



THE CORPORATION OF THE TOWNSHIP OF
ASHFIELD-COLBORNE-WAWANOSH

BY-LAW NUMBER XX-2025

BEING A BY-LAW to licence, regulate and govern the operation of Short-Term Rentals in the Township of Ashfield-Colborne-Wawanosh

WHEREAS Subsection 5(3) of the Municipal Act, 2001 S.O. 2001, c. 25 ("Municipal Act") provides that a municipal power shall be exercised by by-law;

WHEREAS Section 9 of the Municipal Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act or any other Act;

AND WHEREAS 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 pursuant to the provisions of Part IV of the Municipal Act, the municipality may provide for a system of Licences with respect to businesses;

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

- a) Prohibit the carrying on or engaging in the business without a Licence;
- b) Refuse to grant a Licence or Revoke or Suspend a Licence;
- c) Impose conditions as a requirement of obtaining, continuing to hold or renewing a Licence;
- 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 Licence;
- e) Impose conditions, including special conditions, as a requirement of continuing to hold a Licence at any time during the term of the Licence; and
- f) Licence, regulate or govern real and Personal Property used for the business and the Persons carrying it on or engaged in it;

AND WHEREAS subsection 151(5) of the Municipal Act provides that subsection 151(1) applies with necessary modifications to a system of licences with respect to any activity, matter or thing for which a by-law may be passed under sections 9 and 11 as if it were a system of licences with respect to a business;

AND WHEREAS section 23.1 of the Municipal Act establishes rules for the delegation of a municipality's powers and duties, and section 23.2 permits a municipality to delegate certain legislative and quasi-judicial powers;

AND WHEREAS the Council for the Township of Ashfield-Colborne-Wawanosh is of the opinion that the delegation of legislative powers under this by-law to the Manager and to the Appeals Committee including without limitation the power to issue and impose conditions on a licence are powers of a minor nature having regard to the number of

people, the size of the geographic area and the time period affected by the exercise of the power, in accordance with subsection 23.2(4) of the Municipal Act;

AND WHEREAS sections 390 to 400 of the Municipal Act authorize 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 reasonable 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 licence;

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 Ashfield-Colborne-Wawanosh has deemed it necessary and desirable to regulate the Short-Term Rental of property in the Township of Ashfield-Colborne-Wawanosh;

NOW THEREFORE the Council of the Corporation of the Township of Ashfield-Colborne-Wawanosh enacts as follows:

1. DEFINITIONS

- 1.1. "Advertising" means publicly accessible advertisement online or otherwise offering a property or portion thereof for Short-Term Rental regardless of whether a booking has occurred or not.
- 1.2. "Agent" means a Person duly appointed by the Owner or Tenant to act on their behalf.
- 1.3. "Alternate Responsible Person" means a secondary designated "Responsible Person".
- 1.4. "Appeals Committee" means the committee established by the Council of the Township of Ashfield-Colborne-Wawanosh for the purpose of hearing and making decisions on appeals of licensing decisions under this by-law, including the refusal, Suspension, Revocation, or imposition of conditions on a Short-Term Rental Licence.
- 1.5. "Applicant" means the Person applying to register the building or structure as a Short-Term Rental under this by-law, and "Application" has a corresponding meaning.
- 1.6. "Bed and Breakfast Establishment" means an existing single detached Dwelling, in which the proprietor resides, where no more than 3 guest rooms are made available by the residents of the Dwelling to travellers or vacationers for temporary accommodation and their guest's meals. This definition does not include a hotel, motel, or restaurant.
- 1.7. "Bedroom" means a room or area used, designed, equipped, or intended for sleeping and as permitted and described by the Building Code, 1992 as amended.
- 1.8. "Complaint" means a documented concern or allegation submitted to the Municipality regarding a suspected contravention of the Short-Term Rental By-law, which may include—but is not limited to—excessive noise, unauthorized use, safety violations, over-occupancy, or non-compliance with permit requirements. A

Complaint may be used for enforcement purposes, including the assessment of demerit points, if determined by the Manager to be substantiated following an investigation.

- 1.9. "Dwelling" means a place of residence with one or more Habitable Rooms containing or providing access to a separate kitchen and bathroom facilities for private use as a single housekeeping unit and does not mean or include a tent, trailer, mobile home or boat.
- 1.10. "Guest" is an individual who is not a Renter but is temporarily visiting the Short-Term Rental (STR) Premises at the invitation of a Renter. Guests are permitted to stay overnight provided the maximum Occupancy is not exceeded.
- 1.11. "Habitable Room" means a room within a Dwelling designed to provide living, dining, sleeping, bathroom or kitchen accommodation for Persons. This definition shall not include any private garage, carport, cellar, unheated porch or veranda, unfinished attic, unfinished basement, or any space used for the service and maintenance of a Dwelling or for vertical travel between storeys.
- 1.12. "Information Package" means comprehensive document provided by the Licensee to the Renter of a Short-Term Rental, prior to or upon the commencement of their rental agreement. The Information Package shall contain all information necessary to ensure compliance with this By-law and the orderly operation of the Short-Term Rental.
- 1.13. "Licensee" means the individual or legal entity to whom a Short-Term Rental (STR) license has been issued under this by-law.
- 1.14. "Manager" means the individual designated by the Chief Administrative Officer of the Municipality to administer and enforce the provisions of this by-law, including without limitation the processing of applications, issuance, Suspension, and Revocation of licences, and the imposition of terms and conditions as required to give effect to this by-law.
- 1.15. "Municipality" or "Township" means the Corporation of the Township of Ashfield-Colborne-Wawanosh. "Municipal" has a corresponding meaning.
- 1.16. "Occupancy" means the total number of individuals—Renters and their Guests—who are permitted to be present on the Short-Term Rental (STR) property at any time during the rental period.
- 1.17. "Officer" means a person appointed by the Municipality for the purpose of enforcing municipal by-laws and includes a municipal law enforcement officer, building inspector, fire prevention officer, or any other individual appointed or authorized to carry out inspections, investigations, and Complaint resolution under this by-law.
- 1.18. "Order" means a written notice issued by the Manager to a Licensee, identifying a contravention of this by-law, and setting out the particulars of the contravention, any required corrective actions, a deadline for compliance, and any consequences for failure to comply, including work that may be carried out by the Municipality at the Licensee's expense or the requirement to discontinue an activity.
- 1.19. "Owner" means a Person (or Persons) on title as the Owner(s) of a building or parcel of land identified on the parcel register from the Land Registry Office.
- 1.20. "Owner-Occupied Short-Term Rental" means a Short-Term Rental being offered in a primary Dwelling where the Owner or Tenant is permanently residing while the Premises is being used or operated as a Short-Term Rental, or a single legal accessory Dwelling on the same property as a primary Dwelling where the Owner or Tenant is permanently residing while the Premises is being used or operated as a Short-Term Rental, and includes a Bed and Breakfast Establishment;
- 1.21. "Parking Management Plan" means the plan developed in accordance with Section 6 of this by-law.

- 1.22. "Person" includes an individual, a corporation, a partnership, and an association, and includes an Owner, Licensee, Responsible Person, or an Application for a Short-Term Rental Licence under this by-law as the context requires.
- 1.23. "Premises" means any place, Premises or location, or part thereof, in which a trade, business or occupation of Short-Term Rental is carried on.
- 1.24. "Renter" any individual who is named in the rental agreement and is responsible for the use of the Premises during the rental period. Renters are considered overnight occupants.
- 1.25. "Renter's Code of Conduct" means a document that has been prepared by the Owner that has been approved by the Municipality that sets out the roles and responsibilities of the Renter, including behavioral expectations as they relate to non-disturbance, and which identifies applicable municipal by-laws that the Renter must comply with including the provisions of this by-law as they relate to, among other things, the Parking Management Plan, Occupancy limits, noise, etc.
- 1.26. "Responsible Person" means the Licensee or a designated representative of the Licensee who is responsible for managing or addressing issues in relation to the Short-Term Rental as designated by the Licence Application.
- 1.27. "Revoke" or "Revocation" means the permanent cancellation of a Short-Term Rental Licence by the Manager or Appeals Committee in accordance with this by-law, after which the Licence is no longer valid and the Premises must cease operation as a Short-Term Rental unless and until a new Licence is issued.
- 1.28. "Short-Term Rental" means all or part of a legally established Dwelling that operates or offers a place of temporary residence, lodging or Occupancy by way of a rental agreement or similar commercial transaction for a period of less than thirty (30) consecutive nights throughout all or any part of a calendar year, but does not include an Owner-occupied Short-Term Rental, motel, hotel, hospital, campground, couch surfing or other short-term accommodations where there is no payment;
- 1.29. "Suspend" or "Suspension" means the temporary invalidation of a Short-Term Rental Licence by the Manager or Appeals Committee for a specified period or pending compliance, during which time the Premises must not operate as a Short-Term Rental.
- 1.30. "Tenant" means the Person responsible for and in possession of the Premises under a long-term lease.
- 1.31. "Violation" means any act, omission, or condition that contravenes a provision of this by-law, including but not limited to operating a Short-Term Rental without a valid licence, exceeding Occupancy limits, causing a nuisance (such as noise or parking issues), or breaching any other terms or conditions imposed under the by-law.

2. STATEMENT OF INTENT

The goal of this regulation is to strike a balance between the ability of Owners to rent their properties and provide a safe rental experience, the Renter's and their Guests obligation to respect the neighbourhoods they are visiting and the intention that the program will be revenue/expense neutral.

The program will ensure opportunities for education on the licencing requirements.

The responsibility for adherence to the regulations are primarily with the Owner of the Short-Term Rental, with minimal need for interference from the Municipality.

The goal of the regulation is to maintain the culture of quiet cottage communities where the rights of all residents are respected.

3. PROHIBITIONS

- 3.1. No Person shall Advertise, operate or permit a Person to operate or hold themselves out as being licensed to operate a Short-Term Rental:
 - 3.1.1. without a Short-Term Rental Licence to do so issued under this by-law;
 - 3.1.2. under any other name than the one endorsed on their Short-Term Rental Licence;
 - 3.1.3. except in accordance with this by-law and the regulations set out in this by-law;
 - 3.1.4. while their Short-Term Rental Licence is under Suspension;
 - 3.1.5. except in accordance with the terms and conditions of their Short-Term Rental Licence.
- 3.2. No Person shall Advertise, operate, or provide a Short-Term Rental in:
 - 3.2.1. any structure other than a Dwelling;
 - 3.2.2. a motor vehicle or trailer;
 - 3.2.3. an unlawful residential unit;
 - 3.2.4. a tent;
 - 3.2.5. a docked boat;
 - 3.2.6. a building where Short-Term Rentals have been prohibited under this section of the by-law;
 - 3.2.7. in a Dwelling where a Licence to operate a Short-Term Rental has not been issued.
- 3.3. No Person shall,
 - 3.3.1. transfer or assign a Short-Term Rental Licence;
 - 3.3.2. obtain a Short-Term Rental Licence by providing false or incorrect information;
 - 3.3.3. enjoy a vested right in the continuance of a Short-Term Rental Licence, and upon the issue, renewal, cancellation or Suspension thereof, the Short-Term Rental Licence shall be the property of the Municipality;
 - 3.3.4. obstruct or permit the obstruction of an inspection pursuant to this by-law.

4. ADMINISTRATION

- 4.1. The administration of this by-law is assigned to the Manager who shall generally perform all the administrative functions conferred upon them by this by-law, and without limitation may:
 - 4.1.1. Receive and process all applications for Short-Term Rental Licences under this by-law.
 - 4.1.2. Issue Short-Term Rental Licences in accordance with the provisions of this by-law.
 - 4.1.3. Impose terms and conditions on Short-Term Rental Licences in accordance with this by-law and as necessary to give effect to this by-law.
 - 4.1.4. Refuse to issue or Revoke or Suspend a Short-Term Rental Licence in accordance with this by-law.

5. REGISTRATION REQUIREMENTS

- 5.1. Every application for an existing Short-Term Rental Licence shall be made to the Municipality on the forms provided by the Municipality. Without limitation, every application for a Short-Term Rental Licence shall include the following:
- 5.2. Payment of the applicable licensing fee, as set in the Municipality's current fees and charges by-law.
- 5.3. A completed application form that will include each Owner, Tenant, Applicant and/or Agent's name, municipal address of the Short-Term Rental, telephone numbers, and email addresses.
- 5.4. If the Applicant is an individual, proof that the Applicant is at least eighteen (18) years of age.
- 5.5. If the Applicant is 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.
- 5.6. If the Applicant is a corporation, proof that the corporation is legally entitled to conduct business in Ontario, including but not limited to:
 - 5.6.1. Articles 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
 - 5.6.2. A copy of the corporation's most recent corporate profile report or a declaration signed by an authorized officer of the corporation confirming the names and contact information of all individuals with a controlling interest in the corporation.
- 5.7. If the Applicant is not the Owner, the Owner's written authorization permitting the Applicant or Agent to act on their behalf;
- 5.8. If the Applicant is a Tenant, the consent of the Owner of the property;
- 5.9. Property Ownership will be confirmed by the Municipality using existing municipal records. Additional documentation may be requested at the Municipality's discretion.
- 5.10. Contact name and phone number for the Responsible Person, including an Alternate Responsible Person.
- 5.11. A photograph of the front of the Short-Term Rental taken from the street.
- 5.12. 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 is being operated on the Premises.
- 5.13. A site plan of the Short-Term Rental Premises that shows what is actually present on the property. The site plan does not need to be professionally prepared and may be hand drawn, as long as it clearly indicates the location and approximate dimensions of features such as the parking area (including its surface), all buildings or structures (including decks), septic or holding tanks and septic bed, fire pits, wells (if applicable), and any landscaping features that provide screening or buffering between the rental Premises and neighbouring properties (e.g., fences, hedges, or tree lines).
- 5.14. An interior site plan of the Short-Term Rental Premises that shows the layout of the interior space within the Dwelling. The interior site plan does not need to be professionally prepared and may be hand drawn, provided it clearly identifies and labels the number and location of all Bedrooms, bathrooms, and common living areas (e.g., kitchen, living room, recreation room). The plan must also show the location of all exits and fire safety equipment, including smoke alarms, carbon monoxide detectors, and fire extinguishers.

- 5.15. A Parking Management Plan for the Short-Term Rental, in accordance with this by-law and to the satisfaction of the Municipality, showing the required number of spaces as set in section 7.
- 5.16. The requested Occupancy for the Short-Term Rental, in accordance with this by-law and to the satisfaction of the Municipality.
- 5.17. A waste disposal plan which will provide detail on where garbage is to be kept, who is responsible for removing it from the property (Owner or Renter) and how often it will be disposed of.
- 5.18. The license number of any current or previously licensed Short-Term Rental Licence.
- 5.19. A sworn declaration from each Applicant, and Owner, and Tenant if applicable, acknowledging and confirming:
 - 5.19.1. They understand their responsibilities as a Licensee;
 - 5.19.2. The Premises is used primarily for residential purposes;
 - 5.19.3. Compliance with the with the Parking Management Plan;
 - 5.19.4. The Short-Term Rental is in compliance with the Building Code Act, 1992 and any regulation made under it, or any revisions made thereto, including the Building Code;
 - 5.19.5. The Short-Term Rental is in compliance with the Fire Protection and Prevention Act, 1997, and any regulations made under it, or any revisions made thereto, including the Fire Code;
 - 5.19.6. They will require each Renter to abide by the Renter's Code of Conduct; and
 - 5.19.7. The accuracy, truthfulness, and completeness of the information submitted.
- 5.20. Every Person licensed under this by-law shall, at all times:
 - 5.20.1. Comply with the regulations contained in this by-law.
 - 5.20.2. Notify the Municipality in writing within 10 days of any changes to the information provided pursuant to the registration requirements (Section 5) of this by-law.
 - 5.20.3. The Licensee shall indemnify and hold harmless the Municipality for any injuries or damages resulting from non-compliance with the Building Code Act, and the Fire Protection and Prevention Act.

6. OCCUPANCY REQUIREMENTS

- 6.1. The maximum Occupancy permitted for the Short-Term Rental shall be determined by reference to the number of Bedrooms in the Short-Term Rental.
- 6.2. The maximum Occupancy shall not exceed two (2) Persons per Bedroom plus a total of two (2) Persons to a maximum of ten (10) Persons per Short-Term Rental.
- 6.3. Guests are permitted during the day and may stay overnight, provided the maximum Occupancy set out in Section 6.2 is not exceeded.
- 6.4. Children who are aged 12 and under shall not be included in the Occupancy calculation described in Section 6.2.

7. PARKING MANAGEMENT PLAN

- 7.1. The Parking Management Plan will show the number of parking spaces permitted for the Short-Term Rental is based on the number of approved spaces and existing permitted spaces either:
 - 7.1.1. on the Short-Term Rental Premises, or

- 7.1.2. at an alternative location through a documented agreement with the Owner of that property, provided that the location is within a reasonable distance and suitable for the intended use.
- 7.2. Parking spaces must be a minimum of 3 metres by 1.5 metres per space. The surfacing must be asphalt, gravel, concrete, or another similar hard surface and cannot be grass or other landscaped space.
- 7.3. All parking spaces, whether located on the Short-Term Rental Premises or on an alternative property under agreement, must be legally established and conform to the current Zoning By-law of the Municipality.

8. GENERAL REGULATIONS

- 8.1. Every Person operating a Short-Term Rental shall ensure that the Short-Term Rental is operated in accordance with the Parking Management Plan, permitted Occupancy, and Renter's Code of Conduct. In addition, they shall:
- 8.2. Display the Short-Term Rental Licence in a prominent place in the Short-Term Rental to which it applies.
- 8.3. Ensure that the Responsible Person or Alternate Responsible Person is available to always respond to concerns at the Short-Term Rental, either in person or by telephone or email, within a period of no greater than thirty (30) minutes from the time of initial contact.
- 8.4. Ensure that each Renter has been provided with the Renter's Code of Conduct with the Owner retaining a copy of the confirmation of receipt of the Renter's Code for a period of one year. The Renter's Code of Conduct must include, at minimum, the language as articulated in Schedule B.
- 8.5. Provide to at least one Renter of the Short-Term Rental an Information Package containing the following information:
 - 8.5.1. contact information for the Responsible Person or Alternate Responsible Person who is available to receive communications from any Renter during the rental period;
 - 8.5.2. instructions for use of the 9-1-1 emergency system, which includes the municipal address for the Premises;
 - 8.5.3. the name and address of the nearest hospital or emergency medical services providing emergency care;
 - 8.5.4. non-emergency contact for the Ontario Provincial Police;
 - 8.5.5. instructions for solid waste disposal, to include information on the applicable waste collection day and instructions for composting and recycling;
 - 8.5.6. a schedule of common offences and related fines associated with Renter activities, to be provided by the Municipality; and
 - 8.5.7. a copy of the Short-Term Rental Licence, and Occupancy limits, parking rules, and any conditions imposed on the Short-Term Rental Licence.
- 8.6. Informing all Renters, prior to or upon their arrival at the Short-Term Rental Premises, of any fire bans or fire restrictions that are in effect during their stay.
- 8.7. Maintain the Short-Term Rental 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. 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, 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.

9. REVIEW, REFUSAL, AND REVOCATION OF REGISTRATION

- 9.1. The Manager shall receive and process all applications for Short-Term Rental Licences and for renewal of a Short-Term Rental Licence pursuant to this by-law.
- 9.2. The Manager may request comments from other departments or agencies in respect of the Short-Term Rental.
- 9.3. The Manager may require an inspection of the Short-Term Rental prior to making a determination on the Application.
- 9.4. The Manager may impose terms and conditions on Short-Term Rental Licences in accordance with this by-law and as necessary to give effect to this by-law.
- 9.5. The Manager shall issue a Short-Term Rental Licence and a renewal of a Short-Term Rental Licence, either conditionally or unconditionally, to any Person who meets the requirements of this by-law except where:
 - 9.5.1. the existing Short-Term Rental Licence has been Suspended or Revoked pursuant to this by-law;
 - 9.5.2. the conduct of the Applicant affords reasonable grounds for belief that the Applicant has not carried on, or will not carry on the Short-Term Rental in accordance with the law or with integrity and honesty;
 - 9.5.3. the Applicant is indebted to the Municipality in respect of fines, penalties, judgments, or outstanding property taxes, or other amounts owing.

10. TERM OF LICENCE

- 10.1. A Short-Term Rental Licence issued pursuant to this by-law shall expire on the date that is one (1) year after the date of the issuance of the Short-Term Rental Licence unless it is renewed or Revoked in accordance with the provisions of this by-law.

11. NOTICE OF SUSPENSION OR REVOCATION

- 11.1. The Manager shall provide notice of intention to Revoke or Suspend a Short-Term Rental Licence where:
 - 11.1.1. The Licensee would be disentitled to a license or a renewal of a license for the reasons set out in this by-law;
 - 11.1.2. The Licensee has failed to comply with the regulations required by this by-law;
 - 11.1.3. The Short-Term Rental Licence was issued in error.
- 11.2. Notwithstanding section 11.1, if satisfied that the continuation of the Short-Term Rental Licence poses an immediate danger to the health or safety of any Renter or Guest, the Manager may, for a period of time not exceeding 14 days, Suspend the Short-Term Rental Licence immediately, provide reasons for the Suspension, and provide the Licensee with an opportunity to respond to them.

12. APPEALS

- 12.1. Where the Licencing Officer has denied an Applicant a Short-Term Rental Licence or a request for renewal of a Short-Term Rental Licence, or Suspended or Revoked a Short-Term Rental Licence, the Licensing Officer shall inform the Applicant 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 the Appeals Committee.
- 12.2. Applicants may appeal to the Appeals Committee in relation to matters noted in Section 12.1; appeals will not be permitted for any other matters including, without limitation:

- 12.2.1. Matters, notices, orders, and communications related to a non-compliance under federal or provincial law or regulations or any other legislation outside of this by-law;
- 12.2.2. Singular fines and issuance of demerit points as set out in this by-law;
- 12.3. A request for an appeal of a matter noted in section 12.1 shall be made in writing to the Clerk setting out the reasons for the appeal and shall be accompanied by the appeal Fee within fourteen (14) days after service of the written notice of the Licensing Officer's decision.
- 12.4. The Licensing Officer may permit the Licensee to continue operation during the appeals process until such time as a decision is rendered by the Appeals Committee.
- 12.5. Where no request for an appeal is received in accordance with section 12.3, the decision of the Licensing Officer shall be deemed to be affirmed.
- 12.6. Where a request for an appeal is received, a hearing of the Appeals Committee shall be convened, and the Applicant shall be provided reasonable written notice thereof.
- 12.7. After such opportunity to be heard is afforded the Applicant, the Appeals Committee may make a decision in respect of which the hearing was held or the opportunity for hearing afforded. The Appeals Committee's decision is final and not subject to review. The Appeals Committee may affirm, modify, or rescind the decision of the Licensing Officer. The Appeals Committee may refuse to issue or renew a licence, Revoke, Suspend, or impose any conditions upon a licence. The Appeals Committee may consider any matter pertaining to the licensing requirements, regulations, or grounds for refusal in the Short-Term Regulating By-Law.

13. ORDER

- 13.1. Where the Manager has reasonable grounds to believe that a contravention of this by-law has occurred, the Manager may serve an Order on the Licensee setting out the reasonable particulars of the contravention and directing:
 - 13.1.1. Compliance within a specified timeframe;
 - 13.1.2. Any work that is required to be done, and in default of such work being done, the work may be done at the Licensee's expense and the Municipality may recover the expense by in the same manner as municipal taxes; or
 - 13.1.3. The activity be discontinued.

14. DEMERIT POINT SYSTEM

- 14.1. A demerit point system is established, without prejudice to and without precluding the use of options otherwise available to enforce this by-law or any other by-law of the Municipality or Provincial Act or Regulation including, but not limited to, set fines, and actions pursuant to the Building Code Act, Fire Protection and Prevention Act, and the Provincial Offences Act.
- 14.2. The number of demerit points referenced in Column 3 of Table 1 below may be assessed against a Short-Term Rental in respect of the matter noted in Column 1 upon the following event respecting a contravention:
 - 14.2.1. The expiry of the period for appealing a fine imposed pursuant to Part I or Part III of the Provincial Offences Act;
 - 14.2.2. The expiry of the period for appealing against a conviction in the Ontario Court of Justice;
 - 14.2.3. The confirmation of a guilty plea or uncontested fine where payment has been made;
 - 14.2.4. The confirmation of an order; or,

- 14.2.5. The confirmation of an order resulting in municipal remediation.
- 14.2.6. The confirmation by the Manager that a Complaint has been substantiated through investigation and remains unresolved, or that the Licensee has failed to comply with an Order issued under this by-law.

For the purposes of this section, a demerit point may also be assessed without a conviction where a Complaint is found by the Manager to be substantiated and unresolved, and enforcement under other mechanisms (such as the Provincial Offences Act) has not yet occurred or been concluded.

- 14.3. A Short-Term Rental Licence may be Suspended for a period not longer than six months if the total of all demerit points in effect respecting the Short-Term Rental is at least seven (7).
- 14.4. A Short-Term Rental Licence may be Revoked if the total of all demerit points in effect respecting the Short-Term Rental is at least fifteen (15).
- 14.5. Notice of the Suspension or Revocation of a Licence shall be provided in accordance with Section 9 of this by-law.
- 14.6. Demerit points shall remain in place until the one-year anniversary of the date on which the demerit points were issued.

Item	Column 1 – Infraction	Column 2 – Section	Column 3 – Demerit points
1	Exceed permitted Occupancy	6.1	4
2	Second or subsequent offence for exceeding maximum Occupancy	6.1	7
3	Non-availability of Responsible Person or Alternate Responsible Person	8.3	4
4	Property Standards By-law 46-2018 Complaint or Conviction related to Premises	n/a	5
5	Noise By-law 64-2024 Complaint or Conviction related to Premises	n/a	3
6	Open Air Burning By-law 14-2019 Complaint or Conviction related to Premises	n/a	4
7	Using or permitting Premises to be used contrary to the Parking Management Plan	8.1	3
8	Building Code Act Order/Conviction	n/a	7
9	Fire Protection and Prevention Act/Fire Code Order/Conviction	n/a	7
10	Waste Collection Infraction	8.8	3

15. NOTICES AND ORDERS

- 15.1. Any notice or Order issued pursuant to this by-law may be given in writing in any of the following ways and is effective:
 - 15.1.1. On the date on which a copy is delivered to the Licensee to whom it is addressed;
 - 15.1.2. On the fifth day after a copy is sent by mail to the Licensee’s last known address;
 - 15.1.3. Upon the sending of a copy by e-mail transmission to the Licensee’s last known e-mail address, or
 - 15.1.4. Posting it on the Premises, on the date of the posting.

- 15.2. For the purpose of section 14.1, the Licensee's last known address and last known e-mail address shall be deemed to include those provided pursuant to section 4 of this by-law.

16. INSPECTION

- 16.1. The Manager or an Officer may, at any reasonable time inspect:
- 16.1.1. Any Premises for which an application for a Short-Term Rental Licence has been submitted in whole or in part;
 - 16.1.2. Any Premises for which a Short-Term Rental Licence has been issued;
 - 16.1.3. Any Premises, vehicle, or place where a Short-Term Rental which is subject to this by-law is carried on or where there are reasonable or probable grounds to believe a Short-Term Rental is carried on;
 - 16.1.4. Any goods, equipment, books, records, or documents used or to be used by the Owner, Tenant, Applicant, or Responsible Person under this by-law.
- 16.2. It shall be an offence to obstruct or permit the obstruction of such inspection.

17. OFFENCE AND PENALTY PROVISIONS

- 17.1. Every Person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine and such other penalties as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P. 33, as amended.
- 17.2. Every Person guilty of an offence under this by-law may, if permitted under the Provincial Offences Act, pay a set fine, and the Chief Judge of the Ontario Court of Justice shall be requested to establish set fines in accordance with Schedule "A" attached to this by-law.
- 17.3. Pursuant to section 447 of the Municipal Act, 2001 where an Owner is convicted of knowingly carrying on or engaging in a Short-Term Rental in respect of any Premises or part of any Premises without a Short-Term Rental Licence, or a Person is convicted of any other contravention of this by-law and the court determines that the Owner of the Premises or part of the Premises in respect of which the conviction was made know or ought to have known of the conduct which formed the subject-matter of the conviction or any pattern of similar conduct, the court may order that the Premises or part of the Premises be closed to any use for a period not exceeding two years.
- 17.4. In addition to any other remedy, it may have at law, the Municipality shall be entitled to enforce this by-law in accordance with Section 442 and 446 of the Municipal Act, 2001, as amended.

18. COLLECTION OF UNPAID FINES

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

19. REFERENCES TO BY-LAWS AND LEGISLATION

19.1. References in this by-law to any legislation or by-law means as may be amended or replaced from time to time and include any regulations thereunder.

20. SEVERABILITY

20.1. In the event any provisions of this by-law are deemed invalid or void, in whole or in part, by any court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

21. SHORT TITLE

21.1. This by-law shall be known as the “Short-Term Rental Licensing By-Law”.

22. EFFECTIVE DATE

22.1. This by-law shall come into effect on the final passing thereof.

Read a first and second time __ day of _____ 2025.

Read a third time and finally passed this __ day of _____ 2025.

Mayor, Glen McNeil

Clerk, Florence Witherspoon

THE CORPORATION OF THE TOWNSHIP OF
ASHFIELD-COLBORNE-WAWANOSH

BY-LAW NUMBER XX-2025
SCHEDULE A

PART 1-Provincial Offences Act Set Fine Schedule

Item	Column 1 – Short Form Wording	Column 2 – Offence Creating Provision	Column 3 – Set Fine
1.	Operate/Permit operation of a Short-Term Rental without a Licence	3.1.1	\$900
2.	Operate a Short-Term Rental while Licence Suspended	3.1.4.	\$900
3.	Advertise/operate/provide Short Term Rental where prohibited	3.2	\$750
4.	Transfer or assigned a Licence	3.3.1	\$750
5.	Obtain a Short-Term Rental Licence by providing false information	3.3.2	\$500
6.	Obstruct an inspection of Premises	3.3.4, 16.2	\$500
7.	Use/Permit the use of Short-Term Rental contrary to the permitted Occupancy	6.	\$500

NOTE: The general penalty provision for the offences listed above is Section 17 of By-law Number XX-2025, a certified copy of which has been filed.

THE CORPORATION OF THE TOWNSHIP OF
ASHFIELD-COLBORNE-WAWANOSH

**BY-LAW NUMBER XX-2025
SCHEDULE B**

Renter's Code of Conduct

1. The purpose of the Renter's Code of Conduct is to acknowledge that Short-Term Rentals are permitted in residential neighbourhoods and that other residents of these neighbourhoods have the right to enjoy their properties without nuisance. It also outlines specific requirements for Short-Term Rentals and imposes responsibilities for both the Licensee and Renters of such Short-Term Rentals and that the Licensee bears the primary responsibility of conveying this information to Renters of the Short-Term Rental.
2. The objective of this Code is to establish acceptable standards of behaviour for the Licensee and Renters to minimize any adverse impacts on their neighbours and the neighbourhood while protecting the health, safety and well-being of people.
3. The Renters acknowledge for themselves and on behalf of Guests that they will be occupying a Short-Term Rental that is in a residential area.
4. The guiding principles for Short-Term Rental Renters are:
 - a. The Short-Term Rental that you are occupying is a home;
 - b. Treat the Short-Term Rental as your own;
 - c. Respect the neighbours of the Short-Term Rental; and
 - d. Leave the Short-Term Rental as you find it.
 - e. Maximum Number of Renters and Guests:
5. The maximum number of Renters including Guests permitted at a Short-Term Rental shall be limited as per the Short-Term Rental Licensing By-Law. Exceeding the maximum occupancy may result in the malfunctioning of the septic system and pollution of the ground water system. The maximum number of Guests permitted at this Short-Term Rental is ____.
6. 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 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.

7. Fireworks are only permitted to be discharged between dusk and 11 pm on the two (2) days before and on the following statutory holidays: New Year's Day, Victoria Day, Canada Day, Civic Holiday and Labour Day.

8. Please familiarize yourself and your Guests with the on-site parking available on the Short-Term Rental to ensure ease of access with minimum disturbance to neighbours. All Short-Term Rentals have vehicle parking requirements as part of the licensing process.
9. Please familiarize yourself and your Guests with the provisions that have been made for waste management and the day of the week in which waste collection is scheduled. Waste is only to be set out on the day allocated. Waste collection information and pick up times are available on the Township's website.
10. All Short-Term Rentals must have operating smoke alarms in accordance with the provisions of the Ontario Fire Code. In Short-Term Rentals which have a fuel-fired appliance or solid fuel-fired appliance installed or an attached storage garage, the Owner must ensure that the Short-Term Rental 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 Licensee or Responsible Person of the deficiency.

I, _____ having read the above, acknowledge that I am renting this Short-Term Rental from a valid Licensee in the Township of Ashfield-Colborne-Wawanosh and undertake to conduct myself and those that are occupying this Short-Term Rental 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 subject the Licensee to Demerit Points against their Licence and may include enforcement measures against myself, Guests or the Licensee.

Signed _____ Date _____