

THE CORPORATION OF THE TOWN OF PLYMPTON-WYOMING

BY-LAW 20 OF 2025

BEING a by-law to license, regulate and govern the operation of Short-Term Rentals

WHEREAS subsection 5(3) of the *Municipal Act*, 2001 S.O. 2001, c. 25 ("*Municipal Act*") provides that a municipal power shall be exercised by by-law;

WHEREAS section 9 of the *Municipal Act* provides that a Municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the *Municipal Act* or any other Act;

AND WHEREAS pursuant to section 11 of the *Municipal Act*, Council is exercising its authority with respect to business licensing in the interest of health and safety, well-being of persons, consumer protection, and nuisance control;

AND WHEREAS pursuant to the provisions of Part IV of the *Municipal Act*, the Council of the Corporation of the Town of Plympton-Wyoming may provide for a system of licences with respect to businesses;

AND WHEREAS subsection 151(1) of the *Municipal Act* provides that a Municipality may provide for a system of licences with respect to business and may:

- a) Prohibit the carrying on or engaging in the business without a Licence;
- b) Refuse to grant a licence or revoke or suspend a licence;
- c) Impose conditions as a requirement of obtaining, continuing to hold or renewing a licence;
- d) Impose special conditions on a business in a class that have not been imposed on all the businesses in that class in order to obtain, continue to hold or renew a licence;
- e) Impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence; and
- f) License, regulate or govern real and personal property used for the business and the persons carrying it on or engaged in it;

AND WHEREAS subsection 151(5) of the *Municipal Act* provides that subsection 151(1) applies with necessary modifications to a system of licences with respect to any activity, matter or thing for which a by-law may be passed under sections 9 and 11 as if it were a system of licences with respect to a business;

AND WHEREAS section 23.1 of the *Municipal Act* establishes rules for the delegation of a municipality's powers and duties, and section 23.2 permits a municipality to delegate certain legislative and quasi-judicial powers;

AND WHEREAS the Council for the Corporation of the Town of Plympton-Wyoming is of the opinion that the delegation of legislative powers under this by-law to the Director including without limitation the power to issue and impose conditions on a licence are powers of a minor nature having regard to the number of people, the size of the geographic area and the time period affected by the exercise of the power, in accordance with subsection 23.2(4) of the *Municipal Act*;

AND WHEREAS sections 390 to 400 of the *Municipal Act* authorize a Municipality to pass by-laws imposing fees or charges for services or activities provided or done by it or on behalf of it;

AND WHEREAS section 436 of the *Municipal Act* authorizes a Municipality to pass by-laws providing that the Municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not there is compliance with a by-law, a direction or order, or a condition of a licence;

AND WHEREAS section 429 of the *Municipal Act* provides that a Municipality may establish a system of fines for offences under a by-law of the Municipality passed under the *Municipal Act*;

AND WHEREAS sections 444, 445, and 446 of the *Municipal Act* provides that the Municipality may make an order requiring the person who contravened the by-law or cause or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity, and any person who contravenessuch an order is guilty of an offence;

AND WHEREAS the Council for the Corporation of the Town of Plympton-Wyoming has deemed it necessary and desirable to regulate the short-term rental of property in the Town of Plympton-Wyoming;

AND WHEREAS the Town of Plympton-Wyoming has implemented a system to license the operation of the short-term rental properties in the Town of Plympton-Wyoming;

NOW THEREFORE the Council of the Corporation of the Town of Plympton-Wyoming enacts as follows:

1.0 DEFINITIONS

“Accessory Apartment Dwelling” shall mean a Dwelling Unit located within a permitted non-residential building and located above and/or behind the primary permitted Use. This definition shall not include a converted dwelling unit, Accessory Second Dwelling unit or a multiple dwelling unit;

“Accessory Dwelling” shall mean a Dwelling Unit, including a single detached Dwelling, on a lot containing a commercial or industrial Use as the primary Use. Such Dwelling is accessory and secondary to the primary Use and is occupied by an Owner or employee of the primary Use. This definition shall not include an Accessory Second Dwelling;

“Accessory Second Dwelling” shall mean a Dwelling Unit that is accessory to a main Dwelling Unit on the same lot and does not significantly change the character of the Dwelling or lot from that which is normal for the primary Dwelling type for which the lot is zoned. It is either contained within the main Dwelling Unit or a detached accessory building;

“Agent” means a Person duly appointed by the Owner to act on their behalf;

“Appeal” means an appeal under section 14.1 of this By-law;

“Applicant” means the person applying for a licence or renewal of a licence under this By-law, and “Application” has a corresponding meaning;

“Bedroom” means a room or area used, designed, equipped or intended for sleeping within the provisions of the Ontario Building Code;

“Business” means any Business wholly or partly carried on within the Municipality even if the Business is being carried on from a location outside the Municipality, and includes, but is not limited to, trades and occupations, exhibitions, concerts, festivals and organized public amusements; the sale or hire of goods or services on an intermittent or one-time basis; and the display of samples, patterns or specimens of goods for the purpose of sale or hire;

“Corporation” means a company or group of people authorized to act as a single entity and recognized as such in law;

“Costs” means monies paid by the Municipality or its authorized agents, for any activity or service to bring a Premises into compliance with this By-law or any other By-laws, including such fees for servants of orders, title searches, By-Law Officers' wages and mileage, and any other fees deemed appropriate by Council. “Expenses” shall have a corresponding meaning;

“Council” means the Council for The Corporation of the Town of Plympton-Wyoming;

“Director” means the Chief Administrative Officer, Clerk, Deputy Clerk, or Planning Technician of the Municipality, or designates, as appointed in the respective Appointment By-law;

“Dwelling” means a Building, or part thereof, used or intended, adapted or designed to be used, occupied or capable of being occupied, as a home, residence or sleeping place for one or more Persons having a right to the exclusive Use thereof, but shall not include any motor vehicle, Trailer, hotel, motel, private garage, a home for the aged, nursing home, hospital or living amenity or area accessory to a non-residential Use;

“Dwelling Unit” means a suite of two (2) or more Habitable Rooms, in which sanitary conveniences are provided and in which facilities are provided for cooking or for the installation of cooking equipment, and with an independent entrance, either directly from outside the building or from a common corridor inside the building. This definition shall not include a Motor Home, a private garage, or a Trailer;

“Fee” means as set out in the Municipal Fees and User Charges By-Law;

“Habitable Room” means a room within a Dwelling designed to provide living, dining, sleeping, bathroom, or kitchen accommodation for Persons. This definition shall not include any private garage, carport, cellar, unheated porch or veranda, unfinished attic, unfinished basement, or any space used for the service and maintenance of a Dwelling or for vertical travel between storeys;

“Licence” means the certificate issued as proof of licensing under this By-law;

“Licensee” means a Person licensed or a Person required to be licensed under this By-law;

“Market” means to offer for rent, promote, canvass, solicit, advertise, or facilitate a Short-Term Rental, but does not include the mere provision of a neutral space or location for such marketing in newspapers, bulletin boards, or online;

“Municipal Agent” means a third-party contractor hired by the Municipality for the purpose of compliance monitoring and Complaint resolution related to Short-Term Rentals;

“Municipality” means The Corporation of the Town of Plympton-Wyoming, and “Municipal” has a corresponding meaning;

“Obstruct” means to interfere with, hinder or impede an Officer or any other Municipal Agent in the performance of any duty authorized by this By-law or provincial legislation. “Obstruction” shall have a corresponding meaning;

“Officer” means any Person authorized by the Municipality to enforce by-laws and includes a Municipal Law Enforcement Officer, Fire Chief or Fire Prevention Officer appointed to enforce the by-laws of the Municipality, or a police Officer while in the course of their duties;

“Owner” means the Person who holds legal title to a piece of property or has an equitable interest in the same.

“Pre-existing STR” means a lawfully existing Short-Term Rental whose use as a Short-Term Rental is prohibited by the Zoning By-law but permitted under section 34(9) of the *Planning Act*;

“Person” means any natural person, association, firm, partnership, Corporation, Agent or trustee, and the heirs, executors or other legal representative or a Person to whom the context can apply according to law;

“Premises” means any place, property or location, or part thereof, in which a trade, Business or occupation of Short-Term Rental is carried on;

"Primary Residence" means a Dwelling occupied by a natural person either alone or jointly with others, where the person is ordinarily resident, and "Primary Resident" shall have a corresponding meaning;

"Primary Residence STR" means a Short-Term Rental being offered in a Dwelling where the Primary Resident is permanently residing while the Premises is being Used or operated as a Short-Term Rental, or an Accessory Second Dwelling on the same property as a Dwelling where the Primary Resident is permanently residing while the Premises is being Used or operated as a Short-Term Rental;

"Responsible Person" means an Agent or representative of a Licensee, who is responsible for managing or addressing issues in relation to a Short-Term Rental;

"Renter" means any Person occupying any Premises as a Short-Term Rental by way of concession, permit, lease, Licence, rental agreement or similar commercial arrangement;

"Revoke" means a Licence that has been declared null and void by the Director. "Revoked" shall have a corresponding meaning;

"Short-Term Rental (STR)" means all or part of a legally established Dwelling that operates or offers a place of temporary residence, lodging or occupancy by way of a rental agreement or similar commercial transaction for a period of less than twenty-eight (28) consecutive nights throughout all or any part of a calendar year, but does not include a bed and breakfast establishment, motel, hotel, hospital, campground, couch surfing, or other short-term accommodations where there is no payment;

"Suspend" means a Licence that is temporarily inactive until such time as set out by the Director or Council. "Suspended" shall have a corresponding meaning;

"Tenant" means the Person in possession of any Premises under a lease or rental agreement having a term of twenty-eight days or more, whether the lease is written or unwritten;

"Trailer" means a vehicle designed, intended and Used exclusively for travel, recreation and vacation and which is either capable of being drawn by a passenger motor vehicle or is self-propelled, notwithstanding that such Trailer is jacked up or that its running gear is removed, and shall include tent trailers, vans, Motor Homes and single or double wide mobile homes. "Motor Home" has a corresponding meaning;

"Use" where it appears as a noun, means the purpose for which a Lot, Building or Structure, or any combination thereof is designed, arranged, occupied or maintained.

"Uses" and "Used" shall have corresponding meanings;

"Watercraft" means any device for the conveyance in or on water and includes, but is not limited to, boats, row boats, sailboats, canoes, kayaks, or dinghies;

"Zoning By-law" means the Comprehensive Zoning By-law of the Town of Plympton-Wyoming, including all amendments thereto.

2.0 PERMITTED SHORT-TERM RENTALS

2.1 STRs are permitted in the following locations:

- (a) In a Pre-existing STR, or
- (b) In a Primary Residence STR.

3.0 PROHIBITIONS

- 3.1** No Person shall Market, operate or permit a Person to market, operate, or hold themselves out as being licensed to operate a STR:
- (a) without a Licence to do so issued under this By-law;
 - (b) under any other name than the one endorsed on their Licence;
 - (c) except in accordance with this By-law and the Zoning By-law;
 - (d) while their Licence has been Suspended or Revoked; and,
 - (e) except in accordance with the terms and conditions of their Licence.
- 3.2** No Person shall Market, operate, or provide a STR:
- (a) In any building or structure other than a Habitable Room;
 - (b) In a Trailer;
 - (c) In an unlawful residential unit;
 - (d) In community housing;
 - (e) On a Watercraft;
 - (f) In a building or unit where STRs are not a permitted use according to the Zoning By-law;
 - (g) without a valid Licence issued under this By-law;
 - (h) where a Licence issued under this By-law has been Suspended or Revoked, or,
 - (i) In a Dwelling that is subject to an order made pursuant to the *Building Code Act, 1992*, and any regulation made under it, including the Building Code.
- 3.3** No Person shall:
- (a) Transfer or assign a Licence without written consent of the Director;
 - (b) Provide false or incorrect information in a Licence Application;
 - (c) Enjoy a vested right in the continuance of a Licence, and upon the issue, renewal, cancellation or suspension thereof, the Licence shall be the property of the Municipality;
 - (d) Obstruct or permit the Obstruction of an inspection pursuant to this By-law;
 - (e) operate more than one (1) STR per Premises.

4.0 ADMINISTRATION

- 4.1** The Director shall administer this By-law, generally perform all of the administrative functions conferred upon them by this By-law, and without limitation may:
- (a) receive and process all applications for new or renewed Licences under this By-law;
 - (b) issue Licences in accordance with the provisions of this By-law;
 - (c) impose terms and conditions on Licences in accordance with this By-law and as necessary to give effect to this By-law; and,
 - (d) refuse to issue or renew, Revoke, or Suspend a Licence in accordance with this By-law.

5.0 LICENSING REQUIREMENTS

- 5.1** Every Person licensed under this By-law shall at all times:
- (a) Comply with the regulations contained in this By-law as it may be amended or replaced from time to time; and,
 - (b) Notify the Director in writing within 10 calendar days of any changes to the information provided pursuant to section 5.2 of this By-law.

5.2 Every application for a Licence shall be made to the Director on the forms provided by the Director. Without limitation, every application for a Licence shall include the following information:

- (a) A completed application form that will include:
 - (i) The Applicant's name, municipal address of the STR, mailing address, telephone number, and email address;
 - (ii) Each Owner's name, mailing address, telephone number, and email address, if different from the Applicant;
 - (iii) written authorization from the Owner, if the Owner is not the Applicant;
 - (iv) The name, mailing address, telephone number and email address of the Responsible Person for the operation and conduct of the occupants of the STR;
 - (v) If the Responsible Person is not the Owner or Applicant, a signed acknowledgement by the Responsible Person that they understand their responsibilities under this By-law;
 - (vi) Whether the application is for a new Licence or a renewal;
 - (vii) The requested occupancy of the STR;
 - (viii) The number of Bedrooms being rented within the STR;
 - (ix) The number of on-site parking spaces;
- (b) Proof of insurance which includes a liability limit of no less than two million dollars (\$2,000,000.00) per occurrence for property damage and bodily injury and identifies that a STR is being operated on the Premises;
- (c) Proof that the Applicant is at least eighteen (18) years of age in the case of a natural person, or proof that the corporation is legally entitled to conduct business in Ontario in the case of a corporation;
- (d) For a Pre-existing STR:
 - 1. Proof satisfactory to the Director that the STR was in operation prior to the passing of Zoning By-law Amendment 35 of 2025. Proof shall be provided to the Director no later than one (1) year after the passing of this By-law to claim Pre-existing STR status, after which time section 5.3 applies;
 - 2. Proof satisfactory to the Director that the property has continued to be used as a STR since the passing of Zoning By-law Amendment 35 of 2025;
- (e) For any STR other than a Pre-existing STR, proof satisfactory to the Director that the Property is the applicant's Primary Residence;
- (f) A sworn declaration by the Applicant that:
 - (i) The STR is not subject to an order made pursuant to the *Building Code Act, 1992*, and any regulation made under it, including the Building Code;
 - (ii) The STR contains functioning smoke alarms, carbon monoxide alarms, fire extinguishers, and adequate exits;
 - (iii) The building in which the STR is located conforms to the Town's Zoning By-law;
 - (iv) The Applicant acknowledges that the Licence may be Revoked if made in bad faith;
 - (v) That the Applicant shall indemnify and save harmless the Town of Plympton-Wyoming, its staff, and elected officials from any and all claims; and,
 - (vi) The information submitted is accurate and complete.

- 5.3** Applications Submitted after the prescribed time-period outlined in Section 5.2 d) are subject to the following:
- (a) If an application for a new Licence in relation to a Pre-existing STR is made more than one year after Zoning By-law Amendment 35 of 2025 comes into force, then the Director shall bring the Application to Council and Council shall either issue or refuse to issue a Licence
 - (b) If Council issues a Licence under section 5.3(a), the Director may receive and process renewal applications thereafter in accordance with section 5.2.

- 5.4** Every Person applying for a Licence under this By-law shall pay the prescribed fee annually prior to a Licence being issued or renewed.

6.0 GENERAL REGULATIONS

- 6.1** Parking shall comply with the following regulations:

- (a) Parking must be in compliance with all applicable provisions of the given zone, as per the Zoning By-law and Parking By-law of the Municipality.

- 6.2** Every Person operating a STR shall:

- (a) ensure that the Responsible Person is available to respond to emergencies, concerns, or contraventions of any Municipal By-laws at the Premises at all times, either in-person or by telephone, within a period of no greater than thirty (30) minutes from the time of contact by way of telephone, through the Municipality, an Officer, or Municipal Agent;
- (b) ensure that the STR is operated and used in such a fashion that the operation or use will not cause a breach or contravention of any Municipal By-law;
- (c) ensure that the STR is operated and used in a fashion such that the operation or use will not cause a disturbance or nuisance; and,
- (d) each time the STR is rented, provide to at least one Renter of the STR an information package containing the following information:
 - (i) contact information for the Responsible Person who is available to receive communications from any Renter during the rental period;
 - (ii) instructions for use of the 9-1-1 emergency system, which includes the civic address for the Premises;
 - (iii) the name and address of the nearest hospital or emergency medical services providing emergency care;
 - (iv) non-emergency contact for the Ontario Provincial Police;
 - (v) instructions for solid waste disposal and recycling, to include information on the applicable waste collection day and instructions for recycling; and,
 - (vi) a copy of the Licence, and occupancy limits, parking rules, and any conditions imposed on the Licence.

- 6.3** Any Licensee for the STR shall indemnify and save harmless the Municipality from any and all claims, demands, causes of action, loss, Costs, or damages that the Municipality may suffer, incur, or be liable for resulting from the performance of the Licensee as set out in the By-law whether with or without negligence on the part of the Licensee, their employees or Agents.

7.0 ISSUANCE OF LICENCE AND GROUNDS FOR REFUSAL

- 7.1** The Director shall receive and process all applications for new or renewal of a Licence pursuant to this By-law.

- 7.2** The Director shall issue a new or renewed Licence, either conditionally or unconditionally, to any Person who meets the requirements of this By-law except where:
- (a) the Person has previously held a Licence that has been Suspended or Revoked pursuant to this by-law;
 - (b) the Person applied for the Licence in bad faith or has operated a STR in bad faith, as determined by the Director;
 - (c) the Applicant is indebted to the Municipality in respect of fines, penalties, judgments, outstanding property taxes, or any other amounts owing.

8.0 BAD FAITH

- 8.1** Any of the following shall constitute bad faith and could be means for Licence denial, revocation, or suspension:
- (a) the Licensee has received a criminal conviction;
 - (b) the STR negatively impacts the health, safety and well-being of the community, including but not limited to, negative impacts to neighbouring properties;
 - (c) the past or present conduct of the Applicant or Licensee, affords reasonable grounds for the belief that the Applicant or Licensee will not operate the STR in accordance with any applicable law or with integrity and honesty;
 - (d) the conduct of the Applicant or Licensee afford reasonable grounds to believe that the carrying on of the STR by the applicant has violated, or may have violated, the rights of other members of the public (including but not limited to human rights laws).

9.0 TERM OF LICENCE

- 9.1** A Licence issued pursuant to this By-law shall expire on the date that is one (1) year after the date of the issuance of the Licence unless it is renewed, Suspended, or Revoked in accordance with the provisions of this By-law.
- 9.2** A Premises is no longer eligible to be Licenced as a Pre-existing STR when the Premises ceases to be continuously used for STR accommodations.

10.0 SUSPENSION OR REVOCATION

- 10.1** The Director shall provide written notice in accordance with section 13.0 of any decision to Revoke or Suspend a Licence and shall advise the Licensee of their right to Appeal where:
- (a) the Licensee is ineligible for a Licence or a renewal of a Licence according to this By-law;
 - (b) the Licensee has failed to comply with this By-law;
 - (c) the Licensee has been found to be operating the STR in bad faith, as determined by the Director; or,
 - (d) the Licence was issued in error.
- 10.2** Notwithstanding section 10.1, if satisfied that the continued use of a Licenced Property as a STR poses an immediate danger to the health or safety of any Person, the Director may, for a period of time and upon such conditions as are considered appropriate and without a hearing, Suspend the Licence immediately, provide the Licensee with the reasons for the suspension, either orally or in writing, and refer the matter to Council for resolution.

11.0 INSPECTION

- 11.1** The Director, a Municipal Agent, or an Officer may, inspect at any reasonable time:
- (a) A Property for which an application has been submitted in whole or in part;
 - (b) A Property for which a Licence has been issued;
 - (c) Any Premises, vehicle, or place where a Business which is subject to this

- By-law is carried on or where there are reasonable or probable grounds to believe such a Business is carried on; or,
- (d) any goods, equipment, books, records or documents used or to be used by the Owner, Applicant, or Responsible Person under this By-law.

11.2 It shall be an offence to Obstruct or permit the Obstruction of such inspection.

12.0 ORDER

12.1 Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, an Officer may serve an order on the Licensee setting out the reasonable particulars of the contravention and directing:

- (a) compliance within a specified timeframe;
- (b) any work that is required to be done, and in default of such work being done, the work may be done at the expense of the Licensee and the Municipality may recover the expense by in the same manner as Municipal taxes; or,
- (c) the contravening activity be discontinued.

12.2 Any Person who contravenes an order under this By-law is guilty of an offence.

12.3 An order under this By-law may require work to be done even though the facts which constitute the contravention of this By-law were present before this by-law came into force.

13.0 NOTICES/ORDERS

13.1 Any written notice or order issued pursuant to this By-law shall be provided by:

- (a) Registered mail or personal service; and,
- (b) posting it on the Premises.

13.2 For the purpose of section 13.1, the last known address of the Licensee shall be deemed to include the mailing addresses provided pursuant to Section 4.1 of this By-law.

13.3 An Order given by an Officer to a Licensee shall identify the Premises or structure at issue and the violation(s) observed by the Officer.

13.4 An Order shall also define the deadline for the Licensee to comply with the Order, including the date and time required for compliance, which deadline shall not be less than five (5) days excluding Saturday, Sunday and public statutory holidays in the Province of Ontario.

13.5 An Order may advise that unless the Licensee brings the Premises into compliance with this By-Law within the deadline stated in the Order, the Licensee shall be liable for the Costs incurred by the Municipality in accordance with Section 16.0 to bring the Premises into compliance with this By-Law.

13.6 A notice or Order is deemed served as follows:

- (a) three (3) days after the notice or Order is posted on the Premises or sent by registered mail; and,
- (b) on the day the notice or Order is served personally on the Licensee.

13.7 No person shall remove or deface a notice or Order which has been posted on the Premises pursuant to this By-Law.

14.0 APPEALS

- 14.1** An appeal lies to Council where the Director denies an application for a new or renewed Licence under section 5.2, or Suspends or Revokes a Licence under section 10.1.
- 14.2** The Director shall inform the Applicant or Licensee by way of a written notice of decision setting out the grounds for the decision with reasonable particulars and advise of the right to Appeal such decision to Council.
- 14.3** The Notice under section 14.2 must set out the timeline to Appeal.
- 14.4** An order issued under section 12.1 of this By-law is final and is not subject to an appeal to Council.
- 14.5** A request for an Appeal pursuant to section 14.1 shall be made in writing to the Director setting out the reasons for the Appeal and shall be accompanied by the Appeal Fee and shall be made within fourteen (14) calendar days after service of the written notice of the Decision of the Director.
- 14.6** The Director may permit the Licensee to continue operation during the Appeals process until such time as a decision is rendered by Council, but such permission to continue is not valid unless given in writing and signed by the Director.
- 14.7** Where no request for an Appeal is received in accordance with section 14.3, the decision of the Director shall be final.
- 14.8** Where a request for an Appeal is received in accordance with section 14.3, Council shall hold a hearing to consider the Appeal and the Applicant or Licensee shall be provided reasonable written notice thereof.
- 14.9** After such opportunity to be heard is afforded the Applicant or Licensee, the Council may make a decision in respect of which the hearing was held or the opportunity for hearing afforded.
- 14.10** Council may confirm, modify, or rescind the decision of the Director. The Decision of Council is final.
- 14.11** Council may refuse to issue or renew a Licence, Revoke, Suspend, or impose any conditions upon a Licence.
- 14.12** Council may consider any matter pertaining to the licensing requirements in Section 5, the Regulations in Section 6, the grounds for refusal in Section 7, or the grounds for suspension or revocation under section 10.
- 14.13** When a Person who has been given written notice of the time and place of the hearing does not attend the hearing, Council may proceed with the hearing in their absence.
- 14.14** The Director shall, no later than ten (10) days from the decision of Council, excluding Saturday, Sunday and public statutory holidays in the Province of Ontario, send one (1) copy of the decision to:
- (a) the Applicant or Licensee; and
 - (b) each Person who appeared in-person or by Counsel or by Agent at the hearing and who filed with the Director a written request for notice of the decision.

15.0 OFFENCE AND PENALTY PROVISIONS

- 15.1** Every Person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P. 33, as amended.

- 15.2 Pursuant to section 447 of the *Municipal Act, 2001* where an Owner is convicted of knowingly carrying on or engaging in a Business in respect of any Premises or part of any Premises without a Licence, or a Person is convicted of any other contravention of this By-law and the court determines that the Owner of the Premises or part of the Premises in respect of which the conviction was made knew or ought to have known of the conduct which formed the subject-matter of the conviction or any pattern of similar conduct, the court may order that the Premises or part of the Premises be closed to any Use for a period not exceeding two (2) years.
- 15.3 In addition to any other remedy it may have at law, the Municipality shall be entitled to enforce this By-law in accordance with Section 442 and 446 of the *Municipal Act, 2001*, as amended.

16.0 COLLECTION OF UNPAID FINES

- 16.1 Pursuant to Section 441 of the *Municipal Act*, if any part of a fine for a contravention of a Business licensing by-law remains unpaid after the fine becomes due and payable under Section 66 of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, including any extension of time for payment ordered under that Section, the Director may give the Person against whom the fine was imposed a written notice specifying the amount of the fine payable and the final date on which it is payable, which shall be not less than 21 days after the date of the notice. If the fine remains unpaid after the final date specified in the notice, the fine is deemed to be unpaid taxes pursuant to Section 351 of the *Municipal Act* and may be added to the tax roll of the Person and collected in the same manner as property taxes.
- 16.2 Where a Licensee has been by Order required to take such steps and actions to comply with the provisions of the By-Law and has not done so, the Municipality may, in default of it being done by the Licensee as directed, cause it to be done at the expense of the Licensee.
- 16.3 Where an Owner or a Licensee has defaulted in complying with the provisions of this By-Law, the Municipality may recover all Costs incurred in bringing the Premises into compliance from the Owner or Licensee by action or by adding the Costs to the tax roll of the Premises and collecting them in the same manner as property taxes.

17.0 ADMINISTRATION AND ENFORCEMENT

- 17.1 If the Owner of any property fails to comply with anything required to be done in accordance with this by-law, the Town of Plympton-Wyoming in addition to all other remedies, shall:
- (a) Have the right to recover from the Owner of the property any amount expended by or on behalf of the Town of Plympton-Wyoming under the authority of this section together with an administrative fee representing 100% of the amount expended by or on behalf of the municipality.

18.0 REFERENCES

- 18.1 References in this By-law to any legislation or By-law means as may be amended or replaced from time to time and include any regulations thereunder.

19.0 SEVERABILITY

- 19.1 In the event any provisions of this By-law are deemed invalid or void, in whole or in part, by any court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

20.0 SHORT TITLE

20.1 This By-law shall be known as the “Short-Term Rental Licensing By-Law”.

21.0 EFFECTIVE DATE

21.1 This By-law comes into effect upon the date of passing.

READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED this 29th day of April 2025.



Mayor – Gary L Atkinson



Clerk – Erin Kwarciak

THE CORPORATION OF THE TOWN OF PLYMPTON-WYOMING
PART 1 PROVINCIAL OFFENCES ACT
BY-LAW 20 of 2025: SHORT-TERM RENTAL LICENSING BY-LAW

Page 1 of 1

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 PROVISION CREATING or DEFINING OFFENCE	COLUMN 3 SET FINE
1	Market/Operate/Permit to Operate a Short-Term Rental without a Licence	3.1 (a)	\$1,000.00
2	Market/Operate/Permit to Operate a Short-Term Rental Under a Name Not Endorsed in Licence	3.1 (b)	\$350.00
3	Market/Operate/Permit to Operate a Short-Term Rental while Licence Suspended /Revoked	3.1 (d)	\$900.00
4	Market/Operate/Permit to Operate a Short-Term Rental contrary to terms and conditions of Licence	3.1 (e)	\$900.00
5	Market/Operate/Permit to Operate a Short-Term Rental where prohibited	3.2	\$900.00
6	Provide false or incorrect information on a Licence Application	3.3 (b)	\$350.00
7	Obstruct or permit Obstruction of inspection	3.3 (d)	\$350.00
8	Operating more than one (1) Short-Term Rental per Premises	3.3 (f)	\$900.00
9	Licensee - Fail to notify Director of a change in information	5.1 (b)	\$350.00
10	Operator – Fail to ensure availability of Responsible Person	6.2 (a)	\$350.00
11	Operator – Fail to Ensure the Short-Term Rental is not in Breach or Contravention of any Municipal By-laws	6.2 (b)	\$350.00
12	Operator – Fail to ensure Short-Term Rental is operated and Used in a fashion that will not cause a disturbance or nuisance	6.2 (c)	\$500.00
13	Operator – Fail to Provide information package to Renter	6.2 (d)	\$350.00
14	Operator – Failure to comply with an order	12.2 (a)	\$500.00

Note: the general penalty provision for the offences listed above is Section 15.1 of By- Law 20 of 2025 a certified copy of which has been filed.