

# PROPOSED

CPS2019-1070  
ATTACHMENT 1

## BYLAW NUMBER 31M2019

### BEING A BYLAW OF THE CITY OF CALGARY TO AMEND BYLAW 32M98, THE BUSINESS LICENCE BYLAW

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**WHEREAS** Council has considered CPS2019-1070 and deems it necessary to amend Bylaw 32M98, the Business Licence Bylaw;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:**

1. Bylaw 32M98, the Business Licence Bylaw, as amended, is hereby further amended.
2. Section 41 is deleted and replaced with the following:

#### “LODGING HOUSE

41. (1) Lodging House means the *business* of providing sleeping or lodging accommodation for compensation for three or more *persons* in the same *dwelling unit* for periods of 31 or more consecutive days, where each person has entered into a separate rental agreement.

#### **Tenant Record**

- (2) A Lodging House *licensee* must keep a record in the English language in a form satisfactory to the *Chief Licence Inspector*, including by electronic means, in which must be permanently recorded at the time of each transaction the following information:
    - (a) the full name of any *person* who is a paying tenant in the Lodging House and the email address of such *persons*;
    - (b) the room of the Lodging House in which the *person* is a tenant;
    - (c) the duration of the *person’s* tenancy.
  - (3) A Lodging House *licensee* must provide on demand to a *Licence Inspector* the record kept pursuant to subsection (2).”
3. The following is added after section 58 as section 58.1:

#### “SHORT TERM RENTAL

- 58.1 (1) Short Term Rental means the *business* of providing temporary accommodation for compensation, in a *dwelling unit* or portion of a *dwelling unit* for periods of up to 30 consecutive days.

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- (2) Despite subsection (1), Short Term Rental does not include the provision of temporary accommodation for compensation in a *dwelling unit* located in a building for which a development permit for a Bed and Breakfast has been issued pursuant to the Land Use Bylaw 1P2007.

### Tier 1 and Tier 2

- (3) There shall be two classes of Short Term Rental:
- (a) Short Term Rental Tier 1: 1 to 4 rooms offered for rent; and
  - (b) Short Term Rental Tier 2: 5 or more rooms offered for rent.
- (4) A Short Term Rental *licensee* must not:
- (a) offer to provide temporary accommodation; or
  - (b) permit a guest to sleep;
- in a room that does not have one or more windows which provide egress to the exterior of the *dwelling unit*.

### Maximum number of Guests

- (5) A Short Term Rental *licensee* must not allow more than two guests, not including *minors*, per room.

### Overlapping Bookings

- (6) A Short Term Rental *licensee* must not allow overlapping bookings, whereby 2 or more unrelated or unassociated *persons* are accommodated in the *dwelling unit* at the same time.

### Advertising

- (7) A Short Term Rental *licensee* who advertises or causes advertising to be placed or distributed respecting the Short Term Rental must include in the advertisement, in a readable manner, the valid *business licence* number for the Short Term Rental.

### Emergency Contact

- (8) A Short Term Rental *licensee* must post, in a conspicuous location on the interior of the *dwelling unit* used for the *business*, the name, phone number and email address of an emergency contact *person* who can be reached 24 hours per day during rental periods.

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### Guest Record

- (9) A Short Term Rental *licensee* must keep a record in the English language in a form satisfactory to the *Chief Licence Inspector*, including by electronic means, in which must be permanently recorded at the time of each transaction the following information:
- (a) the full name of any *person* who is a paid guest in the Short Term Rental and the email address of such *persons*;
  - (b) the room of the Short Term Rental in which the *person* is a tenant;
  - (c) the duration of the *person's* tenancy.
- (10) A Short Term Rental *licensee* must provide on demand to a *Licence Inspector* the record kept pursuant to subsection (9).”

4. (1) In Schedule “A”, under the headings indicated, the following is deleted:

<u>Section</u>	<u>Business</u>	<u>Consultation or Approval</u>	<u>New Application Fee</u>				<u>Renewal Fee</u>			
			<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
“41	Lodging House	Fire Health Planning	\$191	\$191	\$194	\$198	\$146	\$146	\$149	\$152”

and replaced with:

<u>Section</u>	<u>Business</u>	<u>Consultation or Approval</u>	<u>New Application Fee</u>				<u>Renewal Fee</u>			
			<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
“41	Lodging House	Fire Health	\$191	\$191	\$194	\$198	\$146	\$146	\$149	\$152”

- (2) In Schedule “A”, under the headings indicated, after:

<u>Section</u>	<u>Business</u>	<u>Consultation or Approval</u>	<u>New Application Fee</u>				<u>Renewal Fee</u>			
			<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
“58	Secondhand Dealer	Fire Planning Police	\$191	\$191	\$194	\$198	\$146	\$146	\$149	\$152”

the following is added:

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<u>Section</u>	<u>Business</u>	<u>Consultation or Approval</u>	<u>New Application Fee</u>				<u>Renewal Fee</u>			
			<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
"58.1	Short Term Rental – Tier 1	none	n/a	\$100	\$100	\$100	n/a	\$100	\$100	\$100
	Short Term Rental – Tier 2	Fire	n/a	\$191	\$194	\$198	n/a	\$146	\$149	\$152"

5. In Schedule "C", under the headings indicated,

(a) after the fine amounts for **Kennel Service/Pet Dealer**, the following is added:

	<u>Section</u>	<u>Specified Penalty</u>
<b>"Lodging House</b>		
Fail to keep record	41(2)	\$1000.00
Fail to provide records on demand	41(3)	\$1000.00"

(b) after the fine amounts for **Second-hand Dealer**, the following is added:

	<u>Section</u>	<u>Specified Penalty</u>
<b>"Short Term Rental</b>		
Offer room without a window	58.1(4)(a)	\$1000.00
Permit guest to sleep in a room without a window	58.1(4)(b)	\$1000.00
Allow more than 2 adults per room	58.1(5)	\$1000.00
Overlapping bookings	58.1(6)	\$1000.00
Fail to include <i>licence</i> number on advertisement	58.1(8)	\$1000.00
Fail to post emergency contact information	58.1(8)	\$1000.00
Fail to keep record	58.1(9)	\$1000.00
Fail to provide records on demand	58.1(10)	\$1000.00"

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6. This bylaw comes into force on February 1, 2020.

READ A FIRST TIME ON \_\_\_\_\_

READ A SECOND TIME ON \_\_\_\_\_

READ A THIRD TIME ON \_\_\_\_\_

\_\_\_\_\_  
MAYOR

SIGNED ON \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

SIGNED ON \_\_\_\_\_