

## **Resolution 4A**

### **SEASONAL FIXED ROOF TOURIST ACCOMMODATIONS (PASSED)**

⇒ District of Lunenburg

**WHEREAS** the Nova Scotia Department of Economic and Rural Development and Tourism promotes a quality experience for our visitors by supporting and promoting quality tourist accommodations; and

**WHEREAS** the Province of Nova Scotia under Section 3 of the *Tourism Accommodation Act* requires that an individual carrying on the business of maintaining or operating or managing a fixed roof accommodation to carry a valid License to operate; and

**WHEREAS** the Licensing Requirement under the *Tourism Accommodation Act* and Regulations is a critical part to ensuring quality accommodations for the tourist and thus promoting a quality experience for our visitors; and

**WHEREAS** the operators of seasonal fixed accommodations for tourists are required under the regulations to meet various standards which impact the cost of their operations; and

**WHEREAS** the seasonal licensed operators are assessed at a commercial assessment rate; (75 percent of commercial rate) and

**WHEREAS**, there are seasonal fixed roof accommodations for tourists that are operating in Nova Scotia, and which are not presently licensed; and

**WHEREAS** these seasonal unlicensed operators do not have the expenses associated with licensing, such as not but limited to, license fees, building standards, operation standards and commercial assessments, thus providing an economic advantage to these unlicensed operators, while inhibiting the Department of Economic and Rural Development and Tourism from promoting and ensuring a quality experience by our visitors; and

**WHEREAS** Section 16 and 17 of the *Tourism Accommodation Act* provides for penalties for violations to the *Act*, one of which would be operating a fixed roof accommodation without a license; and

**WHEREAS** this matter was considered by the Union of Nova Scotia Municipalities (UNSM) Rural Caucus, at their meeting on May 11, 2011, and a motion was passed to support a Resolution to the Union of Nova Scotia Municipalities respecting the same;

**THEREFORE BE IT RESOLVED** that the Union of Nova Scotia Municipalities request the Province of Nova Scotia to take the steps necessary to ensure the enforcement of  
the *Tourism Accommodation Act and Regulations*.

Forwarded to:

*Minister of the Department of Economic and Rural Development and Tourism*

**RESPONSE:**

*Thank you for your letter dated November 21, 2011 regarding the Tourist Accommodations Act and Regulations (TAA).*

*The Department of Economic and Rural Development and Tourism remains committed to ensuring safe, quality accommodations for our visitors. In 2009, the industry-led "Nova Scotia Approved" quality program was introduced. This program was developed by the Tourism Industry Association of Nova Scotia (TIANS) in cooperation with all accommodation sector organizations as well as the former Department of Tourism, Culture and Heritage. We continue to partner with TIANS to deliver this program. This approach helps ensure that only quality accommodations are included in the department's tourism marketing and partnership programs, provided they are licenced and approved by one of three recognized quality programs: TIANS' "Nova Scotia Approved" Quality Standards Program, Canada Select, or the Canadian Automobile Association. More than 90% of our licensed accommodations have participated in this approach, which demonstrates a solid industry commitment to supporting quality.*

*The current TAA does not give this Department the authority to lay charges. We continue working with the tourism industry to develop alternative approaches to encouraging safe, quality accommodations. Laying charges requires investigation, collection of evidence, a charge by a peace officer, potential prosecution with witnesses, and ultimately due process in Court. We, as much as possible, follow up with owners/operators operating without a license. Over the years we have had some success getting those who are unlicensed to comply, and many were not aware of the Act.*

*I am committed to working in continued partnership with the tourism industry to ensure the highest quality experience for our visitors and I thank the Union of Nova Scotia Municipalities for their interest and support as we grow tourism together.*

*The Honourable Percy Paris  
Minister  
December 7, 2011*