

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.

DRAFT

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.