



THE CORPORATION OF THE TOWN OF FORT ERIE

SCHEDULE "4" - By-law No. 217-05 BED AND BREAKFAST ESTABLISHMENTS

1. **DEFINITIONS**

In this Part:

- (a) "Bed and Breakfast" means a single detached dwelling or portion thereof where persons are harboured, received or lodged for hire for a single night or for less than one week at one time by the owner of the dwelling or head lessee but does not include any type of institutional dwelling, hotel, motel or a tourist establishment;
- (b) "Dwelling" means the home or part of the home of the owner or head lessee of a bed and breakfast establishment.

2. **PURPOSE OF BY-LAW**

The purpose of the licencing of Bed and Breakfast Establishment relates to matters of Health and Safety and Consumer Protection.

3. **LICENCE FEE**

- (a) The bi-annual non-refundable licence fee shall be as established in **Schedule "LLS-A"** of By-law No. 40-09 as amended or superseded from time to time and such licence shall expire on the 31st day of December in the following year in which the licence was issued.

4. **CONDITIONS**

4.1 Every person prior to operating a bed and breakfast, shall make application to the Coordinator, Community Liaison and Business Licencing for a bed and breakfast licence, which shall include:

- (a) A description of the dwelling with the bed and breakfast rooms to be identified therein by name, number and physical description;
- (b) The non-refundable licence fee;

SCHEDULE “4” - BED AND BREAKFAST ESTABLISHMENTS

- (c) Letters of compliance pursuant to Section (4.2) herein.
- 4.2
- (a) Prior to filing the application and fee for a new licence, the applicant shall obtain letters of compliance from the Building Inspector, Fire Inspector and Planner of the Town as well as the Medical Officer of Health and Ontario hydro Inspector respecting the applicable legislation and by-laws thereto;
 - (b) For renewal applications, the applicant shall obtain letters of compliance from the Building Inspector, Fire Inspector and Medical Officer of Health.
- 4.3
- Every person applying for a bed and breakfast licence shall comply with the following requirements:
- (a) Pursuant to the Zoning By-law of the Town all bed and breakfasts shall be located in a single detached dwelling;
 - (b) No person shall use a dwelling solely for the purpose of a bed and breakfast;
 - (c) Every licensee of a bed and breakfast shall ensure that it is the principal residence occupied on a full-time basis by:
 - (i) the owner of the dwelling;
 - (ii) the lessee of the dwelling who has a minimum one year lease; or
 - (iii) a member of the family of the person described in (i) or (ii);
 - (d) Every licensee of a bed and breakfast shall allow the municipality at any reasonable time to inspect places or premises used in the carrying on of the business.
- 4.4
- No more than three (3) bedrooms shall be available for hire in any bed and breakfast occupying no more than eight (8) guests in total.
- 4.5
- A minimum of one (1) parking space per guest room must be provided on the same lot, in addition to the parking space required for the dwelling, but required onsite parking spaces may be provided in tandem.
- 4.6
- Every operator of a bed and breakfast shall provide one (1) washroom containing at least one (1) toilet, one (1) washbasin and one (1) tub or shower for the exclusive use of the lodgers and such facility shall be located on the same floor as the majority of the rooms available for hire.

SCHEDULE “4” - BED AND BREAKFAST ESTABLISHMENTS

An adequate supply of clean towels and hot and cold running water shall be provided free of charge.

- 4.7 In addition to compliance with the relevant provincial and municipal regulations every licensee of a bed and breakfast shall ensure that the dwelling is operated in accordance with the following provisions:
- (a) Breakfast may be provided by the licensee of the bed and breakfast but no other meals may be provided. In addition, there shall be no cooking in the guest rooms;
 - (b) Rates for the guest rooms shall be set forth on a card which shall indicate the room is licenced by the Town. Such notice shall be posted on the back of the door of each licensed room or in a conspicuous place within the room;
 - (c) Each bed shall have its linens changed after each guest has completed his/her stay or once every two (2) days, whichever is lesser;
 - (d) Only one (1) sign having a maximum area of 0.3 square metres shall be permitted on the property to advertise the bed and breakfast. The sign shall not be located within a daylighting triangle and shall not be closer than one (1) metre to a property line;
 - (e) Alterations to the outside of the dwelling shall be undertaken in compliance with the Zoning By-law and other applicable codes/regulations of the municipality;
 - (f) Every licensee shall maintain a daily record of the guests lodging at the bed and breakfast including arrival date, departure date, room number, name, address, telephone and vehicle licence plate number of the guest;
 - (g) Every licensee who has a swimming pool within the limits of the property, shall not make the swimming pool available to guests unless approval has been granted by the Health Department, in writing;
 - (h) Pursuant to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act* the licensee shall furnish to the police the guest register upon request therefore.