
CITY OF WEST KELOWNA

BYLAW NO. 0087.11

A BYLAW TO AMEND “BUSINESS LICENCING AND REGULATIONS BYLAW NO. 0087”

WHEREAS the Council of the City of West Kelowna desires to amend “CITY OF WEST KELOWNA BUSINESS LICENSING AND REGULATIONS BYLAW NO. 0087”;

THEREFORE BE IT RESOLVED that the Council of the City of West Kelowna, in open meeting assembled, hereby enacts as follows:

1. Title

This Bylaw may be cited as “CITY OF WEST KELOWNA BUSINESS LICENSING AND REGULATIONS AMENDMENT BYLAW NO. 0087.11, 2021”.

2. Amendments

“Business Licensing and Regulations Bylaw No. 0087” is hereby amended as follows:

2.1 By adding to Section 1.2 Definitions in appropriate alphabetical order the following:

“**Hosted**” means, for a short term accommodation, where there is interaction between the operator, or their local contact, and guests during operation. The operator, or local contact, must be available to respond to any nuisance complaints at all times during operation of the short term accommodation.

“**Local Contact**” means, for a short term accommodation, a person designated as an alternate host for a short term accommodation by the operator. The local contact must be available to respond to any nuisance complaints if the operator is unavailable.

2.2 By adding the following as SECTION 12 and renumbering the remaining sections appropriately:

SECTION 12 – SHORT TERM ACCOMMODATIONS

12.1 A person must not carry on business as an operator of a short term accommodation unless the person holds a valid licence issued under the provisions of this Bylaw.

12.2 Without limiting Section 12.1, a person applying for the issuance of a licence to operate a short term accommodation must, in addition to meeting the requirements of Zoning Bylaw No. 0154:

- a) Make an application to the Licence Inspector on the form provided for short term accommodation business licence applications;
- b) Provide, in the form satisfactory to the Licence Inspector, evidence that
 - i. The operator owns the dwelling where the short term accommodation is offered, or

- ii. The owner of the property has consented to the use of the property as a short term accommodation;
- c) Provide, when the property where the short term accommodation is offered is located within a Strata, a letter from the strata council confirming that the use of the dwelling for short term accommodations does not contradict any bylaws of the strata corporation or applicable provisions of the *Strata Property Act*;
- d) Provide in the form satisfactory to the Licence Inspector, evidence that the premises where the short term accommodation is offered is occupied by the operator as their principal residence which must include, at minimum, two of the following documents in the operators name:
 - i. Provincial Homeowners Grant;
 - ii. Driver's Licence;
 - iii. Vehicle Registration;
 - iv. Utility Bills;
 - v. Tax Forms;
 - vi. Insurance Forms;
 - vii. Government Records; or
 - viii. Other documents satisfactory to the Licence Inspector.
- e) Provide the name and contact information for a local contact who is designated by the operator as an alternate host for the short term accommodation;
- f) Submit in the form satisfactory to the Licence Inspector a Self-Evaluation Safety Audit;
- g) Provide a floor plan of the dwelling in which the short term accommodation is offered, identifying the location of smoke alarms, carbon monoxide alarms, fire extinguishers, fire exits, each guest room, the types of bed in each bedroom and the location of any sofa beds (Fire Safety Plan);
- h) Provide a parking plan which complies with the parking requirements of the Zoning Bylaw;
- i) Submit in the form satisfactory to the Licence Inspector a Good Neighbour Agreement; and
- j) Provide any other information the Licence Inspector may require for the purposes of ensuring compliance with the City's bylaws and other enactments.

12.3 The operator of a short term accommodation must ensure that any marketing or listing for the short term accommodation includes the licence number of a valid licence issued for that dwelling under this Bylaw.

12.4 An operator of a short term accommodation may be absent overnight occasionally from their principal residence at a time when the short term accommodations is rented, provided that:

- a) the operator is absent no more than 14 days in any one month to a maximum of no more than 30 days within a calendar year;
- b) the local contact is available to interact with guests during operation and respond to any nuisance complaints; and
- c) the name and contact information of the local contact is prominently displayed in the dwelling.

12.5 The operator or local contact of a short term accommodation must respond or attend at the dwelling within 2 hours of being requested to do so by the Licence Inspector.

12.6 An operator of a short term accommodation must:

- a) Operate a short term accommodation only within a licenced dwelling;
- b) Only operate a hosted short term accommodation;
- c) Display the licence inside the entry way to the dwelling;
- d) Display in each approved bedroom, and in the entryway of the short term accommodation, a fire safety plan; and
- e) Ensure that no more than one booking is permitted for the short term accommodation within the dwelling at one time.

12.7 An operator of a short term accommodation must not:

- a) Rent out any bedrooms or provide any sleeping accommodation within any vehicle, recreational vehicle, tent or accessory building; or
- b) Allow to be used as bedrooms, any rooms that are not approved and identified on the licence application for that dwelling as bedrooms.

12.8 Notwithstanding Section 3.2 of this bylaw, the annual licence fee for a short term accommodation shall not be reduced based on the date of application.

12.9 Notwithstanding Section 3.4 of this bylaw, no quarterly refund shall be available for short term accommodation licences should the operation cease during the calendar year.

READ A FIRST, SECOND, AND THIRD TIME THIS
ADOPTED THIS

MAYOR

CITY CLERK