

**THE CORPORATION OF THE TOWNSHIP OF RAMARA**

**BYLAW NO. 2021.43**

**A BYLAW TO AMEND BYLAW 2020.11 BEING A  
BYLAW TO LICENSE, REGULATE AND GOVERN  
SHORT-TERM RENTAL ACCOMMODATION USES**

**WHEREAS** Pursuant to the provisions of Part IV of the Municipal Act, 2001 SO. 2001, c.25 (Municipal Act) the Council of the Corporation of the Township of Ramara ("Council") may provide for a system of licences with respect to businesses;

**AND WHEREAS** Pursuant to Section 11 of the Municipal Act, Council is exercising its authority with respect to business licensing in the interest of health and safety, well-being of persons, consumer protection and nuisance control;

**AND WHEREAS** Section 436 of the Municipal Act, authorizes a municipality to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not there is compliance with a bylaw, a direction or order, or a condition of a licence;

**AND WHEREAS** Sections 390 to 400 of the Municipal Act authorizes a municipality to pass bylaws imposing fees or charges for services or activities provided or done by it or on behalf of it;

**AND WHEREAS** Pursuant to Section 434.1 of the Municipal Act, Council considers it desirable to provide for a system of administrative penalties and fees as an additional means of encouraging compliance with this by-law.

**AND WHEREAS** the Council of the Corporation of the Township of Ramara passed Bylaw 2020.11 to license, regulate and govern Short-Term Rental Accommodation uses;

**AND WHEREAS** the Council of the Corporation of the Township of Ramara wishes to amend Bylaw 2020.11;

**NOW THEREFORE, the Council of the Corporation of the Township of Ramara hereby enacts as follows:**

1. THAT Section 4. Administration, be amended as follows:

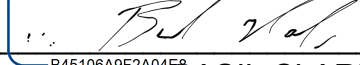
4. (1) The Manager is responsible for the administration and enforcement of this bylaw, or his/her designate.

4. (3) (h) proof of placement of insurance specific to the rental nature of the property that includes a limit of liability of not less than TWO MILLION DOLLARS (\$2,000,000.00) per occurrence for property damage and bodily injury and that shall be maintained at all times while licenced;
2. THAT Section 5. General Regulations, be amended as follows and include the following:
  5. (6) A person is not eligible to hold a licence if the property to be used for carrying on the trade, business or occupation does not conform with applicable federal and provincial law and regulations or municipal by-laws, including, but not limited to, the Zoning By-law; the Property Standards By-law; the applicable Ontario Building Code Act; the Building Code; the applicable Fire Protection and Prevention Act; the Fire Code; the Ontario Electrical Safety Code; or an order of the Medical Officer of Health.
  5. (21) No person shall advertise a short-term rental accommodation without posting their valid Township of Ramara licence number on the advertisement.
3. THAT Section 10. Administrative Penalties, be amended as follows:
  10. (2) Any person who contravenes any provision of this by-law shall, upon issuance of a penalty notice pursuant to subsection (1), be liable to pay to the Township an administrative penalty as follows:

(a)	1st Offence	2nd Offence	3rd Offence	4th Offence
	\$500.00	\$1000.00	\$1500.00	\$2000.00
  - (b) Any person who advertises or operates a short-term rental accommodation prior to the issuance of a valid licence from the Township of Ramara and is convicted of an offence under the Provincial Offences Act or has a confirmed Administrative Monetary Penalty issued under this bylaw and applies for a short-term rental accommodation licence, shall pay a \$500.00 administrative fee in addition to the required annual licensing fee.
4. THAT SCHEDULE 1 SHORT-TERM RENTAL ACCOMMODATION LICENSING REQUIREMENTS be replaced with the Schedule 1, attached hereto:
5. THAT SCHEDULE 2 GENERAL REGULATIONS be replaced with the Schedule 2, attached hereto:
6. THAT this Bylaw shall come into force and take effect on the date of passing.

**BYLAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 14<sup>TH</sup> DAY OF JUNE 2021.**

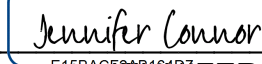
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BASIL CLARKE, MAYOR

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JENNIFER CONNOR, CLERK

Schedule 1 to By-law Number 2020.11

**SCHEDULE 1**  
**SHORT-TERM RENTAL ACCOMMODATION LICENSING REQUIREMENTS**

1. A person wishing to carry on the business of a STRA Company shall provide the Manager with the following:
  - (a) a completed application in the form required by the Manager that will include each owner, applicant and/or agent's name, address, telephone number, facsimile transmission number and e-mail address;
  - (b) payment of the applicable licensing fee;
  - (c) proof that the applicant is at least eighteen (18) years of age, if the applicant is an individual;
  - (d) proof that the corporation is legally entitled to conduct business in Ontario, if the applicant is a corporation, including but not limited to:
    - (i) article of incorporation or other incorporating documents, duly certified by the proper government official or department of the Province of Ontario or of the Government of Canada; and,
    - (ii) a certified copy of an annual return which contains a list of all shareholders of the corporation,
  - (e) the names and addresses of each member of the partnership as well as the name under which the partnership intends to carry on business, if the applicant is a partnership;
  - (f) the address and contact information of the Short-term rental accommodation Company's registered business address in the Province of Ontario, which is not a post office box, to which the Town may send during business hours any notice or documentation or communication that may be required under this bylaw and at which the applicant or the applicant's agent will accept receipt of such notice, documentation or communication together with the name, telephone, and email contact information for the person authorized to receive and respond on behalf of the Short-term rental accommodation Company to any and all communications from the Town relating to the licence or the conduct of the business;
  - (g) a current list of every affiliated Short-term rental accommodation Operator in a readily accessible electronic format that includes:

- (i) the full name and address of every Short-term rental accommodation Operator;
    - (ii) the date the Operator became active on the website or platform; and
    - (iii) the confirmed bookings associated with each Operator;
  - (h) proof of commercial general liability business insurance coverage of at least TWO MILLION DOLLARS (\$2,000,000.00);
2. A person wishing to operate a Short-term rental accommodation shall provide the Manager with the following:
- (a) a completed application in the form required by the Manger that will include each owner, applicant and/or agent's name, address, telephone number, facsimile transmission number and e-mail address;
  - (b) payment of the applicable licensing Fee;
  - (c) proof that the applicant is at least eighteen (18) years of age, if the applicant is an individual;
  - (d) proof that the corporation is legally entitled to conduct business in Ontario, if the applicant is a corporation, including but not limited to:
    - (i) article of incorporation or other incorporating documents, duly certified by the proper government official or department of the Province of Ontario or of the Government of Canada; and,
    - (ii) a certified copy of an annual return which contains a list of all shareholders of the corporation,
  - (e) the names and addresses of each member of the partnership as well as the name under which the partnership intends to carry on business, if the applicant is a partnership;
  - (f) a Renter's Code of Conduct;
  - (g) a Site Plan for the property on which the Short-term rental accommodation is situated that complies with the Zoning By-Law and which outlines where all of the parking spaces shall be located and the dimensions of those parking spaces;

- (h) a floor plan of the Short-term rental accommodation, including identifying:
  - (i) all rooms, spaces or common areas;
  - (ii) how each room, space or common area shall be used, which means specifically indicating where all lodging units will be located on the floor plan; and,
  - (iii) the dimensions (in square meters) of all rooms, spaces or common areas.
- (i) a site plan which shall:
  - (i) specify measures to be undertaken to ensure existing and continued compliance with all relevant Townships by-laws, including this by-law, the Township's Property Standards By-law;
  - (ii) identify the location of refuse and recycling containers;
  - (iii) identify snow storage areas; and,
  - (iv) identify who is responsible for ensuring that all necessary property maintenance is undertaken; and
  - (v) identify and number all parking spaces, including the width and length of each parking space and setbacks from the municipal road allowance (front lot line);
- (j) proof of insurance which includes a liability limit of no less than TWO MILLION DOLLARS (\$2,000,000.00) per occurrence for property damage and bodily injury, and identifies that a Short-term rental accommodation is being operated on the property.
- (k) a copy of the transfer/deed providing proof of ownership of the property on which the STRA is situated if required by the Manger/By-law;
- (l) if a renter, consent of the owner of the property;
- (m) the rental agent's or agency's name, address and telephone number;
- (n) a sworn declaration that:
  - (i) the applicant or Owner will comply with the maintenance plan;
  - (ii) the applicant or Owner will comply with the site plan;

- (iii) the Short-term rental accommodation is in compliance with the applicable *Building Code Act* or any regulations made under it, including the *Building Code*;
- (iv) the Short-term rental accommodation is in compliance with the applicable "*Fire Protection and Prevention Act*", or any regulations made under it, including the *Fire Code*;
- (v) the STRA is in compliance with the *Electricity Act, 1998*, S.O.1998, c. 15, Schedule A, as amended (the "*Electricity Act, 1998*") or any regulations made under it, including the *Electrical Safety Code*;
- (vi) the Owner or the applicant (if different from the Owner) and any Local Contacts are aware of all relevant federal and provincial legislation, including the Ontario *Human Rights Code*, as well as all relevant municipal by-laws, and that they will comply with all of them;
- (vii) the applicant or Owner confirms the accuracy, truthfulness and completeness of the information submitted;
- (viii) the applicant or Owner confirms they will require each renter to abide by a Renter's Code.

Schedule 2 to By-law Number 2020.11

**SCHEDULE 2  
GENERAL REGULATIONS**

1. A Short-term rental accommodation Company shall:
  - (a) not accept, facilitate, or broker requests for or advertise or offer Short-term rental accommodation:
    - (i) unless the operator is licensed by the Township; or
    - (ii) if the Manager has reasonable grounds to believe that the STRA being operated poses a threat to public health or safety, or is otherwise not in compliance with this by-law;
  - (b) immediately advise the Manager if it removes an operator from their website or platform for any reason;
  - (c) disclose on its website or platform and make available for the public:
    - (i) fees to be charged,
    - (ii) dispute resolution process for dealing with any complaints regarding fees, customer service, or any other issues arising from Short-term rental accommodation operations;
  - (d) maintain commercial general liability business insurance coverage of at least TWO MILLION DOLLARS (\$2,000,000.00);
  - (e) keep a current list of every affiliated Short-term rental accommodation operator in a readily accessible electronic format that includes:
    - (i) the full name and address of every Short-term rental accommodation operator;
    - (ii) the date the operator became active on the website or platform;  
and
    - (iii) the confirmed bookings associated with each operator;
  - (f) prior to the collection of any personal information, a Short-term rental accommodation company shall obtain a consent for such collection and potential disclosure to the Licensing Officer from any Short-term rental accommodation operator with whom it is affiliated in the Town;



- (g) retain all records respecting Short-term rental accommodation services offered, operated or facilitated by it in the Township for a period of at least two (2) years and produce to the Licensing Officer upon request any such records in electronic format within fourteen (14) days of the date of the request, including records required as part of random audits or investigations conducted by the Licensing Officer to evaluate compliance with this by-law. Where any records referenced herein are required for law enforcement purposes, a Short-term rental accommodation shall make the requested records available to the requesting agency as soon as possible, and in any event within 7 days;
- (h) shall not obstruct the Manager when creating accounts for law enforcement purposes; and
- (i) ensure there is a dispute resolution process for dealing with any complaints regarding fees, customer service, or any other issues arising from Short-term rental accommodation operations and provide details to the Licensing Commissioner for law enforcement purposes when requested.

2. A Short-term rental accommodation shall:

- (a) operate the Short-term rental accommodation in accordance with the Site Plan and Property Management Plan;
- (b) keep a record of the renter with such record containing the date of entry, the length of stay, home address of the renter and confirmation of receipt of the Renter's Code with such record readily available for inspection at all times by an Officer for a period of two years;
- (c) display the licence permanently in a prominent place in the Short-term rental accommodation to which it applies;
- (d) ensure that there is a responsible person available to attend to the Short-term rental accommodation at all times within a period of no greater than one hour from the time of contact by way of telephone or e-mail;
- (e) ensure that each renter has been provided with the Renter's Code with the owner retaining a copy of the confirmation of receipt of the Renter's Code for a period of two years;
- (f) maintain the Short-term rental accommodation in a clean and sanitary condition, with adequate measures for the storage and disposal of garbage and waste and sufficient levels of illumination to permit the safe use of the Short-term rental accommodation. For the purposes of this subsection, adequate measures for the storage and disposal of waste

shall mean a self-enclosed building, structure or container, located outside of the Short-term rental accommodation, which is of a sufficient size that will store the garbage and waste generated by the premises until such garbage and waste is disposed of;

- (g) ensure that the Short-term rental accommodation is operated and used in a fashion such that the operation or use will not cause a disturbance.
- (h) ensure that all advertisements for a short-term rental accommodation include their valid Township of Ramara licence number.