

City of Chilliwack

Bylaw No. 5141

A bylaw to regulate Short-Term Rental Operations

The Council of the City of Chilliwack in open meeting assembled enacts as follows:

CITATION

1. This bylaw may be cited as “**Short-Term Rental Bylaw 2021, No. 5141**”.

REPEAL

2. “Bed and Breakfast Bylaw 2003, No. 2968” and amendments thereto are hereby repealed.

INTERPRETATION

3. In this Bylaw:

“Accessory Dwelling Unit” means a Dwelling Unit, accessory to another use on the lot;

“Accessory Home Occupation” means a business use which is Ancillary to a Residential Use;

“Ancillary” means subordinate to and supportive of a Principal Use;

“Building” means any Structure used or intended for supporting or sheltering any use or occupancy;

“Building Code” means the Building Code incorporated in the British Columbia Building Regulation;

“Business Licence” means a licence issued pursuant to the City’s “Business Licence Bylaw”, as amended;

“Cooking Facility” means a room or portion thereof, where meals may be prepared, and includes a stove plug (220 volts) or a gas line into the room;

“Dwelling Unit” means one or more Habitable Rooms designed or intended for use by one or more individuals as an independent and separate housekeeping and sleeping establishment in which separate Cooking Facilities and sanitary Facilities are provided for the exclusive use of such individual or individuals, with a private entrance from outside the Building or from a common hallway or stairway inside the Building;

“Facility” means land or a Building or any portion or combination thereof, intended to be used for a particular purpose;

“Habitable Room” means a room used for cooking, eating, sleeping or human occupancy; excludes bathroom, utility room, workroom, furnace room and storage room;

“Principal Residence” means the Dwelling Unit where an individual lives, makes their home and conducts their daily affairs;

“Principal Use” means the main purpose for which land, Buildings or Structures are ordinarily used;

“Residential Use” means the use of land, Buildings, or Structures for human habitation;

“Short-Term Rental” means an Accessory Home Occupation providing rental accommodation for guests for 28 consecutive days or less, where such accommodation consists of no more than three Sleeping Units contained within the Dwelling Unit or Accessory Dwelling Unit and operates on the same lot as the Principal Residence;

“Sleeping Unit” means one or more Habitable Rooms used for the lodging of a person or persons where such unit contains no Cooking Facilities;

“Structure” means any construction fixed to, supported by, or sunk into land and excludes concrete or asphalt paving, concrete slabs, fences, or fountains; and,

“Zoning Bylaw” means “Zoning Bylaw 2020, No. 5000” as amended;

GENERAL REQUIREMENTS

Principal Residence

4. The property containing the Short-Term Rental must be occupied by a person who is:
 - (1) the owner of the dwelling; or;
 - (2) a person who rents the dwelling from the owner, subject to the *Residential Tenancy Act*; and,identified on the Business Licence as the owner or operator of the business.
5. Notwithstanding Section 4, the entire Principal Residence may be used for a Short-Term Rental only while the owner or operator is temporarily away (maximum 28 consecutive days a year), and the owner or operator must apply for a one month Business Licence, per the “Business Licence Bylaw”, as amended.
6. The Short-Term Rental shall allow for no more than three Sleeping Units to a maximum of eight guests in total.
7. Online accommodation advertisements for the Short-Term Rental must include the licensee’s Business Licence number. Said Business Licence must also be placed in a visible location in the Short-Term Rental.

Windows

8. Every bedroom used by Short-Term Rental guests must comply with ventilation and minimum size requirements of the Building Code.

Stairs, Handrails, Guards

9. Every area accessible by a Short-Term Rental guest must comply with Building Code stair, handrail, and guard requirements.

Means of Egress

10. Every building containing a Short-Term Rental and every bedroom used by Short-Term Rental guests, must comply with Building Code means of egress requirements.

Garage Separation

11. Every building containing a Short-Term Rental must comply with Building Code garage separation requirements, and without limitation, every door to a garage in the building must be gas/exhaust tight, be self-closing, and must not open into a Short-Term Rental bedroom.

Smoke Detectors and Smoke Alarms

12. Smoke detectors and smoke alarms are required in each Short-Term Rental guest bedroom and between the bedroom and remainder of the building and the smoke detectors and smoke alarms must be interconnected. Smoke alarms must be installed by permanent connection to an electrical circuit and have no disconnect switch.

Security Alarm

13. The interconnected smoke alarms and smoke detectors must be linked to a monitored security alarm panel.

Gas – Visual Safety Inspection

14. Appliances or other things connected to natural gas must be installed so as to be clear of combustible construction. Hot water tanks and furnaces must not be installed in bedrooms or bedroom closets.

Plumbing – Visual Safety Inspection

15. All plumbing fixtures in a building used for a Short-Term Rental must be installed with clearance and area security in accordance with the Building Code. The fixtures must drain to a sanitary sewer system or on-site septic system. Concealed piping must be installed under permit and inspected. Hot and cold water must be supplied to all fixtures (hot installed on left side of sink, bath tub, and shower).

Electrical – Visual Safety Inspection

16. Every building containing a Short-Term Rental use must comply with the following:
- (1) branch circuit wiring, switches and lights, must comply with the British Columbia Electrical Code;
 - (2) no extension cords permitted;
 - (3) Ground Fault Circuit Interrupter (GFCI) is required on bathroom receptacles;
 - (4) at least one bathroom receptacle required per bathroom;
 - (5) breaker or fuse capacity must coordinate with wire size;
 - (6) a service box must not have double tapping of breakers; and,
 - (7) all electrical service must have been installed under permit and inspected.

Fire Services

17. Every building containing a Short-Term Rental must comply with the following:
- (1) one 3A10BC rated fire extinguisher is required on each floor;
 - (2) no indoor storage of propane is permitted;
 - (3) storage of flammables is limited to one-4 litre ULC listed container;
 - (4) a fire safety plan must be posted on each bedroom door in a tamper proof frame, and the plan must be approved by the Chilliwack Fire Department; and,
 - (5) emergency lighting with battery back-up is required in hallways and at egress points.

Carbon Monoxide Alarms

18. Every building containing a Short-Term Rental must comply with Building Code carbon monoxide alarm requirements.

Signs

19. A Short-Term Rental sign is permitted in accordance with the City “Sign Bylaw”, as amended.

Meals

20. In cases where meal services are provided, meals may not be prepared or served after 11:00 am on any day.

ENFORCEMENT

21. A City Bylaw Enforcement Officer, Building Inspector, Member of the Royal Canadian Mounted Police, or other municipal employee, or agent authorized to enforce municipal bylaws may enter upon any property to ensure compliance with this Bylaw.

OFFENCE AND PENALTY

- 22. Any person who violates or breaches, or who causes or allows to be violated or breached, any of the provisions of this Bylaw shall be guilty of an offence against this Bylaw and each day that such violation is caused or allowed to continue shall constitute a separate offence.
- 23. Any person guilty of an infraction of this Bylaw shall be liable upon summary conviction to a fine of \$10,000.00 or to imprisonment, or to both a fine and imprisonment, not exceeding the maximum allowed by the *Offence Act*, as amended.

SEVERABILITY

- 24. If any portion of this Bylaw is held invalid by a court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been adopted without the severed portion.

Received first and second reading on the 2nd day of November, 2021.

Received third reading on the 2nd day of November, 2021.

Received adoption on the 24th day of November, 2021.

.....“Ken Popove”

Mayor

.....“Jennifer Kooistra”

Acting Corporate Officer