



THE CORPORATION OF THE TOWNSHIP OF JOLY

BY-LAW NO. 2013-26

BEING A BY-LAW TO LICENSE TRAILERS IN THE MUNICIPALITY

AND WHEREAS the Municipal Act, R.S.O. 2001, Section 164 (1) authorizes a municipality to pass by-laws to license trailers.

AND WHEREAS it is deemed necessary that all trailers located in the Township of Joly be licensed.

NOW THEREFORE the Council of the Corporation of the Township of Joly enacts as follows:

1. Definitions

- a) The "Corporation" shall mean the Corporation of the Township of Joly.
- b) "Municipality" shall mean the lands and premises within the limits of the Township of Joly.
- c) "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 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 but not limited to: a tent trailer, a camper trailer, a recreational trailer, a fifth wheel, a bus converted into a motor home and a park model trailer.
- d) "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.
- e) "Assessed Trailer" means any trailer legally located on a property and that is assessed under the Assessment Act.
- f) "Camping Establishment" means lands used for the parking and temporary use for at least five (5) campsites occupied by tents, trailers, motor homes, truck campers and recreational vehicles and accessory uses and facilities such as administrative offices, sanitary facilities, recreational facilities and an accessory convenience store.

PROHIBITIONS SECTION 2

2.1

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 7 consecutive days in any given year, except in a designated Camping Establishment, without purchasing an annual license. If the trailer is removed from the property annually and returned for seasonal use, the 7 days without charge will apply. When a trailer is left on-site, the \$550.00 per year charge will apply.

2.2

No person shall have a trailer without a license, unless defined in Section 1 (f), even if the trailer was legally placed on the property prior to the date of implementation of this By-law.

2.3

The owner of the land, other than an established Camping Establishment within the Township, shall be responsible for obtaining a license from the Township. No license shall be issued unless the prescribed fee has been paid.

2.4

Where a trailer, that is located on a property in the Township, other than on land used as an established Camping Establishment, 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 1 (d) and shall be subject to a license for the period of time on which it is located on the property.

2.5

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.

2.6

This By-law shall not apply to a trailer where such a trailer is located on an existing lot for the sole purpose of storage or for the sole purpose of the sale of the trailer. Where a trailer is being stored or offered for sale no person shall use or occupy the trailer.

2.7

No person shall locate a trailer overnight on any township properties.

LICENSE EXEMPTIONS SECTION 3

3.1

A stored trailer, as defined in Section 1 (d) does not require a license.

3.2

An assessed trailer, as defined in Section 1 (e), does not require a license.

3.3

Where a building permit for a single family dwelling unit has been issued by the Official, the permit holder shall 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 said building permit.

LICENSE FEE SECTION 4

4.1

The license fee for a trailer shall be FIVE HUNDRED AND FIFTY (\$550.00) per year for an existing trailer located on an existing lot. Such fee shall be payable at the time of application for a license.

4.2

The license fee is payable in advance for one (1) year, or for the number of months remaining in that calendar year, pro-rated at \$45.83 per month. 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.

4.3

Applications for licenses shall be made to the Township office 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.

4.4

All applications for such license shall be made in the prescribed form attached to this By-Law as Schedule "A".

4.5

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 as such, the full \$550.00 licensing fee shall be collected under the Provincial Offences Act.

4.6

A refund may be obtained by surrendering the issued license and submitting a request in writing to the Township Office, indicating a trailer was 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 relocation. 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.

4.7

Any license issued under this By-law is not transferrable.

4.8

Each and every trailer on a lot must have a license unless it is exempt, as per Section 3.

4.9

Every person shall ensure that their trailer complies with Part 8 of the Ontario Building Code (Sewage Systems), which is enforced by the North Bay-Mattawa Conservation Authority.

4.10

No trailer shall be licensed unless the location of the trailer complies with the following:

- i) All provincial statutory and regulatory requirements including but not limiting the generality of the foregoing, any license or permit required by the Ministry of the Environment.
- ii) All federal statutory and regulatory requirements.

4.11

A license issued pursuant to this by-law authorizes the use and maintenance of an existing trailer on existing lots for temporary accommodations only. The issuance of a license does not grant the licensee the authority to occupy the trailer on a permanent basis. The issuance of a license is not intended and shall not be construed as permission or consent by the Municipality for the holder of the license to contravene or to fail to observe or comply with any law of Canada, Ontario or any by-law of the Municipality.

ADMINISTRATION AND ENFORCEMENT- SECTION 5

5.1

Any person who contravenes any of the provisions of this by-law shall be guilty of an offence and shall be liable to a fine of not more than \$300.00 exclusive of costs, for each contravention and each day of contravention shall constitute a separate offence.

5.2

No person being the registered owner of any lot or parcel of land within the Township shall permit any person to locate a trailer on his or her property except in accordance with the provision of this by-law.

5.3

The administration of this by-law is assigned to the Clerk/Administrator Treasurer who may delegate the performance of his or her functions under this by-law from time to time as occasion requires.

5.4

Every applicant shall provide in full, at the time the application is submitted, the total of the prescribed license fee as set out in this By-law and any other document or information as may be required in any other part of this By-law.

5.5

Any application, comment, recommendation, information, document or other thing in possession of the Clerk/Administrator Treasurer pursuant to the provisions of this By-law shall be made available by the Clerk/Administrator Treasurer for inspection:

- i) By any person employed in the administration of the enforcement of this by-law.
- ii) By any other person upon the consent, satisfactory to the Clerk/Administrator Treasurer, of the person, civic department, board commission authority or other agency which produced or submitted the application, comment, recommendation, information, document or other thing.

Subject only to the limitations imposed by the Municipal Freedom of Information and Protection of Privacy Act.

5.6

The enforcement of this By-law is assigned to the By-Law Officer for the Township of Joly.

5.7

Any trailers used, maintained or located in contravention of this By-law shall be removed from the lot, at the expense of the Owner of the lot. Failure to remove any trailers from a lot within the time prescribed by the By-Law Officer may result in the removal of said trailer by the Township of Joly, at the expense of the Owner of the lot.

INSPECTIONS- SECTION 6

6.1

Any person designated by Council to enforce this By-law may, at any reasonable time and upon producing proper identification, enter and inspect any property licensed under or in contravention of the provisions of this By-law.

6.2

No person shall obstruct, hinder or in any way interfere with any person designated to enforce this By-law.

PENALTY- SECTION 7

7.1

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.

7.2

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 8

8.1

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 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 9

9.1

This By-law shall come into effect on the 1st day of January, 2014.

REPEAL- SECTION 10

10.1

This By-law shall repeal By-Law 2010-09.

READ A FIRST, SECOND AND THIRD TIME and finally passed this 10th day of December 2013.

Mario Campese, Mayor

Joanne Griffiths, Clerk/Administrator Treasurer



THE CORPORATION OF THE TOWNSHIP OF JOLY

BY-LAW NO. 2013-26

SCHEDULE "A"

APPLICATION FOR TRAILER LICENSE FOR THE YEAR: _____

(Complete and attach all information prior to submitting)

Property Owner Info:

Name: _____

Mailing Address: _____

Phone Number: _____

Email Address: _____

Property Description

Civic Address (required): _____

Roll #: _____

Lot & Con #: _____

Plan #: _____

Trailer Information:

Make & Model: _____

Year: _____ Color: _____

Sewage System Info: _____

Permit # (attach copy): _____

Ownership of Property attached (deed or deed transfer): YES NO

Site Plan attached – must show entire property, all existing buildings, sewage system, and trailer location, including distances to all property lines, driveways and utilities.

Four pictures attached (if available) – One of each side of the trailer.

Fee submitted = \$550.00

Declaration: all information submitted on this form is accurate.

Date Printed name of property owner Signature

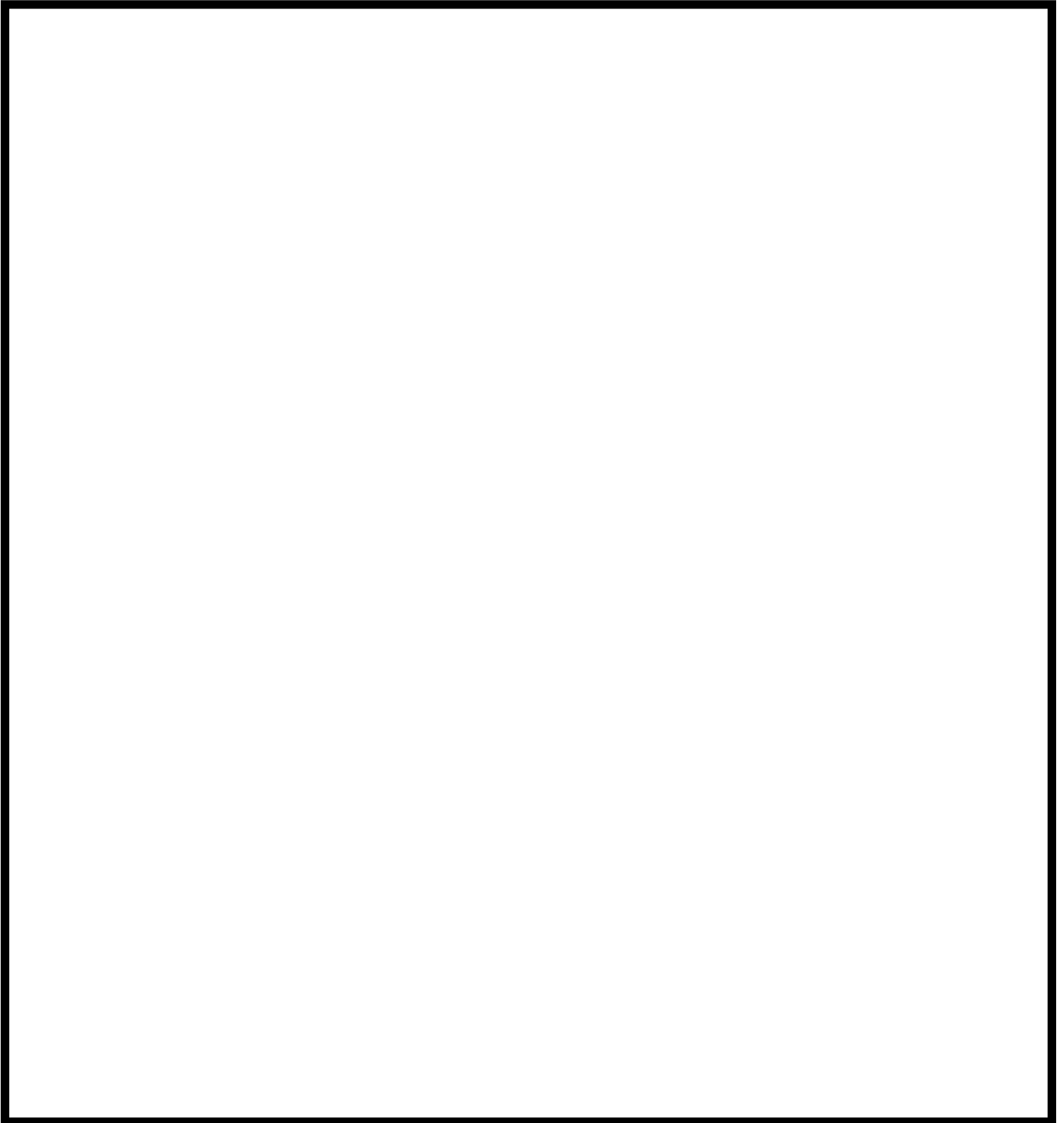
Civic address number is required. If no civic address has been assigned for the property, one must be applied for and paid prior to submitting this application.

A permit will be issued once payment and conditions have been satisfied.

Ensure to display the license on the trailer on a place that can be seen easily from the outside of the trailer.

Trailer Site Plan

Must show entire property, all existing buildings, sewage system, and trailer location, including distances to all property lines, driveways and utilities.



PART 1 – PROVINCIAL OFFENCES ACT

TOWNSHIP OF JULY

BY-LAW 2013-26

TRAILER BY-LAW

Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1	Fail to obtain a license for trailer Over 7 day limit	2.1	\$300.00
2	Locating trailer on township property	2.7	\$300.00
3	Fail to obtain approved sewage system	4.9	\$300.00
4	Allow person to locate trailer on his/her property without license	5.2	\$300.00
5	Obstruct person designated to enforce this by-law.	6.2	\$300.00

Note: The Penalty provision for the offences indicated above is Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33.