

THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS

BY-LAW NO. 2014-096

Being a by-law to prohibit and/or regulate trailers and camping in the Township of Lake of Bays.

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

AND WHEREAS the Council of the Township of Lake of Bays deems it necessary and expedient to pass a by-law to address these issues;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS ENACTS AS FOLLOWS:

APPLICATION

1. The provisions of this by-law apply to all lands within the Township of Lake of Bays that are designated under the Township's Development Permit and Comprehensive Zoning by-laws, excluding Waterfront Environmental Protection (WEP), Waterfront Environmental Protection Area 1 (WEP1), Waterfront Open Space (WOS), Open Space (OS) & Environmental Protection (EP) zones and site specific permissions.

DEFINITIONS

2. For the purpose of this by-law,
 - (a) "Application" means an application to occupy a trailer on a temporary basis and only in association with a valid building permit for the construction of a dwelling; (application form see Schedule "A" of this by-law).
 - (b) "Camping" means not being at or near a dwelling house, establishing temporary accommodations for eating and/or sleeping and the presence of food and utensils for cooking, a campfire and/or tent or trailer shall be prima facie proof of camping and "camp" and "camping" have corresponding meanings;
 - (c) "Enforcement Officer" means
 - (i) an Ontario Provincial Police Officer, or
 - (ii) a person appointed by the Council of the Corporation of the Township of Lake of Bays 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;
 - (d) "Temporary Trailer Licence (TTL)" means the licence issued to occupy a trailer on a temporary basis in association with a valid building permit for a dwelling;
 - (e) "Trailer" means a structural unit designed, intended and used for travel, recreation or vacation and which is capable of being driven or 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.
 - (a) Except under the authority of a temporary trailer licence (TTL) issued pursuant to this section, no person shall occupy a trailer in the Township of Lake of Bays except in the areas designated in The Township's Development Permit & Comprehensive Zoning By-laws. For the purpose of this section "occupy" means to cook, eat or sleep in a trailer at any time.
 - (b) No person shall park or occupy a trailer on any lot or site until the principal dwelling has commenced construction. The By-law Enforcement Officer of the Corporation of the Township of Lake of Bays may issue a licence for the temporary occupancy of a trailer, not to exceed one year, while the licensee is building a dwelling or involved in other construction or for any reason Council deems reasonable and just.
 - (c) One additional temporary trailer licence may be granted within the same calendar year for a period not exceeding 6 months provided the applicant is granted an extension from the By-law Enforcement Officer for the Township of Lake of Bays.

TRAILERS (continued)

- (d) Every application for licence to occupy a trailer shall apply in writing and the application shall include:
 - (i) a site plan describing the location of the trailer placement;
 - (ii) provisions for heat, hydro, water, sewage, garbage disposal and access to property;
 - (iii) confirmation of the entrance permit and civic address number;
 - (iv) copies of all approvals required from other authorities pursuant to other applicable legislation;
 - (v) the expected length of time the trailer would be occupied;
 - (vi) details of the trailer unit including length, colour, model number & licence plate;
 - (vii) property owner's name and contact information;
 - (viii) photograph of the trailer unit that is to be occupied and
 - (ix) other such information requested by Council or Township staff, necessary to properly consider the application
- (e) Once a licence has been cancelled, suspended or expired, all licencees shall remove the trailer forthwith or shall store the trailer in the appropriate yard as per the applicable zoning by-law.
- (f) No owner of property in the Township of Lake of Bays shall allow or permit a trailer to be occupied on the said property unless a temporary licence has been obtained from the Township and except as provided in sections 3(a), 3(b) or 3(c).

CAMPING

- 4. (a) No person shall camp on land owned or occupied by the Corporation of the Township of Lake of Bays or any local Board or Committee thereof, except with the express written permission of Council.
- (b) No person shall camp on vacant land within the Township of Lake of Bays.
- (c) Any person violating Subsection 4(a) or (b) and where notice has been given pursuant to and Subsection 5(a) 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.

ENFORCEMENT

- 5. (a) Except as otherwise provided, every person who violates any 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.
- (b) Any person who contravenes or fails to comply with any of the provisions of this by-law is guilty of an offence and may be liable to the fines and penalties as set out in Part I Provincial Offences Act Set Fines. Each day of contravention shall constitute a separate offence.
- (c) Every person who hinders or obstructs an Enforcement Officer lawfully carrying out the enforcement of this by-law is guilty of an offence.
- (d) No part of this by-law shall come into force and take effect until Part I Provincial Offences Act Set Fines is approved and filed by the Regional Senior Justice, pursuant to Provincial Offences Act. A copy of this approval is attached and hereto forms a part of this by-law.

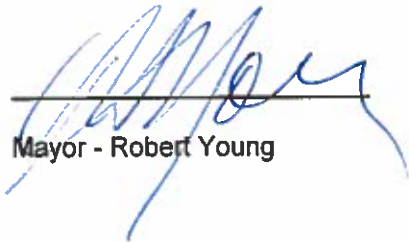
VALIDITY

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.

REPEAL

By-law #82-47 is hereby deemed repealed and any other by-laws or provisions in other by-laws found to be inconsistent with this new by-law are hereby deemed to be repealed.

READ a FIRST, SECOND and THIRD time and finally passed this 17th day of June, 2014.



Mayor - Robert Young



Clerk - Carrie Sykes



SCHEDULE "A"
Application for Temporary Trailer Licence

TEMPORARY TRAILER APPLICATION

Name of Applicant: _____

Address: _____

Tel #: _____ Cell #: _____

Email: _____

Roll #: _____ Lot #: _____ Conc. #: _____ Ward: _____

Dwelling Building Permit Number : _____

Trailer Information:

Make: _____

Model: _____

Plate #: _____

Length: _____ Width: _____

Details of heat, hydro, water, sewage and garbage disposal:

Requested Duration of Time: _____

Additional information:

Entrance Permit: _____

Approval of other Agencies (as required): _____

Site plan for trailer location to be attached with application (Show septic bed and tank, all buildings, setbacks from lake, road & property boundary lines and include photograph of trailer)

OFFICE USE ONLY	
Date application Received:	_____
Date Trailer Site Inspected:	_____
Date Licence Approved:	_____
Date Property Inspected:	_____

The Corporation of the Township of Lake of Bays

PART I PROVINCIAL OFFENCES ACT

By-Law #2014-096: Prohibit and/or Regulate Trailers and Camping

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.(a)	\$250
2	Occupy additional trailer without a licence.	Section 3.(c)	\$250
4	Non-removal of trailer once licence has expired.	Section 3.(e)	\$250
5	Property owner permitting an unlicensed trailer to be occupied	Section 3.(f)	\$250
6	Camping on land owned by the Township of Lake of Bays	Section 4.(a)	\$250
7	Camp on vacant land	Section 4.(b)	\$250
8	Hinder or obstruct enforcement officer	Section 5.(c)	\$250

Note: The general penalty provision for the offences listed above is Section 5 of By-law 2014-096, a certified copy of which has been filed.