

**The Corporation of the City of Port Colborne**

**By-law No. 7322/13/25**

**Being a By-law to license, regulate and govern Lodging Houses in the City of Port Colborne**

Whereas section 11 of the *Municipal Act, 2001*. S.O. 2001, c.25 as amended (the "Municipal Act") provides that a lower-tier municipality has the authority to pass by-laws respecting the economic, social and environmental well-being of the municipality, the health, safety and well-being of persons and the protection of persons and property; and

Whereas section 11 of the *Municipal Act* further provides that a lower tier municipality may pass by-laws respecting business licensing; and

Whereas section 151 of the *Municipal Act* authorizes a municipality to provide for a system of licences with respect to a business or any activity, matter or thing for which a by-law may be passed under section 9 or 11 of the statute; and

Whereas section 436 of the *Municipal Act* authorizes a municipality to pass by-laws providing that the municipality may enter onto land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law, direction, order or condition of a licence; and

Whereas the Council of The Corporation of the City of Port Colborne deems it necessary and desirable to licence, regulate and govern Lodging Houses;

**Now therefore** the Council of The Corporation of the City of Port Colborne enacts as follows:

**1. Purpose**

- 1.1. The purpose of this By-law is to regulate Lodging Houses within the City of Port Colborne to protect the health and safety of Lodgers and to promote the well-being of the City and its inhabitants.

**2. Definitions**

- 2.1. For the purposes of this By-law:

**"Appeals Committee"** means a committee appointed by Council to conduct appeal hearings under this By-law;

**"Applicable Law"** means all applicable by-laws of the City and Niagara Region and all applicable provincial and federal statutes and regulations;

**"Applicant"** means the Person applying for a Licence or renewal of a Licence under this By-law;

**"Building Code"** means Ontario Regulation 332/12, as amended, established under the Building Code Act;

**"Building Code Act"** means the Building Code Act, 1992, S.O. 1992, c. 23, as amended;

**"By-law"** means this Lodging House Licensing By-law;

**"City"** means the Corporation of the City of Port Colborne;

“**Clerk**” means the Clerk of the City or his or her delegate;

“**Council**” means the Council of the City of Port Colborne;

“**Fees and Charges By-law**” means current in force Fees and Charges By-law;

“**Fire Code**” means Ontario Regulation 213/07 established under the *Fire Protection and Prevention Act*, as amended;

“**Fire Protection and Prevention Act**” means the *Fire Protection and Prevention Act*, 1997, S.O. 1997, c. 4, as amended

“**Guardian**” means the person(s) appointed as the attorney for property, Guardian of the property, Guardian of the person or attorney for personal care of a Lodger under the Substitute Decisions Act, 1992, S.O. 1992, c. 30.;

“**Health Protection and Promotion Act**” means the *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7, as amended;

“**Licence**” means a Licence issued under this By-law;

“**Licensee**” means a Person licensed under this By-law to operate a Lodging House;

“**Lodger**” means an individual who has a right to occupy a Private Room in a Lodging House and has access to all common areas of the Lodging House pursuant to a Lodging Agreement;

“**Lodging Agreement**” means a written agreement between a Licensee and a Lodger in relation to accommodation in a Lodging House that sets out the duration of the accommodation, identifies the Private Room to be occupied by the Lodger, prescribes the terms and conditions of the accommodation and confirms payment details including the amount(s) payable by to the Lodger to the Licensee and the frequency and method of payment;

“**Lodging House**” means a building or portion thereof in which four (4) or more Lodgers are lodged for hire, but does not include a hotel, bed and breakfast tourist establishment or short-term rental unit, a hospital or any provincially-regulated long-term care home, retirement home, nursing home, group home or similar facility;

“**Niagara Region**” means the Regional Municipality of Niagara.

“**Officer**” means any person appointed by Council as a Municipal Law Enforcement Officer;

“**Order**” means an order issued under this By-law;

“**Operator**” means the person operating a Lodging House;

“**Owner**” means the registered owner of a Property where a Lodging House is situated;

“**Person**” means an individual, corporation, association or partnership;

“**Plan for Fire Safety**” means the Plan setting out the layout of the interior of the building with the location of all smoke alarms, carbon monoxide alarms, fire extinguishers and exits;

“**Private Room**” means a self-contained room in a Lodging House that is used or intended to be used for residential accommodation by no more than two (2) Lodgers;

“**Property**” means any land or premises within the City;

“**Residential Tenancies Act**” means the *Residential Tenancies Act, 2006*, S.O. 2006, c. 17, as amended;

“**Sanitary Facility**” means a self-contained room that contains not less than one (1) toilet, one (1) wash basin or sink and one (1) bathtub or shower.

### **3. General Prohibitions**

- 3.1. No Person shall operate a Lodging House without holding a current and valid Licence issued in accordance with this By-law.
- 3.2. No Person shall operate a Lodging House except in accordance with the provisions of this By-law and all other Applicable Law.
- 3.3. No Licensee shall advertise, operate or carry on such business under any name other than the name endorsed upon the Licence.
- 3.4. No Person shall contravene or fail to comply with a term or condition of a Licence issued in accordance with this By-law.
- 3.5. No Person shall fail to comply with an Order issued under this By-law.

### **4. Administration**

- 4.1. This By-law shall be administered by the Clerk who shall perform all administrative functions set out in this By-law including but not limited to:
  - 4.1.1. Receipt and processing of all applications for Licences and renewal of Licences;
  - 4.1.2. Issuing Licences in accordance with this By-law;
  - 4.1.3. Imposing terms and/or conditions on Licences in accordance with this By-law; and
  - 4.1.4. Refusing to issue or renew a Licence, revoking a Licence or suspending a Licence in accordance with this By-law.
- 4.2. The Clerk shall keep a Licence Register in which shall be recorded the full name and address of each Licensee, the address of the licensed Lodging House, the number and date of the issue of the licence, the amount of the licence fee paid therefore, the date of expiry of the licence, the type of licence issued and other particulars or remarks pertaining to the same which are useful or necessary.

### **5. Delegation of Authority to Appeals Committee**

5.1. The Powers and authority to conduct appeal hearings under this By-law are hereby delegated to the Appeals Committee.

5.2. Where any person is authorized to take any action pursuant to this By-law, such actions may be taken by that person's designate.

## **6. Applications for Licence and Renewal**

6.1. The following two (2) types of Licence applications may be made:

6.1.1 An original Licence; and

6.1.2 The renewal of a Licence.

6.2. The requirement to obtain a Licence under this By-law is in addition to and not in substitution for any other requirement to obtain a licence or approval under any Applicable Law.

6.3. Each Lodging House shall be individually licensed under this By-law.

6.4. Every application for a Licence or a renewal of a Licence shall be submitted in accordance with this By-law and shall be accompanied by the Licence fee set out in the Fees and Charges By-law.

6.5. The Applicant for a Licence or a renewal of a Licence shall be the Operator (s) of the Lodging House.

6.6. In the case of Lodging House operated by a partnership, one partner shall submit the application package on behalf of every other partner. In the case of a Lodging House operated by a corporation, an officer of the corporation shall submit the application package.

6.7. In respect of an application for an original Licence:

6.7.1 The application shall be completed on the forms found on the application portal on the City of Port Colborne website or by filing a hard copy and shall include the following information:

6.7.1.1 The municipal address and legal description of the location of the Lodging House;

6.7.1.2 The name and contact particulars for each applicant for the Lodging House including address, telephone number and email address;

6.7.1.3 The names of the Lodging House's staff members;

6.7.1.4 If a Lodging House is to be operated by a corporation:

6.7.1.4.1 A copy of the incorporating document(s);

6.7.1.4.2 A copy of the most recent corporate filing with the Ministry of Government and Consumer Services listing all directors and officers and the head office address of the corporation;

6.7.1.4.3 A letter indicating resolution of the directors of the corporation authorizing the application for a Licence; and

6.7.1.4.4 The name and contact particulars of every Person having responsibility for the operation of the Lodging

House;

6.7.1.4.5 Its annual return under the Corporations Information Act, R.O.,1990, c.C39, and business name document, if applicable; and

6.7.1.5 A declaration from each Operator, and in the case of a Lodging House to be operated by a corporation, from each director and officer, certifying the accuracy, truthfulness and completeness of the application.

6.7.2 The application shall be accompanied by the following documentation and material:

6.7.2.1 Proof of insurance for use as a Lodging House with liability limits of not less than five million dollars (\$5,000,000) for personal injury and property damage;

6.7.2.2 A floor plan of the premises including dimensions and the proposed use of each room;

6.7.2.3 Confirmation in writing that the Owner consents to the use of the Property as a Lodging House to the satisfaction of the Clerk;

6.7.2.4 Plan for Fire Safety showing the exits and life safety items in the building to the satisfaction of the Fire Chief.

6.8 In respect of an application for a renewal of Licence:

6.8.1 The application shall include the information set out in paragraph 6.7.1;

6.8.2 The application shall be accompanied by the proof of insurance set out in section 6.7.2.1 and any documentation referred to elsewhere in section 6.7.2 if any information has changed, or and additional information as required by the Clerk.

6.9 Every application for Licence or renewal of Licence shall be accompanied by the non-refundable prescribed application fee, which may be paid for by cash, debit, cheque or credit card.

6.10 Every Applicant for a new Licence or the renewal of a Licence shall, within four (4) business days of any change to information submitted to the City in support of the application notify the Clerk in writing of such change and provide full written disclosure to the Clerk of all relevant information existing after such change.

6.11 An application for the renewal of a Licence shall be filed at least sixty (60) days prior to a Licence expiring. Where a Licensee fails to submit an application to renew a Licence at least sixty (60) days prior to its expiration, the application to renew the Licence shall be processed as a new application.

## **7. Review of Application**

7.1. Upon receipt of a complete application under section 6.7 or 6.8, the Clerk shall cause the application to be circulated to the City's Planning Services, Building Services and Fire Services and to the Medical Officer of Health for the Niagara Region for any comments or objections. The Clerk shall further determine if all necessary inspections or approvals have been completed and if all lawful requirements have been met.

7.2. Where the Clerk receives one or more objections to an application or determines that any necessary inspection, approval or other lawful requirement has not been completed, the Clerk shall return the application to the Applicant to undertake any action necessary to address the objection(s) and/or outstanding requirement(s).

## **8. Issuance of Licence**

8.1. Upon completion of the process set out in subsections 7.1 and 7.2, the Clerk shall issue or renew a Licence provided the following conditions have been met:

- 8.1.1. The applicant has complied with all applicable requirements set out in section 6;
- 8.1.2. The circulation of the application referred to in section 7.1 does not result in any objection to the Application which has not been cleared under section 7.2;
- 8.1.3. The inspections do not indicate non-compliance with any Applicable Laws; and
- 8.1.4. The Clerk determines that there are no grounds as described in Section 9 to refuse a licence

8.2. Notwithstanding subsection 8.1, the Clerk may impose such terms or conditions on a Licence as the Clerk considers appropriate. A Licensee who is dissatisfied with any such term or condition may appeal to the Appeals and Property Standards Committee.

8.3. All Licences issued or renewed pursuant to this By-law shall be valid for a period of one (1) year from the date of issuance or renewal, unless otherwise suspended or revoked.

8.4. Licences issued or renewed under this By-law are not transferable. Subject to section 8.5, an otherwise valid Licence shall expire automatically upon a change in ownership or operation of the Lodging House.

8.5. Every Licensee shall notify the Clerk in writing of any pending change with respect to the ownership or operation of a Lodging House or control of a corporation that owns or operates a Lodging House at least thirty (30) days prior to such change taking effect. The prospective Operator(s) or controlling shareholder(s) shall submit an application for a new Licence that will be processed by the Clerk in accordance with this By-law.

8.6. In addition to the items set out in section 11, it is a condition of every Licence issued or renewed under this By-law that the Licensee shall comply with the provisions of this By-law, all Applicable Law and any other terms or conditions imposed on the Licence and shall ensure such compliance by any other Person(s) involved in the operation of the Lodging House.

## **9. Refusal, Suspension or Revocation of a Licence**

9.1. The powers and authority to refuse to issue or renew a licence, to cancel, revoke or suspend a licence or impose terms and conditions on a licence are hereby delegated to the Clerk.

9.2. The Clerk may refuse to issue a new Licence or renew a Licence where:

- 9.2.1. The Applicant has been convicted of an offence under this By-law or any other by-law relating to licences within the previous five (5) years;
- 9.2.2. A Licence issued to the Applicant or the Lodging House under this By-law

was suspended or revoked within the previous two (2) years;

- 9.2.3. The Applicant owes any fine or fee to the City in relation to the Lodging House;
- 9.2.4. The Clerk reasonably believes that an application or document submitted by the Applicant contains false information; or
- 9.2.5. The Clerk reasonably believes that issuing the Licence may pose a threat to the health and safety of persons or property or is otherwise not in the public interest.

9.3. The Clerk may suspend or revoke a Licence at any time where:

- 9.3.1. The Licence was issued or renewed in error;
- 9.3.2. The Clerk becomes aware of any fact or facts which, if known at the time of the application, would have resulted in the Clerk refusing to issue or renew the Licence;
- 9.3.3. The Licensee fails to comply with this By-law, all Applicable Law or any terms or conditions of the Licence, including those set out in subsection 8.6 and section 11 of this By-law;
- 9.3.4. The past conduct of the Licensee or any employee affords reasonable grounds for belief that the applicant will not operate the Lodging House in accordance with Applicable Law, proper management or honesty and integrity;
- 9.3.5. The Licensee contravenes the provisions of this By-law; or
- 9.3.6. Where to do so is in the public interest.

## **10. Notice of Appeal**

- 10.1. Where the Clerk refuses to issue or renew a Licence, imposes terms or conditions on a Licence, suspends a Licence or revokes a Licence, the Clerk shall provide written notice to the Applicant or Licensee of the decision, the reasons for the decision and the right to appeal.
- 10.2. An Applicant or Licensee whose Licence has been refused, suspended or revoked or who objects to any terms or conditions imposed on the Licence may, within fourteen (14) days of being notified of the decision, submit a written appeal to the Clerk for a hearing before the Appeals Committee a review of the decision.
- 10.3. Where no application for an appeal hearing is submitted within the prescribed period, the decision of the Clerk shall be final.
- 10.4. Upon receipt of a notice of appeal, the Appeals and Property Standards Committee shall hold a hearing on the date and time set out in a notice from the Clerk.
- 10.5. The Appeals Committee may affirm, vary or reverse the decision of the Clerk and may direct the Clerk to issue, renew or reinstate a Licence, with or without conditions. Appeals Committee shall provide written reasons for its decision, which shall be final.
- 10.6. Matters arising during the course of an appeal that are not provided for in this By- law shall be governed by the Statutory Powers Procedure Act, R.S.O. 1990, c. S.22.

## **11. Licence Conditions and Requirements**

- 11.1. The conditions set out in subsections 11.2 to 11.31 to of this By-law are attached to every Licence issued under this By-law.
- 11.2. Every licensee shall ensure that any updates or changes to the information or documentation required under this By-law to be provided as part of an application for licence or renewal thereof, is submitted within 5 business days to the application-update portal on the City of Port Colborne website or by filing a hard copy with the Clerk.
- 11.3. Without limiting section 11.2 above, every licensee shall provide an updated proof of Insurance as required by section 6.2.7.1. within 5 business days of any changes to the terms of the insurance policy including, but not limited to, subsequent policy renewals or changes in insurance status.
- 11.4. Every licensee shall provide notice of cancellation of its insurance policy required by section 6.2.7.1 to the City within 48 hours of receipt of such notice. Updates shall be submitted to the application-update portal on the City of Port Colborne website or by filing a hard copy with the Clerk.
- 11.5. The Licensee shall provide a copy of this By-law to each Lodger.
- 11.6. The Licensee shall post the Licence issued for a Lodging House in a conspicuous location inside the Lodging House and shall ensure that it remains posted and legible throughout the currency of the Licence.
- 11.7. The Licensee shall enter into a Lodging Agreement with each Lodger.
- 11.8. The Licensee shall maintain a list of current Lodgers, which shall list their first and last names in alphabetical order and shall identify the date on which each Lodger began residing at the Lodging House.
- 11.9. The Licensee shall, during the occupation by a lodger and for 12 months after a Lodger ceases to reside at the Lodging House, maintain a file for each Lodger that includes the following documents and information as applicable:
  - 11.9.1. First and last name of the Lodger;
  - 11.9.2. Date on which the Lodger began residing at the Lodging House;
  - 11.9.3. Date on which the Lodger ceased residing at the Lodging House;
  - 11.9.4. A copy of the Lodging Agreement
  - 11.9.5. Name and contact particulars of one or more emergency contact persons identified by the Lodger; and
  - 11.9.6. Where the Lodging House provides meals, a list of the Lodger's nutritional needs and any allergies.
- 11.10. The Licensee shall ensure that the Lodging House is kept in a good state of repair that is free of hazards and fit for human habitation and shall further ensure that the condition of the Lodging House complies with all Applicable Law.
- 11.11. The Licensee shall ensure that all common areas and amenities of the Lodging House made available for use by Lodgers including but not limited to appliances, furnishings, laundry facilities, elevators, interior and exterior recreational areas, parking areas and garbage facilities are maintained in a clean, hazard-free, and good working condition.



- 11.12. Where a Lodging Agreement provides that a Licensee will provide one or more meals to a Lodger, the Licensee shall ensure the following:
  - 11.12.1. If the Licensee is the sole provider of meals for the Lodger, that the Lodger is offered:
    - 11.12.1.1. At least three (3) meals per day at reasonable and regular meal hours;
    - 11.12.1.2. A beverage between the morning and midday meals;
    - 11.12.1.3. A snack and a beverage between the midday and evening meals; and
    - 11.12.1.4. A snack and a beverage after the evening meal;
  - 11.12.2. That the Lodging House menus are consistent with the Canada Food Guide published by the Government of Canada;
  - 11.12.3. That the Lodger is informed of daily and weekly menu options with menus posted in one or more common areas of the Lodging House and that a record of each weekly menu be maintained for 30 days;
  - 11.12.4. That Lodgers are given sufficient time to eat at their own pace and accommodated if they are unable to eat during a regular meal period;
  - 11.12.5. That any Lodging House staff assisting the Lodger are aware of the Lodger's nutritional needs and any allergies; and
  - 11.12.6. That Lodging House staff monitor Lodgers during meal periods.
- 11.13. Every Licensee shall ensure that all areas of the Lodging House where food is prepared, processed, packaged, stored or served complies with the Health Protection and Promotion Act and its regulations and all other Applicable Law.
- 11.14. A Licensee shall ensure potable water is available for Lodgers at all times.
- 11.15. The Licensee shall provide a common dining room or rooms in the Lodging House with a minimum aggregate floor area that meets or exceeds the minimum requirements for dining rooms prescribed by the Building Code.
- 11.16. The Licensee shall provide a common sitting room or rooms in the Lodging House with a minimum aggregate floor area that meets or exceeds the minimum requirements for sitting rooms prescribed by the Building Code.
- 11.17. The Licensee shall provide Sanitary Facilities that are not adjacent or open to any dining room, kitchen, food preparation or service area or food storage room.
- 11.18. The Licensee shall provide at least one (1) Sanitary Facility for every four (4) Lodgers and shall ensure that the number of Sanitary Facilities in the Lodging House meets or exceeds the minimum requirements prescribed by the Building Code.
- 11.19. The Licensee shall provide an adequate supply of clean towels and customary toilet supplies for each Lodger and shall ensure that such items are provided without extra charge.
- 11.20. Every Private Room shall have a minimum area of not less than seven (7) square metres for a single occupancy and a minimum area of not less than

four point six (4.6) square metres per person for a double occupancy but in no case shall the minimum area be less than the minimum requirements for sleeping room sizes prescribed by the Building Code.

- 11.21. The Licensee shall ensure that every Private Room in the Lodging House meets the following requirements:
- 11.21.1. Every window and exterior door that is capable of being opened and that is accessible from outside the Private Room shall be equipped so that it can be secured from the inside;
  - 11.21.2. All doors to the Private Room shall be capable of being secured;
  - 11.21.3. At least one door to the Private Room shall be capable of being locked by the Lodger from outside the Private Room; and
  - 11.21.4. The Lodger(s) occupying the Private Room shall be provided with a key to any lock(s) used to secure the Private Room.
- 11.22. Where the Residential Tenancies Act applies to a Lodging House, the Licensee shall comply with the responsibilities of landlords as set out in the statute and each Lodger shall be entitled to the protections provided to tenants under the statute.
- 11.23. The Licensee shall not interfere with the provision of any medical care or service to a Lodger or obstruct any Health and Support Worker or Health Care Professional providing services to a Lodger.
- 11.24. The Licensee shall establish policies and procedures for the distribution of medication to Lodgers by Lodging House staff, which shall comply with Applicable Law, and shall ensure that staff do not distribute medication except in accordance with those policies and procedures and all Applicable Law.
- 11.25. The Licensee and any other Person(s) involved in the operation of the Lodging House shall not interfere with the reasonable enjoyment of the Lodging House by a Lodger in respect of guests and shall not:
- 11.25.1. Restrict, harass or interfere with short-term visitors or non-frequent guests;
  - 11.25.2. Impose visiting hours;
  - 11.25.3. Require a Lodger to notify the Licensee or any other Person(s) involved in the operation of the Lodging House of guests or request permission to have guests; or
  - 11.25.4. Charge a Lodger any fee or change amounts otherwise payable by the Lodger for short-term visitors or non-frequent guests.
- 11.26. No Licensee or any staff of the Licensee or the Lodging House shall act as the Guardian for any Lodger.
- 11.27. The Licensee shall keep a record of any complaint made by a Lodger, the Guardian of a Lodger or any other Person in relation to any matter regulated under this By-law, which shall document the date, time and subject matter of the complaint, the identity of the complainant and the action taken by the Licensee in response to the complaint.
- 11.28. The Licensee shall maintain complaint records for not less than three (3) years and shall produce them to the City upon request.

- 11.29. Every Licensee shall provide and display a Plan for Fire Safety on the back of the door or visibly adjacent to the door/exit of every door in the facility.
- 11.30. Every Licensee shall mount all fire extinguishers in a visible, open location and not within any cupboard, cabinet, closet or other enclosure.
- 11.31. Every Licensee shall ensure that smoke alarms be installed in every bedroom and sleeping area.

## **12. Inspection Powers**

- 12.1. An Officer is hereby authorized to enter, at any reasonable time, the premises in respect of which a licence has been issued, other than a Private Room, for the purposes of carrying out an inspection to determine whether or not the following are being complied with:
  - 12.1.1. This by-law;
  - 12.1.2. A direction or order made under this By-law;
  - 12.1.3. A condition of a Licence issued under this By-law; and
  - 12.1.4. Order made under the Municipal Act.
- 12.2. Notwithstanding subsection 12.1, an Officer may enter a Private Room with the permission of the Lodger(s) identified in the Lodging Agreement for that Private Room.
- 12.3. For the purposes of an inspection under subsection 12.1 or 12.2, an Officer may:
  - 12.3.1. Require the production for inspection of documents or things relevant to the inspection;
  - 12.3.2. Inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
  - 12.3.3. Along or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of the inspection; and
  - 12.3.4. Require information from any persons concerning a matter relevant to the inspection
- 12.4. No person shall obstruct or hinder, or attempt to obstruct or hinder, an Officer in carrying out an inspection for the purposes of enforcing this By-law or in carrying out any work necessary to bring a Lodging House into compliance with this By-law.

## **13. Orders**

- 13.1. Where an Officer believes on reasonable grounds that this By-law or a condition of a Licence is not being complied with, the Officer may make an Order requiring the Licensee to address the contravention(s) and bring the Lodging House into compliance within the time limits specified in the Order.
- 13.2. An Order made under subsection 13.1 of this By-law shall be posted in a prominent location at the Lodging House and shall further be sent by registered mail or e-mail to the address of the Licensee on file with the City. The Order shall be deemed served five (5) days after it is sent.
- 13.3. Where an Order made under subsection 13.1 of this By-law may result in

the loss of housing for one (1) or more Lodgers, the Clerk or an Officer shall notify Niagara Region Community Services of the Order so that Niagara Region Community Services may take any action it deems necessary in respect of the potential loss of housing.

- 13.4. Where a Licensee fails to comply with an Order issued under this By-law within the time prescribed in the Order, the City may carry out any work necessary to bring the Lodging House into compliance with the Order, which work shall be done at the expense of the Licensee.
- 13.5. Where any action is taken to bring a Lodging House into compliance with this By-law or where any items, materials or things are removed from any Lodging House pursuant to this By-law, the City shall not be liable to compensate the Licensee, Lodger(s) or any other Person by reason of anything done by or on behalf of the City in the reasonable exercise of its powers under this By-law.

#### **14. Offences and Penalties**

- 14.1. Every Person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to such penalties as provided for in the Municipal Act, 2001 and the Provincial Offences Act.
- 14.2. This By-law is designated as a by-law to which the Administrative (Non-Parking) Penalty By-law applies.
- 14.3. Any person who contravenes any of the provisions of this By-law, when given a Penalty Notice in accordance with the City's Administrative (Non-Parking) Penalty By-Law, is liable to pay the City an administrative penalty in the amount specified in the City's Administrative (Non-Parking) Penalty By-Law, as amended from time-to-time.

#### **15. General**

- 15.1. The short title of this By-law is the "Lodging House Licensing By-law".
- 15.2. If any provision of this By-law is found by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, the balance of the By-law shall not be affected and shall remain in full force and effect.
- 15.3. If there is a conflict between a provision of this By-law and a provision of any other By-law of the City, the provision that establishes the higher standard shall prevail.
- 15.4. This By-law shall be read with all changes in number or gender as are required by context.
- 15.5. Any reference to legislation in this By-law includes the legislation and any amendment, replacement, subsequent enactment or consolidation of such legislation.
- 15.6. The Clerk is hereby authorized to affect any minor modifications or corrections of an administrative, clerical, numerical, grammatical, semantical or descriptive nature or kind to this By-law as are determined to be necessary.

**16. Effective Date**

16.1. This By-law shall come into force on the date that it is enacted.

Enacted and passed this 25th day of February, 2025.



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Ron Bodner  
Deputy Mayor



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Charlotte Madden  
City Clerk