

County Clerk and Recorder's Office.

2. Definitions

a. Short-Term Rental

A home that is rented by or on behalf of the owner to the general public for compensation for transient occupancy of 30 days or less.

b. Owner-Occupied Short-Term Rental

A short-term rental of one or more bedrooms in an owner-occupied or agent-occupied dwelling while the owner/agent is occupying the same dwelling unit for the entire rental period.

c. Hosting Platform

A person or entity that provides a means through which an owner may advertise and offer for rent a short-term rental to the general public.

d. Local Property Manager/Owner

A person who must be available to take and respond, within 30 minutes, to reports of concerns and complaints 24 hours per day, 7 days per week during the rental period. The local property manager may be an owner or authorized agent of the property.

3. Compliance with Laws

In addition to the provisions of this article, the short-term rental owner must comply with all other applicable local, state and federal laws, including but not limited to City business license, resort tax, lodging facility use tax and accommodations sales tax regulations; permitting requirements; fair housing laws; approved codes; building code and health department regulations. Loss of any required permit or license will result in revocation of the short-term rental license.

Compliance with all applicable laws and regulations is the sole responsibility of the owner. City approval of an application for short-term rental license in no way waives or transfers to the City such responsibility. In addition, the owner is solely responsible for verifying that the use of a property as a short-term rental is compatible with insurance and mortgage contracts, homeowners' association covenants, rental agreements and any other contracts which govern the use of the property.

4. Safety, Health, Nuisance, and Environmental Regulations

Owners of short-term rental property shall comply with applicable rules and regulations of the Red Lodge Fire Department and Carbon County Health Department.

a. Safety hazards and public health

The owner or their representative acknowledges that the City has the right to suspend operation of any short-term rental when the City determines the rental is causing or contributing to an imminent public health, safety hazard, or nuisance, as defined in municipal code (4-1-1).

b. Maximum occupancy for short-term rentals

The maximum occupancy of a short-term rental will be determined by the fire chief, or designee. The maximum occupancy will be noted on the short-term

rental registration and must be included in the list of short-term rental rules.

c. Signage

The list of rules must be prominently displayed within the short-term rental.

i. Safety

During a rental period, there must be a sign posted inside the short-term rental showing the locations of all fire extinguishers in the unit, the gas shut-off valve, and fire exits.

ii. Trash removal

The local property manager/owner must ensure proper disposal of solid waste pursuant to local and state rules, regulations and laws. The schedule for trash and recycling collection must be included within the short-term rental rules.

iii. Noise

All activities producing noise discernible from a neighboring property (as defined in municipal code) shall cease by 10:00 p.m. This requirement must be included in the short-term rental rules.

d. Change in Ownership

A short-term rental license does not run with the land.

e. Expiration

Licenses are valid for one year from date of issue.

f. Renewal

The registrant may apply to renew the license annually.

g. Short-term rental agreement; written rules for guests

The guest must be provided with a written list of rules applicable to the short-term rental with the rental agreement, and the rental agreement must include a written acknowledgement by the renters of their agreement to comply with such rules.

h. Property Management

The short-term rental property shall be managed by a local property manager/owner, which is a person who must be available to take and respond, within 30 minutes, to reports of concerns and complaints 24 hours per day, 7 days per week during the rental period. The local property manager may be an owner or authorized agent of the property.

i. Parking

Local property manager/owner needs to be cognizant of on-street parking issues and not infringe on parking of neighbors.

4.4.30 Outside Storage

A. Standards

Commercial and industrial uses permitted to have outside storage of merchandise, material or equipment shall provide screening from neighboring properties and streets. Notwithstanding other standards of this Ordinance regulating fences and walls, stored material shall be fully screened to preclude viewing of said stored materials from adjacent streets or properties. Screening methods may consist of any combination of earthen berms, fences, and walls,

along with vegetation to both enhance the screening efforts and to visually break up the wall and/or fence. Berms shall be designed and constructed in such a manner as to ensure stability and successful vegetation growth. Walls and fences shall be designed and built in conformance with the Building Code as adopted by the City. When a permit for fences and walls is required by the Building Codes adopted by the City, said permit will be available from City Building Inspector in the Building Division office.

B. Exemptions

This requirement shall not apply to the storage of plant material associated with nurseries, the display for sale or rent of new and used automobiles in operational condition, recreational vehicles, boats, mobile homes, or the use and sale of farm and construction equipment.

4.4.31 Storage Units and Containers

A. Non-residential Districts, Sites

Secure Storage Units, Cargo, Freight or Overseas Containers are permitted as accessory structures on non-residential sites in non-residential zoning districts in accordance with the following standards.

1. These units shall be located to the rear of the building they serve and screened from view from the street.
2. The maximum size of these units is eight (8) feet by forty (40) feet.
3. The number of these units shall be limited to one (1) per acre or fraction thereof.

B. Residential Districts, Sites

Secure storage units or containers are prohibited in all residential zoning districts and on residential sites in non-residential zoning districts except as temporary storage units during active construction jobs.

4.4.40 Wireless Communication Facilities

A. Purpose and Intent

The purpose and intent of this Section is to provide for commercial Wireless Communication Facilities in a safe, efficient and orderly manner, to encourage the co-location of facilities to reduce the number of new communication towers and to minimize the adverse visual effects of such towers.

B. Definitions

For the purpose of this Section, certain words and terms are defined below:

1. **Antenna** means the arrangement of wires, poles, rods or similar devices used in the commercial transmitting and/or receiving of electromagnetic waves, digital signals and other communication signals.
2. **Communication Tower** means an antenna support structure designed and constructed for the primary purpose of supporting one (1) or more antennas, including a mast, pole, monopole, guyed or lattice tower, freestanding tower or any similar structure.
3. **Camouflage** means the integration of an antenna or communication tower with an existing building, structure, or natural surroundings to disguise it from the true purpose of the facility.
4. **Conceal** means to place an antenna or tower out of sight by enclosing it in a structure.
5. **Co-locate** means placing more than one (1) antenna or wireless