

THE CORPORATION OF THE  
T O W N   O F   P E L H A M

BY-LAW NO. 1294 (1989)

Being a by-law to licence trailers and to prohibit trailers being located in the municipality, except in a trailer camp, without a licence therefor.

WHEREAS the Municipal Act, R.S.O. 1980, Chapter 302, Section 210 (95) provides that by-laws may be passed by the Councils of local municipalities for licensing trailers located in the municipality, except in a trailer camp operated or licensed by the municipality, for thirty days or longer in any year and for prohibiting such trailers being located in the municipality without a licence therefor;

AND WHEREAS the Council of the Corporation of the Town of Pelham deems it expedient to pass a by-law for such purposes;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

(1) In this by-law: -

"Agriculturally-based farms" shall mean a farm or part of a farm whose farming business includes the use of land for the yielding of fruit or vegetables or grains for sale, and dairy farming.

"Permanent Dwelling" shall mean a residential dwelling unit which meets the standards of the building by-laws of the Town of Pelham and which is used as the primary residence of the occupants and which may be occupied on a year round basis.

"Temporary Farm Workers" shall mean those persons employed on agriculturally-based farms during the period April 1st. to November 30th. only.

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"Trailers" 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 capable of being used for the living, sleeping or eating accommodation or persons, notwithstanding that such vehicle is jacked up or that its running gear is removed.

(2) No person shall locate or permit to be located a trailer on any land within the boundaries of the Town of Pelham without first obtaining a licence, except in a trailer camp and in accordance with the following:

(1) The licence for each trailer shall be obtained from the Town Clerk.

(2) The licence fee for each trailer shall be twenty (\$20.00) dollars for each month or portion of a month that the trailer is located in the municipality. The licence fees shall be payable in advance.

(3) All fees payable under this by-law shall be paid to the Treasurer of the Town of Pelham.

(4) No licence fee shall be charged in respect of a trailer assessed under the Assessment Act.

(3) The owner of the land on which each trailer is located shall be responsible for the payment of the prescribed licence fees with respect to each trailer located on his property; provided that if the owner of the land on which any trailer is located fails to obtain a licence and to pay the prescribed fees therefor, the fees may be recovered by the municipality in like manner as municipal taxes.

(4) This by-law shall not apply to a trailer when located in the municipality only for the purpose of sale or storage, provided that the same is not used for the storage of goods, wares, equipment or merchandise or for the purposes of an office or commercial or industrial use of any kind.

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(5) (1) No trailer shall be used for dwelling or eating purposes unless:

(a) the trailer is used solely as accommodation and living quarters for temporary farm workers who are employed in agriculturally-based farms.

(b) the trailer is used or occupied by temporary farm workers during the period April 1st. to November 30th. of each year or for such other period as Council in its discretion may permit.

(c) the owner or operator of the agriculturally-based farm has applied in writing for, and received a certificate of occupancy from the Chief Building Official in and for the Corporation of the Town of Pelham; and

(d) the owner or operator of the agriculturally-based farm has entered into a site plan agreement with the Council.

(2) Notwithstanding non-compliance with any of the conditions as set out in Subsection (1), Council may allow the use of trailers in the event of fire, flood or other natural disasters.

(6) Trailers shall be located only in those areas designated for use as agricultural lands in accordance with the Official Plan of the Corporation of the Town of Pelham or so designated by any zoning by-law of the Town passed after this by-law.

(7) Trailers shall be situate on agriculturally-based farms in such a manner that access to and egress from them can be made only by those driveways or laneways existing on such farms at the time of location of the trailers.

(8) Trailers that are located on agriculturally-based farms shall be situated in such a manner as to minimize their intrusion on the natural appearance of the area with due regard to such natural screening as can be adopted.

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(9) Trailers shall be set back at least fifty (50) feet from lot lines where a permanent dwelling is not situate on the lot, but where a permanent dwelling is situate on the lot, the trailer shall be located to the rear of the permanent dwelling and shall be set back at least fifty (50) feet from the rear elevation of the permanent dwelling.

(10) Trailers shall comply with the following requirements:

Minimum Floor Area must be 400 square feet.

Sanitary water and sewage system must be approved by Niagara Regional Health Unit, and letter of compliance to be forwarded to Chief Building Official of the Town of Pelham.

Electrical connections must conform to regulations as established under the Power Commission Act, R.S.O. 1980, Chapter 384, as amended from time to time.

(11) No trailer for which a certificate of occupancy has been issued shall be used as a permanent dwelling.

(12) The applicant for a trailer to be used by temporary farm workers shall submit a certificate of inspection and approval issued by the Fire Chief of the Corporation of the Town of Pelham to the Chief Building Official with his application for a certificate of occupancy.

(13) A certificate of occupancy shall be according to Schedule "A" attached to this by-law.

(14) Every person who contravenes any of the provisions of this by-law shall, upon conviction, forfeit and pay at the discretion of the convicting Provincial Court Judge a fine of not less than One Hundred (\$100.00) Dollars and not more than Three Hundred (\$300.00) Dollars exclusive of costs for each offence. Every such fine shall be recoverable under the Provincial Offences Act, R.S.O. 1980, Chapter 400 and amendments thereto.


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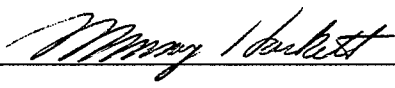
(15) This by-law shall apply only to those areas designated for use as agricultural lands in accordance with the Official Plan of the Corporation of the Town of Pelham or so designated by any Zoning By-law of the Town passed after this by-law.

(16) Where trailers are being used on agriculturally-based farms at the time this by-law is passed, the owner or operator or such agriculturally-based farms shall obtain a certificate of occupancy and enter into a site plan agreement as required by the provisions of this by-law.

(17) THAT By-law #268 (1974) be and the same is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME  
AND FINALLY PASSED BY COUNCIL THIS  
16TH. DAY OF OCTOBER, 1989 A.D.

  
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MAYOR

  
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CLERK