

BY-LAW NO. 19

A MOBILE HOME PARKS AND SITES BY-LAW

The Council of the Village of Perth-Andover, under the authority vested in it by section 187 of the Municipalities Act, enacts as follows:

Title

1. This By-Law may be cited as the Village of Perth-Andover Mobile Homes By-Law.

Interpretation

2. In this By-Law,
 - (a) "mobile home" means a trailer containing a water closet and bath or shower;
 - (b) "mobile home park" means a parcel of land,
 - (i) intended as the location for residential purposes of two or more mobile homes, or
 - (ii) upon which two or more mobile homes are located for residential purposes;
 - (c) "mobile home site" means a parcel of land not in a mobile home park,
 - (i) intended as the location for residential purposes of one mobile home, or
 - (ii) upon which one mobile home is located for residential purposes;
 - (d) "natural barrier" means any river, pond, canal, railway, embankment, fence, hedge, or wall;
 - (e) "tourist camp" includes auto camp and any parcel of land upon which cabins used or maintained for the accommodation of the public are located or which is used as a public camping ground whether or not a charge is made for the rental or the use thereof;

(f) "trailer" means any vehicle used for sleeping or eating accommodation or of persons and so constructed as to be suitable for being attached to and drawn by a motor vehicle, not withstanding that such vehicle is jacked-up, or it's running gear removed;

(g) "trailer camp" means a parcel of land, not in a provincial park or mobile home park,

(i) intended as the location for temporary residential purposes of two or more trailers other than mobile homes, or

(ii) upon which two or more trailers other than mobile homes are located for temporary residential purposes;

(h) "space" means a plot of land within a tourist camp, trailer camp or mobile home park designated to accommodate, or accommodating, one camping facility, trailer or mobile home as the case may be.

Scope

3. This By-Law provides for

(a) the regulating and licensing of mobile home parks;

(b) the regulating of mobile home sites;

(c) the designation of areas within the municipality which may be used for mobile home parks or mobile home sites.

Prohibition

4. (1) Subject to subsection (4), and subject to sections 11 and 12, no person may place or locate a mobile home or other trailer within the municipality other than

(a) in the case of a mobile home,

(i) in a licensed mobile home park,

(ii) on a mobile home site as set out in section 6, or on a mobile home site permitted under section 10, or

(iii) in a tourist camp operated by the municipality; or

(b) in the case of a trailer other than a mobile home, in a tourist camp operated by the municipality.

(2) No mobile home park or mobile home site may be located in the municipality except in the areas bounded and described as set out in section 5 and 6.

(3) Except as provided in section 7 subsection (3), no person may establish, operate or maintain a mobile home park within the municipality unless such person holds a valid license therefor issued under this By-Law.

(4) This section does not apply to the placing or locating of trailers (where permitted by the Zoning By-Law) for the purpose of storage or sale.

Areas Which May Be Used For Mobile Home Parks

5. The areas bounded and described as follows may be used for mobile home parks:

(a) BEGINNING at the intersection of the dividing line between Lot No. 11 and Lot No. 12, with the Northwest limit of the Canadian Pacific Railway right-of-way; THENCE following said division line north 75 degrees 15 minutes west a distance of 475 feet, more or less, to the southwest sideline of Lot owned by the Perth-Andover Curling Club; THENCE along said sideline north 39 degrees 50 minutes east a distance of 212.5 feet, more or less, THENCE north 51 degrees 55 minutes west a distance of 386 feet; THENCE south 84 degrees 40 minutes west a distance of 88 feet; THENCE north 30 degrees 50 minutes west a distance of 241.6 feet; THENCE south 74 degrees 55 minutes east a distance of 198 feet; THENCE north 24 degrees 35 minutes east a distance of 282 feet to the division line between Lots No. 12 and Lot No. 13; THENCE along said division line in a direction south 75 degrees east a distance of 803 feet to the northwest limit of the Canadian Pacific Railway right-of-way;

THENCE along said limit in a southwesterly direction a distance of 876 feet to the point of beginning; being part of Lot No. 12 and comprising approximately 13.5 acres and which is more particularly shown on Plan No. 1734.

(b) Such other areas as may be designated by the Council from time to time.

Areas Which May Be Used For Mobile Home Sites

6. (1) The areas bounded and described as follows may be used for mobile home sites:

(a) Notwithstanding section 10 (2) and 10 (3), all existing mobile home sites upon which a mobile home is located for residential purposes as of the date of coming into force of this By-Law.

(b) Such other areas as may be designated by the Council from time to time.

7. (1) An application for a mobile home park license shall be in a form prescribed by the Council and signed by the applicant, containing

(a) the name and address of the applicant;

(b) the location and description of the park by metes and bonds;

(c) plans and dimensions of all buildings and other improvements constructed or to be constructed within the park;

(d) a complete plan of the park disclosing compliance with the requirements of this By-Law;

(e) such other information as may be requested by the Council or the Clerk to ascertain the merits of the application.

(2) The Clerk shall issue a mobile home park license when,

(a) an application under subsection (1) has been received;

(b) The Council

(i) approves the plans for the park as complying with the requirements of this By-Law (and the Village Zoning By-Law) and;

(ii) is satisfied that development of the park will proceed in such a manner as to comply with the requirements of this By-Law; and

(c) the fee set out in subsection (5) has been paid.

(3) In respect to any mobile home park in existence in the municipality on the coming into force of this By-Law:

(a) the owner or operator of such a mobile home park shall not be required to hold a mobile home park license; but,

(b) unless the unlicensed mobile home park meets all the requirements of a mobile home park as set out in section 8,

(i) mobile home within such unlicensed mobile home parks shall not be replaced, moved or relocated within the park;

(ii) the operators or owners of such unlicensed mobile home parks shall not be permitted to increase the number of spaces within the parks nor shall they be permitted to increase the number of mobile homes situated within such unlicensed mobile home parks.

(4) A license under subsection (2)

(a) is valid until December 31 of the year in which it is issued;

(b) is valid only for the carrying out of such plans as have been approved under clause (b) thereof; and

(c) is renewable.

(5) The fee for a mobile home park license, or renewal thereof, is \$2.00.

Park Requirements

8. (1) A mobile home park shall conform to the requirements that,

(a) it is located on a well-drained site that is properly graded to insure rapid drainage and freedom from stagnant pools of water;

(b) clearly defined spaces are provided therein, having and containing

(i) an area of at least 4,000 square feet, and

(ii) a width of at least 40 feet at the abutting driveway;

(c) subject to subsection (2),

(i) it is separated from adjoining properties and abutting public streets by a natural or artificial barrier,

(ii) no space is within 25 feet of a public street,

(iii) no building, structure or mobile home therein is within

(A) 40 feet of a public street, or

(B) 15 feet of a boundary line of the park, and

(iv) all spaces abut a driveway which has unobstructed access to a public street;

(d) all spaces therein are serviced by public power and municipal water and sewerage facilities;

(e) no mobile home is located within 25 feet of a service building; and

(f) the clearance between mobile homes on adjacent spaces is at least

(i) subject to subclause (ii), 25 feet, or

(ii) when parked end to end, 10 feet.

(2) Spaces in a mobile home park may front on a public street if such street

(a) is built especially for the park;

(b) intersects only one existing public street;

(c) has no more than two intersections with the street mentioned in clause (b); and

(d) incorporates a turn-around or loop within the park.

(3) Where spaces in a mobile home park front on a public street, no mobile home may be placed or located so that it is closer to the boundary of such street than 25 feet.

Garbage and Rubbish Disposal

9. The owner or operator of a mobile home park shall assure and each lessee in the park shall be responsible for:

(a) providing a tightly-covered metal or plastic garbage can, or other container acceptable to the Clerk, for each mobile home in the park for the deposit of garbage and rubbish;

(b) maintaining containers mentioned in clause (a) in a sanitary condition at all times; and

(c) collecting and disposing of garbage and rubbish deposited by the occupant of each mobile home at least as often as the service is supplied for the majority of homes in the municipality.

MOBILE HOME SITES

10. (1) Spaces mentioned in subsection (3) of section 7 may be converted to mobile home sites by conveyance to individual owners.
- (2) No mobile home may be placed or located on a mobile home site so that it is within,
- (a) 25 feet of the boundary of a public street; or,
 - (b) 5 feet of a property line.
- (3) Every mobile home site shall be serviced by public power and municipal water and sewerage facilities unless such site is specifically exempted from such requirements by the Council.
- (4) No license is required under this By-Law in respect of a mobile home site.
- (5) No mobile home may be placed or located on a mobile home site unless a building permit therefor has been issued under the Building By-Law.
- (6) Notwithstanding anything contained in the Building By-Law, the fee for a building permit mentioned in subsection (5) is \$2.00.
11. (1) The owner of a mobile home situated on an existing mobile home site may relocate the same mobile home on such site if he first obtains the written consent of the Village Council.
- (2) Such permission shall not be withheld by the Council if the result of the relocation would be either the improvement in the appearance of the site or result in a better compliance with the provisions of this By-Law.
12. (1) Subject to subsection (2), the Village Council may, upon application by the party so interested, grant its permission for the temporary location of a mobile home within the municipality for a specified period not to exceed one year and the Council may as well, make provision for the removal of such mobile home at the end of the permitted period;

(2) Where a Zoning By-Law is in effect, no area may be designated for a mobile home site under subsection (1) unless such use is expressly permitted by such by-law.

Enforcement

13. (1) A person who violates any provision of this By-law is guilty of an offence and is liable on summary conviction to a fine of not less than twenty-five (\$25.00) dollars and not more than one hundred (\$100.00) dollars.

(2) When a person is convicted of establishing, operating or maintaining a mobile home park without a valid license issued under this By-Law, a judge of the Provincial Court may, unless such person has paid the fee for such license, order payment thereof in addition to the fine.

14. By-Law No. 15 being a Mobile Home Parks and Sites By-Law enacted April 4, 1973 is repealed.

READ THE FIRST TIME this 10th day of March, 1975.

READ THE SECOND TIME this 7th day of April, 1975.

READ THE THIRD TIME AND ENACTED this 3rd day of November, 1975.

.....
(MAYOR)

.....
(CLERK)

BY-LAW # 42

A BY-LAW TO AMEND BY-LAW # 19, BEING THE
MOBILE HOME, PARKS AND SITES BY-LAW

The Council of the Municipality of Perth-Andover duly assembled hereby enacts as follows:

1. Sub-paragraph (i) of paragraph (b) of sub-section (1) of section 8 of By-Law # 19, being the Mobile Home, Parks and Sites By-Law, is repealed and the following substituted therefor:

"(i) an area of at least 360 square meters, and"

2. Sub-paragraph (ii) of paragraph (b) of sub-section (1) of section 8 of By-Law # 19, being the Mobile Home, Parks and Sites By-Law, is repealed and the following substituted therefor:

"(ii) a width of at least 12 meters at the abutting driveway;"

3. Sub-paragraph (ii) of paragraph (c) of sub-section (1) of section 8 of By-Law # 19, being the Mobile Home, Parks and Sites By-Law, is repealed and the following substituted therefor:

"(ii) no space is within 7.5 meters of a public street,"

4. Clause (A) of sub-paragraph (iii) of paragraph (c) of sub-section (1) of section 8 of By-Law # 19, being the Mobile Home, Parks and Sites By-Law is repealed and the following substituted therefor:

"(A) 12 meters of a public street"

5. Clause (B) of sub-paragraph (iii) of paragraph (c) of sub-section (1) of section 8 of By-Law # 19, being the Mobile Home, Parks and Sites By-Law, is repealed and the following substituted therefor:

"(B) 4.5 meters of boundary line of the park, and"

6. Paragraph (e) of sub-section (1) of section 8 of By-Law # 19, being the Mobile Home, Parks and Sites By-Law, is repealed and the following substituted therefor:

"(e) no mobile home is located within 7.5 meters of a service building; and"

7. Sub-paragraph (i) of paragraph (f) of sub-section (1) of section 8 of By-Law # 19, being the Mobile Home, Parks and Sites By-Law is repealed and the following substituted therefor:

"(i) subject to sub-clause (ii), 7.5 meters, or"

8. Sub-paragraph (ii) of paragraph (f) of sub-section (1) of section 8 of By-Law # 19, being the Mobile Home, Parks and Sites By-Law, is repealed and the following substituted therefor:

"(ii) when parked end to end, 3 meters."

9. The last line of sub-section (3) of section 8 of By-Law # 19, being the Mobile Home, Parks and Sites By-Law, is repealed and the following substituted therefor:

"closer to the boundary of such street than 7.5 meters."

10. Paragraph (a) of sub-section (2) of section 10 of By-Law # 19, being the Mobile Home, Parks and Sites By-Law, is repealed and the following substituted therefor:

"(a) 7.5 meters of the boundary of a public street; or,"

11. Paragraph (b) of sub-section (2) of section 10 of By-Law # 19, being the Mobile Home, Parks and Site By-Law, is repealed and the following substituted therefor:

"(b) 1.5 meters of a property line."

12. This By-Law comes into force on the date of final passing thereof:

READ A FIRST TIME BY TITLE this 15th day of MARCH 1978.

READ A SECOND TIME BY TITLE this 15th day of MARCH 1978.

READ IN ITS ENTIRETY IN COUNCIL this 6th day of NOVEMBER 1978.

READ A THIRD TIME BY TITLE AND ENACTED this 6th day of NOVEMBER 1978.

B. B. Wagner
.....
Mayor

[Signature]
.....
Clerk