

VILLAGE OF PEMBERTON
BYLAW NO. 967, 2024

A bylaw to amend Village of Pemberton Business Licence Bylaw No. 855, 2019

The Council of the Village of Pemberton, in open meeting assembled, **ENACTS AS FOLLOWS:**

CITATION

1. This bylaw may be cited for all purposes as the “Village of Pemberton Business Licence Amendment (Short-Term Vacation Rentals) Bylaw No. 967, 2024.”

PURPOSE

2. The purpose of this bylaw is to amend certain provisions of Village of Pemberton Business Licence Bylaw No. 855, 2019 related to short-term vacation rental and bed and breakfast businesses, to establish a new business licence type, bed and breakfast inn, and to eliminate caps on business licences.

AMENDMENTS

- 3 (1) Village of Pemberton Business Licence Bylaw No. 855, 2019, is amended by striking out the definition of *bed and breakfast* in section 2.1 and inserting the following in its place:

Bed and breakfast means the service of accommodation in the property of a property host, in exchange for a fee, that is provided to members of the public for a period of time of less than 90 consecutive days in which a maximum of two (2) bedrooms are available for accommodation in accordance with section 7.8 of Zoning Bylaw No. 832, 2018.

- (2) A new definition is inserted in section 2.1. as follows:

Bed and breakfast inn means the service of accommodation in the property of a property host, in exchange for a fee, that is provided to members of the public for a period of time of less than 90 consecutive days in which a maximum of five (5) bedrooms are available for accommodation in accordance with section 7.9 of Zoning Bylaw No. 832, 2018.

- (3) The definition of *short-term vacation rental* is struck out and the following is inserted in section in its place:

Short-term vacation rental means the service of accommodation in the property of a property host, in exchange for a fee, that is provided to members of the public for a period of less than 90 consecutive days but does not include a bed and breakfast, bed and breakfast inn, hotel, motel, or hostel.

(4) Section 14.7 is struck out.

(5) Section 21.1 is struck out and the following inserted in its place:

21.1. The following regulations and requirements apply to a short-term vacation rental (STVR), bed and breakfast (B&B) and bed and breakfast inn (B&B Inn) *businesses*:

- a) A *business licence* is valid for one (1) dwelling unit only.
- b) An operator of an STVR, B&B, or B&B Inn shall not advertise the *business* prior to the issuance of a *business licence* for that *business*.
- c) Every advertisement for an STVR, B&B, or B&B Inn must disclose, in respect of the accommodation being advertised, the following:
 - i. a valid *business licence* number;
 - ii. the maximum permitted guest occupancy of the accommodation pursuant to Zoning Bylaw No. 832, 2018;
 - iii. the number and location of off-street parking spaces available to guests and a statement that such number is the maximum number of vehicles that paying guests of the accommodation are permitted to bring to the premises; and
 - iv. quiet hours pursuant to Noise Regulation Bylaw No. 699, 2012;
- d) The following information shall be provided in a notice visible upon entering an accommodation unit:
 - i. the *business licence* number for the short-term vacation rental;
 - ii. the maximum permitted guest occupancy of the short-term vacation rental pursuant to Zoning Bylaw No. 832, 2018;
 - iii. the number and location of off-street parking spaces available to guests and a statement that such number is the maximum number of vehicles that paying guests of the accommodation are permitted to bring to the premises;
 - iv. quiet hours pursuant to Noise Regulation Bylaw No. 699, 2012; and

- v. the name, address, email and telephone number of the accommodation operator and the contacts required under s. 21.3.(c) of this Bylaw.
 - e) For clarification, a requirement of part 21 of this bylaw pertaining to an STVR, B&B, or B&B Inn is an addition to other requirements contained herein that are generally applicable to a *business*.
- (6) Section 21.2 is struck out and the following inserted in its place:

Principal Residence Requirement

21.2. An STVR, B&B, or B&B Inn operator must not operate an STVR, B&B, or B&B Inn unless the accommodation is located in:

- a) the *principal residence* of the *operator*;
- b) a *secondary suite* that is in a detached dwelling where the *operator* has their *principal residence*; or
- c) an accessory dwelling unit located on the property where the operator has their principal residence.

- (7) Section 21.3 is struck out and the following inserted in its place:

Application

21.3. A person applying for a *business licence* for an STVR, B&B, or B&B Inn shall, at the time of applying, in addition to the general requirements under this bylaw, provide:

- a) confirmation of ownership of the premises or permission of the property owner, as applicable;
- b) proof of their principal residence of the property, which may include proof of homeowner grant, employer-issued pay stubs, voter registration, documentation showing receipt of provincial or federal government benefits, or income tax documentation, and a drivers licence or utility bill alone is insufficient proof of principal residence;
- c) the name, address and telephone number of one or two local contacts, other than the applicant, as an emergency contact; and
- d) proof of adequate parking pursuant to Zoning Bylaw No. 832, 2018 and a parking plan.

21.3.1 In considering an application for a *business license* for an STVR, B&B, or B&B Inn, the *licence inspector* may consider whether a *business licence* held by the applicant has been previously cancelled.

- (8) Section 21.4 is struck out and the following inserted in its place:

Good Neighbour Agreement

21.4. An applicant for an STVR, B&B, or B&B Inn *business licence* must sign a Good Neighbour Agreement, in a form approved by the *licence inspector*, prior to the *business licence* being issued.

21.4.1 The *licence inspector* may cancel a *business licence* for a violation of the Good Neighbour Agreement.

- (9) Section 21.5 is struck out.
- (10) Section 27.3 is struck out.
- (11) Schedule B is deleted.

PUBLIC NOTIFICATION PROVIDED AT PUBLIC NOTICE POSTING PLACES AND IN PIQUE NEWSMAGAZINE ON JUNE 7 AND JUNE 14, 2024.

READ A FIRST TIME this 18th day of June, 2024.

READ A SECOND TIME this 18th day of June, 2024.

READ A THIRD TIME this 18th day of June, 2024.

ADOPTED this 9th day of July, 2024.

Mike Richman
Mayor

Gwendolyn Kennedy
Corporate Officer