

# The Corporation of the Town of Essex

## By-Law Number 2468

Being a by-law to license and regulate  
Short Term Rental Units in the Town of Essex

**WHEREAS** Part IV of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, authorizes a municipality to provide for a system of licenses with respect to businesses wholly or partly carried on within a municipality;

**AND WHEREAS** Section 11 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, authorizes a municipality to pass by-laws in the interest of health and safety, well-being of persons, consumer protection and nuisance control;

**AND WHEREAS** Section 391 of the *Municipal Act, 2001, S.O. 2001, c. 25* enables a municipality to pass by-laws imposing fees and charges on persons for services or activities provided or done by or on behalf of it;

**AND WHEREAS** Section 436 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, 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 licence;

**AND WHEREAS** The Council of The Corporation of the Town of Essex deems it desirable to establish a system of licensing for Short Term Rental Units operated within the Town of Essex.

**NOW THEREFORE** be it resolved that The Council of The Corporation of the Town of Essex hereby enacts as follows:

### 1.0 DEFINITIONS

- 1.1 **"Advertise"** means to list, post, promote, publicize, or describe a property as a Short Term Rental Unit via digital, paper, or other means, regardless of whether or not it is available to rent.
- 1.2 **"Agent"** means a Person duly appointed by the Owner to act on their behalf.
- 1.3 **"Appeals Committee"** means the Town's Appeals Committee or other such committee to which Council has delegated the authority and responsibility to conduct hearings under this By-Law.
- 1.4 **"Applicant"** means the Person applying for a Licence or renewal of a Licence under this By-Law, and "Application" has a corresponding meaning.
- 1.5 **"Application"** means the written request accompanied by prescribed documentation required to obtain or renew a Licence for an STRU within the Town of Essex.
- 1.6 **"Articles of Incorporation"** means documents related to an incorporated business pursuant to the *Business Corporations Act, R.S.O. 1990, c. B.16*, or the *Corporations Act, R.S.O. 1990, c. C.38*.
- 1.7 **"Complete Address"** means the address of the Short Term Rental Unit Premises including a number, street name, municipality, and postal code.
- 1.8 **"Corporation"** means a body corporate incorporated pursuant to the *Business Corporations Act, R.S.O. 1990, c. B.16*, or the *Corporations Act, R.S.O. 1990, c. C.38*.
- 1.9 **"Council"** means The Council of The Corporation of the Town of Essex.

- 1.10 **“Disturbance”** means an event where an action has commenced with respect to a Nuisance, noise, or other disturbance at the discretion of an Officer.
- 1.11 **“Fees and Charges By-Law”** means the by-law passed by Council setting the fees and charges for municipal services, as may be amended from time to time.
- 1.12 **“Fire Chief”** means the duly appointed Fire Chief of The Corporation of the Town of Essex, or their designate.
- 1.13 **“Frivolous or Vexatious Complaint”** means a complaint not having any serious purpose or value or a complaint that is made for retaliatory or bad faith purposes, or otherwise forms part of a pattern of conduct by the complainant that amounts to an abuse of the complaint process.
- 1.14 **“Licence”** means the certificate issued under this By-Law as proof of licensing under this By-Law.
- 1.15 **“Licensee”** means a Person licensed under this By-Law or a Person required to be licensed under this By-Law.
- 1.16 **“Licensing Administrator”** means the duly appointed Clerk of the Corporation of the Town of Essex, or designate.
- 1.17 **“Local Contact”** means an Agent or representative of an Owner who is responsible for managing or addressing issues in relation to the Owner’s Short Term Rental Unit.
- 1.18 **“Nuisance”** means an action which causes offence, annoyance, trouble, interference, or injury to any right or interest shared by the public at the discretion of an Officer.
- 1.19 **“Officer”** means any Person authorized by the Corporation of the Town of Essex to enforce By-Laws.
- 1.20 **“Operate”** means to lease, rent, make available for profitable use, or otherwise receive revenue from.
- 1.21 **“Owner”** means a Person who is on title as an owner of a building or parcel of land identified on the parcel register from the Land Registry Office and includes a Person who alone or with others has a right to possess or occupy Premises where a Short Term Rental Unit is located, or a Tenant who actually does not own, possess, or occupy the Premises upon which a Short Term Rental Unit is located.
- 1.22 **“Penalty”** has the meaning ascribed thereto in Section 9.1.
- 1.23 **“Penalty Notice”** has the meaning ascribed thereto in Section 9.3.
- 1.24 **“Person”** means an individual, a Corporation, a partnership, or an association, and includes a Licensee or an Applicant for a Licence under this By-Law, as the context may suggest.
- 1.25 **“Premises”** means any place, premises or location, or part thereof, in which a trade, business or occupation of at least one Short Term Rental Unit is carried on.
- 1.26 **“Renter”** means the Person responsible for the rental of the STRU by way of concession, permit, lease, Licence, rental agreement, or similar commercial arrangement.
- 1.27 **“Renter’s Code”** means the document attached as Schedule “E” to this By-Law that sets out the roles and responsibilities of the Renter, including behavioural expectations as they relate to non-disturbance, which provides a warning related

to the making of a Disturbance, and, which identifies applicable Town By-Laws that the Renter must comply with including the relevant provisions of this By-Law.

- 1.28 **“Short Term Rental Unit” or “STRU”** means a dwelling or dwelling unit located on a Premises which is used, with or without on-site supervision, for rental accommodation of a Person or Persons for a period of twenty-eight (28) consecutive days or less, within the calendar year, but may be rented for a longer period. Where multiple dwellings are located on the Premises, such dwellings must be connected by common rooms, otherwise each dwelling shall be individually considered an STRU. This definition does not include a bed and breakfast dwelling, a lodging house, a residential care facility or group home or a dwelling unit in a hotel or motel.
- 1.29 **“Town”** means The Corporation of the Town of Essex or the geographical area of the Town of Essex, as the context may suggest.
- 1.30 **“Zoning By-Law”** means the general land use by-law enacted by Council under Section 34 of the *Planning Act, R.S.O. 1990, c. P.13*, as amended from time to time.

## **2.0 PROHIBITIONS**

- 2.1 No Person shall Operate or permit a Person to Operate or hold themselves out as being licensed to Operate a Short Term Rental Unit in the Town:
- a) without a Licence to do so issued under this By-Law;
  - b) under any name other than the one endorsed on their Licence issued under this By-Law; and
  - c) except in accordance with the regulations of this By-Law, including any applicable Schedule, all of which form part of this By-Law.
- 2.2 No Person shall:
- a) transfer or assign a Licence issued under this By-Law without written consent of the Licensing Administrator;
  - b) obtain a Licence by providing mistaken, false or incorrect information;
  - c) enjoy any vested rights or ownership, and at all times the Licence shall remain the property of the Corporation of the Town of Essex; or
  - d) Advertise a Short Term Rental Unit without a Licence issued under this By-Law.
- 2.3 No Person shall make a Frivolous or Vexatious Complaint in respect of a Short Term Rental Unit or the Premises on which the STRU is being operated.

## **3.0 LICENSING REQUIREMENTS**

- 3.1 A completed Application for a Licence or for renewal of a Licence shall be submitted to the Licensing Administrator accompanied by the requirements prescribed in Schedule “A” together with any other information that the Licensing Administrator from time to time requests.
- 3.2 The Licensing Administrator may, for any Applications, and on a case-by-case basis review, determine, or waive any Licensing requirements or regulations not related to public safety or consumer protection.
- 3.3 Every Person licensed under this By-Law shall at all times:
- a) comply with the regulations contained in any applicable Schedule to this By-Law;

and

- b) notify the Licensing Administrator immediately of any change in any of the particulars required to be filed with the Town for the issuance of a Licence.

#### **4.0 ISSUANCE OF LICENCE AND GROUNDS FOR REFUSAL**

4.1 The Licensing Administrator shall:

- a) Receive, process and determine all Applications for Licences and for renewal of Licences to be issued under this By-Law;
- b) grant and issue Licences and renewal of Licences, either conditionally or unconditionally, to any Person who meets the requirements of this By-Law except where as determined by the Licensing Administrator:
  - i) the conduct of an Applicant affords reasonable grounds for belief that the Applicant has not carried on, or will not carry on the business in accordance with the law or with integrity and honesty;
  - ii) there are reasonable grounds for belief that the carrying on of the business may be adverse to the public interest;
  - iii) the Applicant has a total of seven or more demerit points in effect pursuant to Schedule "C"; or
  - iv) the Applicant is indebted to the Town in respect of fines, penalties, judgments, outstanding property taxes, or any other amounts owing.
- c) generally perform all the administrative functions conferred upon them by this By-Law.

4.2 Licences issued pursuant to this By-Law are conditional upon ongoing and continuing compliance by the Licensee with all municipal By-Laws, and compliance with all Provincial and Federal legislation.

4.3 Licences issued pursuant to this By-Law are considered to be immediately expired when a change in the Owner of the Short Term Rental Unit occurs.

4.4 The determination of whether a licence Application is complete in accordance with the requirements of this By-Law shall be within the sole discretion of the Licensing Administrator.

#### **5.0 TERM OF LICENCE**

5.1 A Licence issued under the provisions of this By-Law shall expire one (1) year from the date of its issuance unless it is renewed or revoked in accordance with the provisions of this By-Law.

#### **6.0 REVOCATION AND SUSPENSION**

6.1 The Licensing Administrator shall provide notice of intention to revoke or suspend a Licence and shall advise the Licensee of their right to an appeal where:

- a) the Licensee would be disentitled to a Licence or a renewal of a Licence for the reasons set out in this By-Law;
- b) the Licensee has failed to comply with the regulations required under the provisions of this By-Law; or
- c) the Licence was issued in error.

6.2 Notwithstanding Section 7 of this By-Law, the Licensing Administrator, if satisfied

that the continuation of the Licence poses an immediate danger to the health or safety of any Person, may, for the time and such conditions as are considered appropriate and without a hearing, suspend a Licence for not more than fourteen (14) days, and, prior to suspending the Licence, shall provide the Licensee with the reasons for the suspension, orally or in writing, together with a reasonable opportunity to respond to or rectify same.

## **7.0 APPEAL**

- 7.1 Where the Licensing Administrator has denied an Applicant a Licence or a request for renewal, or suspended or revoked a Licence, the Licensing Administrator shall inform the Applicant or Licensee 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.
- 7.2 Persons or Applicants may appeal to the Appeals Committee in relation to matters noted in subsection 7.1 and Section 9 of this By-Law. A request for an appeal shall be made in writing to the Licensing Administrator in the form specified by the Town setting out the reasons for the appeal within fourteen (14) days after service of the written notice.
- 7.3 Where no request for an appeal is received in accordance with subsection 7.2 of this By-Law, the decision of the Licensing Administrator shall be deemed to be affirmed.
- 7.4 Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened at the earliest opportunity, and the Applicant or Licensee shall be provided reasonable written notice thereof.
- 7.5 After such opportunity to be heard is afforded to the Applicant or Licensee, the Appeals Committee may make a decision in respect of which the hearing was held or the opportunity for hearing afforded. The Appeals Committee may refuse to issue or renew a Licence, revoke, suspend, or impose any conditions upon a Licence. The Appeals Committee may cancel or reduce a Penalty. The Appeals Committee may consider any matter pertaining to the licensing requirements in Section 3 of this By-Law or the grounds for refusal in Section 4 of this By-Law, or any other matter that relates to the general welfare, health or safety of the public.
- 7.6 Pursuant to Section 23.2 of the *Municipal Act, 2001, S.O. 2001, c. 25*, Council hereby delegates to the Appeals Committee the power to make the final decision in respect of which a hearing was held, and it is the opinion of Council that this delegated power is of a minor nature. This delegation may be revoked by Council at any time.
- 7.7 Where the Appeals Committee conducts a hearing, the rules set out in the *Statutory Powers Procedure Act, R.S.O. 1990, c. 5.22* shall apply.

## **8.0 ORDER**

- 8.1 Where an Officer has reasonable grounds to believe that a contravention of this By-Law has occurred, the Officer may serve an order on the Licensee setting out the reasonable particulars of the contravention and directing:
- a) compliance within a specified timeframe;
  - b) 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 Town may recover the expense by in the same manner as municipal taxes; or

c) the activity be discontinued.

8.2 Any Person who contravenes an order under this By-Law is guilty of an offence.

8.3 An order under this By-Law may require work to be done even though the facts which constitute the contravention of this By-Law were present before this By-Law came into force.

## **9.0 PENALTY**

9.1 Each Person who contravenes any provision of this By-Law, including any provision denoted in the Schedules to this By-Law, shall, upon issuance of a Penalty Notice be liable to pay to the Town a fine, as set out in Schedule "F" of this By-Law (each such fine, a "Penalty").

9.2 An Officer who finds or has reasonable cause to believe that a Person has contravened any provision of this By-Law, including any provision of the Schedules, may issue a Penalty Notice addressed to the Person.

9.3 The Penalty Notice (which shall be as prescribed from time to time by the Town) shall be served upon the Person to whom or to which it is addressed as soon as is reasonably practicable and shall include the following information:

- a) particulars of the contravention;
- b) the amount of the Penalty;
- c) information respecting the process by which the Person may exercise the Person's right to request an appeal of the Penalty; and
- d) a statement advising that a Penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debt of the person to the Town.

9.4 A Person may appeal a Penalty to the Appeals Committee, in accordance with Section 7 of this By-Law.

9.5 A Penalty shall constitute a debt to the Town of each Person to whom or to which the Penalty notice was given.

9.6 A Penalty that is not paid by the date that it becomes due and payable may be collected in the same manner as municipal taxes.

## **10.0 NOTICES/ORDERS**

10.1 Any Penalty Notice or any other notice, or order issued pursuant to this By-Law may be given in writing in any of the following ways and is effective:

- a) on the date on which a copy is delivered to the Person to whom it is addressed;
- b) on the fifth day after a copy is sent by registered mail to the Person's last known address or, if to an Owner to the address provided to the Town during the Application which relates to the relevant STRU;
- c) upon the sending of a copy by e-mail transmission to the Person's last known e-mail address or, if to an Owner to the e-mail address provided to the Town during the Application which relates to the relevant STRU; or
- d) posting it on the Premises where the relevant STRU is located.

10.2 For the purpose of subsection 10.1 of this By-Law, the Person's last known address, last known facsimile transmission number, and last known e-mail address shall be

deemed to include those provided pursuant to Schedule "A" of this By-Law.

## **11.0 INSPECTION**

11.1 In accordance with Section 436 of the *Municipal Act, 2001, S.O. 2001, c. 25*, the Licensing Administrator or an Officer may at any reasonable time enter upon land to inspect:

- a) any Premises/vehicles or place where a business which is subject to this By-Law is carried on or where there are reasonable or probable grounds to believe a business subject and pursuant to this By-Law was or is being carried on; or
- b) any goods, equipment, books, records, or documents used or to be used by the Applicant or Licensee pursuant to this By-Law.

11.2 It shall be an offence to obstruct or permit the obstruction of the entry upon land and the inspection of the Licensing Administrator or an Officer.

## **12.0 OFFENCES**

12.1 Every Person who contravenes any provision of this By-Law, including failing to comply with an order made under this By-Law, is guilty of an offence and upon conviction is liable to a fine, and other such penalties, in accordance with the *Provincial Offences Act, R.S.O. 1990, c. P.33*, as amended.

12.2 If a Person or Corporation is convicted of an offence under this By-Law, in addition to any other remedy or any Penalty imposed, the court in which the conviction has been entered, and any court of competent jurisdiction, may make an order prohibiting the continuation or repetition of the offence by the Person convicted.

12.3 Each day or a part of a day that a contravention of this By-Law continues is deemed to be a separate offence.

12.4 Pursuant to Section 431 of the *Municipal Act, 2001, S.O. 2001, c. 25*, if a Person has been convicted of an offence under this By-Law, a court of competent jurisdiction may, in addition to any Penalty imposed on the Person convicted, issue an order:

- a) prohibiting the continuation or repetition of the offence by the Person convicted; and
- b) requiring the Person convicted to correct the contravention in the manner and within the period that the court considers appropriate.

12.5 In accordance with Section 398(2) of the *Municipal Act, 2001, S.O. 2001, c. 25*, the Town may add unpaid fees, charges, and fines under this By-Law to the tax roll and collect them in the same manner as municipal taxes.

## **13.0 REFERENCES**

13.1 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.

13.2 The words or phrases contained herein which are not defined by this By-Law are firstly to be assigned the definition or meaning attributable to them in the Zoning By-Law and, failing such a definition or meaning, the everyday meaning of such word or phrase.

## **14.0 SEVERABILITY**

14.1 If any section, clause, sentence or provision or any part or parts thereof of this By-Law is declared by any court of competent jurisdiction to be invalid, illegal, or ultra-vires, such section, clause, sentence or provision or part or parts thereof shall be severable and shall

not affect the validity of any other section, clause, sentence, provision, or part of this By-Law.

**15.0 SHORT TITLE**

15.1 This By-Law may be known as the “Short Term Rental Unit Licensing By-Law” or the “STRU Licensing By-Law”.

**16.0 REPEAL AND ENACTMENT**

16.1 By-Law Number 2025 and all amendments thereto are hereby repealed upon the coming into effect of this By-Law.

16.2 This By-Law shall come into full force and effect on November 1, 2025.

**Read a first and a second time and provisionally adopted on August 11, 2025.**

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Mayor

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Clerk

**Read a third time and finally passed on September 2, 2025.**

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Mayor

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Clerk

## Schedule "A"

### Short Term Rental Unit Licensing Requirements

- 1.1 A Person shall only be permitted to apply for a Licence or the renewal of an existing Licence if the Short Term Rental Unit is in full compliance with the provisions of the Zoning By-Law.
- 1.2 A Person applying for a Licence or renewal of an existing Licence shall meet the following requirements and provide the Licensing Administrator with the following, as applicable:
  - a) a completed Application in the form required by the Licensing Administrator that will include each Owner, Applicant and/or Agent's name, address, telephone number, and e-mail address;
  - b) payment of the non-refundable licensing fee as set out in Schedule "D" of this By-Law or such revised amounts as may be set out and amended from time to time in the Town's Fees and Charges By-Law;
  - c) if the Applicant is an individual, proof that the Applicant is at least eighteen (18) years of age, for example, a copy of Driver's Licence;
  - d) if the Applicant is a Corporation, proof that the Corporation is legally entitled to conduct business in Ontario, including but not limited to:
    - i) Articles of Incorporation or other incorporating documents, duly certified by the proper government official or department of the Province of Ontario or of the Government of Canada;
    - ii) Corporate Profile Report for the Corporation, issued within 30 days of the Application; and
    - iii) a copy of the Corporation's Shareholder Register as of the date of the Application.
  - e) 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;
  - f) 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 with an undertaking from the Applicant that this insurance policy will remain in place and valid for the term of the Licence;
  - g) a floor plan and a site plan of the Short Term Rental Unit and Premises depicting:
    - i) all entrances and exits to and from the building;
    - ii) the use of each room, including the proposed occupancy;
    - iii) the location of smoke alarms, fire extinguishers, carbon monoxide alarms, and early warning devices;
    - iv) related site amenities including other buildings, structures, and open burn/campfire location on the land; and
    - v) the parking spaces required in accordance with section 1.1 h) of Schedule "B" of this By-Law.
  - h) a statement prepared by the Fire Chief confirming that the Short Term Rental Unit and the Premises complies with the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, which results from an inspection that was conducted

within the twelve (12) months preceding the submission of the initial Application. For the purposes of renewals, such statement shall be conducted within twelve (12) months preceding each third (3<sup>rd</sup>) such consecutive renewal. Where the STRU, for any reason, does not renew annually such statement shall be conducted no later than three (3) years following the previously prepared statement;

- i) a statement prepared by the Town Planner or designate confirming that the proposed Application and Premises complies with the Zoning By-Law;
- j) a declaration that:
  - i) the STRU is in compliance with the *Building Code Act, 1992, S.O. 1992, c. 23*, or any regulations made under it, including the Building Code;
  - ii) the STRU is in compliance with the *Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4*, or any regulations made under it, including the Fire Code;
  - iii) the STRU is in compliance with the *Electricity Act, 1998, S.O. 1998, c. 15, Sched. A*, or any regulations made under it, including the Electrical Safety Code;
  - iv) the Owner or the Applicant (if different than the Owner) and any Local Contacts are aware of all relevant federal and provincial legislation, as well as all relevant municipal by-laws, and that they will comply with all of them;
  - v) the Applicant or Owner confirms the accuracy, truthfulness, and completeness of the information submitted; and
  - vi) the Applicant or Owner confirms they will require each Renter to abide by a Renter's Code; and
- k) such other requirements or documents that may be requested by the Town and/or the Licensing Administrator.

## **Schedule “B”**

### **General Regulations**

1.1 A Licensee shall:

- a) keep a record of the Renters with such record containing the date of entry, the length of stay, home address of the Renter and confirmation of receipt of the Renter’s Code with such record readily available for inspection at all times by an Officer for a period of one year;
- b) display a sign permanently in a prominent place in the Short Term Rental Unit which at a minimum shall include:
  - i) the Complete Address of the Short Term Rental Unit;
  - ii) the Licence number;
  - iii) the effective date and expiry date of the Licence;
  - iv) the Owner’s name and contact information;
  - v) the Local Contact’s name and contact information; and
  - vi) a plan which shall be plagued or framed that depicts the location of each bedroom, smoke alarms, fire extinguisher, carbon monoxide alarms, and exit and egress door or window;
- c) display a sign permanently in a prominent location at the exterior of the Short Term Rental Unit to which it applies so as to be visible and clearly discernible by the public and authorities at all times which shall include:
  - i) the Complete Address of the Short Term Rental;
  - ii) the Licence number; and
  - iii) the effective date and expiry date of the Licence;
- d) ensure that there is a Local Contact available upon request to respond and/or attend the Short Term Rental Unit at all times within a period of no greater than one hour from the time of contact by way of telephone or e-mail;
- e) ensure that each Renter has been provided with the Renter’s Code with the Licensee retaining a copy of the confirmation of receipt of the Renter’s Code for a period of one year;
- f) maintain the Short Term Rental Unit 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 STRU;
- g) ensure that the Short Term Rental Unit is operated and used in a fashion such that the operation or use will not cause a Disturbance; and
- h) provide a minimum of one on-site parking space and one additional on-site parking space for each two beds exclusively for the Short Term Rental Unit on a continuous surface of concrete, asphalt, pavers, or where permitted by the Zoning By-Law, stone or gravel. Each parking space shall have a minimum length of 5.5 meters and a width of 2.5 meters. Tandem parking in a driveway is acceptable in the laying out of the site plan.

## **Schedule “C”**

### **Demerit Point System**

- 1.1 A demerit point system is established as follows herein together with Table 1 attached hereto. This demerit point system does not preclude the use of options otherwise available to enforce this By-Law or any other by-law of the Town or provincial legislation including, but not limited to, administrative penalties as set out in this By-Law and actions pursuant to the *Building Code Act, 1992, S.O. 1992, c. 23*, the *Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4*, and the *Provincial Offences Act, R.S.O. 1990, c. P.33*.
- 1.2 The number of demerit points referenced in Column 3 of Table 1 below will be assessed against a Short Term Rental Unit in respect of the matter noted in Column 1 of Table 1 upon the following event respecting a contravention:
  - a) the expiry of the period for appealing a fine imposed pursuant to Part I or Part III of the *Provincial Offences Act, R.S.O. 1990, c. P.33*;
  - b) the expiry of the period for appealing against a conviction in the Ontario Court of Justice or other court of competent jurisdiction;
  - c) the confirmation of a Penalty;
  - d) the confirmation of an order; or
  - e) the confirmation of an order resulting in Town remediation.
- 1.3 Notice of the suspension or revocation of a Licence shall be provided to the Owner in accordance with Section 10 of this By-Law.
- 1.4 Subject to the provisions of Section 7 of this By-Law, a Licence shall be deemed to be suspended for a period of six months if the total of all demerit points in effect respecting a Short Term Rental Unit is at least seven.
- 1.5 Subject to the provisions of Section 7 of this By-Law, a Licence shall be deemed to be revoked if the total of all demerit points in effect respecting a Short Term Rental Unit is at least fifteen.
- 1.6 Demerit points for an STRU shall remain in place until the two-year anniversary of the date on which the demerit points were assessed, unless otherwise rescinded or amended by the Appeals Committee or a change in the Owner occurs.

<b>TABLE 1</b>		
<b>COLUMN 1</b> Infraction	<b>COLUMN 2</b> Type	<b>COLUMN 3</b> Demerit Points
Violation on the Premises of <i>Fire Protection and Prevention Act, 1997</i> and/or Fire Code	Order not complied with	3
	Part I or Part III	7
Violation by the STRU of <i>Building Code Act, 1992</i>	Order not complied with	3
	Part I or Part III	7
Violation on the Premises of Open Air Burning By-Law #1339	Cost incurred for illegal fire	2
	Part I or Part III	4
Violation by the STRU of Noise Control By-Law #2038	Observed by an Officer	1
	Part I or Part III	4
Violation by the STRU of Waste Disposal By-Law #320	Order not complied with	2
	Part I or Part III	4
Violation on the Premises of Property Standards By-Law #936	Order not complied with	2
	Part I or Part III	4
Violation on the Premises of Fireworks By-Law #2011	Observed by an Officer	1
	Part I or Part III	4
Violation on the Premises of Snow Removal By-Law #1108	Observed by an Officer	1
	Part I or Part III	4
Violation by the STRU of any applicable municipal by-law	Observed by an Officer	1
	Part I or Part III	4
Advertise or Operate an STRU without a Licence issued pursuant to STRU Licensing By-Law #2468	Order not complied with	3
	Part I or Part III	5
Local Contact does not respond and/or attend within one (1) hour pursuant to STRU Licensing By-Law #2468	Observed by an Officer	1
	Order not complied with	2
	Part I or Part III	4
Violation of any provision of STRU Licensing By-Law #2468	Observed by an Officer	1
	Order not complied with	2
	Part I or Part III	4
Violation of Renter's Code of Conduct pursuant to STRU Licensing By-Law #2468	Observed by an Officer	1
	Order not complied with	2
	Part I or Part III	4
Obstruction of an Officer	Observed by an Officer	7
	Part I or Part III	15

## **Schedule “D” Licensing Fees**

<b>Required Fees</b>	<b>Fee<sup>1</sup></b>
Short Term Rental Unit Licence (New and Renewal)	\$500.00
Fire Inspection	\$147.12
Filing an Appeal to the Appeals Committee	\$152.40
Replacement of Physical Copy of Short Term Rental Unit Licence	\$25.00

<sup>1</sup> All fees are non-refundable and such fee amounts may be further amended and designated in the Town’s Fees and Charges By-Law from time to time

# Schedule “E”

## Renter’s Code



### Short Term Rental (STR) Renter’s Code of Conduct

Located in Southwestern Ontario, the Town of Essex extends from the hub of the county at Essex Centre to the shores of Lake Erie at Colchester. It comprises four urban communities – Essex Centre, Harrow, Colchester, and McGregor – and a large agricultural hinterland with field crop production, horse farms and vineyards.

**Whether you’re here for business or pleasure, we invite you to discover our unique mix of urban centres, rural landscapes, and lakeside views.**

#### **Purpose of the Code**

Short Term Rentals are located in the vicinity of other properties and the residents/occupants of these properties have the right to enjoy their properties.

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

#### **Guiding Principles**

- The premise that you are occupying is a home;
- Treat the premise as your own;
- Respect your neighbours; and
- Leave it as you find it.

#### **Functions, Parties and Noise**

All gatherings, celebrations and parties must comply with all laws and cannot cause a disturbance to the neighbourhood or area residents.

No person shall make noise to cause a disturbance or conduct themselves in a way that is likely to disturb area residents. Examples of noise that is deemed to be a disturbance include:

- Loud music;
- Outdoor or backyard gatherings or activities involving excessive noise;
- Late evening/early morning disturbances; and
- Yelling, shouting, singing or other boisterous activity.

Renters and their guests are not allowed to disturb neighbours or interfere with the enjoyment of their properties, or the public realm, at any time of the day or night. Failure to comply with the conditions of the Town’s Noise By-Law (where applicable) or the Short Term Rental Licensing By-Law may result in enforcement action to be taken by or on behalf of the Town of Essex, or the Ontario Provincial Police.



## Short Term Rental (STR) Renter's Code of Conduct

### Parking

Please familiarize yourself and your guests with the parking layout for the premises (shown on the site plan) 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.

Parking on the street may be permitted near the Short Term Rental, unless prohibited by municipal by-law. Please ensure all parking signage is followed, vehicles do not obstruct driveways, fire hydrants, sidewalks or the safe movement of traffic and access for emergency vehicles. If your rental occurs during the winter months, it is encouraged to park vehicles off the street to ensure vehicles do not interfere with snow removal and road maintenance.

### Recycling and Garbage

Please familiarize yourself and your guests with all facilities found on the site plan and floor plan, including the provisions that have been made for waste management and the day of the week in which waste collection is scheduled. It should be noted that setting out waste for collection on a non-scheduled day is regulated by the Town's Waste Disposal By-Law. The disposal of household waste in public garbage bins is prohibited.

Waste collection information and pick up times are available on the Town of Essex's website.

### Municipal By-Laws

The Town of Essex has enacted and enforces regulatory by-laws that govern the use of properties, roadways, and activities within the Town. While renting a Short Term Rental, you are required to ensure you and your guests comply with all the applicable municipal by-laws.

- Property Standards By-Law
- Parking By-Law
- Noise Control By-Law
- Fireworks By-Law
- Open Air Burning By-Law
- Animal Control By-Law
- Waste Disposal By-Law
- Snow Removal By-Law

Failure to comply with the conditions of any applicable municipal by-law may result in enforcement action by the Town of Essex or the Ontario Provincial Police.

For a complete list and copies of all regulatory by-laws, please visit [www.essex.ca/bylaws](http://www.essex.ca/bylaws).



## Short Term Rental (STR) Renter’s Code of Conduct

### Important Contact Information

- **Town of Essex:** 519-776-7336
- **Emergencies (Ambulance, Police, Fire):** 911
- **Ontario Provincial Police (non-emergency line):** 1-888-310-1122

**Address of this Property:** \_\_\_\_\_

**Local Contact Name:** \_\_\_\_\_

**Local Contact Phone/Email:** \_\_\_\_\_

\*The Local Contact is someone who is authorized by the Owner to take all necessary steps to resolve urgent issues relating to the Short Term Rental. They must be available to attend the Short Term Rental at all times within a period of no greater than one (1) hour from the time of contact by telephone or email.

### Acknowledgement of Code of Conduct

I, \_\_\_\_\_, having read the above, and the terms of the Short Term Rental Licensing By-Law, confirm that myself and all guests at my property described as \_\_\_\_\_ will comply with the terms and conditions found within the Renter’s Code of Conduct, the Short Term Rental Licensing By-Law, all applicable municipal by-laws of the Town of Essex, and any other applicable federal or provincial statute or regulation.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

*The personal information on this form, including any items attached to this form, is being collected under the authority of the Municipal Act and will be maintained in accordance with the Municipal Freedom of Information and Protection of Privacy Act. The information is required in order to process, monitor, regulate and investigate the license to be issued pursuant to an application. While the applicant’s name is public information, any other personal information collected will only be used to process the application and maintain the license issued. Any questions on this matter may be directed to the Town Solicitor, Legal and Legislative Services/Clerk of the Town of Essex at (519) 776-7336 or 33 Talbot St. S., Essex, ON, N8M 1A8.*

**THE CORPORATION OF THE TOWN OF ESSEX**

**SCHEDULE "F" TO BY-LAW NUMBER 2468**

**PART 1 PROVINCIAL OFFENCES ACT**

**By-Law 2468: Being a by-law to license and regulate Short Term Rental Units in the Town of Essex**

<b>Item</b>	<b>COLUMN 1</b> Short Form Wording	<b>COLUMN 2</b> Provision Creating or Defining Offence	<b>COLUMN 3</b> Set Fine
1.	Operating an STRU, permitting a Person to operate an STRU, or holding themselves out as being licensed without an issued Short Term Rental Unit Licence	s. 2.1 a)	\$1,000.00
2.	Operating an STRU, permitting a Person to operate an STRU, or holding themselves out as being licensed under any other name than the one endorsed on their issued Licence	s. 2.1 b)	\$500.00
3.	Transferring or assigning a Licence without written consent of the Licensing Administrator	s. 2.2 a)	\$500.00
4.	Obtaining a Licence by providing mistaken, false, or incorrect information	s. 2.2 b)	\$1,000.00
5.	Advertising a Short Term Rental Unit without a Licence	s. 2.2 d)	\$1,000.00
6.	Making a Frivolous or Vexatious Complaint in respect of a Premises that is operated as a Short Term Rental Unit	s. 2.3	\$350.00
7.	Failing to keep a record of the Renters and confirmation of receipt of the Renter's Code	Schedule B s. 1.1 a)	\$350.00
8.	Failing to display a sign in a prominent place in the Short Term Rental Unit containing the minimum requirements	Schedule B s. 1.1 b)	\$350.00
9.	Failing to display a sign in a prominent location at the exterior of the Short Term Rental Unit containing the minimum requirements	Schedule B s. 1.1. c)	\$350.00
10.	Failing to ensure there is a Local Contact available to respond and/or attend the Short Term Rental Unit within a period of no greater than one hour from the time of contact	Schedule B s. 1.1 d)	\$750.00
11.	Failing to ensure each Renter has been provided with the Renter's Code and retaining a copy of the confirmation of receipt for a period of one year	Schedule B s. 1.1 e)	\$350.00
12.	Failing to maintain the Short Term Rental Unit in a clean and sanitary condition	Schedule B s. 1.1 f)	\$500.00
13.	Failing to ensure the Short Term Rental is operated and used in a fashion that will not cause a Disturbance	Schedule B s. 1.1 g)	\$500.00