

THE CORPORATION OF THE TOWNSHIP OF MADOC

BY-LAW NO. 1743-2024

A BY-LAW TO LICENSE AND REGULATE TRAILERS AND TENTS WITHIN THE TOWNSHIP OF MADOC

WHEREAS pursuant to Section 164 of the *Municipal Act, 2001, c.25*, authorizes a municipality to pass By-Laws for the prohibition and licensing of trailers located in the municipality;

AND WHEREAS pursuant to Section 128 (1) of the *Municipal Act, 2001* authorizes a local municipality to prohibit or regulate matter that in the opinion of council are or could become or cause public nuisances;

AND WHEREAS pursuant to Section 425 of the *Municipal Act, 2001*, authorizes a municipality to pass By-Laws providing that a person who contravenes a By-Law of the municipality passed under the *Municipal Act* is guilty of an offence;

AND WHEREAS section 429 of the *Municipal Act, 2001*, authorizes a municipality to establish a system of fines for offences under a By-Law of the municipality passed under the *Municipal Act*;

AND WHEREAS it is deemed necessary the all trailers located in the Township of Madoc and not assessed under the *Assessment Act* (Ontario) be licensed;

AND WHEREAS the Council of the Township of Madoc is of the opinion that it is necessary to licence and regulate tents erected on private property

NOW THEREFORE, the Council of the Corporation of the Township of Madoc enacts as follows:

1. DEFINITIONS

- I. "Lot" shall mean a parcel or tract of land which can be conveyed, mortgaged, or transferred in compliance with the Planning Act, R.S.O. 1990, c. P. 13
- II. "Enforcement Officer" shall mean any duly appointed officer or employee of the Township of Madoc.
- III. "Municipality" shall mean the lands and premises within the corporate limits of the Township of Madoc.
- IV. "Person" shall mean an individual or corporation.
- V. "Trailer" shall mean 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 that is capable of being used by persons for living, sleeping or eating accommodations of persons. Examples include a motor home, a tent trailer, a truck camper, a camper trailer, a recreational trailer, a fifth wheel trailer and a bus converted into a motor home. For the purpose of this By-Law, a trailer shall not include any trailer assessed under the Assessment Act, 2001.

- VI. "Tent" shall mean every kind of temporary shelter for sleeping that is not permanently affixed to the site and that is capable of being easily moved.

2. LICENCES REQUIRED

- I. No person shall locate a tent or trailer on a Lot in the Municipality unless it is licenced in accordance with this By-Law. Notwithstanding the foregoing, a licence is not required where a tent or trailer is located:
 - a) In a trailer park zoned for such use in the Comprehensive Zoning By-Law for the Township of Madoc;
 - b) In a campground zoned and licenced for such use by the Municipality;
 - c) The trailer is assessed under the Assessment Act
- ii. No licence will be issued for a period longer than one calendar year, valid from January to December
- iii. After the expiry of the licence, every person shall remove the tent or trailer from the Lot unless a new licence has been obtained from the Township of Madoc

3. GENERAL APPLICATION

The following provisions of general application apply to all trailers and tents located on any Lot whether a licence is required or not, save and except for any trailer or tent located in a trailer park or campground referenced in 2(i)(a) or 2(i)(b) above.

Every person shall comply with the following provisions:

- i. No more than one (1) trailer per Lot shall be permitted.
- ii. No trailer shall be located on lands classified as Managed Forest, or wetlands, or protected lands as determined by any other regulating authority.
- iii. All trailers shall be set back a minimum of 10 meters (32.8 feet) from all Lot lines.
- iv. All trailers shall be set back a minimum of 30 meters (98.4 feet) from any water body or watercourse.
- v. A maximum of four (4) tents per Lot shall be permitted within the Municipality if the Lot is developed with a permitted residential structure. No

more than two (2) tents shall be permitted on a vacant lot.

- vi. Every tent shall be set back a minimum of 10 meters (32.8 feet) from all Lot line and set back a minimum of 30 meters (98.4 feet) from any waterbody or watercourse.
- vii. Every placement of a trailer will require an approved valid entrance issued by the municipality.
- viii. Every application shall be accompanied by a pump schedule for pumping the holding tank system, this will include the contact information for the company that will be pumping the system.

4. TRAILER WHERE HOME DEMOLISHED

- I. Where a tent or trailer will be located on a Lot after a residential unit has been demolished, a licence shall be required, however the Township of Madoc may exercise its discretion in exigent circumstances, to vary or waive certain requirements of this By-Law. Where the Township exercises such discretion the Township and the applicant shall enter into an Agreement for the licensing and placement of the tent or trailer which will include the following terms:
 - a) The tent or trailer will be permitted only where a building permit for the construction of a new residential structure has been obtained;
 - b) The tent or trailer will be permitted for a term not to exceed one (1) year;
 - c) The tent or trailer will be removed prior to the expiration of the building permit;
 - d) The Township of Madoc may provide an extension of time the tent or trailer may remain on the lot in its discretion;
 - e) Upon any breach of a term of the agreement by the applicant, the agreement shall at the Township's option be deemed null and void and the applicant shall be required to strictly comply with the provisions of this By-Law.

5. TRAILER LICENCE APPLICATION PROCESS

- i. Every applicant for a licence to occupy a trailer shall apply in writing using the application form, attached as Schedule "A" hereto, and the application shall include:
 - a) Property owner's name and contact information.
 - b) A site plan showing the location of the trailer, including distance from side, rear and front yards and, if applicable, the distance from any waterbody or watercourse.
 - c) Detailed description of the trailer, including length, colour, model number, license plate number and vehicle identification number as applicable.

- d) A description of provisions made for water, grey water, sewage and garbage disposal and what provisions, if any, have been made for heat or electricity.
 - e) Any expected length of time the trailer is to be occupied
 - f) Copies of the approvals required from other authorities (if any) under all other relevant legislation.
 - g) Such other information as requested by the Township of Madoc to properly consider the application.
- ii. If a license is approved, the licensee must pay a license fee as set out in Schedule "B" before the license will be issued.
- iii. Every owner to whom a license has been issued shall display the license on the Trailer in a place that may be seen easily from the outside of the trailer.
- iv. Every license obtained under this section shall expire on the 31st day of December in the year of which it was issued or upon the expiration of the period of time for which it was issued, whichever occurs first.
- v. There shall be no inhabitants in any trailer or tent from October 31 to April 1

6. Tent License Application Process

- i. Every applicant for a license to occupy a Tent shall apply in writing using the application form, attached as Schedule 'A' hereto, and the application shall include;
 - (a) Property owners' name and contact information
 - (b) A site plan showing the location of the Tent, including distance from side, rear and front yards and, if applicable, the distance from any waterbody or watercourse;
 - (c) A description of provisions made for water, grey water, sewage and garbage disposal;
 - (d) Copies of the approvals required from other authorities (if any) under all other relevant legislation;
 - (e) Such other information as requested by the Township of Madoc to properly consider the application.
- ii. If a license is approved, every licensee shall pay a license fee as set out in Schedule 'B' before the license will be issued.
- iii. Every license obtained under this section shall expire on the 31st day of December in the year of which it was issued.

7. Enforcement

- i. An Enforcement Officer shall enforce the provisions of this By-Law.
- ii. An Enforcement Officer may at any reasonable time enter

onto any property, for the purpose of carrying out an inspection to determine whether or not the provisions of the By-Law are being complied with.

- iii. An Enforcement Officer may suspend or revoke a license where the licensee has failed to comply with the requirements of this By-Law or other application By-Laws of the Township of Madoc.
- iv. If the Township of Madoc is satisfied that a contravention of this By-Law has occurred, the Enforcement Officer may make an Order requiring the person who contravened the By-Law to discontinue the contravening activity or to take action to correct the contravention. Such Order shall include reasonable particulars of the contravention adequate to identify the contravention and the location of the Lot on which the contravention occurred and the date by which there must be compliance with the order.
- v. No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this By-Law.

8. Penalty

- i. Every person who violates a 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 33 as amended or re-enacted from time to time.
- ii. Any person who contravenes or fails to comply with any of the provisions of the By-Law shall be guilty of an offence and shall be liable to the fines and penalties as set out in Schedule 'C'. Each day of contravention shall constitute a separate offence.

9. Validity

- i. 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 effect 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 intended that all the remaining provisions of the By-Law shall continue to be in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

Read a first, second and third time and finally passed this 4th day of December 2024.

Mayor

Clerk

THE CORPORATION OF THE TOWNSHIP OF MADOC

BY-LAW NO. 1743-2024

Name of Applicant (LAST, First, Middle)					
Name of Assessed Owner (LAST, First, Middle)					
Address of Applicant					
Phone Number:			Mobile (Cell):		
Email:					
Civic Address of Lot					
Roll Number		1236 000			
Applicants interested in land (Place Checkmark)					
		Owner	Tenant	Lease	
Dimensions of Land					
		Frontage	Depth	Area	
Detailed Description of Trailer or Tent					
Length:		Colour:		Model:	
License #		VIN #			
What provisions have been made for:					
Holding Tank:					
Grey Water:					
Drinking Water:					
Garbage Disposal:					
Electricity (If applicable)					
Heat (if applicable)					
Expected Dates of Occupancy	From:		To:		
A Site Plan of the Property should be attached showing the following (where applicable) <div>☐ Property dimensions ☐ The position of the tent or trailer on the site including setbacks from all lot boundaries, roadways and waterbody or watercourse ☐ Location of holding tank system ☐ Location of well ☐ Parking Spaces ☐ Driveway ☐ Fire Pit</div>					
<i>I confirm that the information provided on this application form is true to the best of my knowledge and belief. I agree to comply with the provisions of By-Law 1613-2021.</i>					
Date:		Signature:			
Signature of Issuing Official:					