

CORPORATION OF THE MUNICIPALITY OF WEST GREY

BY-LAW NUMBER 33 - 2012

BEING A BY-LAW TO LICENSE TRAILERS LOCATED IN THE MUNICIPALITY, EXCEPT THOSE LOCATED IN AN ESTABLISHED TRAILER PARK IN THE MUNICIPALITY

WHEREAS Section 11 (2) of the Municipal Act 2001, S.O. 2001, c.25, as amended, provides that the Council of a Municipality may pass By-laws to license trailers;

AND WHEREAS the Municipality of West Grey desires to license trailers lawfully located within the boundaries of the Municipality of West Grey, other than those in an established Trailer Park, located in the Municipality of West Grey;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE MUNICIPALITY OF WEST GREY ENACTS AS FOLLOWS:

PART 1 ADMINISTRATION

1.1 Short Title

This By-law may be cited as "The Trailer License By-law"

PART 2 DEFINITIONS

For the purposes of this By-law, the following definitions shall apply:

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 recreational trailer, a fifth wheel, a bus converted into a motor home, and a park model trailer.

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 the property.

TRAILER PARK

means a trailer park or camp and/or an establishment comprising land as designated for such use as defined in the Municipality of West Grey Consolidated Zoning By-Law.

CAMPING

means, not being near a dwelling house, establishing temporary accommodation for eating and/or sleeping and the presence of food and utensils for cooking, a campfire and/or a tent or trailer shall be prima facie proof of camping and "camp" and "camping" have corresponding meanings.

TENT

means a temporary shelter constructed of canvas, fabric, tree bows, or other material and apparently erected to protect a person or people from the elements while eating or sleeping.

PART 3 SCOPE

1. No person shall use and/or keep a trailer on any property within the Municipality of West Grey except in an established trailer park, or where the use is permitted and conforms to the Municipality of West Grey Zoning By-Law. A trailer may be permitted on A1, A2 or A3 zones with a lot area equalling or greater than 2ha (5 ac).
2. No person shall place a trailer on any lands whereby such lands do not front on municipally maintained year round road, nor without access to property via an approved entrance and posted civic address signage.
3. Where the trailer was illegally placed on the property prior to the date of implementation of the West Grey Zoning By-Law, the trailer cannot continue to be occupied without a license.
4. The owner of land; other than land used as an established trailer park within the Municipality of West Grey, upon which a legally non-conforming trailer is located, shall be responsible for obtaining a license from the Municipal Building Department. No license shall be issued unless the prescribed fee has been paid.
5. Where a trailer, that is located on a property in the Municipality of west Grey, other than on land used as an established trailer park, 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 Part 2 and shall be subject to an annual license for the period of time on which it is located on the property.

PART 4 EXEMPTIONS

1. A stored trailer, as defined in Part 2 does not require a license.
2. Where a building permit for a single family dwelling unit has been issued by the Municipal Chief Building Official, and where the Zoning By-law permits such, 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 period of the construction and only if any applicable fees are paid and the trailer is promptly removed prior to the expiration of the said building permit.

PART 5 LICENSE FEE

1. The license fee for every trailer subject to a recreational vehicle/trailer license shall be as set out in the current Building By-Law. The license fee is applicable for 11 months of any license year (the 'term').
2. The license fee is payable in advance for the term.
3. 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 license fees shall be collected in like manner as municipal taxes.

PART 6 PENALTY

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 Offenses Act.
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.

PART 7 VALIDITY

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 the 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.

PART 8 EFFECTIVE DATE

1. This by-law shall come into force and effect on January 1, 2013.

Read a first and second time this 8th day of August, 2012.

Read a third time and finally passed this 8th day of August, 2012.

Kevin Eccles.

Kevin Eccles, Mayor

Christine Robinson

Christine Robinson, CAO

