

TOWN OF LADYSMITH

BYLAW NO. 2188

A Bylaw to Regulate the Marketing of Short-Term Rentals in Ladysmith

WHEREAS the Council of the Town of Ladysmith deems it expedient to regulate the operation and marketing of Short-Term Rental businesses in Ladysmith;

AND WHEREAS the Council of the Town of Ladysmith wishes to prevent unlawful and unlicensed Short-Term Rentals from operating in Ladysmith, particularly unlawful and unlicensed Short-Term Rental businesses that remove homes from the long-term housing market;

NOW THEREFORE the Council of the Town of Ladysmith, in open meeting assembled, **ENACTS AS FOLLOWS:**

Definitions:

1. In this bylaw:

"Business License" means a valid and subsisting business licence issued pursuant to "Business License Bylaw No. 1513, 2003" as amended or replaced from time to time;

"Business License Number" means the number assigned to a *Business License* by the Town.

"emergency housing" means emergency housing as defined under "Business Regulations and Licensing (Rental Units) Bylaw 2021, No. 2093

"market" means to sell, offer for sale, promote, canvass, solicit, rent, advertise, book, arrange or facilitate rental, and includes placing, posting or erecting advertisements physically or online, but does not include the mere provision of a neutral space or location for such marketing in newspapers, bulletin boards or online;

"Short-Term Rental" means the business of marketing or providing accommodation or lodging to paying guest and includes hotels, motels, hostels, bed and breakfasts, campgrounds, recreational vehicle parks, and vacation rentals, but does not include the rental of dwelling units for residential purposes for a month or more under the *Residential Tenancy Act* or *emergency housing*;

Marketing of Short-Term Rentals:

2. No person shall *market* or operate a *Short-Term Rental* in Ladysmith without a valid *Business Licence*.

3. No person shall *market* a *Short-Term Rental* without conspicuously posting a valid *Business License Number* in all marketing materials.

Review of Business License Applications

4. For certainty, all provisions of Business Licence Bylaw No. 1513, 2003, as amended or replaced from time to time, apply to Short-Term Rental businesses.
5. The following shall be included with all applications for a *Business License* for a *Short-Term Rental* or for the renewal of a *Business License* for a *Short-Term Rental*:
 - a. A current title search of all the properties for which the applicant intends to operate as a *Short-Term Rental*;
 - b. The written consent of all owners listed on the titles of all properties for which the applicant intends to operate as a *Short-Term Rental*;
 - c. an accurate description of the layout, features and accommodation services proposed to be provided as part of the *Short-Term Rental*; and
 - d. such other evidence that the proposed *Short-Term Rental* will comply with the Town's bylaws that the License Inspector may prescribe from time to time.

Right of Entry and Inspections

6. In accordance with Section 16 of the *Community Charter*, the License Inspector, a bylaw enforcement officer or other person employed by the Town and designated by the Inspector may enter onto and into property to inspect and determine whether all regulations, prohibitions, and requirements established by this Bylaw are being met.

Offences and Penalties

7. Any person who:
 - a. carries on a *Short-Term Rental* business without holding a valid *Business License*;
 - b. breaches any term or condition of a *Business License*;
 - c. intentionally displays a false *Business License Number* in any marketing material advertising a *Short-Term Rental*;
 - d. intentionally submits false information in conjunction with an application for a *Business License* for a *Short-Term Rental*; or
 - e. violates any provision of this bylaw;

commits an offence of this bylaw, and is liable on conviction to a fine or penalty of up to \$5,000 for each offence.

8. For clarity, the License Inspector may suspend a *Business License* pursuant to the Business License Bylaw, upon being satisfied that a contravention of section 3 of this bylaw has occurred.

General

9. If any portion of this bylaw is found to be invalid by a court, the invalid portion may be severed and the remaining provisions shall continue to apply.
10. This bylaw comes into force on the day it is adopted.

Citation

11. This Bylaw may be cited for all purposes as "Short-Term Rental Bylaw, 2024, No. 2188".

READ A FIRST TIME on the 6th day of August, 2022
READ A SECOND TIME on the 6th day of August, 2022
READ A THIRD TIME on the 6th day of August, 2022
ADOPTED on the 3rd day of September, 2024





Mayor (A. Stone)



Corporate Officer (Sue Bouma)