

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

BY-LAW NO. 25-1808

Being a By-law to Regulate and Licence Short-term Rental Establishments within the Municipality of Temagami.

WHEREAS

1. Section 8 of the *Municipal Act, 2001* provides that the powers of a Municipality shall be interpreted broadly so as to confer broad authority on the Municipality to enable the Municipality to govern its affairs as it considers appropriate and to enhance the Municipality's ability to respond to Municipal issues; and
2. Section 9 of the *Municipal Act, 2001* provides that a Municipality has the capacity, rights, powers, and privileges of a natural person for the purpose of exercising its authority; and
3. Section 10(2) of the *Municipal Act, 2001* provides that a single tier Municipality may pass by-laws respecting business licensing;
4. Section 128 of the *Municipal Act, 2001* provides that a local Municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances; and
5. Section 151 of the *Municipal Act, 2001* provides that a Municipality may provide for a system of licences with respect to a business and may prohibit the carrying on or engaging in the business without a licence; refuse to grant a licence or to revoke or suspend a licence; impose conditions as a requirement of obtaining, continuing to hold or renewing a licence; impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence; and licence, regulate or govern real and personal property used for the business and the persons carrying it on or engaged in it; and
6. Section 434.1 of the *Municipal Act, 2001* permits a Municipality to impose a system of administrative penalties and fees as an additional means of encouraging compliance with its by-laws; and

7. Section 436 of the *Municipal Act, 2001* 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
8. Section 23.1 of the *Municipal Act, 2001* as amended, authorizes a Municipality to delegate its powers and duties; and
9. The Council of the Municipality of Temagami deems it expedient to license and regulate short-term rental accommodations being operated in the Municipality of Temagami;

NOW THEREFORE LET IT BE RESOLVED THAT

The Council for the Corporation of the Municipality of Temagami does hereby enact as follows:

1. Short Title

- 1.1. This By-law shall be known as the "Short-Term Rental By-law".

2. Application

- 2.1. The provisions of this By-law shall apply to all properties in the Municipality of Temagami.
- 2.2. This By-law applies to any short-term rental (STR), even if the short-term rental was operating prior to the date of the enactment of this By-law.

3. Definitions

- 3.1. **Agent** means a person duly appointed in writing by a property owner to act on their behalf.
- 3.2. **Applicant** means the person applying for a licence or renewal of a licence under this by-law.
- 3.3. **Building** means a structure occupying an area greater than ten (10) square metres consisting of a wall, roof and floor or any of them or a structural system serving the

function thereof including all plumbing, works, fixtures and service systems related thereto, or, structures designated in the Ontario Building Code.

3.4. Chief Building Official (CBO) means the person appointed by the Council of the Municipality under the Building Code Act, S.O. 192, c 23 as amended, or the person who is appointed to act in that capacity during their absence.

3.5. Clerk means the Clerk of the Municipality, or any person designated by the Clerk.

3.6. Council means the elected council of the Municipality of Temagami.

3.7. Designated Responsible Person (DRP) means the owner or agent assigned in writing by the owner or licensee of the STR, who shall be at least 18 years of age, to ensure that a licenced STR is operated in accordance with the provisions of this By-law, the licence and all applicable laws.

3.8. Dwelling Unit means one room or a group of rooms in a building designed or intended to be used as a single and separate housekeeping establishment which provides an area for food preparation, sanitary facilities and sleeping areas for the exclusive use of the residents of the dwelling unit and contains its own means of egress and ingress but does not include a tent, or a room or suite of rooms in a bed and breakfast establishment, boarding or rooming house, hotel, motel, motor hotel, or tourist commercial establishment.

3.9. Guest Room means a room offered for rent in a STR which conforms to the standards for a bedroom, as set forth in the Ontario Building Code.

3.10. Non-Permitted Area means a geographic area which have been deemed by Council to not allow the operation of Short-Term Rentals.

3.11. Owner means a person who is the registered property on title for the premises where the short-term rental is located, and ownership has a corresponding meaning.

3.12. Licence means the licence issued under this by-law as proof of licencing under this By-law.

3.13. Licensee means a person who holds a licence or is required to hold a licence under this bylaw.

3.14. Licensee Code of Conduct & Acknowledgment means a document, as set forth in Schedule "C", that has been prepared by the Municipality that prescribes the roles and responsibilities of the Licensee, including but not limited to: behavioural expectations as they relate to non-disturbance of neighbours; compliance with applicable Municipal By-laws; and adherence to the provisions of this By-law.

3.15. Licence Issuer means the person designated by the Municipality as responsible for issuing the short-term rental licence under this By-law.

3.16. Municipality means the Corporation of the Municipality of Temagami.

3.17. Officers means a person appointed by the Council of the Municipality of Temagami to enforce this By-Law.

3.18. Temiskaming Shores Public Health is the authority having jurisdiction of sewage and grey water systems for the Municipality of Temagami.

3.19. Person means an individual, a corporation, an association, a partnership, and includes a licensee or an applicant for a licence under this By-law as the context requires.

3.20. Premises means any place which is being used as a short-term rental.

3.21. Renter means the person or persons responsible for the rental of a short-term rental by way of lease rental agreement, or similar or similar arrangement, whether written or verbal.

3.22. Renter Code of Conduct means a document, as set forth in Schedule "D", that has been prepared by the Municipality that prescribes the roles and responsibilities of the guest(s) and owner(s) and/ or operator(s) of STRs, including by not limited to behavioural expectations as they relate to non-disturbance of neighbours; compliance with Municipal By-laws; and adherence to the provisions of this By-law;

3.23. Short-Term Rental (STR) means the use of any legal occupancy in a building, structure or any part thereof that is used to provide sleeping accommodation, including

all or part of a dwelling unit or accessory structure related to a dwelling unit, which may or may not include cooking facilities, and that offers a place of accommodation or temporary residence by way of lease, rental agreement or similar arrangement, whether written or verbal, unless otherwise prohibited by this by-law or by any other by-law of the Municipality of Temagami, for a maximum of thirty (30) consecutive calendar days or fewer with or without on-site management. STRs shall not include a bed and breakfast, motel, hotel, tourist commercial establishment, campground, group home, rooming house or similar commercial or institutional accommodation uses. A STR must be licensed with the Municipality of Temagami as per the provisions of this by-law;

4. Prohibitions

- 4.1.** No person shall operate or permit the operation of a STR unless they hold a current and valid licence.
- 4.2.** No person shall advertise, promote, broker or otherwise offer for rent or lease any STR without a current and valid licence.
- 4.3.** No person shall advertise, promote, broker or otherwise offer for rent or lease a STR using false information.
- 4.4.** No person shall operate or permit a short-term rental to be operated while their license is suspended or revoked.
- 4.5.** No person shall operate or permit the operation of a STR on a property that is not in compliance with all Municipal, Provincial or Federal Laws.
- 4.6.** Every owner of a STR shall ensure that renters comply with all Municipal by-laws, Provincial and Federal legislation, and all other applicable laws.
- 4.7.** No person shall operate or permit a STR to operate in excess of the maximum occupancy limits for that property as approved and stipulated on the licence.
- 4.8.** No person shall rent or permit the renting of any guest room in any structure on the property of an STR other than those that have been identified and approved on the site plan submitted with the application for the STR licence.

4.9. No person shall allow or permit a travel trailer to be used as accommodation or for sleeping accommodation at a licenced STR.

4.10. No person shall violate the provisions of the Renter Code of Conduct attached as Schedule "B" to this By-law.

4.11. No person shall violate the provisions of the Licensee Code of Conduct & Acknowledgement attached as Schedule "C" to this By-law.

4.12. No person shall fail to display proof of licensing on the property after a STR licence has been obtained.

4.13. No person shall knowingly provide false information on an application for a STR licence.

4.14. No person shall give, sell, transfer or otherwise supply a STR license to any other person as STR shall be expired upon property sale or ownership change.

4.15. No person shall post or allow the posting of a STR license on a property that is not listed on the licence.

4.16. No person shall modify or alter or permit the modification or alteration of a STR licence.

4.17. No person shall remove an order or placard posted on a premise under this by-law except an officer.

5. Administration and General Provisions

5.1. The Municipal Law Enforcement Officer (MLEO) or his/her designate is designated as the Licence Issuer and shall be responsible for the administration of this By-law.

5.2. Any person who operates a short-term rental accommodation shall comply with the provisions of this By-law, as well as with all applicable Municipal by-laws and provincial and federal legislation.

5.3. The occupancy of the premises of a short-term rental accommodation shall be restricted based on septic capacity and the Ontario Fire Code. All occupants of a STR shall be counted in occupancy.

5.4. The owner or agent of a STR shall maintain a minimum of two million dollars of commercial general liability insurance per occurrence on the premises for property damage and bodily injury, which shall be specific to the operation of the short-term rental accommodation.

5.5. The owner or agent of a STR shall ensure that the following information will be posted on the interior of each STR premises, within a maximum of 1m from the main entrance, is clearly visible to guests and is made available of inspection:

- a.** A copy of the current licence;
- b.** Address of the short-term rental premises;
- c.** Name and contact information of short-term rental premises owner, agent or Designated Responsible Person and other applicable emergency services;
- d.** Emergency Services Statement, applicable if the type of access to the short-term rental premises is not a year-round maintained public road or is water access only. The caution statement shall read "Due to this short-term rental premises not being accessible by a year-round maintained public road, emergency response times may be delayed to this location in the event of an emergency."

5.6. The owner or agent of a STR shall ensure that an information package will be available to guests containing the following information:

- a.** A copy of the Renter Code of Conduct as prepared by the Municipality;
- b.** A copy of the approved site plan including parking provisions and waste disposal;
- c.** A copy of the approved floor plans of the STR showing emergency exits and locations of fire extinguishers; and
- d.** Quick reference guide for applicable by-laws as prepared by the Municipality.

5.7. A person who posts a short-term rental listing on a short-term rental platform shall include the licence number as set out on the licence issued under this By-law.

5.8. The owner and operator of a short-term rental shall provide parking on the site in accordance with the parking requirements for the applicable zone and permitted use within the Zoning Bylaw; whichever is more. The applicant will be required to clearly indicate where parking spaces are to be located on an approved site plan.

5.9. The owner and operator of a short-term rental shall ensure that parking is only permitted where the parking surface is suitable and stable for the parking of vehicles.

5.10. No person shall allow or permit any renter of a STR to park in any area on the property which is not meant or suitable for parking.

5.11. Owners of water access only properties must provide proof of access to suitable parking at a launch site to accommodate the parking provisions of this By-law.

5.12. Unless the STR is serviced by a Municipal Water System, all water systems within the Premises should comply with the public water requirements as set out in provincial regulations.

5.13. Unless the STR is serviced by a Municipal Septage System, the applicant will be required to provide proof of septic system approval by Temiskaming Public Health of an installed septic system and its capacity that will support the short-term rental premises.

5.14. If an outhouse is being used on a property, it must be installed as per the Ontario Building Code and must be in good working order.

5.15. Every owner of a STR shall ensure that the Licensees are provided with information on the Municipality's Waste Management Program. Licensees must adhere to applicable Municipal waste management by-laws, as amended.

5.16. Garbage and recycling must be stored in an enclosed area at all times other than during collection at which time must be contained in appropriate containers for collection.

5.17. Every owner of a STR shall ensure that any garbage and recycling produced at the STR is removed from the property on at least a weekly basis.

5.18. Every owner of a STR is required to provide to the Municipality the name and contact information of a DRP who can be readily contacted and respond to an emergency or contravention of any Municipal, Provincial or Federal Laws.

5.19. Every DRP must respond to the Municipality or Renters when contacted within thirty (30) minutes of an initial call and must attend the property within sixty (60) minutes of the initial contact by the Municipality or by the Renters if so required.

5.20. The DRP must be designated by the Owner in writing as part of the application process.

5.21. The DRP must provide proof that they are at least eighteen (18) years of age and must complete the Dedicated Responsible Person (DRP) Consent and Acknowledgment.

6.0 - Licence Application Requirements and Fees

6.1. One licence shall be allowed for each property.

6.2. The number of active STR licenses in the Municipality at any one time shall be limited to fifty (50). Additional completed applications may be put on a waiting list for when licences become available.

6.3. Every application for a new licence, or a renewal of an existing licence, shall include:

a. a completed application as prescribed in Schedule "B" of this bylaw

b. the following documents:

i. Site plan of the STR property showing and naming all buildings on the property, location of the septic system and well if applicable, showing designated parking spaces and showing the location of garbage and recycling receptacles;

ii. Interior floor plan of the STR property noting fire escape routes, fire extinguisher locations, smoke alarm locations and CO detector locations and with the location of approved sleeping spaces labeled;

- iii. A completed Dedicated Responsible Person Consent and Acknowledgement Form on a form as prepared by the Municipality.
- c. Certificate of insurance demonstrating compliance with the insurance requirements set out in Section 5.4 of this By-law, including but not limited to the fact that the premises is insured as short-term rental;
- d. Proof that the applicant is the owner of the property that the STR is operating on, or grant permission in writing for an agent to apply on their behalf;
- e. Proof that the applicant is at least 18 years of age (in the form of government identification), if the applicant is an individual;
- f. Name and contact information of the owner, agent or DRP who can be readily contacted and respond to an emergency or contravention of any Municipal By-law;
- g. Proof that the applicant, if a corporation, is legally entitled to conduct business in the Province of Ontario, including but not limited to;
 - i. Articles of incorporation or other incorporating documents, duly certified by the proper government official or department of the Province of Ontario or Government of Canada; and
 - ii. A list containing the names of all shareholders of the corporation.
- h. In the case of an applicant being a partnership, the names and addresses of each member of the partnership as well as the name under which the partnership intends to carry on business;
- i. For any short-term rental on a septic system, the applicant will be required to provide proof of septic system approval by Timiskaming Public Health of an installed septic system and its capacity that will support the short-term rental premises.
- j. Payment of the non-refundable applicable fee as set out in the Municipality's Fees and Charges By-Law 24-1760, as amended Schedule "N".

6.4. Every owner shall inform the Municipality in writing of any changes to the approved information contained within the licence application or any deviation to the approved plans within seven days of such change or deviation.

6.5. Upon receipt of an application for a licence the Licence Issuer shall receive and review the application and any accompanying documents for completeness.

6.6. Every completed application shall be circulated to all applicable agencies and Municipal departments for comment and the application circulation and the inspection process for the purpose of determining licence eligibility and all relevant concerns shall be addressed and/or rectified before a licence will be issued.

6.7. Upon complete review and approval of the licence application which includes all required documentation and required fees, the Licence Issuer will contact the applicant to schedule the necessary inspections to the premises complies with provisions of this By-law, any other applicable Municipal by-laws and/or Provincial acts including but not limited to, the Property Standards By-Law, and the Zoning By-Law and the *Building Code Act*, *Fire Protection and Prevention Act* and the *Fire Code Act*.

6.8. In addition to any terms and conditions of a licence imposed by this By-law, the Licence Issuer may impose additional terms and conditions as are necessary.

6.9. Every owner of a STR shall annually renew their license on or before the date prescribed in Section 7.1 of this by-law.

6.10. Issued licences, along with the legal description, civic address and associated owner, agent and responsible person contact information shall be considered public information and may be posted on the Municipality's website, at the sole discretion of the Municipality.

6.11. In the event of a license application rejection, all application fees are non-refundable.

7. Licence Validity, Expiry, Suspension & Revocation

7.1. A licence that has been issued under the provisions of this by-law shall expire on:

- a.** 1 year from the date of issuance of the licence;
- b.** On the date of sale or transfer of the property or premises; or
- c.** On the date of revocation of the by-law by the Municipality.

7.2. If a licence expires while a licence is under suspension, upon completion of the suspension and the full licence has been reinstated, the expiry date of the original application shall continue to be the expiry date of the licence.

7.3. If a licence were to expire while a licence has been revoked and the reinstated through an appeal process, the expiry date of the original application shall continue to be the expiry date of the licence.

7.4. A demerit point system is hereby established for short-term rental licences and demerit points shall be administered in accordance with Schedule "D".

7.5. The Licence Issuer may refuse to issue or renew a licence or revoke or suspend a licence, as per Schedule "D" of this By-law, or where:

- a.** There are reasonable grounds for belief that the operation of a short-term rental at a specific premise may be adverse to the public interest;
- b.** The information or documents submitted with the application are deemed to be false, incorrect, incomplete, or misleading;
- c.** A premises or applicant has had a licence previously revoked, suspended, or subject to terms and conditions;
- d.** The owner is indebted to the Municipality in respect of fines, penalties, judgements, or any other amounts owing, including but not limited to awards of legal costs, disbursements, outstanding property taxes and late payment charges, against the owner;
- e.** A building permit is opened on the property and will remain suspended until such a time as the building permit is closed;

f. An order is issued to the property and will remain suspended until such a time as the order is deemed to be resolved;

g. The Licensee Code of Conduct and Acknowledgement has been violated at this premises;

h. The septic system requirements are not met;

i. The proposed use of the premises is not permitted by the Zoning By-law; or

j. A premises or applicant applying for a licence has presented a history of contravention of this By-law, or other Municipal by-laws or provincial acts.

7.6. Where the Licensee's liability insurance expires, cancelled, or terminated, the Licence shall be automatically suspended effective on the date of such expiration, cancellation, or termination and shall not be reinstated until proof of insurance has been provided to the Municipality.

7.7. In the event of a license suspension or revocation, no refund or other form of recompense will be issued.

7.8. Every Owner or Agent issued or renewing an STR licence under the provisions of this by-law shall sign a Licensee Code of Conduct and Acknowledgement.

7.9. The Owner of the STR shall keep a registry of renters including contact information to be made available for review upon request by the Municipality.

8. Appeals

8.1. Where the Licence Issuer has refused to issue or renew a licence under Section 7.5 of this Bylaw, the Licence Issuer shall inform the Applicant or Licensee 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 through a letter of appeal to the Municipal Clerk within ten (10) business days of the decision. The Municipal Clerk shall forward appeals to Council for review.

8.2. The appeal under Section 8.1 of this By-law shall contain the following information:

a. Reasons for the appeal; and

b. Order Appeal Fee as provided in the User Fees By-law.

8.3. Where no request for an appeal is received in accordance with Section 8.1 of this By-law, the decision of the Licence Issuer shall be final and binding.

8.4. Where a request for an appeal is received, in accordance with section 8.1 of this By-law, the request may be added to the agenda of a Special Council meeting, for the purpose of holding a hearing of the appeal, and the applicant or licensee shall be provided reasonable written notice thereof.

8.5. The provisions of the *Statutory Powers Procedure Act, R.S.O. 1990, c. S.22* shall apply to all hearings conducted by Council under this By-law.

8.6. If the owner/agent fails to appear at the appointed time for their appeal hearing, the licensee will be charged a "Failure to Appear" fee in accordance with the User Fees By-law.

8.7. Upon hearing the appeal, Council shall consider any matter pertaining to this By-law, or other matter that relates to the general welfare, health or safety of the public, when making its decision. Council may refuse to issue or renew a licence, revoke, suspend, or impose any condition to a licence.

8.8. Council's decision is final and binding and shall not be subject to review.

9. Entry and Inspections

9.1. It is the responsibility of the Applicant, Owner or Agent to ensure that all inspections, permits and permissions as they relate to the STR application have been undertaken.

9.2. In addition to scheduled inspections conducted during the licence application process, an Officer may during reasonable hours enter onto land for the purpose of carrying out inspections to determine compliance with:

a. The provisions of this By-law;

b. A direction or order of the Municipality made under this By-law;

c. A condition of a licence passed under this By-law; and

d. A court order made pursuant to section 431 of the *Municipal Act, 2001*.

9.3 Owners of water access only properties must arrange for transportation for required inspections to and from the STR property for officers at their own cost.

9.4 An officer exercising a power of entry on behalf of a municipality under this By-law shall not enter or remain in any room or place actually being used as a dwelling unless:

a. The consent of the occupier is obtained, the occupier first having been informed that the right of entry may be refused and, if refused, may only be made under the authority of an order issued under section 438 of the *Municipal Act, 2001*, or a warrant issued under section 439 of the *Municipal Act, 2001*;

9.5. During any inspection carried out under this By-law, an Officer may be accompanied by other Municipality of Temagami employees, agents or authorities as deemed necessary.

10. Penalty and Enforcement

10.1. Every person who contravenes any provision of this By-Law is guilty of an offence and upon conviction shall be liable to a fine prescribed and recoverable under the provisions of the *Provincial Offences Act, R.S.O. 1990, c. P.33*, as amended, for each offence committed.

10.2. Every person who provides false information in any application for a licence under this By-law or in an application for a renewal of a licence is guilty of an offence.

10.3. No person shall hinder or otherwise obstruct, nor attempt to hinder or obstruct, either directly or indirectly, an Officer, an employee and/or agent of the Municipality in the lawful exercise of a power or duty under this By-Law.

10.4. Upon registering a conviction for a contravention of any provision of this By-Law, the Provincial Offences Court may, in addition to any other remedy and to any penalty

imposed by this By-Law, make an order prohibiting the continuation or repetition of the offence by the person convicted.

11. Schedules

This Bylaw includes:

11.1. Schedule "A" - Short-Term Rental Licence Application

11.1. Schedule "B" - Documentation Acknowledgement

11.1. Schedule "C" - Renters Code of Conduct

11.1. Schedule "D" - Demerit Point System

SEVERABILITY

Should a court of competent jurisdiction declare a part or whole of any provision of this By-Law to be invalid or of no force and effect, the provision or part is deemed severable from this By-Law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under law.

REPEAL

This By-law shall rescind and repeal any other By-laws pertaining to 'Regulate and Licence Short-term Rental Establishments within the Municipality of Temagami'.

CLERICAL AMENDMENTS

The Clerk of the Municipality of Temagami is authorized to make minor corrections to this By-law after its passage. These corrections are limited to grammatical or typographical errors and must not alter the intent, substance, roles, responsibilities, or procedural requirements outlined in this By-law.

EFFECTIVE DATE

This By-law shall come into force and take effect upon its final passing.

FINAL PASSING

Taken as read a first, second, and third time, and finally passed this 27th day of March, 2025.

Mayor: _____

Clerk: _____



The Corporation of the Municipality of Temagami

Short-Term Rental Licence Application

Schedule "A" to By-law -1809

Owner/Operator Name: _____

Establishment Address: _____

Phone Number: _____ Email: _____

Type of Dwelling: ☐ Residential ☐ Seasonal Location: ☐ Inland ☐ Island Dwelling

Square Footage: _____ # of Bedrooms: _____ # of Bathrooms: _____ Indoor _____ Outdoor

Parking Spaces: _____ Type of Parking: ☐ Driveway ☐ Street ☐ Lot

If an Island Dwelling Please Answer the Following:

1. What are the inland parking arrangements? _____
2. What will your months of operation be? _____
3. What are the inland garbage/recycling arrangements? _____

Accompanying Documentation Required at the Time of Application:

- ☐ Business Registration/HST Certificate
- ☐ Compliance Certificate from the Timiskaming Health Unit
- ☐ Insurance Certificate in the Business Name

Note:

As per By-law No. 1809 your establishment will be subject to an initial inspection from the MLEO before a compliance certificate is provided for licencing. Random inspections can/will take place during reasonable business hours as per By-law -1809. Upon renewal of your licence you will be required to provide up to date insurance certificate(s) and your 'Notice of Assessment' from Revenue Canada. Just the top portion with the business name and HST number with address is necessary; no dollar figures are required for our records.

Please read and sign:

I _____ owner/operator for _____ does hereby attest that the information provided on this application is true and accurate to best of my knowledge.

Signature Owner/Operator _____ Date _____

Municipal Use Only

Application Received: _____ Application Received By: _____

All Necessary Documents Provided: ☐ Yes ☐ No Missing: _____

Inspection Date: _____ Approved Date: _____ Authorizing Initials: _____



The Corporation of the Municipality of Temagami

Documentation Acknowledgement Form

Schedule "B" to By-law -1809

Please read and sign:

I _____ acknowledge that I have received from the Municipality of Temagami the following documents:

1. Good Operator Guide
2. Copy of By-law No. 1809
3. Renter Code of Conduct (to be given to each booking and posted onsite)

Signature Owner/Operator _____ **Date** _____

The Corporation of the Municipality of Temagami

Documentation Acknowledgement Form

Schedule "C" to By-law -1809

C.1. Premise of This Code

The premise of this code is that the short-term accommodation premises are located in the vicinity of other properties and that the residents/occupants of these properties have the right to enjoy their properties without being imposed by nuisance from others.

C.2. Objective of This Code

C.2.1. The objective of this code is to establish acceptable standards of behaviour for renters and their guests, and to minimize any adverse social or environmental impacts on their neighbours and neighbourhood.

C.2.1. The renter acknowledges for themselves and on the behalf of others that they will be occupying a short-term rental accommodation.

C.3. Guiding Principles

The guiding principles for short-term accommodation renters are:

C.3.1. The premise that you are occupying is a home;

C.3.2. Treat the premise like your own;

C.3.3. Respect your neighbours; and;

C.3.4. Leave it as you find it.

C.4. Maximum Number of Renters and Guests

The maximum number of occupants within a dwelling that is being operated as a short-term accommodation shall not exceed a total number based upon the number posted by the owner.

C.5. Noise and Residential Amenity

C.5.1. No person shall make noise so as to cause a disturbance or conduct themselves in an antisocial behaviour. Examples of noise that is deemed to be a disturbance include:

- a.** Loud music;
- b.** Outdoor speakers;
- c.** Outdoor or backyard gatherings involving excessive noise;
- d.** Fireworks;
- e.** Late or early disturbances;
- f.** Exceeding occupancy limits; and;
- d.** Yelling, shouting, chanting and loud conversations.

C.5.2. Please be advised that the Municipality of Temagami Noise By-law 12-1068 is in affect twenty-four (24) hours per day seven (7) days a week.

C.5.3. Renters are not allowed to disturb neighbours or interfere with their enjoyment of their properties, or the public realm, at any time of the day or night. Failure to comply with the conditions of the Municipalities Noise By-law may result in the notification of the Ontario Provincial Police who may, upon attendance, issue a Notice of Offence, which carries with it a fine, upon conviction, for a first offence.

C.5.4. Please enjoy your stay but have consideration for others.

C.6. Functions and Parties

Short-term accommodation renters are not to host functions or parties as occupancy limits apply to the house and property in accordance with the licence.

C.7. Access and Parking

Property includes parking on a per bedroom basis. Permitted parking should be the only area used for parking.

C.8. Recycling and Garbage

Please dispose all garbage and recycling to designated garbage area. Ensure that garbage and recycling is sealed shut and not overflowing.

The Corporation of the Municipality of Temagami

Demerit Point System

Schedule "D" to By-law -1809

A demerit point system is established as follows herein together with Table 1 attached to this Schedule. This demerit point system does not preclude the use of options otherwise available to enforce this bylaw or any other by-law of the Municipality or Provincial Act or Regulation including, but not limited to, Administrative Monetary Penalties as set out in this By-law and actions pursuant to the *Building Code Act*, *Fire Protection and Prevention Act* and the Provincial Offences Act.

D.1. The number of demerit points referenced in Column 3 of Table 1 below will be assessed against a Short-Term Rental in respect of the matter noted in Column 1 upon the following event respecting a contravention:

D.1.1. The expiry of the period for appealing a fine imposed pursuant to the Provincial Offences Act;

D.1.2. The expiry of the period for appealing against a conviction in the Ontario Court of Justice;

D.1.3. The confirmation of an order; or,

D.1.4. The confirmation of an order resulting in Municipal remediation.

D.2. A Licence may be Suspended for a period of not longer than six months if the total of all demerit points in effect respecting a STR is at least seven.

D.3. A Licence may be Revoked if the total of all demerit points in effect respecting a STR is at least fifteen.

D.4. Notice of the suspension or revocation of a Licence shall be provided in writing to the Owner.

D.5.Demerit points shall remain in place until the two-year anniversary of the date on which the demerit points were assessed.

<u>Short-Term Rental By-law 1809 Table 1 Legend</u>			
Acronym	Meaning	Acronym	Meaning
FPPA	Fire and Protection Services Act	STR	Short-Term Rental By-law
BCA	Building Code Act	Noise By-law	Noise By-law
Open Burning By-law	Open Burning By-law	Property Standards By-law	Property Standards By-law

TABLE 1 - Short-Term Rental By-law 1809

Column 1	Column 2	Column 3	Column 4
Infraction	Reference	Type	Demerit Points
Fire Protection & Prevention Act/ Fire Code	FPPA or Open Burning Bylaw	Confirmed order	3
Fire Protection & Prevention Act/ Fire Code	FPPA or Open Burning Bylaw	P.O.N., Part III, AMP	7
Operating without a licence	STR Bylaw	Confirmed order	3
Operating without a licence	STR Bylaw	P.O.N., Part III, AMP	5
Building Code Act (construction w/o a permit)	BCA	Confirmed order	3
Building Code Act (construction w/o a permit)	BCA	P.O.N., Part III, AMP	7
Number of guests on Premises contrary to licence	STR Bylaw	Confirmed order	3
Number of guests on Premises contrary to licence	STR Bylaw	P.O.N., Part III, AMP	5
Non-availability of Designated Responsible Person	STR Bylaw	Confirmed order	3
Non-availability of Designated Responsible Person	STR Bylaw	P.O.N., Part III, AMP	5
Noise By-law infraction	Noise Bylaw	Confirmed order	2
Noise By-law infraction	Noise Bylaw	P.O.N., Part III, AMP	5
Not providing updated information	STR Bylaw	Confirmed order	1
Not providing updated information	STR Bylaw	P.O.N., Part III, AMP	3
Contrary to Site Plan - Parking	STR Bylaw	Confirmed order	1
Contrary to Site Plan - Parking	STR Bylaw	P.O.N., Part III, AMP	3
Contrary to Property Standards or Clean Yard	Property Standards or Clean Yard By-law	Confirmed order	2
Contrary to Property Standards or Clean Yard	Property Standards or Clean Yard By-law	P.O.N., Part III, AMP	4
Not posting licence	STR Bylaw	Confirmed order	1
Not posting licence	STR Bylaw	P.O.N., Part III, AMP	3