

THE CORPORATION OF THE CITY OF PORT COLBORNE

BY-LAW NO. 4321/157/02

BEING A BY-LAW TO PROVIDE FOR THE LICENSING,
REGULATING AND GOVERNING OF TRAILER CAMPS

WHEREAS Section 236, paragraph 15 of the Municipal Act, R.S.O. 1990, c.M.45, as amended, provides that a council of a local municipality may pass By-laws for the licensing, regulating and governing of tourist camps, trailer camps and motels;

AND WHEREAS the Council of the City of Port Colborne deems it desirable to license and regulate trailer camps;

NOW THEREFORE THE CORPORATION OF THE CITY OF PORT COLBORNE
HEREBY ENACTS AS FOLLOWS:

PART 1 - DEFINITIONS

1. In this By-law:

- (a) **"Clerk"** means the Clerk of the City of Port Colborne;
- (b) **"Council"** means the Council of the City of Port Colborne;
- (c) **"Guest"** means the person who contracts for accommodations in a trailer camp and includes all members of his or her party;
- (d) **"Licence"** means a licence issued under the provisions of this by-law;
- (e) **"Lot"** means a plot of ground in a trailer camp designed or intended to be used for the occupancy of ONE (1) TRAILER;
- (f) **"Mobile Home"** means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, as defined by C.S.A. Standard Z240 or equivalent, but does not include a travel trailer or tent trailer or trailer otherwise designed;
- (g) **"Municipality"** means the City of Port Colborne;
- (h) **"Owner"** means a person who has any proprietary interest in a Trailer Camp, including but not limited to, partners in a partnership or a corporation;
- (i) **"Person"** includes individuals, partnerships, associations, organizations and corporation;
- (j) **"Trailer"** means a park model trailer, travel trailer, tent trailer, recreational vehicle or any vehicle so constructed that it is suitable for being attached to

a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and capable of being used for the living, sleeping or eating accommodations of persons, on a temporary basis, notwithstanding that such vehicle is jacked up or that its running gear is removed, but does not include a mobile home;

- (k) **"Trailer Camp"** means land in or upon which any vehicle, so constructed that it is suitable for being attached to a motor vehicle for the purposes of being drawn or propelled by the motor vehicle, is placed, located, kept or maintained, even if the vehicle is jacked up or its running gear is removed, but not including mobile homes or any vehicles unless it is used for the living, sleeping or eating accommodation of persons therein;

PART II - CLASSES OF LICENCES

Trailer Camp Licences

2. Every owner of a Trailer Camp shall procure and maintain in good standing a Licence from the Municipality in accordance with this By-law with respect to any Trailer Camp operated within the boundaries of the Municipality.
3. No person shall operate or maintain a Trailer Camp in the City of Port Colborne without having first applied for and obtained a Trailer Camp Licence therefor from the Municipality.

Lot Licences

4. Every Owner of a Trailer Camp shall procure and maintain in good standing a licence from the Municipality, in accordance with this By-law, with respect to each lot within the Trailer Camp to be made available by such Owner for the occupancy of a trailer during the currency of the licence.
5. No person shall occupy or permit the occupancy of any lot within a Trailer Camp unless the Owner has first applied for and obtained a lot licence therefor from the Municipality.

PART III - APPLICATION FOR LICENCES

6. Every owner wishing to make an application for an original or annual renewal for a Trailer Camp Licence or Lot Licence pursuant to Part 2 of this By-law shall attend in person at the Office of the Clerk and file, within 30 days of the passing of this By-

law and on or before March 31st of each subsequent year;

- (a) a completed Application in the prescribed form;
- (b) the Trailer Camp and Lot Licence fees as prescribed in Schedule 1 of this By-law.

7. (a) An application for a Trailer Camp Licence shall be accompanied by four copies of a plan, or plans, of the Trailer Camp showing:

- (i) the area and dimensions of the Trailer Camp, including the total acreage used for camping establishment purposes, as well as a legal description according to a plan of survey prepared by an Ontario Land Surveyor;
- (ii) the number, locations and size of all camping lots;
- (iii) the locations and width of all lanes, roads and driveways together with details of grading and landscaping for the entire Trailer Camp;
- (iv) the location of all buildings and structures;
- (v) the locations of water, sewer, surface drainage, electrical and lighting facilities;
- (vi) plans and specifications of all buildings and other improvements constructed or to be constructed within the camping establishment;
- (vii) the locations of campfire sites;
- (viii) the location of all fire hydrants or other firefighting appliances as approved by the Fire Prevention Officer;
- (ix) previously approved Site Plans may be submitted as part of the owner's application.

(b) Upon an annual renewal application only additions or changes to the trailer camp shall be accompanied by four copies of any changes, additions or alterations to the plan of the Trailer Camp which accompanied the original applications.

8. Upon receipt of an application for a Trailer Camp Licence or Lot Licence or renewal thereof, the Clerk shall make or cause to be made all investigations and searches required by law or by Council to be made relative to such applications, including circulation to the Planning & Development Services Division, the Fire Prevention

Officer, the Police Service, Chief Building Official and Regional Public Health Department.

9. Upon completion of the investigation and searches referred to above, the Clerk shall issue the Trailer Camp Licence or Lot Licence provided that no written negative comment is received, from the agencies referred to in Clause (8.) hereinabove, during the course of the investigations.
10. In the event that the Clerk refuses to issue a Trailer Camp Licence or Lot Licence, the Clerk shall notify the applicant of the Clerk's refusal and the Applicant shall have the right to have the matter heard before Council.

PART IV - MINIMUM PERFORMANCE STANDARDS FOR ALL TRAILER CAMPS

11. Every Trailer Camp and every Lot therein shall conform to the requirements of the zoning by-laws of the Municipality and to any Site Plan Agreements entered into by the Municipality with the Owner.
12. Every Lot within a trailer park shall be serviced by private sanitary facilities and a private water supply system approved by the Regional Municipality of Niagara Health Department.
13. Every public swimming pool or wading pool within a Trailer Camp shall be operated in accordance with the Health Protection and Promotion Act, 1993 and regulations thereunder.
14. All lanes, roads and driveways within a Trailer Camp shall remain unobstructed at all times and shall be constructed and maintained with at least 6" stone base over the entire width of the driveway or road.
15. All refuse shall be stored in flytight, watertight, rodent proof refuse containers which are of sufficient capacity to properly store all refuse within the Trailer Camp.
16. All refuse shall be collected by the Owner on a regular schedule. All refuse shall be collected and transported in covered vehicles or covered containers.
17. No person shall remove or permit the removal of running gear or hitches from a trailer.
18. The Owner of a Trailer Camp shall display the Trailer Camp Licence in a conspicuous place in the office area used for the registration of guests.
19. No person shall park and no Owner shall permit to be parked a Trailer which is not

C.S.A., or equivalent, approved in a Trailer Camp.

20. Every Trailer Camp and every Lot, other than those covered by Site Plan Agreements, in existence at the time of the passing of this By-law may be exempted from part or all of Parts III or IV of this By-law at the discretion of Council.

PART V- GENERAL PROVISIONS RELATING TO TRAILER CAMPS

21. No person shall park and no Owner shall permit to be parked a commercial tractor-trailer in a Trailer Camp.
22. No person shall park and no Owner shall permit to be parked a Mobile Home in a Trailer Camp.
23. No person shall occupy, or no Owner shall permit a person to occupy, a trailer site as a permanent place of abode, dwelling or business.
24. No person shall use, or no Owner shall permit to be used, lands within the trailer camp for any purpose other than holiday or recreational purposes.
25. No person shall occupy, or no Owner shall permit a person to occupy, a trailer as a vacation home for a seasonal or temporary period exceeding four months.
26. No person shall operate and no Owner shall permit to be operated any business from a Trailer located in a Trailer Camp.
27. No Owner shall permit a Trailer located in a Trailer Camp to be occupied for a continuous period exceeding FOURTEEN (14) DAYS between November 1st of ONE (1) CALENDAR YEAR and April 30th of the subsequent calendar year.
28. No Person shall occupy a Trailer located in a Trailer Camp for a continuous period exceeding FOURTEEN (14) DAYS between November 1st of ONE (1) CALENDAR YEAR and April 30th of the subsequent calendar year.
29. The Owner of a Trailer Camp shall maintain a complete register of guests of the Trailer Camp, specifying the name, address, date of arrival, period of stay and date of departure of each guest, which register shall be at all times open to inspections by the City Clerk and Licencing Clerk.
30. Notwithstanding any other provisions of this By-law no fee shall be charged in respect of a trailer/mobile home that is assessed under the Assessment Act.

PART VI - OFFENCES AND PENALTIES

31. Every Owner who contravenes or allows any provisions of this By-law to be

contravened, is guilty of an offence and upon conviction is guilty of an offence and on conviction is liable to a fine as provided for under the Provincial Offences Act.

PART VII - PARTIAL INVALIDITY

32. If any term of this By-law or the application thereof shall to any extent be invalid or unenforceable, the remainder of this By-law and or the application of such term to circumstances other than those to which it is held invalid or unenforceable shall not be affected thereby and each term of this By-law shall be separately valid and enforceable to the fullest extent permitted by law.

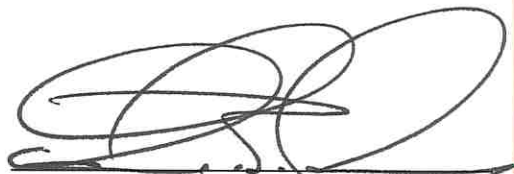
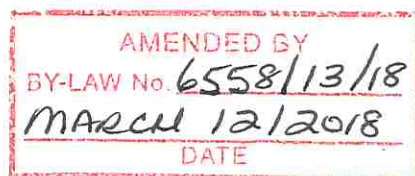
PART VIII - REPEAL OF PREVIOUS BY-LAW

33. By-law 3309/39/96 of the City of Port Colborne, enacted on the 29th Day of April 1996 and being a by-law to provide for the Licensing, Regulating and Governing of Trailer Camps, is hereby repealed.


PART IX - ENACTMENT

34. This By-law comes into force on passing.
35. The short title for this By-law shall be the Trailer Camp Licencing By-law.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED BY
COUNCIL THIS 16TH DAY OF DECEMBER, 2002.**



Vance M. Badawey
MAYOR



Janet Beckett
CLERK

SCHEDULE 1 TO BY-LAW NO. 4321/157/02

TRAILER LICENSING FEES SCHEDULE

Trailer Camp License Fee

Shall be based on the rate of \$1.00 per lot per year subject to a minimum license fee of
\$50.00.

Lot License Fee

- a) Serviced lots occupied by trailers as of March 31st of each year - \$12.00 per month of occupancy up to a maximum of four (4) months.
- b) Unorganized campgrounds with minimum services - \$3.00 per month/lot occupied by a trailer to a maximum of four (4) months as of March 31st of each year