

THE CORPORATION OF THE TOWNSHIP OF NIPISSING

BY-LAW NUMBER 2021-

Being a by-Law to licence trailers within the Township of Nipissing

WHEREAS the *Municipal Act*, S.O. 2001, Section 164 authorizes a municipality to pass by-laws to licence trailers;

AND WHEREAS it is desirable to regulate the use of trailers within the Township;

NOW THEREFORE the Council of The Corporation of the Township of Nipissing enacts as follows:

TITLE AND APPLICATION – SECTION 1

- 1.1 This By-law shall be cited as the “Trailer Licence By-law”.
- 1.2 This By-law does not apply to:
 - a) Assessed Trailers as defined in Section 2.1.
 - b) Trailers located in Camping Establishments as defined in Section 2.2.
 - c) A Stored Trailer as defined in Section 2.4.
- 1.3 This By-law applies to any trailer, even if the trailer was placed on the property prior to date of enactment of this By-law.

DEFINITIONS – SECTION 2

- 2.1 **ASSESSED TRAILER** – means any trailer legally located on a property and that is assessed under the *Assessment Act*.
- 2.2 **CAMPING ESTABLISHMENT** – means a commercial establishment used for seasonal recreational activity as grounds for camping, and wherein camping in trailers is permitted.
- 2.3 **PERMANENT BASIS** – means either year-round occupancy or occupancy by persons who do not maintain elsewhere a usual or normal place of residence.
- 2.4 **STORED TRAILER** – means any trailer located on a property only for the purpose of storing such trailer for use at any location other than the property upon which it is stored.
- 2.5 **TOWNSHIP** – means the Corporation of the Township of Nipissing and shall be defined as the lands and premises within the corporate limits.
- 2.6 **TRAILER, TRAVEL OR TENT** – means any trailer which is designed to be temporarily utilized for living, shelter and sleeping accommodation, with or without cooking facilities and which has running gear and towing equipment that is permanently attached and is not permanently affixed to the ground.

LICENCE AND REGULATIONS – SECTION 3

- 3.1 No person shall keep or permit to be kept a trailer, on any property within the Township for more than 21 consecutive days in any given year, unless such trailer meets all requirements stated in Section 3.44 of the Township of Nipissing Zoning By-Law 2020-20. For clarity, pursuant to Section 1.3 of this By-law, this requirement to obtain a licence applies to trailers which were located on property prior to the date of passage of this By-law.

- 3.2 A licence issued pursuant to this By-law authorizes the use and maintenance of a trailer for recreational purposes only. The issuance of a licence does not grant the licensee the authority to occupy the trailer on a permanent basis. In furtherance of the foregoing, no person shall occupy or permit to be occupied a trailer during the period commencing December 1st of a calendar year and ending April 30th of the following calendar year.
- 3.3 The issuance of a licence is not intended and shall not be construed as permission or consent by the Township for the holder of the licence to contravene or to fail to observe or comply with any law of Canada, Ontario or any By-law of the Township.
- 3.4 An uncovered deck not exceeding 10 square metres (107.6 square feet) in area and not attached to the trailer and access stairs to the trailer are allowed. No other structure is permitted to be located within 5 metres of the licensed trailer.
- 3.5 A maximum of one trailer is permitted on a single conveyable parcel of land.
- 3.6 The owner of the property upon which the trailer is to be located shall consent to its placement on the property.
- 3.7 Trailers are not permitted to be parked on Township property for the purpose of storage or placement for recreational purposes.

LICENCE EXEMPTIONS – SECTION 4

- 4.1 Where the owner of land has obtained a building permit for the construction of a single detached dwelling, and that owner wishes to use a trailer for temporary accommodation while constructing such dwelling, the Owner may apply for permission to do so and be exempted from the requirement to obtain a licence under this By-law. The Township may grant such exemption on the condition that the Owner enter into an agreement with the Township which, among other things, provides for the removal of the trailer, as detailed in By-Law Number 2012-53, Temporary Residence During Construction of a Permanent Residence.

LICENCE APPLICATION AND FEES – SECTION 5

- 5.1 All applications for such licence shall be made to the Township upon the prescribed form attached to this By-law as Schedule “A” and shall include the submissions referenced therein, including payment of the Licence Fee required in Schedule “B”.
- 5.2 No licence shall be issued unless the trailer for which such licence is issued is located in compliance with the setback requirements for a dwelling unit as prescribed by the Corporation of the Township of Nipissing Zoning By-law 2020-20, for the zone in which the lands are located.
Schedule B, By-Law 2020-20, setback requirements for Rural (RU) Zone.
- 5.3 The Township may issue the following class of licences:
 - a. Annual licence – this licence authorizes the placement of the trailer upon a property for a complete calendar year or any portion thereof, and its occupancy between May 1st and November 30th in the calendar year.
 - b. Short Term Licence – this licence authorizes the placement of the trailer upon the property for a minimum period of one month up to a maximum of three months, between May 1st and November 30th in the calendar year.

- 5.4 Licences shall be displayed in or upon the trailer in a place that can be seen easily from outside of the trailer.
- 5.5 All Annual Licences expire on December 31st and all Short Term Licences expire on the date specified on the licence.
- 5.6 A refund may be obtained by surrendering the issued licence and submitting a request in writing to the Township, 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 applicant for a refund to provide supporting documentation of the date of such removal. No refund shall be made after the expiry date.

ADMINISTRATION AND ENFORCEMENT – SECTION 6

- 6.1 The administration and enforcement of this By-law is delegated to the CAO-Clerk, Chief Building Official, Fire Chief and By-Law Enforcement Officer for the Township of Nipissing. The CAO-Clerk shall have the authority to issue permits under this By-law; and may delegate the authority to issue licences under this By-law as required.
- 6.2 Any Person who contravenes any provision(s) 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.
- 6.3 Each day that a contravention of this By-law continues shall constitute a separate offence.
- 6.4 Every person who provides false information in any application for a licence under this By-law or in an application for a renewal of licence is guilty of an offence.
- 6.5 Where a conviction is entered under this section, in addition to any other remedy or any penalty provided by law, the court in which the conviction was entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.
- 6.6 If the Township is satisfied that a contravention of this by-law has occurred, the Township may make an order requiring the person who contravened this by-law or who caused or permitted the contravention or the owner or occupier of the trailer to discontinue the contravening activity.
- 6.7 Any person who contravenes an order made under subsection 6.6 is guilty of an offence.
- 6.8 Every contravention of this By-law may be restrained by application at the instance of a taxpayer or of the Municipality in accordance with the provisions of the *Municipal Act*, 2001.
- 6.9 A Township employee, staff person, agent or contractor hired by the Township, accompanied by any person under their direction, may enter onto any land that is used or believed to be used in contravention of this By-law for the purposes set out in subsection 436(1) of the *Municipal Act*, 2001 and shall have all powers of inspection set out in subsection 436(2) of the Act.

- 6.10 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 Enforcement Officer may result in the removal of said trailer by the Township, at the expense of the Owner of the lot.

VALIDITY AND EFFECTIVE DATE – SECTION 7

- 7.1 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.
- 7.2 This By-law shall come into effect on the date of the third reading and it being passed, subject to the proviso in section 5.2(a) as it relates thereto.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS XX DAY OF XXXX, 2021.

THE CORPORATION OF THE TOWNSHIP OF NIPISSING

Mayor Tom Piper

Acting CAO-Clerk-Treasurer Kris Croskery-Hodgins

SCHEDULE "A" TO BY-LAW 2021-XX

APPLICATION FOR TRAILER LICENCE

(Complete and attach all information prior to submitting)

1. Applicant Information

Name: _____

Mailing Address: _____

Phone Number: _____

Email: _____

Note: If Applicant is not the registered owner of the property, the Applicant must have the owner's consent to apply for such licence.

2. Property Information

Property Owner: _____

Civic Address: _____

Roll Number: _____

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

Note: If no civic address has been assigned for this property, one must be applied for and approved, using the Entrance Permit process prior to submitting this application.

3. Trailer Information

Make & Model: _____

Serial Number or VIN: _____

Please attach four (4) pictures of trailer if already located on the property. (One of each side of the trailer.)

4. Licence Requested

Place a check mark beside applicable class of licence requested

Annual _____
Short Term _____ Number of months 1 2 3 (Circle Number of Applicable Months)

5. Services Information

Will the trailer be connected to a sewage disposal system that exists on the property?

No _____

Yes _____

If Yes, the following must be included with this application:
Sewage System Certificate of Approval from the North Bay Mattawa Conservation Authority, indicating that connection of the trailer to such system has been approved.

5. Services Information (continued)

Will a grey water pit be utilized?

No _____ Yes _____

Will the site be serviced with an outhouse?

No _____ Yes _____

NOTE: If the trailer is not connected to a holding tank or sewage disposal system, or is not serviced by a grey water pit or outhouse, please provide dumping receipts from an accredited dumping facility.

****Failure to supply requested receipts will directly affect the ability to renew or maintain licencing options in the future.**

Will the trailer be directly connected to electrical services?

No _____ Yes _____

If yes, please provide the Electrical Safety Authority approval for connection. This requirement only applies if the trailer will have a direct connection to the electricity distribution system (i.e. not an extension cord plugged into an outlet.)

FIRE PREVENTION

Are there working smoke and Co (Carbon Monoxide) alarms installed, maintained and tested in the trailer?

No _____ Yes _____

6. Required Submissions

Site Plan – a drawing showing the location or proposed location of the trailer in relation to the boundaries of the property and including all existing buildings, sewage systems, wells, and watercourses/waterbodies. Such drawing shall be scaled or, where the property is large, measurements shall be included indicating the distance of the trailer from property boundaries, existing buildings, wells and watercourses/waterbodies.

Proof of Property Ownership – as required under Section 2.

Pictures – as required under Section 3.

Permits/Approvals referenced in Section 5, if applicable.

Applicable Fee:

Annual Licence \$600.00

Short Term Licence \$150 for 1 month, \$300 for 2 months or \$450 for 3 months.

Applicant Signature _____ Date: _____

Property Owner Signature _____ Date: _____

***If property owner and applicant are the same, please sign in both locations.**

Township of Nipissing Administrative Use only:

Date Application Received: _____

Complete Application: Yes _____ No _____

If No, action taken: _____

Approved By: _____ Date: _____

SCHEDULE "B" TO BY-LAW 2021-XX

Licence Fees:

Annual Fee: \$600.00 per year

**Short Term Fee: \$150.00 for one month
\$300.00 for two months
\$450.00 for three months**

DRAFT

Part 1 Provincial Offences Act – Set Fine Schedule

THE CORPORATION OF THE TOWNSHIP OF NIPISSING

By-Law No. 2021-xx, Trailer By-Law

Item	Column 1 Short Word Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
1	Fail to obtain a licence for trailer over 21 day limit.	3.1	\$300.00
2	Fail to vacate trailer from the months of December 1 st to April 30 th	3.2	\$300.00
3	Allow additions to be built to a trailer other than an uncovered, unattached deck not exceeding 10 sq. m. and access stairs	3.4	\$300.00
4	Having more than 1 trailer per property	3.5	\$300.00
5	Allow person to locate trailer on his/her property without licence	3.6	\$300.00
6	Trailers are not permitted on Township property for the purpose of storage or placement for recreational purposes	3.7	\$300.00
7	Fail to display licence so it can easily be seen from the outside of the trailer	5.4	\$300.00
8	Providing false information on a licence application	6.4	\$300.00
9	Obstruct person designated to enforce this By-Law	6.9	\$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.