

- 5.5 Every person who commits an offence against this By-Law shall be liable upon summary conviction to a fine between \$100.00 and not exceeding \$10,000.00 for every instance that an offence occurs or each day that it continues. Any penalty imposed under this By-Law shall be in addition to, and not in substitution for, any other penalty or remedy imposed under any other applicable statute, law, or legislation.
- 5.6 Each day that a violation is of this By-Law is caused or allowed to continue constitutes a separate offence.
- 5.7 In addition to any penalty otherwise provided by this By-Law, every **Operator** convicted of an offence under this By-Law is liable to a special fine, in an amount the court deems appropriate to eliminate or reduce the possible economic advantage that the person may otherwise receive by contravening this By-Law.
- 5.8 The Penalty Notice shall be given to the **Operator** as soon as reasonably practicable and shall include the following information. An **Operator** to whom a penalty notice is delivered may pay the penalty on or before a charge to the offence has been laid in Provincial Court as follows:
 - 5.8.1 In person at the Town of Saint Andrews Office, 212 Water Street, Saint Andrews, New Brunswick, in cash or by cheque, credit card, or money order made payable to the Town of Saint Andrews; or
 - 5.8.2 By mail to Town of Saint Andrews, 212 Water Street, Saint Andrews, New Brunswick, E5B 1B4, Attention Accounting Clerk, by cheque or money order only, payable to the Town of Saint Andrews; or
 - 5.8.3 By phone with a credit card to the Town of Saint Andrews main office at (506) 529-5120.
- 5.9 A person who pays the Penalty shall be deemed to have contravened the provisions of the By-Law in respect of which the payment was made and shall not be charged with an offence in respect of the same incident that gave rise to the Penalty.
- 5.10 In the event of an **Operator** or **Responsible Person** is non-responsive and continues to ignore penalties or complaints, the Town has the right, with 24 hours of notice to the **Operator** or **Responsible Person**, to shut-off water and sewer services to the **Premises**. The services will remain shut-off until the complaints and penalties have been rectified to the satisfaction of the Town.

6.0 TRANSITION PROVISION

- 6.1 Permits do not transfer with property ownership.

7.0 EFFECTIVE DATE AND SIGNATURE

- 7.1 This By-Law comes into full force and effect and is binding on all persons as from the date of adoption.

Read the First Time this _____ day of _____ 20____

Read the Second Time this _____ day of _____ 20____

Read the Third Time and Enacted this _____ day of _____ 20____

Doug Naish, Mayor

Paul Nopper, Clerk Senior Administrator



TOWN OF SAINT ANDREWS

SCHEDULE "A" SHORT-TERM RENTAL BY-LAW NO. _____ PERMIT/RENEWAL APPLICATION FORM

Date Submitted: This _____ Day of _____, 20____

The Town of Saint Andrews has developed a Permit program to help regulate Short-Term Rentals in Saint Andrews. The goal of By-Law _____ is to help limit the negative impacts to Long-Term Rentals and housing affordability, ensure the accommodation adequately meets safety requirements and compliance, neighbourhood compatibility, supporting the tourism economy, and supporting equity amount all Short-Term Rental accommodation providers.

NOTES ON SHORT-TERM RENTAL

Is a dwelling unit, or portion thereof used as an accommodation for travelers for no more than 30 days at a time primarily used by visitors and tourists.

Please refer to **Section 3.1.1.**, **Section 3.2.2**, **Section 3.2.6**, **Section 3.4.1.4**, **Section 3.5.1** for clarification.

Permit Type	Please Check the Box Most Relevant
New Permit Application	
Renewal Permit Application	

Application for Short Term Rental Property

Address Short-Term Rental

Operators Name

Operator's Address

Operator's Phone Number

Operator's Email

Responsible Person's Name

Responsible Person's Address

Responsible Person's Phone Number

Responsible Peron's Email



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Indicate of Zoning Property Use

Zone Type	Check the box that meets your Property Zoning
1. Main Use Zone	
• Estate Residential Zone	
• Tourist Commercial Zone	
2. Secondary Use Zone	
• Service Residential Zone	
• Central Commercial Zone	
Mixed-Use Zone – note may be permitted in Mixed-Use Zone depending on existing land uses.	

Short-Term Rentals are not allowed in Zones classified as Multiple Residential 1 or 2. If you are not aware of your Zoning Property Use, please contact the Town of Saint Andrews for further assistance.

Required Documents for Application Submission:

Section of By-Law	Description of Documentation for Submission	Initial if included in Application for Permit
3.2.1.1	The Operator owns the Premises where the Short-Term Rental will be offered, and evidence is provided. <i>Examples of documents include New Brunswick Property Tax, a copy of the deed to the property, copies of purchase documents, etc.</i>	
3.2.1.2	The owner of the Premises where the Short-Term Rental will be offered and operated by a Responsible Person has consented to this use and the Premises with evidence. <i>Examples of documents include email or written letter by the owner of the Premises.</i>	
3.2.1.5	Provide proof of a valid up to date property-liability insurance form with not less than \$2,000,000 in coverage.	
3.2.1.6	Provide a parking plan which complies with the parking requirements of Zoning By-Law Z20-02. The number of guest vehicles must not exceed the number of parking spaces on the property. The Operator or Responsible Person parking space must be included in the parking space on the property.	
3.2.1.7	Provide a floor plan of the Premises upon which the Short-Term Rental is to be conducted, identifying the locations of: <ul style="list-style-type: none"> i. The Operators or Responsible Person's contact information. ii. Smoke alarms – identified on every floor. iii. Carbon monoxide alarm if the Premises has a natural gas or oil furnace. iv. Fire extinguishers. v. Fire exits – must have a regulated Building Code approved egress or exit in every Sleeping Unit. 	



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	vi. Fire escape plans – must be in each Sleeping Unit and entrances/exits. vii. Each Sleeping Unit needs to be identified with types of beds in each and the locations of any sofa beds.	
3.4.1.1	Notify neighbouring property owners on all adjacent sides of the Premises that a Short-Term Rental is being operated thereupon and provide the contact information for the Operator or Responsible Person to the neighbours.	

TO BE COMPLETED BY TOWN OF SAINT ANDREWS	
List of Requirements	Initial if Complete
1. Has all the Required Documentation been submitted, reviewed, and completed satisfaction?	
2. The Inspection of the Premises took place on _____ day of _____, 20____.	

I, _____ (Operator/Responsible Person) certify the answers provided in the Permit/Renewal Application Form to be true and complete to the best of my knowledge. I understand that a false statement may disqualify me from a Short-Term Rental Permit issued by the Town of Saint Andrews.

Signature Operator

Date

Signature Town Agent

Date



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SCHEDULE "B" SHORT-TERM RENTAL BY-LAW NO. _____ FEES AND CHARGES

Section 3.2.3.

Pay the Town the applicable permit fee prescribed under Schedule "B" of this By-Law and By-Law 19-06 Tourism Accommodation Levy Schedule "A" subsection (a) and (b).

Short-Term Rental Permit Fee

Number of Sleeping Units per Short-Term Rental	Permit Price
One (1) Sleeping Unit	\$150.00
Two (2) Sleeping Units	\$200.00
Three (3) Sleeping Units	\$250.00
Four (4) Sleeping Units or more	\$300.00

Item	Description of Penalty	Penalty Price
A.	Failure to register a Short-Term Rental	Double the Yearly Permit Price
B.	Advertising a Short-Term Rental or brokering an unregistered Short-Term Rental	\$250.00
C.	Failure to remove a listing for an unregistered Short-Term Rental	\$100.00
D.	Allowing more than 2 adults per Sleeping Unit	\$250.00
E.	Failure to include permit number on advertisements	\$100.00
F.	Failure to display permit	\$100.00
G.	Failure to post Emergency Contact Information and Fire Escape Plans	\$250.00
H.	Failure to allow Town Agent on-site between 8:00 a.m. and 6:00 p.m.	\$150.00
I.	Obstruction of a Town Agent	\$150.00
J.	Outside sleeping accommodations on site	\$250.00
K.	Overcapacity of a Short-Term Rental	\$500.00
L.	Failure to notify the Town of changes in registration information or permit	\$250.00
M.	Non-Availability of Local Contact Person	\$250.00
N.	Failure to comply with the Fire Safety Plan	\$500.00

In addition to these Penalties, the Town of Saint Andrews is governed by additional By-Law and regulations with Penalties attached for non-compliance. The Town has the right to add additional Penalties to an Operator if a violation occurs under another By-Law.



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The Penalties for contravention of this By-Law are as follows:

First Offence	Written warning from the Town Agent
Second Offence	X fine per day for each day that the offense has occurred.
Third Offence	X fine per day for each day that the offense has occurred and a one-month suspension of registration.
Three Plus Offences	X fine per day for each day the offense has occurred and a one-year suspension from registration.



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SCHEDULE "C" SHORT-TERM RENTAL BY-LAW NO. _____ Annual Self-Evaluation Short-Term Rental Safety Audit

As Per Section 3.3.5

Each year, after the first successful permit process has been approved and no structural changes have occurred, the Operator shall submit Schedule C Annual Short-Term Rental Inspection Evaluation with their renewal application.

**Operator/Responsible
Person's Name**

**Municipal Address of
Short-Term Rental**

Phone Number

Email

Safety Audit Checklist

Safety Items	Initial if Complete or N/A for Not Applicable
1. All Smoke Detectors on every floor have been tested, are working, and batteries have been changed in the last six months if run on batteries.	
2. All Carbon Monoxide Detectors have been tested, are working, and batteries have been changed in the last six months if run on batteries.	
3. All Fire Extinguishers are full and are certified for the current year.	
4. All Fire Exits meet the New Brunswick Building Code and are free of clutter, debris with clear access to the exits.	
5. An up to date Fire Escape Plan is in each of the designated Sleeping Unit and at all entrances/exits. Provide a copy of the Fire Escape Plan.	
6. Each Sleeping Unit needs to be identified with the types of beds in each and the location of any sofa beds.	



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I, _____ (Operator/Responsible Person) certify the answers provided in the Annual Self-Evaluation Short-Term Rental Safety Audit to be true and complete to the best of my knowledge. I understand that a false statement may disqualify me from a Short-Term Rental Permit issued by the Town of Saint Andrews.

Signature Operator/Responsible Person

Date



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SCHEDULE "E"
SHORT-TERM RENTAL BY-LAW NO. _____
EXAMPLE GUEST REGISTRY

As Per Section 3.4.1.7

Each Operator shall keep a daily registry with a sequentially numbered guest registration. The form shall have a separate date on each page with enough space to provide for each guest to register. The form shall contain:

**Name of Short-Term
Rental**

**Municipal Address of
Short-Term Rental**

Guest's Names

**Guest's Assigned
Room**

**Guest's Home
Address**

**Guest's Phone
Number**

**The Start and End
Date of Rental**

**Total Charge for
Rental Period**

**Guest's Licence Plate
Number and
Province/State**

Signature Operator/Responsible Person

Date