April 2, 2020

RE: Short Term Rental Accommodations During COVID-19

The Ontario Provincial Government issued Ontario Regulation 82/20 entitled Closure of Places of Non-Essential Businesses. A copy of the Order may be viewed online at, https://www.ontario.ca/laws/regulation/200082

Schedule 2 to the Regulation identifies seventy-four (74) essential businesses, including:

12. Hotels, motels, shared rental units and similar facilities, including student residences

Please be advised that the Town does not consider Short Term Rental accommodations to fall within the scope of this essential business; consequently, the Town requires that you cease operations immediately. If compliance with this direction is not achieved by Monday, April 6, 2020, Council will consider further action.

To this end, please be advised that on Friday, March 27, 2020, the Honourable Sylvia Jones, Solicitor General, and Steve Clark, Minister of Municipal Affairs and Housing empowered local by-law enforcement officers to enforce Emergency Management and Civil Protections Act Orders under the Provincial Offences Act.

Offences and set fines available to enforcement personnel include:

- Fail to comply with an emergency order $750.00
- Obstruct any person exercising a power in accordance with an Order made during a declared emergency $1,000.00
- Obstruct any person performing a duty in accordance with an Order made during a declared emergency $1,000.00

If you’re aware of a Short Term Rental (also known as a Bed & Breakfast, Air B&B, Country Inn, Cottage Rental, and Vacation Apartment) operating in contravention of the above requirement, please advise Niagara-on-the-Lake’s By-law Enforcement immediately. Enforcement can be reached via email (covidcomplaints@notl.com), phone (905-468-3266), or online complaint form.

Refunds & Fees

The Council of The Corporation of the Town of Niagara-on-the-Lake, at their Council Meeting, held March 30, 2020, approved the following motion:
"That staff be directed to reduce the licensing fees for all short-term rentals to the 2019 rates, and further that staff be directed to refund the excess funds paid for the year 2020 to operators who have provided payment".

Therefore, as per Council’s approved motion, the 2020 annual license fee for all short-term rental accommodations has been reduced to $115.00/room (2019 rate).

The Town will be issuing refunds, in the amount of the additional balance, to operators who have already provided payment for their 2020 license fee. Cheques will be sent by mail as soon as they are processed.

Operators who have yet to provide payment for the 2020 licensing year may do so upon revocation of Ontario Regulation 82/20, Closure of Places of Non-Essential Businesses. The application fee will be $115.00/room (2019 rate).

Operators wishing to cancel their 2020 license and receive a refund may do so by providing a notice in writing stating that they have not yet operated in this calendar year. Applicants must request a refund no later than June 1, 2020.

Please note that at this time, all Short Term Rental inspections have been cancelled. If you are impacted by this change, please be advised that Town staff will be in contact with you in the near future to reschedule your inspection.

While we understand that discontinuing the operation of your Short Term Rental may cause additional financial strain during an already difficult time, we want to extend our heartfelt thanks for doing your part to help reduce the spread of COVID-19 in Niagara-on-the-Lake. We all have to do our part. Please, whenever possible, stay home. We thank you in advance for your understanding and cooperation with this matter.

To review all Town updates related to COVID-19, read answers to frequently asked questions, and see up-to-date information on the status of Town services, please visit www.notl.com/COVID-19, or call 905-468-3266. Phones are being answered between the hours of 8:30 AM and 4:30 PM Monday to Friday, and online service requests remain available at www.notl.org/content/service-request. Town Staff will continue to assist and serve citizens online and over the phone.

Visit www.canada.ca/coronavirus for the most up to date information from the Federal Government.

Sincerely,

[Signatures]

Peter Todd
Town Clerk

Betty Disero
Lord Mayor