Manager's sole discretion, order an inspection of the temporary short-term rental by the City Manager or their designee certifying that the temporary short-term rental complies with this Chapter and with all applicable building, health and safety codes adopted by the City. The City shall give the owner of the short-term rental twenty-four (24) hours' notice prior to the inspection, using the owner's current contact information.

Sec. 5.28.070 Advertising.

Advertising for a temporary short-term rental shall include the temporary short-term rental license number immediately following the description of the temporary short-term rental. If the temporary short-term rental is being advertised by a marketplace facilitator, it shall be the responsibility of the marketplace facilitator to ensure the temporary short-term rental license is included in the advertisement.

Sec. 5.28.080 Taxes.

All applicable taxes for temporary short-term rentals, including the City's lodging tax, shall be timely collected and remitted.

Sec. 5.28.090 Violation and penalties.

A. Violation. It is unlawful to violate any provision of this Chapter. Each day of violation shall be deemed a separate offense.

B. Liability. Each temporary short-term rental owner shall be liable for any and all violations occurring at the temporary short-term rental.

C. Civil enforcement.

1. If the City chooses civil enforcement, a citation may be served by posting on the front door of the temporary short-term rental, or by personal service on the temporary short-term rental owner, or by mailing first-class U.S. Mail to the last known address of the temporary short-term rental owner.

2. Civil violations shall be subject to the following fines and penalties, per short-term rental:

First violation in any twelve (12) month period: \$150.00

Second violation in any twelve (12) month period: \$300.00

3. All penalties shall be paid within fourteen (14) days of the date of the citation. If the civil violation is paid, there shall be no opportunity to challenge or otherwise appeal the violation. If the temporary short-term rental owner disputes the violation, the temporary short-term rental shall file a written protest with the City within fourteen (14) days of the date of the citation.

4. If the temporary short-term rental owner protests the citation, the City shall cancel the citation and proceed to criminal enforcement.

5. If the penalty is not timely paid and no protest is timely filed, the City may summarily suspend the temporary short-term rental license until the penalty is fully paid. Written notice of such suspension shall be provided to the last-known address of the temporary short-term rental owner.

D. Criminal enforcement. If the City chooses criminal enforcement or a protest is filed and the civil citation is canceled, a summons and complaint may be served as provided in the Colorado Municipal Court Rules of Procedure. The penalties shall be as set forth in Chapter 1.28 of this Code.

E. Suspension. Regardless of the type of enforcement, the third violation for a single temporary short-term rental shall result in a three (3) year suspension, commencing on the date of the last violation, during which no license shall be granted for such temporary short-term rental.

F. Other Remedies. In addition to the penalties described above, the City 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 temporary short-term rental and an injunction to prohibit the occupancy of any property in violation of this Chapter.

Section 2. Section 3.22.020 of the Louisville Municipal Code is hereby amended to read as follows (words to be deleted ~~stricken~~; words to be added underlined):

Sec. 3.22.020 Definitions.

A. For purposes of this chapter, the following words shall have the following meanings:

1. *Lodging* means hotel rooms, apartment hotel rooms, motel rooms, lodging house rooms, motor hotel rooms, guesthouse rooms, guest ranch rooms, extended stay lodging rooms or other similar accommodations that are rented to persons for a period of less than one month or 30 consecutive days, but shall not include rentals under a written agreement for occupancy for a period of at least one month or 30 days.

2. *Marketplace* means a physical or electronic forum, including, but not limited to, a store, a booth, an internet website, a catalog, or a dedicated sales software application, where tangible personal property, taxable products, or taxable services are offered for sale.

3. *Marketplace facilitator* means a person who:

- a. Contracts with a marketplace seller or multichannel seller to facilitate for consideration, regardless of whether or not the consideration is deducted as fees from the transaction, the sale of the marketplace seller's tangible personal property, products, or services through the person's marketplace;
- b. Engages directly or indirectly, through one or more affiliated persons, in transmitting or otherwise communicating the offer or acceptance between a purchaser and the marketplace seller or multichannel seller; and
- c. Either directly or indirectly, through agreements or arrangements with third parties, collects

payment from the purchaser on behalf of the seller.

Marketplace facilitator does not include a person that exclusively provides internet advertising services or lists products for sale, and that does not otherwise meet this definition.

4. Marketplace seller means a person, regardless of whether or not the person is engaged in business in the city, which has an agreement with a marketplace facilitator and offers for sale tangible personal property, products, or services through a marketplace owned, operated, or controlled by a marketplace facilitator.

52. Sale means the furnishing for consideration by any person of lodging within the city.

63. Tax means the tax paid or payable by the taxpayer or the aggregate amount of taxes collected or to be collected and remitted to the city by the vendor during the period for which the vendor is required to collect and remit the tax upon lodging under this chapter.

74. Taxpayer means the person obligated to pay the tax under the terms of this chapter.

85. Vendor means a person furnishing lodging for consideration within the city and includes a marketplace facilitator or marketplace seller.

B. Words and phrases not otherwise defined herein shall have the meanings set forth in section 3.20.020, as it currently exists or may hereafter be amended, and such definitions are incorporated herein by reference.

Section 3. If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares it would have passed and approved this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 4. The repeal or modification of any provision of the Municipal Code of the City of Louisville by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or

liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 5. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 6. Except as otherwise set forth herein, any person convicted of violating this ordinance may be punished as set forth in 1.28.010 of the Louisville Municipal Code, as may be amended but which currently provides violations shall be punished by a fine of not more than \$2,650.00, as shall be adjusted for inflation on January 1, 2014 and on January 1 of each year thereafter, or by imprisonment not to exceed 364 days, or by both such fine and imprisonment.

INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED
PUBLISHED this 7th day of April, 2026.


Christopher M. Leh, Mayor

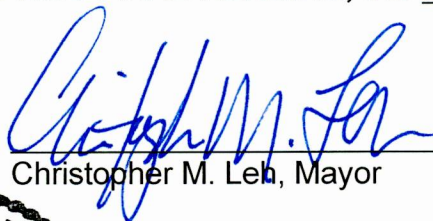
ATTEST:


Genny Kline, City Clerk

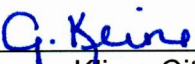


PUBLIC HEARING AND SECOND READING WILL BE THE 21st DAY OF
April, 2026, AT 6:00 P.M. AT LOUISVILLE CITY HALL, 749 MAIN STREET,
LOUISVILLE, CO 80027.

PASSED AND ADOPTED ON SECOND AND FINAL READING, this 21st day of
April, 2026.


Christopher M. Leh, Mayor

ATTEST:


Genny Kline, City Clerk



APPROVED AS TO FORM:
Kelly PC

Kathleen M. Kelly

Kathleen M. Kelly, City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF COLORADO
COUNTY OF BOULDER

I, Genny Kline, City Clerk for Louisville, Colorado, do solemnly swear and affirm that
on April 8, 2026, I published in full a true and correct copy of:

Ordinance No. 1921 Series 2026, 1st Reading

on the City of Louisville's website:

<https://www.louisvilleco.gov/local-government/public-notice>

Witness my hand and seal this 8th day of April 2026.

G. Kline

Genny Kline
City Clerk



AFFIDAVIT OF PUBLICATION

STATE OF COLORADO
COUNTY OF BOULDER

I, Genny Kline, City Clerk for Louisville, Colorado, do solemnly swear and affirm that
on April 24, 2026, I published in full a true and correct copy of:

Ordinance No. 1921 Series 2026, 2nd Reading

on the City of Louisville's website:

<https://www.louisvilleco.gov/local-government/public-notice>

Witness my hand and seal this 24th day of April 2026.

G. Kline

Genny Kline
City Clerk

