

# The Corporation of the Township of Springwater

## By-law 2024-068

### Being a By-law to License and Regulate Short Term Rentals within the Township of Springwater.

(License and Regulate Short Term Rentals)

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**WHEREAS** Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, 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 a municipality's ability to respond to municipal issues;

**AND WHEREAS** Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, provides that a municipality has the capacity rights, powers and privileges of a natural person for the purpose of exercising authority under the Municipal Act and any other Act;

**AND WHEREAS** pursuant to section 11 of the Municipal Act, 2001, S.O. 2001, c.25, Council is exercising its authority in the interest of health and safety, and well-being of persons, consumer protection and nuisance control;

**AND WHEREAS** pursuant to the provisions of Part IV of the Municipal Act, the Council of the Corporation of the Township of Springwater may provide for a system of license with respect to businesses;

**AND WHEREAS** Section 151(1) of the Municipal Act, provides that a municipality may provide for a system of licenses with respect to a business and may:

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

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

**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 responsible time for the purpose of carrying out an inspection to determine whether or not there is compliance with a by-law, a direction or order, or a condition of a license;

**AND WHEREAS** section 429 of the Municipal Act provides that a municipality may establish a system of fines for offences under a by-law of the municipality passed under the *Municipal Act*;

**AND WHEREAS** Section 444 of the *Municipal Act*, provides that the municipality may make an order requiring the person who contravened the by-law or cause or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity, and any person who contravenes such an order is guilty of an offence;

**AND WHEREAS** the Council for the Corporation of the Township of Springwater has deemed it necessary and desirable to regulate the Short-Term Rental of property in the Township of Springwater;

**AND WHEREAS** the Township of Springwater has implemented a system to license the operation of the Short-Term Rental properties in the Township of Springwater;

**NOW THEREFORE** the Council of The Corporation of the Township of Springwater enacts as follows:

## **1. Definitions**

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

**“Accessory Building or Structure”** means a detached building or structure, the use of which is incidental to, subordinate to and exclusively devoted to the principal use in the main building located on the same lot.

**“Agent”** means a person duly appointed by an Owner(s) or the Township to act on their behalf.

**“Applicant”** means the person applying for a License or renewal of a License under this By-law.

**“Bedroom”** means a room offered for Short-Term Rental intended primarily for overnight occupation, which complies with the standards for a bedroom, as set forth by the Ontario

Building Code, and/or a room with one or more beds, murphy beds, pullout beds, sofa beds, day beds, futons or similar place for sleeping.

**“Building”** means a structure occupying an area greater than (10) ten square metres consisting of a wall, roof and floor or any of them or a structure system serving the function thereof including all associated works, fixtures and service systems.

**“Council”** means the Council for the Corporation of the Township of Springwater

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

**“Fee”** means a Fee as set forth in the Fees and Charges By-law.

**“Guest”** means any person on the Premises who is not a Renter that intends to use the Short-Term Rental Premise for overnight lodging or day visits.

**“License”** means the License issued under this by-law as proof of licensing under this by-law.

**“Licensed”** means to have in ones’ possession a Valid and current license issued under this by-law and unlicensed has the contrary meaning.

**“Licensing Officer”** means any Person provided the authority by the Township to issue a license under this by-law, including designates.

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

**“Officer”** means a Police Officer, Fire Inspector, Fire Chief, Chief Building Official, Building Inspector, or Municipal Law Enforcement Officer, or any of their designates.

**“Order”** means an Order to Comply issued under this by-law or any other legislation including, but not limited to, the *Building Code Act, 1990, S.O. 1992, c.23* or *Fire Protection and Prevention Act, 1997*.

**“Owner”** means the person holding title to the property and who holds the license on which the Short-term Rental Premise is located, and “Ownership” has a corresponding meaning.

**“Person”** means one or more individuals, a corporation, a partnership, or an association, and includes an Owner or an Applicant for a License under this by-law as the context requires.

**“Property”** means the land upon which a Short-term Rental Premises is operated, exclusively buildings or structures or any part thereof.

**“Renter”** means the person responsible for the rental of the Premise by the way of concession, permit, lease, license, rental agreement or similar commercial arrangement.

**“Renter’s Code of Conduct”** means a document, as set forth in Schedule “A” that has been prepared by the Township that prescribes the roles and responsibilities of the Renter and Guests, including but not limited to behavioural expectations as they relate to non-disturbance of neighbours, compliance with applicable Township by-laws, and adherence to the provisions of this by-law.

**“Responsible Person”** means the Owner or Agent (must be 18 years of age) assigned by the Owner of the Short-term Rental Premises to ensure the Short-term Rental Premises is operated in accordance with the provisions of this by-law, the License, and all other applicable laws.

**“Short-term Rental Premises / Premises”** means a dwelling or dwelling unit, that in whole or in part, is rented or available for rent with the intention of financial compensation for an occupancy period of fewer than twenty-eight (28) consecutive calendar days but shall not include a bed and breakfast establishment, hotel, motel, or any other use otherwise defined by the Township's Zoning By-law.

**“Township”** means the Corporation of the Township of Springwater.

**“Valid”** means currently in effect and not expired.

## **2. Administration**

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- 2.1 The Licensing Officer shall be responsible for the administration of this by-law.
- 2.2 Officers shall be responsible for the enforcement of this by-law.
- 2.3 Every application for a new license or a renewal or extension of an existing License shall include:
  - (a) each Owner, Applicant and/or Agent’s name, address, telephone number, facsimile transmission number and email address.
  - (b) a copy of the transfer/deed evidencing the ownership of the Short-term Rental Premises, if requested by the Township.
  - (c) in the instance of an Applicant or Agent acting on behalf of the Owner, an owner’s written authorization permitting the Applicant or Agent to act on their behalf.
  - (d) in the instance of an Owner being a corporation or partnership, the name, address and telephone number of each director and officer or partner.

- (e) a statement from the Owner certifying the accuracy, truthfulness, and completeness of the application.
  - (f) proof of placement of insurance specific to the rental nature of the Property that includes a limit of liability of not less than five million dollars (\$5,000,000.00) per occurrence for property damage and bodily injury and includes provisions that the Township will be notified of any intended cancellation by the insurer not fewer than fifteen (15) days prior to such cancellation.
  - (g) Floor plans and a site plan that complies with the applicable Township Zoning By-law., drawn to scale and fully dimensioned, of the Short-term Rental Premises depicting the use of the Premises including the proposed occupancy of each room; occupant load for sleeping purposes of each room; location of smoke detection and early warning devices; location of fire extinguishers, and related site amenities including parking, landscaping and other buildings or structures on the land, septic and well locations, if applicable;
  - (h) Where there are wood burning appliances, a Wood Energy Technical Transfer (WETT) report dated less than 5 years old issued by certified WETT inspector.
  - (i) An annual inspection report, provided with the annual application, indicating that the chimney, flue pipes have been inspected by a WETT certified chimney sweep and are safe to be utilized.
  - (j) An HVAC inspection report issued by an HVAC Technician. An updated report shall be required each year, if applicable.
  - (k) Schedule 'A', Renter's Code of Conduct.
  - (l) The prescribed application fees.
  - (m) Any outstanding fees or fines owed to the Township by the Owner respecting the Short-term Rental Premises.
- 2.4 An Owner shall inform the Licensing Officer or designate of any changes to the information provided in subsection (2) within a period of 10 days.
- 2.5 Every application for a License will be reviewed by the Licensing Officer to determine whether it meets the requirements of this By-law.

- 2.6 As part of the review referenced in subsection 2.5, the application will be circulated to those agencies deemed necessary and/or relevant by the Licensing Officer.
- 2.7 Those agencies referenced in subsection 2.6 may require an inspection of the premises prior to the provision of comments and prior to the consideration of the application by the Licensing Officer. The Applicant shall cooperate and facilitate the inspection of the Premises in a timely manner and shall be in attendance during the inspection.
- 2.8 If it is determined that an application does not meet the requirements of this by-law and the requirements of all of the circulated agencies, the Licensing Officer shall not issue the License.
- 2.9 A License is valid for a period of one (1) year from the date of issuance.
- 2.10 An Owner is not eligible for the renewal or extension of an existing License unless the Owner has provided an application form and has met all requirements of this by-law.

### **3. Licensing Requirements**

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- 3.1 No Person shall carry on any trade, business or occupation of a Short-term Rental Premises, nor advertise a Short-term Rental Premises, unless that Person has first obtained a License from the Township.
- 3.2 A minimum rental of two (2) consecutive nights and no minimum night rental where the premises are owner occupied is required for the rental of a Short-term Rental Premises.
- 3.3 A Person who obtains a License shall comply with the regulations set out in this by-law for such License. Failure to comply with the regulations constitutes an offence.
- 3.4 An Agent or Owner of a Short-term Rental Premises without a License shall be personally liable for the compliance of the Premises, Renters, Occupants and Guests. Failure by such a Person to comply with this by-law constitutes an offence.
- 3.5 Licenses issued pursuant to this by-law are conditional upon compliance by the Owner with all municipal by-laws and compliance with all provincial and federal laws and regulations and any conditions imposed to the holding of the License.

### **4. General Prohibitions**

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- 4.1 No Person shall use or operate any Short-term Rental Premises unless they hold a current License issued pursuant to this by-law.
- 4.2 No Person shall use or operate any Short-term Rental Premises with a revoked, suspended, or expired License.
- 4.3 A Person is not eligible to hold a License if the proposed use of the land, building or structure is not permitted by the zoning by-law that applies to the Property.
- 4.4 A Person is not eligible to hold a License if the Property 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 Building Code Act, 1992; the Building Code; the Fire Protection and Prevention Act, 2007; the Fire Code; the Ontario Electrical Safety Code; or an order of the Medical Officer of Health.
- 4.5 No Person shall violate the provisions of the Renter's Code of Conduct attached as Schedule "A" to this by-law.
- 4.6 The Owner shall operate the Short-term Rental Premises in accordance with the site plan that has been approved by the Licensing Officer.
- 4.7 The Owner shall keep a log of each rental of the Short-term Rental Premises that includes the date of entry, the length of stay and confirmation of receipt of the Renter's Code of Conduct with such log readily available for inspection at all times by an Officer, for a period of two years.
- 4.8 The Owner shall display a copy of the license in a prominent place in the Short-term Rental Premises to which it applies at all times, whether or not the Short-term Rental Premises is being rented.
- 4.9 The Owner of a Short-term Rental Premises shall ensure that there is a Responsible Person available to attend to the Short-term Rental Premises at all times within one hour from the time of contact by way of telephone or email.
- 4.10 The Owner of a Short-term Rental Premises shall ensure that each Renter has been provided with the Renter's Code of Conduct by completing a confirmation of receipt of the Renter's Code of Conduct. The Owner shall retain a copy of the confirmation of receipt of the Renter's Code of Conduct for a period of two years.
- 4.11 The Owner of a Short-term Rental Premises for which a License is required under this by-law shall allow, at any reasonable time, an employee or Agent of the Township to inspect the Premises used for the purposes of Short-term Rental Premises so as to determine compliance with the requirements of this by-law, Fire Code, Building Code, Property Standards By-law or other applicable law.

- 4.12 No Person shall obstruct, hinder or otherwise interfere with an authorized employee or Agent of the Township while carrying out an investigation, making inquiries, or performing an inspection for the purposes of enforcing this by-law or any other municipal by-law or provincial legislation or regulation.
- 4.13 The maximum number of Guests at a Premises at any one time shall not exceed two (2) Guests per Bedroom approved as such on the floor plans submitted with the application for the Short-Term Rental License, at any one time.
- 4.14 Notwithstanding clause 4.13, the maximum number of Renters on a Premises shall not exceed ten (10). Children aged 12 years and under are not considered as part of the maximum ten (10).
- 4.15 No Person may transfer or assign a License issued under this by-law.
- 4.16 No Person shall advertise, promote, broker, or offer the use or occupation or use of a Short-term Rental Premises without a Valid License.
- 4.17 Every Owner shall maintain the Short-term Rental Premises 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 Premises.
- 4.18 Every Owner shall ensure that the Short-term Rental Premises is operated and used in a fashion such that the operation or use will not cause a disturbance.
- 4.19 Every Owner shall provide an undertaking to operate the Short-term Rental Premises in accordance with all Township by-laws including, but not limited to, the Township's Noise By-law, Property Standards By-law and any applicable provincial or federal laws or statutes including the Ontario Fire Code, The Ontario Building Code, and laws related to the making of a disturbance. Further, every owner shall include in such, undertaking a confirmation that they will require that each Renter enter into a Renter's Code of Conduct.
- 4.20 The Licensing Officer may revoke a license if it was issued on mistaken, false or incorrect information.

## **5. License Terms and Conditions**

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- 5.1 A License is subject to the terms and conditions of this By-law and the terms and conditions as set out in the applicable Schedule(s) to this By-law and such other by-laws of the Township, as the case may be.
- 5.2 An Owner of a Short-term Rental Premises shall notify the Township in writing within three (3) days of any changes to the contact information for the



Responsible Person, or of any material changes to the information provided in an application form.

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

## **6. License Refusal, Revocation or Suspension**

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- 6.1 The Licensing Officer shall have the authority to issue, refuse to issue or renew a License to revoke or suspend a License.

- 6.2 The Licensing Officer may refuse to issue or renew a License where:

- a) The applicant or Owner has failed to comply with requirements set out in this By-law or any of the applicable Schedules to this By-law;
- b) The applicant or Owner has failed to pay a fine or fines imposed by a Court for convictions for breach of this or any other Township By-law, or provincial offence related to the Short-term Rental Premises;
- c) The applicant or Owner has failed to comply with any term, condition, or direction of the Licensing Officer, or has failed to permit any investigation by an Officer;
- d) The applicant or Owner has submitted an application or other documents to the Township containing false statements, or incorrect, incomplete, or misleading information;
- e) The applicant or Owner is carrying on or engaging in activities that are, or will be, in contravention of this By-law, or any other applicable law;
- f) There is or has been a breach or violation of the Renter's Code of Conduct

- 6.3 Where the application for a License has been revoked, suspended or cancelled, the fees paid by the applicant or Owner in respect to the License, shall not be refunded.

- 6.4 Where a License has been revoked, suspended, or cancelled, the Owner shall return the License to the Licensing Officer within two (2) days of service of the notice of the decision.

- 6.5 When a revoked, suspended, or cancelled License has not been returned, an Officer may enter upon the Premises, (excluding entry into a Dwelling Unit) for the purpose of receiving, taking, or removing the said License.

- 6.6 The Licensing Officer, if satisfied that the continuation of a License poses a danger to the health and safety of any Persons, may for this time and such conditions as are considered appropriate, suspended a License for not more than 14 days. If after this period, the License Officer is satisfied that the continuation of a License will continue to pose a danger to the health or safety of any Person, he/she may further suspend for not more than 14 days or revoke a License.

## **7. Grounds for Appeal**

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- 7.1 Where the Licensing Officer has denied an Owner(s) a Short-Term Rental License or a request for renewal of a Short-Term Rental Licence, or suspended or revoked a Short-Term Rental License, the Licensing Officer shall inform the Owner(s) by way of written notice setting out the grounds for the decision with reasonable particulars and advise of the right to appeal such decision to Council.
- 7.2 Owner(s) may appeal to Council in relation to matters noted in section 7.1; appeals will not be permitted for any other matters including, without limitation:
- (a) Matters, notices, orders and communications related to a noncompliance under a federal or provincial law or regulations or any other legislation outside of this by-law.
  - (b) Singular fines and issuance of demerit points as set out in this by-law.
- 7.3 A request for an appeal of a matter noted in section 7.1 shall be made in writing to the Licensing Officer setting out the reasons for the appeal within fourteen (14) days after service of the written notice of the Licensing Officers decision.
- 7.4 Council shall meet within thirty (30) days after receiving the application for appeal.
- 7.5 The Owner(s) may be permitted to continue operation during the appeals process until such time as a decision is rendered by Council.
- 7.6 Where no request for an appeal is received in accordance with section 7.3, the decision of the Licensing Officer shall be deemed to be affirmed.
- 7.7 Where a request for an appeal is received, a hearing of Council shall be convened, and the Owner(s) shall be provided reasonable written notice thereof.
- 7.8 At such hearing Council shall receive a report, either verbally, or in writing, from the Licensing Officer and from such other officers or employees of the Municipality who may be involved in the matter being considered by Council.
- 7.9 At the hearing before Council, the Owner(s), as applicable, either personally or through an agent or solicitor shall be afforded the opportunity to present such material and evidence relevant to the issue before Council as they may deem

appropriate, and they may ask questions of any person presenting evidence or a report to Council relevant to the said issues.

- 7.10 For the purposes of this by-law, a quorum of Council shall be a majority of the members of Council, and a decision by the majority of members present shall be the decision of Council.
- 7.11 Council may, after having heard all the evidence and submissions made to it by the Owner(s), as applicable, and the Licensing Officer, debate the matter and reach its decision.
- 7.12 After such opportunity to be heard is afforded the Owner(s), Council may make a decision in respect of which the hearing was held or the opportunity for hearing afforded. Council's decision is final and not subject to review. Council may issue a License, renew a license, refuse to issue a license, refuse to renew a license, revoke, suspend, or impose any conditions upon a license. Council may consider any matter pertaining to the Licensing Requirements in Section 3 the General Prohibitions in Section 4 and/or the License Refusal, Revocation or Suspension in Section 6 or any other matter that relates to the general welfare, health, or safety of the public.
- 7.13 Where Council conducts a hearing, the rules set out in the *Statutory Powers Procedure Act, R.S.O. 1990, c.S.22* shall apply.

## **8. Demerit Point System**

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- 8.1 A demerit point system has been established in accordance with Schedule 'C', without prejudice to options otherwise available to the Township to enforce this By-law or any other by-laws of the Township, provincial act or regulation, including, but not limited to, actions pursuant to the *Building Code Act, Fire Protection and Prevention Act*, and the *Provincial Offences Act*.
- 8.2 The number of demerit points referenced in Column 1 of Schedule 'C' will be assessed by the Officer against a Short-term Rental Premises and License in respect of the matter noted in column 1 upon the following event respecting a contravention:
- (i) the expiry of the period for appealing a fine imposed, pursuant to Part I or Part III of the *Provincial Offences Act*,
  - (ii) the expiry of the period for appealing against a conviction in the Ontario Court of Justice;
  - (iii) an Order not complied with
  - (iv) an Order not complied with resulting in Township remediation; or

(v) an observation by an Officer.

- 8.3 A License may be suspended for a period of six months if the total demerit points in effect respecting a Short-term Rental Premises is seven or more.
- 8.4 A License may be revoked if the total of all Demerit Points in effect respecting a Short-term Rental Premises is fifteen or more.
- 8.5 Demerit points shall remain in place until the two-year anniversary of the date of which the demerit points were assessed.
- 8.6 The Township shall not be liable for economic or other losses claimed by an Owner for any reason, so long as there was no bad faith of the Township or its representatives in exercising their judgement, or fulfilling their responsibilities, under this By-law.

## **9. Right of Entry**

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- 9.1 An Officer may, at reasonable times, enter upon the property, premises, buildings, or place where a License has been issued under this By-law, for the purposes of carrying out an inspection, taking photographs and obtaining evidence to determine compliance with this By-law.
- 9.2 An Officer may enter upon lands at any reasonable time to direct or require that a matter or thing be done in accordance with this By-law.
- 9.3 The Township's power of entry may be exercised by an Officer, Chief Fire Official or Building Inspector of the Township.

## **10. Obstruction**

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- 10.1 No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power or performing a duty under this By-law.
- 10.2 Any Person who has been alleged to have contravened any of the provisions of this By-law, shall identify themselves to the Officer upon request. Failure to do so shall be deemed to have obstructed or hindered the Officer in the execution of their duties.

## **11. Penalty**

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- 11.1 Every person who contravenes any provision of this by-law, or fails to comply with an order issued pursuant to this by-law, is guilty of an offence and liable to a fine of:

- (a) On a first offence, no more than \$50,000; and
- (b) On a second offence and each subsequent offence, not more than \$100,000,

And such other penalties as provided for in the *Provincial Offences Act* and the *Municipal Act*.

11.2 Where a corporation contravenes any provision of this by-law or fails to comply with an order issued pursuant to this by-law, and every director or officer of a corporation who commits, concurs, assents to, or acquiesces to such contravention, is guilty of an offence and is liable to a fine of

- (a) On a first offence, no more than \$50,000; and
- (b) On a second offence and each subsequent offence, not more than \$100,000,

And such other penalties, as provided for in the *Provincial Offences Act* and the *Municipal Act*.

11.3 In addition to any penalty otherwise provided for in this by-law, every person convicted of an offence under this by-law is liable to a fine of not more than \$10,000 for each day during which the offence continues.

11.4 Upon conviction of any penalty imposed under this by-law may be collected under the authority of the *Provincial Offences Act*.

11.5 If a person is convicted of an offence for contravening a provision of this by-law or an order made under this by-law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may order the person to correct the contravention in such manner and within such period as the court considers appropriate.

## **12. Severability**

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12.1 If any court of competent jurisdiction declares any section or part of this by-law to be invalid, such section or part of a section thereof shall be deemed to be severable and all other sections or parts of this by-law shall be deemed to be separate and independent therefrom and to be enacted as such and the remainder of this by-law shall be valid and shall remain in force.

## **13. Effective Date**

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13.1 This by-law shall come into force and effect on January 1, 2025.

**Read a First, Second and Third Time and Finally Passed** this 18<sup>th</sup> day of September 2024.

Original Signed by:

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Jennifer Coughlin, Mayor

Original Signed by:

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Renée Ainsworth, Clerk

**Schedule “A”**  
**Short Term Rental License**  
**Renter’s Code of Conduct**

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**Licensed Premises**

**Municipal Address:**

**All Owner Names:**

**Responsible Person’s Name:**

**Responsible Person’s Phone Number:**

**1. Purpose of the code**

The purpose of the Renter’s Code of Conduct is to acknowledge that a Short-term Rental Premises is permitted and that other residents have the right to enjoy their properties without nuisance. It also outlines specific requirements for Short-term Rental Premises and imposes responsibilities for both Owners, Agents, and Guests of such Premises and that Owners bear the primary responsibility of conveying this information to Renters of the Premises.

**2. Objective of this Code**

The objective of this code is to establish acceptable standards of behaviour for Owners, Agents, and Guests to minimize any adverse impacts on their neighbours and the neighbourhood while protecting the health, safety and well-being of people.

**3. Guiding Principles**

The guiding principles for Short-term Rental Premises Renters are:

- The Premises that you are occupying is a home;
- Treat the Premises as your own;
- Respect the neighbours of the Premises, and;

- Leave the Premises as you find it.

#### **4. Maximum Number of Renters, Occupants and Guests**

The maximum number of Renters and Occupants including Guests permitted at a Short-term Rental Premises shall be limited as per the Short-Term Rental Licensing By-law.

As per Section 4.13, the maximum number of renters shall not exceed 10. Children aged 12 years and under are not considered as part of the maximum ten (10).

#### **5. Noise and Residential Amenity**

No Person shall make noise to cause a disturbance or conduct themselves in a way that is likely to disturb others. Examples of noise that is likely to disturb others at any time include:

- a) Loud music;
- b) Outdoor or backyard gatherings or activities involving excessive noise or disruptive behaviour;
- c) Late evening/early morning disturbances; and
- d) Yelling, shouting, singing or conversing loudly.

Renters, Occupants and Guests 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 Township Noise By-law may result in charges or legal action being taken.

#### **6. Access and Parking**

Please familiarize yourself and your Guests with the on-site parking available on the Premises to ensure ease of access with minimum disturbance to neighbours. All Short-term Rental Premises have vehicle parking requirements as part of the licensing process.

#### **7. Garbage and Recycling**

Please familiarize yourself and your Guests with the provisions that have been made for waste management and that day of the week in which waste collection is scheduled. It should be noted that the “putting out” of waste on a non-scheduled day is regulated by the County of Simcoe Waste Management By-law. Waste collection information and pick up times are available from the County of Simcoe.

#### **8. Fire and Safety Precautions**



All Short-Term Rentals must have operating smoke alarms in accordance with the provision of the Ontario Fire Code. In Short-Term Rentals which have a fuel-fired appliance or solid fuel-fired appliance installed or in an attached storage garage, the Owner must ensure that the building is equipped with carbon monoxide alarms installed outside of the sleeping areas in accordance with the provisions of the Ontario Fire Code. Further, the Owner must regularly test the alarms to ensure that they are operational. If a Renter discovers that any of the alarms are not operational, the Renter shall immediately notify the Owner of the deficiency. No person shall disable a smoke and/or carbon monoxide alarm.

I, \_\_\_\_\_ having read the above, acknowledge that I am renting this Premises from a valid Owner in the Township of Springwater and undertake to conduct myself and those that are occupying this Premises at the same time in accordance with this Code and all other applicable by-laws. I understand that my action, if found in contravention of a by-law, may affect the License renewal, and may include enforcement measures against myself, Owner(s), Renter(s) and Guest(s).

## Schedule “B”

### Short Term Rental License

#### Owner Code of Conduct & Acknowledgement

##### Licensed Premises

##### Municipal Address:

##### Name of Owner(s):

1. The Premises identified above shall be operated in accordance with the Short-Term Rental Licensing By-law, and all applicable acts, regulations and other municipal by-laws.
2. The Owner shall ensure that a copy of the Renter’s Code of Conduct and copy of License are posted inside the Premises and visible for inspection by the Renters at all times.
3. Nothing herein allows the Owner to rent part of a Premises other than those identified on the License, based on the submitted documentation and site diagram.
4. The Owner will be held responsible for contraventions of any municipal by-law, act or regulation by people found using the Premises, and may be subject to fines or other enforcement measures.
5. Entry and inspection by any Officer or their designate and any accompanied authorities or Agent of the Township may occur as outlined in the By-law and for the purposes of:
  - a. Carrying out any inspection; or
  - b. Determining compliance with any by-law; or
  - c. Verifying complaints received under a by-law; or
  - d. Verifying compliance with an order issued or License; or
  - e. Requiring a matter or thing be done.
6. The Owner is responsible for renewing a License by forwarding any required application and supporting documents as per the By-law prior to the expiry date of the License.

7. The Owner is responsible for informing the Township in writing of any changes to a Premises within seven (7) days of such change or deviation.
8. The submission of false or misleading information to the Township may void an application, cause the current License to be revoked or cause an Owner to be subject to further enforcement measures.
9. All Owners are responsible for compliance with all other Township of Springwater by-laws.
10. All Short-Term Rental Premises must have operating smoke alarms in accordance with the provisions of the Ontario Fire Code. In Short-Term Rental Premises which have a fuel-fired appliance or solid fuel-fired appliance installed or in an attached storage garage, the Owner must ensure that the building is equipped with carbon monoxide alarms installed outside of the sleeping areas in accordance with the provisions of the Ontario Fire Code. Further, the Owner must regularly test the alarms to ensure that they are operational.

I, \_\_\_\_\_ having read the above, and the terms of the Short-Term Rental Licensing By-law and License, undertake to provide Renters with a copy of the Renter's Code of Conduct and to require a signature as necessary. I also understand that a violation of the Short-Term Rental Licensing By-law may result in the suspension or revocation of the Short-Term Rental License for the Premises.

**Schedule “C”**

**Short Term Rental License**

**Demerit Point System**

<b>Table 1</b>		
<b>Infraction</b>	<b>Reference</b>	<b>Demerit Points</b>
Fire Protection and Prevention Act/Fire Code Infraction	FPPA/OFC	15
Building Code Act, 1992 (construction without a permit)	BCA	7
Operating without a license	Short Term Rental Licensing By-law 2024-068 Section 3.1	7
Non-availability of responsible person	Short Term Rental Licensing By-law 2024-068 Section 4.8	7
Noise By-law Infraction	Short Term Rental Licensing By-law 2024-068 Section 4.21	5
Not providing updated information	Short Term Rental Licensing By-law 2024-068 Section 4.10	5
Contravention of Site Plan	Short Term Rental Licensing By-law 2024-068 Section 4.8	5
Not posting license	Short Term Rental Licensing By-law 2024-068 Section 5.2	3
Property Standards	Short Term Rental Licensing By-law 2024-068 Section 4.21	5
Long Grass	Short Term Rental Licensing By-law 2024-068 Section 4.21	5

Waste/Garbage Collection	Short Term Rental Licensing By-law 2024-068 Section 4.19	5
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