

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW 115-2013

Being a By-law for the Licensing and Regulating of Lodging Houses.

WHEREAS the Municipal Act, 2001, S.O. 2001, authorizes a municipal council to pass by-laws for licensing, regulating, governing, classifying and inspecting any business wholly or partly carried on within the municipality and includes the authority for Council to enact legislation with regard to persons who provide services in connection with any such businesses;

AND WHEREAS a public information meeting was held in Council Chambers of the Town of Ajax to discuss a proposed Lodging House By-law on the 2nd of December, 2013;

NOW THEREFORE, THE CORPORATION OF THE TOWN OF AJAX HEREBY ENACTS AS FOLLOWS:

1. SHORT TITLE

- 1.1 This By-law may be cited as the Lodging House By-law.

2. DEFINITIONS

2.1 In this By-law,

- (a) "bed and breakfast establishment" means a dwelling or part of a dwelling in which not more than 3 bedrooms are used or maintained for the accommodation of the traveling public, in which the owner supplies lodgings with or without meals for hire or pay but does not include a group home;
- (b) "building" means any structure occupying an area greater than 10m² and consisting of any combination of walls, roof and floor or any structure system serving the function thereof, including all associated plumbing, works, fixtures and service systems;
- (c) "Certified Technician" means a person who has met all the requirements set out in Division C, Article 1.2.2.2. of the Fire Code, O.Reg 213/07, for the purposes of performing tests, alterations, repairs of a smoke alarm.
- (d) "Committee" means the Committee of Council to which Council has delegated the responsibility of handling licensing matters;
- (e) "Council" means the Council of the Town;
- (f) "crisis care facility" means a residential facility that is licensed and funded by the Province of Ontario, Government of Canada or an appointed agency, for the short term, temporary care of persons requiring immediate emergency shelter and aid who are living under the supervision in a single housekeeping unit and who by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well being;
- (g) "dwelling" means a building, occupied or capable of being occupied as a home, residence, or sleeping place by one or more persons, containing one or more dwelling units;
- (h) "dwelling unit" means a room or a group of rooms in a dwelling used or intended to be used as a single independent and separate housekeeping unit in which a kitchen and sanitary facilities are provided, and which has a private entrance from outside the dwelling or from a common hallway or stairway inside the building;
- (i) "group home" means a residence, licensed or funded under an act of the Parliament of Canada or Province of Ontario, that is designed for the accommodation of 3 to 10 persons, exclusive of staff, living under supervision in a dwelling unit and who by reason of their emotional, mental, social, or physical condition or legal status, require a group living arrangement for their well-being;

- (j) "gross floor area" means the aggregate of the floor area measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, excluding any porches, verandas, sunrooms (unless habitable in all seasons of the year), unfinished basement, garage, or mechanical penthouse;
- (k) "hospital" means any institution, building or other premises established for the treatment of persons afflicted with or suffering from sickness, disease or injury, or for the treatment of convalescent or chronically ill persons that is approved under the Public Hospitals Act as a public hospital and may include a gift shop, cafeteria, or other accessory use associated with a hospital;
- (l) "hotel" means a commercial establishment offering accommodation to the traveling public on a daily rate basis and may include such accessory facilities as a restaurant, banquet facilities, meeting rooms, swimming pool and a fitness establishment, but does not include a bed and breakfast establishment or a lodging house;
- (m) "kitchen" means a room appropriate for cooking and food preparation for human consumption;
- (n) "licence" means an authorization under this By-law to carry on the trade, calling, business or occupation specified herein, and licensee means the person to whom a licence has been issued;
- (o) "Licensing Officer" means a Municipal Law Enforcement Officer;
- (p) "lodger" means an individual, other than an owner, who resides in a lodging house;
- (q) "lodging house" means a building or part of a building, containing three to ten lodging units, which does not function as a dwelling unit, although one may be included with the lodging units. It includes, without limitation, a rooming house and a boarding house, a fraternity house or sorority house. It does not include a hotel, a hospital, a group home, a bed and breakfast establishment, a crisis care facility, a nursing home, a retirement home, a seniors apartment, or a senior citizens' apartment as defined by this By-law;
- (r) "lodging unit" means a room within a building that contains sleeping accommodations and may contain washroom facilities;
- (s) "Medical Officer of Health" means the Medical Officer of Health for The Regional Municipality of Durham;
- (t) "Municipal Law Enforcement Officer" means a person appointed by Council to enforce the By-laws of the Town;
- (u) "nursing home" means a dwelling or other building in which lodging, with or without meals, is provided for hire or pay, and where nursing or medical care and treatment are provided or made available in accordance with the Long Term Cares Act S.O. 2007, but does not include a hospital;
- (v) "owner" means the person or persons registered as the owners of a subject property;
- (w) "person" means a natural individual, and their heirs, executors, administrators or other legal representatives, a corporation, partnership or other form of business association or a receiver or mortgagee in possession;
- (x) "property" means the lot on which a lodging house sits;
- (y) "reasonable time" means between the hours of 8 a.m. and 8 p.m. on the same day;
- (z) "recreation room" means a room contained in a lodging house and maintained for the purpose of passive enjoyment of the lodgers, and includes, but is not limited to a games room, TV room, living room;

- (aa) "retirement home" means a residence providing accommodation primarily for persons or couples of 65 years of age or over where each living unit has a private bedroom, a private washroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and where common lounges, recreation rooms and medical care facilities may also be provided;
- (bb) "seniors apartment or a senior citizens' apartment" means an apartment building for seniors which shall include common facilities for the preparation, serving and consumption of meals, and may also include common areas, indoor and outdoor recreation facilities, and respite care facilities where such uses and activities are provided only for residents, and where each dwelling unit has a maximum of one bedroom and may or may not include a private kitchen."
- (cc) "Town" means The Corporation of the Town of Ajax;
- (dd) "washroom" means that part of a building containing at least one toilet, at least one washbasin and at least one bathtub or shower.

3. GENERAL

- 3.1 No person shall own, use, operate, maintain, be keeper of, rent, offer for rent or permit to be used, operated, maintained, rented or offered for rent a lodging house, or any part thereof, as a business without first obtaining a licence therefore under the provisions of this By-law.
- 3.2 Where a licence has been issued under this By-law for the use, operation or maintenance of a lodging house, no person or owner shall use, operate, maintain, be keeper of, rent, offer for rent or permit to be used, operated, maintained, kept, rented or offered for rent that lodging house, or any part thereof, except in conformity with the terms and provisions of the licence and this By-law, including any conditions imposed on the licence.
- 3.3 No person or owner shall own, use, operate, maintain, be keeper of, rent, offer for rent or permit to be used, operated, maintained, rented or offered for rent a lodging house, or any part thereof, except in compliance with the Town's Zoning By-law, as amended, the Town's Traffic By-law as amended, the Town's Heat By-law, the Fire Protection and Prevention Act 1997 S.O. 1997, as amended and regulations thereto, the Building Code Act, 1992, S.O. 1992, c.23, as amended.
- 3.4 No person or owner shall knowingly or not knowingly, own, use, operate, maintain, be keeper of, rent, offer for rent or permit to be used, operated, maintained, rented or offered for rent a lodging house, or any part thereof, except in compliance with the provisions of this By-law.

4. LODGING HOUSE REGULATIONS/PROHIBITIONS/PROVISIONS

- 4.1 No person or owner shall own, use, operate, maintain, be keeper of, rent, offer for rent or permit to be used, operated, maintained, rented or offered for rent a lodging house, or any part thereof except in compliance with the Town's Property Standards By-law. The Property Standards By-law dictates standards such as, ensuring the lodging house is;
 - a) kept free from dampness and moisture,
 - b) kept free from pest infestation,
 - c) maintained in a clean and sanitary condition, and provided appliances and fixtures are kept in working order,
 - d) provided with adequate heat, in accordance with the Town's Heat By-law.
- 4.2 No person or owner shall use or permit the use of an appliance in a lodging unit that may create a fire hazard.
- 4.3 No person or owner shall occupy or permit the occupancy of, for sleeping purposes, any unfinished basement or any space used or designed to be used as a lobby, hallway, closet, washroom, laundry room, stairway or kitchen.

- 4.4 Every lodging unit shall have a window or windows, skylights or translucent panels facing directly or indirectly to an outside space that admits natural light.
- 4.5 Every corridor, passageway, doorway, stairway, washroom, kitchen, recreation room and storage rooms or other room used or designed to be used in common by lodgers in a lodging house shall be provided with adequate light. Common areas will not be locked, and will be accessible to lodgers.
- 4.6 A functioning telephone shall be provided in the lodging house that is accessible to all lodgers at all times for emergency use and the licensee shall post a list of local emergency numbers in close proximity to the telephone.
- 4.7 No person shall prepare, and no person or owner shall permit, the preparation or cooking of food for human consumption in any area other than a kitchen.
- 4.8 Every person and owner shall ensure that all garbage that accumulates on the property of the lodging house, in anticipation of disposal, is stored in receptacles which are;
- (a) insect and rodent proof;
 - (b) water tight;
 - (c) provided with a tight fitting cover;
 - (d) maintained in a clean condition;
 - (e) washed as frequently as necessary to maintain an odour free condition; and
 - (f) kept on a portion of the property that is screened from public view.
- 4.9 Every person and owner shall ensure that all garbage and waste generated on the property is prepared and disposed of in accordance with the Municipality's Waste Management By-law and policies. In the event that the lodging house generates more waste than is collected by the Regional Municipality of Durham, as dictated by their policies, waste and refuse shall be promptly removed and disposed of legally.
- 4.10 Where a licence is issued under this By-law, it shall be displayed in a prominent location inside the main entrance of the lodging house together with a list of any conditions imposed upon the licence.
- 4.11 The following written records shall be kept for each lodger and these records shall be made available for inspection forthwith, on the request of a Municipal Law Enforcement Officer;
- a) the full name of the lodger;
 - b) the name, address and telephone number of the next of kin, or where there is no next of kin, the number of someone to contact in the event of an emergency; and
 - c) the make, model, and licence plate of any vehicles owned or operated by a lodger.
- 4.12 All of the records referred to in Subsection 4.11 are the property of the lodger and, where the lodger no longer resides in the lodging house, shall be returned to the lodger, forthwith, upon demand.
- 4.13 Every licence issued under this By-law is subject to the following conditions:
- a) that the maximum number of lodging units as provided for in the licence is not exceeded;
 - b) that all Federal and Provincial laws and Town By-laws, including this By-law, are complied with prior to and subsequent to licence issuance; and

- c) that no construction, renovation, alteration or addition is carried out on the subject property except in compliance with all laws and upon the issuance of all applicable permits.

- 4.14 The Town may impose any special conditions deemed appropriate, to a licence, at any time during the term of the licence, to increase public safety or to minimize public nuisances.
- 4.15 No more than 1 lodging house is permitted per property.
- 4.16 Each lodging house will be equipped with a kitchen that contains a minimum of a refrigerator, a stove, and a sink, for use by lodgers.
- 4.17 Every owner shall ensure that the property of the lodging house has the minimum required parking spaces indicated in the chart below;

Lodging House Units	Required Parking Spaces*
3	3
4	4
5	4
6	4
7	5
8	5
9	5
10	6

The required parking spaces have been established based on the two parking spaces required in the Town's Zoning By-law, as amended for the building and an additional parking space for every three lodging units. If the Zoning By-law requires additional parking spaces due to additional uses of the property, the owner shall ensure all required parking spaces are provided.

- 4.18 Every owner shall ensure the size and location of the parking spaces comply with the Town's Zoning By-law, as amended.

5. DESIGN OF PREMISES

- 5.1 No person shall maintain, rent or offer for rent, or permit the maintenance, renting or offering for rent, of lodging units in a lodging house, or any part thereof, in excess of the maximum number of lodging units permitted in the following table based on the gross floor area of the lodging house:

Gross Floor Area of Lodging House	Maximum Number of Lodging Units Permitted
0-140 m ²	3
140.1 -186 m ²	4
186.1 -233 m ²	5
233.1 – 326 m ²	6
326.1 -465 m ²	8
465 -600 m ²	10

- 5.2 Every lodging house shall be equipped with no less than one (1) washroom, for use by lodgers, for every three (3) lodgers. Washrooms shall be supplied with an adequate supply of common toiletries including, toilet paper, hand soap, and paper or cloth towels. A waste basket shall be provided in each washroom. Each waste basket shall be emptied and cleaned as often as necessary for it to be maintained in a clean and sanitary condition.

6. INSPECTIONS

- 6.1 Upon receipt of an application for a licence or licence renewal, inspections of the lodging house will occur at the location named in the application to determine whether such lodging house complies with this By-law, and all other applicable legislation.
- 6.2 The signature of the registered owner and applicant (if different from the registered owner) on the application form shall be deemed as permission for authorized persons to

enter the subject property (and buildings) named in the application at any reasonable time to carry out any inspections.

- 6.3 Every lodging house shall be subject to an annual Fire Services and Property Standards Inspection. Ajax Fire and Emergency Services require an annual inspection certificate from a Certified Technician verifying that;
- (a) the smoke alarms have been serviced within the preceding year;
 - (b) the smoke alarms are in working order;
 - (c) the fire extinguishers have been serviced within the preceding year;
 - (d) the fire extinguishers are in working order.

7. NATURE OF LICENCE

- 7.1 No person shall enjoy a vested right in the continuance of a licence and the value of a licence shall be the property of the Town and shall remain so irrespective of the issue, renewal or revocation thereof.
- 7.2 No person licensed to carry on any trade, calling, business or occupation pursuant to this By-law may advertise or promote or carry on such trade, calling, business or occupation under any name other than the name endorsed upon his/her licence.
- 7.3 The licence required by this By-law shall, unless it is expressed to be for a shorter or longer time, be for the period up to and including the 31st day of December in the year of issuance, unless it is sooner forfeited or revoked.
- 7.4 No licence shall be transferred or assigned and if a person, leases or otherwise disposes of his/her interest in the trade, calling, business or occupation carried on at a lodging house, their licence in respect of such lodging house or activity shall, notwithstanding any other provision of this By-law, be revoked.
- 7.5 Every licence shall have endorsed thereon the location of the lodging house and such licence shall be valid only for the location endorsed thereon.
- 7.6 A duplicate licence may be issued by the Licensing Officer to replace any licence previously issued which has been lost, stolen or destroyed, upon written application by the licensee and payment of the fee as stated in Schedule "A" of this By-law.
- 7.7 Any licence that has not been renewed as of December 31st in the year for which it is issued shall expire on January 1st on the following year.

8. APPLICATION, RENEWAL AND REVOCATION OF LICENCE

- 8.1 Every applicant shall appear in person before a Licensing Officer and shall complete such licence application forms as may be provided from time to time by the Licensing Officer in accordance with the requirements of this By-law and shall provide all information requested thereon, such information to include;
- (a) In respect of an application for an initial licence;
 - (i) a Canadian Police Clearance Letter dated within thirty (30) days of the date of the application naming the applicant,
 - (ii) current valid photo identification, satisfactory to the Licensing Officer,
 - (iii) proof of placement of insurance for the duration of the licence period having a limit of liability of not less than \$2,000,000.00 (two million dollars) per occurrence for property damage and bodily injury;
 - (iv) a statement from the Medical Officer of Health for Durham Region, or his/her designate, that the building on the subject property and the subject Property itself complies with all of the requirements of the Health Protection and Promotion Act R.S.O 1990 c H.7 and all of the regulations and by-laws thereunder, meets the minimum public health standards and does not pose a health hazard;
 - (v) the applicable fees;

- (vi) a floor plan of the building, including the dimensions and proposed use of each room;
 - (vii) a site plan illustrating the location of all buildings on the property, the proposed use of each building, the lot lines of the property, and including the location and dimensions of all the parking spaces on the property;
 - (viii) if the applicant is not the owner of the property, a letter of consent from the owner, bearing his/her signature and stating that there are no objections to the applicant using the property as a lodging house and a copy of the lease or other documentation showing the applicants right to operate the lodging house.
- (b) in respect of an application for a licence renewal, where the lodging house was licensed in the previous calendar year, and there has been no change to the particulars or the information contained within the original documents submitted with the initial application;
- (i) a Canadian Police Clearance Letter dated within thirty (30) days of the date of the application naming the applicant;
 - (ii) current valid photo identification, satisfactory to the Licensing Officer;
 - (iii) proof of placement of insurance for the duration of the licence period having a limit of liability of not less than \$2,000,000.00 (two million dollars) per occurrence for property damage and bodily injury;
 - (iv) a statement from the Medical Officer of Health for Durham Region, or his/her designate, that the building on the subject property and the subject Property itself complies with all of the requirements of the Health Protection and Promotion Act R.S.O 1990 c H.7 and all of the regulations and by-laws thereunder meet the minimum public health standards and does not pose a health hazard;
 - (v) the applicable fees;
- 8.2 In the case of a lodging house operated by a partnership such appearance shall be made by one of the partners, provided the application shall be signed by all of the partners and in the case of a lodging house operated by a corporation, such appearance shall be made by an officer of the corporation and not by an agent thereof.
- 8.3 Receipt of the application and/or the licence fee by the Town shall not represent approval of the application for the issuance of a licence nor shall it obligate the Town to issue such licence.
- 8.4 At the time of submission of an application, every applicant shall pay to the Town the fee set forth in Schedule "A" provided such fee shall not be reduced in the event that the period for which the licence is granted is less than one year.
- 8.5 Without limiting the generality of any other provision in this By-law, persons associated in a partnership applying for a licence under this By-law shall file with their application a statutory declaration, in writing, signed by all members of the partnership, which declaration shall state:
- (a) the full name of every partner and the address of his/her ordinary residence;
 - (b) the name or names under which they carry on or intend to carry on business;
 - (c) that the persons therein named are the only members of the partnership; and
 - (d) the mailing address for the partnership.
- 8.6 Without limiting the generality of any other provision in this By-law, every corporation applying for a licence shall file with the Licensing Officer, at the time of making its application, a copy of its articles of incorporation or other incorporating documents and shall file a statutory declaration, in writing signed by an officer of the corporation, which declaration shall state:
- (a) the full name of every shareholder and the address of his/her ordinary residence;
 - (b) the name or names under which it carries on or intends to carry on business;
 - (c) that the persons therein named are the only shareholders of the corporation;

- (d) the mailing address for the corporation; and
 - (e) a certificate of status issued by the Provincial or Federal Government, indicating that the corporation is active.
- 8.7 If any member of a partnership applying for a licence is a corporation, such corporation shall be deemed to be applying for a lodging house licence as appropriate instead of the partnership.
- 8.8 Every person applying for a lodging house licence shall file with the Licensing Officer documentation satisfactory to the Licensing Officer demonstrating the applicant's right to possess or occupy the premises.
- 8.9 The Licensing Officer shall:
- (a) receive and process all applications for licences and renewal of licences to be issued under this By-law;
 - (b) co-ordinate the enforcement of this By-law;
 - (c) generally perform all the administrative functions conferred upon him/her by this By-law;
 - (d) make or cause to be made all investigations and inspections which he/she deems necessary to determine whether an applicant meets the requirements of this By-law and all applicable laws;
 - (e) issue licences to persons who meet the requirements of this By-law and suspend licences pursuant to the requirements of this By-law;
 - (f) where a licence has been issued pursuant to this By-law and otherwise remains in full force and effect, renew the licences of the persons who meet the requirements of this By-law.

9. ISSUANCE, SUSPENSION, REVOCATION OF LICENCE

Issuance

- 9.1 The Licensing Officer shall issue the licence only where,
- (a) all the information which the applicant is required to provide under this By-law has been provided, and verified;
 - (b) all the documents which the applicant is required to provide under this By-law have been provided;
 - (c) the licence fee is paid;
 - (d) the investigations do not disclose that the issuing of such licence may be adverse to the public interest;
 - (e) the Licensing Officer has no grounds to believe the applicant will not conduct himself/herself in accordance with the law or with honesty and integrity;
 - (f) the use and intended use of the subject property is permitted in accordance with the Town's Zoning By-law;
 - (g) the building on the subject property is in compliance with all standards which apply to the building at the time of licence issuance or renewal as prescribed by the Ontario Fire Code, O. Reg. 388/97 and the inspection certificate from a Certified Technician has been provided to Ajax Fire and Emergency Services;
 - (h) the building and subject property are in compliance with the Town's Property Standards By-law;

- (i) if required, a change of use permit under the Building Code Act 1992, S.O. 1992, has been issued and any work required thereunder has been completed;
 - (j) the lodging house complies with all the requirements of this By-law.
- 9.2 Where the Licensing Officer determines that a licence should not be issued as a result of any matter in Section 9.1 of this By-law he/she shall notify the applicant.
- 9.3 Where an applicant advises the Licensing Officer in writing, within 30 days, that he/she disputes the determination made by the Licensing Officer under Section 9.2 of this By-law or submits that the licence applied for should not be issued the matter shall be referred forthwith by the Licensing Officer to the Committee which shall hear the representations from the applicant.
- 9.4 The Committee may authorize the Licensing Officer to issue the Licence where it determines that the determination in Section 9.2 of this By-law is not sufficient to justify refusing the issuance of the licence.
- 9.5 The Licensing Officer shall advise the applicant of the Committee's determination.

Suspension/Revocation

- 9.6 The Licensing Officer shall notify a licensee, that the licence shall be suspended or revoked, when,
 - (a) the Licensing Officer has cause to believe, on reasonable grounds, that the licensee will not carry on or engage in the business in accordance with the law or with honesty and integrity;
 - (b) the licensee has been convicted of an offence which is a contravention of this By-law, or other legislation applicable to the operation of a lodging house;
 - (d) the Licensing Officer has cause to believe that the licensee has failed to engage in business in accordance with the conditions imposed upon the licence; or
 - (e) the Licensing Officer believes that the initial licence was issued and ought not to have been issued.
- 9.7 Where a licensee advises the Licensing Officer, in writing and within thirty days that he/she disputes the suspension or revocation of the licence, the matter shall be referred forthwith, to the Committee, which shall hear representations from the licensee and either confirm the suspension or revocation of the licence or reinstate it as it sees fit.
- 9.8 The Licensing Officer shall advise the applicant of the Committee's determination.
- 9.9 Where the licensee does not dispute the suspension or revocation of the licence, within 30 days of the notification referred to in Section 9.6, the Licensing Officer shall forthwith suspend or revoke the Licence.

Suspension Without Hearing

- 9.10 The Licensing Officer may suspend the licence of any lodging house for a period not to exceed 14 days, without a hearing, provided the Licensing Officer;
 - (a) is satisfied that the continuation of the business poses an immediate danger to the health and safety of any person or property; and
 - (b) has notified the licensee, either orally or in writing, prior to the suspension of the licence, with the reasons for the suspension and provided the licensee with an opportunity to respond.
- 9.11 When a licensee has been suspended in accordance with Section 9.10, the matter shall be referred forthwith, by the Licensing Officer, to the Committee, which shall hear representations from the licensee.
- 9.12 The Committee may;
 - (a) reinstate the licence, with or without special conditions;

(b) suspend the licence for a specified period of time; and may impose conditions upon the licence;

(c) revoke the licence.

10. CHANGE OF STATUS

- 10.1 Where there is any change in any of the particulars relating to a person licensed under this By-law, which particulars are required to be filed with the Town upon applying for a licence under this By-law, such person shall report the change, in writing, to the Licensing Officer within seven (7) days of the change.
- 10.2 In the event any of the changes referred to in section 10.1 affect the accuracy of the licence and the licence needs to be reissued, the licensee shall pay the fee contained within Schedule "A" for a replacement licence. This fee will also be paid in the event the original licence has been lost, stolen or destroyed and a replacement is issued.
- 10.3 Where there is to be a change in the members of a partnership licensed under this By-law, the person licensed hereunder shall obtain the approval of the Licensing Officer to such change prior thereto. Where there has been any change in the controlling interest of the partnership by virtue of a number of transactions, the licence may be suspended despite the Licensing Officer's prior approval of any one or more such transactions.
- 10.4 Where there is to be a change in the composition of the shareholders of a corporation licensed under this By-law, the corporation shall obtain the approval of the Licensing Officer to such change prior thereto.

11. OFFENCE, PENALTY AND ENFORCEMENT

- 11.1 Any person who contravenes the provisions of this By-law, including every person who fails to perform a duty imposed herein or who performs an act prohibited herein and every director or officer of a corporation who concurs in such a contravention is guilty of an offence and, upon conviction pursuant to the provisions of the Municipal Act (as amended), is liable to a penalty not to exceed \$ 100,000.00.
- 11.2 The making of a false or intentionally misleading recital of fact, statement or representation in any agreement, statutory declaration or application form required by this By-law shall be deemed to be a contravention of the provisions of this By-law.
- 11.3 Every person shall comply with the provisions of this by-law applicable to him/her whether or not he/she is licensed under this By-law.
- 11.4 Every owner, person or licensee in respect of a lodging house shall make available for inspection by the Licensing Officer, a Police Officer, a Medical Officer of Health, or a Municipal Law Enforcement Officer the original of any document or record or licence referred to in this By-law.
- 11.5 Every owner, person or licensee in respect of a lodging house shall permit the entry and the inspection of the lodging house, property and buildings on the property, at any reasonable time by a Municipal Law Enforcement Officer, the Licensing Officer, a Medical Officer of Health or a Police Officer.

12. VALIDITY

- 12.1 The provisions of this By-law shall apply to all lands and premises within the Town of Ajax.
- 12.2 Should any section of this By-law be declared invalid by a court of competent jurisdiction, such section shall be construed as being severed here from and the remainder of the By-law shall continue in full force and effect.
- 12.3 All schedules referred to in this By-law are deemed to be part of this By-law.
- 12.4 Wherever notice or materials are required to be provided to any person pursuant to this By-law, such notice shall be deemed effective two (2) days after mailing of the materials by registered mail to the last known address of that person as indicated upon the licence application or upon other material filed with the Town.

12.5 If there is a conflict between a provision of this By-law and a provision of any other Town By-law, the provision that establishes the highest standard to protect the health, safety and welfare of the general public shall apply.

READ a first and second time this
Ninth Day of December 2013.

READ a third time and passed this
Ninth Day of December 2013.



Mayor



Clerk

SCHEDULE "A"
BY-LAW 115-2013

Being a By-law for the Licencing and Regulating of Lodging Houses.

Licence	Fee
Lodging House Licence	\$100.00

Additional Services	Fee
Updated Lodging House Licence	\$10.00
Replacement Licence	\$10.00