

SHORT TERM  
RENTAL  
ACCOMMODATION  
LICENCING PACKAGE



TOWN OF  
SOUTH BRUCE  
PENINSULA



# Short Term Rental Accommodation

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# Short Term Rental Accommodation

## Short Term Rental Accommodation Licence Guide

This guide will provide all the information and applicable forms required to apply for a Short Term Rental Accommodation licence.

The Town of South Bruce Peninsula has a substantial number of Short Term Rental Accommodations. These accommodations provide many benefits to our local economy, as well as provide additional income for homeowners. On the flip side, Short Term Rental Accommodations can also impact character and quality of neighbourhoods. Licencing these accommodations will bring Short Term Rental Accommodations into conformity with the Town's Zoning Bylaw as well as, create rules and regulations to ensure that Short Term Rental Accommodations will not adversely impact neighbouring property owners. Licencing will also ensure that occupants are provided with safe accommodations.

### **A Short Term Rental Accommodation means:**

the commercial use of a residential dwelling that may be rented for up to 30 consecutive days as temporary accommodation, lodging or occupancy by way of concession, permit, lease, license, rental, rental agreement or similar arrangement, whether written or verbal, unless otherwise prohibited by by-law of the Town of South Bruce Peninsula.

NOTE: The definition of Short Term Rental Accommodation does not apply to a hotel, motel, tourist cottage rental establishment, tourist home, campground, bed and breakfast establishment, hospital, long term care home, retirement home, camping establishment, school dormitory (if being rented to students actively enrolled in educational courses), lodge, motor hotel, boarding/lodging/rooming establishment, temporary farm accommodation, or group home. Note: A 'garden suite' is not permitted to be used for Short Term Rental Accommodation.

A Short Term Rental Accommodation use must be licensed with the Town of South Bruce Peninsula.

Short Term Rental Accommodations are permitted in the following zones:

RU1, RU2, R1A, R1B, R2, R3, R4, C1A, C1B, C2, C3, C4, C5, C6

The Town of South Bruce Peninsula is also implementing a Municipal Accommodation Tax (MAT). Short Term Rental Accommodations will be required to participate in the MAT program as well.

Information regarding the MAT program is available at:

<https://www.southbrucepeninsula.com/en/business-and-development/municipal-accommodation-tax.aspx>

Hard copies of the Licencing Application Package can be obtained from and submitted to Town Hall, located at: 315 George St, Wiarton, Ontario.

For information regarding Short Term Rental Accommodation Licencing, contact:

Town of South Bruce Peninsula  
Licencing and Compliance Officer

Position currently being advertised, contact info to be updated soon.



# Short Term Rental Accommodation

## [Form A]

### Section A: Property, Ownership & Applicant Information

Rental Address: \_\_\_\_\_ Unit: \_\_\_\_\_

Town/Town: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Type of Dwelling:

- Single Detached**     
  **Semi Detached**     
  **Townhouse**     
  **Duplex**  
 **Triplex**     
  **Second Unit**     
  **Accessory Apartment**

#### **Owner**

Owner's Name: \_\_\_\_\_

Business Name (if applicable): \_\_\_\_\_

Corporate Number (if applicable): \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Unit: \_\_\_\_\_

Town: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

#### **Applicant** (if different from owner)

(Owner Authorization Form **[Form B]** must be completed)

Applicant's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Unit: \_\_\_\_\_

Town: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

#### **Property Manager** (if applicable)

Property Manager's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Unit: \_\_\_\_\_

Town: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

#### **Responsible Person**

Person who will be contacted by the Town at any time and respond to any issue, emergency, or contravention of any Town bylaws within 30 minutes of initial contact and who can attend at the property/premises not later than 60 minutes after the initial contact.

Owner

Applicant

Property Manager



# Short Term Rental Accommodation

## Section B: Application Checklist (required)

\*A copy of all the following documents must be submitted at time of application submission:

- Application Form [\[Form A\]](#)**
  - All owner/applicant (and corporate information) completed in full.
  
- Proof of Ownership (Deed, Tax Bill or other acceptable documentation)**
  - Deed-Normally received at the time of purchase or available at the Land Registry Office.
  
- Corporate Ownership (if the owner is a corporation)**
  - Certificate of Status or Corporate Profile Report (Provincial Corporation).
  - Certificate of Compliance or Corporate Profile Report (Federal Corporation).
  
- Floor Plans - each floor, including basements, must have the following:**
  - Accurate measurements and labeling of **ALL** rooms, hallways, common spaces, entrances/exits, windows, smoke/CO alarms, fire extinguishers.
  - Licenced Occupancy will be based on number of guestrooms (bedrooms) shown on the floor plans with a maximum of 2 persons per guestroom (bedroom).
  - NOTE: exception from the maximum occupancy of 2 persons per guestroom (bedroom) will be granted for children of the renter, under the age of 12, where the Town will permit no more than three (3) persons per guestroom (bedroom).
  
- Site Plan, Parking & Storage Plan – must include the following:**
  - A drawing with measurements of all lot, structures, well, septic system, garages, driveways and other parking areas on the property.
  - Must depict the location of garbage/recycling storage.
  
- Owner Authorization (if the applicant is not the owner) [\[Form B\]](#)**
  - Authorization for the applicant to apply on the owner's behalf.
  
- Insurance Declaration [\[Form C\]](#)**
  
- Application Fee**



# Short Term Rental Accommodation

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## Section C: Licence Fee

Short Term Rental Accommodation Licence Fee - First Year (Includes fees for application review process including staff time)	\$800.00
Annual Licence Renewal Fee after first year	\$500.00



# Short Term Rental Accommodation

## Section D: Property Maintenance

As an operator of a rental business, you are responsible for the maintenance and standards at the property. As part of your rental licence application, you are required to ensure existing and continued compliance with all relevant by-laws, including but not limited to: property standards, noise, fireworks, Short Term Accommodation, and open air burning.

**Grass cutting:** Grass, trees, bushes, and hedges must be maintained to prevent an unsightly or unreasonable overgrowth in relation to the neighbouring environment. It is the property owner's responsibility to ensure that this standard is met.

**Keeping the property clean of litter and debris:** The property must be kept clear of litter and debris at all times. It is the property owner's responsibility to ensure that this standard is met.

**Garbage and recycling:** Garbage and Recycling must be stored in a secure enclosure. Garbage collection is weekly, and recycling is bi-weekly. A reminder that you are only permitted one bag of household garbage per week at no cost. You must purchase bag tags for all additional bags of garbage.

### Applicant Acknowledgement:

- I have reviewed and understand the maintenance requirements for this Short Term Rental Accommodation property.



# Short Term Rental Accommodation

## Section E: Declaration

I hereby declare that I am the applicant for this application form, and the owner(s) of the property currently (or intend to) operate this address as a Short Term Rental Accommodation. I hereby certify that I have reviewed and completed the Short Term Rental Accommodation licence application, supporting documentation and declarations, confirm them to be true and correct, and agree to be bound thereby.

I further declare that I understand it is my responsibility to ensure that this property is at all times in compliance with all applicable law, including but not limited to the *Building Code Act, 1992*, the *Fire Protection and Prevention Act, 1997*, the *Electricity Act, 1998*, and any regulations made under them.

Without limiting these obligations, I also specifically declare the following three regulation requirements:

- Smoke alarms are installed, tested and maintained as required by the Ontario Building Code and the Ontario Fire Code respectively.
- Carbon monoxide alarms are installed, tested and maintained as required by the Ontario Building Code and the Ontario Fire Code respectively.
- In accordance with the Ontario Fire Code, tenants have been instructed to notify the landlord if smoke alarms or carbon monoxide alarms have been disconnected, are not operating, or have been impaired.
- ABC fire extinguishers are located on each floor of the dwelling unit (preferably at exits), as required by the Bylaw to regulate and Licence Short Term Accommodations.

For further information regarding these requirements, please visit the following websites and applicable legislation:

Ontario Fire Code:

[O. Reg. 213/07: FIRE CODE \(ontario.ca\)](#)

Ontario Building Code:

[Law Document English View | Ontario.ca](#)

### Additional Resources:

Smoke Alarms:

[FAQ Smoke Alarms | Ministry of the Solicitor General \(gov.on.ca\)](#)

Carbon Monoxide Alarms:

[Carbon Monoxide Alarm Questions and Answers | Ministry of the Solicitor General \(gov.on.ca\)](#)

**\*These resources are for information purposes only and do not constitute legal advice. For specific questions relating to your property, please consult a professional.**





# Short Term Rental Accommodation

I further declare that I understand it is a requirement of my Short Term Rental Accommodation licence to post the following documents in a conspicuous place for renters to access:

- A copy of the Licence
- A copy of the current Noise Bylaw
- A copy of the Site Plan
- A copy of the approved Floor Plans
- A copy of the renters Code of Conduct
- A copy of the Fireworks Bylaw

I understand that it is an offence pursuant to By-law 104-2021 to provide false or misleading information to the Town when applying for a Short Term Rental Accommodation licence, renewing a licence or at any other time. I further understand that the Town may revoke or suspend a licence issued because false or misleading information was provided to the Town.

\_\_\_\_\_  
Applicant's Name (Print)

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

**Note:**

Without limitation, this application is subject to zoning and fire prevention approval. You may be contacted by these departments if further information is required during the application review process. Application fees are non-refundable.

\* Collection Notice

To the extent that the foregoing information constitutes personal information as defined in the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, chapter M.56 as amended, the information is subject to provisions of that Act and will be used for the purposes indicated or implied by this form. Questions about the collection of personal information should be directed to the Town Clerk.



# Short Term Rental Accommodation

**[Form B]**

## Owner Authorization

Rental Address: \_\_\_\_\_

Town: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Unit#: \_\_\_\_\_

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I hereby authorize \_\_\_\_\_ (applicant name) to submit a Short Term Rental Accommodation licence application pursuant to By-law 104-2021, for the above-noted address, along with any required supporting documentation, to the Town of South Bruce Peninsula, on my behalf.

I hereby certify that I have reviewed the completed the Short Term Rental Accommodation licence application, supporting documentation and declarations, confirm them to be true and correct, and agree to be bound thereby.

I further declare that I understand it is my responsibility to ensure that this property is at all times in compliance with all applicable law, including but not limited to the *Building Code Act, 1992*, the *Fire Protection and Prevention Act, 1997*, the *Electricity Act, 1998*, and any regulations made under them.

Without limiting these obligations, I also specifically declare the following three regulation requirements:

- Smoke alarms are installed, tested and maintained as required by the Ontario Building Code and the Ontario Fire Code respectively.
- Carbon monoxide alarms are installed, tested and maintained as required by the Ontario Building Code and the Ontario Fire Code respectively.
- In accordance with the Ontario Fire Code, tenants have been instructed to notify the landlord if smoke alarms or carbon monoxide alarms have been disconnected, are not operating, or have been impaired.
- ABC fire extinguishers are located on each floor of the dwelling unit (preferably at exits), as required by the Bylaw to regulate and Licence Short Term Rental Accommodations.



# Short Term Rental Accommodation

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For further information regarding these requirements, please visit:

Ontario Fire Code:

[O. Reg. 213/07: FIRE CODE \(ontario.ca\)](#)

Ontario Building Code:

[Law Document English View | Ontario.ca](#)

## Additional Resources:

Smoke Alarms:

[FAQ Smoke Alarms | Ministry of the Solicitor General \(gov.on.ca\)](#)

Carbon Monoxide Alarms:

[Carbon Monoxide Alarm Questions and Answers | Ministry of the Solicitor General \(gov.on.ca\)](#)

**\*These resources are for information purposes only and do not constitute legal advice. For specific questions relating to your property, please consult a professional.**

I understand that it is an offence pursuant to By-law 104-2021, to provide false or misleading information to the Town when applying for a Short Term Rental Accommodation licence, renewing a licence or at any other time. I further understand that the Town may revoke or suspend a licence issued because false or misleading information was provided to the Town.

Applicant's Name: \_\_\_\_\_

Owner's Name (Print): \_\_\_\_\_

Owner's Signature: \_\_\_\_\_

Date: \_\_\_\_\_



# Short Term Rental Accommodation

**[Form C]**

## Insurance Declaration

Rental Address: \_\_\_\_\_

Town: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Unit#: \_\_\_\_\_

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**Declaration**

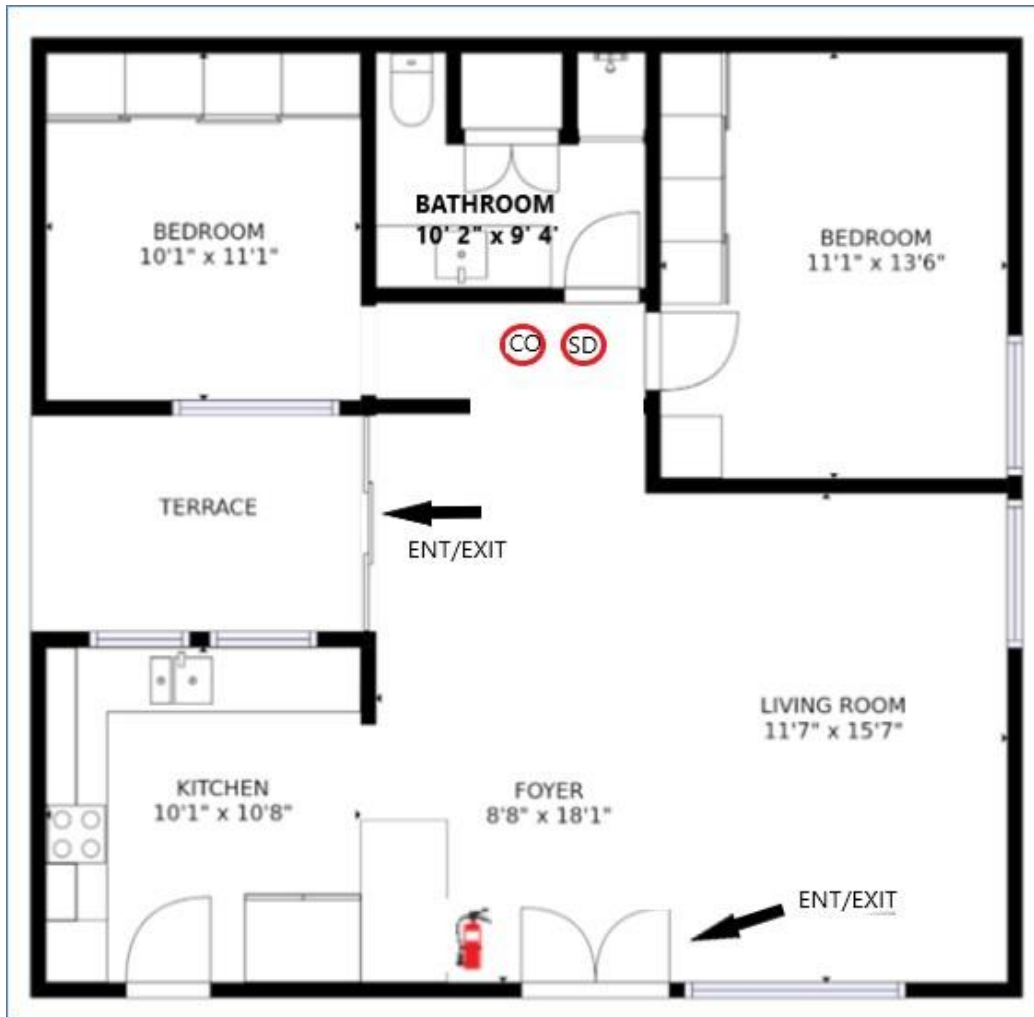
I, as the applicant, solemnly declare, that I have confirmed that the property is insured for liability insurance of no less than \$2,000,000 per occurrence for property damage and bodily injury, personal injury, property damage including loss of use thereof, contractual liability, non-owned automobile and contain a cross liability, severability of insured clause. That the insurance identifies that a Short Term Rental Accommodation is being operated on the property on which the Short Term Rental Accommodation unit/units is situated, and that this coverage will remain valid for the entire duration that the above-listed property is rented with a valid rental licence obtained from the Town. The Town shall be added as an additional insured.

I, as the applicant, agree to provide to the Town satisfactory proof of such insurance, at any time, upon request. Should the insurance at any time be cancelled or otherwise become void, in whole or in part, I agree to notify the Town immediately, and acknowledge that the licence may be revoked or suspended as a result.

Applicant's Name: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Example of a Floor Plan



### Floor Plans to include:

- Accurate measurements and labeling of **ALL** rooms, hallways, common spaces
- Entrances/exits, windows
- Smoke/CO detectors, fire extinguishers

### Occupancy limits

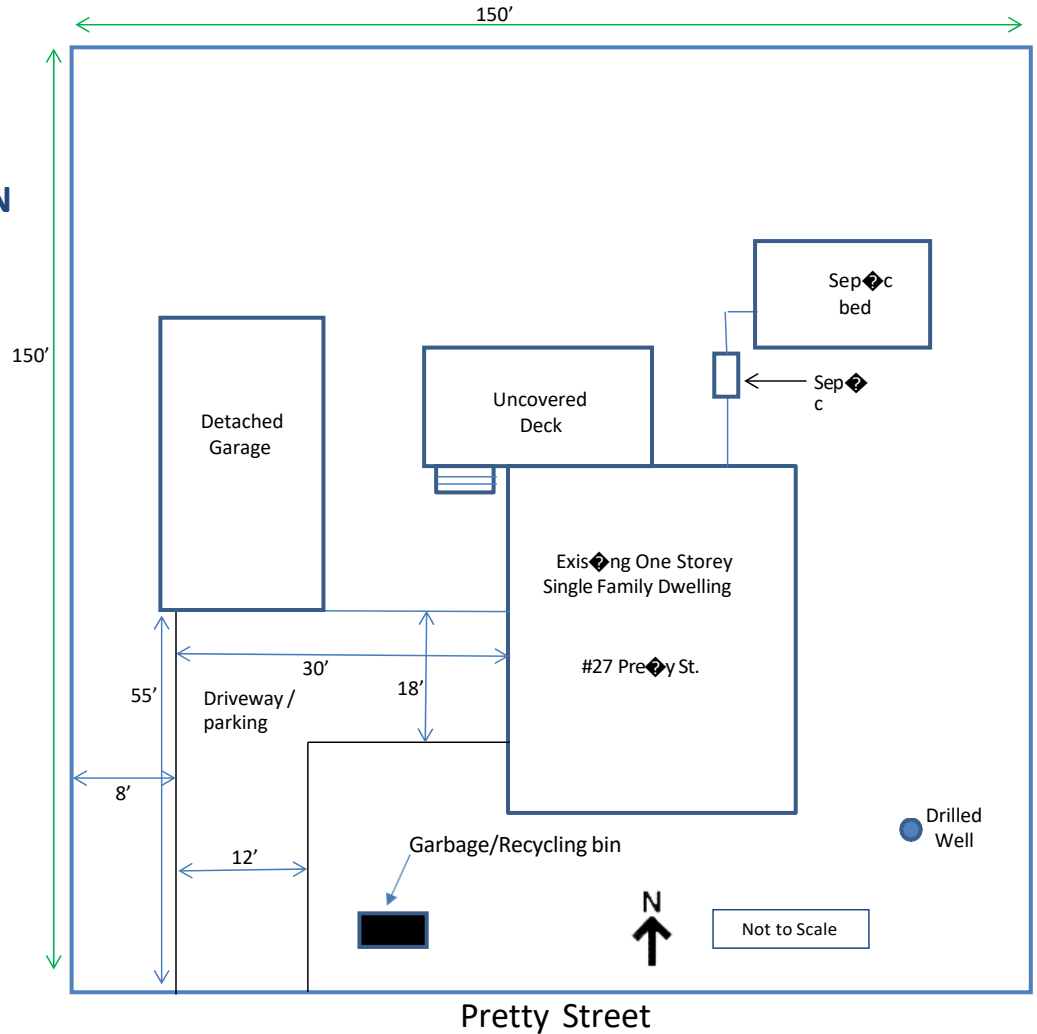
- Licenced Occupancy will be based on number of guestrooms (bedrooms) shown on the floor plans with a maximum of 2 persons per guestroom (bedroom).
- NOTE: exception from the maximum occupancy of 2 persons per guestroom (bedroom) will be granted for children of the renter, under the age of 12, where the Town will permit no more than three (3) persons per guestroom (bedroom).

**Note: Floor plans are required for every storey of the premises including basements**

## Example of a Site Plan (including Parking & Storage Plan)

### Short Term Accommodation EXAMPLE SITE PLAN

- Size of dwelling
- Dimensions of property
- Indication of North
- Location / address of property
- Location(s) / size(s) of parking spaces
- Location Garbage/Recycling bin



### Site Plan, Parking & Storage Plan include:

- A drawing with measurements of all lot, structures, well, septic system, garages, driveways and other parking areas on the property
- Must depict the location of garbage/recycling storage



# Short Term Rental Accommodation

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## Short Term Rental Accommodation By-Law Renter's Code of Conduct

### 2. Objective of the Code

- 2.1 The objective of the code is to establish acceptable standards of behaviour for owners and renters to minimize any adverse impacts on the neighbours and the surrounding neighbourhood, whether they be social, environmental or any other types of impacts.
- 2.2 In providing the acceptable standards, owners and renters are provided with the tools to ensure that they abide by the required standards and avoid penalties, fines and charges.

### 3. Occupation

- 3.1 The renter must make themselves aware of the neighbourhood in which they are renting a short term rental accommodation.

### 4. Guiding Principles

- 4.1 The guiding principles for short term rental accommodations are:
  - 4.1.1 The premises and property that you are occupying is a home.
  - 4.1.2 Respect the neighbours and the neighbourhood.
  - 4.1.3 Leave the premises and property as you found it.



# Short Term Rental Accommodation

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## 5. Maximum Number of Renters and Guests

- 5.1 The maximum number of residents, renters and guests (including those not staying overnight) permitted at a short term rental accommodation shall be limited to no more than two (2) persons per guest room (bedroom), at any giventime. Please refer to the approved number as included on the licence.
- 5.2 In addition to Section 5.1, children of the renter under the age of 12, will be permitted and in the circumstance where the renter is bringing their children under the age of 12, no more than three (3) persons per guestroom (bedroom),including the children will be permitted.

## 6. Noise

- 6.1 No person shall make noise which causes a disturbance, nor may they conduct themselves in a way that is likely to disturb area residents.
- 6.2 Examples of noise that is likely to disturb area residents includes but is notlimited to:
  - 6.2.1 Loud music.
  - 6.2.2 Outdoor or backyard gatherings or activities involving excessive noise or disruptive behaviour.
  - 6.2.3 Late evening and/or early morning disturbances.
  - 6.2.4 Yelling, shouting, singing, fighting or conversing loudly.
  - 6.2.5 Revving of engines or racing of vehicles to and from the short term rental accommodation.
  - 6.2.6 Idling.
  - 6.2.7 Fireworks.
  - 6.2.8 Outdoor speakers.
  - 6.2.9 Exceeding occupancy limits.
  - 6.2.10 Swearing and uttering profanities.
- 6.3 Renters and their guests are not allowed to disturb neighbours or interfere withtheir enjoyment of their properties/premises.
- 6.4 Failure to comply with these requirements may result in legal action including but not being limited to charges under the Noise By-Law and under the Short Term Rental Accommodation By-Law. Charges can be laid against the renter and the owner.





# Short Term Rental Accommodation

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## **7. Access and Parking**

- 7.1 Please familiarize yourself and your guests with the parking requirements as they relate to the short term rental accommodation.
- 7.2 All short term rental accommodations have vehicle parking requirements which are approved as part of the licensing process. Vehicles are not permitted to be parked on any area which is not specifically approved as a parking area.
- 7.3 More vehicle than parking spaces are not permitted on the property.

## **8. Recycling and Garbage**

- 8.1 Please familiarize yourself and your guests with the locations for the storage and disposal of garbage and recycling.
- 8.2 If garbage and recycling are not properly managed, legal action may be taken including but not being limited to charges under the Property Standards By-Law, the Waste Management By-Law and under the Short Term Accommodation By-Law.

## **9. Fire and Occupant Safety**

- 9.1 All short term rental accommodations shall have operating smoke alarms.
- 9.2 Carbon monoxide alarms must be installed outside of the sleeping areas.
- 9.3 The owner shall regularly test the alarms to ensure that they are operational.
- 9.4 If a renter discovers that any of the alarms are not operational, the renter shall immediately notify the property owner of the deficiency.

## **10. Functions and Parties**

- 10. Short term rental accommodation renters are not to host functions or parties at the short term rental accommodation.

## **11. Additional Responsibilities**

- 11.1 As an owner, renter and guest of the Town of South Bruce Peninsula, you must ensure that you are familiar with all by-laws, regulations, policies, guidelines, legislation and applicable law as it relates to the Town of South Bruce Peninsula.
- 11.2 The owner, renter and any guests should expect that there is zero tolerance for non-compliance.
- 11.3 It should be expected that non-compliance will mean that you will be visited by Town By-Law Enforcement Officers and charges will be laid.
- 11.4 Strict adherence to this Renter's Code of Conduct and the requirements in the Short Term Rental Accommodation By-Law is expected and required, without exception.



# Short Term Rental Accommodation

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## The Corporation of the Town of South Bruce Peninsula

### By-Law Number 28-2016

#### Being a By-Law to Prohibit and Regulate Unusual Noises and Noises Likely to Disturb the Inhabitants of the Town of South Bruce Peninsula

**Whereas** Section 9 of the Municipal Act, 2001 c.25 as amended provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act or any other Act;

**And whereas** Section 129 of the Municipal Act, 2001, c.25 as amended, authorizes municipalities to pass by-laws to prohibit and regulate noise;

**And whereas** Council deems it desirable to pass a by-law for the prohibition or regulation of noise within the Town of South Bruce Peninsula.

**Now therefore the Council of the Corporation of the Town of South Bruce Peninsula enacts as follows:**

#### 1. Short Title

This by-law may be known as the "Noise By-Law".

#### 2. Definitions

For the purpose of this by-law, the following definitions apply:

- 2.1 **"Agricultural Operation"** means as contained in the Farming and Food Production Protection Act, 1998, S.O. 1998 C.1 as amended, or any successor legislation.
- 2.2 **"Animal"** means any member of the animal kingdom other than a human and without limiting the generality of the foregoing, includes dogs, cats and birds.
- 2.3 **"Council"** means the Council of the Corporation of the Town of South Bruce Peninsula.
- 2.4 **"Construction"** means the erection, alteration, repair, dismantling, demolition, structural maintenance, painting, moving, land clearing, earth moving, grading, excavating, the laying of pipe and conduit whether above or below ground level, street and highway building, concreting, equipment installation and alteration and the structural installation of construction components and materials in any form or for any purpose and includes any work in connection therewith.
- 2.5 **"Construction Equipment"** means any equipment or device designed and intended for the use in construction work or material handling, including but not limited to a bulldozer, excavator, trencher, jack hammer, crane, loader, scraper, paver, compactor, roller, grader, concrete mixer, off-highway haulers or trucks, tractor, ditchers, air compressor, pile drivers, pneumatic or hydraulic tools, generators, pumps or other material handling equipment.



# Short Term Rental Accommodation

- 2.6 **“Holiday”** means any holiday as set out as a holiday in the Retail Business Holidays Act, R.S.O. 1990, Chapter R.30 or any successor thereof.
- 2.7 **“Idling”** means the operation of a combustion engine of a vehicle while the vehicle is not moving forward or in reverse and not being used to operate auxiliary equipment essential to basic operation of the vehicle.
- 2.8 **“Noise”** means sound that is of such a volume or nature that it is likely to disturb the inhabitants of the Town.
- 2.9 **“Officer”** means person appointed as a By-Law Enforcement Officer, a Police Officer or any individual duly appointed to enforce the by-laws of the Town.
- 2.10 **“Point of Reception”** means any point on the premise occupied by a person where sound or vibration originating from other than those premises is received.
- 2.11 **“Stationary Source”** means a source of sound which does not normally move from place to place and includes the premises of a person as one stationary source, unless the dominant source of sound on those premises is construction or a conveyance as contained in the Ministry of Environment’s NPC publications, which cover individual sources such as heating, ventilation and air conditioning equipment, rotating machinery, impacting mechanical sources, generators burner, grain dryer, all activities taking place in a facility such as an industrial facility, commercial facility, ancillary transportation facility, aggregate extraction facility, warehousing facility, maintenance and repair facility, snow disposal sites, routing locating and unloading facilities (supermarkets, assembly plants, etc.) and includes other sources such as race tracks.
- 2.12 **“Special Event”** means an event as defined in the Town’s Special Events Policy and that is recognized by the Town as a special event.
- 2.13 **“Town”** means the Corporation of the Town of South Bruce Peninsula.
- 2.14 **“Zoning By-Law”** means the Comprehensive Zoning By-Law as adopted by Council and amended from time to time.

## 3. General Provisions

- 3.1 Any person who owns property in the Town is liable for allowing noise to be made by person(s) on said premises, providing the owner of said premises has been notified that said noise is taking place and has taken no action to remedy the situation.

## 4. General Prohibitions

- 4.1 Except to warn of danger or emergency, no person shall ring any bell, blow any horn, shout or make any unusual noise or noises likely to disturb the inhabitants of the Town or allow or permit such noises to be made.
- 4.2 Notwithstanding the provisions contained in Section 4.1, the following noises at point of reception are deemed to be noises likely to disturb the inhabitants of the Town:



# Short Term Rental Accommodation

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- 4.2.1 The persistent noise made by an animal except an animal used for and located on a property of an agricultural or livestock based use as set out in the Town Zoning By-Law.
- 4.2.2 The playing of any radio, public address system, amplified sounds producing device or other sound device which can be heard over 30 meters from the stationary source or other source of the sound.
- 4.2.3 The operation of any combustion engine without an effective muffling device.
- 4.2.4 The racing of any motorized vehicle and squealing of vehicle tires other than in a racing event regulated by-law.
- 4.2.5 The noise caused by construction and use of construction equipment that is clearly audible at point of reception between 9:00 pm of any day and 7:00 am of the following day (or 9:00 am if the following day is a Sunday or Holiday).
- 4.2.6 The detonation of fireworks or explosive devices.
- 4.2.7 Shouting, whistling, calling, hooting, singing or similar sounds in or adjacent to any public street or public place.
- 4.2.8 The sound caused by the use or operation of a lawnmower, chainsaw, leaf-blower or any other such noise generating tool or device that is clearly audible at a point of reception between 10:00 pm of any day and 7:00 am of the following day (or 9:00 am if the following day is a Sunday or Holiday).
- 4.2.9 The sound of operations of a quarry or pit audible at a point of reception between 7:00 pm of any day and 7:00 am of the following day and all day Sunday and Holidays unless as otherwise permitted by an approved quarry license.
- 4.2.10 The noise associated with unloading, loading, packing, delivering or otherwise handling any container, product or material unless necessary for the maintenance of essential services or the moving of a private household between 11:00 pm of any day and 7:00 am of the following day.
- 4.2.11 The noise associated with the operation of waste and refuse collection machinery, waste and refuse storage equipment/facilities/containers or waste and refuse compacting equipment between 11:00 pm of any day and 7:00 am of the following day.

## **5. Idling Provisions**

- 5.1 No person shall cause or permit the idling of an engine or motor in or on any motor vehicle or attached auxiliary equipment for a continuous period exceeding 10 minutes.
- 5.2 No person shall cause or permit the idling of an engine or motor in any loading or bus loading zone, as signed and approved by Council from time to time.
- 5.3 Notwithstanding the generality of the foregoing, Section 5.1 and 5.2 do not apply to the following provisions:



# Short Term Rental Accommodation

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- 5.3.1 Police, fire or emergency medical service vehicle while engaged in operational activities, including training and patient transfer activities.
  - 5.3.2 Vehicles assisting in an emergency activity including tow trucks while engaged in hooking up to or moving another vehicle.
  - 5.3.3 Vehicles required to remain motionless because of an emergency, traffic (congestion and signals), weather conditions or mechanical difficulties over which the driver has no control.
  - 5.3.4 Mobile work (delivery) vehicles while they are in the course of being used for their function but excluding a passenger vehicle or bus between 7:00 am of one day and 9:00 pm of the same day (9:00 am on Sundays and Holidays).
  - 5.3.5 During weather conditions where outside temperatures are over 27 degrees Celsius or below 5 degrees Celsius where idling may be necessary for the operation of air conditioning or heating equipment as long as the vehicle is occupied.
  - 5.3.6 Vehicles engaged in the course of a special event.
  - 5.3.7 Vehicles transporting a person where a medical doctor certifies in writing for medical reasons that a person in a vehicle requires temperature or humidity to be maintained within a certain range and where the medical note is up to date and is kept with the vehicle operator.
  - 5.3.8 Vehicles where idling is required as part of the repair process or to prepare a vehicle for service while the vehicle is in the possession or on the property of a commercial vehicle repair facility.
  - 5.3.9 Agricultural vehicles and such equipment unlicensed under the Highway Traffic Act and used exclusively for operations off the public highway in the performance of agricultural work or animal husbandry.
  - 5.3.10 Armoured vehicles where a person remains inside the vehicle while guarding the contents of the vehicle or while the vehicle is being loaded or unloaded.
  - 5.3.11 Commercial vehicles using heating or refrigeration systems powered by the motor or engine for the preservation of perishable cargo.
  - 5.3.12 A vehicle whose engine is being operated to boost the battery of another vehicle, or which vehicle is connected to an external stationary device which relies on the power of the vehicle to carry out work.
  - 5.3.13 Prevailing low temperatures making longer idling periods necessary, immediately after starting the motor or engine.
  - 5.3.14 The original equipment manufacturer specifically recommends a longer idling period for normal and efficient operation of the motor vehicle in which case such recommended period shall not be exceeded.
  - 5.4 No person shall permit mobile work (delivery) vehicles to idle from 9:00 pm of one day to 7:00 am of the following day (9:00 am on Sundays and Holidays) unless they fall within one of the exemptions contained herein.



# Short Term Rental Accommodation

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## 6. General Exemptions

- 6.1 Notwithstanding any provision to the contrary, the provisions contained in this by-law do not apply as follows:
- 6.1.1 During an emergency jeopardizing the health, safety or welfare of the public.
  - 6.1.2 Where the Town, its servants, employees, contractors or agents are carrying out Town operations and construction.
  - 6.1.3 To noise created by the activity of snow removal.
  - 6.1.4 To the use of implements of husbandry in the operation of agricultural endeavours.
  - 6.1.5 To the operation of construction equipment when used in a cemetery in conjunction with interment services.
  - 6.1.6 In all areas of the Town designated as agricultural in the Zoning By-Law.
  - 6.1.7 To the ringing or sounding of bells or chimes associated with church activities.
  - 6.1.8 To the operation of auditory safety or warning devices or signals utilized as traffic control devices.
  - 6.1.9 To working service animals such as hearing-ear dogs, seeing-eye dogs or other similar working animals while making the sound required in the course of their working duties.
  - 6.1.10 To the authorized use of fireworks and explosives as per the Town Fireworks By-Law.
  - 6.1.11 To any special event approved by the Town of South Bruce Peninsula.

## 7. Exemptions by Council

- 7.1 Despite the provisions of this by-law, any person may apply to Council for an exemption to any provision of this by-law with respect to any noise to allow such person to emit, cause or permit such noise for the period of time set out in such application. Council may grant such exemption, in form of a resolution, grant an alternative exemption or refuse such exemption and may set out conditions to be met as Council sees fit for any exemption granted.
- 7.2 Any appeal to Council must be made before the noise is to occur. An appeal to Council may not be made after an infraction has occurred.
- 7.3 Where an exemption is granted by Council, breach of any of the terms or conditions of the exemption shall render the exemption null and void.
- 7.4 Every person applying for an exemption shall follow the Towns Procedural By-Law with respect to making a delegation to Council.



# Short Term Rental Accommodation


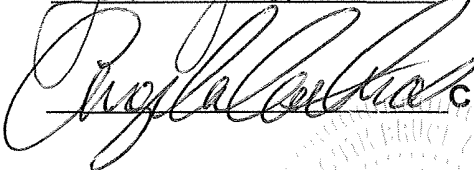
## 8. Penalty

- 8.1 Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction, is liable to the penalty specified by the Provincial Offences Act, R.S.O. 1990, c.P.33 as amended.
- 8.2 An Officer of the Town shall enforce the provisions of this by-law in accordance with the provisions set forth herein.


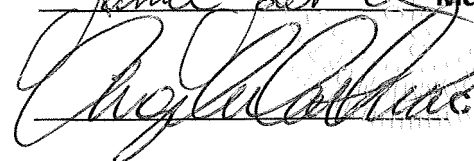
## 9. Force and Effect

- 9.1 Where any provision or clause is found to be invalid by a court of competent jurisdiction, that provision or clause shall be considered to be severed from the by-law and will not affect the other provisions contained herein.
- 9.2 Any by-law or a portion thereof that is inconsistent with this by-law is hereby repealed.
- 9.3 This by-law shall take effect upon the final passing thereof.

**Read a first and second time this 19th day of April, 2016.**

  
\_\_\_\_\_  
Mayor  
  
\_\_\_\_\_  
Clerk

**Read a third time and finally passed this 19th day of April, 2016.**

  
\_\_\_\_\_  
Mayor  
  
\_\_\_\_\_  
Clerk



# Short Term Rental Accommodation

The Town of South Bruce Peninsula

By-Law 28-2016

## Prohibit and Regulate Noise Part 1 Provincial Offences Act

Item	Column 1 Short Form Wording	Column 2 Provision Creating of Defining Offence	Column 3 Set Fine
1	Ring a bell, blow a horn or shout	Section 4.1	250.00
2	Make or allow or permit any unusual noise likely to disturb the inhabitants of the Town	Section 4.1	250.00
3	Persistent noise made by an animal	Section 4.2.1	250.00
4	Playing of any radio, public address system, amplified sounds producing device or other sound device heard over 30 meters	Section 4.2.2	250.00
5	Operation of any combustion engine without an effective muffling device	Section 4.2.3	250.00
6	Noise from racing of any motorized vehicle and squealing of vehicle tires	Section 4.2.4	250.00
7	Noise caused by construction equipment when prohibited	Section 4.2.5	250.00
8	Noise from the detonation of fireworks or explosives	Section 4.2.6	250.00
9	Shouting, whistling, calling, hooting, singing or similar sounds adjacent to public street or public place	Section 4.2.7	250.00
10	Sounds by lawnmower, chain-saw, leaf-blower or other noise generating tool or device when prohibited	Section 4.2.8	250.00
11	Operations of a quarry or pit when prohibited	Section 4.2.9	250.00





# Short Term Rental Accommodation

The Town of South Bruce Peninsula

By-Law 28-2016

## Prohibit and Regulate Noise Part 1 Provincial Offences Act

Item	Column 1 Short Form Wording	Column 2 Provision Creating of Defining Offence	Column 3 Set Fine
12	Noise associated with unloading, loading, packing, delivering or otherwise handling any container, product or material when prohibited	Section 4.2.10	250.00
13	Noise associated with the operation of waste and refuse collection machinery when prohibited	Section 4.2.11	250.00
14	Noise associated with the operation of waste and refuse storage equipment/facilities/containers when prohibited	Section 4.2.11	250.00
15	Noise associated with the operation of waste and refuse compacting equipment when prohibited	Section 4.2.11	250.00
16	Idling of an engine or motor for a continuous period exceeding 10 minutes	Section 5.1	250.00
17	Idling of an engine or motor in any loading or bus loading zone	Section 5.2	250.00
18	Idling of any mobile work (delivery) vehicles when prohibited	Section 5.4	250.00

**Note: The general penalty provision for the offences listed above is Section 8.1 of By-Law Number 28-2016, a certified copy of which has been filed.**



# Short Term Rental Accommodation

The Corporation of the Town of South Bruce Peninsula

By-Law Number 122-2015

**Being a By-Law to Regulate the Sale, Storage and Setting Off  
of Fireworks and Pyrotechnics and to Provide for the  
Requirement for Permission for Fireworks Displays in the Town  
of South Bruce Peninsula**

**Whereas** Section 120 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended provides that a local municipality may prohibit and regulate the manufacture, storage, keeping and transportation of dangerous substances and explosives in the municipality and that a by-law may require a permit and may impose conditions for obtaining, continuing to hold and renewing the permit including requiring the submission of plans;

**And whereas** Section 121 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended provides that a local municipality may prohibit and regulate the sale of fireworks and the setting off of fireworks and may prohibit activities unless a permit is obtained from the municipality and may impose conditions for obtaining, continuing to hold and renewing the permit, including requiring the submission of plans;

**And whereas** Section 7.1 (1) of the Fire Protection and Prevention Act, 1997, S.O. 1997, C.4 as amended provides that a council of a municipality may pass by-laws regulating fire prevention including the prevention of spreading fires;

**Now therefore** the Council of the Corporation of the Town of South Bruce Peninsula enacts as follows:

**1. Short Title**

1.1 This by-law shall be known as the "Fireworks By-Law".

**2. Definitions**

2.1 In this by-law:

**“Authority Having Jurisdiction”** means the individual authorized by Natural Resources Canada to authorize fireworks displays and the Fire Chief of the Corporation of the Town of South Bruce Peninsula and may be referred to as “AHJ”.

**“Canada Day”** means July 1 in any year.

**“Clerk”** means the Clerk of The Corporation of the Town of South Bruce Peninsula and shall include any designate.

**“Council”** means the Council of The Corporation of the Town of South Bruce Peninsula.

**“Explosives Act (Canada)”** means the Explosives Act, R.S.C. 1985, c. E-15.

**“Family Fireworks”** means an outdoor, low hazard, recreational firework that is classed as a subdivision 1 of Division 2 of Class 7 Fireworks under the Explosives Act (Canada).



# Short Term Rental Accommodation

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**“Fire Chief”** means the Fire Chief of The Corporation of the Town of South Bruce Peninsula, and shall include any designate.

**“Firecracker”** means any class of fireworks that explodes when ignited and does not make any significant display or visible effect after the explosion but does not include caps for toy guns or Christmas crackers.

**“Fireworks”** means explosive and pyrotechnic devices that are designed to produce colorful effects with sound added as a secondary function in some instances.

**“Fireworks display”** means an outdoor, high hazard, recreational firework that is classed as a subdivision 2 of Division 2 of Class 7 of the Explosives Act (Canada) and further includes pyrotechnics as classified in Subdivision 5, Division 2, Class 7 in the regulations under the Explosives Act (Canada).

**“Fireworks Supervisor”** means a person who has successfully completed an approved Fireworks Supervisor course offered pursuant to the Explosives Act (Canada).

**“Public Highway”** means any allowance, lane, avenue, street, way, drive or road whether open or unopened.

**“Independence Day”** means July 4 in any year.

**“Officer”** means a municipal by-law enforcement officer, provincial offences officer, police officer or the Licensing officer.

**“Permit”** means a permit to hold a fireworks display issued pursuant to this by-law.

**“Person”** includes a corporation and its directors and officers, and their heirs, executors, assignees and administrators or other legal representatives of an individual and their respective successors and assignees.

**“Prohibited firework”** includes but is not limited to cigarette loads or pings, exploding matches, ammunition for miniature tie clip, cufflink or key chain pistols, auto alarms or jokers, cherry bombs, M-80 and silver salutes and flash crackers, throw down torpedoes and crackling balls, exploding golf balls, stink bombs and smoke bombs, tear gas pens and launchers, party peppers and table bombs, table rockets and battle sky rockets, fake firecrackers and other trick devices or practical jokes as may be included on the list of prohibited fireworks as published from time to time under the Explosives Act (Canada).

**“Seller”** means any person working in any building, structure, trailer, roadside stand, vehicle or other conveyance where fireworks are sold, and shall include every employee and the vendor.

**“Town”** means The Corporation of the Town of South Bruce Peninsula and its locality, including its geographic area.

**“Vendor”** means owner or operator of any building, structure, trailer, roadside stand, vehicle or any other conveyance where fireworks are being sold.



# Short Term Rental Accommodation

“Victoria Day” means the Monday preceding May 25 in any year.

## 3. Prohibitions

### Sale of Fireworks

- 3.1 No person shall sell or retail in the Town any fireworks to anyone under the age of eighteen (18) years.
- 3.2 No person shall sell fireworks in the Town without displaying in his/her shop or place of business, at a point adjacent to the fireworks being sold, a copy of this by-law and copies of the brochure provided by the Authority Having Jurisdiction.

### Display for Sale and Storage of Fireworks

- 3.3 No person shall store fireworks that are displayed for sale within any building, in any bin, lot, or bundle that exceeds a weight of twenty-five (25) kilograms.
- 3.4 No person shall store fireworks in any manner that would expose the fireworks to direct sunlight.
- 3.5 No person shall display or exhibit any fireworks in any window of any store or shop within the Town.

### Setting Off of Fireworks

- 3.6 No person shall set off any fireworks within the limits of the traveled portion (including any sidewalks) of any public highway or in any public park, on or in any building or structure, or other public place including any beach area owned or operated by the Town of South Bruce Peninsula, nor within the limits of any shopping plaza.
- 3.7 No person shall set off any fireworks within the Town except on Victoria Day, Canada Day or Independence Day or the day immediately preceding Victoria Day, Canada Day or Independence Day or any special day established by Council except at the fireworks displays held after permission has been granted by the AHJ or a family fireworks approved by the AHJ.
  - 3.7.1 No person shall set off any fireworks except during the hours of 7:00 p.m. and 11:00 p.m.
  - 3.7.2 Notwithstanding the provision of the by-law in relation to day and time, any other day or time for the setting off of fireworks may be recognized by resolution of the Council of the Town of South Bruce Peninsula.

### Fireworks Display

- 3.8 No person shall set off a display of fireworks within 183 meters (600 feet) of a nursing home, public hospital, home for the aged, any premises or place where explosives, gasoline, or other highly flammable substances or highly combustible material are manufactured, sold or stored or within 183 meters (600 feet) of a church or a public, separate, secondary or other school, unless the consent of the owner of such church or school, or an agent or representative of such owner, is obtained.



# Short Term Rental Accommodation

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## **Holding of Fireworks Displays**

- 3.9 No person shall hold a fireworks display in the Town unless the person has obtained permission from the AHJ, pursuant to the requirements of this by-law.

## **Firecrackers**

- 3.10 No person shall sell or offer for sale firecrackers within the Town.

- 3.11 No person shall set off any firecrackers within the Town.

## **4. Requirements of Vendor for the Sale of Fireworks**

- 4.1 No vendor shall sell fireworks without ensuring that:

- (i) "No Smoking" and "Fireworks" signs are prominently displayed within the sales area;
- (ii) The "No Smoking" prohibition is enforced at all times within *3 meters (10 feet)* of the building housing the fireworks; and
- (iii) Fire extinguishers are supplied in accordance with the Ontario Fire Code and sellers have been trained to operate the same.

## **5. Requirements for a Fireworks Display**

- 5.1 No person shall apply for permission for a fireworks display without:

- (i) Filing with the Fire Chief/AHJ a completed application on the form copied from the Display Fireworks Manual.
- (ii) Submitting a site plan showing:  
The location of the proposed fireworks display;  
The clearance from adjacent properties; and  
The access to be provided for fire and emergency vehicles.
- (iii) Providing a certificate of insurance in the amount of two million dollars (\$2,000,000) liability including a cross liability clause and naming the Town as an additional insured.

- 5.2 If the requirements as set out in this by-law have been complied with, the Fire Chief shall grant the applicant permission for a fireworks display.

- 5.3 Notwithstanding Section 5.2 herein, the Fire Chief may impose additional conditions on the applicant as they relate to the issuance of permission as is deemed advisable and considering the particular circumstances of the request.

- 5.4 The fee to apply for or obtain permission for a fireworks display shall be in accordance with the Town Fee-By-Law.



# Short Term Rental Accommodation

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## 6. General

- 6.1 The sale, handling and discharge of fireworks shall conform to Section 5.2.2 of the Ontario Fire Code (O. Reg 213/07) as may be amended from time to time.

## 7. Inspection

- 7.1 No person shall prohibit any Officer at any reasonable time from inspecting the premises where fireworks are being stored or sold to ascertain whether or not the provisions of this by-law are being carried out.

## 8. Offence and Penalties

- 8.1 No person(s) shall willfully obstruct, hinder or otherwise interfere with an Officer in the performance of the Officer's duties, right, functions, powers or authority under this by-law.
- 8.2 Where an Officer has reasonable grounds to believe that an offence under this by-law has been committed by a person(s), the Officer may require the name, address and proof of identity of the person(s), and the person(s) shall supply the required information.
- 8.3 Every person who violates a provision of this by-law is guilty of an offence and upon conviction is liable to the penalty provided in Section 61 of the Provincial Offences Act R.S.O. 1990 Chapter 33 as amended from time to time.

## 9. Enforcement

- 9.1 This by-law will be enforced by the Fire Chief, AHJ and Officers subject to their authority at law.

## 10. Word Usages

- 10.1 As used in this by-law, words used in the present tense include the future; words used in the masculine gender include the feminine; and the singular number includes the plural and the plural the singular.

## 11. Severability

- 11.1 If any section or sections of this by-law are declared by a court of competent jurisdiction to be invalid, such section or sections shall be deemed to be severable and shall not affect the validity of this by-law as a whole or any part thereof and all other sections of the by-law shall be deemed to be separate and independent therefrom and enacted as such.

## 12. Conflict and Repeal

- 12.1 In the event of any conflict between any provisions of this by-law and any other by-law passed, the provisions of this by-law shall prevail.
- 12.2 Any by-law or portion thereof which is inconsistent with this by-law is hereby repealed.



# Short Term Rental Accommodation

## 13. Exemption

- 13.1 It is hereby declared for greater certainty that for purposes of this by-law respecting the setting off of family fireworks on Victoria Day, Canada Day or Independence Day, or the day immediately preceding Victoria Day, Canada Day or Independence Day or any special day established by Council, on land belonging to a private residence by the owner or tenant of such residence or a person authorized by him to do so shall not be deemed to be a fireworks display.
- 13.2 The sale or setting off of pyrotechnical signaling devices for marine, military, railway or highway purposes shall not be deemed to be, respectively, the sale or setting off of fireworks.

## 14. Effective Date

- 14.1 This by-law comes into full force and takes effect on the final day of passage.

**Read a first and second time this 3<sup>rd</sup> day of November, 2015.**

*Jama Jackson* Mayor  
*Cheryl ...* Clerk

**Read a third time and finally passed this 3<sup>rd</sup> day of November, 2015.**

*Jama Jackson* Mayor  
*Cheryl ...* Clerk



# Short Term Rental Accommodation

**Part I Provincial Offences Act**  
**The Corporation of the Town of South Bruce Peninsula**  
**Set Fine Schedule**  
**By-Law Number 122-2015: Fireworks By-Law**

<b>Item</b>	<b>Column 1 Short Form Wording</b>	<b>Column 2 Provision Creating or Defining Offence</b>	<b>Column 3 Set Fine</b>
1.	Sell or retail fireworks to anyone under 18 years of age	Section 3.1	\$ 195.00
2.	Sell fireworks without displaying by-law and brochure adjacent to fireworks being sold	Section 3.2	\$ 195.00
3.	Store fireworks displayed for sale in bundles that exceed 25 kilograms	Section 3.3	\$ 195.00
4.	Store fireworks in a manner that exposes fireworks to direct sunlight	Section 3.4	\$ 195.00
5.	Display or exhibit fireworks in window of store or shop	Section 3.5	\$ 195.00
6.	Set off fireworks on traveled portion of public highway, sidewalks, public parks, building or structures, public place or shopping plaza	Section 3.6	\$ 195.00
7.	Set off fireworks on days not permitted	Section 3.7	\$ 195.00
8.	Set off fireworks between 11:01 pm and 6:59 pm	Section 3.7.1	\$ 195.00
9.	Display fireworks within 183 meters of prohibited areas	Section 3.8	\$ 195.00
10.	Display fireworks within 183 meters of prohibited area without written consent of owners/agent	Section 3.8	\$ 195.00
11.	Hold fireworks display without permission	Section 3.9	\$ 195.00
12.	Sell or offer for sale firecrackers	Section 3.10	\$ 195.00
13.	Set off firecrackers	Section 3.11	\$ 195.00
14.	Vendor not displaying "No Smoking" and "Fireworks" signs	Section 4.1(i)	\$ 195.00
15.	Vendor not supplying Fire Extinguishers in accordance with Ontario Fire Code	Section 4.1(iii)	\$ 195.00
16.	Vendor not having trained staff to operate fire extinguishers	Section 4.1(iii)	\$ 195.00
17.	Applicant not filing with Fire Chief a completed application	Section 5.1(i)	\$ 195.00
18.	Applicant not submitting site plan	Section 5.1(ii)	\$ 195.00
19.	Applicant not submitting certificate of insurance	Section 5.1(iii)	\$ 195.00





# Short Term Rental Accommodation

Item	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
20.	Prohibit Officer from inspecting the premises	Section 7.1	\$ 195.00
21.	Interfere with officer while enforcing by-law	Section 8.1	\$250.00

**Note: The penalty provisions for the offences indicated above is/are Section 8 of By-Law 122-2015, a certified copy of which has been filed.**



# Short Term Rental Accommodation

Part I Provincial Offences Act

The Corporation of the Town of South Bruce Peninsula Set  
Fine Schedule

By-Law Number 104-2021: Short Term Rental Accommodation By-Law

<b>Item</b>	<b>Column 1 Short Form Wording</b>	<b>Column 2 Provision Creating or Defining Offence</b>	<b>Column 3 Set Fine</b>
1	Operate a short term rental accommodation without a current licence	Section 2.1	\$600
2	Advertise or offer a short term rental accommodation for rent or use without a licence	Section 2.2	\$600
3	Transfer or assign a licence	Section 2.4	\$500
4	Permit more than 2 persons per guest room on a premises at any one time	Section 2.5	\$600
5	Operate a short term rental accommodation without providing parking	Section 2.6	\$500
6	Allow or permit any renter to park in an area not meant for parking	Section 2.7	\$400
7	Offer short term rental accommodation without current licence displayed	Section 2.8.1	\$600
8	Offer short term rental accommodation without providing Noise By-Law	Section 2.8.2	\$600



# Short Term Rental Accommodation

9	Offer short term rental accommodation without providing copy of parking provisions	Section 2.8.3	\$500
10	Offer short term rental accommodation without providing approved floor plan	Section 2.8.4	\$600
11	Offer short term rental accommodation without providing Renter's Code of Conduct	Section 2.8.5	\$600
12	Fail to provide fire extinguishers	Section 2.9	\$600
13	Rent a guest room not approved on the floor plan	Section 2.10	\$700
14	Fail to provide name and contact information for owner, agent or responsible person	Section 2.11	\$700
15	Rent unlicensed short term rental accommodation	Section 2.13	\$500
16	Violate the provisions of the Renter's Code of Conduct	Section 2.14	\$700
17	Fail to respond to the Town or attend the property within allotted time	Section 2.15	\$700
18	Obstruct or interfere with a By-Law Enforcement Officer	Section 5.2	\$700
19	Refuse to provide identification when requested	Section 5.3	\$700



# Short Term Rental Accommodation

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20	Fail to comply with an order issued by an Officer	Section 5.5	\$700
21	Fail to permit inspection of the property and premises	Section 8.2	\$500

**Note: The penalty provision for the offence indicated above is/are Section 5.8 of By-Law Number 104-2021, a certified copy of which has been filed.**



# Short Term Rental Accommodation

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## The Corporation of the Town of South Bruce Peninsula

### By-Law Number 104-2021

#### Being a By-Law to License and Regulate Short-Term Rental Accommodations in the Town of South Bruce Peninsula

**Whereas** Section 151 of the *Municipal Act, 2001, SO 2001 c.25*, as amended ("*Municipal Act*") provides that a municipality may provide for a system of licensing, regulating and governing with respect to a business;

**And whereas** Section 11 (2) of the *Municipal Act* provides that a lower-tier municipality has the authority to pass by-laws respecting economic, social and environmental well-being of the municipality, the health, safety and well-being of persons and the protection of persons and property;

**And whereas** Section 11(3) of the *Municipal Act* provides that a lower-tier municipality has the authority to pass by-laws regarding waste management, parking and business licensing;

**And whereas** Section 390 to 400 of the *Municipal Act* enables a municipality to pass by-laws to impose fees and charges to permits and services provided or done by them;

**And whereas** Section 434.1 of the *Municipal Act* permits a municipality to impose a system of administrative penalties and fees as an additional means of encouraging compliance with its by-laws;

**And whereas** Section 436 of the *Municipal Act* permits a municipality to pass by-laws providing that the municipality may enter on lands at any reasonable time for the purpose of carrying out an inspection to determine compliance with by-laws, directions, orders and license conditions;

**And whereas** Section 444 of the *Municipal Act* provides that if a municipality is satisfied that a contravention of a by-law has occurred, the municipality may make an order requiring the person who contravened the by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity;

**And whereas** Council has enacted a Zoning By-Law amendment under the provisions of the *Planning Act, RSO 1990 CP13*, as amended which defines short-term rental accommodations, establishes areas of permitted use and notes that a short-term accommodation must be licensed with the Town of South Bruce Peninsula;



# Short Term Rental Accommodation

**And whereas** the Town of South Bruce Peninsula deems it expedient to license and regulate short-term rental accommodations being operated in the Town of South Bruce Peninsula;

**Now therefore the Council of the Town of South Bruce Peninsula enacts as follows:**

## 1. Definitions

For the purpose of this by-law, the following definitions shall apply:

- 1.1 **"Agent"** means a person duly appointed by an owner or the Town to act on their behalf.
- 1.2 **"Applicant"** means the person applying for a license or renewal of a license under this by-law.
- 1.3 **"Building"** means a structure occupying an area greater than ten 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 service systems related thereto, or, structures designated in the *Ontario Building Code*.
- 1.4 **"By-Law Enforcement Officer"** means a person duly appointed by the Town of South Bruce Peninsula by by-law for the purpose of enforcing the provisions of the Town's by-laws and any person whose statutory position permits them at law to enforce applicable provincial and federal legislation and regulations including any police officer. The term By-Law Enforcement Officer may be used interchangeably with the term officer.
- 1.5 **"Council"** shall mean the body of people, elected to govern the affairs of the Town of South Bruce Peninsula.
- 1.6 **"Dwelling Unit"** holds the same meaning as contained in the Zoning By-Law and additionally, for the purpose of this by-law, a dwelling unit does not include a tent, trailer, mobile home or a room or suite of rooms in a boarding or rooming house, a hotel or motor home.
- 1.7 **"Fee"** means an amount payable in relation to this by-law and is as stated in the Town of South Bruce Peninsula Fee By-Law, as may be amended from time to time. The word fee may be used interchangeably with the words penalty and fine, where those words carry the same meaning.
- 1.8 **"Guest Room"** means a room offered for short-term rental accommodation, which conforms to the standards for a bedroom, as set forth by the *Ontario Building Code*.



# Short Term Rental Accommodation

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- 1.9 **"Licence"** means the document issued under the provisions contained within this by-law, which document serves as the proof of permission to carry on the business of a short-term rental accommodation.
- 1.10 **"Licensee"** means a person who holds a license or is required to hold a licence under this by-law.
- 1.11 **"Licence Issuer"** means any person or persons provided the authority by the Town of South Bruce Peninsula to issue a licence under this by-law.
- 1.12 **"Order"** means any notice to comply with the provisions of this by-law issued by a By-Law Enforcement Officer, after investigation of any allegations of contravention with this by-law are completed, and it is determined that there are justified contraventions of the by-law.
- 1.13 **"Owner"** means the person or persons holding title to the property on which the short-term rental accommodation is located. Ownership has a corresponding meaning.
- 1.14 **"Parking Area"**. means an area provided for the parking of motor vehicles and may include aisles, parking spaces, pedestrian walkways and related ingress and egress lanes but shall not include any part of a public street.
- 1.15 **"Person"** means an individual, Corporation, partnership or an association and includes a licensee or an applicant for a license under this by-law as the context requires.
- 1.16 **"Premises"** means the dwelling unit which is being used as a short-term accommodation.
- 1.17 **"Property"** means the land upon which a short-term rental accommodation is operated, exclusive of buildings or structures or any part thereof.
- 1.18 **"Renter"** means the person responsible for the rental of the premises by way of concession, permit, lease, license, rental agreement or similar commercial arrangement.
- 1.19 **"Renter's Code of Conduct"** means those provisions, prepared by the Town, that prescribes the roles and responsibilities of the renter, including but not being limited to behavioral expectations as they relate to non-disturbance of neighbors, compliance with applicable Town by-laws and adherence to the provisions of this by-law. This document will be amended from time to time, as required.
- 1.20 **"Responsible Person"** means the owner of the property or agent assigned by the owner of the short term rental accommodation dwelling who will hold responsibility to ensure that the short term rental accommodation is being



# Short Term Rental Accommodation

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operated in accordance with the provisions of this by-law, any licence issued and all applicable laws. The responsible person must have attained at least the age of 18 years.

- 1.21 **"Short Term Rental Accommodation"** shall have the meaning and definition contained within the Town's Zoning By-Law. For greater certainty, a Guest Cabin (often referred to as a Bunkie), as defined in the Zoning By-Law shall not be used as a short term rental accommodation.
- 1.22 **"Town"** means the Corporation of the Town of South Bruce Peninsula.
- 1.23 **"Zoning By-Law"** means the Comprehensive Zoning By-Law for the Town of South Bruce Peninsula, as amended from time to time and any successor by-law, as amended.

## 2. General Provisions

- 2.1 No person shall operate any short term rental accommodation unless he or she holds a current licence.
- 2.2 No person shall advertise or otherwise offer for rent or use, any short term rental accommodation without a licence.
- 2.3 No person shall operate any short term rental accommodation which does not comply with all Town by-laws, Provincial legislation and any other applicable law.
- 2.4 No person shall transfer or assign a license issued under this by-law.
- 2.5.1 No person shall permit the maximum number of persons on a premises at any one time, including but not limited to residents, renters and their guests, to be greater than two (2) persons per guest room (bedroom).
- 2.5.2 Notwithstanding Section 2.5.1 above, an exception from the maximum occupancy of 2 persons per guestroom (bedroom) will be granted for children of the renter, under the age of 12, where the Town will permit no more than three (3) persons per guestroom (bedroom).
- 2.6 No person shall operate short term rental accommodation unless parking is provided which includes:
  - 2.6.1 A minimum of one parking space for every two guest rooms;
  - 2.6.2 Parking space size which measures two and one half (2.5) metres by six (6) metres each;
  - 2.6.3 A parking surface suitable for the parking of vehicles.





# Short Term Rental Accommodation

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- 2.6.4 Compliance with all parking provisions for the particular zone as provided in the Zoning By-Law.
- 2.7 No person shall allow or permit any renter of a short term rental accommodation to park in any area on the property which is not meant for parking.
- 2.8 No person shall offer a short term rental accommodation to any guest without making available to renters:
  - 2.8.1 A copy of the current licence, displayed on the interior of the dwelling unit, in a conspicuous place.
  - 2.8.2 A copy of the current Noise By-Law.
  - 2.8.3 A copy of the site plan including parking provisions as they relate to the short term rental accommodation.
  - 2.8.4 A copy of the approved floor plans of the short term rental accommodation.
  - 2.8.5 A copy of the Renter's Code of Conduct
- 2.9 Every person who operates a short term rental accommodation shall ensure the building is equipped with a class ABC fire extinguisher on each floor of the dwelling unit (preferably near exits).
- 2.10 No licensee shall rent any guest room in a short term rental accommodation other than a guest room that was identified and approved as such on the floor plans submitted with the application for the short term rental accommodation licence.
- 2.11 Every owner of a short term rental accommodation is required to provide to the Town, the name and contact information of the owner, agent or responsible person who can be contacted by the Town and who can respond to any issue, emergency or contravention of any Town by-law within thirty (30) minutes of the initial contact by the Town and who can attend at the property and premises not later than sixty (60) minutes after the initial contact by the Town.
- 2.12 Issued licences, along with the legal description, civic address and associated owner, agent and responsible person contact information may be posted on the Town's website, at the sole discretion of the Town.
- 2.13 No person shall rent any short term rental accommodation unless the short term rental accommodation has a current and valid licence.
- 2.14 No person shall violate the provisions of the Renter's Code of Conduct.



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- 2.15 Every owner, agent or responsible person must respond to the Town when contacted within thirty (30) minutes and must appear at the property within sixty (60) minutes of the initial contact by the Town.

## **3. Licensing Requirements**

- 3.1 Every application for a new licence or the renewal of an existing licence shall include:
  - 3.1.1 A completed application in the form required by the Town, which shall include the name, address, telephone number and email address for each owner, applicant, agent and responsible person.
  - 3.1.2 Proof of ownership of the property and premises.
  - 3.1.3 Proof that the owner, agent, applicant and responsible person is/are at least eighteen (18) year of age.
  - 3.1.4 Where any of the owner, agent, applicant or responsible person is/are a corporation, proof that the corporation is legally entitled to conduct business in the Province of Ontario and must provide an article of incorporation or other incorporating documents, duly certified by the proper government official or department of the Province of Ontario or Government of Canada.
  - 3.1.5 A written authorization permitting the applicant, agent or responsible person to act on behalf of the owner.
  - 3.1.6 A site plan and floor plan, drawn to scale and fully dimensioned of the property and premises including the location of all buildings and structures on the property, the use of each room, the location of smoke detection and early warning devices, the location of fire extinguishers, the location of all entrances/exits to and from the building, the location of all exterior decks that are appurtenant to the premises and related site amenities including dimensioned parking spaces and locations for garbage and recycling storage and disposal.
  - 3.1.7 Verification in the form required by the Town that the short term rental accommodation meets the requirements of all applicable law including but not being limited to the Ontario Building Code Act, Ontario Building Code, Fire Protection and Prevention Act, Fire Code, Electricity Act and the Electrical Safety Code. This includes compliance with septic system requirements, HVAC provisions and a properly functioning electrical system.
  - 3.1.8 Proof of insurance which includes a liability limit of no less than two (2) million dollars per occurrence.



# Short Term Rental Accommodation

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- 3.1.8.1 Coverage shall include but not be limited to bodily injury, personal injury, property damage including loss of use thereof, contractual liability, non-owned automobile and contain a cross liability, severability of insured clause.
- 3.1.8.2 The Town shall be added as an additional insured.
- 3.1.8.3 The policy must identify that the property and premises are being operated as a short term rental accommodation business.
- 3.1.9 Written confirmation that the owner, agent or responsible person can be contacted by the Town and can respond to any issue, emergency or contravention of any Town by-law within thirty (30) minutes of the initial contact by the Town and can attend at the property and premises not later than sixty (60) minutes after the initial contact by the Town.
- 3.1.10 Payment of the applicable licensing fee.
- 3.2 A licence which has been issued pursuant to this by-law shall expire upon the earliest of the following:
  - 3.2.1 The date that is one (1) year after the date of the issuance of the license.
  - 3.2.2 Upon the date of sale or transfer of the property and premises.
  - 3.2.3 The date of suspension or revocation of the by-law by the Town.
- 3.3 A licence cannot be assigned or transferred from the licensee to any other person, party or corporation.
- 3.4 The licensee shall be responsible for informing the Town in writing of any changes to the information contained in the application or approved licence or any deviation from any approved plans within seven (7) days of such change or deviation. Nothing herein allows a licensee to rent the short term rental accommodation other than as identified and approved on the application and licence unless the Town has approved said change or deviation in a written format.
- 3.5 Upon determination by the licence issuer that information requirements and all regulatory and by-law requirements of the Town are met, a licence shall be issued and remain valid for a period of one (1) year unless suspended or revoked or unless the licence has been expired.
- 3.6 A licence may be considered for renewal if:



# Short Term Rental Accommodation

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- 3.6.1 An application for renewal is received from the owner, subject to all provisions contained within this by-law and any other applicable law, as the case may be.
- 3.6.2 The licence was not previously suspended or revoked.
- 3.6.3 The licence had not previously expired.
- 3.6.4 No changes to the premises and/or property have occurred.
- 3.6.5 The property and/or premises is not the subject of an investigation under any applicable law including but not limited to criminal investigation and any investigations into environmental compliance, public health compliance, structural compliance, or any other proposed breach of any applicable law.

## **4. Inspection**

- 4.1 An officer may at any reasonable time enter upon the property to inspect the property and premises where a licence has been issued under this by-law, to inspect for and determine compliance with this by-law or any other applicable law, as the case may be.
- 4.2 It is the responsibility of the owner or any person acting as an agent or responsible person to ensure that all inspections, permits and permissions as they relate to the property and premises have been undertaken to ensure that the property and premises are suitable to be operated and used as a short term rental accommodation.
- 4.3 It shall be hereby understood that any inspections, permits and permissions required shall be deemed to be considered to be at the expense of the owner, agent or responsible person.

## **5. Enforcement, Orders, Penalties and Collection**

### **Enforcement**

- 5.1 A By-Law Enforcement Officer shall be responsible for the enforcement of the provisions of this by-law.
- 5.2 No person shall obstruct or interfere with a By-Law Enforcement Officer during the performance of their duties under this by-law.
- 5.3 No person shall refuse to provide identification to an officer when requested.



# Short Term Rental Accommodation

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## Orders

- 5.4 Upon determination that a contravention of the provisions of this by-law has occurred, a By-Law Enforcement Officer may issue an order.
- 5.4.1 An order issued under this by-law shall set out:
- 5.4.1.1 The reasonable particulars of the contravention giving enough detail to identify the contravention and the location of the contravention.
  - 5.4.1.2 The work to be done or action to be taken to remedy the contravention.
  - 5.4.1.3 The date by which the work or action must be completed.
  - 5.4.1.4 The date by which the owner must make the property/premises available for inspection.
  - 5.4.1.5 The consequence for not complying with the order.
  - 5.4.1.6 Any administrative or other penalty or fee associated with the issuance of the order.
- 5.5 Every person shall comply with an order issued by an officer.
- 5.6 An order under this by-law may require work to be done even though the facts which constitute the contravention of this by-law were present before this by-law came into force and effect.

## Penalties

- 5.7 Every person, including a corporation who contravenes any provision of this by-law is guilty of an offence and all contraventions of the by-law are designated as continuing offences pursuant to Section 429 of the *Municipal Act*.
- 5.7.1 A minimum fine shall not exceed \$500 and a maximum fine shall not exceed \$100,000.
- 5.7.2 In the case of a continuing offence, for each day or part of a day that the offence continues, a minimum fine shall not exceed \$500 and a maximum fine shall not exceed \$10,000.
- 5.8 Every person who violates a provision of this by-law is guilty of an offence and upon conviction is liable to the penalty provided in Section 61 of the *Provincial Offences Act R.S.O. 1990 Chapter 33* as amended from time to time.
- 5.9 Where a person has been convicted for an offence under this by-law by a court of competent jurisdiction, the court may in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition

of the offence or the doing of any act or thing by the person convicted directed toward the continuation or repetition of the offence.

- 5.10 Any violations of any Acts, regulations or other applicable law as it relates to the requirements under this by-law may also be addressed pursuant to the respective remedies set forth in said Acts, regulations or applicable law.
- 5.11 Every person guilty of an offence under this by-law may, if permitted under the Provincial Offences Act, pay a set fine in accordance with the set fine schedule as it relates to the provisions of this by-law and as approved by the Ontario Court of Justice.
- 5.12 Any person who contravenes any provision of this by-law shall, upon issuance of an order pursuant to this by-law, be liable to pay to the Town an administrative penalty in the amount as established in the Town Fee By-Law, which may be amended from time to time.

## **Collection**

- 5.13 Pursuant to Section 441 of the Municipal Act, if any part of a fine for a contravention of this by-law remains unpaid after the fine becomes due and payable under Section 66 of the Provincial Offences Act, R.S.O 1990 Chapter 33 including any extension of time for payment ordered under that section, the licence issuer may give the person against whom the fine was imposed a written notice specifying the amount of the fine payable and the final date on which it is payable, which shall not be less than twenty one (21) days after the date of the notice.
- 5.14 If the fine remains unpaid after the final date specified in the notice, the fine is deemed to be unpaid taxes pursuant to Section 351 of the Municipal Act and may be added to the owner's tax roll and be collected in the same manner as property taxes.

## **6. Issuance and Renewal of Licence, Grounds for Refusal, Suspension and Revocation**

- 6.1 The licence issuer shall have the authority to issue, refuse to issue, renew, refuse to renew, revoke or suspend a licence or to impose terms and conditions on any licence.
- 6.2 The licence issuer may refuse to issue or renew a licence where:
  - 6.2.1 There are reasonable grounds to believe that the operation of the short term rental accommodation may be adverse to the public interest.
  - 6.2.2 A licence has been previously revoked, suspended or expired.



# Short Term Rental Accommodation

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- 6.2.3 A person applying for a licence or renewal has presented a history of contravention of this by-law or other Town by-laws.
- 6.2.4 The Renter's Code of Conduct has been violated.
- 6.2.5 The current and/or proposed use of the premises and/or property is not in compliance with the Zoning By-Law.
- 6.2.6 The owner is indebted to the Town in respect of fines, penalties, judgements or any amounts owing, including awarding of legal costs, disbursements, outstanding property taxes and late payment charges (penalty and interest).
- 6.2.7 The property and premises to be used for the short term rental accommodation does not conform with applicable Federal and/or Provincial law and any regulations thereto.
- 6.2.8 The owner, agent or responsible person fails to respond to the Town when contacted within thirty (30) minutes and fails to appear at the property within sixty (60) minutes.
- 6.3 The licence issuer shall revoke a licence where three (3) or more orders/charges/fines/penalties are issued to the owner or to any renter.
  - 6.3.1 The order total will be a cumulative total for a period of two (2) years from the date of the first order.
- 6.4 The licence issuer may suspend a licence:
  - 6.4.1 When an order is issued for any contravention of this by-law and until compliance with the order is achieved.
  - 6.4.2 When it is believed that a contravention of the provisions of this by-law have occurred and an investigation into the allegations are to be undertaken.
  - 6.4.3 When requested by a government agency having authority.
  - 6.4.4 When it believed that to continue to permit the operation of the short term rental accommodation there would be risk to health and safety.
  - 6.4.5 When the owner, agent or responsible person fails to respond to the Town when contacted within thirty (30) minutes and fails to appear at the property within sixty (60) minutes.
  - 6.4.6 For any reason felt to be justified by the license issuer.



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6.5 Where the licence issuer has denied an applicant a licence, a renewal of a licence, or has suspended or revoked a licence, the licence issuer shall inform the applicant by way of written notice, setting forth the grounds for the decision with reasonable particulars and shall advise of the right to appeal such decision to Council.

## **7. Appeal**

7.1 A person may appeal to Council by submitting in a written format, the reasons for the appeal.

7.2 Every appeal must be served on the Town within fourteen (14) business days after service of the order or notice under this by-law.

7.2.1 Appeals received after fourteen (14) business days will not be considered and the decision of the By-Law Enforcement Officer and/or licence issuer will be considered to be final and binding.

7.3 All appeals must be accompanied by the required, non-refundable appeal fee, in such amount as set forth in the Town Fee By-Law, as may be amended from time to time.

7.4 The hearing of appeals will be conducted by Council in an open session. The date of the hearing of the appeal will be relayed to the appellant, giving reasonable notice of the hearing date.

7.5 After hearing from the appellant, the By-Law Enforcement Officer, the licence issuer and any other person deemed by Council to have relevant evidence, Council shall make a decision.

7.5.1 Council may consider any matter pertaining to this by-law or other matter that relates to general welfare, health and safety.

7.5.2 When making its decision, Council may accept the appeal, reject the appeal or partially accept or reject the appeal.

7.5.3 Council may also seek additional information before making a decision, however, must not delay making a decision for an extended or unreasonable period of time.

7.5.4 Council is not required to convene any special meeting to hear an appeal. The regular and usual Council meeting dates shall be considered to be appropriate.

7.5.5 Council in making its decision may impose any terms or conditions on a licence, in its sole discretion.





# Short Term Rental Accommodation

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7.6 The decision of Council shall be final, binding and shall not be subject to review.

7.7 Where the decision of Council is:

7.7.1 To accept the appeal, without condition or alteration, the administrative fee/penalty charged when the order was issued will be reversed.

7.7.2 To deny the appeal in whole or in part or to place any terms and conditions on the licence, the administrative fee/penalty will be considered to be a debt to the Town and will be collected as is provided in Section 5 of this by-law.

## **8. Entry and Inspection**

8.1 A By-Law Enforcement Officer may, at any time, enter onto a property or into a premises to determine whether the provisions of this by-law and any licence, order or notice issued hereunder are being complied with.

8.2 Every person shall permit the By-Law Enforcement Officer to inspect the property and premises and shall provide any document or things relevant to the inspection.

8.3 A By-Law Enforcement Officer may inspect and remove documents or things relevant to the investigation for the purpose of making copies or extracts and may require information from any person concerning a matter related to the inspection.

8.4 No person exercising a power of entry on behalf of the Town shall enter or remain in any room or place used as a dwelling unless permitted at law.

8.5 A By-Law Enforcement Officer exercising a power of entry under this by-law on behalf of the Town may be accompanied by any person, at their discretion.

## **9. Service of Documents**

9.1 Service of any order or notice under this by-law shall be carried out by personal service or by registered mail or courier to the address of the owner shown on the application submitted to obtain a licence under this by-law.

9.2 Service by registered or regular mail or by courier will be considered to be sufficiently given on the fifth (5) day after the day of mailing or courier pick up.

## **10. Title**

10.1 This by-law shall be known by its short title "The Short Term Rental Accommodation By-Law".



# Short Term Rental Accommodation

## 11. Severability and Inclusion

- 11.1 Should any provision contained herein be deemed to be invalid by a court of competent jurisdiction, said clause will be considered to be severed from the remainder of the by-law and the clause which is severed will not serve to invalidate any other provision or clause contained herein.
- 11.2 The singular in this by-law shall include the plural.
- 11.3 The masculine in this by-law shall include the feminine.

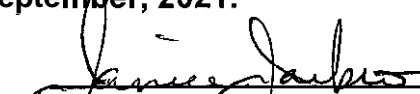
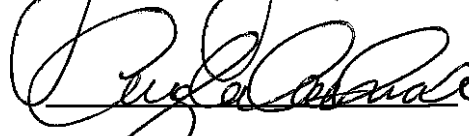
## 12. Schedules

- 12.1 Any schedules which are attached to this by-law shall form a part of this by-law.

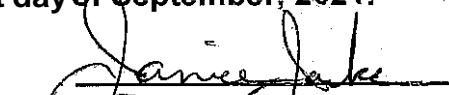
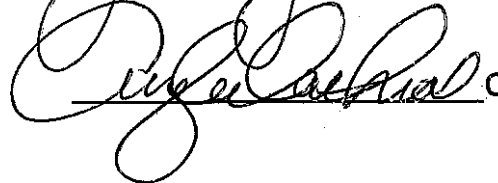
## 13. Force and Effect

- 13.1 This by-law shall come into full force and effect upon the final passing thereof.
- 13.2 Any by-law or part thereof which is inconsistent with this by-law is hereby rescinded and replaced with this by-law.

Read a first and second time this 21st day of September, 2021.

  
\_\_\_\_\_  
James Lake Mayor  
  
\_\_\_\_\_  
Clerk

Read a third time and finally passed this 21st day of September, 2021.

  
\_\_\_\_\_  
James Lake Mayor  
  
\_\_\_\_\_  
Clerk