

Business Licence By-law 2020-XX

Schedule A

Demerit Point System for Short Term Rentals

A Demerit Point System is hereby established to enforce this By-law, any other Town by-law, or Provincial Act or Regulation including, but not limited to, administrative penalties as set out in the Town's Administrative Monetary Penalty System By-law 2019-62, as amended, the Building Code Act, the Fire Protection and Prevention Act, and the Provincial Offences Act.

- (1) The number of demerit points referenced in Column 3 of Table 1 of this Schedule will be applied against a Short Term Rental business premises and licence in respect of the matter noted in Column 1 under the following conditions:
 - (a) fifteen (15) days from the date of issue for an administrative penalty issued under the Town's AMPS By-law;
 - (b) upon the issuance of a Part 1 or Part III ticket under the Provincial Offences Act; or
 - (c) upon conviction in the Ontario Court of Justice;
 - (d) the confirmation of an order; or
 - (e) the confirmation of any contravention documented by Central York Fire Services.
- (2) A Short Term Rental shall be awarded fifteen (15) demerit points upon the approval of their initial business licence.
- (3) Contraventions to the business premises as identified within Table 1 of this Schedule will result in a loss of demerit points. Demerit points shall remain in place for a duration of one (1) year from the date on which the demerit points were assessed.
- (4) Upon the loss of fifteen (15) or more demerit points to any Short Term Rental Licence, the Manager shall suspend, revoke, or impose additional conditions on a Short Term Rental Licence. The Owner or Operator may dispute any actions taken by the Manager by making a request, in writing, to appear before the Appeals Committee for the Town.

Hearing with the Appeals Committee

- (5) Notice shall be delivered by e-mail or regular mail to the address provided for the Owner or Operator of the Short Term Rental or Bed and Breakfast business, as identified on the application forms provided for a business licence.

- (6) Notice shall be provided a minimum of two (2) weeks in advance of the Hearing with the Appeals Committee date.
- (7) Notice provided in accordance with Section 5 of this Schedule shall be deemed to be sufficient Notice with or without confirmation of receipt of the Notice.
- (8) The fee payable by the Owner or Operator for the Hearing with the Appeals Committee shall be as prescribed and in accordance with the Town's Fees and Charges By-law.
- (9) If the Owner or Operator fails to attend on the scheduled date, the Hearing with the Appeals Committee may proceed in absentia.
- (10) After hearing the matter, the Appeals Committee may:
- (a) confirm the conditions imposed on, the suspension of, or the revocation of the business licence;
 - (b) amend the conditions imposed on, the suspension of, or the revocation of the business licence; or
 - (c) cancel the conditions imposed on, the suspension of, or the revocation of the business licence.
- (11) The decision of the Appeals Committee is final and binding.

Table 1		
Column 1 Infraction	Column 2 Reference	Column 3 Demerit Points
Fire Protection & Prevention Act/Fire Code	FPPA	15
Operate while business licence is suspended or revoked	Business Licence By-law 2020-XX, as amended	7
Building Code Act	BCA	7
More than the number of bedrooms permitted	Business Licence By-law 2020-XX, as amended	5
More than the number of guests permitted	Business Licence By-law 2020-XX, as amended	5
Failure to respond to complaint by specified time	Business Licence By-law 2020-XX, as amended	5
Contravention to Noise By-law	Noise By-law 2017-76	5
Contravention to Property Standards By-law	Property Standards By-law 2017-62, as amended	3
Contravention to Clean Yards By-law	Clean Yards By-law 2017-63	3
Failure to post business licence number on advertisements	Business Licence By-law 2020-XX, as amended	3
Failure to post business licence on premises	Business Licence By-law 2020-XX, as amended	3
Failure to post Sign	Business Licence By-law 2020-XX	2
Contravention to Waste Collection By-law	Waste Collection By-law 2017-19	2