

THE CORPORATION OF THE TOWNSHIP OF GEORGIAN BLUFFS

BY-LAW NO. 73-2013

Being a By-law to prohibit and/or license trailers in the Township of Georgian Bluffs.

WHEREAS Section 164 (1) of the Municipal Act, S.O. 2001 as amended provides that a local municipality may prohibit or license trailers located in the municipality;

AND WHEREAS the Council of the Township of Georgian Bluffs deems it necessary and expedient to pass a By-law to address these issues;

THEREFORE the Council of the Corporation of the Township of Georgian Bluffs enacts as follows:

APPLICATION

1. The provisions of this By-law apply to all lands within the Township of Georgian Bluffs that are designated as A1 (General Rural), A2 (Restricted Rural), R1 (General Residential), R2 (Inland Lake and Shoreline Residential) zones in the Comprehensive Zoning By-law for the Township of Georgian Bluffs.

DEFINITIONS

2. For the purpose of this By-law:
 - (a) "camping" means not being at or within 200 feet of a dwelling house, establishing temporary accommodations for eating and/or sleeping and the presence of food and utensils for cooking, a campfire, and a tent or trailer shall be prima facie proof of camping and "camp" and "camping" have corresponding meanings;
 - (b) "Enforcement Officer" means
 - (i) an Ontario Provincial Police Officer, or
 - (ii) a person appointed by the Council of the Township of Georgian Bluffs to enforce the provisions of this By-law and who shall be, by virtue of their appointment, a Provincial Offences Officer when enforcing the provisions of this By-law;
 - (c) "tent" shall mean a temporary structure used for temporary human shelter that is not permanently fixed to the ground and is capable of being easily moved;
 - (d) "trailer" shall mean a structural unit designed, intended and used for travel, recreation or vacation and which is capable of being drawn by a motor vehicle and shall include tent trailers or similar transportable accommodation used for living, sleeping or eating on a temporary or occasional basis and does not include a mobile home.

TRAILERS

3. (1) Except under the authority of a licence issued pursuant to this section, no person shall occupy a trailer in the Township of Georgian Bluffs except in the areas designated as the C3 zone in the Comprehensive Zoning By-law of the Corporation of the Township of Georgian Bluffs or Bass Lake Park in the Niagara Escarpment Development Control Area.

For the purpose of this section "occupy" means to cook, eat or sleep in a trailer at any time.

- (2) No person shall park or occupy a trailer on any lot or site until the principal building has commenced operation. Any person who had previously been granted a trailer licence by the Township prior to the passing of this By-law will continue to be eligible to receive a trailer licence upon application and meeting all requirements for the licensing of a trailer.
- (3) With the approval of Council the Chief Building Official of the Corporation of the Township of Georgian Bluffs may issue a licence for the temporary occupancy of a trailer, not to exceed one year, while the licensee is building a home or involved in other construction or for any reason Council deems reasonable and just.
- (4) The Chief Building Official or the By-law Enforcement Officer for the Corporation of the Township of Georgian Bluffs may permit the temporary occupancy of a trailer for recreational or vacation purposes for a period not exceeding 60 (sixty) consecutive days in any calendar year for properties within the A1, A2, R1 and R2 zones as defined in the Comprehensive Zoning By-law of the Township of Georgian Bluffs. For periods up to 3 days, a trailer licence is not required.
- (5) One additional temporary occupancy trailer licence may be granted within the same calendar year for a further period not exceeding 60 (sixty) consecutive days provided all the applicable fees are paid as indicated in Section (6).
- (6) Section 4.20 of the Township's Comprehensive Zoning By-law permits, one boat and one unoccupied motor home currently licensed or currently licensed trailers to be stored in a side or rear yard. In no event shall any combination of such vehicles or trailers exceed three.
- (7) Every applicant for licence to occupy a trailer shall apply in writing and the application shall include:
 - (a) a site plan describing the location of the trailer placement
 - (b) provisions for heat, hydro, water, sewage, garbage disposal and access to property
 - (c) confirmation of the entrance permit and civic address number.
 - (d) copies of all approvals required from other authorities pursuant to other applicable legislation
 - (e) the expected length of time the trailer would be occupied and
 - (f) details of the trailer unit including length, colour, model number, licence plate number
 - (g) property owner's name and contact information
 - (h) other such information requested by Chief Building Official, necessary to properly consider the application including but not limited to screening.
- (8) If a licence is approved, the licensee shall pay in advance a sum as determined by the Fees and Charges By-law for the Corporation of the Township of Georgian Bluffs. Default in payment of the Licence Fee nullifies the licence and the trailer shall be deemed to be occupied in violation of this By-law. In addition to the Licence Fee the licensee shall pay an Annual Administration Fee as determined by the Fees and Charges By-law.

- (9) Once a licence has been cancelled, suspended or expired, all licensees shall remove the trailer forthwith.
- (10) No Licence Fee shall be charged in respect of a trailer assessed pursuant to the Assessment Act, R.S.O. 1990, chapter A.31 or used, by agreement with Council, as a temporary Garden Suite.
- (11) No owner of property in the Township of Georgian Bluffs shall allow or permit a trailer to be occupied on the said property unless a licence has been obtained from the Township of Georgian Bluffs and except as provided in Section 3(1), 3(2) or 3(7).

CAMPING

- 4. (1) No person shall camp on land owned or occupied by the Corporation of the Township of Georgian Bluffs or any local Board or Committee thereof, except with the express written permission of Council.
- (2) Any person violating Subsection 4(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.

PENALTY

- 5. Except as otherwise provided, every person who violates a provision of this By-law is guilty of an offence and on conviction is liable to the penalty provided in Section 61 of the Provincial Offences Act, R.S.O., chapter P.33 as amended or reenacted from time to time.

Any person who contravenes or fails to comply with any of the provisions of this By-law shall be guilty of an offence and shall be liable to the fines and penalties as set out in Schedule 'A'. Each day of contravention shall constitute a separate offence.

VALIDITY

- 6. If any 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 provision so declared to be invalid and it is hereby declared to be the intention that all the remaining provisions of this By-law shall continue to be in full force and effect until repealed notwithstanding that one or more provisions shall have been declared to be invalid.
- 7. That By-law 68-2012 is hereby rescinded.

This By-law shall come into force and effect upon final passing thereof and shall remain in force until repealed by Council.

Read a first and second time this 7th day of August, 2013.

Read a third time and finally passed this 7th day of August, 2013.

Alan Barfoot
Mayor

Bruce Hoffman
Clerk

Part 1 Provincial Offences Act

The Corporation of the Township of Georgian Bluffs

Tent and Trailer Licence By-law 73-2013

Item	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
1	Occupying a trailer without a licence.	Section 3(1)	\$125
2	Non-removal of trailer once licence has expired.	Section 3(9)	\$125
3	Failure to complete application	Section 3(7)	\$125
4	Property owner permitting an unlicensed trailer to be occupied	Section 3(11)	\$125
5	Camping on land owned by the Township of Georgian Bluffs	Section 4(1)	\$125

Note: The penalty provision for the offences listed above is Section 5 of By-law 73-2013, a certified copy of which has been filed.