

**THE CORPORATION OF THE TOWNSHIP OF MCMURRICH/MONTEITH
BY-LAW #**

BEING A BY-LAW TO LICENSE TRAILERS IN THE MUNICIPALITY

AND WHEREAS The Municipal Act, S.O. 2001, Section 168 authorizes a municipality to pass by-laws to license trailers.

NOW THEREFORE the Corporation of the Township of McMurrich/Monteith enacts as follows:

TITLE – SECTION 1

1.1 This by-law shall be cited as the “Trailer License By-law”

DEFINITIONS – SECTION 2

2.1 **TOWNSHIP or MUNICIPALITY** means the Corporation of the Township of McMurrich/Monteith and shall be defined as the lands and premises within the corporate limits.

2.2 **TRAILER** means any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or is propelled by the motor vehicle and is capable of being used for the living, sleeping, or eating accommodation of persons on a temporary, transient or short term basis, even if the vehicle is jacked up or its running gear is removed. Examples include a motor home, a tent trailer, a camper trailer, a recreational trailer, a fifth wheel, a bus converted into a motor home and a park model trailer.

2.3 **STORED TRAILER** means any trailer located on the property only for the purpose of sale or storage but shall not include any trailer being used at any time for living, sleeping or eating accommodations of persons while located on that property.

2.4 **ASSESSED TRAILER** means any trailer legally located on a property and that is assessed under the Assessment Act.

2.5 **TRAILER CAMP** means a camp and/or an establishment comprising land as designated for trailer use and located within the municipality as set out in “Schedule A”.

SCOPE – SECTION 3

3.1 No person shall use nor shall an owner of land permit a person to use and/or keep a trailer on any property within the Township for more than 30 days in any given year, except in a designated Trailer Camp, unless the person who is using, maintaining or locating the trailer has first obtained a license under the provisions of this By-law.

3.2 Where the trailer was legally placed on the property prior to the date of implementation of this By-law, the trailer cannot continue to be occupied without a license unless defined as in Section 2.4.

3.3 The owner of land, other than an established Trailer Camp within the Township; upon which a legally non-conforming trailer is located, shall be responsible for obtaining a license from the Township’s Chief Building Official. No license shall be issued unless the prescribed fee has been paid.

3.4 Where a trailer, that is located on a property in the Township, other than on land used as an established Trailer Camp, has been established to a legally non-conforming use and where such trailer has only been used occasionally for living, sleeping or eating accommodation of persons, such trailer shall not be deemed to be a stored trailer as defined in Section 2.3 and shall be subject to a license for the period of time on which it is located on the property.

3.5 No license shall be issued under this By-law if the application for the license would be in contravention of any other By-law of the Corporation or of any Federal or Provincial law or regulation.

LICENSE EXEMPTIONS – SECTION 4

4.1 A stored trailer, as defined in Section 2.3 does not require a license.

4.2 An assessed trailer, as defined in Section 2.4 does not require a license.

4.3 Where a building permit for a single family dwelling unit has been issued by the Township’s Chief Building Official, the permit holder may enter into an agreement for the placement of a trailer on

the property where the unit is being constructed or reconstructed solely for the purpose of the construction and only if any applicable building permit fees are paid and the trailer is promptly removed prior to the expiration of the said building permit.

LICENSE FEE – SECTION 5

5.1 The license fee for every trailer shall be twenty (\$20.00) dollars for each month or part month that the trailer is located in the township. The license fee is applicable for 11 months of any license year (no license required, first 30 days).

5.2 The license fee is payable in advance for one (1) year, or for the number of months remaining in that calendar year. Every license obtained under this paragraph shall expire on the 31st day of December in that year of which it was issued or upon the license expiry date, whichever occurs first.

5.3 Applications for licenses shall be made to the Chief Building Official and duly signed by the owner of the property on which the trailer is to be located. The owner to whom a license has been issued shall display the license on the trailer in a place that can be seen easily from the outside of the trailer.

5.4 All applications for such license shall be made in the prescribed form attached to this By-law as Schedule “B”.

5.5 The license fee is imposed upon the owner of the property on which the trailer is located. If the owner fails to make payment of the license fee in any year, the fee shall be deemed overdue and such overdue license fees shall be collected in a like manner as municipal taxes

5.6 A refund may be obtained by surrendering the issued license and submitting a request in writing to the Chief Building Official, indicating a trailer is not located on a property and specifying the date on which it was removed. The refund will be calculated from the first day of the month following re-location. The onus is on the landowner to provide supporting documentation of the date of such removal. No refund shall be made after the expiry date.

5.7 Any license issued under this By-law is not transferable.

PENALTY – SECTION 6

6.1 Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act.

6.2 Upon registering a conviction for a contravention of any provision of this By-law, the Ontario Court, Provincial Division, may in addition to any penalty imposed by this by-law make an order prohibiting the continuation or repetition of the offence by the person convicted.

VALIDITY – SECTION 7

7.1 If any section, clause or provision of this By-Law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or any part thereof other than that section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of the By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

EFFECTIVE DATE – SECTION 8

9.1 This by-law shall come into force three months to the day on which it receives third reading and is passed.

9.2 By-law # 6-74 of the Corporation is hereby repealed.

READ A FIRST AND SECOND TIME, THIS DAY OF 2005.

READ A THIRD TIME AND FINALLY PASSED THIS DAY OF 2006.
