

Item: 7a
Date: _____

**THE TOWNSHIP OF TARBUTT
BY-LAW 2020 – 4, As Amended**

A By-Law to Amend By-law 2020 - 4 being a by-law to License Trailers in The Township of Tarbutt.

WHEREAS the Municipal Act, 2001, Section 164 (1) authorizes the Municipality to pass by-laws for the licensing of Trailers within the Municipality; and

WHEREAS all properties and structures shall meet the Zone Standards and requirements set out in The Township of Tarbutt Zoning By-law;

NOW THEREFORE the Council of the Corporation of The Township of Tarbutt proposes to amend By-law 4-2020 and all amendments to same, and hereby enacts as follows:

1. SHORT TITLE

1.1 This By-Law shall be cited as the ‘Trailer License By-Law’.

2. DEFINITIONS

For the purposes of this By-Law, the following definitions shall apply:

2.1 **Assessed Trailer** means any trailer located on a property which is assessed under the Assessment Act, which has had the means of mobility removed and which is considered a permanent structure.

2.2 **Habitation** means a dwelling place or lodgings used for the occupancy, eating, sleeping or living of individuals.

2.3 **License** means a Trailer License issued to a property owner by The Township of Tarbutt for seasonal or short term habitation.

2.4 **Owner** means the Registered property owner(s) named on the assessment roll.

2.5 **Setbacks** means the distance from a structure to each of the property lines of a property.

2.6 **Stored Trailer** means any trailer located on the property only for the purpose of sale or storage but shall not include any trailer being used at any time for living, sleeping or eating accommodations of person while located on that property.

2.7 **Township or Municipality** shall mean The Corporation of The Township of Tarbutt and shall be defined as the lands and premises within the corporate limits.

- 2.2 **Trailer** shall mean any vehicle suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by a motor vehicle, or which is self propelled, and is capable of being used for the living, sleeping or eating accommodation of person on a temporary, transient or short term basis, even if the vehicle is jacked up or its running gear is removed. Examples include but are not limited to those trailers commonly referred to as a tent trailer, pop up trailer, a camper trailer, a recreational trailer, a fifth wheel, a bus converted into a motor home or a park model trailer. Any trailer having dual purpose of hauling and living is subject to this by-law when used predominantly for the purpose of habitation.
- 2.3 **Trailer Park** means commercial or recreational lands used for the parking and temporary use for at least five campsites occupied by tents, motor homes, truck campers and recreation vehicles; for which a fee to occupy a specific space is charged.

3. SCOPE

- 3.1 The owner of land on which a Trailer is situated within The Township of Tarbutt shall be responsible for obtaining a Trailer License from the Municipality, unless an exemption under Section 4 of this By-law is applicable.
- 3.2 The owner of a trailer who is not the registered property owner shall not be eligible to obtain a permit without the written consent of the owner.
- 3.3 An Application for Trailer License shall be accompanied by a site plan showing the size of the subject property, and the size, dimensions and setbacks for any structures on the property, including trailers.
- 3.4 No license shall be issued unless the prescribed annual fee has been paid.
- 3.5 The owner of the property must provide proof of disposal of septic and grey water and/or the installation of a privy will be required.

4. EXEMPTIONS

- 4.1 A Trailer that is stored on a property and not used shall not require a permit.
- 4.2 Trailers situated within a licensed Trailer Park shall not require a license.
- 4.3 No permit is required for a trailer if it is included as a structure in the assessment of the property, being an Assessed Trailer.
- 4.4 A Trailer Permit may be issued for a trailer which is temporarily located on the property while a Building Permit for a dwelling is in effect, and which Trailer shall be removed once the dwelling is approved for occupancy.

4.5 A livestock or utility trailer shall not require a license. Any trailer having dual purpose of hauling and habitation is subject to this by-law when used predominantly for the purpose of habitation.

4.6 Trailers used for a short term, weekend or once per year event shall not require a permit; however, the property owner shall notify the Township prior to the event advising of the time period of the event and the number of Trailers expected. If the Trailers are to be used for a period of more than five (5) days the proponent shall notify the Municipality of plans to address sewage and grey water disposal, and also shall ensure that there is sufficient parking for trailers and vehicles without obstructing any travelled road.

5. LICENSE FEES

5.1 The license fee for each trailer on a property shall be \$500.00 per year, applicable for the calendar year from January 1 until December 31 each year.

5.2 The license fee is payable in advance of the term.

5.3 The license fee is imposed upon the owner of the property on which the Trailer is located. If the owner fails to make payment of the license fee in any year, the fee shall be deemed overdue and such license fees shall be collected in like manner as Municipal Taxes.

5.4 Any violation of this by-law shall result in the withholding of a future permit until such violation has been addressed.

6. VALIDITY


6.1 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 the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of the By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions therefore shall have been declared to be invalid.

6.2 THAT "May" shall be construed as permissive and "Shall" shall be construed as imperative.

7.1 THAT this By-law shall come into effect on the date of the third and final reading.

READ A FIRST TIME on the Fifteenth day of June, 2022.

READ A SECOND AND THIRD time and finally passed in open Council this 15th
DAY OF JUNE, 2022.



Lennox Smith, Mayor



Carol Trainor, Clerk

**THE TOWNSHIP OF TARBUTT
APPENDIX "A" TO BY-LAW 4-2020
TRAILER PERMIT APPLICATION**

Property Owner: _____

Primary Residence Address: _____

Postal Code: _____

Telephone: _____ e-mail: _____

Civic Address: _____

Proposed Trailer Location: Lot: _____ Plan/Conc #: _____

Occupancy date: _____ Year: _____

Make of Trailer: _____ Model: _____

Serial Number: _____ License Plate: _____

Number of Persons to be accommodated: _____

If the Owner is not the occupant, name of occupant: _____

A Site Plan of the property is to be attached to this application showing the following:

- Property shape and dimensions
- The position and location of the Trailer on the site including setbacks from all property lines, distance from other buildings, distance from the high water mark, roads, fencing and any water courses on the property. Minimum setbacks apply to all structures.
- Location of well and septic system, if applicable
- Parking and entrances

Sample site plan on reverse.

Please describe what provisions have been made for:

Septage/waste disposal: _____

Disposal of grey water: _____

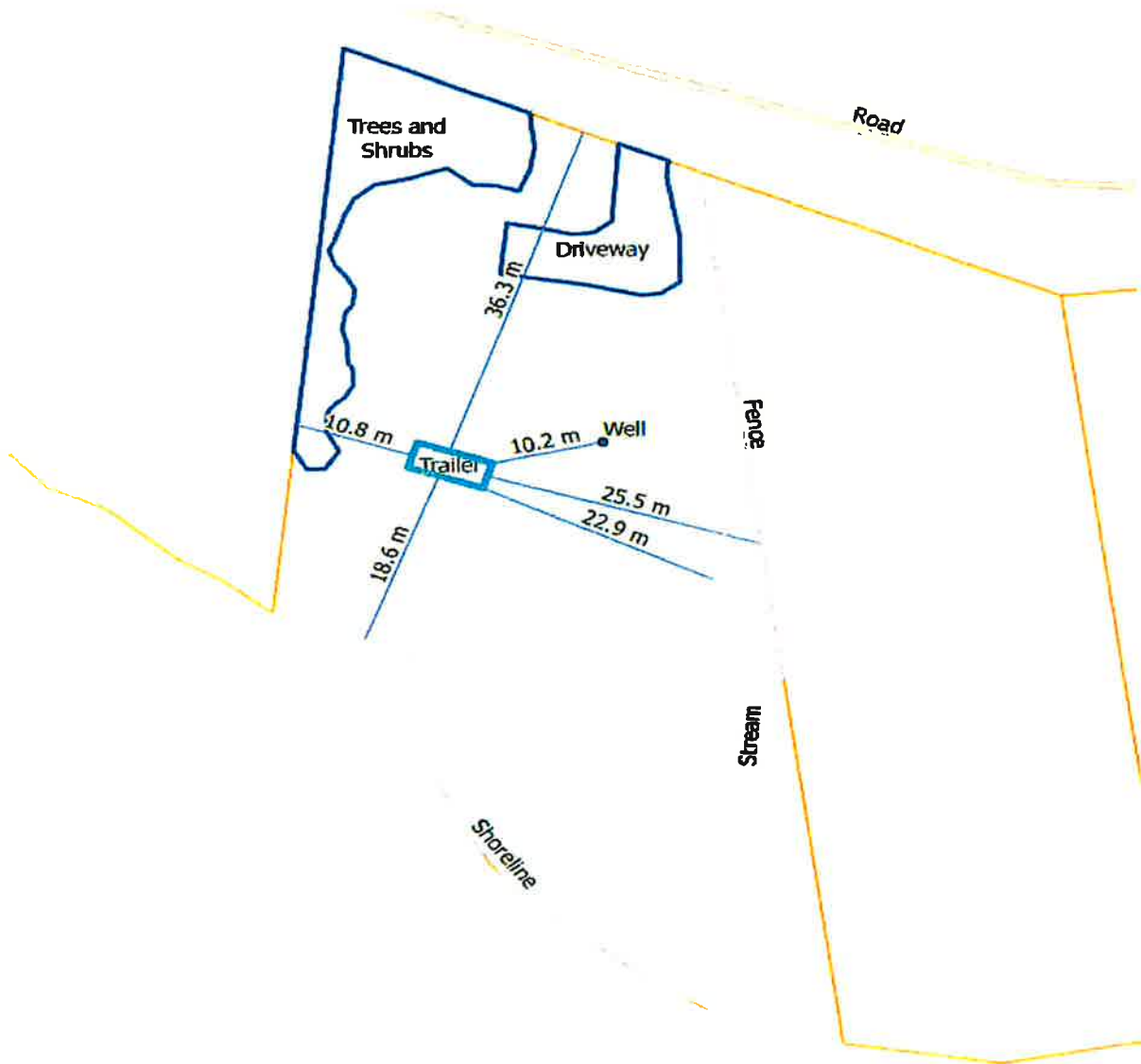
Garbage disposal and recycling: _____

Electricity and/or heat, if applicable: _____

By signing this application, I _____, the owner of the above noted property do hereby agree to abide by the provisions and conditions set out in By-law 4-2020.

Signature: _____ Date: _____

Sample Site Plan for Trailer



Sample only: your property may not have all of these features, but this site plan is intended to demonstrate the distances and setbacks to be shown. Please include any other structures or features and the distance from the trailer. A hand drawn site plan will be accepted.