

**THE CORPORATION OF THE
MUNICIPALITY OF NORTHERN BRUCE PENINSULA**

BY-LAW #2008-16

**BEING A BY-LAW TO PERMIT AND/OR PROHIBIT TENTS, TRAILERS AND
MOTOR HOMES WITHIN THE MUNICIPALITY OF NORTHERN BRUCE
PENINSULA**

WHEREAS Section 224 of the Municipal Act, S.O. 2001, c. 25, as amended, authorizes municipalities to consider the well-being and interests of the Municipality; and

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

NOW THEREFORE the Council of the Corporation of the Municipality of Northern Bruce Peninsula hereby enacts as follows:

1. APPLICATION

- a. The provisions of this by-law shall apply to all lands within the Municipality of Northern Bruce Peninsula.

2. DEFINITIONS

- a. "Camping" means the establishment of temporary accommodation for eating and/or sleeping and the presence of food and utensils for cooking, a campfire and/or a tent, trailer or motor home shall be prima facie proof of camping and "camp" and "camped" have corresponding meanings.
- b. "Clerk" means the Municipal Clerk for the Corporation of the Municipality of Northern Bruce Peninsula
- c. "Council" means the Council of the Corporation of the Municipality of Northern Bruce Peninsula.
- d. "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.
- e. "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, designed and intended to permit occupancy for dwelling and sleeping purposes.
- f. "Occupy" means to cook, eat or sleep in a tent, trailer and/or motor home at any time.
- g. "Public nuisance" means an activity that unreasonably interferes with the public's interests and questions of health and safety, attacking upon the rights of the public generally to live their lives unaffected by inconvenience, discomfort or other forms of interference.
- h. "Tent" means a temporary shelter constructed of canvas, fabric, tree boughs or other material and apparently erected to protect a person(s) from the elements while sleeping, but does not include a dining tent.
- i. "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 person(s), notwithstanding that such

vehicle is jacked up and its running gear is removed and shall include a motor home.

3. APPLICATION

- a. No person shall occupy a tent, trailer and/or motor home without first making application for a permit on the prescribed form, submit the completed application to the Municipality, provide the required fee, where applicable, in order to obtain Council's approval.

4. GENERAL PROVISIONS

- a. Except under authority of the permit issued pursuant to this section, no person shall occupy a tent, trailer and/or motor home in the Municipality, save and except, for the provisions as set out in Schedule A attached hereto and forming part of this By-law.
- b. Council authorizes the Clerk or designate, on behalf of the Municipality, to issue a permit for the temporary occupancy of a tent, trailer and/or motor home, not to exceed one (1) year while the applicant is constructing a dwelling.
- c. No person shall occupy a tent, trailer and/or motor home without first making an application for a permit which shall include:
 - (i) a precise description of the location where the tent, trailer and/or motor home shall be placed;
 - (ii) an outline of provisions for heat, hydro, water, sewage, garbage disposal, on site parking and access to property;
 - (iii) copies of approval from other authorities under all other legislation;
 - (iv) a letter from private property owner authorizing the camping use on subject land;
 - (v) such other information, as requested by Council, which may be necessary to properly consider the application;
 - (vi) No person shall leave a tent, trailer and/or motor home on private property after the permit has expired;
 - (vii) No person shall place a tent, trailer and/or motor home on private property without providing the required deposit to the Municipality.
- d. If a permit is issued for the temporary occupancy of a trailer/motor home/tent while a dwelling is being constructed, the applicant shall deposit with the Municipality the sum of Two Thousand (\$2,000.00) Dollars valid for a term of one (1) year from the date of signing of the agreement. Should the tent, trailer and/or motor home not be removed by the end of the one (1) year period, the applicant shall be considered in violation of this by-law, the permit shall become null and void, the deposit fee shall be retained by the Municipality and the tent, trailer and/or motor home shall be removed by the Municipality and said costs for removal shall be borne by the applicant.
- e. In the case of the use of a trailer/motor home being temporarily occupied, as approved by the Municipality, the maximum size of that unit shall be forty (40') feet.
- f. The applicant may apply to the Municipality for an extension to the approved one (1) year period to a maximum of one (1) additional year. All such requests must be submitted in writing stating the reason and timeframe for which the extension is being requested.
- g. The granting of the permit extension in no way invalidates Section 4(d), (e) and (g) of this by-law.
- h. When the Municipality is satisfied that a tent, trailer and/or motor home, for which a permit has been issued, has been removed, fifty (50%) percent of the

deposit [being One Thousand (\$1,000.00) Dollars] may be returned to the applicant. No interest shall be paid by the Municipality on the deposit.

- i. No permit fee shall be charged in respect of a trailer assessed pursuant to the Assessment Act, R.S.O. 1990, Chapter A.31.
- j. No person shall camp on any land within the jurisdiction of the Municipality, save and except for the provisions as set out in Schedule A attached hereto and forming part of this by-law:
 - (i) Camping in a designated camping area established pursuant to the Municipality's Comprehensive Zoning By-law, as amended, shall be deemed to be with the express permission of Council.
- k. Council declares camping as a public nuisance, as defined in Section 2(g), and prohibits all camping in the Municipality except as permitted by Section 4(i)(i) hereof.
- l. Notwithstanding Section 4(j), camping within the Municipality is considered a public nuisance and is prohibited if the camping includes any of the following:
 - (i) loud music or any excessive noise which is likely to disturb the inhabitants of the Municipality;
 - (ii) smoke from any source that may disturb the inhabitants of the Municipality;
 - (iii) garbage or odours from any waste or other source which likely will disturb the inhabitants of the Municipality;
 - (iv) nudity which is likely to disturb the inhabitants of the Municipality;
 - (v) failure to keep available at any camp site, adequate facilities for the disposal of human waste;
 - (vi) unattended or large open fires which would likely cause damage to the environment or have an adverse effect on any inhabitants of the Municipality;
 - (vii) failure to adequately store or dispose of any food, waste or other material which would be likely to attract wild or domestic animals to a campsite;
 - (viii) damage to trees, other vegetation, fish or wildlife habitat at or near a campsite;
 - (ix) trespass to property of the inhabitants of the Municipality.

5. ENFORCEMENT PROVISIONS

- a. The provisions of this by-law will be enforced by an Enforcement Officer.
- b. Penalty provisions for offences that contravene the provisions of this by-law are set out in Schedule B attached to this by-law.
- c. Every person who contravenes the provisions of this by-law is guilty of an offence and upon conviction therefore is liable to a penalty as provided for in Section 61 of the Provincial Offences Act, as amended.

6. VALIDITY

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 that was declared to be invalid.

7. REPEAL

By-law 2003-02 passed the 26th day of May, 2003 is hereby rescinded.

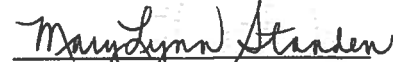
8. EFFECTIVE DATE

This by-law shall come into full force and effect on the date of its final passing.

READ A FIRST AND SECOND TIME THIS 25TH DAY OF MARCH, 2008.

**READ A THIRD TIME, FINALLY PASSED, SIGNED AND SEALED THIS
25TH DAY OF MARCH, 2008.**


MAYOR - Milt McIver


CLERK Mary Lynn Standen

SCHEDULE A

1. Tents, trailers and/or motor homes may be parked and occupied on private lots where a residential home or cottage exists that meets the Ontario Building Code and Municipality's Comprehensive Zoning By-law requirements and provided that a total combination of no more than two (2) trailers/motor homes or tents may be permitted at one time for a period of no longer than seven (7) consecutive days and provided that no fee is charged for the occupancy of the said trailers/motor homes or tents.
2. Any land owner or lease holder who violates Section 1 of Schedule A of this by-law has committed an offence and shall be dealt with in accordance with Section 5(c) of this by-law.
3. Large groups for special occasions (ie. scouts, guides, family reunions) may make application to Council for permission to be exempt from the provisions of this by-law. There will be no charge for such permit unless Council determines otherwise.
4. The Municipality recognizes that the Bruce Trail Conservancy is responsible for the restrictions and regulations pertaining to tenting and camping within the parameters of their trail network and that this process shall remain as previously established.

SCHEDULE B

PENALTY PROVISIONS

| # | Offence Description | Provision Creating Offence | Set Fines Including Costs |
|---|---|----------------------------|---------------------------|
| 1 | Occupy trailer without licence | Section 4(a) | \$250.00 |
| 2 | Fail to make application to occupy trailer | Section 4(c) | \$250.00 |
| 3 | Fail to move trailer after licence expiry | Section 4(c)(vi) | \$250.00 |
| 4 | Fail to pay deposit for trailer licence | Section 4(c)(vii) | \$250.00 |
| 5 | Camping on land within the jurisdiction of Northern Bruce Peninsula contrary to provision(s) set out in Schedule A of this by-law | Section 4(i) | \$250.00 |

**THE CORPORATION OF THE MUNICIPALITY OF
NORTHERN BRUCE PENINSULA**

**APPLICATION FOR PERMISSION
FOR EXEMPTION TO BY-LAW 2008-16**

TENT AND TRAILER BY-LAW

(NOTE: This application does not officially form part of this by-law and is intended as a sample application for staff processing purposes only.)

DATE OF APPLICATION: _____

EVENT/PROPERTY LOCATION: _____

NAME OF APPLICANT: _____

APPLICANT'S ADDRESS: _____

APPLICANT'S TELEPHONE: _____

NAME OF PROPERTY OWNER: _____

PROPERTY OWNER'S
ADDRESS: _____

PROPERTY OWNER'S
TELEPHONE: _____

TYPE OF EVENT: Scouts Guides
 Family Reunion Other

If "Other", please explain:

DATE OF EVENT: _____

OF TRAILERS/TENTS/ETC.: _____

PROVISION OF SERVICES, please explain:

- Heat _____
- Water _____
- Sewage _____
- Hydro _____
- Garbage Disposal _____
- Access and Parking _____
- Letter of Authorization from Property Owner attached

Signature of Applicant

Date