

THE CORPORATION OF THE TOWN OF SOUTH BRUCE PENINSULA

BY-LAW NUMBER 17 -2001

Tent and Trailer By-law

**A By-law to license and/or prohibit trailers within the
Town of South Bruce Peninsula**

WHEREAS the Municipal Act, R.S.O. 1990 chapter M.45, section 210 paragraph 101, provides that the Council of a local municipality may pass by-laws to license and/or prohibit trailers being located in the municipality; and

WHEREAS the Municipal Act, R.S.O. 1990, chapter M.45, section 191, paragraph 6, provides that a municipality may pass by-laws providing for the use of public lands which the corporation owns or occupies and for the regulation of such use and the protection of such lands; and

WHEREAS the Council of the Town of South Bruce Peninsula deems it necessary and expedient to pass a by-law to address these issues;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF SOUTH BRUCE PENINSULA ENACTS AS FOLLOWS:

APPLICATION

1. The provisions of this by-law apply to all lands within the Town of South Bruce Peninsula.

DEFINITIONS

2. (1) For the purpose of this by-law
 - (a) "camping" means establishing temporary accommodation for eating and/or sleeping and 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 "camped" have corresponding meanings;
 - (b) "Council" means the Council of the Corporation of the Town of South Bruce Peninsula.
 - (c) "Enforcement Officer" means:
 - (i) Ontario Provincial Police Officer, or
 - (ii) A By-law Enforcement Officer appointed by Council to enforce the provisions of this by-law who shall be, by virtue of their office, a Provincial Offences Officer when enforcing the provisions of this by-law;
 - (d) "motor home" means any portable dwelling having no permanent foundation and supported by wheels, jacks or similar supports used or so constructed as to permit it being used as a conveyance upon a highway and licensable as such and designed and intended to permit occupancy for dwelling and sleeping purposes;
 - (e) "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;
 - (f) "trailer" means any vehicle so constructed that it may be attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle or is propelled by its own power source and is capable of being used for the living, sleeping or eating accommodation for people, notwithstanding that such vehicle is jacked up and its running gear is removed and shall include a motor home.

TRAILERS

3. (1) Except under authority of the license issued pursuant to this section, no person shall occupy a trailer in the Town of South Bruce Peninsula.
 - (i) "occupy" for the purpose of this section means to cook, eat or sleep in a trailer at any time.
- (2) On the instruction of Council, the Clerk of the Corporation of the Town of South Bruce Peninsula may issue a licence for the temporary occupancy of a trailer, not to exceed one year, while the licensee is building a home.
- (3) Every applicant for a licence to occupy a trailer shall apply in writing and the application shall include:
 - (a) a precise description of the location where the trailer shall be placed.
 - (b) what provisions have been made for heat, hydro, water, sewage, garbage disposal and access to the property
 - (c) copies of the approvals required from other authorities under all other legislation
 - (d) such other information, as requested by Council, necessary to property consider the application
- (4) If a license is issued for the use of a trailer while a home is being built the licensee shall deposit with the Town of South Bruce Peninsula the sum of (\$2,000) two thousand dollars for the trailer licence, for the period of 12 months if the trailer is not removed at the end of the twelve month period the licence becomes null and void and the licensee shall be considered in violation of this by-law and the licence fee forfeited.
 - (a) the licensee may apply to the Council of the Town of South Bruce Peninsula for an extension to the twelve month period. All applications must be in writing and state the length of the extension required and why it is required.
 - (b) the granting of the licence extension in no way invalidates section 4 of the by-law other than the time allowed.
 - (c) when the Council of the Town of South Bruce Peninsula is satisfied that a trailer has been removed for which they issued a licence for the deposit of \$2000 shall be returned to the licensee. No interest shall be paid by the Town of South Bruce Peninsula on the deposit on the licence fee.
- (5) All trailers on the property in the former Township of Albemarle that were licenced and on lots and the owners had paid a licence fee shall be allowed to keep said trailers and pay a fee of \$20.00 per month or fraction thereof and all payments due on first of each month. The original trailer may be kept no trailer may be replaced and if property is sold licence for trailer becomes null and void.
- (6) No licence fee shall be charged in respect of a trailer assessed pursuant to an Assessment Act, R.S.O. 1990, chapter A.31.
- (7) Except in a campground properly zoned in the applicable zoning by-law, no owner of property in the Town of South Bruce Peninsula shall allow or permit a trailer to be occupied on their property. Section 3(2) and Section 5 are exempt from section 7 of this by-law.

CAMPING

4. (1) No person shall camp on land owned or occupied by the Corporation of the Town of South Bruce Peninsula or any local Board or Committee thereof, except with the express permission of Council.
 - (i) Camping in a designated camping area established pursuant to the zoning by-law shall be deemed to be with the express permission of Council.
 - (ii) Every person who violates subsection (1) and where notice has

been given pursuant to subsection 5 (1) of the Trespass to Property Act, R.S.O. 1990, chapter T.21, is guilty of trespass and may be arrested and prosecuted under the provisions of that act.

5. The provisions of this by-law will be enforced by an Enforcement Officer.
6. Every person who contravenes the provisions of this By-law is guilty of an offence and upon conviction therefor is liable to a penalty as provided for in Sec 61 of the Provincial Offences Act as amended from time to time.

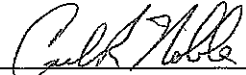
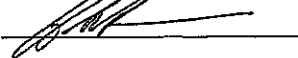
If, for any reason, any section, clause or provision of this By-law is declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part which was declared to be invalid.

This By-law shall supersede and rescind that portion of any By-law in any of the former Municipalities dealing with the matters referred to in this By-law.

This By-law shall come into full force and effect upon the final passing thereof.

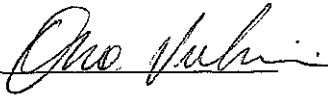
READ a FIRST and ~~SECOND~~ time this 12th day of MARCH, 2001.

MOVED BY



MAYOR

SECONDED BY



CLERK

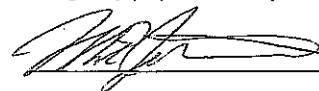
READ a THIRD time and FINALLY PASSED this 12th day of MARCH, 2001.

MOVED BY



MAYOR

SECONDED BY



CLERK

THE CORPORATION OF THE TOWN OF SOUTH BRUCE PENINSULA

BY-LAW NUMBER #44-2002

A by-law to amend By-law 17-2001 being a by-law to license and/or prohibit trailers within the Towa of South Bruce Peninsula

WHEREAS the Council deem it desirable to amend by-law #17-2001 being a by-law to license and/or prohibit trailers within the Town of South Bruce Peninsula.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF SOUTH BRUCE PENINSULA ENACTS AS FOLLOWS:

1. That Clause 3. (7) be amended to include the words "or tent" after the words "shall allow or permit a trailer". The Clause will therefore be amended to read as follows

"Except in a campground properly zoned in the applicable zoning by-law, no owner of property in the Town of South Bruce Peninsula shall allow or permit a trailer or tent to be occupied on their property. Section 3(2) and Section 5 are exempt from section 7 of this by-law."

READ a FIRST and SECOND time this 27th day of MAY, 2002.

MOVED BY *Yvonne Harrison* *Carl M. De* **MAYOR**
SECONDED BY *Stan Smith* *[Signature]* **CLERK**

READ a THIRD time and FINALLY PASSED this 27th day of MAY, 2002.

MOVED BY *Yvonne Harrison* *Carl M. De* **MAYOR**
SECONDED BY *Stan Smith* *[Signature]* **CLERK**