



Cultus Lake Park

SHORT-TERM RENTAL BYLAW

Bylaw No. 1202, 2021

A Bylaw to regulate Short-term Rentals.

Section 12 of the *Cultus Lake Park Act* (1932 and Amendments) enables the Cultus Lake Park Board to adopt Bylaws, and Section 9.2 (1) provides that Section 260 – Enforcement Powers of the *Community Charter* apply to the enforcement of the Bylaws of the Board, and Section 261 – Payment of Fines and Other Penalties to Municipality under the *Community Charter* provides that fines and other penalties imposed and collected under or because of a Cultus Lake Park Bylaw must be paid to the Park.

Every person who offends against any of the provisions of this Bylaw or who suffers or permits any act to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who does any act or thing which violates any of the provisions of this Bylaw, will be in breach of this Bylaw, and will be liable to the fees as outlined in Schedule A of this Bylaw and the fines and provisions as outlined in the “Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019 and all amendments”.

The Cultus Lake Park Board in open meeting assembled, enacts as follows:

1. TITLE

- 1.1 This Bylaw may be cited as “Cultus Lake Park Short-term Rental Bylaw No. 1202, 2021”.

2. INTERPRETATION

- 2.1 Words or phrases defined in the *Cultus Lake Park Act* (British Columbia), the *Interpretation Act* (British Columbia), the *Motor Vehicle Act* (British Columbia), the *Transportation Act* (British Columbia), the *Local Government Act* (British Columbia), the *Community Charter* (British Columbia) or any successor legislation to any of them, will have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw.

2.2 DEFINITIONS OF TERMS

“**Act**” means the *Cultus Lake Park Act* (British Columbia).

“**Area**” means a self-contained space, used for a Short-term Rental, within a residence.

“**Board**” means the Cultus Lake Park Board.

“**Bylaw Compliance and Enforcement Officer**” means a person acting as a Cultus Lake Park Bylaw Compliance and Enforcement Officer, or any other person acting in another capacity on behalf of the Cultus Lake Park Board.

“**Bylaw Notice**” means a ticket issued under the Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019 and all amendments.

“**Emergency**” means a sudden serious and/or dangerous situation which needs immediate action. Examples are, but not limited to, natural disasters, environmental hazards, or pandemics.

“**Fee Notice**” has the meaning ascribed to that term in Section 5.2(b) of this Bylaw.

“**Leased Lot**” means real property, with or without improvements, that is located within the Park and that is used for residential and/or commercial purposes.

“**Leaseholder**” means (a) a Person having a current and valid lease with the Board; or (b) a Person (i) renting a residence in the Park from a Person having a current and valid lease with the Board, and (ii) the address of that residence is the Person’s permanent address.

“**Park**” means the area within the Park boundaries as outlined in the *Cultus Lake Park Act, 1932*, and the foreshore assigned to the Park by the Province of British Columbia.

“**Post/Posted**” means keeping continuously displayed in a conspicuous area of the home.

“**Short-term Rental**” means the rental of all or an area of the residence, used to provide accommodation, for a period of less than thirty (30) days.

- 2.3** In this Bylaw, unless the context otherwise requires, the singular will include the plural and the masculine includes the feminine gender.
- 2.4** The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope or the intent of the provisions of this Bylaw.

3. GENERAL REGULATIONS

- 3.1** No Leaseholder will operate a Short-term Rental within Cultus Lake Park:
- (a) Without a valid Short-term Rental permit issued from Cultus Lake Park;
 - (b) with more than one (1) Area used for the purpose of the Short-term Rental permit.
 - (c) without providing guests with adequate parking spaces and valid parking permits registered with the Park, as per the current Cultus Lake Park Parking and Traffic Bylaw and all amendments;

- (d) without all garbage, recycling and green waste bins secured, as per the current Cultus Lake Park Property Maintenance Bylaw and all amendments;
- (e) without having all garbage, recycling and green waste bins roadside only during pick up time, as per the current Cultus Lake Park Property Maintenance Bylaw and all amendments;
- (f) without responding to Short-term Rental Bylaw issues within two hours of being notified of any issue;
- (g) without a copy of the permit Posted in a conspicuous place in the premises;
and
- (h) if the Cultus Lake Park Board has suspended Short-term Rental permits due to an Emergency.

3.2 Weekly Short-term Rental permits will be valid for the date specific weeks applied and paid for.

3.3 No person may obstruct a Bylaw Compliance and Enforcement Officer in the fulfilment of his or her duties under this Bylaw.

4. ADVERTISING AND ONLINE BOOKING PLATFORM REGULATIONS

4.1 Every online advertisement for a permitted Short-term Rental must disclose:

- (a) The valid permit number;
- (b) the maximum number of parking spaces available to guests at the residence;
- (c) the location of parking available for permits issued that may exceed allowable parking spaces at the residence;
- (d) the maximum permitted guest occupancy applicable to the Short-term Rental;
and
- (e) must not include provisions that were not on the approved application form.

4.2 No advertising signs will be placed on the Leased Lot or on Park property.

5. FEES AND FINES

5.1 All Persons are subject and will pay the types of fees as listed in Schedule A of this Bylaw and the provisions and fines set out in Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019, as amended from time to time.

5.2 The amounts of all fees listed in Schedule A of this Bylaw are determined and set from time to time as follow:

- (a) The Board hereby delegates to the Chief Financial Officer all of the powers, duties and functions of the Board under Sections 14(a.1) and 14(f.1) of the *Act* to determine and publish, on an annual basis, the amount of each fee;
- (b) by March 31 of each calendar year, the Chief Financial Officer will determine

and publish, or cause to be published, a notice (the “Fee Notice”) in the Cultus Lake Park Office stating the amount of each fee, and such Fee Notice will remain published in the Cultus Lake Park Office until such fee amounts are no longer in effect;

- (c) all fee amounts go into effect the later of (i) 14 days after the applicable Fee Notice is published, or (ii) such other date specified in the Fee Notice, and supersede any prior Fee Notices and fee amounts;
- (d) in determining any fee amounts pursuant to this Section 5.2, the Chief Financial Officer will consider, acting reasonably, all of the following factors:
 - (i) all costs to the Board of enforcing this Bylaw;
 - (ii) all costs to the Board in managing and maintaining the Short-term Rental permitting process, including administration and security;
 - (iii) the most recently passed budget of the Board;
 - (iv) the financial circumstances of the Board;
 - (v) the best interests of the Board; and
 - (vi) the mandate of the Board;
- (e) the amount for each type of fee determined pursuant to Section 5.2 will not increase more than 20% year-over-year;
- (f) the Chief Financial Officer may publish copies of the Fee Notice at locations that are in addition to the Cultus Lake Park Office, but in the event of a conflict or inconsistency between the Fee Notice published in the Cultus Lake Park Office and any other notice, the Fee Notice published in the Cultus Lake Park Office will prevail and govern; and
- (g) if no Fee Notice is published by the Chief Financial Officer by the deadline set out in Section 5.2(b), then any Fee Notice from the previous year remains in effect and enforceable.

5.3 Each occurrence or day that a contravention of a provision of this Bylaw exists or is permitted to exist will constitute a separate offence.

6. SEVERABILITY

If any part of this Bylaw is for any reason held invalid by a court or competent jurisdiction, the invalid portion will be severed, and the severance will not affect the validity of the remainder.

7. REPEAL

The Cultus Lake Park Short-term Rental Bylaw No 1174, 2020 and all amendments are repealed upon adoption of Cultus Lake Park Short-term Rental Bylaw No. 1202, 2021.

8. EFFECTIVE DATE

This Bylaw will come into force and effect upon its adoption.

READ A FIRST TIME this 17 day of November, 2021

READ A SECOND TIME this 17 day of November, 2021

READ A THIRD TIME this 17 day of November, 2021

ADOPTED this 15 of December, 2021



David Renwick, Chair
Cultus Lake Park Board



Joe Lamb,
Chief Administrative Officer

I HEREBY CERTIFY the foregoing to be a true
and correct copy of Cultus Lake Park Short-term
Rental Bylaw No. 1202, 2021

Chief Administrative Officer

All Short-term Rentals are subject to the types of fees set out in Table 1 below. The amount of each type of fee will be determined from time to time in accordance with Section 5.2 of this Bylaw.

TABLE 1 of SCHEDULE A		
No.	Fee Type	Fee Sub-types
1.	Non-refundable application fee	Not applicable.
2.	Annual permit fee	Not applicable.
3.	Weekly permit fee	Not applicable.
4.	Annual renewal fee	Not applicable.