

The Corporation of the Town of The Blue Mountains

By-Law Number 2025 – 13

Being a By-law to Amend By-law 2021-70, Being a By-law to Regulate and License Businesses in the Town of The Blue Mountains

Whereas Section 8 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended hereinafter referred to as the “*Municipal Act*” provides that a municipality has the capacity, rights, powers, and privileges of a natural Person for the purpose of exercising the authority under the Act;

And Whereas Section 8 (3) of the *Municipal Act*, authorizes a municipality to provide for a system of Licenses;

And Whereas Section 9 of the *Municipal Act*, provides that Section 8 and Section 11 shall be interpreted broadly so as to confer broad authority on municipalities to:

- enable municipalities to govern their affairs as they consider appropriate; and
- enhance their ability to respond to municipal issues;

And Whereas Section 11 (2), paragraph 6 of the *Municipal Act*, authorizes a municipality to pass a By-law respecting the health, safety, and well-being of Persons;

And Whereas Section 151 of the *Municipal Act*, provides that a municipality may provide for a system of Licenses with respect to a business and may:

1. prohibit the carrying on or engaging in the business without a License;
- refuse to grant a License or to revoke or suspend a License;
- impose conditions as a requirement of obtaining, continuing to hold or renewing a License;
- impose special conditions on a business in a class that have not been imposed on all the businesses in that class in order to obtain, continue to hold or renew a License;
- impose conditions, including special conditions, as a requirement of continuing to hold a License at any time during the term of the License; and
- License, regulate or govern real and Personal Property used for the business and the Persons carrying it on or engaged in it;

And Whereas Section 434.1 of the *Municipal Act*, provides that a municipality may require a Person to pay an Administrative Monetary Penalty if the municipality is satisfied that the Person has failed to comply with a By-law of the municipality passed under the *Municipal Act*;

And Whereas Section 23.1 of the *Municipal Act*, authorizes a municipality to delegate its powers and duties;

And Whereas the Council of the Corporation of the Town of The Blue Mountains has deemed it necessary and expedient to regulate and License the Short-Term Rental of Property in the Town of The Blue Mountains;

And Whereas the Town of The Blue Mountains has implemented a system to License the operation of Short Rental Properties in the Town of The Blue Mountains;

And Whereas the Town of The Blue Mountains wishes to continue the licensing of Short-Term Rental Properties within the context of a much broader licensing framework;

And Whereas Council received Staff Report FAF.24.155, “Municipal Licensing By-law and AMPs By-law Revisions” at the December 2, 2024 Council meeting regarding proposed changes to the Municipal Licensing By-law to change the “Licensing Appeals Committee” to “Licensing Appeals Officer”;

Now Therefore Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. That Paragraph 9.0, 9.1 and 9.2 shall be repealed and replaced with the following:

9.0 Licensing Appeals Officer:

9.1 The Licensing Appeals Officer shall hear and render decisions regarding the refusal, revocation or suspension of a License, and the imposing of terms and conditions on a License.

9.2 The decision of the Licensing Appeals Officer shall be final and binding.

2. That the words "Licensing Appeals Committee" be replaced with the words Licensing Appeals Officer throughout the by-law.

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this 10th of March, 2025



Andrea Matrosovs, Mayor



Corrina Giles, Town Clerk