

BY-LAW NUMBER 28-2022
OF
THE CORPORATION OF THE CITY OF BRANTFORD

*Being a By-law to amend Chapter 326 - Business Licensing of the City of Brantford
Municipal Code to add Schedule A-15-Short Term Rental Accommodation*

WHEREAS subsection 8(3)(a) of the *Municipal Act, 2001* confers upon municipalities broad powers to pass by-laws to provide for a system of licences respecting a matter;

AND WHEREAS subsection 10(2)11 of the *Municipal Act, 2001* provides that municipalities may pass by-laws respecting business licensing;

AND WHEREAS section 151 of the *Municipal Act, 2001* grants to municipalities powers to provide for a system of licences with respect to businesses wholly or partly carried on within the a municipality;

AND WHEREAS The Corporation of the City of Brantford wishes to license certain businesses within the City of Brantford;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF BRANTFORD HEREBY ENACTS AS FOLLOWS:

1. THAT the Index of Chapter 326 – General Provisions Issue of Licences be amended by adding Schedule ‘A-15’ Short Term Rental Accommodations attached hereto as Appendix ‘A’, to provide for the registration of the operation of Short Term Rental Accommodations within the City of Brantford; and
2. THAT Chapter 326 – Business Licensing, subsection 326.1.1 Applicant – Defined be deleted and replaced with:

326.1.1 Applicant - defined

“applicant” means every person who is required to obtain a licence or registration pursuant to this Chapter, and includes a person who has made application for a licence to the Issuer of Licences but has not yet been granted a licence.

3. THAT Chapter 326 – Business Licensing, subsection 326.1.2 Application – Defined be deleted and replaced with:

326.1.2 Application – defined

“application” means an application for a licence or registration, including an application for the renewal or transfer of a licence, for a business to which this Chapter applies.

4. THAT Chapter 326 – Business Licensing, subsection 326.1.15 Licence – Defined be deleted and replaced with:

326.1.15 Licence – defined

“licence” means a licence or registration issued by the Issuer of Licences or Council, as the case may be, pursuant to this Chapter and the Schedules attached hereto, and shall include a temporary licence and a renewal licence.

5. THAT Chapter 326 – Business Licensing, subsection 326.1.16 Licensee – Defined be deleted and replaced with:

326.1.16 Licensee – defined

“licensee” means a person who has been issued a licence or registration pursuant to this Chapter and the Schedules attached hereto, and “licensed” shall have a corresponding meaning.

6. That Chapter 326 - Business Licensing, subsection 326.2.4 Application – Schedules – Businesses be amended by adding Schedule ‘A-15’ Short Term Rental Accommodations; and
7. That Schedule B – Business Licensing Fee Schedule to Chapter 326 of the City of Brantford Municipal Code is hereby amended to include the Short Term Rental Accommodations fee:

	New	Renewal	Pro-Rated Fee as of October 1 New Licences Only
Short Term Rental Accommodations	\$50	\$50	\$25.00

8. This By-law shall apply to all existing and future Short Term Rental Accommodations as defined in Chapter 326 in the City of Brantford.
9. This By-law shall come into effect immediately upon receiving final approval of its passage.

READ A FIRST TIME: February 22, 2022
 READ A SECOND TIME: February 22, 2022
 PASSED: February 22, 2022

 MAYOR

 CITY CLERK

APPENDIX A

Schedule A-15

Title	Short Term Rental Accommodations
Applicable Licence	Short Term Rental Accommodations
Exceptions	<p>This Schedule shall not apply to the following:</p> <ul style="list-style-type: none">(a) Hotels/Motels;(b) Lodging Houses;(c) Group homes that are licensed under a provincial or federal statute;(d) Hospitals, nursing homes, hospices, homes for the young or aged, retirement homes, correctional homes, crisis residences or other institutions that are licensed, approved or suspended under any act, including regulation thereunder, of the federal or provincial government; and(e) Bed and Breakfasts
Reasons for licensing	<p>Consumer Protection</p> <p>Health and Safety</p> <p>Nuisance Control</p>
Interpretation	<p>For the purposes of this Schedule, the following words shall have the following meanings:</p> <p>“Short Term Rental” shall mean a dwelling unit, or part thereof, in which temporary accommodation is made available to members of the travelling public for a maximum of 28 consecutive days per stay, and does not include a bed and breakfast establishment, lodging house or group home; or as defined by the City of Brantford’s Zoning By-law 160-90;</p> <p>“Operator” shall mean a person who, alone or with others, operates, manages, supervises, runs, oversees, or controls a short term rental accommodation, and, without restricting the generality of the foregoing, may include the owner of the short term rental accommodation.</p> <p>“Registrant” means every person who is required to obtain a registration pursuant to this Chapter, and includes a person who has made application for a registration to the Issuer of Licences but has not yet been granted a registration.</p>
Additional	Every application for registration pursuant to this Schedule shall include the

<p>Application Requirements</p>	<p>following:</p> <ul style="list-style-type: none"> (a) Name and contact details of the owner; (b) Property details including maximum guests; (c) Completion of a Short Term Rental Accommodation operator questionnaire; (d) Registration fee as per Schedule B of Municipal Code Chapter 326 – Fees; and (e) Validation statement that includes such items as insurance, good neighbour responsibilities, and rental property details 	
<p>Application Circulation Criteria</p>	<p>New Application</p> <p>To be circulated for information purposes only. No approvals required.</p> <p>Chief Building Official</p> <p>Chief Fire Official</p> <p>Medical Officer of Health</p> <p>Chief of Police</p>	<p>Renewal</p> <p>To be circulated for information purposes only. No approvals required.</p> <p>Chief Building Official</p> <p>Chief Fire Official</p> <p>Medical Officer of Health</p> <p>Chief of Police</p>
<p>Specific Licence Requirements</p>	<p>In addition to the general requirements set out in the Chapter to which this Schedule is attached, the following specific conditions apply to every licence issued pursuant to this Schedule:</p> <ol style="list-style-type: none"> 1. No person shall operate or maintain a Short Term Rental Accommodation without first having registered with the Issuer of Licences to do so; 2. The applicant or registrant, as the case may be, shall notify the Issuer of Licences immediately should there be a change in any of the information provided to the Issuer of Licences pursuant to this Schedule or the Chapter to which this Schedule is attached; 3. Sanitary facilities shall be provided and, where persons with disabilities are admitted as residents, shall be of a type that is suitable and accessible for use by persons with disabilities, including wheelchair accessible; 4. Rubbish and garbage shall be stored in compliance with the Property Standards By-Law; 5. Duties of the Operator - every operator shall: <ul style="list-style-type: none"> a) Post in a visible place on the premises a notice stating the name of the operator or individual who is responsible for the operation of the premises is present and available at the premises, and the telephone number where they may be reached immediately; b) Maintain the premises for cleanliness, adequate lighting and ventilation; and, c) The Rental be limited to primary residences only and in compliance with the City of Brantford’s Zoning By-law 160-90 or the County of 	

Brant's Zoning By-law 61-16 for the annexed land;

- d) Primary residence driveway must be able to accommodate a vehicle per bedroom rented;
- e) Ensure the premises meet all requirements of the *Building Code Act, 1992* and its regulations, the *Fire Protection and Prevention Act, 1997* and its regulations, the *Health Protection and Promotion Act* and its regulations and any applicable by-law.