



TOWN OF HINTON
BYLAW No. 1162
BYLAW OF THE TOWN OF HINTON IN THE PROVINCE OF ALBERTA
TO PROVIDE REGULATION FOR SHORT-TERM RENTALS

WHEREAS the Municipal Government Act, R.S.A. 2000, c. M-26 (hereinafter referred to the "Act") as amended from time to time, provides that a municipality may pass bylaws for municipal purposes respecting services provided by the municipality; and

WHEREAS pursuant to section 7(a) of the Act, a council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

WHEREAS pursuant to section 7(e) of the Act, a council may pass bylaws for municipal purposes respecting Businesses, Business activities and Persons engaged in Business;

WHEREAS pursuant to section 7(i) of the Act, a council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the Act or any other enactment including any or all of the matters listed therein.

AND WHEREAS pursuant to section 8 of the Municipal Government Act, a council may, through bylaw:

- a) Regulate or prohibit;
- b) Deal with any development, activity, industry, Business or thing in different ways, divide each of them into classes and deal with each class in different ways; and
- c) Provide for a system of licenses, permits or approvals, including any or all of the matters listed therein.

NOW THEREFORE the Council of the Town of Hinton, duly assembled, hereby enacts, as follows:

1.0 TITLE

- 1.1 This Bylaw may be cited as the "Short-Term Rentals Bylaw."

2.0 DEFINITIONS

- 2.1 **Guest** – means consumers of short-term rental services. Guests use platforms to search, reserve and manage their bookings of short-term rental accommodation. Guests pay the operator of the short-term rental a platform service fee.
- 2.2 **Host** – means a person, also referred to as operator that rents out, or offers for rent any premises for short-term rental accommodation to guests, may list their short-term rentals on online platforms, sets the price, availability and house rules (i.e. guest limits, guest hours) and approves rentals; they charge guests a nightly fee, optional additional fees (i.e. cleaning or accommodating extra people).
- 2.3 **Non-Principal Residence** – means a short-term rental unit that is a dwelling unit but not someone's principal residence.
- 2.4 **Principal Residence** – means the usual place where an individual makes their home for the majority of a calendar year and lives within the residence a minimum 240 days per year and for these purposes a person cannot normally reside at more than one dwelling or location.

- 2.5 **Property Manager** – means a person designated by the host/operator as the primary contact for the short term rental accommodation and have decision powers and authority to make decisions in relation to the premises and the rental agreement, at all times that the short-term rental accommodation is operated.
- 2.6 **Short-Term Rental** – means the business of providing temporary accommodation primarily utilized by visitors/tourists, in a dwelling unit or portion of a dwelling unit for periods of up to thirty (30) consecutive days and may be facilitated by online platforms (i.e., Airbnb). This includes Bed and Breakfasts for principal residence only.
- 2.7 **Platform** – means an online matching and/or payment processing platform for transactions between short-term rental hosts/operators and guests.

3.0 LICENSE REQUIRED

- 3.1 A person must not carry-on business as a short-term rental host/operator unless the person holds a valid license issued under the provisions of the Business License Bylaw No. 1126.
- 3.2 A person applying for the issuance or renewal of a license to operate a short-term rental must, in addition to meeting the requirements of the Business License Bylaw No. 1126:
- a. Make an application to the Town on for the form provided for that purpose;
 - b. Pay to the Town the applicable license fee prescribed under subsection 3.4;
 - c. Provide to the satisfaction to the Town, evidence that:
 - i. The person owns the premises where the short-term rental will be offered; or
 - ii. The owner of the premises where the short-term rental will be offered has consented to their use as a short-term rental.
- 3.3 When the short-term rental accommodation is a non-principal residence, provide the name and contact information for the local property manager.
- 3.4 The license fee for purpose of subsection 3.2 b is:
- a. as per the Business License Bylaw No. 1126.

4.0 PROPERTY MANAGER

- 4.1 A host/operator who operates a short-term rental accommodation in their principal residence is the property manager for that short-term rental accommodation.
- 4.2 A host/operator who operates a short-term rental accommodation in a non-principal residence must designate a property manager who is local to Hinton as part of their license application and must ensure the property manager has access to the licensed premises and authority to make decisions in relation to the premises and the rental agreement, at all times that the short-term rental accommodation is operated.
- 4.3 The host/operator must ensure that the name and contact information of the property manager is prominently displayed in the short-term rental property at all times while the short-term rental accommodation is operated.

5.0 CONDITIONS OF LICENSE

- 5.1 A host/operator of a short-term rental accommodation must:
- a. Provide guests with a copy of the Short-Term Residential Rental Accommodation: Information for Guests guide;
 - b. Not allow your property to be used by guests to operate a business, unless the guest has a valid business license authorizing the business activity;
 - c. Only rent up to four (4) guest rooms when living in the same residence while guests are present each of which can be occupied by a maximum of two persons, not including minors;
 - d. Display the business license inside the entry way to the short-term rental property;
 - e. Review your homeowners or renters' policy with your insurance agent or carrier to make sure your listing has appropriate insurance product for short term rentals;
 - f. Display the designated local property manager's contact information inside the entry way of the short-term rental property;
 - g. Post emergency contact information with local emergency numbers, number for the nearest hospital, host/operator contact number and a backup contact number;
 - h. Keep a written registry of all guests that are staying or have stayed on the premises;
 - i. Ensure no more than one booking is permitted within the short-term rental accommodation at one time;
 - j. Must not allow more than two guests, not including minors per room;
 - k. Must include a valid Business License number in any advertising, listing or promotion material that is intended to communicate availability of the premises for short-term rentals;
 - l. Ensure the short-term rental property is safe and compliant with Alberta Building Code and Alberta Fire Code and Alberta Health Services regulations;
 - m. Ensure interconnected (either by Bluetooth adapter or wireless) smoke detectors are installed and carbon monoxide detectors are installed as per the Alberta Building Code and a clearly marked fire extinguisher is readily available;
 - n. Post a clearly marked fire evacuation plan and a map so it's easy for guests to see;
 - o. Shall not offer temporary accommodation or permit a guest to sleep in a room where the suite, at least has one outside window or exterior door openable from the inside without the use of keys, tools or special knowledge to provide an exit in the event of an emergency, except where the suite has a sprinkler system;
 - p. Ensure all safety and accommodation inspections be completed for the short-term rental. No approvals will be issued by the Town until this has been completed;

- q. Provide clear instructions and information up front so your guests know what to expect when they arrive;
- r. Establish "house rules" and be sure that your guests know to follow them. Rules that reduce noise and disruptions at night;
- s. Not allow cooking facilities within guest bedrooms;
- t. Provision of one (1) off-street parking space per two (2) guest rooms is required whether for Principal Residence or Non-Principal Residence and is not limited by the Land Use Bylaw No. 1088.
- u. Obtain a home-based business development permit to operate the short-term rental from the principal residence as per Land Use Bylaw No. 1088 and Development Services Fees Bylaw No. 1104.

5.0 ENFORCEMENT

Refer to Business License Bylaw No. 1126 and Land Use Bylaw No. 1088.

6.0 GRACE PERIOD

Existing hosts/operators of principal and non-principal residence short-term rentals are hereby provided up to six (6) months from the date this bylaw comes into effect to register their short-term rental with the Town of Hinton. All applicable fees will be waived for this duration only. Once the six (6) month duration is over, this clause will be null and void.

7.0 INSPECTIONS

- 7.1 The host/operator of a short-term rental must obtain a fire prevention inspection before the Town will grant any approvals.
- 7.2 The fire inspection fee for the purpose of section 7.1 is:
 - a. as per Development Services Fees Bylaw No. 1104.

8.0 THAT THIS BYLAW COMES INTO EFFECT UPON RECEIVING THIRD AND FINAL READING.

READ a first time this 15th day of February 2022.

READ a second time this 17th day of May 2022.

READ a third time this 21st day of June 2022.


MAYOR


INTERIM CHIEF ADMINISTRATIVE OFFICER