

THE CORPORATION OF THE MUNICIPALITY OF NEEBING

BY-LAW NUMBER 697-2005

Being a by-law for licensing trailers located in the Municipality of Neebing.

WHEREAS Section 168 of the Municipal Act, R.S.O. 2001 Chapter c25 and amendments thereto, provides that by-laws may be passed for licensing trailers located in the Municipality, except in a trailer camp operated or licensed by the Municipality, for thirty (30) days or longer in any year and for prohibiting such trailers being located in the Municipality, except in a trailer camp operated or licensed by the Municipality, without a licence therefor.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF NEEBING ENACTS AS FOLLOWS:

1. In this by-law:

"Corporation" means the Corporation of the Municipality of Neebing.

"Construction Site" means a parcel of land upon which structures are being erected or site improvements are occurring in preparation for structural erection or site development.

"Habitation" means providing temporary inside accommodation which shall include but not be limited to, the eating, sleeping or activities of daily living.

"Licensee" means the registered property owner.

"Municipality" means the geographic area of the Municipality of Neebing.

"Occupancy" means shall be deemed to be in use for every day it is located on the property except where it is located for the purpose of storage or sale.

"Recreation Vehicle" for the purpose of this by-law means the same as "Trailer".

"Trailer" means any vehicle constructed to be attached and propelled by a motor vehicle and that is capable of being used by persons for living, sleeping or eating, even if the vehicle is jacked up or its running gear is removed. Examples are, tent trailers, motor homes, campers, travel trailers, 5th wheel trailers, and converted buses, trucks or vans.

"Storage Non-commercial" means when the trailer or recreation vehicle is not being occupied, is on private land and shall have propane tanks, water and electricity disconnected.

"Storage Commercial" means when the trailer or recreation vehicle is not being occupied, is on private land and shall have the propane tanks, water and electricity disconnected, and for which a fee is charged for said storage.

"Trailer Camp" means any land on which a trailer or recreational vehicle as defined in this by-law is kept.

"Tourist Camp" includes any land used as a camping or parking ground for the public whether or not a fee is charged for the use.

2. There shall be only one (1) licence issued per registered property owner.

3. No person shall locate a trailer or recreation vehicle in or upon land in the Municipality for more than thirty (30) days in any year unless and until he shall have procured a licence from the Corporation to do so hereunder, but shall not apply to:
 - A) A trailer or recreation vehicle located in a trailer camp operated or licensed by the Corporation, nor
 - B) A trailer or recreational vehicle used in a commercial woodlands operation, or on a Construction Site, nor
 - C) A trailer or recreation vehicle located in the Municipality only for the purpose of sale or storage on a non-commercial basis.
4. The fee for such licence shall be the sum of twenty dollars (\$20.00) for every month or portion of a month that the trailer or recreation vehicle is located in the Municipality.
5. No licence fee shall be charged in respect of a trailer or recreation vehicle assessed under The Assessment Act, 1976, c69 and amendments thereto.
6. If a licensee shall fail to comply with any condition upon which the trailer licence was issued, the trailer licence may be revoked forthwith. Upon notification that a trailer licence is revoked or has expired, the licensee shall within thirty (30) days of said notification, remove from the land the trailer for which the licence was issued and that a holder of a revoked or expired licence who is in contravention of this by-law is liable to a fine as if a licence had not been issued. Where a licence is revoked, the licensee may be entitled to a refund of a part of the licence fee proportionate to the unexpired part of the term for which it was issued.
7. No licence issued hereunder shall be voluntarily surrendered for a refund of all or any part of the fee paid therefor.
8. A licence issued hereunder may not be transferred.
9. Each day that a trailer or recreation vehicle is located in the Municipality in contravention of this by-law, shall be deemed to constitute a separate offence hereunder.
10. A person convicted of a breach of any of the provisions of this by-law shall forfeit and pay, at the discretion of the convicting judge, a penalty not less than fifty dollars (\$50.00) and not more than two thousand dollars (\$2,000.00), exclusive of costs, for each offence. Such penalty and costs to be recoverable under the provisions of the Provincial Offences Act, R.S.O. 1990, Chap P.33 and amendments thereto.
11. That By-law Number 548-2001 shall be repealed and that the provisions of this by-law apply notwithstanding the provision of any other by-law of the Corporation of the Municipality of Neebing and, in the event of any conflict between this by-law and other such by-laws, this by-law prevails.
12. This By-law shall come into force on the final passing thereof.

ENACTED AND PASSED IN COUNCIL this 16th day of November, 2005, as witnessed by the corporate seal of the Corporation and the hands of its proper Officers duly authorized in that behalf.

Read for a first time this 16th day of November, 2005.

Read for a second time this 16th day of November, 2005.

Read for a third time and finally passed this 16th day of November, 2005.



THE CORPORATOIN OF THE
MUNICIPALITY OF NEEBING

Deputy Mayor

M. M. Cooney

Clerk-Treasurer

Ruby L. Dravell