



A BYLAW TO REGULATE AND ESTABLISH FEES FOR PERMITTING OF TRAILERS IN THE RURAL MUNICIPALITY OF MCKILLOP NO. 220

WHEREAS section 8(1) of *The Municipalities Act* allows that a municipality has a general power to pass any bylaw for the purposes of providing for the safety, health and welfare of people and the protection of people and property;

WHEREAS section 8(1)(i) of *The Municipalities Act* allows that a municipality has a general power to pass any bylaw for the purposes of providing services on or behalf of the municipality including establishing fees for providing those services;

WHEREAS section 8(3)(c) of *The Municipalities Act* allows that a municipality has a general power to pass any bylaw for the purposes of providing for a system of licenses, inspections, permits or approvals;

WHEREAS section 306(1) of *The Municipalities Act* allows that a municipality has a general power to register owners of trailers and mobile homes on forms provided by the municipality, collect permit fees that are imposed by bylaw and pay those fees to the municipality;

WHEREAS section 306(2) of *The Municipalities Act* allows that a municipality may make any rules concerning the registration, collection and payment of trailer and mobile home fees that the council may consider expedient;

WHEREAS section 306(3) of *The Municipalities Act* states that if a permit fee is imposed pursuant to section 306(1) and if that fee is levied in lieu of assessing and taxing the trailer or mobile home as an improvement, the municipality has power to have the fee exceed the cost to the municipality for the administration and regulation of, and be in the nature of a tax for, the activity for which the permit is required;

WHEREAS section 52 of *The Planning and Development Act* allows a municipality to have a zoning bylaw regulating or prohibiting the location of trailers;

WHEREAS section 10.4.5 of the Rural Municipality of McKillop No. 220 Zoning Bylaw No. 376/2019 permits the temporary use of a Trailer for human habitation on lands zoned Country Residential 1 District (CR1): (a) during the construction of a dwelling on a lot; (b) on an existing vacant lot; (c) for the occasional accommodation of guests provided that a detached dwelling exists on the property;

WHEREAS section 11.4.4 of the Rural Municipality of McKillop No. 220 Zoning Bylaw No. 376/2019 permits the temporary use of a Trailer for human habitation on lands zoned Country Residential 2 District (CR2): (a) during the construction of a dwelling on a lot; (b) on an existing vacant lot; (c) for the occasional accommodation of guests provided that a detached dwelling exists on the property;



WHEREAS section 12.4.7 of the Rural Municipality of McKillop No. 220 Zoning Bylaw No. 376/2019 permits the temporary use of a Trailer for human habitation on lands zoned Hamlet District (H): (a) during the construction of a dwelling on a lot; (b) on an existing vacant lot; (c) for the occasional accommodation of guests provided that a detached dwelling exists on the property;

WHEREAS sections 13.3.7 and 13.3.8 of the Rural Municipality of McKillop No. 220 Zoning Bylaw No. 376/2019 permits the temporary use of a Trailer for human habitation on lands zoned Lakeshore Residential 1 District (LS1): (a) during the construction of a dwelling on a lot; (b) on an existing vacant lot; (c) for the occasional accommodation of guests provided that a detached dwelling exists on the property;

WHEREAS sections 14.3.7 and 14.3.8 of the Rural Municipality of McKillop No. 220 Zoning Bylaw No. 376/2019 permits the temporary use of a Trailer for human habitation on lands zoned Lakeshore Small Lot Residential 2 District (LS2): (a) during the construction of a dwelling on a lot; (b) on an existing vacant lot; (c) for the occasional accommodation of guests provided that a detached dwelling exists on the property;

WHEREAS section 15.3.8 of the Rural Municipality of McKillop No. 220 Zoning Bylaw No. 376/2019 permits the temporary use of a Trailer for human habitation on lands Recreational Resort District (Sun Dale) (RR): (a) during the construction of a dwelling on a lot; (b) on an existing vacant lot; (c) for the occasional accommodation of guests provided that a detached dwelling exists on the property;

WHEREAS section 2(1)(s) of *The Land Titles Act, 2000* defines "interest" as "any right, interest or estate, whether legal or equitable, in, over or under land recognized at law that is less than title";

THEREFORE the Council for the Rural Municipality of McKillop No. 220 enacts as follows:

1. TITLE AND APPLICATION

- 1.1 This Bylaw shall be known as the Trailer Permit and Fee Bylaw.
- 1.2 This Bylaw does not apply to:
 - a) Assessed Trailers as defined in Section 2;
 - b) Trailers located in Municipal approved Campgrounds as defined in Section 2.
- 1.3 This Bylaw applies to any Trailer, even if the Trailer was placed on the property prior to the date of enactment of this Bylaw.

2. DEFINITIONS

- i. **ASSESSED TRAILER** means any trailer legally located on a property and that is assessed under the Assessment Management Agency Act;
- ii. **BYLAW ENFORCEMENT OFFICER** means an employee or contractor hired by the Municipality to enforce Municipal bylaws;
- iii. **CAMPGROUND** means any land in or upon which and trailer or tent is used or intended to be used for human occupation on a temporary or seasonal basis;
- iv. **CAO** means the Chief Administrative Officer of the Rural Municipality of McKillop No. 220;
- v. **COUNCIL** means the Council of the Rural Municipality of McKillop No. 220;



- vi. **MUNICIPALITY** means the Rural Municipality of McKillop No. 220;
- vii. **TEMPORARY ACCOMMODATION** means a Trailer as, defined herein, that may be permitted on an existing vacant/undeveloped residential site for a period no greater than four (4) years from the date of issuance of a Temporary Permit, as defined herein;
- viii. **TEMPORARY PERMIT** means a permit issued pursuant to this Bylaw that ties to the land upon with the Trailer is situation which permanently expires four (4) years from the date of issuance of the Temporary Permit.
- ix. **TRAILER** means a Recreational Vehicle as defined in section 2.0 of the Rural Municipality of McKillop No. 220 Zoning Bylaw No. 376/2019. For greater clarity, a Trailer includes a vehicle designed, intended and used for travel, recreation or vacation and which is capable of being driven or drawn by a motor vehicle, even if the vehicle is jacked up or its running gear is removed. Examples include but are not limited to motor homes, camper trailers, truck campers, fifth wheels, and tent trailers.

3. PERMIT AND REGULATIONS

- 3.1 No owner of land within the Municipality shall use or permit to be used, a Trailer, on lands zoned Country Residential 1 District (CR1), Country Residential 2 District (CR2), Hamlet District (H), Recreational Resort District (Sun Dale) (RR), Lakeshore Residential 1 District (LS1) and Lakeshore Residential 2 District (LS2) within the Municipality, unless a Temporary Permit has been acquired by the owner, for that property, under this Bylaw.
- 3.2 A Temporary Permit must be obtained prior to the placement of the Trailer on the land.
- 3.3 All owners of land zoned Country Residential 1 District (CR1), Country Residential 2 District (CR2), Hamlet District (H), Recreational Resort District (Sun Dale) (RR), Lakeshore Residential 1 District (LS1) and Lakeshore Residential 2 District (LS2) within the Municipality, upon which a Trailer is situated prior to the date of the enactment of this Bylaw, must apply a Temporary Permit in accordance with this Bylaw, no later than twenty-one (21) calendar days after the enactment of this Bylaw.
- 3.4 No owner of land within the Municipality shall use or permit to be used, a Trailer, on lands zoned Country Residential 1 District (CR1), Country Residential 2 District (CR2), Hamlet District (H), Recreational Resort District (Sun Dale) (RR), Lakeshore Residential 1 District (LS1) and Lakeshore Residential 2 District (LS2), for a period longer than four (4) years commencing from the date of the issuance of the Temporary Permit, which is the date of the expiration of a Temporary Permit. For clarity, this restriction does not abrogate from the requirement of a land owner, pursuant to Section 3.1-3.3, to acquire a Temporary Permit for the land that a Trailer is situated on.
- 3.5 Should an owner of land within the Municipality, use or permit to be used, a Trailer, on lands zoned Country Residential 1 District (CR1), Country Residential 2 District (CR2), Hamlet District (H), Recreational Resort District (Sun Dale) (RR), Lakeshore Residential 1 District (LS1) and Lakeshore Residential 2 District (LS2), in breach or noncompliance with this Bylaw, the Penalty provisions under Section 6 of this Bylaw apply.



- 3.6 For clarity, a Temporary Permit issued pursuant to this Bylaw authorizes the use and maintenance of a Trailer for Temporary Accommodations only, and only for a maximum period of four (4) years from the date of the issuance of the Temporary Permit.
- 3.7 Upon the issuance of a Temporary Permit pursuant to this Bylaw, the Municipality shall be entitled register an interest in the Land Titles Registry against the title to the land that is the subject of the Temporary Permit. This option does not create any obligations upon the Municipality inform third parties of any restriction imposed by this Bylaw or otherwise, nor does it abrogate any responsibilities of owners of those lands to disclose any restrictions on the lands pursuant to this Bylaw or otherwise.
- 3.8 Should an owner of land within the Municipality upon which a Trailer is situated fail to comply with this Bylaw, including by failing to apply for a Temporary Permit pursuant to this Bylaw, the Municipality is entitled to, among other things, register an interest in the Land Titles Registry against the title to the land on which the Trailer is situated. This option does not create any obligations upon the Municipality inform third parties of any restriction imposed by this Bylaw or otherwise, nor does it abrogate any responsibilities of owners of those lands to disclose any restrictions on the lands pursuant to this Bylaw or otherwise.
- 3.9 Should a owner of land within the Municipality upon which a Trailer is situated fail to comply with this Bylaw, including by failing to apply for a Temporary Permit pursuant to this Bylaw, upon the registration of the interest in Section 3.8 of this Bylaw, among other things, the Municipal has the ability to reject all applications for a Temporary Permit in association with that land.
- 3.10 For greater clarity, the issuance of a permit does not grant the owner of the property or subsequent owners of the property the authority to place or occupy the trailer on the specified property on a permanent basis. Every owner of lands who occupies, or permits to be occupied, a Trailer after the Temporary Permit has expired, or who has allowed any unauthorized, or unpermitted, use or occupancy of such Trailer, shall be deemed in violation of this Bylaw and is subject to, among other things, the penalty provisions within Section 6 of this Bylaw.
- 3.11 The issuance of a permit is not intended and shall not be construed as permission or consent by the Municipality for the holder of the permit to contravene or fail to observe or comply with any law of Canada, Saskatchewan or any bylaw of the Municipality.
- 3.12 A maximum of one (1) Trailer is permitted upon a single vacant/undeveloped residential parcel of land pursuant to this Bylaw and under a Temporary Permit.
- 3.13 No person except the registered owner of the property upon which the Trailer is located shall be permitted to obtain a Temporary Permit to place a Trailer on the land.
- 3.14 The issuance of a Temporary Permit does not grant the holder of the permit authority to permanently connect the trailer to a septic tank or SaskEnergy distribution line. Under no circumstance is a Trailer(s) septic tank or grey water storage to be discharged into or onto any lands within the Municipality unless in a manner that is approved by the Municipality.

**4. PERMIT APPLICATION AND FEES**

- 4.1 All applicants for a Temporary Permit shall be made to the Municipality upon the prescribed form attached to this Bylaw as Schedule "A" and shall include the submissions reference therein.
- 4.2 All applicants shall pay to the Municipality:
- i. a non-refundable fee upon application, for a new permit, as set out in the attached Schedule "B" of this Bylaw; and
 - ii. an annual fee, due annually on the anniversary of the date of issuance of the permit, as set out in the attached Schedule "B" of this Bylaw.
- 4.3 No Temporary Permit shall be issued unless the Trailer for which the permit is located is in compliance within the setback requirements for a dwelling as prescribed the RM of McKillop No. 220 Zoning Bylaw, for the zoning district in which it is located.
- 4.4 The Municipality shall issue a Temporary Permit only. This Temporary Permit authorizes the placement of the Trailer upon the specified property for a maximum of four (4) years commencing from the date of the issuance of the permit.
- 4.5 Permits shall be displayed in or upon the Trailer in a place that is easily visible from the road.
- 4.6 All Temporary Permits expire four (4) years from the date of issuance.
- 4.7 Temporary Permits are not renewable.
- 4.8 Temporary Permits attach to the land, irrespective of the owner(s) of the land.
- 4.9 All Temporary Permit Fees shall be paid no later that April 30 of each year.

5. ADMINISTRATION AND ENFORCEMENT

- 5.1 The administration and enforcement of the bylaw is delegated to the CAO and the Bylaw Enforcement Officer for the Municipality. The CAO shall have the authority to issue permits under this bylaw; notwithstanding the foregoing, the CAO, in his/her discretion, may refer applications to Council.

6. PENALTIES

- 6.1 Every person who contravenes or fails to comply with any provision of this Bylaw, is guilty of an offence and liable on summary conviction to a penalty of:
- i. A single monetary amount not exceeding \$2,000;
 - ii. A daily monetary amount not exceeding \$500; or
 - iii. A combination of both clauses (i) and (ii).

7. VOLUNTARY PAYMENTS

- 7.1 Where a Designated Officer believes that a person has contravened any provision of this Bylaw, the Designated Officer may serve upon such person a Bylaw Violation Notice as provided by this section either personally or by mailing or leaving the same at the last known address and such service shall be adequate for the purpose of this Bylaw.
- 7.2 Such notice shall be deemed to have been served:



- i. On the expiration of twenty-four (24) hours after it is posted, if the notice is mailed;
 - ii. On the day of actual delivery if the notice is served personally; or
 - iii. On the business day following the transmission given by facsimile of email.
- 7.3 A Bylaw Violation Notice shall state the section of the Bylaw which was contravened, and the amount, provided in Schedule "C", that will be accepted by the Municipality in lieu of prosecution.
- 7.4 Upon production of a Bylaw Violation Notice issued pursuant to this section within thirty (30) days from the issue thereof, together with the payment of the penalty provided in Schedule "C" to the Municipal Office, the person to whom the notice was issued shall not be liable for prosecution for the contravention in respect of which the notice was issued.
- 7.5 Where a person contravenes the same provision of this Bylaw two or more times within one twenty-four (24) month period, the specified payment payable in respect of the second or subsequent contravention is double the amount shown in Schedule "C" of this Bylaw in respect to this provision.
- 7.6 Notwithstanding the provisions of the section, a person to whom a Bylaw Violation Notice has been issued pursuant to this section may exercise the right to defend any charge of committing a contravention of any of the provisions of the Bylaw.

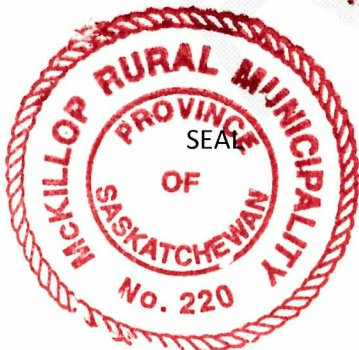
8 ENACTMENT

- 8.1 This Bylaw shall come into effect on the date of the third reading, and it being adopted.
- 8.2 Bylaw 387/2020 is hereby repealed.

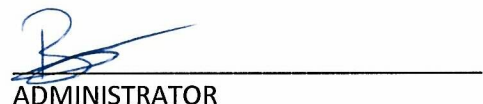
READ A FIRST TIME this 8 day of June 2021

READ A SECOND TIME this 8 day of June 2021

READ A THIRD TIME AND ADOPTED this 8 day of June 2021




REEVE


ADMINISTRATOR

**SCHEDULE A**
Bylaw No. 410/2021

PERMIT NO. _____

APPLICATION FOR TRAILER PERMIT**1. Applicant (must be the registered owner of the property)**

Name: _____

Address: _____ Postal Code: _____

Email: _____

Telephone Number: _____

2. Property Information

Property Owner: _____

Section _____ Township _____ Range _____ W2M

Lot(s) _____ Block _____ Reg. Plan No. _____

Civic Address (if applicable): _____

3. Trailer Information

Make and Model: _____

Year: _____

Licence Plate No.: _____

4. Required Submissions

- a) Proof of Ownership – a copy of the parcel register or deed.
- b) Site Plan – a drawing showing the location or proposed location of the trailer in relation to the boundaries of the property and including all existing buildings.

5. Temporary Permit Application Fee: \$

Date Paid: _____ Receipt No.: _____



6. Duties of Permit Holders

By submitting this application, the applicant acknowledges and understands that it is the responsibility of the applicant to inform prospective purchasers of the property or any other interested third parties of any applicable Municipal Bylaws, including but not limited, to the limitations and restrictions placed on the lands pursuant to the Bylaw No. 410/2021.

APPLICANT SIGNATURE

EMPLOYEE SIGNATURE



SCHEDULE B
Bylaw No. 410/2021

TRAILER PERMIT FEES

For the Year 2021

- | | |
|---|----------|
| 1. TEMPORARY PERMIT APPLICATION FEE | \$nil |
| 2. TEMPORARY PERMIT ANNUAL ADMINISTRATION FEE | \$250.00 |
| 3. ANNUAL SOLID WASTE DISPOSAL FEE | \$250.00 |

For the Year 2022

- | | |
|---|----------|
| 4. TEMPORARY PERMIT APPLICATION FEE | \$500.00 |
| 5. TEMPORARY PERMIT ANNUAL ADMINISTRATION FEE | \$250.00 |
| 6. ANNUAL SOLID WASTE DISPOSAL FEE | \$250.00 |

For the Year 2023 and Subsequent Years

- | | |
|---|----------|
| 7. TEMPORARY PERMIT APPLICATION FEE | \$500.00 |
| 8. TEMPORARY PERMIT ANNUAL ADMINISTRATION FEE | \$500.00 |
| 9. ANNUAL SOLID WASTE DISPOSAL FEE | \$250.00 |



SCHEDULE C
Bylaw No. 410/2021

Penalties and Voluntary Payments

OFFENCE	VOLUNTARY PAYMENT
No Temporary Permit	\$1,500.00
Expired Temporary Permit	\$1,500.00