

# THE MUNICIPALITY OF CENTRAL MANITOULIN

## TRAILER AND RECREATIONAL VEHICLE BY-LAW #2023-07

### BEING A BY-LAW for licensing and regulating recreational trailers and vehicles within the Municipality of Central Manitoulin.

**Whereas** the Municipal Act, Section 164, R.S.O. 2001 c. 25, as amended, authorizes municipalities to enact By-Laws for prohibiting or licensing the use of trailers located in the municipality;

**And Whereas** the Municipal Act, Section 128 (1), R.S.O. 2001 c. 25, as amended, authorizes that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances;

**And Whereas** the Municipality of Central Manitoulin does hereby deem it advisable to enact a licence system for the use of Recreational Trailers and Vehicles on a temporary basis;

**Now Therefore**, The Municipality of Central Manitoulin enacts as follows:

#### **1.0 Definitions**

- 1.1 “Application”** means an application for a licence to allow for the use and occupancy of a ‘Recreational Trailer or Recreational Vehicle’ on a temporary basis.
- 1.2 “Assessed Trailer”** means any trailer legally located on a property and that is assessed under the *Assessment Act, R.S.O. 1990, c.A.31*.
- 1.3 “By-Law Enforcement Officer”** means a person duly appointed by the Municipality of Central Manitoulin to enforce it’s Municipal By-Laws.
- 1.4 “Commercial Trailer Park or Campground”** means an establishment comprising of land or premises used for the parking and temporary or seasonal use of sites occupied by tents, recreational trailers or recreational vehicles and operating under the *Tourism Act, R.S.O. 1990, c. T.16*.
- 1.5 “Council”** means the Council of the Municipality of Central Manitoulin.
- 1.6 “Municipality”** means the lands and premises within the limits of the Municipality of Central Manitoulin.
- 1.7 “Occupy”** means to take or hold possession or control of.
- 1.8 “Occupancy”** means the fact or condition of holding, possessing, or residing in or on something.
- 1.9 “Park or Parked”** means the standing of the recreational trailer or vehicle whether occupied or not.
- 1.10 “Public Nuisance”** means an activity that unreasonably interferes with the public’s interest in questions of health and safety, attacking upon the right of public generally to live their lives unaffected by inconvenience, discomfort, or other forms of interference.
- 1.11 “Prohibited Area”** means the Hamlet of Mindemoya, the Hamlet of Providence Bay, the Hamlet of Spring Bay, the Hodgins Subdivision, the Nelder Subdivision and the Carters Bay Planned Development Area.
- 1.12 “Person”** means an individual, association, firm, partnership or corporation.
- 1.13 “Recreational Trailer or Vehicle”** means a vehicle, portable unit designed for travel, camping or recreational use, including but not limited to a vehicle which provides living, sleeping and other facilities for temporary, transient or short periods of time, even if the vehicle is jacked up or the running gear removed, while travelling or vacationing, designed to be towed behind a

motor vehicle, or self-propelled and includes such vehicles commonly known as camper trailers, tent trailers, travel trailers, pick-up campers, motorized campers, motorhomes, motor coaches or other similar vehicles.

**1.13.1 “Motorized Camper, Motorhome or Motor Coach”** a portable dwelling unit designed and constructed as an integral part of a self-propelled vehicle.

**1.13.2 “Other Similar Vehicle”** any trailer or vehicle not listed herein, which is designed, or converted, or manufactured and is capable of being used for eating, living, or sleeping accommodations.

**1.13.3 “Pick-up Camper”** a portable dwelling unit designed to be mounted on a pick-up truck or chassis, whether or not so mounted.

**1.13.4 “Tent Trailer”** a folding structure, constructed of canvas, plastic, or other similar water-repellent material, designed to be mounted on wheels to be used as a temporary dwelling.

**1.13.5 “Travel Trailer”** a vehicular, portable dwelling unit built on a chassis.

**1.14 “Registered Owner”** means the person(s) whose name appears on deed for the property.

**1.15 “Stored Recreational Trailer or Vehicle”** means any recreational trailer or recreational vehicle located on the property only for the purpose of storage, but shall not include any recreational trailer or recreational vehicle being used at any time for living, sleeping or other facilities while located on the property.

**1.16 “Vacant Land”** means any parcel or combination of parcels of real property without any buildings or structures and where no immovable improvements have been erected.

## **2.0 Prohibitions**

**2.1** No person shall use or occupy, nor shall a registered owner of a property permit a person to use or occupy or keep any recreational trailer or recreational vehicle on any property within the Municipality, except in a designated commercial trailer park or campground, without purchasing a license in accordance with this By-Law.

**2.2** No person shall have a recreational trailer or recreational vehicle on any property within the Municipality without a license unless defined in Section 1.2 and 1.4, even if the recreational trailer or recreational vehicle was placed on the property prior to the date of passing of this By-Law.

**2.3** No person shall add any permanent connections or any additions to a recreational trailer or recreational vehicle such as decks, porches, sunrooms or roofs, unless located in a designated commercial trailer park or campground.

**2.4** A recreational trailer or recreational vehicle located and used on any lot shall not be considered a primary structure or building on any property in any zone within the Municipality of Central Manitoulin and therefore the construction of accessory structures of any size shall not be permitted.

**2.5** No recreational trailer or recreational vehicle for which a licence is required under this By-Law shall be located on any property within the Municipality except in conformity with the setback requirements for a dwelling unit as prescribed by the Municipality of Central Manitoulin Zoning By-Law 2002-07, as amended, for the zone in which the property is located.

**2.6** No person shall locate, nor shall a registered owner of a property permit a person to locate, more than one (1) recreational trailer or recreational vehicle on any property within the Municipality, except in a designated commercial trailer park or campground.

**2.7** No person shall locate or use or occupy or store, nor shall a registered owner of a property permit a person to locate or use or occupy or store any recreational trailer or recreational vehicle on vacant land within a Prohibited Area as defined in Section 1.11.

**2.8** No person shall keep or store a recreational trailer or recreational vehicle on a property for which a licence has been issued in accordance with this By-Law after the expiration date specified and that the recreational trailer or recreational vehicle shall be removed from the property after the expiration of said licence.

### **3.0 Licence Exemptions**

**3.1** An assessed recreational trailer or recreational vehicle, as defined in Section 1.2, does not require a licence.

**3.2** A recreational trailer or recreational vehicle located in a designated commercial trailer park or campground does not require a licence.

**3.3** A recreational trailer or recreational vehicle located on a property that contains a dwelling unit does not require a licence. An additional dwelling unit on the property will be permitted to have a trailer with a maximum of Two (2) trailers per property.

### **4.0 Licences**

**4.1** Licences must be obtained by the registered owner(s) for the property.

**4.2** The following classes of licences are hereby established:

**4.2.1** Long-Term Recreational Licence - this licence authorizes the placement of a recreational trailer or recreational vehicle upon a property for a maximum of one (1) year or any portion thereof, and its occupancy commencing on signing date for the fee of Seven Hundred and Fifty (\$750.00) dollars and a deposit fee of Seven Hundred and Fifty (\$750.00) dollars totaling the sum of One Thousand Five Hundred (\$1,500.00) dollars. Should the recreational vehicle or trailer not be removed by the end of the one (1) year period, the applicant shall be considered in violation of this by-law. And the temporary trailer agreement shall become null and void, the deposit fee shall be retained by the Municipality.

**4.2.2** Short-Term Recreational Licence – this licence authorizes the placement of a recreational trailer or recreational vehicle upon a property for a maximum of three (3) months, between **May 1<sup>st</sup> and November 30<sup>th</sup>** in the calendar year for the fee of Five Hundred (\$500) dollars and a deposit fee of Five Hundred (\$500.00) dollars totaling the sum of One Thousand (\$1,000.00) dollars. Should the recreational vehicle or trailer not be removed by the end of the three (3) month period, the applicant shall be considered in violation of this by-law, and the temporary trailer agreement shall become null and void, the deposit fee shall be retained by the Municipality.

**4.2.3** Travel Trailer Occupancy Licence – this licence authorizes the placement of a recreational trailer or recreational vehicle upon a property, for the purpose of building, for a maximum of one (1) year or any portion thereof and its occupancy commencing on the signing date for the fee of Seven Hundred and Fifty (\$750.00) dollars and a deposit fee of Seven Hundred and Fifty (\$750.00) dollars totaling the sum of One Thousand Five Hundred (\$1,500.00) dollars. Should the recreational vehicle or trailer not be removed by the end of the one (1) year period. The applicant shall be considered in violation of this by-law and the temporary trailer agreement shall become null and void, and the deposit fee shall be retained by the Municipality.

**4.3** No person shall fail to remove a recreational vehicle or trailer after the temporary agreement has expired. Further charges shall apply as per Schedule B.

**4.4** Licenses shall be displayed in or upon the recreational trailer or recreational vehicle in a conspicuous place that can be easily seen from the outside of the recreational trailer or recreational vehicle.

**4.5** An Entrance to the property shall be provided and constructed in accordance with the standards as set out in By-Law 2002-02A.

- 4.6** An emergency number sign shall also be displayed at the entrance to the property to allow for emergency vehicle access prior to the issuance of a licence.
- 4.7** Every registered owner who applies for a licence as allowed under this By-law shall apply to the Municipality on the prescribed form, being ‘**Schedule C**’ to this By-Law, and be accompanied by the required fee, deposit and any required supporting documentation. No licence shall be issued unless the prescribed fee and deposit has been paid.
- 4.8** No licence shall be issued in a ‘Prohibited Area’ as defined in Section 1.11.
- 4.9** No licence shall be issued under this By-Law if the application for the licence would be in contravention of any other By-Law of the Municipality or of any Federal or Provincial Law or Regulation.
- 4.10** The Municipality may revoke any licence held by the licensee for cause and on notice to the licensee.
- 4.11** Without limiting the generality of the foregoing, Council may revoke or suspend a licence for:
- 4.11.1** A breach of the Criminal Code of Canada.
  - 4.11.2** A violation of the provisions of this or any other By-law of the Municipality.
  - 4.11.3** A violation of any Act, Law or Regulation.
- 4.12** A licence issued pursuant to the provisions of this By-Law shall be non-transferable and shall not be granted or extended in any manner as to allow for the period to not exceed a total of three (3) years on any property.
- 4.13** Every person licensed under this By-Law, upon changing his mailing address, shall give written notice thereof to the Municipal Clerk within ten (10) days after such change, setting forth his/her new address.

## **5.0 Enforcement and Penalties**

- 5.1** The provisions of this By-Law shall be enforced by the By-Law Enforcement Officer or designate.
- 5.2** Any person who contravenes or fails to comply with any provision of this By-Law is guilty of an offence and upon conviction is liable to a fine as provided by the Provincial Offences Act, R.S.O. 1990, chapter P.33 as amended. (See Schedule "B")
- 5.3** The By-Law Enforcement Officer or designate may issue an order requiring the removal of any recreational trailer or recreational vehicle or any additions or any structures that are in contravention of this By-Law.
- 5.4** Any person who fails to comply with an order made under Subsection 5.3 is guilty of an offence.
- 5.5** Any recreational trailer or recreational vehicle located, used, or occupied in contravention of this By-Law shall be removed from the property, at the expense of the property owner. Failure to remove any recreational trailer or recreational vehicle from the property within the time prescribed by the By-Law Enforcement Officer or designate may result in the removal of said recreational trailer or recreational vehicle by the Municipality, at the expense of the property owner.
- 5.6** Each day that a contravention of this By-Law continues shall constitute a separate offence.
- 5.7** The cost of any action taken by the Municipality to ensure compliance with this or any other By-law shall be recoverable to the limits as provided by law.
- 5.8** Any persons convicted of a breach of any of the provisions of this By-Law by a Provincial Court Judge or competent jurisdiction thereafter shall be issued an order prohibiting the continuation

or repetition of the offence or the doing of any act by the person convicted directed towards the continuation or the repetition of the offence. Also, in addition to any other penalty, all recoverable costs shall also be imposed on the person convicted.

**5.9** No person shall hinder or obstruct or attempt to hinder or obstruct an officer who is exercising a power or performing a duty under this By-Law.

**6.0 Severability**

**6.1** Should any section, clause or provision of this By-Law be 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 part so declared to be invalid.

**7.0 Administration**

**7.1** That this By-Law shall come into full force and effect after third and final reading thereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS**

\_\_\_\_\_ DAY OF \_\_\_\_\_ 2023.

\_\_\_\_\_  
**Richard Stephens, Mayor**

\_\_\_\_\_  
**Denise Deforge, CAO/Clerk**

I, \_\_\_\_\_, Clerk of the Municipality of Central Manitoulin, hereby certify that the foregoing is a true copy of By-Law 2023-07 passed by the Council of the Municipality of Central Manitoulin on the \_\_\_\_\_ day \_\_\_\_\_ of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Clerk

**BY-LAW #2023-07 – SCHEDULE “A”**

**1. Set Fees**

<b>Licence Required</b>	<b>Fee</b>	<b>Deposit</b>
Long Term Recreational Licence- 1 year	\$750.00	\$750.00
Short Term Recreational Licence – 3 months	\$500.00	\$500.00
Travel Trailer Occupancy Licence – 1 year (Proof of building permit required)	\$750.00	\$750.00

Once a property owner has removed trailer, a Request for Reimbursement Form must be submitted to the Municipal office at 6020 Hwy 542, Mindemoya, Ontario. See Schedule “D”.

Deposits will be reimbursed once conditions are met according to this by-law. Re-imburements will be produced by way of a cheque being mailed to the property owner once inspection has taken place to ensure conditions are met.

DRAFT

## Municipality of Central Manitoulin

### PART 1 Provincial Offences Act

#### Recreational Trailer or Recreational Vehicle Licence By-Law #2023-07 Schedule "B"

2.

<b>Item</b>	<b>Column 1 Short Form Wording</b>	<b>Column 2 Provision Creating or Defining Offence</b>	<b>Column 3 Set Fine</b>
<b>1</b>	Permit use of Recreational Trailer or Recreational Vehicle without valid licence	2.1	\$500.00
<b>2</b>	Fail to obtain Recreational Trailer or Recreational Vehicle licence	2.2	\$500.00
<b>3</b>	Permit prohibited permanent connections or additions	2.3	\$500.00
<b>4</b>	Permit prohibited accessory structures	2.4	\$500.00
<b>5</b>	Recreational Trailer or Recreational Vehicle not conforming to set back requirements of the Zoning By-Law	2.5	\$500.00
<b>6</b>	Permit more than one (1) Recreational Trailer or Recreational Vehicle per property	2.6	\$500.00
<b>7</b>	Permit a Recreational Trailer or Recreational Vehicle on vacant land in a Prohibited Area	2.7	\$500.00
<b>8</b>	Fail to remove Recreational Trailer or Recreational Vehicle from property after license expiration	2.8	\$500.00
<b>9</b>	Fail to display license conspicuously on Recreational Trailer or Recreational Vehicle	4.4	\$300.00
<b>10</b>	Fail to provide entrance conforming to standards	4.5	\$300.00
<b>11</b>	Failure to obtain emergency number sign	4.6	\$300.00
<b>12</b>	Fail to comply with an order	5.4	\$500.00
<b>13</b>	Hinder or obstruct an Officer	5.9	\$500.00

Note: The penalty provision for the offences indicated above is section 5.2 of this By-Law No. 2023-07 of which a certified copy has been filed.

Temporary Licence Application form for  
Recreational Trailer or Vehicle By-law #2023-07  
Schedule "C"

**1. Applicant Information**

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

\_\_\_\_\_

Telephone (Home) \_\_\_\_\_ (Cell) \_\_\_\_\_

Email \_\_\_\_\_

**2. Property Information**

Property Owner \_\_\_\_\_

Lot # \_\_\_ Con. # \_\_\_ Plan # \_\_\_\_\_ Zoning \_\_\_\_\_

Civic Address \_\_\_\_\_

Roll Number \_\_\_\_\_

Proof of Ownership – Attach a copy of parcel register or deed.

**3. Trailer Information**

Make \_\_\_\_\_

Model \_\_\_\_\_

Year \_\_\_\_\_

Serial # or VIN \_\_\_\_\_

Licence Plate # \_\_\_\_\_

Please attach four pictures of Recreational Trailer or Recreational Vehicle. (One of each side)

**4. Licence Request**

- Long-Term Recreational (1 year)** Deposit \$1000.00 plus Registration fee \$1000.00.
- Short-Term Recreational (3 months)** Deposit \$500.00 plus Registration fee of \$500.00.
- Long-Term with Building Permit (1 year)** Deposit of \$1000.00 plus Registration fee of \$800.00.

**5. Service Information**

Will the Recreational Trailer or Recreational Vehicle be connected to an existing Sewage Disposal System on the property?

YES  NO

If yes, please provide the following:



Certificate of Approval from the Sudbury District Health Unit, which indicates that connection of the Recreational Trailer or Recreational Vehicle to such system has been approved.

Will a Grey Water Pit be utilized?

YES  NO

Will the site be serviced by an Outhouse?

YES  NO

If the Recreational Trailer or Recreational Vehicle is not connected to a Sewage Disposal System or is not serviced by a Grey Water Pit or Outhouse, please provide dumping receipts from an accredited dumping facility.

Will the Recreational Trailer or Recreational Vehicle be directly connected to electrical services?

YES  NO

If yes, please provide the Electrical Safety Authority approval for the connection.

**6. Required Documentation**

- Site Plan – a drawing showing the proposed location of the Recreational Trailer or Recreational Vehicle in relation to the property line boundaries and including Sewage Disposal Systems, wells, and watercourses/waterbodies. Such drawing shall be to scale, and measurements shall be included indicating the distance of the Recreational Trailer or Recreational Vehicle from the property line boundaries.
- Proof of Property Ownership – as required under Section 2
- Pictures – as required under Section 3
- Permits/Approvals – required under Section 5 (if applicable)

I confirm that the information provided on this application form is true to the best of my knowledge and belief.

I \_\_\_\_\_ agree to comply with the provisions of By-Law 2023-07

Property Owner:

The undersigned, hereby applies for a Tourist/Travel Trailer Licence in accordance with the Municipality of Central Manitoulin’s Tourist/Travel Trailer Licence By-Law # 2023-07 as amended from time to time and the information and plan contained herewith. The undersigned further understands and acknowledges that neither the application for, or issuance of a licence relieves the applicant from the full and ongoing responsibility for the compliance with all applicable laws and regulations.

Applicant’s signature(s) \_\_\_\_\_ Date \_\_\_\_\_

**FOR OFFICE USE ONLY:**

**Date of Issue:** \_\_\_\_\_ **Expiry Date:** \_\_\_\_\_

**Issued By:** \_\_\_\_\_ **Job Title/Position** \_\_\_\_\_

**Permit #:** \_\_\_\_\_ **Permit Fee: \$** \_\_\_\_\_ **Permit Deposit: \$** \_\_\_\_\_

## SITE PLAN

(Show all buildings, structures, proposed Tourist/Travel Trailer location, all setbacks from lot lines)

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Deposit Return Request form for  
Recreational Trailer or Vehicle By-law #2023-07  
Schedule "D"

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

\_\_\_\_\_

Telephone (Home) \_\_\_\_\_ (Cell) \_\_\_\_\_

Email \_\_\_\_\_

Property Information

Property Owner \_\_\_\_\_

Lot # \_\_\_ Con. # \_\_\_ Plan # \_\_\_\_\_ Zoning \_\_\_\_\_

Civic Address \_\_\_\_\_

Trailer Information

Make \_\_\_\_\_

Model \_\_\_\_\_

Year \_\_\_\_\_

Serial # or VIN \_\_\_\_\_

Licence Plate # \_\_\_\_\_

Amount deposited \$ \_\_\_\_\_

I \_\_\_\_\_ hereby swear that the above mentioned recreational trailer/vehicle has been removed from the specified property as per the requirements of the temporary licence agreement. I understand that there will be an inspection to verify that the trailer has been removed.

I also understand that once verified, a cheque will be mailed to me at address noted above.

**FOR OFFICE USE ONLY:**

**Cheque #** \_\_\_\_\_

**Amount:** \_\_\_\_\_

**Date of Issue:** \_\_\_\_\_

**Issued By:** \_\_\_\_\_