

**THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES**

**BY-LAW NUMBER 79 OF 2022**

**A BY-LAW TO AMEND BY-LAW NUMBER 43 OF 2022**

**WHEREAS** the Municipality of Lambton Shores passed By-Law 43-2022 on the 7<sup>th</sup> day of June, 2022 being a by-law to licence, regulate and govern the operation of Short-Term Rentals;

**AND WHEREAS** it is deemed necessary to make amendments to By-Law 43-2022 and supporting Schedules;

**THEREFORE** the Council of the Municipality of Lambton Shores enacts as follows:

1. THAT Section 1.0 be amended to include the following definition:

“Appeal Committee Coordinator” means the staff member or staff members of the Municipality whose duties include providing administrative support to the Appeals Committee, and such staff member may include a Deputy Clerk of the Municipality, other than the Chief Administrative Officer if the Chief Administrative Officer is also a Deputy Clerk;”

2. THAT Section 2.1 be amended to read:

“No Person shall market, operate or permit a Person to operate or hold themselves out as being licensed to operate a Short-Term Rental.”

3. THAT Section 2.3 (b) be amended to read:

“obtain a Short-Term Rental Licence by providing false or incorrect information;”

4. THAT Section 9.3 be amended to read:

“A request for an appeal of a matter noted in section 9.1 shall be made in writing to the Appeals Committee Co-ordinator 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 Director’s decision.”

5. THAT Section 9.8 be deleted.

6. THAT Table 1 be amended to read:

| <b>Table 1</b>   |                  |                       |
|--|------------------|-----------------------|
| <b>Column 1</b>  | <b>Column 2</b>  | <b>Column 3</b>       |
| <b>Infraction</b>  | <b>Reference</b> | <b>Demerit Points</b> |
| (1) Market/Operate/Permit to Operate a Short-Term Rental without a Licence                                   | 2.1(a)           | 4                     |
| (2) Use/Permit the use of Short-Term Rental contrary to Parking Management Plan/Permitted Occupancy          | 5.3(a)           | 4                     |
| (3) Second or subsequent offense for Use/Permit the use of Short-Term Rental contrary to Permitted Occupancy | 5.3(a)           | 4                     |
| (4) Failure to ensure availability of Responsible Person   | 5.3(d)           | 4                     |
| (5) Property Standards By-Law 67-2001 Conviction related to Premises   |                  | 5                     |
| (6) Fireworks By-Law 16-2008 Conviction related to Premises  |                  | 5                     |
| (7) Noise By-Law 30-2002 Conviction related to Premises  |                  | 5                     |
| (8) Open Air Burning By-Law 60-2009 Conviction related to Premises   |                  | 5                     |
| (9) Building Code Act Order/Conviction   |                  | 7                     |
| (10) Fire Protection and Prevention Act/Fire Code Order/Conviction   |                  | 7                     |

7. THAT Section 13.1 (d) be amended to read:

“any goods, equipment, books, records or documents used or to be used by the Owner, Tenant, Applicant, or Responsible Person under this by-law.

**READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED** this 18<sup>th</sup> day of October 2022.

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Mayor

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Clerk