

# CORPORATION OF THE CITY OF NEW WESTMINSTER

## BYLAW NO. 8525, 2025

### A Bylaw to Amend Business Regulations and Licensing (Rental Units) Bylaw No. 6926, 2004

WHEREAS the *Community Charter* section 8(6) authorizes a local government to regulate in relation to business;

WHEREAS the *Community Charter* section 8(3)(i) authorizes a local government to regulate, prohibit, and impose requirements in relation to public health;

WHEREAS the *Community Charter* sections 8(3)(g) and 63(f) authorizes a local government to regulate, prohibit, and impose requirements in relation to the health, safety or protection of persons or property in relation to rental units and residential property, as those are defined in the Residential *Tenancy Act*, S.B.C 2002, c. 78, that are subject to a tenancy agreement, as defined in that *Act*;

WHEREAS climate change is increasing the occurrences of prolonged periods of hot temperatures with minimal overnight cooling in the City;

WHEREAS in 2021, 28 people in the City died from causes related to a heat event; and

WHEREAS many rental units in the City do not have air conditioning systems or cooling measures in place.

NOW THEREFORE THE CITY COUNCIL of the Corporation of the City of New Westminster in open meeting assembled ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as "Business Regulations and Licensing (Rental Units) Amendment Bylaw No. 8525, 2025."
2. Business Regulations and Licensing (Rental Units) Bylaw No. 6926, 2004 is amended as follows:
  - a. By adding the following in alphabetical order to Section 2:

*"Building Official" means the individual designated by the City as the Manager of Building Inspections (as that title may be changed from time to time) and such person or persons as he or she may designate from time to time as his or her assistants.*
  - b. By inserting "and Cooling" after "Heating" and before "Systems" to the title of Section 34.
  - c. By adding the following regulations to Section 34:

#### **34 (c) No Prohibiting Portable Cooling Devices**

- i. Where air conditioning, or another form of installed cooling system, is not already provided, no *owner* shall prohibit or prevent a *tenant* from using a portable device designed to cool internal temperature in a *rental unit*.

- ii. Subsection (l) applies despite any strata bylaws adopted under the *Strata Property Act*, 1998, c. 43 that directly or indirectly prohibit a *tenant* from using a portable device designed to lower the temperature of a *rental unit*.

**34 (d) Application for Exemption from Section 34 (a)**

- i. An owner who is subject to section 34 (c)(i) may apply to the *Building Official* for an exemption from that section in respect of a *rental unit*, on the grounds that the *owner* cannot reasonably comply with section 34 (c).
- ii. An application under subsection (i) shall be submitted by the *owner* to the *Building Official* and must be accompanied by documentation from a licensed professional that outlines the unreasonable physical barriers that would need to be overcome in order to allow the *dwelling unit* to support a portable device designed to cool internal temperature in a *rental unit*.
- iii. An exemption granted under this section, is valid for 2 years from the date granted and must be reapplied for to maintain the exemption.

**34 (e) Dwelling Units with Cooling Devices or Systems**

Where air conditioning, or another form of installed cooling system, is provided by the *owner*, the *owner* shall maintain the system to be in good working condition.

GIVEN FIRST READING	this	12 <sup>th</sup>	day of	May	, 2025.
GIVEN SECOND READING	this	12 <sup>th</sup>	day of	May	, 2025.
GIVEN THIRD READING	this	12 <sup>th</sup>	day of	May	, 2025.
DEPOSITED WITH THE MINISTER	this	16 <sup>th</sup>	day of	May	, 2025.
CONSULTED WITH THE REGIONAL HEALTH BOARD	this	30 <sup>th</sup>	day of	May	, 2025.
ADOPTED	this		day of		, 2025.

I hereby certify that this is a true and exact copy of the original document, which has not been altered in any way.

Date 05/15/2025

Hanieh Berg  
Hanieh Berg, Corporate Officer  
City of New Westminster

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Mayor Patrick Johnstone

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Hanieh Berg, Corporate Officer