



Staff Report

Administration – Chief Administrative Officer

Report To: COW_Finance_Admin_Fire_Community_Services
Meeting Date: September 16, 2024
Report Number: FAF.24.095
Title: Follow Up to the Municipal Licensing By-law and Administrative Monetary Penalties By-law Public Meeting
Prepared by: Shawn Everitt, Chief Administrative Officer

A. Recommendations

THAT Council receive Staff Report FAF.24.095, entitled “Follow up to the Municipal Licensing By-law and Administrative Monetary Penalties By-law Public Meeting”;

AND THAT Council approve the Municipal Licensing By-law as presented and direct staff to bring forth the final By-law for enactment on January 1, 2025;

AND THAT Council approve the amended Administrative Monetary Penalties By-law as presented and direct staff to bring forth the final amended By-law for enactment on January 1, 2025;

AND THAT Council approve the 2025 Administrative Monetary Penalties related to the amended Administrative Monetary Penalties By-law as presented for enactment January 1, 2025.

B. Overview

The purpose of this report is to provide Council with follow up regarding the July 9, 2024 Public Meeting which was held to receive public comments related to proposed revisions to the Municipal Licensing By-law and the Administrative Monetary Penalties By-law.

C. Background

Council provided staff with direction to initiate a review of the Municipal Licensing By-law to incorporate a revision relating to the Licensing Appeals Committee being modified to not include members of Council. In addition to this change, staff took the opportunity to bring forward additional suggested enhancements to both the Municipal Licensing By-law and Administrative Monetary Penalties By-law.

As part of the Town’s standard process, public consultation was undertaken in the form of a Public Meeting to receive public comments related to proposed revisions to the Municipal

Licensing By-law and the Administrative Monetary Penalties By-law. The public meeting was held on July 9, 2024 and a [video of the meeting](#) is available on the Town's website.

In preparation for the Public Meeting, Town staff held a series of internal meetings with Planning, Building, Fire, and By-law staff to draft the proposed revisions to the by-laws. Staff also met with representatives of the Short Term Accommodation (STA) Industry, Blue Mountains Ratepayers Association and the Blue Mountain Village Association to get their feedback regarding the proposed changes to the by-laws. Although this additional consultation was undertaken, Town staff want to make it clear that not all the proposed revisions, included in the attached by-laws, are supported by the groups consulted.

Staff recommend that the revisions outlined in the Analysis section of this report provide enhancements to the existing by-laws and fines that will disincentivize operating outside of the Town's licensing program.

D. Analysis

The key elements of the proposed Municipal Licensing By-law include the following:

- Based on Council direction, staff are recommending that the Licensing Appeals Committee be replaced with a structure similar to the current Administrative Monetary Penalties Appeals process using a Third-Party Appeals Officer to hear appeals;
- Staff are recommending the inclusion of a Type E Licence for "Commercial Rental Units" (CRUs) that would act as a registry, similar to Type D Licences currently used for Bed and Breakfast establishments while requiring CRUs to be in groupings of no less than ten (10) units;
 - Staff suggest that Council may want to consider establishing the Type E Licences beginning January 1, 2026 to allow for the continued collaboration with the those directly impacted by the new proposed CRU licensing regime.
- Staff are recommending enhancements to the requirements associated with the "Responsible Person" that would limit the number of licensed properties to five (5) per Responsible Person. Staff suggest that a Responsible Person could be responsible for a higher number of properties in situations where that Responsible Person has contracted a Security Company to provide site attendance for responding to a complaint within ½ hour to all of the properties that they are responsible for as per the By-law requirements;
- Staff are recommending the prohibition of any solid fuel burning to enhance fire and life safety measures and to address complaints related to smoke generated from the burning solid fuel specifically from campfires. Staff suggest that the use of propane and/or natural gas-fueled apparatus is a more appropriate option;
- Staff are recommending that the completion of a formal Fire Inspection be completed for those properties applying for a Type A, Type B, and/or Type C Licence for

occupancies of twelve (12) or more. Those applications being made for a Type A, Type B, and/or Type C Licence with an occupancy of eleven (11) or less, would complete a formal and legally binding Attestation Form (Attachment 4) that acknowledges full compliance with all requirements outlined in the form;

- During the Public Meeting, staff provided a formal interpretation of how occupancy for Short Term Accommodation Licences is calculated. Staff have confirmed that the calculation of occupancy is based on two (2) persons per bedroom, plus an additional four (4) persons only in areas approved through the licensing process;
- Staff are recommending the removal of references to “NoiseAware” as other noise monitoring products may now be available that can meet the requirement of providing reports of noise monitoring when requested by the Town;
- Staff are recommending that a Type “D” Licence shall not be issued to a Corporation or a Business and that the Licensee must be onsite between the hours of 2200 and 0700 during the stay of a Renter;
- Staff have also proposed additional enforcement measures relating to the modification of site plans that were included in the application process. Significant changes to site plans may impact the ability to obtain a future licence.

The key elements of the proposed Administrative Monetary Penalties By-law are:

- Staff are recommending changes to the Screening and Hearing Officer Review sections (7 and 8) that more accurately reflect the current practices;
- Staff are recommending increased fines related to non-compliance with the Municipal Licensing By-law. During the Public Meeting, it was suggested that some of the proposed fines were excessive and potentially punitive. However, the proposed fines related to “Operating as a Rental Property without a Licence” were supported by those in attendance at the Public Meeting;
- Staff have reviewed the concerns regarding the proposed fine increases and have modified the fines related to operating licensed properties.

Table 1: Total Number of Dwellings in The Blue Mountains

Total Dwellings	7,902
Percentage of Properties Without a License	95.4%
Percentage of Properties with License	4.6%

Staff have completed a fulsome review of noise-related concerns received by the Town over the past seven (7) years. The following Table identifies that historically there has not been a

difference regarding how by-law enforcement has managed noise concerns at private residences versus Short Term Accommodation (STA) units.

Table 2: Noise Concerns Received by the Town over the Past Seven (7) Years

Noise Concern Outcome	Private Residences (7 Year Average)	STAs (7 Year Average)
All Noise Concerns	75%	25%
Unfounded	31%	22.5%
Warning	60%	75%
Charged	2%	2%

Table 3: Total STA Licences and Percentage of STA Licences by Occupancy

Occupancy	Number of Licences	Percentage
4	36	10.11
5	3	.84
6	68	19.10
7	1	0.28
8	98	27.53
10	32	8.99
12	15	4.21
13	1	0.28
14	30	8.43
16	33	9.27
18	11	3.09
20	24	6.74
22	4	1.12
Total	356	100

Table 4: Percentage of Noise-Related Concerns Related to Short Term Accommodations (STAs) Per Occupancy Level

STA Occupancy	Call Percentage	Warned Percentage	Charged Percentage	Unfounded Percentage
4	3%	3%	0%	0%
6	2%	2%	0%	0%
8	13%	8%	3%	0%
10	8%	5%	0%	0.3%
12	3%	1%	0%	2%
14	19%	12%	0%	1%
16	21%	15%	0.5%	3%
18	7%	5.5%	0%	1%
20	16%	10%	0%	3%
22	5%	3%	0.3%	3%

Table 5: Fire Calls to Licensed STAs (2019 – 2024)

Year	Total Fire Calls
2019	13
2020	12
2021	11
2022	5
2023	8
2024 (as of July 31)	17

Table 6: Top 3 By-law Concerns Related to Licensed Short Term Accommodations (STAs) Outside of Noise

Concern Type	Ranking
Operating Contrary to the Parking Management Plan	1
Property Standards Issues	2
Animal Control Issues	3

Staff look to Council for direction regarding the level of tolerance staff should be employing when responding to noise concerns. By-law efforts to effectively pursue charges and issue demerit points related to Short Term Accommodation Licence infractions have been severely limited by the existing appeals process. Staff believe that the proposed changes to the by-laws will allow for more effective enforcement with the implementation of the Licensing Appeals Officer.

E. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders.

2. Organizational Excellence

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

4. Quality of Life

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

F. Environmental Impacts

Staff suggest that the elimination of burning of solid fuels along with the addition of site plan modification approvals will help limit environmental impacts.

G. Financial Impacts

Staff suggest that the proposed fines for the Administrative Monetary Penalties are set at a level that supports compliance with the by-law but is not punitive based on the rental costs of Short Term Accommodations in The Blue Mountains.

H. In Consultation With

Community Services Staff

Fire Services Staff

Planning Services Staff

Short Term Accommodation Industry Stakeholders

I. Public Engagement

The topic of this Staff Report has been the subject of a Public Meeting and/or Public Information Centre which took place on **July 9, 2024**. Those who provided comments at the Public Meeting and/or Public Information Centre, including anyone who has asked to receive notice regarding this matter, has been provided notice of this Staff Report. Any comments regarding this report should be submitted to Shawn Everitt, Chief Administrative Officer, cao@thebluemountains.ca.

J. Attached

1. Public Comments
2. Draft Municipal Licensing By-law
3. Amended Administrative Monetary Penalties By-law
4. Draft Attestation Form
5. Noise Concern Heat Maps

Respectfully submitted,

Shawn Everitt
Chief Administrative Officer

For more information, please contact:
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Report Approval Details

Document Title:	FAF.24.095 Follow Up to the Municipal Licensing By-law and Administrative Monetary Penalties By-law Public Meeting.docx
Attachments:	<ul style="list-style-type: none">- Attachment-1-Public-Comments.pdf- Attachment-2-Draft-Municipal-Licensing-By-law.pdf- Attachment-3-Amended-Administrative-Monetary-Penalty-By-law.pdf- Attachment-4-Draft-Attestation-Form.pdf- Attachment-5-Noise-Concern-Heat-Maps.pdf
Final Approval Date:	Sep 7, 2024

This report and all of its attachments were approved and signed as outlined below:

Shawn Everitt - Sep 7, 2024 - 3:55 PM

Municipal Licensing By-law Revisions Public Comments – July 9, 2024

The Blue Mountains Short Term Accommodation Owners Association (BMSTA), Received via email on July 5, 2024

The Blue Mountains Short Term Accommodation Owners Association (BMSTA) has had opportunity to review the proposed revisions to the Licensing and AMPS By-laws and provides the following comments.

INTRODUCTION

BMSTA is comprised of a group of short term accommodation and commercial resort unit owners and operators who are dedicated to working together for the betterment of the industry, guests and the community and through advocacy and education, BMSTA is committed to providing the highest standards of short term rental management. BMSTA was involved in the development of the Town's Licensing and AMPS By-laws and has continued to actively communicate with Town officials in terms of the application of the By-laws and related Town policies and procedures. In addition, BMSTA has been a key player in terms of disseminating information from Town officials and industry best practices to its members and continuously looks to promote a harmonious environment between its guests and Town residents. Regarding the proposed revisions, and in general, BMSTA acknowledges that the Town has previously indicated an interest/commitment to license commercial resort units (CRU's) but is surprised with the direction proposed in this regard (licensing the Agent/Qualified Rental Management Company versus the premises/unit) and is frankly shocked with the proposed revisions to the AMPS penalties, especially given the lack of data/events to support these proposed revisions and the explicit provisions for same contained in the Municipal Act.

LICENSING BY-LAW

1. Responsible Person

It is proposed that a responsible person be limited to 5 licenses, BMSTA questions why this limitation is proposed - especially wherein BMSTA has not experienced issues with a responsible person managing more licences than 5. The Town and BMSTA have experienced great successes with the current regulations and in the few instances where a responsible person has been contacted by the Town or OPP over the years the responsible person(s) has attended within the allocated time and issues of concern are typically quickly resolved. The current regulations permitting a responsible person to "manage" more than 5 licenses has clearly demonstrated to be manageable and effective. BMSTA's responsible persons are experienced and committed to the success of the Town's licensing program, which is of benefit of the owners, guests and the community. As to the role of the responsible person, operationally Town staff have acknowledged that if the responsible person attends and resolves an issue of concern in a timely fashion that no demerit points or penalties would be imposed. BMSTA requests confirmation that this operational practice will continue. Regarding patrol and security services and minimizing and mitigating potential concerns, BMSTA notes that it has had great success with security firms employing licensed security personnel. BMSTA would like to have further dialogue with the Town with regard to the role of licensed security personnel and incorporating requirements for the use of same embedded in the Licensing By-law.

2. Sections 11.6 and 11.7 – License Suspension/Revocation

The proposed revisions incorporate licence suspensions and/or revocation however does not speak to the length of time, BMSTA requests clarity on this matter.

3. Schedule B – Demerit Points

Many of the proposed Demerit Points appear excessive and not in line with the type or severity of the purported infraction. BMSTA requests that these be further reviewed. An example of the

severity includes 10 points (of the 15 which may lead to suspension) for an unattended barbecue.

4. Outdoor Noise Detection Systems

As BMSTA has relayed on numerous previous occasions, outdoor noise detection systems do not work. BMSTA requests that this requirement be further reviewed.

5. Prohibition of BBQ's Fueled by Wood or Wood Pellets and Assignment of

Owner/Operator Responsibility

BMSTA strongly disagrees with the assignment of 10 demerit points due to a renter utilizing a BBQ fueled by wood or wood pellets, which is not supplied by the owner/operator but rather brought to the rental property. BMSTA members provide written direction to renters that portable BBQs are not permitted on a rental property and that, if applicable, CSA certified gas BBQs are provided however to hold an owner or operator responsible for a guest's use of a portable BBQ is not supported by BMSTA. Should the Town agree with the continued practice of allowing a responsible person to resolve issues of concern in advance of the assignment of demerit points and/or an AMP, BMSTA's concerns may be mitigated.

6. Type E License

BMSTA acknowledges that the Town has previously indicated a commitment to explore the licensing of commercial resort units (CRU's) and has been generally supportive of that direction. With that being said, BMSTA has many questions related to the direction proposed under the draft and requests that Town staff be directed to meet with BMSTA and other stakeholders to further discuss the Type E Licensing provisions prior to Town staff reporting back on the proposed revisions.

7. Miscellaneous

BMSTA recommends that for accuracy, clarity and application purposes that the draft be further reviewed with regard to the following:

- Corporation Definition – inclusion of reference to incorporation under Ontario legislation
- Exception Area Definition – should be revised to “an area identified by Section 9 of the Town's Zoning By-law wherein short term accommodation uses are permitted”.
- Legal Non-Conforming Use Definition – should be revised to reference Section 34(9) of the Planning Act
- Principal Residence Definition – should simply reference “as defined by the Canada Revenue Agency”
- Commercial Rental Unit - The Town's Zoning By-law defines the types of units associated with the proposed Type E license as a Commercial Resort Unit however the proposed licensing by-law refers to these units as a Commercial Rental Unit and then goes on to state that it “is defined through the Town's Zoning By-law...” - which the Zoning By-law does not.

The South Glen Ratepayers Association, Received via email on July 5, 2024

We (18 members) support the Town's review of by-laws relating to Short Term Accommodations. In addition to the Town's recommendations we would like to endorse the proposal of the Blue Mountain Rate Payers Association. This issue is vitally important to our small area, the Price's Subdivision, because we have 3 Legal Non Confirming STA's. In addition, we are experiencing an increasing number of homeowners renting illegally on a short-term basis.

We would like to offer the following comments/recommendations:

- Increase buffering requirements for STAs that border residential properties
- No renovations or landscaping without town approval
- No firepits

- Advertising for LNC should include a warning the STA is located in a residential areas & subject to penalties for non-compliance of by-laws
- Demerit Points don't expire until the property is Demerit Point & Administrative Monetary Penalty free for two years
- Transparency around reporting. For example, when a neighbour suspects a homeowner is running an STA illegally and reports it to by-law, how/where do we find out what happened? Was the complaint valid? Will there be follow up? Were demerit points or an administrative fine given? We had this recently happen on Martin Grove. A call went into by-law. There hasn't been any feedback.
- Proof of principle residence for Type D (BnB) Licensing
- Sunset Type C licenses (LNC) in residential zoning with the sale of the property

David Finbow (BMSTA) Attended the Public Meeting on July 9, 2024

Need to see data indicating that the current requirements are not working. Support implementations that will address rogue operators. Capping the number of STAs that are able to be managed by a Responsible Person at five (5) licences is problematic for the industry. Some of the demerit point assignments are excessive. Some of the AMP fines are very excessive for license holders. No indicators or studies indicate that the current AMPs for license holders are not working. Additional dialogue with Town staff and the BMSTA is recommended.

Stu Frith Attended the Public Meeting on July 9, 2024

I am Director of Business Development for Property Valet, one of the two of the largest STA/CRU professional vacation rental management companies here at Blue, I have 20 years experience in the tourism accommodations business at Blue Mountain, most of which was spent operating my own large scale chalet management company called Visit Blue Mountain, with 60 chalets and 20 condos, at its peak. After selling that company to a competitor, I spent almost five years with Vacasa, here at Blue, in Operations Management and Business Development. I am also a founding member of the BMSTA, and spent the first five years of the BMSTA as the Association's President. I appreciate the opportunity to briefly speak to you today on three topics. The main reason that I am here today is to ask you to ask Staff to go back to the drawing board, and do a full re-think of the proposals and revisions being presented to you today. Since 2008 our position on STA legislation has always been framed around our goal of ensuring that fair and equitable legislation was considered by Council and ultimately passed in good faith and, importantly, that the legislation was reasonable. Most of the core proposed revisions that you have in front of you today and nowhere near fair or equitable and certainly not reasonable. There are a few issues within the revisions that are best described as housekeeping matters and those are, for the most part fine, however by tabling revisions of several key core and fundamental components it begs the question, why? What is the intent of reopening what are best described as bedrock policies within the STA Bylaw and what are long settled core principles all of which are working perfectly fine and have been for the past decade when licensing first became a reality. I am going to very quickly touch on two areas of such bedroom principles;

Max Occupant Load Calculations

The wording from within the all historical STA Bylaws has spoken only to how one calculates the TOTAL and maximum permissible occupant load within an STA within the dwelling unit as a whole. The wording was and has never been intended to require or legislate that only two persons or two heartbeats could legally sleep within a bedroom or sleeping space. The historical bylaws have contained a header that states The Maximum.Occupancy.within.a Dwelling.Unit; The wording pertaining to the max occupant load IS NOT INTENDED TO BE looked at through a lens whereby the law literally caps the max at two persons per bedroom. I trust each of you clearly understand the difference and therefore understand that is absolutely not what the wording specifies or is intended to convey. More importantly, this is not what the intent of all the discussions, presentations, countless staff reports and past Councillors understanding and voting intentions/decisions for the past 10+ years. I have personally had multiple conversations with some of you who sit on Council today, over the 10+ years, and you therefore know that this is an issue that has been long resolved. There are two models that have been used as the standard in

the market for the past decade, those being what have been defined and enforced as the + 2 or the + 4 occupant load model. A decade ago, during the crafting of the 1st STA Bylaw, BMR tabled the + 2 model for 2 and 3 bedroom condos that offered a pull out sofa. The + 4 model then was subsequently approved by Staff and multiple Councils under recognition that a 4,000 square foot chalet is capable of accommodating two additional persons within the entire dwelling. All the issued and active STA licences today and all over the past decade have been filtered through either the + 2 or +4 model by both Bylaw and Fire. So, I ask myself why are we here today talking about maximum permissible occupant load? Here is how the building code speaks to maximum occupant load within a dwelling unit; (1) The occupant.load.of a floor.area.or part of a floor.area, or of a building.or part of a building.shall be based on,

(b) two persons per sleeping room or sleeping area in a dwelling.unit.or suite, or

(c) the number of persons for which the area is designed

Somebody needs to step in and remove the proposed revision pertaining to maximum occupant load off the table. This is clearly a closed matter.

Responsible Person

The Responsible person or RP is a position that has always existed within the Bylaw. The RP is an individual or entity named on the STA licence application as being the individual or entity responsible for attending an STA if ever required to do so to address and resolve a reported problem. The STA Bylaw prescribes that such attendance and resolution occurs within a 30 minute period of time from the point the RP is first notified. I have two comments about the RP role as it is being proposed within the revisions before you today that the RP should be capped at a max of 5 licensed units per RP. I am not sure where to even start to unpack this one. To be super clear with each of you today, this is a prime example of staff proposing a change or revision that serves no purpose and makes no sense whatsoever. I have been associated over the past decade to between 50 and 60 STA Licences at any given single point in time and, for the most part, that remains the case today. I have had no issue whatsoever having my individual or corporate name on that number or volume of STA Licences. That is also the case historically and also today for all large scale sophisticated operators such as Property Valet, BMR, Vacasa, and Tyrolean Village Resorts. There is no valid or operational reason whatsoever to table a recommendation for such a change that has no valid purpose underpinning making the change itself. On a closing point on RP, one thing completely missing from the list of proposed revisions is a clear definition of the RP role itself. Here again, as has been the historical practice, the industry stakeholders are pleased to sit down with Staff to assist in developing clear definitions for the RP role. I should also point out that the RP has been the backbone of resolution anytime an issue has arisen within an STA, which is rare. It is an essential feature within the STA Licensing Bylaw. The final subject I must touch on today is the proposed Type E Licence or a CRU licence. CRU is the acronym for Commercial Resort Unit. For your clarity, CRU and STA are zoning definitions. They are used to label or define a rental unit however the acronym itself, in reality, describes how a property is actually used as a rental unit. Whether a property can be used as a CRU or as an STA is first determined by zoning permissions tied to the land on which the specific rental unit is located. So, as one example, a three bedroom Rivergrass unit can legally be either an STA or a CRU. So, on the land both STA or CRU use is permissible under the Zoning Bylaw (ZBL). At the end of the day, how the owner decides to manage the unit actually determines whether that example unit is an STA or a CRU. If the owner decides to manage the rental operations on their own he/she would indeed apply for and obtain an STA License. If the property owner decided to have Property Valet or BMR, manage the unit within a group of 10 or more managed units in one building or across multiple buildings then, the property itself would be defined as a CRU. For the past decade CRU's have been operating in an unlicensed environment and, it is being proposed that this now change, hence the proposal for the Type E licence. Today is not the venue for tabling policy recommendations so there shall be no deep dive about to happen. I do however wish to ask you to acknowledge and recognize that the professional vacation rental management industry, as it relates to CRU Ops management, is a highly skilled and experienced group, in Property Valet, BMR etc. My ask today is that you, as Council, direct staff to honestly, transparently and openly engage with the industry to work collaboratively to develop fair, equitable, reasonable and sensible CRU legislation. These

public-private collaborations are most often the ones that produce the outcomes that most benefit all stakeholders, the Municipality, the residents, the tourism accommodations industry, the residents and the tourists themselves. We do not recommend that legislation be crafted outside of that collaborative approach. History tells us that handling the development of new legislation without fully understanding the industry for which that legislation is intended to govern and guide never has a soft landing for any of the aforementioned stakeholders. The industry stands ready to engage today around a yet to be understood set of goals and objectives of this entire exercise of proposed revisions. There is clearly a lot of work to do on Municipal understanding and, again, the industry is here and ready to engage as a committed, knowledgeable, experienced and trusted partner.

Hai Nguyen Attended the Public Meeting on July 9, 2024

Would like to see the by-law broadened with regard to managing vexatious complaints received about the operation of Short Term Accommodations. The language in the by-law allows for either one (1) Responsible Person or two (2) Responsible Persons. Landscaping considerations for Short Term Accommodations should be left as private neighbour disputes and the proposed fine is punitive.

Betty Schiwkow Attended the Public Meeting on July 9, 2024

Operating an STA is a privilege and operators must adhere to the rules in place. All STAs, as commercial businesses, should have annual fire inspections to ensure visitor safety. Enforcement and investigative duties should remain with Town staff and/or OPP and not be provided to the Responsible Person (RP). It is important that the STA program be self-funding, including training provision for RPs. RPs should be proactively addressing issues before the neighbours are disturbed. Strong, secure and unchanging buffers between STAs and neighbouring properties is important. Do not want fire pits to be permitted at STAs for safety reasons and because they encourage late night activities outdoors. Would like outdoor activities shut down by 10:00pm and a sunset clause on all existing legal non-conforming STAs in residential areas after they are sold.

Israel Ellis Attended the Public Meeting on July 9, 2024

Co-founder of Stay At Blue Mountain, a chalet rental company. The existing STA system and by-laws are working well and the proposed changes do not recognize the hard work and partnership the Town and the STA industry share. The changes seem to favour a bias towards the STA industry and can be considered unreasonable and without cause. The new fines are punitive, with the exception of illegal operations. The proposed changes are making it difficult for the industry to operate. Would like to see the Town's statistics related to STAs. Would like to see STA operator membership in the Blue Mountains Short Term Accommodation Owners Association (BMSTA) mandatory.

Terry Keller Attended the Public Meeting on July 9, 2024

I Chair the STA Committee for the Blue Mountains Rate Payer's Association and fully support the proposed increased fines. The fines should be extended to the property management/rental group responsible for the offending STAs, not just the owner. However, if by-law enforcement is not adequate then the by-law changes will not be effective. Without consequences, the owners have no incentive to make any changes. All outdoor activities should be shut down by 10:00 p.m. in order to reduce STA noise concerns. There should be caps on the number of visitors to STAs. AMPs should escalate upon each occurrence. Grandfathering STAs is a major source of problems as they are surrounded by residential neighbours and occupancy loads for these STAs need to be reduced. If the STA does not have the available parking to match the occupancy load, the occupancy load should be reduced to match the available parking. Would like Council to direct staff to investigate why there are legal non-conforming STAs within the Town.

Josie Harper Attended the Public Meeting on July 9, 2024

As a full-time resident, I support the proposed by-law changes. Would like Council to look into the grandfathering of STAs.

Mark Badal Attended the Public meeting on July 9, 2024

In favour of the fines being proposed for the illegal STAs, however, believes raising the other fines would be punitive. Believes that outdoor cooking and bonfires should be permitted at STAs.

Mark Maskins Attended the Public Meeting on July 9, 2024

In favour of the proposed revisions. Indicated that advanced notice of the increased fines might be necessary in order to avoid potential legal challenges. Concerned with how the fire pit ban is going to be policed by the Town and if it will apply beyond STAs. Cars on streets are an issue and when an STA is being approved, parking needs to be addressed including limiting how many parking spaces allowed on the STA property and not parking in the street.

Cindy Flanagan Attended the Public Meeting on July 9, 2024

There are gaps in the STA by-laws that need to be addressed and that Official Plan policies and zoning by-law regulations, site plan control and enforcement all must align to ensure the success of the STA program. Recommended that the Town must consult with neighbouring properties before major changes to STA property site plans are undertaken. The recommended penalties for failure to seek site plan control approval are not adequate and suggested \$50,000 or \$100,000, and 15 demerit points instead of 10. Believes that commercial garbage bins should not be permitted on STA properties and that the by-law should be more specific with regard to garbage storage bin requirements and placement considerations. Illegal parking is an issue and parking management plans should require space to accommodate emergency access to the STA property. Recommended that a washroom to renter ratio should be included in the by-law and that the maximum occupancy limit of an STA be set at 16 renters. Recommended that occupancy limits be based on square footage instead of the number of bedrooms. Believes that wood burning fire pits should be banned at STA properties and that if they are permitted, they are included in the site plan and required to comply with the Town's open air burning guidelines.

Graham Flanagan Attended the Public Meeting on July 9, 2024

Recommended changing the "may be issued" wording regarding fines to "shall be issued" and that both fines and demerit points should be issued for by-law infractions instead of one or the other or warnings. Requested the Town reconsider the Responsible Person (RP) approach to by-law enforcement and recommended that the RP be removed from the STA by-law and the Town's by-law enforcement staff work past 11:00 p.m. as parties at STA properties start and continue beyond this time. Suggested that the extra enforcement costs be borne by STA licence holders through the licencing fees which should be higher. STAs should adopt a similar model to the resort and hire an independent company to monitor parking. In support of the use of noise monitoring systems, however, Noise Aware systems measure noise in decibels but does not measure tone of the sound (hertz) and are not 100% accurate. These systems can also be manipulated to give false readings. Would like to see more consultation regarding site plan controls. Recommended that the Town consider empowering their own Ombudsmen who can review the complaints of the STA licence holders or the public and further suggested the Town's Accountability and Transparency Committee start this work.

Denis Martinek – Tyrolean Village Resorts Attended the Public Meeting on July 9, 2024

BMSTA has been a part of the STA bylaw since its inception and fully supports the bylaw and the benefits it has brought to the industry and community

- 1) IN 2023 Council closed the last loophole in the official plan which potentially allowed new STA's to be created in residential neighborhoods. I believe this amendment to the OP has finally fully addressed residential residents concerns about new STA's in their neighborhoods. It is important to state that as a result of this update to the OP, a new STA can never be developed in a residential neighborhood, all new STA's are directed to the STA exemption areas identified by the Town. (Tyrolean area, North Creek Resort area and the

Condominiums around the Blue Mountain village.) Once More - a New STA can never be developed in a residential neighborhood – This is an important point when considering the update to the STA bylaw and the severity of the fines and demerit points being proposed. Given that the main concerns of residential neighborhoods has been addressed maybe the existing fines.™ demerit points are reasonable; Eg; Of P10666 fine for hot tub use instead of current P1066 fine seems excessive;

2) I WANT TO TOUCH ON WHAT IS AN STA

It is not Just accommodations for Tourists visiting the area and supporting all of our local attractions and businesses. STA's are also short term housing for Construction companies, Out of Town Contractors, The Department of National Defense sending soldiers here for Training, and the list goes on and on. A great example is the Construction company that built all of Lora Bay, the roads, water lines, sewers, they stayed with us for many months building all the infrastructure. They would check in on a Monday and go back home every Friday to be with their families for the weekend. The Town has a lot of infrastructure and housing to build in the future, STA's I am sure will play a vital role providing short term housing to these workers needed to build the infrastructure and new housing.

STAFF HOUSING

Also, more recently the Tyrolean areas, that is on full services, has developed into a provider of Staff housing. Buildings on full services are allowed switch back and forth as STA's and STAFF HOUSING. So if there is demand from Employers and servicing is in place, there is a vast pool of potential, already built, Staff Housing in the Tyrolean area.

There are currently around 250 staff housing beds in the Tyrolean area, which are the direct result of Council supporting the servicing of Arlberg Cres. and Birch View trail. Staff housing and STA's are compatible uses when located beside each other and both of these uses are very beneficial to the local economy.

The main point I want to make is that STA's should not be looked at as a bad word, they provide many different types of accommodations and short term housing that the community desperately needs. I do not think it is Council's intent to legislate STA's out of business with this new bylaw?

3) The recommendation that the new STA bylaw should include the condition: that as part of having holding an STA license you must have a contract with a licensed security company that is monitoring your property when it is rented. I have been involved in the STA business since I was around 12 years old and based on almost 50 years of experience if I had to pick one thing that makes a difference managing an STA - it is proactive security, monitoring the properties for noise, parking and garbage and talking to the guests before issues become a problem. The BMSTA members have for several years had 7 day a week security monitoring our properties and pro actively talking to the guests as they are driving around in their marked cars and uniforms. Fines and demerit points are there to be a deterrent, but nothing works like 7 day a week security and I truly believe the evidence shows that the number of fines, demerit points, warnings against licensed properties with this type of security program in place are negligible. Nothing beats a pair of eyes and ears driving around in a marked car and uniform, when it comes to making sure STA's are abiding by the bylaw. All licensed STA's should be part of this type of program so that the monthly STA bylaw stats go from miniscule to non existent.

I look forward to working with Town Staff and residents on this latest update to the bylaw to make sure it is fair and reasonable for everyone.

Additional Points mentioned:

1) Bylaw Infraction Statistics.

The bylaw statistics presented by the Ratepayers Association and the bylaw statistics the BMSTA are relying on appear to be different because there are significantly different interpretations being presented to Council. We ask for a definitive set of STA bylaw statistics to be given to the BMSTA and the Ratepayer's and that before drastic new bylaws are adopted, these statistics should be discussed with Council and Staff. The statistics should drive the bylaw update and whether such drastic fines and demerit points are warranted. The Statistics should drive the bylaw update.

2) Responsible Person.

It was suggested by some presenters that the Responsible Person function within the STA bylaw should be removed. The BMSTA strongly disagrees with this position and believes that the Responsible Person is the linchpin of the success of the STA Program over the last decade. The STA Program has been overwhelmingly successful in addressing issues with STA's in the Community and the Responsible Person function is vital for the STA program to succeed going forward.

Holly Henderson Attended the Public Meeting on July 9, 2024

Agrees with the proposed increased enforcement efforts related to illegal STA operations. However, the cumulative effect of the proposed changes will negatively impact the livelihood of those who adhere to the by-laws while operating their STA. One excessively punitive impact with fines and demerit points could wipe an operator out of a business already impacted by interest rates, climate change and the change in travel pattern since COVID. We are one of the longest standing licenced communities and should be leading the way not following those of others.

Margaret Jean Marsell Attended the Public Meeting on July 9, 2024

Believes that the proposals and increased fines are not something that a legitimate operator should be concerned about because this is intended to deter inappropriate behaviour, particularly for unlicensed operations. Overflow parking, occupancy levels and noise complaints are the biggest issues in certain areas. Recommended that the STA complaint/identifying illegal STAs process should be clearly laid out for residents.

Sean Landreth Attended the Public Meeting on July 9, 2024

I am the Founder and Chairman of Property Valet, the President of the BMSTA, Vice President of the Town of Blue Mountains Chamber of Commerce, community volunteer and home owner, and I am here today to discuss the importance of mandatory membership in the Blue Mountain Short Term Accommodation Owners Association (BMSTA) for all short-term accommodation (STA) and condo rental unit (CRU) properties in our town. The BMSTA is a dedicated committee of STA and CRU owners working collectively to enhance the standards and experiences within our industry. Our mission is clear: through advocacy and education, we strive to unite our members to provide the highest standards of short-term and vacation rental management in The Blue Mountains. This benefits not only our valued guests but also our local residents and the community at large.

Here are the key reasons why mandatory BMSTA membership is essential:

1. Standardization and Quality Control:

With BMSTA membership, all STA and CRU properties will adhere to a consistent set of high standards. This ensures a reliable and high quality experience for our guests, fostering positive reviews and repeat business.

2. Security:

Security is a top priority for the BMSTA, even though it is not currently a requirement set by the town. Our members are required to implement security measures, which is crucial for protecting guests and properties. This proactive approach not only enhances guest safety but also positively impacts the overall reputation and attractiveness of our rental properties.

3. Regulatory Compliance:

BMSTA members strictly follow the STA Bylaws set by the town and the additional guidelines established by our association. This ensures that all operations are legal and ethical, reducing the risk of fines and legal issues.

4. Community Impact:

By operating within the rules, BMSTA members contribute positively to our local community. This minimizes potential conflicts with residents and ensures that our operations are harmonious with the town's needs and expectations.

5. Revenue Generation:

BMSTA members will be the primary contributors to the Municipal Accommodation Tax (MAT). By ensuring all members collect the 4% MAT from their rentals, we can generate significant revenue for the town. To put this into perspective:

Approximate Numbers:

- STA Rental Revenue: \$27,200,000
- (340 STA's at \$80k/year approx. avg. rental revenue)
- CRU Rental Revenue: \$16,000,000
- (400 CRU's at \$40k/year approx. avg. rental revenue)
- Total Revenue: \$43,200,000
- MAT Tax (4%): \$1,728,000 annually

However, if non-members or unlicensed operators do not adhere to these standards or join our association, this potential revenue could be significantly less and so will the enjoyment of our neighbours living and staying here either short term, seasonally or all year round.

In conclusion, mandatory BMSTA membership for all STA and CRU properties will not only ensure high standards and security but also generate vital revenue for our town. By uniting under the BMSTA, we can provide a unified voice, improve guest experiences, and maintain a positive relationship with our local community. I urge the council to consider this suggestion for the benefit of The Blue Mountains, its residents, and all who visit and enjoy our beautiful community.

Administrative Monetary Penalties By-law Revisions Public Comments – July 9, 2024

The Blue Mountains Short Term Accommodation Owners Association (BMSTA), Received via email on July 5, 2024

AMPS BY-LAW

The proposed increases to the AMPS By-law are significant, in one instance an increase of 1,600% is proposed and in another instance 1,000% is proposed. In addition, fines are proposed for minor and non-consequential matters such as Failure to Post License at \$4,000, Use of Premises Contrary to Parking Management Plan at \$5,000, Failure to Properly Secure a Pool or Hot Tub Cover at \$2,500, Use of a Fire Pit without a Permit at \$5,000 and Use of a Wood or Coal BBQ at \$5,000. BMSTA made numerous submissions during the development of the Town’s current AMPS By-law with a specific focus on the AMPS fines proposed and the provisions of the Municipal Act related to an AMPS By-law:

Municipal Act.– Section 434.1 (Purpose of AMPS)

- Must assist the municipality in promoting compliance with its by-laws
- Not be punitive, and
- Shall not exceed the amount reasonably required to promote compliance with a by-law of the municipality.

In response to BMSTA’s concerns with regard to how the proposed AMPS By-law would assist the municipality in promoting compliance, that the fines not be punitive and the amount of the fines not exceeding the amount reasonably required to promote compliance, Staff Report FAF.21.098 responded as follows:

ADMINISTRATIVE MONETARY PENALTIES BY-LAW	
Comment/Question	Staff Response
Fines are punitive	Staff believe the fines are reasonable in the circumstances and relative to the income generating potential of a licensed STA unit represent a fair deterrent but are not punitive.
Fines will not promote compliance	Staff believe that compliance is sought and achieved when fines are significant enough to act as a reasonable deterrent, but not so high as to be punitive.
The Town’s development of the fine structure is not consistent with municipal best practices.	Staff believe the fine structure is fair and reasonable and further that the assessment and evaluation of fine structures must be made in consideration
	of each Municipalities unique circumstances.

As Council will note, Town staff in 2021 advised that the fine structure which was ultimately adopted by Council was »reasonable.in.the.circumstances« .and »a.fair deterrent.but.are.not.punitive« ; Now approximately 3 years post the Town’s enactment of the AMPS By-law, and with no data or statistics presented that reflect that the Town has had issue with regard to promoting compliance with the Town’s Licensing By-law, Town staff are now proposing significant and extremely punitive fines. BMSTA submits that the proposed revisions to the AMPS By-law are not consistent with the Municipal Act.

SUMMARY

BMSTA provides the following summary with regard to its comments:

- BMSTA has concerns with the proposed change to the number of licenses for which a responsible person can manage.
- BMSTA has an interest in exploring with the Town the formalization/recognition and an associated requirement being entrenched within the Licensing By-law for the provision of security firms employing licensed security personnel.
- BMSTA requests that guidelines be provided related to timelines associated with the suspension and/or revocation of licences.
- BMSTA has concerns with the number of demerit points proposed to be assigned to certain non-life safety infractions.
- BMSTA has concerns with the continued requirement for outdoor noise detection systems.
- BMSTA has concerns with the assignment of offences to owners/operators of STA's and or CRU's where guests utilize unauthorized portable wood, wood pellet or coal burning BBQs.
- BMSTA has an interest, and a need, to have further discussions with Town staff regarding the proposed Type E License.
- BMSTA submits that the fines proposed under the proposed revisions to the AMPS By-law are not supported by the Municipal Act nor documented data and/or events over the past 3 years since the current fines were set.
- BMSTA has concerns with regard to various miscellaneous matters including incorrect or incomplete references within the Draft By-laws.

BMSTA requests that Town staff be directed to meet with BMSTA and other stakeholders to further discuss the above noted matters prior to Town staff reporting back on the proposed revisions to the By-laws.

Daniel Murphy, Received via email on July 12, 2024

I and many residents who live in the Condo Townhome Development MOUNTAIN HOUSE at Windfall, are absolutely in Favor of the Short Term Rental Violation Fines, being increased to \$10,000, \$15,000 and \$20,000, for the 1st, 2nd, and 3rd Offence. We have had a problem at Mountain House, with these policies being Violated and the current Fines, do not act as a deterrent.

The Corporation of the Town of The Blue Mountains

By-Law Number 2024 – XX

Being a By-law to Regulate and License Businesses in the Town of The Blue Mountains

Whereas Section 8 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended hereinafter referred to as the “*Municipal Act*” provides that a municipality has the capacity, rights, powers, and privileges of a natural Person for the purpose of exercising the authority under the *Municipal Act*;

And Whereas Section 8 (3) of the *Municipal Act*, authorizes a municipality to provide for a system of Licences;

And Whereas Section 9 of the *Municipal Act*, provides that Section 8 and Section 11 shall be interpreted broadly so as to confer broad authority on municipalities to:

- a) enable municipalities to govern their affairs as they consider appropriate; and
- b) enhance their ability to respond to municipal issues;

And Whereas Section 11 (2), paragraph 6 of the *Municipal Act*, authorizes a municipality to pass a By-law respecting the health, safety, and well-being of Persons;

And Whereas Section 151 of the *Municipal Act*, provides that a municipality may provide for a system of Licences with respect to a business and may:

- a) prohibit the carrying on or engaging in the business without a Licence;
- b) refuse to grant a Licence or to revoke or suspend a Licence;
- c) impose conditions as a requirement of obtaining, continuing to hold or renewing a Licence;
- d) impose special conditions on a business in a class that have not been imposed on all the businesses in that class in order to obtain, continue to hold or renew a Licence;
- e) impose conditions, including special conditions, as a requirement of continuing to hold a Licence at any time during the term of the Licence; and
- f) License, regulate or govern real and personal property used for the business and the Persons carrying it on or engaged in it;

And Whereas Section 434.1 of the *Municipal Act*, provides that a municipality may require a Person to pay an Administrative Monetary Penalty if the municipality is satisfied that the Person has failed to comply with a By-law of the municipality passed under the *Municipal Act*;

And Whereas Section 23.1 of the *Municipal Act*, authorizes a municipality to delegate its powers and duties;

And Whereas the Council of the Corporation of The Town of The Blue Mountains has deemed it necessary and expedient to regulate and License the Short-Term Rental of Property in the Town of The Blue Mountains;

And Whereas the Town of The Blue Mountains has implemented a system to License the operation of Short Rental Properties in the Town of The Blue Mountains;

And Whereas the Town of The Blue Mountains wishes to continue the licensing of Short-Term Rental Properties within the context of a much broader licensing framework;

Now Therefore the Council of the Corporation of The Town of The Blue Mountains enacts as follows:

THAT by-law 2021-70 being a by-law to regulate and license businesses in the Town of The Blue Mountains, is hereby rescinded and repealed effective on **January 1, 2024.**

1.0 Definitions

In this By-law:

“Administrative Monetary Penalty” means a monetary penalty imposed for a contravention of this By-law and as set out in By-law 2021-71, as amended;

“Agent” means a Person authorized in writing by an Owner to act on the Owner’s or group of Owner’s behalf;

“Applicant” means a Person who files an application for a Licence;

“Advertising without a Licence” means advertising a rental or service on any marketing and/or media platforms without a Licence;

“Building” means a structure occupying an area greater than ten (10) square metres consisting of a wall, roof, and floor or any of them, or a structural system serving the function thereof, including all plumbing, works, fixtures and services system appurtenant thereto;

“Chief Administrative Officer” means the Chief Administrative Officer for the Town or any Person designated by the Chief Administrative Officer;

“Clerk” means the Clerk for the Town or any Person designated by the Clerk;

“Council” means Council for the Town;

“Commercial Resort Unit (CRU)” is defined through the Town’s Zoning By-law and includes the following required elements to maintain the unit classification as follows:

- a) has kitchen/bathroom facilities;
- b) is part of a rental or lease management program which consists of ten (10) CRUs or more in one or more buildings; and
- c) has a maximum owner occupation of 120 days per year;

“Corporation” means an entity that is incorporated pursuant to the Canadian Business Corporation Act and having a legal personality and existence separate and distinct from the personality and existence of those who caused its creation or those who own it. A Corporation possesses its own capacity to acquire rights and to assume liabilities, and any rights acquired, or liabilities assumed by it are not the rights or liabilities of those who control or own it. As long as an entity has such separate identity and existence, the Town will consider such entity to be a Corporation even though under some circumstances or for some purposes the law may ignore some facet of its separate existence or identity;

“Director of Community Services” means the Director of Community Services for the Town or any Person designated by the Director of Community Services or any Person designated by the Chief Administrative Officer;

“Director of Corporate and Financial Services” means the Director of Corporate and Financial Services and Treasurer for the Town or any Person designated by the Director of Corporate and Financial Services or any Person designated by the Chief Administrative Officer;

“Director of Operations” means the Director of Operations for the Town or any Person designated by the Director of Operations or any Person designated by the Chief Administrative Officer;

“Director of Planning and Building Services” means the Director of Planning and Building Services for the Town or any Person designated by the Director of Planning and Building Services or any Person designated by the Chief Administrative Officer;

“Exception Area” means a specific area of the Town as designated in Town’s Zoning By-law where Short Term Rental Units are considered a permitted use;

“Fire Chief” means the Fire Chief for the Town or any Person designated by the Fire Chief;

“Fit for Duty” means the condition of a Person who has been designated to respond and who is able to respond and being not under the influence of any legal or illegal drug, alcohol, or medication that will hinder response and resolution performance or compromise their safety or the safety of others;

“Legal Non-Conforming Use” means the use of land, a building, or a structure not permitted under the Town’s current Zoning By-law, but which was lawfully established and has been continuous since its establishment and prior to the establishment of this By-law;

“Licence” means a Licence, owned by the Town and issued to the Licensee pursuant to this By-law;

“Licence Appeals Officer” means the Person (third party), who is not an employee of the Town, and who has been appointed by Council to perform the duties of a Licence Appeals Officer and preside over the appeals process for the purposes of this By-law;

“Licence Appeals Officer Decision” means a notice that contains the decision of a Licence Appeals Officer;

“Licence Issuer” means a Town employee delegated authority by Council as the Person responsible for issuing a Licence;

“Licence Number” means a number assigned to a Licence by the Town;

“Licensee” means a Person issued a current valid Licence pursuant to this By-law;

“Noise” means any unwanted sound that is clearly audible and of such a volume that it would be likely to disturb the inhabitants of the municipality;

“Nuisance” means an activity or behavior that when consistent or repetitive causes a material inconvenience, discomfort, or damage to others, either to individuals and/or to the general public;

“Occupancy” means the number of persons that are permitted on the property as outlined on the Licence placard between the hours of 2200 and 0700;

“Officer” means a police officer, Municipal Law Enforcement Officer, Fire Inspector, Chief Building Official or their designate, or other Person appointed by By-law to enforce a designated By-law;

“Owner” means the registered owner of the lands or Premises or his or her authorized Agent that is in lawful control of the lands or Premises;

“Parking Management Plan” means a plan completed by the property owner, a licensed professional engineer, architect, landscape architect, professional planner, surveyor, draftsman, or equivalent, which shall include:

- a) the scale of the drawings in metres;
- b) the area that is designated for the parking of vehicles;
- c) the size of each parking space;

- d) the location of all driveways and access to the Premises; and,
- e) the lot lines of the Premises, including dimensions of the Premises.

“Person” includes an individual, sole proprietorship, partnership, limited partnership, trust, corporation, and an individual in his or her capacity as a trustee, executor, administrator, or other legal representative;

“Premises” means land, property or any part thereof including any and all Buildings or other structures thereon;

“Principal Residence” means a Person’s permanent lodging place to which, whenever absent they intend to return as defined by the Canadian Revenue Agency;

“Qualified Rental/Lease Management Company” means an Agency/Agent that has been qualified by the Town that provides a single point of contact for the rental of a pool of at least ten (10) Commercial Rental Units in one (1) or more buildings;

“Renter” means the Person responsible for the rental of the Premises by way of concession, permit, Licence, rental agreement or similar commercial arrangement;

“Rental or Lease Management Company” means any Person who accepts, facilitates, manages, brokers requests for, advertises, or offers Short-Term Accommodations for compensation or a fee through a website or other marketing platform;

“Responsible Person” means a Person who is identified for no more than five (5) Licences who has received the required training by the Town, is Fit for Duty, is designated by a Licensee, is over the age of eighteen (18) years and is able to respond personally to the Premises as required by the Licence;

“Town” means The Corporation of the Town of The Blue Mountains or the land within the geographic limits of The Corporation of The Town of The Blue Mountains as the context requires;

“Unacceptable Noise” means noise that is generated from a property that has been deemed unacceptable and a nuisance based on the subjectivity and opinion of an Officer who has responded or has reviewed a report that has provided evidence of an unacceptable level of noise;

“Zoning By-law” means any By-law administered by the Town pursuant to the Planning Act or a successor thereof, as may be amended from time to time.

2.0 Application and General

- 2.1 This By-law shall apply throughout the whole of the Town.
- 2.2 This By-law may be referred to as the “Licensing By-law”.
- 2.3 No Person shall own, operate, or carry on a business or activity identified in this By-law at Schedule A hereto other than in accordance with the terms and conditions of a Licence issued pursuant to the terms and conditions of this By-law.
- 2.4 No Person shall advertise, promote, broker, or offer for rent or lease any business or activity identified in this By-law without a current valid Licence and no Owner shall permit any of the foregoing without a current valid Licence.
- 2.5 No Person shall alter or modify or permit the alteration or modification of a Licence.
- 2.6 No Person shall use, or attempt to use, a Licence issued to another Person or Property.
- 2.7 No Person shall own, operate, or carry on any business or activity in any other name other than in the name that appears on the Licence.

- 2.8 Every Person who knowingly makes a false statement in an application, declaration, affidavit or paper writing required by this By-law or the Town is guilty of an offence.
- 2.9 No Person who is issued a Licence pursuant to this By-law shall contravene any provision set out in this By-law, any other municipal By-law, federal or provincial Act, Statute, or any other legislation applicable to a licensed Premises or activity.
- 2.10 No Person shall remove an order or placard posted on a Premises under this By-law, except an Officer.
- 2.11 No Person shall own, operate, or carry on a business or activity while a Licence is under an administrative suspension.
- 2.12 No Person shall cause or permit to be caused a Nuisance on a Premises.

2.13 Transition

- a) This section applies to Licences issued under By-law 2024-XX (“Existing Licence”)
- b) Upon the coming into force of this By-law, any Existing Licence shall be continued under, and subject to this By-law on the following terms:
- i. Any Existing Licence issued to a Premises within the Exception Area shall be continued as a Type A Licence
 - ii. Any Existing Licence issued to a Premises outside the Exception Area shall be continued as a Type B Licence
 - iii. Any Existing Licence issued to a Legal Non-Conforming Premises shall be continued as a Type C Licence
 - iv. Any Existing Licence issued to a Principal Residence being used as a Bed and Breakfast Establishment shall be continued as a Type D Licence
 - v. Any Licence issued to a Qualified Rental/Lease Management Company for a pool of ten (10) or more CRUs in one (1) or more buildings shall be identified as a Type E Licence
- c) Any Existing Licence which is continued under this By-law shall expire on the same date the Existing Licence was set to expire.
- d) Any business or Premises which was not previously subject to an Existing Licence shall have ninety (90) days from the coming into force of this By-law to obtain the required Licence.
- e) Any Existing Licence which is continued under this By-law shall not be subject to the Fees and Charges under this By-law until such time that a new Licence is issued under this By-law.
- f) This By-law shall come into force on the day it is passed.

3.0 Application for a Licence

- 3.1 A Person making an application for a Licence or for a renewal of a Licence shall submit:
- a) A complete application in the form provided by the Town;
 - b) When applicable, the Business Name Registration and/or Articles of Incorporation obtained from the applicable provincial or federal Ministry;
 - c) All required documents, and obtain all required approvals and inspections as outlined in the applicable Schedule to this By-law;

- d) The required Licence application fee, approval, and inspection fees.
- 3.2 Acceptance of a Licence application does not constitute approval of the application or oblige the Town to issue a Licence.
- 3.3 A Licence fee shall be paid by a Person at the time the Licence is issued by the Licence Issuer.

4.0 Licences

- 4.1 The Licence Issuer is hereby delegated authority to issue a Licence in accordance with the provisions of this By-law and the applicable Schedule(s) to this By-law.
- 4.2 The Licence Issuer is hereby delegated authority to impose additional conditions on a Licence that are reasonable and taking into consideration:
- a) the health, safety, and well-being of Persons;
 - b) the impact on a neighbouring property or neighbouring property owner;
 - c) the past conduct of an Applicant or Licensee;
 - d) the impact to the Town or the need within the Town if supported by Policy and or By-law, as approved and adopted by Town Council, if applicable.

A condition imposed under this Section may be appealed to the Licence Appeals Officer as outlined in Sections 8, 9, and 10 of this By-law.

- 4.3 A Licence issued by the Town is not transferable and non-refundable.
- 4.4 A Licence issued pursuant to this By-law is valid for a period of time as outlined in the applicable Schedule(s) to this By-law.
- 4.5 Every Licence shall remain at all times the property of the Town.
- 4.6 No Person shall enjoy a vested right in any Licence or the continuance of any Licence.
- 4.7 A Licence shall be issued by the Licence Issuer:
- a) Upon the requirements of this By-law being met;
 - b) Upon submission of the documents as required by this By-law and as outlined on the applicable Schedule(s) to this By-law;
 - c) Upon obtaining the required approvals and inspections required by this By-law and as outlined on the applicable Schedule(s) to this By-law;
- 4.8 The Licence Issuer shall not issue a Licence if the owner(s) or applicant(s) have any outstanding fines, penalties, legal costs, disbursements, Property taxes and late payment charges owing to the Town for the Property subject to the Licence application.
- 4.9 A Licence shall only be issued by the Licence Issuer to the registered Owner of the property unless otherwise required by the Schedule relating specifically to the Licence Type.
- 4.10 A Licence issued shall include the following:
- a) The municipal address;
 - b) Licence type;
 - c) Licence number;

- d) Effective date and expiry date of the Licence;
- e) Licensee name and contact information;
- f) Responsible Person name and contact information.

5.0 Licence Terms and Conditions

5.1 A Licence is subject to the terms and conditions of this By-law and the terms and conditions as set out in the applicable Schedule(s) to this By-law.

5.2 A Licensee shall notify the Town within fifteen (15) days of any changes to the:

- a) Business name;
- b) Location of the business Premise;
- c) Ownership of the business;
- d) A change in the Licensee's policy of commercial general liability insurance;

and such changes shall be subject to submission of the necessary documentation to the Town.

5.3 A Licensee shall be responsible for the act(s) and omission(s) of its employees, representatives, and agents in the carrying on of the business in the same manner and to the same extent as though the Licensee did the act(s) or omission(s).

5.4 Any record required by this By-law shall be produced by the Licensee upon request of an Officer.

6.0 Licence Administrative Suspensions

6.1 Where the Licensee's policy of commercial general liability insurance expires, is cancelled, or is otherwise terminated, then the applicable Licence shall be automatically suspended effective on the date of such expiration, cancellation, or termination and shall remain so until such insurance has been reinstated.

6.2 An administrative suspension of a Licence without a hearing shall be imposed for:

- a) Fourteen (14) days if the Town is satisfied that the continuation of the business poses an immediate danger to health and safety of any Person or to any Premises.

Before any suspension is imposed, the Town shall provide the Licensee with the reasons for the suspension, either orally or in writing, and an opportunity to respond to them.

Any suspension imposed under this section shall be effective immediately upon notification being given to the Licensee, and the Licensee having been given an opportunity to respond, and such suspension may be lifted at the discretion of the Town, upon receipt of the Licensee's response.

6.3 An administrative suspension imposed under Section 6.2 may be imposed on such conditions as the Licence Issuer considers appropriate.

7.0 Licence Grounds for Refusal, Revocation or Suspension

7.1 An Applicant or Licensee may be granted a Licence upon meeting the requirements of this By-law except where:

- a) The past or present conduct of any Person, including the Officers, Directors, Employees or Agents of a Corporation, or Agents of a Qualified Rental/Lease Management Company affords reasonable cause to believe that the Person will not

carry on or engage in the business in respect of which the application is made in accordance with the law or with honesty or integrity; or

- b) The Applicant or Licensee has past breaches or contraventions of any law or any provision of this By-law or any other municipal By-law or Provincial or Federal Statute associated with the carrying on of such business; or
 - c) The Applicant or Licensee has failed to pay an Administrative Monetary Penalty imposed by the Town or a fine or fines imposed by a Court for convictions for breach of this or any other Town By-law or provincial offence related to the licensed Premise; or
 - d) The Applicant or Licensee has failed to comply with any term, condition or direction of the Licence Issuer or Officer or has failed to permit any investigation by the Licence Issuer or Officer; or
 - e) The Applicant or Licensee has failed to comply with the requirements set out in this By-law or any of the applicable Schedules to this By-law; or
 - f) The issuing of a Licence would be contrary to the public interest with respect to health and safety, consumer protection, or nuisance control; or
 - g) The Applicant or Licensee has submitted an application or other documents to the Town containing false statements, incorrect, incomplete, or misleading information; or
 - h) The Applicant or Licensee is carrying on or engaging in activities that are, or will be, if the Applicant or Licensee is licensed, in contravention of this By-law, or any other applicable law; or
 - i) The Applicant or Licensee has not paid the required Licence fees; or
 - j) The Applicant or Licensee has accumulated fifteen (15) demerit points against the Property in accordance with Section 11.7;
 - k) the Applicant or Licensee or Owner has outstanding fines, penalties, legal costs, disbursements, Property taxes and late payment charges owing to the Town or other Government Authority for the subject Property.
- 7.2 The Licence Issuer may revoke, suspend, or refuse to issue a Licence, where the Applicant or Licensee would not be entitled to a Licence on any grounds set out in this By-law.
- 7.3 Where the application for a Licence has been revoked, suspended, or cancelled, the fees paid by the Applicant or Licensee, in respect of the Licence, shall not be refunded.
- 7.4 Where a Licence has been revoked, suspended, or cancelled, the Licensee shall return the Licence to the Licence Issuer within two (2) days of service of the notice of the decision.
- 7.5 When a revoked, suspended or cancelled Licence has not been returned, an Officer may enter upon the Premises excluding entry into a Dwelling Unit for the purpose of receiving, taking, or removing the said Licence.
- 7.6 Where an Agent of a "Qualified Rental/Lease Management Company has had a Licence revoked, suspended, or cancelled for one or more individual and or specific units within a pool of CRUs the Agent represents, where a Licence is revoked within a pool of ten (10) or more and where the revocation results in the pool being nine (9) or less shall see all licences associated with the Agent be subject to the same revocation, suspension and/or cancellations to Licences held.

8.0 Licence Grounds for Refusal, Revocation or Suspension – Right to a Hearing

- 8.1 With the exception of Section 6.2, before a Licence is refused, revoked, suspended or cancelled written notice shall be given to the Applicant or Licensee.
- 8.2 Notice shall be served to the Applicant's or Licensee's last known address or email address filed with the Town and shall:
- a) contain sufficient information to specify the nature of, or reason for, any recommendation;
 - b) inform the Applicant or Licensee of entitlement to a hearing before the Licence Appeals Officer, if a request in writing for a hearing is returned to the Clerk within fifteen (15) days after the date of service of the notice; and
 - c) inform the Applicant or Licensee that if no written request is received, the Licence Appeals Officer may proceed and make any decision with respect to the Licence.
- 8.3 On receipt of a written request for a hearing from an Applicant or Licensee, the Clerk shall:
- a) schedule a hearing; and
 - b) give the Applicant or Licensee notice of the hearing at least twenty (20) days prior to the hearing date; and
 - c) post notice of the hearing on the Town's website at least twenty (20) days prior to the hearing date.
- 8.4 Service of any notice on the Applicant or Licensee under this By-law shall be made by Personal delivery, ordinary mail, or email transmission. The notice shall be deemed to have been served on the seventh (7th) day after the day of mailing or on the date of Personal service or on the date the email is sent.

9.0 Establishment of Licence Appeals Officer

- 9.1 The Licence Appeals Officer shall hear and render decisions regarding the refusal, revocation or suspension of a Licence, and the imposing of terms and conditions on a Licence.
- 9.2 The decision of the Licence Appeals Officer shall be final and binding.
- 9.3 The Licence Appeals Officer shall not preside on an appeal that is being challenged on the Demerit Point System that they had personally presided on the same subject matter that was appealed or challenged on in the Administrative Monetary Penalty stream.

10.0 Hearing Process

- 10.1 The provisions of the *Statutory Powers and Procedures Act, R.S.O. 1990, c. S. 22*, as amended, shall apply to all hearings conducted under this By-law, and the Licence Appeals Officer may pass rules for the practice and procedure of the Officer.
- 10.2 A hearing shall be held in public or virtual, unless determined otherwise in accordance with the *Statutory Powers and Procedures Act, R.S.O. 1990, c. S. 22*, as amended, and the Licence Appeals Officer shall hear the Applicant or Licensee and every other Person who desires to be heard, and the Licence Appeals Officer may adjourn the hearing or reserve its decision.
- 10.3 No decision of the Licence Appeals Officer is valid until the decision of the Licence Appeals Officer is issued in writing and shall set out the reasons for the decision and shall be signed by the Licence Appeals Officer.

- 10.4 Any authority or permission granted by the Licence Appeals Officer may be for such time and subject to such terms and conditions as the Licence Appeals Officer considers advisable and as are set out in the decision.
- 10.5 When a Person who has been given written notice of a hearing does not attend at the appointed time and place, the Licence Appeals Officer may proceed with the hearing in their absence, and the Person shall not be entitled to any further notice of the proceedings.
- 10.6 The Clerk shall no later than ten (10) days from the making of the decision send one (1) copy of the decision to:
- a) the Applicant or Licensee; and
 - b) each person who appeared in person or by Counsel or by Agent at the hearing and who filed with the Clerk a written request for notice of the decision.

11.0 Demerit Point System

- 11.1 The Demerit Point System established on Schedule B to this By-law shall be used in the consideration of the issuing, issuing with conditions, suspension, refusal to issue and revocation of a Licence.
- 11.2 A Licensee may be assessed Demerit Point(s) as outlined in Schedule B for a contravention of this By-law or as a result of an Administrative Monetary Penalty imposed by the Town or a fine or conviction imposed by a Court for a breach of this By-law, or a By-law as identified in Schedule B.
- 11.3 A Licensee shall be given Notice forthwith upon any Demerit Points being issued against their Property. Any Demerit points issued pursuant to this By-law may be appealed to the Licence Appeals Officer in accordance with Sections 8, 9, and 10 of this By-law.
- 11.4 Subject to Section 11.2 of this By-law, Demerit Points accumulated by a Licensee shall remain in place against the Licensee for a period of two (2) years from the date the Demerit Points were imposed and confirmed.
- 11.5 Where Demerit Points have been accumulated by the Licensee and remain in place, the Licence Issuer may take into account the Demerit Points and may reduce the term of a new Licence or impose additional conditions on a new Licence, including a reduction in the maximum permitted occupancy, as if it was a condition as imposed under Section 4.2.
- 11.6 A Licence may be suspended for a period of not longer than six (6) months if the total Demerit Points in effect respecting a Licence is greater than seven (7) Demerit points.
- 11.7 A Licence may be revoked if the total of all Demerit Points in effect is greater than fourteen (14) Demerit points.
- 11.8 Notice of a suspension or revocation under this section shall be provided to the Owner or Licensee in accordance with Section 8.2 of this By-law and an Owner or Licensee may appeal the suspension or revocation in accordance with Sections 8, 9, and 10 of this By-law.

12.0 Fees

- 12.1 The fees for any Licence application, inspections and approvals required pursuant to this By-law shall be as prescribed in the Town's Fees and Charges By-law and is payable upon submission of an application.
- 12.2 The fees for any Licence to be issued pursuant to this By-law shall be as prescribed in the Town's Fees and Charges By-law and are payable upon the issuing of a Licence.

13.0 Orders

13.1 Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may make an Order requiring the Person who contravened this By-law, or who has caused or permitted the contravention, or the Owner or Licensee of the Premises on which the contravention has occurred, to discontinue the contravening activity.

13.2 An Order under Section 13.1 shall set out:

- a) reasonable particulars of the contravention adequate to identify the contravention;
- b) the location of the Premises on which the contravention occurred; and
- c) the date by which there must be compliance with the Order.

13.3 An Order to discontinue a contravening activity made under this section may be served Personally, registered mail to the last known address or by email transmission to:

- a) the Person the Officer believes contravened this By-law; and
- b) such other Persons affected by the Order as the Officer making the Order determines.

13.4 The Order shall be deemed to have been served on the seventh (7th) day after the date of mailing or on the date of Personal delivery or email transmission.

13.5 An Officer who is unable to effect service of an Order pursuant to this By-law shall place a placard containing the Order in a conspicuous place on the Premises and the placing of the placard shall be deemed to be sufficient service. The placing of the placard containing the Order shall be deemed to be served on the date of placing the placard.

13.6 Any Person who contravenes an Order under this By-law is guilty of an offence or subject to an Administrative Monetary Penalty.

14.0 Enforcement and Penalty Provisions

14.1 The enforcement of this By-law shall be conducted by an Officer.

14.2 An Officer may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not:

- a) the By-law is complied with;
- b) the Licence, or the term or condition of a Licence, or the term or condition of this By-law is complied with;
- c) the approved plans are complied with;
- d) a direction or order made under the *Municipal Act, 2001*, or this By-law is complied with.

14.3 For the purposes of an inspection under this By-law, an Officer may:

- a) require the production for inspection of documents or things relevant to the inspection;
- b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- c) require information from any Person concerning a matter related to the inspection; and

- d) alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- 14.4 All documents and records shall be kept in a good and business-like manner for review by the Officer at their request.
- 14.5 A receipt shall be provided for any document or thing removed under this By-law and the document or thing shall be promptly returned after the copies or extracts are made.
- 14.6 A sample taken under this By-law shall be divided into two parts, and one part shall be delivered to the Person from whom the sample is taken, if the Person so requests at the time the sample is taken and provides the necessary facilities.
- 14.7 If a sample is taken under this By-law and the sample has not been divided into two parts, a copy of any report on the sample shall be given to the Person from whom the sample was taken.
- 14.8 Every Person who contravenes any provision of this By-law and every director or officer of a corporation, who knowingly concurs in the contravention by a corporation is guilty of an offence and upon conviction is liable to:
- a) on a first offence, to a fine not more than \$50,000.00; and
 - b) on a second offence and each subsequent offence, to a fine of not more than \$100,000.00
- 14.9 Every Person who is issued a Part 1 offence notice or summons and is convicted is guilty of an offence under this By-law shall be subject to a fine, to a maximum as provided for in the *Provincial Offences Act, R.S.O. 1990, c. P. 33*, as amended.
- 14.10 No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power or performing a duty under this By-law.
- 14.11 Every Person who is alleged to have contravened any of the provisions of this By-law, shall identify themselves to an Officer upon request, failure to do so shall be deemed to have hindered or obstructed an Officer in the execution of his or her duties.
- 14.12 Upon conviction any penalty imposed under this By-law may be collected under the authority of the *Provincial Offences Act, R.S.O. 1990, c. P. 33*, as amended.
- 14.13 If a Person is convicted of an offence under this By-law, the court in which the conviction has been entered and any court of competent jurisdiction may, in addition to any other remedy and to any penalty imposed, make an order prohibiting the continuation or repetition of the offence by the Person convicted.

15.0 Administrative Monetary Penalties

- 15.1 Administrative Monetary Penalty By-law 2021-71, as amended, applies to this By-law.
- 15.2 Every Person who contravenes a provision of this By-law shall upon the issuing of a Penalty Notice under Administrative Monetary Penalty By-law 2021-71 is liable to pay the Town an Administrative Monetary Penalty in the amount set out in the Administrative Monetary Penalty By-law 2021-71.
- 15.3 Any Person who is issued a Penalty Notice for a contravention of this By-law under the Administrative Monetary Penalty By-law 2021-71, as amended, shall not be charged under the *Provincial Offences Act* for the same contravention.

16.0 Severability

If a court of competent jurisdiction declares any section or part of this By-law invalid, it is the intention of Council of the Town that the remainder of this By-law shall continue in force unless the court makes an order to the contrary.

17.0 Singular and Plural Use

In this By-law, unless the context otherwise requires words importing the singular shall include the plural and use of the masculine shall include the feminine, where applicable.

18.0 Schedules

The Schedules attached to this By-law form part of this By-law.

And Further that this By-law shall come into force and take effect upon the enactment thereof.
Enacted and passed this _____ day of _____, 2025.

Andrea Matrosovs, Mayor

Corrina Giles, Town Clerk

Town of The Blue Mountains
Schedule A of By-law No. 2024-XX

Licensing Types

Type A	Short Term Rental Property Licence within the Exception Area as prescribed in Schedule C to this By-law
Type B	Short Term Rental Property Licence as prescribed in Schedule D to this By-law
Type C	Legal Non-Conforming Short Term Rental Property Licence as prescribed in Schedule E to this By-law
Type D	Bed and Breakfast Property Licence as prescribed in Schedule F to this By-law
Type E	Commercial Rental Unit Rental Group Licence as prescribed in Schedule G to this By-law

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Town of The Blue Mountains

Schedule B of By-law No. 2024-XX

Short Form Wordings and Associated Demerit Points

For the purpose of Section 11 of this By-law:

- a) the Designated Provisions column in the following table lists the provisions of this By-law that are hereby designated as being subject to the Demerit Point System;
- b) the Short Form Wording column in the following table sets out the nature of the violation;
- c) the Demerit Points column in the following table sets out the Demerit Points imposed for a contravention of this By-law, or for a Conviction under a Town By-law pursuant to a Licence, and as referenced in the below chart.
- d) For greater certainty, Conviction means a fine, charge, or conviction has been entered pursuant to Part I or Part III of the Provincial Offences Act or in the Ontario Court of Justice, and the time for appealing said fine, charge, or conviction has expired.

Item	Section	Short Form Wording	Demerit Points
1	Type A, B, C, E Licence - Section 2.4	Exceed Maximum permitted occupancy between 2200 and 0700 hours	3
2	Type A, B, C, E Licence - Section 2.4	Second or subsequent offence for exceeding maximum permitted occupancy between 2200 and 0700 hours	8
3	Type A, B, C Licence - Section 2.9	Term and Condition of Licence - Non-availability of Responsible Person	5
4	Type A, B, C, E Licence - Section 2.7 Type D Licence - Section 2.5	Waste Collection By-law (as amended) Conviction related to Premises	5
5	Type A, B, C, E Licence - Section 2.7 Type D Licence - Section 2.5	Property Standards By-law (as amended) Conviction related to Premises	5
6	Type A, B, C, E Licence - Section 2.7 Type D Licence - Section 2.5	Noise By-law (as amended) Conviction related to Premises	5
7	Type A, B, C, E Licence - Section 2.7 Type D Licence - Section 2.5	Second or subsequent contravention related to the Premises under the Noise, Waste Collection or Property Standards By-laws	10
8	Type A, B, C, E Licence - Section 2.6 Type D Licence - Section 2.5	Fail to post Licence	3
9	Type A, B, C, E Licence - Section 2.7 Type D Licence - Section 2.5	Advertising without a Town Licence number being included in Advertisement	3
10	Type D Licence - Section 2.5	Failure of the Licensee to be on site during the stay of a renter during the hours of 2200 and 0700 hours	10

Item	Section	Short Form Wording	Demerit Points
11	Type A, B, C, E Licence - Section 2.7 Type D Licence - Section 2.5	Permitting an activity that causes a Nuisance	5
12	Type A, B, C, E Licence - Section 2.7	Using or permitting Premises to be used contrary to Parking Management Plan	5
13	Type A, B, C Licence - Section 2.7	Operating without functioning noise notification system where required	5
14	Type A, B, C, Licence - Section 2.7	Permit the operation or occupation of an outdoor hot tub or outdoor pool outside the hours of 0700 and 2300	6
15	Type A, B, C Licence - Section 2.7	Failure to properly or adequately secure a Pool or Hot Tub	3
16	Type A, B, C Licence - Section 2.7	Ignite or permit the ignition of solid fuel or the provision of a solid fuel fire pit on the property	10
17	Building Code	Building Code Act (construction without a permit) Conviction	7
18	Type A, B, C, E Licence - Section 2.2 Type D Licence - Section 2.3	Fire and Life Safety Protection and Prevention	15
19	Type A, B, C, E Licence - Section 2.2	Failure to maintain interconnected smoke alarms or carbon monoxide alarms in operating condition	15
20	Type A, B, C, E Licence - Section 2.2	Failure to document testing of smoke alarms or carbon monoxide alarms on tenancy change	15
21	Type A, B, C, E Licence - Section 2.2	Failure to maintain all exits and egress points	15
22	Type A, B, C, E Licence - Section 2.2	Failure to maintain fire extinguishers in operating condition	15
23	Type A, B, C, Licence - Section 2.6	Failure to post current responsible person on posted STA licence	5
24	Type A, B, C, E Licence - Section 2.2	Unattended propane/natural gas fuel burning or barbeque cooking	10
25	Type A, B, C, D, E Licence – Section 13 of this By-law	Failure to comply with an Order	10
26	Type A, B, D Licence - Section 2.1 Type C Licence - Section 2.2	Modifying any aspect of an approved site plan without receiving formal approval by the Town through an amended and updated Licence being issued by the Licence issuer	10
27	Type A, B, C, D, E Licence - Section 2.7	Obstruction of an Officer to permit both internal and exterior access to a property that has a Municipal Licence	15
28	Type A, B, C, D, E Licence - Section 14.10 of this By-law	No person shall hinder or obstruct, or attempt to hinder or obstruct any officer exercising a power or performing a duty under this By-law	10
29	Type A, B, C Licence - Section 2.7	Use of Barbeque that is fueled by Propane or Natural Gas and is located on the property that does not comply with the approved site plan	10

Town of The Blue Mountains
Schedule C of By-law No. 2024-XX

Type A Licence

Short Term Rental Property Licence within the Exception Area

In this Schedule C of the By-law:

1.0 Definitions

"Barbeque" means a CSA approved device that is meant to cook food by applying heat by grilling, smoking and shall only be fueled by Propane or Natural Gas and shall not be heated by solid fuel;

"Bedroom" means a room, separated from the common living area(s) of the Short-Term Rental Property Unit which is equipped with a sleeping type bed and a closable, latching door for privacy. A Bedroom shall further meet the requirements for natural light as set out in the Ontario Building Code, and if located in a basement, must provide for adequate means of egress, as approved by the Fire Department;

"Dwelling Unit" means a suite operated as a housekeeping unit, used, or intended to be used by one or more Persons and usually containing cooking, eating, living, sleeping and sanitary facilities;

"Exception Area" means a specific area of the Town as designated in the Town's Zoning By-law;

"Maximum Occupancy" means the maximum number of occupants permitted on the Premises between the hours of 2200 to 0700 in accordance with the Type A licence;

"Renter's Code" means a document prepared by the Owner that:

- a) sets out the roles and responsibilities of a Renter including behavior expectations as they relate to causing a disturbance;
- b) provides a written warning related to the making of a disturbance;
- c) identifies the Town By-laws and the provisions of the Town By-laws to be complied with;
- d) includes the number of vehicles permitted to be parked on the property;

"Responsible Person" means a Person who is identified for no more than five (5) Licences who has received the required training by the Town, is Fit for Duty, is designated by a Licensee, is over the age of eighteen (18) years and is able to respond personally to the Premises as required by the Licence;

"Short Term Rental Property Unit" or "STRPU" means a Building or structure, or any part thereof being used for the habitation of tenants of that temporary residence, lodging or occupancy by way of concession, permit, lease, Licence, rental agreement, or similar commercial arrangement for any period less than thirty (30) consecutive calendar days, throughout all or any part of a calendar year;

"Solid Fuel" means various types of solid materials such as wood and by-products of wood such as firewood, wood pellets, coal, and charcoal.

"Type A" means a Licence for a Short-Term Rental Property Unit in an Exception Area in the Town's Zoning By-law;

2.0 Terms and Conditions

2.1 This Type A Licence is a License to operate a Short-Term Rental Property Unit in the Exception Area. In addition to the licensing requirements set out in this By-law an Applicant or Licensee for a Type A Licence, shall submit the following:

- a) Approved and acknowledged formal Attestation Form or approved fire inspection report:
 - i. Attestation Form required for occupancies up to and including 11 persons;
 - ii. Approved fire inspection report required for occupancies of 12 or more persons;
- b) a Renter's Code;
- c) proof of insurance by way of certificate of insurance showing a minimum limit of two million dollars (\$2,000,000) in commercial general liability for a rental property for the term of the Licence with an endorsement that notice in writing at least thirty (30) days prior to cancellation, expiration, or variation thereof will be given to the Town by the insurance underwriter;
- d) acknowledgement and consent to the posting of the following information on the Town's website:
 - i. the municipal address of the Premises;
 - ii. the legal description of the Premises;
 - iii. the contact information for the owner, agent, applicant and Responsible Person;
- e) certificate from a Licensed Electrician dated within the previous ninety (90) days of making applications for a Licence stating the Premises are in compliance with the Electrical Safety Code.
- f) The Parking Management Plan
- g) A current property site plan that identifies the current vegetation and buffers between properties, all structures, and any other amenities such as pools, hot tubs, saunas, Barbecues, or other permanent amenities that provide opportunities for outdoor activities.

2.2 In addition to the licensing requirements set out in Section 3 of the General Provisions of this By-law the issuing of a Type A Licence is subject to the following:

- a) compliance with the Town's Zoning By-law;
- b) complete fire safety requirements checklist;
- c) compliance with the Fire Code;
- d) posting of Fire Safety Instructions that is plaqued or framed, that depicts the location of each bedroom, smoke alarm, carbon monoxide alarm, extinguisher, exit/egress doors or windows on the Premises to the satisfaction of the Town;
- e) confirmation that the owner(s) and applicant(s) have no outstanding fines, penalties, legal costs, disbursements, property taxes and late payment charges owing to the Town for the subject property.

2.3 A Type A Licence is valid for a period of 24 months, or longer at the Town's sole discretion from the date on which it is issued. For additional clarity, if a Licence is issued for greater

than 24 months, the STRPU shall be subject to pro-rated fees and charges for the extended term of the Licence.

2.4 The Maximum Occupancy within a dwelling unit for a Type A Licence shall be calculated as follows:

- a) two (2) Persons per Bedroom as defined in this By-law;
- b) and up to four (4) additional Persons where approved by Town staff through the licensing application process.

2.5 The maximum occupancy calculated under Section 2.4 of this Schedule C of this By-law may be reduced by the Licence Issuer taking into consideration the number of approved parking spaces in the Parking Management Plan, or occupancy load issues identified by a fire inspector

2.6 A Licensee of a Type A Licence shall:

- a) be the registered owner of the Property;
- b) provide and maintain on the Premises an enclosed Building, structure, or container for the disposal of garbage and waste. Enclosed meaning a non-transparent barrier on all four (4) sides of the enclosure and requiring a doorway that can be opened and closed for access and must be closed by manual latch to close securely when not being accessed for garbage;
- c) designate a Responsible Person;
- d) display the Licence that includes all current information in a conspicuous place on the licensed Premises in close proximity to the entrance of the Property and visible to the public at all times;
- e) display the Licence in a prominent place on the interior of the licensed premises; and,
- f) post the fire safety instructions next to the Licence displayed on the interior of the licensed premises.

2.7 Every Person who owns or operates a Short-Term Rental Property Unit under a Type A Licence shall:

- a) operate the Premises in accordance with the approved:
 - i. Renter's Code;
 - ii. Parking Management Plan;
 - iii. maximum occupancy calculation;
 - iv. Property Site Plan
 - v. Approved and acknowledged formal Attestation Form and/or approved fire safety plan
- b) operate the Premises in accordance with the Town's:
 - i. Property Standards By-law;
 - ii. Waste Collection By-law;
 - iii. Noise By-law;
 - iv. any other By-law and the Ontario Human Rights Code;
- c) provide adequate measures for the storage and disposal of waste in accordance with this By-law and keep the Premises in a clean and sanitary condition;

- d) provide sufficient levels of illumination to facilitate the safe passage of occupants to the satisfaction of the Fire Chief;
- e) not make, cause, or permit a disturbance or Nuisance;
- f) provide the Renter with a copy of the Renter's Code and require the documented signature of the Renter
- g) ensure that the renter's code is included in all website and social media materials that references the renting of the type A licenced property;
- h) keep a written record of the following:
 - i. the date of entry;
 - ii. the length of stay of a Renter;
 - iii. the home address of a Renter;
 - iv. confirmation including the date of receipt of the Renter's Code by the Renter;
 - v. the dates on which smoke and carbon monoxide alarms were tested, batteries replaced, or units replaced;
 - vi. the dates on which fire extinguishers are checked or maintained;
 - vii. the dates on which exit, and emergency lighting is checked or maintained;
 - viii. annual gas or wood fired appliances, chimneys, vents, and flue inspections.
- i) maintain the records required by subsection (h) for a minimum of two (2) years;
- j) include the valid current Licence Number on all:
 - i. advertisement and promotional materials;
 - ii. website;
 - iii. contracts and agreements entered into with a Renter;
- k) noise detection systems are installed in accordance with the following:
 - i. at least one (1) noise detection system is installed indoors, and one (1) noise detection system is installed outdoors with additional noise detection systems being required at the discretion of the Town through the application process;
 - ii. are located and installed in such a way as to limit the ability to tamper with the devices or manipulate the readings;
 - iii. are fully operational and monitored at all times;
 - iv. the listing of Town approved and authorized noise detection monitoring systems will be provided to applicants at time of receiving the required application materials;
- l) not permit the use or occupation of an outdoor hot tub and or outdoor pool outside the hours of 0700 to 2300 exclusively;
- m) ensure that hot tubs are covered and secured when not in use, and pools are properly secured at all times;
- n) not permit the ignition of any outdoor open flame fire other than an approved outdoor Barbeque for the purposes of preparing and cooking of food;

- o) not permit the placement, installation, or provision of a fire pit or area that would provide for a location to burn any solid fuel;
- p) ensure the Responsible Person shall provide access by an Officer for the purpose of inspection to both the interior and exterior at any time and requires the response of the responsible person as set out in Section 2.9 of this Schedule.

2.8 A Responsible Person and/or Rental or Lease Management Program Representative, as applicable, shall be responsible for the operation of the Premises, the conduct of the Renter and the occupants of the Premises.

2.9 A Responsible Person and/or Rental or Lease Management Program Representative, as applicable, shall be available by telephone, 24 hours a day, 7 days a week to attend a licensed Premises within ½ hour of being contacted or notified by the Town or an authorized agent or representative of the Town or an Officer.

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Town of The Blue Mountains
Schedule D of By-law No. 2024-XX

Type B Licence

Short Term Rental Property Licence Outside of the Exception Area

1.0 Definitions

In this Schedule D of the By-law:

"Barbeque" means a CSA approved device that is meant to cook food by applying heat by grilling, smoking and shall only be fueled by Propane or Natural Gas and shall not be heated by Charcoal or wood pellets;

"Bedroom" means a room, separated from the common living area(s) of the Short-Term Rental Property Unit which is equipped with a sleeping type bed and a closable, latching door for privacy. A Bedroom shall further meet the requirements for natural light as set out in the Ontario Building Code, and if located in a basement, must provide for adequate means of egress, as approved by the Fire Department;

"Dwelling Unit" means a suite operated as a housekeeping unit, used, or intended to be used by one or more Persons and usually containing cooking, eating, living, sleeping and sanitary facilities;

"Maximum Occupancy" means the maximum number of occupants permitted on the Premises between the hours of 2200 to 0700;

"Responsible Person" means a Person who is identified for no more than five (5) Licences who has received the required training by the Town, is Fit for Duty, is designated by a Licensee, is over the age of eighteen (18) years and is able to respond personally to the Premises as required by the Licence;

"Renter's Code" means a document prepared by the Owner that:

- a) sets out the roles and responsibilities of a Renter including behavior expectations as they relate to causing a disturbance;
- b) provides a written warning related to the making of a disturbance;
- c) identifies the Town By-laws and the provisions of the Town By-laws to be complied with;
- d) includes the number of vehicles permitted to be parked on the property;

"Short Term Rental Property Unit" or "STRPU" means a Building or structure, or any part thereof being used for the habitation of tenants of that temporary residence, lodging or occupancy by way of concession, permit, lease, Licence, rental agreement, or similar commercial arrangement for any period less than thirty (30) consecutive calendar days, throughout all or any part of a calendar year;

"Solid Fuel" means various types of solid materials such as wood and by-products of wood such as firewood, wood pellets, coal, and charcoal.;

"Type B Licence" means a Licence for a Short-Term Rental Property Unit outside an Exception Area in the Town's Zoning By-law that was issued prior to 2024.

2.0 Terms and Conditions

2.1 This Type-B Licence is a License to operate a Short-Term Rental Property Unit outside of the Exception Area. In addition to the licensing requirements set out in this By-law an Applicant or Licensee for a Type B Licence shall submit the following:

- a) Approved and acknowledged formal Attestation Form or approved fire inspection report:
 - i. Attestation Form required for occupancies up to and including 11 persons;
 - ii. Approved fire inspection report required for occupancies of 12 or more persons;
- b) a Renter's Code;
- c) proof of insurance by way of certificate of insurance showing a minimum limit of two million dollars (\$2,000,000) in commercial general liability for a rental property for the term of the Licence with an endorsement that notice in writing at least thirty (30) days prior to cancellation, expiration, or variation thereof will be given to the Town by the insurance underwriter;
- d) acknowledgement and consent to the posting of the following information on the Town's website:
 - i. the municipal address of the Premises;
 - ii. the legal description of the Premises;
 - iii. the contact information for the Owner, Agent, Applicant and Responsible Person;
- e) certificate from a Licensed Electrician dated within the previous ninety (90) days of making applications for a Licence stating the Premises are in compliance with the Electrical Safety Code.
- f) The Parking Management Plan
- g) A current property site plan that identifies the current vegetation and buffers between properties, all structures, and any other amenities such as pools, hot tubs, saunas, Barbecues, or other permanent amenities that provide opportunities for outdoor activities.

2.2 In addition to the licensing requirements set out in Section 3 of the General Provisions of this By-law the issuing of a Type B Licence is subject to the following:

- a) compliance with the Town's Zoning By-law;
- b) complete fire safety requirements checklist;
- c) compliance with the Fire Code;
- d) posting of Fire Safety Instructions that is plaqued or framed, that depicts the location of each Bedroom, smoke alarm, carbon monoxide alarm, extinguisher, exit/egress doors or windows on the Premises to the satisfaction of the Town; and
- e) confirmation that the Owner(s) and Applicant(s) have no outstanding fines, penalties, legal costs, disbursements, property taxes and late payment charges owing to the Town for the subject property.

- 2.3 In addition to the licensing requirements set out in Section 3 of the general provisions of this by-law, the issuing of a Type B Licence is subject to the following:
- a) A Type B Licence is valid for a period of twenty-four (24) months, or longer at the Town's sole discretion from the date on which it is issued;
 - b) If a Licence is issued for greater than twenty-four (24) months, the Short Term Rental Property Unit shall be subject to pro-rated fees and charges for the extended term of the Licence;
 - c) a Type B Licence may only be issued by the Licence Issuer where the applicant has a current valid Licence issued prior to December 31, 2023;
- 2.4 The Maximum Occupancy within a Dwelling Unit for a Type B Licence be calculated as follows:
- a) the number permitted under the Town's Zoning By-law; and
 - b) in any event the Maximum Occupancy shall not exceed:
 - i. two (2) Persons per Bedroom as defined in this By-law; and
 - ii. four (4) additional Persons where approved by Town staff through the licensing application process.
- 2.5 The Maximum Occupancy calculated under Section 2.4 of this Schedule D of this By-Law may be reduced by the Licence Issuer taking into consideration the number of approved parking spaces in the Parking Management Plan, or occupancy load issues identified by a fire inspector
- 2.6 A Licensee of a Type B Licence shall:
- a) be the registered owner of the Property;
 - b) provide and maintain on the Premises an enclosed Building, structure, or container for the disposal of garbage and waste. Enclosed meaning a non-transparent barrier on all four (4) sides of the enclosure and requiring a doorway that can be opened and closed for access and must be closed by manual latch to close securely when not being accessed for garbage;
 - c) designate a Responsible Person;
 - d) display the Licence including all current information in a conspicuous place on the licensed Premises in close proximity to the entrance of the Property and visible to the public at all times;
 - e) display the Licence in a prominent place on the interior of the licensed Premises; and,
 - f) post the fire safety instructions next to the Licence displayed on the interior of the licensed Premises;
- 2.7 Every Person who owns or operates under a Type B Licence shall:
- a) operate the Premises in accordance with the approved:
 - i. Renter's Code;
 - ii. Parking Management Plan;
 - iii. maximum occupancy calculation;
 - iv. Property Site Plan

- v. Approved and acknowledged formal Attestation Form and/or approved fire safety plan
- b) operate the Premises in accordance with the Town's:
- i. Property Standards By-law;
 - ii. Waste Collection By-law;
 - iii. Noise By-law;
 - iv. any other By-law and the Ontario Human Rights Code;
- c) provide adequate measures for the storage and disposal of waste in accordance with this By-law and keep the Premises in a clean and sanitary condition;
- d) provide sufficient levels of illumination to facilitate the safe passage of occupants to the satisfaction of the Fire Chief;
- e) not make, cause, or permit a disturbance or Nuisance;
- f) provide the Renter with a copy of the Renter's Code;
- g) Ensure that the Renter's Code is included in all website and social media materials that references the renting of the type B licenced property;
- h) keep a written record of the following:
- i. the date of entry;
 - ii. the length of stay of a Renter;
 - iii. the home address of a Renter;
 - iv. confirmation including the date of receipt of the Renter's Code by the Renter;
 - v. the dates on which smoke and carbon monoxide alarms were tested, batteries replaced, or units replaced;
 - vi. the dates on which fire extinguishers are checked or maintained;
 - vii. the dates on which exit, and emergency lighting is checked or maintained;
 - viii. annual gas or wood fired appliances, chimneys, vents, and flue inspections.
- i) maintain the records required by subsection (h) for a minimum of two (2) years;
- j) include the valid current Licence Number on all:
- i. advertisement and promotional materials;
 - ii. website;
 - iii. contracts and agreements entered into with a Renter;
- k) noise detection systems are installed in accordance with the following:
- i. at least one (1) noise detection system is installed indoors, and one (1) noise detection system is installed outdoors with additional noise detection systems being required at the discretion of the Town through the application process;
 - ii. are located and installed in such a way as to limit the ability to tamper with the devices or manipulate the readings;

iii. are fully operational and monitored at all times;

iv. the listing of Town approved and authorized noise detection monitoring systems will be provided to applicants at time of receiving the required application materials;

- l) not permit the use or occupation of an outdoor hot tub and or outdoor pool outside of the hours of 0700 to 2300 exclusively.
- m) ensure that hot tub is covered and secured when not in use, and pools are properly secured at all times.
- n) not permit the ignition of any outdoor fire other than an approved outdoor Barbeque for the purposes of preparing or cooking of food unless authorized by formal permit provided by The Blue Mountains Fire Department as part of the Licensing process.
- o) not permit the placement, installation, or provision of a fire pit or area that would provide for a location to burn any combustible or non-combustible materials.
- p) ensure the Responsible Person shall provide access by an Officer for the purpose of inspection to both the interior and exterior at any time and requires the response of the responsible person as set out in Section 2.9 of this Schedule.

2.8 A Responsible Person and/or Rental or Lease Management Program Representative, as applicable, shall be responsible for the operation of the Premises, the conduct of the Renter and the occupants of the Premises.

2.9 A Responsible Person and/or Rental or Lease Management Program Representative, as applicable, shall be available by telephone, 24 hours a day, 7 days a week to attend a licensed Premises within ½ hour of being contacted or notified by the Town or an authorized agent or representative of the Town or an Officer.

Town of The Blue Mountains
Schedule E of By-law No. 2024-XX

Type C Licence

Legal Non-Conforming Short Term Rental Property Licence

1.0 Definitions

In this Schedule E of the By-law:

“Barbeque” means a CSA approved device that is meant to cook food by applying heat by grilling, smoking and shall only be fueled by Propane or Natural Gas and shall not be heated by Charcoal or wood pellet;

“Bedroom” means a room, separated from the common living area(s) of the Short-Term Rental Property Unit which is equipped with a sleeping type bed and a closable, latching door for privacy. A Bedroom shall further meet the requirements for natural light as set out in the Ontario Building Code, and if located in a basement, must provide for adequate means of egress, as approved by the Fire Department;

“Dwelling Unit” means a suite operated as a housekeeping unit, used, or intended to be used by one or more Persons and usually containing cooking, eating, living, sleeping and sanitary facilities;

“Maximum Occupancy” means the maximum number of occupants permitted on the Premises between the hours of 2200 to 0700;

“Responsible Person” means a Person who is identified for no more than five (5) Licences who has received the required training by the Town, is Fit for Duty, is designated by a Licensee, is over the age of eighteen (18) years and is able to respond personally to the Premises as required by the Licence;

“Renter’s Code” means a document prepared by the Owner that:

- a) sets out the roles and responsibilities of a Renter including behavior expectations as they relate to causing a disturbance;
- b) provides a written warning related to the making of a disturbance;
- c) identifies the Town By-laws and the provisions of the Town By-laws to be complied with;
- d) includes the number of vehicles permitted to be parked on the property;

“Short Term Rental Property Unit” or **“STRPU”** means a Building or structure, or any part thereof being used for the habitation of tenants of that temporary residence, lodging or occupancy by way of concession, permit, lease, Licence, rental agreement, or similar commercial arrangement for any period less than thirty (30) consecutive calendar days, throughout all or any part of a calendar year;

“Solid Fuel” means various types of solid materials such as wood and by-products of wood such as firewood, wood pellets, coal, and charcoal.

“Type C Licence” means a Licence for a Short-Term Rental Property Unit for a Legal Non-Conforming Short Term Rental Property Unit;

2.0 Terms and Conditions

2.1 This Type C Licence is a License to operate a Legal Non-Conforming Short Term Rental Property Unit.

2.2 In addition to the licensing requirements set out in this By-law an Applicant or Licensee for a Type C Licence shall submit the following:

- a) Approved and acknowledged formal Attestation Form or approved fire inspection report:
 - i. Attestation Form required for occupancies up to and including eleven (11) persons;
 - ii. Approved fire inspection report required for occupancies of twelve (12) or more persons;
- b) a Renter's Code;
- c) proof of insurance by way of certificate of insurance showing a minimum limit of two million dollars (\$2,000,000) in commercial general liability for a rental property the term of the Licence with an endorsement that notice in writing at least thirty (30) days prior to cancellation, expiration, or variation thereof will be given to the Town by the insurance underwriter;
- d) acknowledgement and consent to the posting of the following information on the Town's website:
 - i. the municipal address of the Premises;
 - ii. the legal description of the Premises;
 - iii. the contact information for the Owner, Agent, Applicant and Responsible Person;
- e) certificate from a Licensed Electrician dated within the previous ninety (90) days of making applications for a Licence stating the Premises are in compliance with the Electrical Safety Code;
- f) a valid current Licence issued under the previous By-law that has not expired.
- g) The Parking Management Plan
- h) A current property site plan that identifies the current vegetation and buffers between properties, all structures, and any other amenities such as pools, hot tubs, saunas, Barbecues, or other permanent amenities that provide opportunities for outdoor activities.

2.3 In addition to the licensing requirements set out in Section 3 of the General Provisions of this By-law the issuing of a Type C Licence is subject to the following:

- a) a Type C Licence may only be issued by the Licence Issuer where the applicant has a current valid Licence issued prior to December 31, 2019;
- b) complete fire safety requirements checklist;
- c) compliance with the Fire Code;
- d) posting of Fire Safety Instructions that is plaqued or framed, that depicts the location of each Bedroom, smoke alarm, carbon monoxide alarm, extinguisher, exit/egress doors or windows on the Premises to the satisfaction of the Town; and,
- e) confirmation that the Owner(s) and Applicant(s) have no outstanding fines, penalties, legal costs, disbursements, property taxes and late payment charges owing to the Town for the subject property.

- 2.4 The Maximum Occupancy within a Dwelling Unit subject to a Type C Licence shall be calculated as identified by the Town as part of the Legal Non-Conforming review process.
- 2.5 The Maximum Occupancy may be reduced at the direction of the Fire Chief or their designate if, in the opinion of the Fire Chief or their designate, the Maximum Occupancy as calculated in this section presents a life safety risk.
- 2.6 A Type C Licence is valid for a period of twenty-four (24) months, or longer at the Town's sole discretion from the date on which it is issued. For additional clarity, if a Licence is issued for greater than twenty-four (24) months, the STRPU shall be subject to pro-rated fees and charges for the extended term of the Licence.
- 2.7 A Licensee of a Type C Licence shall:
- a) be the registered owner of the Property;
 - b) provide and maintain on the Premises an enclosed Building, structure, or container for the disposal of garbage and waste. Enclosed meaning a non-transparent barrier on all four (4) sides of the enclosure and requiring a doorway that can be opened and closed for access and must be closed by manual latch to close securely when not being accessed for garbage;
 - c) designate a Responsible Person;
 - d) display the Licence including all current information in a conspicuous place on the licensed Premises in close proximity to the entrance of the Property and visible to the public at all times;
 - e) display the Licence in a prominent place on the interior of the licensed Premises; and,
 - f) post the fire safety instructions next to the Licence displayed on the interior of the licensed Premises.
- 2.8 Every Person who owns or operates a Type C Licence shall:
- a) operate the Premises in accordance with the approved:
 - i. Renter's Code;
 - ii. Parking Management Plan;
 - iii. maximum occupancy calculation;
 - iv. Property Site Plan;
 - v. Approved and acknowledged formal Attestation Form and/or approved fire safety plan;
 - b) operate the Premises in accordance with the Town's:
 - i. Property Standards By-law;
 - ii. Waste Collection By-law;
 - iii. Noise By-law;
 - iv. any other By-law and the Ontario Human Rights Code;
 - c) provide adequate measures for the storage and disposal of waste in accordance with this By-law and keep the Premises in a clean and sanitary condition;
 - d) provide sufficient levels of illumination to facilitate the safe passage of occupants to the satisfaction of the Fire Chief;
 - e) not make, cause, or permit a disturbance or Nuisance;

- f) provide the Renter with a copy of the Renter's Code;
- g) Ensure that the Renter's Code is included in all website and social media materials that references the renting of the Type C Licensed property;
- h) keep a written record of the following:
 - i. the date of entry;
 - ii. the length of stay of a Renter;
 - iii. the home address of a Renter;
 - iv. confirmation including the date of receipt of the Renter's Code by the Renter;
 - v. the dates on which smoke and carbon monoxide alarms were tested, batteries replaced, or units replaced;
 - vi. the dates on which fire extinguishers are checked or maintained;
 - vii. the dates on which exit, and emergency lighting is checked or maintained;
 - viii. annual gas or wood fired appliances, chimneys, vents, and flue inspections.
- i) maintain the records required by subsection (h) for a minimum of two (2) years;
- j) include the valid current Licence Number on all:
 - i. advertisement and promotional materials;
 - ii. website;
 - iii. contracts and agreements entered into with a Renter.
- k) noise detection systems are installed in accordance with the following:
 - i. at least one (1) noise detection system is installed indoors, and one (1) noise detection system is installed outdoors with additional noise detection systems being required at the discretion of the Town through the application process;
 - ii. are located and installed in such a way as to limit the ability to tamper with the devices or manipulate the readings;
 - iii. are fully operational and monitored at all times;
 - iv. the listing of Town approved and authorized noise detection monitoring systems will be provided to applicants at time of receiving the required application materials;
- l) not permit the use or occupation of an outdoor hot tub and or outdoor pool outside of the hours of 0700 to 2300 exclusively.
- m) ensure that hot tub is covered and secured when not in use, and pools are properly secured at all times.
- n) not permit the ignition of any outdoor open flame fire other than an approved outdoor Barbeque for the purposes of preparing or cooking of food.
- o) not permit the placement, installation, or provision of a fire pit or area that would provide for a location to burn any Solid Fuel combustible or non-combustible materials.

p) ensure the Responsible Person shall provide access by an Officer for the purpose of inspection to both the interior and exterior at any time and requires the response of the responsible person as set out in Section 2.9 of this Schedule

2.9 A Responsible Person and/or Rental or Lease Management Program Representative, as applicable, shall be responsible for the operation of the Premises, the conduct of the Renter and the occupants of the Premises.

2.10 A Responsible Person and/or Rental or Lease Management Program Representative, as applicable, shall be available by telephone, 24 hours a day, 7 days a week to attend a licensed Premises within ½ hour of being contacted or notified by the Town or an authorized agent or representative of the Town or an Officer.

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Town of The Blue Mountains

Schedule F of By-law No. 2024-XX

Type D Licence

Bed and Breakfast Licence

1.0 Definitions

In this Schedule F of the By-law:

“Bedroom” means a room separated from the common living area(s) of the Bed and Breakfast which is equipped with a sleeping type bed and a closable, latching door for privacy. A Bedroom shall further meet the requirements for natural light as set out in the Ontario Building Code, and if located in a basement, must provide for adequate means of egress, as approved by the Fire Department;

“Bed and Breakfast Establishment” or **“B & B”** means a Building used as a residence that operates or offers no more than three guest rooms as places or temporary residence, lodging or occupancy by way of concession, permit, lease, Licence, rental agreement or similar commercial arrangement throughout all or any part of a calendar year and that is the Principal Residence of the establishment’s proprietor. Bed and Breakfast Establishment shall not mean or include motel, hotel, short term accommodation, tourist cabin or cottage, hospital or similar commercial or institutional uses;

“Dwelling Unit” means a suite operated as a housekeeping unit, used, or intended to be used by one or more Persons and usually containing cooking, eating, living, sleeping and sanitary facilities;

“Guestroom” means a bedroom that is kept for the use of guests.

“Principal Residence” means a Person’s permanent lodging place to which, whenever absent they intend to return as defined by the Canadian Revenue Agency;

“Renter’s Code” means a document prepared by the Owner that:

- a) sets out the roles and responsibilities of a Renter including behavior expectations as they relate to causing a disturbance;
- b) provides a written warning related to the making of a disturbance;
- c) identifies the Town By-laws and the provisions of the Town By-laws to be complied with;
- d) includes the number of vehicles permitted to be parked on the property;

“Type D Licence” means a Licence for a Bed and Breakfast Establishment.

2.0 Terms and Conditions

2.1 That a Type D Licence shall not be issued to a Corporation or a Business.

2.2 This Type D Licence is applicable to properties operated as a Bed and Breakfast Establishment.

2.3 In addition to the licensing requirements set out in this By-law an Applicant or Licensee for a Type D Licence shall submit the following:

- a) Approved and acknowledged formal Attestation Form;
- b) a Renter’s Code;

- c) an executed Site Plan Agreement, where required by the *Planning Act*;
 - d) proof of insurance by way of certificate of insurance showing a minimum limit of two million dollars (\$2,000,000) in commercial general liability for a Bed & Breakfast for the term of the Licence with an endorsement that notice in writing at least thirty (30) days prior to cancellation, expiration, or variation thereof will be given to the Town by the insurance underwriter; and,
 - e) The Parking Management Plan;
 - f) A current property site plan that identifies the current vegetation, buffers between properties, all structures, and any other amenities such as pool, hot tub, saunas, Barbecue, or other permanent amenity that provides opportunities for outdoor activities.
- 2.4 The Maximum Occupancy within a dwelling unit for a Type D Licence shall be calculated as follows:
- a) two (2) Persons per Guestroom.
- 2.5 In addition to the licensing requirements set out in Section 3 of the General Provisions of this By-law, the issuing of a Type D Licence is subject to the following:
- a) compliance with the Town's Zoning By-law endorsed by the Director of Planning and Building Services;
 - b) be the registered owner of the property;
 - c) complete fire safety requirements checklist;
 - d) compliance with the Fire Code;
 - e) posting of Fire Safety Instructions that is plaqued or framed, that depicts the location of each Bedroom, smoke alarm, carbon monoxide alarm, extinguisher, exit/egress doors or windows on the Premises to the satisfaction of the Town;
 - f) approved and acknowledged formal Attestation Form;
 - g) confirmation that the Owner(s) and Applicant(s) have no outstanding fines, penalties, legal costs, disbursements, property taxes and late payment charges owing to the Town for the subject property.
- 2.6 A Type D Licence is valid for a period of two (2) years from the date on which it is issued;
- 2.7 A Licensee of a Type D Licence shall:
- a) be a registered owner of the property;
 - b) ensure that the Premises is the Principal Residence of the Licensee;
 - c) be on site at the Premises during the stay of a Renter between the hours of 2200 and 0700 hours, except in the case of emergencies and where an alternate emergency contact is on the Licensed property;
 - d) display the Licence in a conspicuous place on the Licensed Premises in close proximity to the entrance of the property and visible to the public at all times;
 - e) display the Licence in a prominent place on the interior of the Licensed Premises;
 - f) be responsible for the operation of the Premises, the conduct of the Renter and the occupants of the Premises;

- g) operate the Premises in accordance with the Town's:
 - i. Property Standards By-law;
 - ii. Waste Collection By-law;
 - iii. Noise By-law;
 - iv. any other By-law and the Ontario Human Rights Code;
 - v. Approved and acknowledged formal Attestation Form
- h) provide adequate measures for the storage and disposal of waste in accordance with this By-law and keep the Premises in a clean and sanitary condition;
- i) not make, cause, or permit a disturbance or Nuisance;
- j) include the valid current Licence Number on all:
 - i. advertisement and promotional materials;
 - ii. website;
 - iii. contracts and agreements entered into with a Renter;
- k) keep a written record of the following:
 - i. the date of entry;
 - ii. the length of stay of a Renter;
 - iii. the home address of a Renter;
 - iv. confirmation including the date of receipt of the Renter's Code by the Renter;
 - v. the dates on which smoke and carbon monoxide alarms were tested, batteries replaced, or units replaced;
 - vi. the dates on which fire extinguishers are checked or maintained;
 - vii. the dates on which exit, and emergency lighting is checked or maintained;
 - viii. annual gas or wood fired appliances, chimneys, vents, and flue inspections.
- l) ensure the Owner shall provide access by an Officer for the purpose of inspection to both the interior and exterior at any time and requires the response of the Responsible Person as set out in Section 2.9 of this Schedule

Town of The Blue Mountains
Schedule G of By-law No. 2024-XX

Type E Licence

Commercial Resort Unit through a Qualified Centralized Rental Agency

In this Schedule G of the By-law:

1.0 Definitions

“Agent” means a Person authorized in writing by an Owner to act on the Owner’s or group of Owner’s behalf;

“Bedroom” means a room, separated from the common living area(s) of the Short-Term Rental Property Unit which is equipped with a sleeping type bed and a closable, latching door for privacy. A Bedroom shall further meet the requirements for natural light as set out in the Ontario Building Code, and if located in a basement, must provide for adequate means of egress, as approved by the Fire Department;”

“Commercial Resort Unit (CRU)” is defined through the Town’s Zoning By-law and includes the following required elements to maintain the unit classification as follows;

- a) Has kitchen/bathroom facilities;
- b) Is part of a rental or lease management program which consists of ten (10) CRUs or more in one or more buildings;
- c) Has a maximum owner occupation of 120 days per year.

“Dwelling Unit” means a suite operated as a housekeeping unit, used, or intended to be used by one or more Persons and usually containing cooking, eating, living, sleeping and sanitary facilities;

“Exception Area” means a specific area of the Town as designated in the Town’s Official Plan;

“Maximum Occupancy” means the maximum number of occupants permitted on the Premises between the hours of 2200 and 0700;

“Qualified Rental/Lease Management Company” means an agency /Agent that has been qualified by the Town that provides for a single point of contact for the rental of a part of a rental or lease management program of at least ten (10) Commercial Rental Units in one (1) or more buildings;

“Renter’s Code” means a document prepared by the Owner that:

- a) sets out the roles and responsibilities of a Renter including behavior expectations as they relate to causing a disturbance;
- b) provides a written warning related to the making of a disturbance;
- c) identifies the Town By-laws and the provisions of the Town By-laws to be complied with;
- d) includes the number of vehicles permitted to be parked on the property;

“Type E” means a Licence for a Commercial Rental Unit (CRU) managed through a Qualified Rental/Lease Management Company;

2.0 Terms and Conditions

- 2.1 This Type E Licence is a Licence to operate a Short-Term Rental Property Unit within a Group of ten (10) or more units in one (1) or more buildings that are identified as a Commercial Rental Unit Pool of Rental Units and rented through a Qualified Rental/Lease Management Company within the appropriate Zoning within the Town's Zoning By-law.
- 2.2 A CRU cannot be operated by an individual, the CRU must be Licensed and operated by a Qualified Rental/Lease Management Company who is responsible for the bookings, money transactions, security, complaints, etc.
- 2.3 In addition to the licensing requirements set out in this By-law an Applicant or Licensee for a Type E Licence, shall submit the following:
 - a) Approved and acknowledged formal Attestation Form
 - b) A current and accurate listing of at least ten (10) CRU's that are being applied for, or are currently holders of a Valid Type "E" Licence that has been issued by the Towns Licence Issuer and are operating in full compliance with the Licensing By-Law;
 - c) Renter's Code;
 - d) proof of insurance by way of certificate of insurance showing a minimum limit of two million dollars (\$2,000,000) in commercial general liability for a rental property for the term of the Licence with an endorsement that notice in writing at least thirty (30) days prior to cancellation, expiration, or variation thereof will be given to the Town by the insurance underwriter;
 - e) acknowledgement and consent to the posting of the following information on the Town's website:
 - i. the municipal address of the Premises and the specific CRU Pool of rental units;
 - ii. the legal description of the Premises and the specific CRU Pool of rental units;
 - iii. the contact information for the owner, CRU Pool of rental units agent, applicant and Responsible Person;
 - f) The Parking Management Plan for each of the specific units within the overall CRU Pool of rental units;
- 2.4 In addition to the licensing requirements set out in Section 3 of the General Provisions of this By-law the issuing of a Type E Licence for the Pool of CRU's being applied for and for each specific CRU within the Pool of rental units is subject to the following:
 - a) compliance with the Town's Zoning By-law;
 - b) complete fire safety requirements checklist;
 - c) compliance with the Fire Code;
 - d) posting of Fire Safety Instructions that is plaqued or framed, that depicts the location of each bedroom, smoke alarm, carbon monoxide alarm, extinguisher, exit/egress doors or windows on the Premises to the satisfaction of the Town;
 - e) confirmation that the agent for the CRU Pool of rental units, Owner(s) of the specific unit within the rental pool of CRUs, the applicant(s) that must be the agent of the Pool of CRU rental Units, and or the Qualified Rental/Lease Management Company have no outstanding fines, penalties, legal costs, disbursements, property taxes and late payment charges owing to the Town for the subject property.

- 2.5 A Type E Licence is valid for a period of twenty-four (24) months, or longer at the Town's sole discretion from the date on which it is issued.
- 2.6 If an additional CRU is Licensed within an existing Licensed Pool of CRUs is issued, the additional CRU shall be subject to pro-rated fees and charges for the extended term of the Licence.
- 2.7 The Maximum Occupancy within an individual CRU dwelling unit for a Type E Licence shall be calculated as follows:
- a) two (2) Persons per Bedroom as defined in this By-law;
- 2.8 The maximum occupancy calculated under Section 2.7 of this Schedule G of this By-law may be reduced by the Licence Issuer taking into consideration the number of approved parking spaces in the Parking Management Plan, or occupancy load issues identified by a fire inspector.
- 2.9 A Licensee of a Type E Licence shall:
- a) be the Agent of the Pool of CRU that includes at least ten (10) individual CRUs in one (1) or more buildings and shall site the specific identified Pool of CRUs and specific Qualified Rental/Lease Management Company;
 - b) provide and maintain on the Premises a self-enclosed Building, structure, or container for the disposal of garbage and waste for the specific Pool of CRUs identified under the Type "E" Licence;
 - c) display the Licence including all current information in a conspicuous place of the specific CRU within the CRU Pool of rentals on each of the Licensed Premises in close proximity to the entrance of the Property and visible to the public at all times;
 - d) display the Licence of the specific Pool of CRU group in a prominent place in the interior of each of specific CRU within the Pool of CRU's being licensed; and,
 - e) post the fire safety instructions next to the Licence displayed in the interior within each CRU being licensed.
- 2.10 Every Person who owns a CRU and is supported through the agent of a Pool of CRUs of ten (10) or more CRUs under a Type E Licence acknowledges that the Agent shall:
- a) Ensure that each specific CRU is not used as a residence for more than 120 consecutive days;
 - b) operate the Premises in accordance with the approved:
 - i. Renter's Code;
 - ii. Parking Management Plan;
 - iii. maximum occupancy calculation;
 - iv. Property Site Plan
 - v. Approved and acknowledged formal Attestation Form for all units within the Licence grouping;
 - c) operate the Premises in accordance with the Town's:
 - i. Property Standards By-law;
 - ii. Waste Collection By-law;
 - iii. Noise By-law;
 - iv. any other By-law and the Ontario Human Rights Code;

- d) provide adequate measures for the storage and disposal of waste in accordance with this By-law and keep the Premises in a clean and sanitary condition;
- e) provide sufficient levels of illumination to facilitate the safe passage of occupants to the satisfaction of the Fire Chief;
- f) not make, cause, or permit a disturbance or Nuisance;
- g) provide the Renter with a copy of the Renter's Code;
- h) Ensure that the Renter's Code is included in all website and social media materials that references the renting of the CRU;
- i) keep a written record of the following:
 - i. the date of entry;
 - ii. the length of stay of a Renter;
 - iii. the home address of a Renter;
 - iv. confirmation including the date of receipt of the Renter's Code by the Renter;
 - v. the dates on which smoke and carbon monoxide alarms were tested, batteries replaced, or units replaced;
 - vi. the dates on which fire extinguishers are checked or maintained;
 - vii. the dates on which exit and emergency lighting are checked or maintained;
 - viii. annual gas or wood fired appliances, chimneys, vents, and flue inspections;
- j) maintain the records required by subsection (g) and (i) for a minimum of two (2) years;
- k) include the valid current Licence Number on all:
 - i. advertisement and promotional materials;
 - ii. website;
 - iii. contracts and agreements entered into with a Renter;

2.11 The Agent shall be responsible for the operation of the Premises, the conduct of the Renter and the occupants of the Premises.

2.12 The Agent shall be available by telephone, twenty-four (24) hours a day, seven (7) days a week to attend a licensed Premises within fifteen (15) minutes of being contacted or notified by the Town or an authorized agent or representative of the Town or an Officer.

The Corporation of the Town of The Blue Mountains

By-Law Number 2024 – _____

Being a By-law to amend By-Law 2021-71, being a Bylaw to Establish a Comprehensive System of Administrative Monetary Penalties for the Town of The Blue Mountains

WHEREAS The Town of the Blue Mountains has a system of Administrative Monetary Penalties which is administered in accordance with By-law 2021-71 (the “By-law”)

AND WHEREAS section 434.1 of the Municipal Act, 2001, S.O. 2001, c. 25, (the “Act”) as amended, provides that a municipality may require a person to pay an Administrative Monetary Penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under the Municipal Act, as amended;

AND WHEREAS section 434.2 of the Municipal Act provides that an Administrative Monetary Penalty imposed by the municipality on a person constitutes a debt of the person to the municipality;

AND WHEREAS the Province of Ontario adopted the “Administrative Penalties” regulation, O. Reg 333/07 pursuant to the Municipal Act, as amended;

AND WHEREAS, further to staff report “FAF.24.061 Public Consultation for Revisions to the Licensing Bylaw and the Administrative Monetary Penalties By-law” considered at the May 13, 2024 Council Meeting, the receipt of comments at the July 9, 2024 Public Meeting, and consideration of staff report “FAF.24.095 Follow Up to the Municipal Licensing By-law and Administrative Monetary Penalty By-law Public Meeting” at the September 30, 2024 Council Meeting, Council deems it appropriate to amend By-law 2021-71, being a Bylaw to Establish a Comprehensive System of Administrative Monetary Penalties;

NOW THEREFORE, Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

That By-law 2021-71, as amended, being the “Administrative Monetary Penalties By-law” is hereby amended as follows:

1. Sections 7.2, 7.3, and 7.4 are repealed and replaced with the following:

7.2 A Person's right to request a review is exercised by:

- a) calling the telephone number, emailing the email address listed on the Penalty Notice, or attending Town Hall in person as noted on the Penalty Notice.

7.3 A Person's right to request a Screening expires if it has not been exercised within thirty (30) days after the Penalty Notice Date at which time:

- a) the Person shall be deemed to have waived the right to request a review;
- b) the Administrative Monetary Penalty, including any administrative fees, shall be deemed to be affirmed on the 16th day after the Penalty Notice Date; and
- c) the Administrative Monetary Penalty, including any administrative fees, is not subject to any further review, including review by any court.

7.4 A review shall only be scheduled by the Town if the Person has exercised his or her right to request a review within the time limits set out in section 7.1.

2. Sections 8.2 and 8.3 are repealed and replaced with the following:

8.2 A Person's right to request a hearing expires if it has not been exercised within fifteen (15) days after the Screening Decision has been delivered at which time:

- a) the Person shall be deemed to have waived the right to request a hearing;
- b) the Screening Decision, which includes the Administrative Monetary Penalty and any administrative fees, shall be deemed to be affirmed; and
- c) the Screening Decision, which includes the Administrative Monetary Penalty and any administrative fees, is not subject to any further review, including review by any court.

8.3 A Person's right to request a review of a Screening Decision is exercised by:

- a) Contacting the Town's By-law Enforcement staff by phone or email or by attending Town Hall in person.

3. Schedule A of By-law 2021-71 is repealed in its entirety and replaced with Schedule A as attached to the within By-law.

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this day of , 2024

Andrea Matrosovs, Mayor

Corrina Giles, Town Clerk

SCHEDULE A TO BY-LAW 2021-71

DESIGNATED BY-LAW PROVISIONS

I. LICENSING BY-LAW

For the purpose of section 2.1 of this By-law:

- a) Column 1 in the following table lists the provisions in the Licensing By-law No. 2024-XX as amended, that are hereby designated for the purposes of section 434.1 of the *Municipal Act, 2001*, 5.0. 2001, c. 25, as amended;
- b) Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1;
- c) Column 3 in the following table sets out the Administrative Monetary Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.

Item	Column 1 Designated Provision	Column 2 Short Form Wording	Column 3 Administrative Monetary Penalty
1	Schedule C, D, E, F, G Section 2.4	Exceeding Maximum Permitted Occupancy	\$1,500
2	Schedule C, D, E Section 2.9	Non-availability of Responsible Person	\$2,000
3	Schedule G Section 2.9	Non-availability of Rental or Lease Management Program Representative	\$2,000
4	Schedule C, D, E, F, G Section 2.6	Fail to post Licence	\$1,500 for first offence \$4,000 per offence thereafter
5	Section 2.3	Operate without a Licence	\$10,000 for first offence \$15,000 for second offence \$20,000 per offence thereafter
6	Section 2.4	Advertise without a Licence – Short Term Rental Property Unit	\$4,000 for first offence \$8,000 per offence thereafter
7	Section 2.4	Advertise without a Licence – Bed and Breakfast Establishment	\$4,000 for first offence \$8,000 per offence thereafter
8	Schedule F Section 2.5	Failure of the Licensee to be on site at the Premises between the hours of 2200 and 0700	\$5,000
9	Section 2.12	Permit an activity that causes a nuisance	\$2,500

Item	Column 1 Designated Provision	Column 2 Short Form Wording	Column 3 Administrative Monetary Penalty
10	Schedule C, D, E Section 2.7 Schedule F Section 2.5	Use premises contrary to Parking Management Plan	\$3,000
11	Schedule C, D, E Section 2.7	Operating without a functioning noise notification system where required	\$2,500
12	Schedule C, D, E Section 2.7	Use or permit the use of an outdoor hot tub or pool between 2300 and 0700 hours	\$5,000
13	Schedule C, D, E Section 2.7	Failure to properly secure or cover a Pool or Hot Tub between 2300 and 0700 hours	\$2,500
14	Schedule C, D, E Section 2.7	Use or permit the use or ignition of an outdoor fire or fire pit without a permit	\$5,000
15	Section 13	Failure to Comply with an Order	\$5,000
16	Schedule C, D, E, G Section 2.1 Schedule F Section 2.2	Modifying any aspect of an approved site plan without receiving formal approval by the Town through an amended updated licence being issued by the licence issuer	\$10,000
17	Schedule C, D, E Section 2.7	Failure to permit an officer with either internal or external access to a property that has a municipal licence	\$2,000 for first offence \$5,000 per offence thereafter
18	Schedule C, D, E Section 2.7	Use a Barbeque that is fueled with something other than propane or natural gas	\$5,000
19	Section 14.10	No person shall hinder or obstruct, or attempt to hinder or obstruct, any officer exercising a power or performing a duty under this By-law	\$500 for first offence \$2,000 per offence thereafter
20	Section 5.4	Fail to provide copies of required documents	\$500 for first offence \$2,000 per offence thereafter

II. PARKING BY-LAW

For the purposes of section 2.1 of this By-law:

- a. The Parking By-law 2022-49 is a Designated By-law;
- b. The penalties for a contravention of the Parking By-law 2022-49 are set out in Schedule 3 of the Parking By-law (*By-law 2022-50*).

III. REGULATION OF WATER SUPPLY BY-LAW

For the purpose of section 2.1 of the By-law:

- a. The Regulation of Water Supply By-law 2023-37 is a Designated By-law;
- b. The penalties for a contravention of the Regulation of Water Supply By-law 2023-37 are set out in Schedule B of the Regulation of Water Supply By-law 2023-37 (*By-law 2023-40*).

IV. BACKFLOW PREVENTION BY-LAW

For the purpose of section 2.1 of the By-law:

- a. The Backflow Prevention By-law 2013-31 is a Designated By-law;
- b. The penalties for a contravention of the Backflow Prevention By-law 2013-31 are set out in Schedule C of the Backflow Prevention By-law 2013-31 (*By-law 2023-40*).

V. SEWER USE BY-LAW

For the purpose of section 2.1 of the By-law:

- a. The Sewer Use By-law 2019-62 is a Designated By-law.
- b. The penalties for a contravention of the Sewer Use By-law 2019-62 are set out in Schedule A of the Sewer Use By-law 2019-62 (*By-law 2023-40*).

VI. WASTE MANAGEMENT BY-LAW

For the purpose of section 2.1 of the By-law:

- a. The Waste Management By-law 2023-69 is a Designated By-law.
- b. The penalties for a contravention of the Waste Management By-law 2023-69 are set out in Schedule E of the Waste Management By-law 2023-69 (*By-law 2023-69*).



The Blue Mountains Municipal Licensing Program Self-Evaluation Safety Audit Attestation

This Self-Evaluation Safety Audit and Self-Site Inspection Attestation Form is required to be completed in full and submitted to The Blue Mountains Community Services Department, Municipal Licensing Division as part of the formal application process for Licences to operate a Short Term Rental Property Unit with an occupancy of eleven (11) persons or less.

Submit this form and full application online, or in person at The Blue Mountains Town Hall on the second floor at the Community Services Customer Service Area.

Property Address:	
Property Owner(s) Name: Cannot be a Corporation	
Owner Email Address:	
Primary Contact Number:	
Alternate Contact Number:	
Responsible Person (RP) Name: Must be an Individual	
RP Primary Contact Number:	
RP Email Address:	

No.	Item	Owner's Initial
1	Smoke alarms tested and logged monthly (as per Ontario Fire Code)	
2	Fire extinguisher service (annual service by Certified Technician)	
3	Fire Safety Plan posted and unobstructed (review and updated annually)	

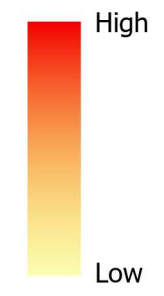
No.	Item	Owner's Initial
4	Means of egress operable and unobstructed and inspected and documented in the rental registry before each rental (bedroom doors and windows)	
5	Carbon monoxide alarms tested and documented in the rental registry before each rental	
6	Electrical installations used and maintained so as not to constitute a fire hazard	
7	Barbeque fuel supply inspected by the Responsible Person and documented in the rental registry before each rental	
8	Chimney cleaning (if applicable)	
9	Interior/exterior passageways maintained free and clear of obstructions and inspected and documented in the rental registry before each rental	

Note: The Town of The Blue Mountains By-law enforcement staff and The Blue Mountains Fire Services may conduct random inspections for safety compliance.

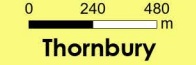
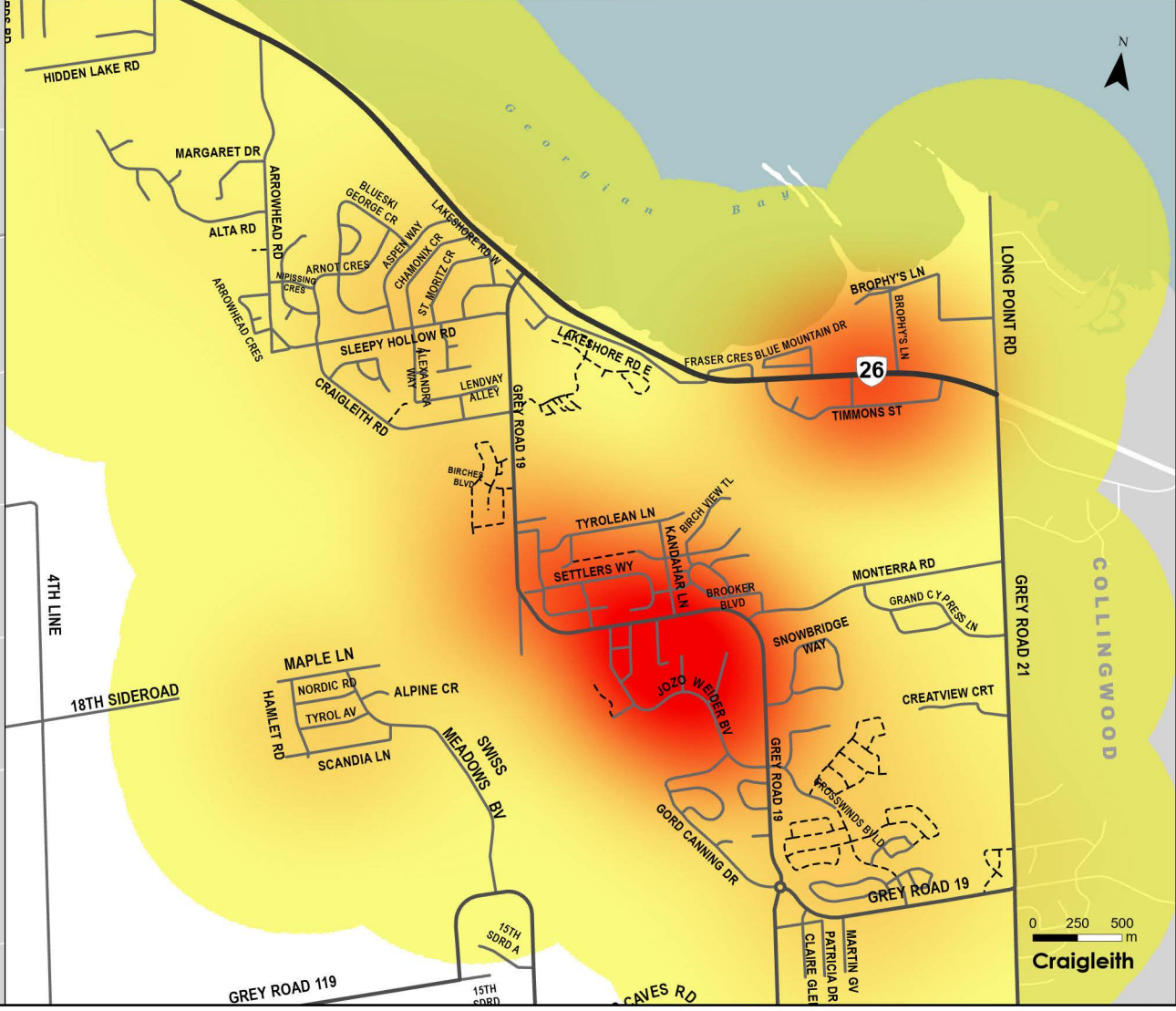
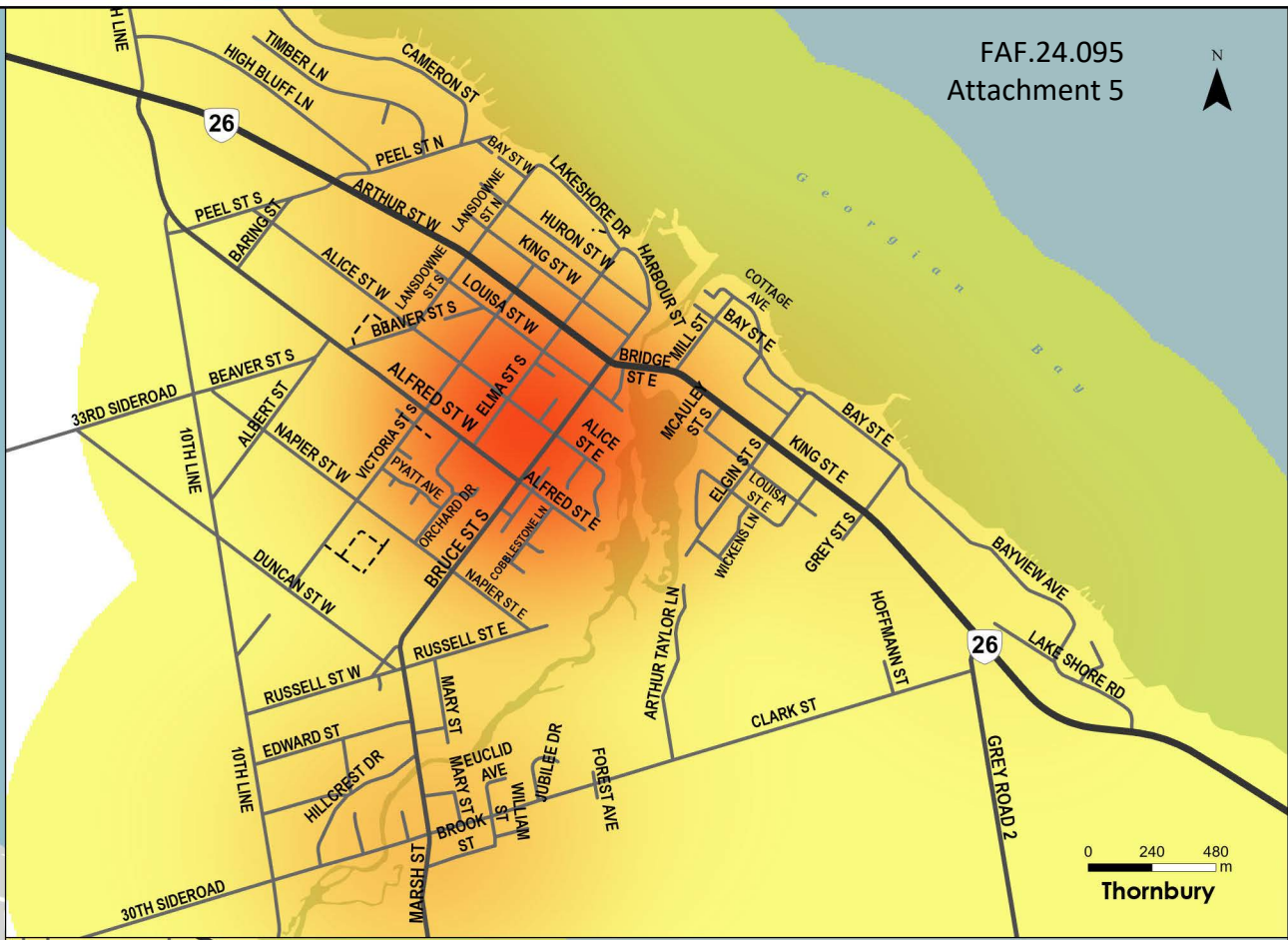
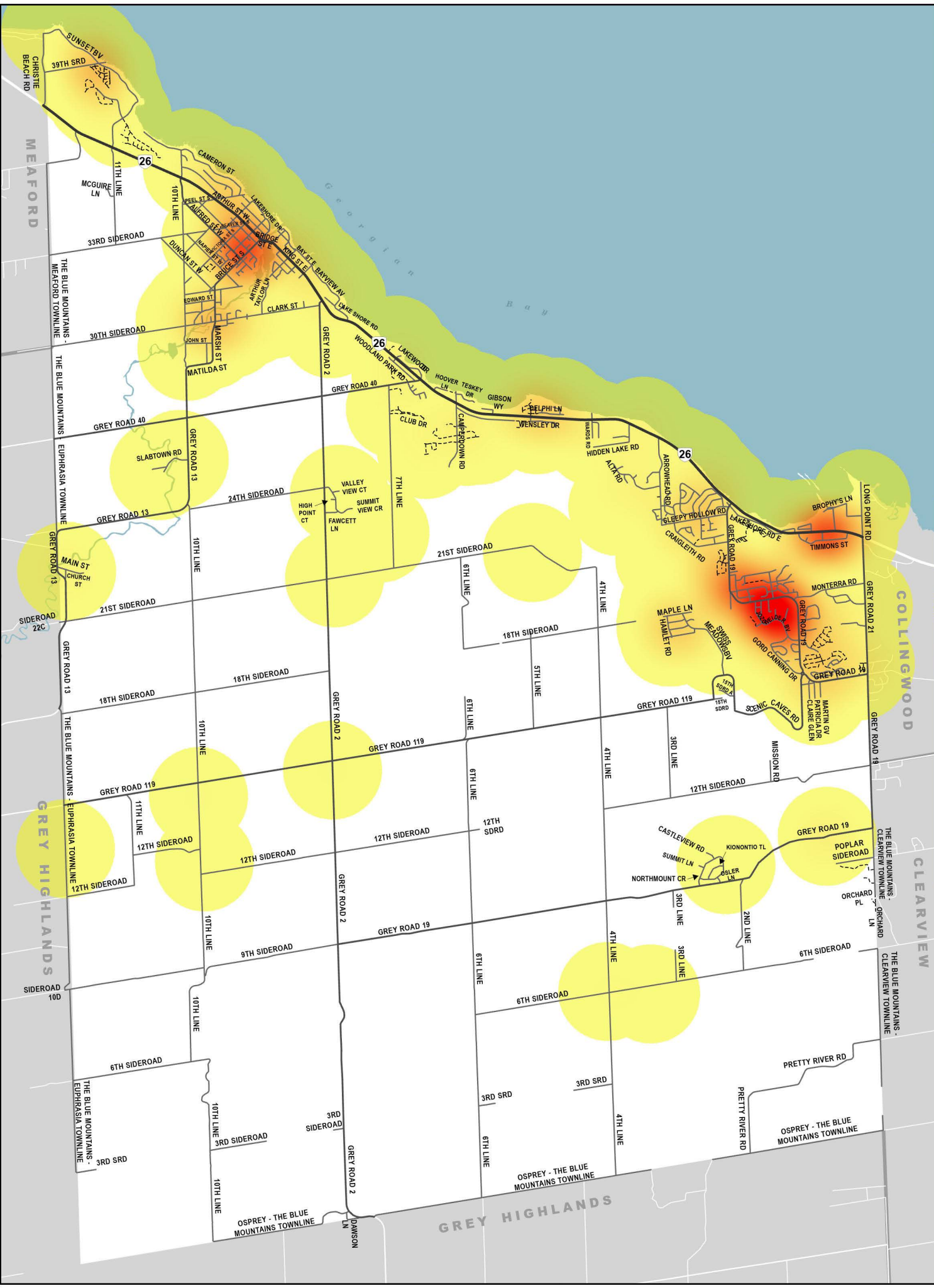
I hereby attest that the above has been tested, inspected, and maintained as required by the Town of The Blue Mountains Municipal Licensing By-law and the submittal of this safety audit report checklist is assurance that the conditions are consistent with those set out within The Blue Mountains Municipal Licensing By-law 2024-XX and the Schedules contained therein.

Signature: _____ Date: _____

Noise By-Law Cases 2019 - 2024 Non-STA Properties Town of The Blue Mountains



* 11 By-Law cases did not have a location



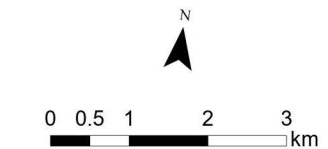
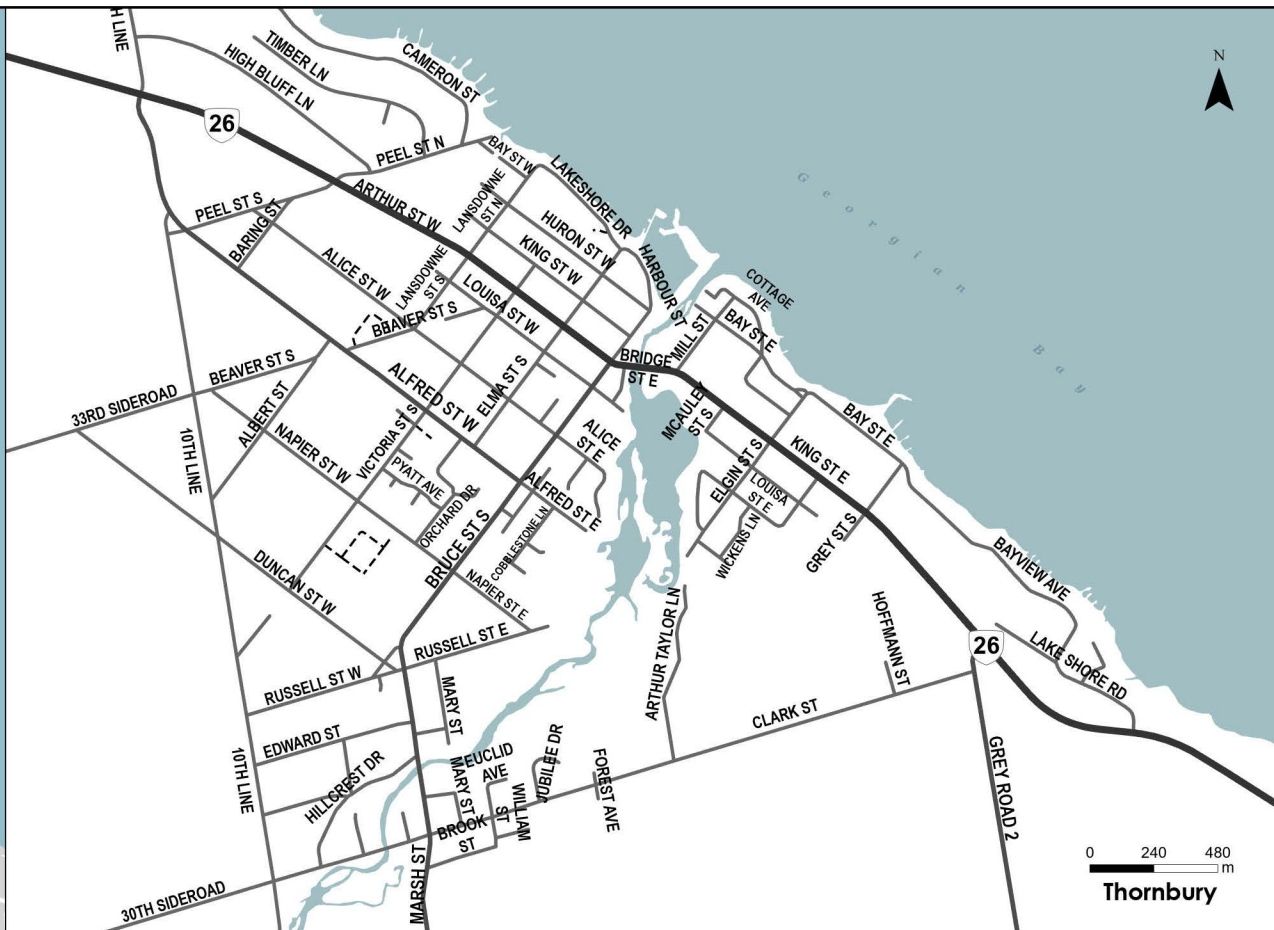
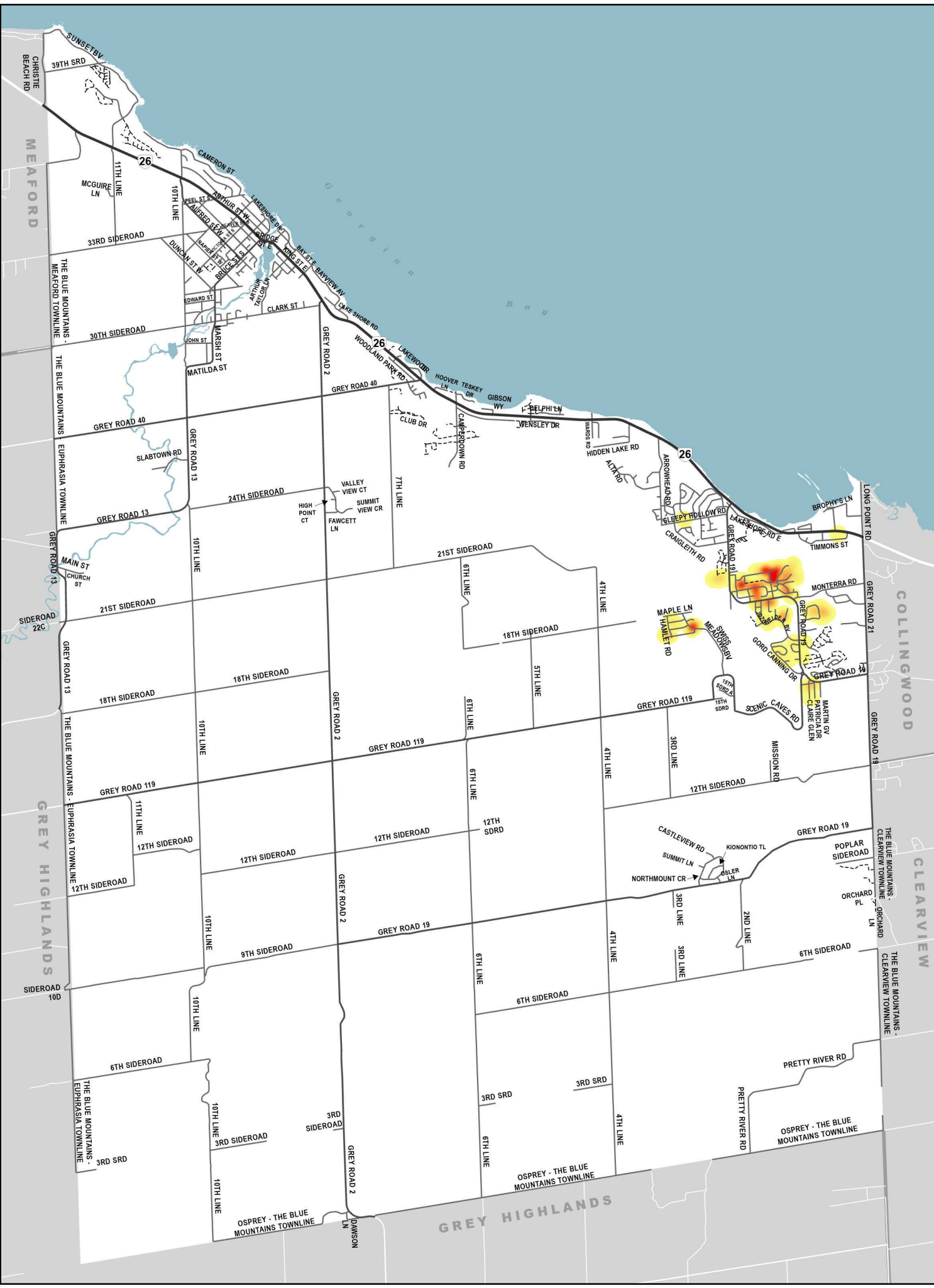
This map is intended for reference purposes only.
Updated July 29, 2024



Noise By-Law Cases 2019 - 2024 STA Properties Town of The Blue Mountains



* 37 By-Law cases did not have a location



This map is intended for reference purposes only.
Updated July 29, 2024

