

**CITY OF BURNABY**

**BYLAW NO. 13297**

A **BYLAW** to impose an annual licence requirement for the rental of single family residences with a secondary suite

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY HOME RENTAL BUSINESS LICENCE BYLAW, 2014.**
2. (1) In this Bylaw:
  - (a) “Chief Licence Inspector” means the Chief Licence Inspector for the City of Burnaby and includes his or her assistants;
  - (b) “rental home” means a single family residence that is not occupied by the owner and that contains a secondary suite;
  - (c) “home rental licence” means a business licence issued pursuant to this Bylaw;
  - (d) “owner” in respect of a rental home shall mean the registered owner.(2) Except to the extent that they are inconsistent with this Bylaw, the definitions contained in Burnaby Business Licence Bylaw and Burnaby Zoning Bylaw, 1965 shall apply to this Bylaw.
3. Every owner of a rental home shall obtain and maintain a home rental licence.
4. An owner may obtain a home rental licence by:
  - (a) making an application in the prescribed form to the City’s Licence Office; and
  - (b) paying the licence fee set out in Schedule “A” to this Bylaw.

5. (1) The Chief Licence Inspector may issue a home rental licence if satisfied that:
  - (a) the application complies with this Bylaw and Burnaby Business Licence Bylaw ; and
  - (b) the rental home complies with the provisions of Burnaby Building Bylaw 2004, Burnaby Zoning Bylaw 1965 and any other City Bylaw as they apply to the secondary suite.
- (2) The Chief Licence Inspector may conduct inspections of the rental home and require the applicant to furnish such further information as the Chief Licence Inspector deems necessary to determine whether a home rental licence may be issued.
- (3) Neither the issuance of a home rental licence under this Bylaw nor the review of any supporting documents, nor any inspections made by or on behalf of the City shall in any way relieve the owner from compliance with this Bylaw and all other City bylaws.
6. (1) The term of each home rental licence shall commence January 1 and end on the following December 31.
- (2) A licence fee is not refundable and shall not be pro-rated.
- (3) Every home rental licence issued under this Bylaw shall be deemed to be a personal licence to the applicant and is valid only for the rental home indicated on the licence and is not transferable to a subsequent owner.
- (4) Every home rental licence holder shall post a copy of the licence at a conspicuous location in the secondary suite.
7. (1) A home rental licence must be renewed annually before March 1, or the licence lapses and is no longer valid.
- (2) If a home rental licence lapses as a result of the licence holder failing to renew by March 1, a new licence must be obtained by the owner.

- (3) A home rental licence is not transferable. If the owner of the rental home transfers title to the rental home the new owner must apply for and obtain a home rental licence.
8.
  - (1) The holder of a home rental licence shall at all times maintain a local manager for the rental home who shall at all times be available to respond to complaints received by the City in respect of the rental home and who, subject to subsection (2), may be the owner.
  - (2) The local manager must reside within the Greater Vancouver Regional District.
  - (3) The applicant for a home rental licence shall provide to the Chief Licence Inspector the full name, address, telephone number and other available contact information of the local manager for the rental home.
  - (4) The holder of a home rental licence shall immediately advise the Chief Licence Inspector in writing of any change in the identity, address, telephone number or other contact information of the local manager.
9.
  - (1) No holder of a home rental licence or occupant of the property to which the home rental licence relates shall:
    - (a) cause or suffer to be caused unlawful nuisances or disturbances;
    - (b) otherwise cause or suffer to be caused other objectionable situations as identified in section 64 of the *Community Charter*;
    - (c) deny the Chief Licence Inspector access to the rental home for the purpose of conducting an inspection pursuant to section 5(2).
  - (2) A home rental licence may be revoked, suspended or not renewed by Council for reasonable cause including but not limited to failure to comply with any of the provisions of this Bylaw or Burnaby Business Licence Bylaw.


- (3) Council may impose conditions on the revocation or suspension of a home rental licence.
10. The Chief License Inspector may prescribe the form of licences and licence applications for the purposes of this Bylaw.
11. (1) Any person who contravenes any provision of this Bylaw commits an offence punishable on summary conviction and shall be liable to the maximum fines and penalties prescribed under the *Community Charter and Offence Act*, and the costs of prosecution.
- (2) Every home rental licence fee payable by any person pursuant to the provisions of this Bylaw is a debt due by that person to the City, which may be recoverable together with any costs in any Court of competent jurisdiction.


Read a first time this 3<sup>rd</sup> day of February 2014

Read a second time this 3<sup>rd</sup> day of February 2014

Read a third time this 3<sup>rd</sup> day of February 2014

Reconsidered and adopted this 17<sup>th</sup> day of February 2014

  
MAYOR

  
CLERK

**SCHEDULE "A"**

**FEEES**

(per year)

First Year Licence Fee            \$270.00

Renewal Fee                         \$ 92.00