



CULTUS LAKE PARK

Short-term Rental Administrative Policy

Section:		
Sub-Section:		
Title:	Short-term Rental Administrative Policy	

APPROVALS

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Amended:	Approved by:
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PURPOSE AND POLICY STATEMENT

This policy is intended to provide direction for staff and applicants regarding the Short-term Rental Bylaw permitting process.

DEFINITIONS

“Applicant” means the leaseholder(s) that is applying for a Short-term Rental permit.

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

“CAO” means the Chief Administrative Officer; a position appointed by the Board.

“Designate” means a Person appointed by the CAO.

“Designated Primary Contact” means the person who will be contacted first regarding any issues or bylaw contraventions, examples are, but not limited to; noise complaints, parking contraventions and garbage issues, and who will be responsible for rectifying any situation within two (2) hours of notification, to avoid a Bylaw Offence Notice or warning being issued.

“Dwelling Unit” means a self-contained room or set of rooms with a private entrance, used for a Short-term Rental, within a residence.

“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.

“Leaseholder(s)” means a person(s) having a current and valid lease, with the Cultus Lake Park Board, for the leased lot the Short-term Rental permit would be applied to.

“On Site Parking” means the number of vehicles that can be parked in a lease lots designated parking area.

“Permittee” means a Leaseholder(s) who holds a valid permit from Cultus Lake Park to operate a Short-term Rental.

“Short-term Rental” means the rental of all or a portion of the residence, used to provide accommodation, for a period of less than 30 days.

“Sleeping Unit” means a bedroom and, if approved by the CAO or designate, may include a sofa bed, bunk bed or murphy bed; with a limit of two (2) guests per sleeping unit.

“Substantiated” means that a reported Bylaw violation was investigated, and credible evidence was gathered that supported the reported allegation, whether or not a Bylaw Offence Notice or a warning was written.

1. GENERAL RULES

- 1.1 Cultus Lake Park will not authorize more than 65 active Short-term Rental permits at any given time.
- 1.2 Short-term Rental permit fees are nonrefundable.
- 1.3 Short-term Rental permits will be valid for one (1) year, to commence on January 1 and to terminate on December 31 of each year.
- 1.4 All Short-term Rental permits are valid for one (1) rental Dwelling Unit per leased lot.
- 1.5 Short-term Rental permits are non-transferable except in the case of a lease transfer, with the following regulations:
 - (a) Short-term Rental permits continue with the address, not the Permittee;
 - (b) the new Leaseholder(s) must submit a completed application form within 30 days of the lease transfer completion date to the Cultus Lake Park office and pay the nonrefundable application fee, and follow the required rules in section 2 and 3 of this Policy; and
 - (c) the Short-term Rental permit will continue to be valid until December 31 of that year and the new Leaseholder(s) will receive an invoice and have the option to renew by following the renewal procedure.
- 1.6 All Short-term Rental related contraventions that Cultus Lake Park Bylaw staff or security respond to, or Substantiated complaints that are received will be dealt with as required, and the registered Leaseholder(s) will be notified of the infraction.
- 1.7 All Short-term Rental permits can be suspended in the case of an Emergency. This is at the sole discretion of the Board.
- 1.8 The Board may impose reasonable limitations and rules with respect to each Short-term Rental permit.
- 1.9 This Policy is subject to applicable laws and regulations of the Province of British Columbia, and it is the Permittee's responsibility to ensure compliance with such applicable laws and regulations.

2. LEASEHOLDER REQUIREMENTS

- 2.1 For a Leaseholder(s) to be approved for a Short-term Rental permit they must ensure that all outstanding fines, fees, and encumbrances are removed, via payment or compliance.
- 2.2 For a Leaseholder(s) to be approved for a Short-term Rental permit and to operate a Short-term Rental within the Park they must be entered into the Cultus Lake Park Building Site Lease that allows for such use.

2.3 Every Applicant must have a Designated Primary Contact who is available on a 24/7 basis, to respond within two (2) hours to any issues or bylaw contraventions regarding the Short-term Rental, and who have consented to the Applicant to allow their contact information to be made available to the Cultus Lake Park staff.

2.3.1 In the case that the Designated Primary Contact is the Leaseholder(s) they must appoint a secondary contact that is available should the Leaseholder(s) be unreachable.

3. APPLICATION PROCEDURE

3.1 Only the current application form for a Short-term Rental permit will be accepted. This application form is available at the Cultus Lake Park office or on the Cultus Lake Park website.

3.2 Applicants must submit a completed application form, along with all supporting documentation as required and noted on the application, to the Cultus Lake Park office and pay the nonrefundable application fee.

3.3 If more than one (1) Leaseholder is registered on title, all Leaseholders must sign the application form.

3.4 Total guest occupancy approval will be based on the number of Sleeping Units in the Dwelling Unit available in the leased lots primary dwelling.

3.5 Designated parking space approval will be based on actual On-Site Parking to a maximum of four (4).

3.6 All Short-term Rental permit applications will be reviewed, and approved or denied by the CAO or designate.

3.7 If the application is approved, the Applicant must have a meeting, with the CAO or designate, regarding the bylaws and the responsibilities of operating a Short-term Rental within Cultus Lake Park.

3.8 Following the meeting and approval, the Applicant will be required to pay the Short-term Rental permit fee.

3.9 Once the meeting with the CAO or designate has occurred and the Short-term Rental permit fee has been received, the Applicant will receive a Short-term Rental permit and permit number.

3.10 Within 15 days of approval, Permittees must provide the Park office with a link to any online listings they have posted for advertising their Short-term Rental. Failure to do so may result in the cancellation of the Short-term Rental Permit.

3.11 Once the application process is complete and the Applicant has their permit, the Permittee must ensure they continue to abide by all the conditions for operating a Short-term Rental as set out in the current Cultus Lake Park Short-term Rental Bylaw, the current Cultus Lake Park Short-term Rental Administrative Policy and all Cultus Lake Park Bylaws and all amendments.

4. RENEWAL PROCEDURE

- 4.1 Prior to the distribution of the renewal form and invoice to Short-term Rental Permittees for renewal, Park staff will review Park records to determine if there are any concerns with the Short-term Rental. In considering an application for a Short-term Rental permit renewal, the Park staff may consider not renewing the permit if:
- (a) There are Park records that show there were more than three (3) Substantiated reports of any Cultus Lake Park Bylaw violation occurring while the residence was permitted as a Short-term rental;
 - (b) there are Park records that show there were any contraventions, which resulted in a Bylaw Offence Notice or a warning, to the Short-term Rental Bylaw or any other current Cultus Lake Park Bylaw; or
 - (c) Applicant has outstanding unpaid penalties issued under the Bylaw Notice Enforcement Bylaw No. 1140, 2019, and all amendments.
- 4.2 Short-term Rental permit renewal form and invoice will be distributed from the Cultus Lake Park office. Completed forms and payments are due no later than **March 15** of each year.
- 4.3 If the renewal form and payment are not received by the Cultus Lake Park office prior to **March 15** of each year, the annual Short-term Rental Permit is forfeited. Applicants will have the option to go onto the waitlist if the waitlist parameters are met.
- 4.4 Once the renewal process is complete and the Applicant has their new permit, the Permittee must ensure they continue to abide by all the conditions for operating a Short-term Rental as set out in the current Cultus Lake Park Short-term Rental Bylaw, the current Cultus Lake Park Short-term Rental Administrative Policy, and all Cultus Lake Park Bylaws and amendments.

5. CANCELLATION OR REFUSAL OF PERMIT

- 5.1 Cancellation or refusal of a Short-term Rental permit will be at the sole discretion of the CAO in consultation with staff. Potential criteria may include, but is not limited to:
- (a) Park records show there were more than three (3) Substantiated reports of any Cultus Lake Park Bylaw violation occurring while the residence was permitted as a Short-term Rental;
 - (b) park records show there were contraventions, to the Short-term Rental Bylaw or any other current Cultus Lake Park Bylaws, which resulted in a Bylaw Offence Notice or a warning;
 - (c) Permittee directly or indirectly use a disproportionate amount of Park resources (including park staff time) relative to other Short-term Rental Permittees;
 - (d) the Short-term Rental location causing negative impact on the community through noise, garbage, parking, or other bylaw contraventions; or
 - (e) not providing the Park office with a link to any online advertisements within 15 days of approval.

- 5.2 Where the application for a Short-term Rental permit is refused, or a Short-term Rental permit is cancelled, notice will be provided to the Applicant or Permittee who is subject to the decision.
- 5.3 A notice under Section 5.2 of this Policy will be issued to the Applicant or Permittee and delivered by registered mail to the address given by the Applicant or Permittee on the application for the permit within 14 days.
- 5.4 The Applicant or Permittee is entitled to have the Board reconsider the matter. An Applicant or Permittee who wishes to have the Board reconsider the refusal or cancellation of a Short-term Rental permit will give written notice of their request for reconsideration to the CAO and such notice must include a description of the grounds upon which the request for reconsideration is made. Such request must be made within 28 days of the date on the letter noted in Section 5.3 of this Policy. Where the request for reconsideration has not been received within the time specified, the Applicant will have lost the right for reconsideration.
- 5.5 Upon receipt of a written notice under Section 5.4 of this Policy, the CAO will respond within 28 days.
- 5.6 If a Short-term Rental is cancelled, the Permittee will not be entitled to a renewal of such permit.

6. PERMIT WAITLIST

- 6.1 Cultus Lake Park will manage and maintain a timestamped waitlist for potential Short-term Rental Applicants.
- 6.2 Applicants must follow the Short-term Rental permit application procedure set out in Section 3.1, 3.2, and 3.3 of this Policy. If the Short-term Rental application has been approved by the CAO or designate, and there are no Short-term Rental permits available under this Policy, the Applicant will be placed on the waitlist, in order of approval. Applicants will maintain their place on the waitlist until a Short-term Rental permit becomes available.
- 6.3 If a Short-term Rental permit becomes available, the approved Applicant, at the top of the waitlist, will be notified. The Applicant will be contacted through the information provided on the Short-term Rental application, and it is the responsibility of the Applicant to promptly update the Cultus Lake Park office of any changes to their contact information.
 - 6.3.1 The Applicant will have five (5) business days to respond to the notification and confirm their acceptance of the permit. Failure to respond within this stipulated timeframe will result in the Applicant moving to the end of the waitlist and the available permit will be offered to the Applicant in the next position on the waitlist.
 - 6.3.2 If the Applicant does not accept the permit, by written notice to the Cultus Lake Park office, they will forfeit their place on the waitlist.
- 6.4 Once the permit has been accepted, the Applicant will be required to pay the Short-term Rental permit fee. The Short-term Rental permit fee will be prorated, and proration will be determined by the remaining months of the year, calculated proportionately based on the Short-term Rental Annual fee.