

TOWN OF STONEWALL
BY-LAW NO. 04-19

Being a By-Law of the Town of Stonewall to amend By-Law No. 17/71, being a By-Law to license and to regulate the placing and the location of Mobile Houses used as living accommodations within the Town.

WHEREAS By-Law No. 17/71 of the Town of Stonewall provides for the licensing and regulating of Mobile Homes within the Town including a monthly license fee to be paid to the Town for each Mobile House within the Town as amended by By-Law 6/14;

AND WHEREAS the Town of Stonewall deems it desirable and in the interest of the Town to increase the monthly fee paid to the Town for each Mobile House located within the Town;

NOW THEREFORE the Council of the Town of Stonewall, in Council duly assembled, enacts as follows:

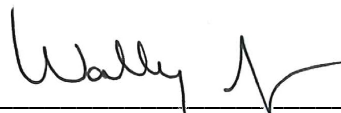
1. **THAT** By-Law No. 17/71 of the Town of Stonewall, be amended by deleting Subsection (e) of Section 2 of By-Law 17/71 and substituting the following:

2(e) A fee of SEVENTY (\$70.00) DOLLARS per month is payable for each license granted. At least one month's fee is payable at the time the application for a license is filed. The license fee payable at the time the application is filed shall be effective to the end of the month in which the license is issued. Thereafter, each monthly license fee shall be payable in advance on the first day of each month and shall be effective to the end of such month. Failure to pay the monthly license fee may invalidate the license.
2. **THAT** By-Law No. 6/14 be and is hereby repealed.
3. **THAT** this By-Law No. 04-19 shall come into force and take effect on July 1st, 2019.

DONE AND PASSED as a By-Law of the Town of Stonewall by the Council, duly assembled in the Town Hall this 17th day of April A.D., 2019.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

Read a first time this 3rd day of April A.D., 2019.

Read a second time this 17th day of April, A.D., 2019.

Read a third time this 17th day of April, A.D., 2019.

THE TOWN OF STONEWALL

BY-LAW NO. 17/71

BEING a By-law under "The Municipal Act", Section 439, Chapter 100, Statutes of Manitoba, 1970, to license and to regulate the placing and the location of mobile houses used as living accomodation in the Town of Stonewall.

The Council of the Town of Stonewall in meeting duly assembled enacts as follows:

1. DEFINITIONS

In this By-law, these definitions apply:

(a) "Council" means the Council of the Town of Stonewall.

(b) "Town" means the Town of Stonewall.

(c) "Mobile House" means any compact and transportable detached one-family dwelling which by virtue of the nature of its overall design is so deemed in the absolute discretion of the Council to be a mobile house and which has all the following characteristics:

(i) Designed for long-term occupancy for the domestic use of one or more individuals living as a single housekeeping unit, containing and having cooking, eating, living, sleeping and sanitary facilities, and with plumbing and electrical connections provided for attachment to outside systems.

(ii) Designed and so constructed as to be capable of being attached to and drawn on highways by a motor vehicle on its own wheels, other trailers or detachable wheels or which can be propelled by a motor vehicle engine installed therein or thereon. A mobile house does not cease to be such because it is removed from its wheels and other running gear or has been jacked up and placed on supports.

(iii) Designed without manifest provisions for its adaption to a basement.

(d) "Trailer Park" means any premises which are designated for residential use and designed for the accomodation of two or more mobile houses whether or not a charge is made for such accomodation.

(e) "Mobile House Site" means any parcel of land or premises within a trailer park allocated for the accomodation of not more than one mobile house.

(f) "License Inspector" means the Building Inspector of the Town of Stonewall or any other person appointed by Council to administer and to enforce this By-law.

(g) "Utilities" include electrical power, natural gas, water, sewage and telephone.

2. LICENSE

(a) All mobile houses located within the Town require a license.

(b) All mobile houses shall be placed and located only within a trailer park.

(c) Each mobile house site within a trailer park shall be considered to be an approved location, provided that the plans for the trailer park have been approved by Council and the Medical Officer of Health and provided further that all conditions of approval have been fulfilled.

(d) Every applicant for a license to place and locate a mobile house in an approved location shall within five days file, with the Secretary-treasurer of the Town, a written application stating:

- (1) the name of the applicant;
- (2) the name and the location of the approved trailer park;
- (3) the mobile house site to be occupied;
- (4) a declaration that the mobile house is to be used only for residential purposes;
- (5) the make, the model and the serial number of the mobile house;
- (6) the age of the mobile house;
- (7) the main exterior colours of the mobile house;
- (8) the name of the owner of the mobile house if different from that of the applicant;
- (9) the previous location of the mobile house and the license number of any license issued at that location.

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(e) A fee of ^{25.00}ten dollars per month is payable for each license granted. At least one month's fee is payable at the time the application for a license is filed. The license fee payable at the time the application for license is filed shall be effective to the end of the month in which the license is issued. Thereafter each monthly license fee shall be payable in advance on the first day of each month and shall be effective to the end of such month. Failure to pay the monthly license fee may invalidate the license.

(f) Any license issued under this By-law:

- (1) is not transferable;
- (2) does not provide for a change of location while the license is in force except by the consent of Council;
- (3) may be revoked by resolution of Council at any time for any failure on the part of the licensee to abide by this By-law or any other By-law of the Municipality.

3. INSPECTION

During reasonable hours, the License Inspector may inspect any premises licensed under this By-law for the discharge of his duties.

Premises licensed under this By-law are subject, during reasonable hours or during an emergency, to inspection by the Fire Chief of the Town, any police officer or the Medical Officer of Health.

The License Inspector shall inform the licensee of any unsanitary conditions or any other improper conditions. If the licensee should fail to remedy the situation within a reasonable period of time, the License Inspector shall report the matter to Council.

4. UTILITY CONNECTIONS

Only licensed mobile houses shall be allowed to be connected to the utilities.

5. ALTERATION TO STRUCTURES AND LAND

No alterations shall be made to any mobile house, building, structure, or land except by the authority of Council and only after a permit has been issued.

6. TRAILER PARKS

(a) General Requirements:

(1) A mobile house shall not be used for any purpose other than as a residence as stated in the application for a license.

(2) A trailer park shall have:

Minimum area of the trailer park	40,000 sq. ft.
Minimum width of the trailer park	250 ft.
Minimum area of mobile house site	3,600 sq. ft.
Minimum width of mobile house site	
for mobile houses fourteen (14) ft. and under in width	30 ft.
for mobile houses over fourteen (14) ft. in width	50 ft.
Minimum depth of mobile house lots	90 ft.
Minimum side-to-side clearance between mobile houses	10 ft.
Minimum end-to-end clearance between mobile houses	10 ft.

Minimum clearance between any mobile house and any roadway

for major thoroughfares	45 ft.
for local residential routes	30 ft
Minimum width of right-of-way	40 ft.

(3) The Council at its discretion may make a five per centum (5%) variation in the general requirements when deemed necessary.

(4) All utilities shall be underground excepting hydro and telephone.

(5) Service buildings shall be centrally located, and in no case shall be further than three hundred (300) feet from any dependant mobile house, or nearer than twenty (20) feet to any mobile house, and shall be provided with adequate light, heat and ventilation. All service buildings shall be approved prior to construction.

(6) Tanks for the storage of fuel oil or propane shall be concealed from view by screening or other appropriate measures and be subject to any other Provincial regulation.

(7) Each mobile house site shall be clearly marked by corner posts or other satisfactory means and identified by a numbered sign approved by Council.

(8) The management of every trailer park shall provide for the storage of refuse, garbage and debris in a sanitary manner in a location readily accessible to all mobile houses but not more than five hundred (500) feet of any mobile house.

(9) The owner or the operator of any trailer park shall provide and maintain proper lighting units approved by Council to properly illuminate all roadways within such trailer park.

(10) The owner or the operator of any trailer park shall gravel or hard surface and properly maintain all roadways within such trailer park. Only temporary parking is allowable on the roadways.

(11) At least one (1) parking space on site shall be provided for each mobile house site.

(12) A separate open area for childrens' playground or playgrounds shall be provided on a basis of two hundred (200) square feet per mobile house lot or twenty four hundred (2,400) square feet, whichever is the greater.

(13) The owner or the operator of any trailer park shall provide and maintain suitable landscaping on the site.

~~##~~ (b) Consent of Council shall be obtained by any person before establishing, operating or extending a trailer park within the limits of the Town. Every person wishing approval of a plan for a trailer park shall conform to the General Requirements as outlined above and shall file with the Secretary-treasurer of the Town a written application stating;

- (1) the name and the address of the applicant or the applicants;
- (2) the location of the proposed trailer park;
- (3) the size and the shape of the mobile house sites;
- (4) the drainage facilities for surface water in the area;
- (5) the proposed design for on site water distribution and sewage collection and for connection to the municipal systems;
- (6) the location of garbage storage;
- (7) the fire protection for the area;
- (8) the means of vehicular and pedestrian access;
- (9) the relationship of each mobile house site to neighbouring buildings and the limits of the property within which the mobile house site is located;
- (10) the intended use of each mobile house.

Said application may be filed by the owner of the proposed trailer park or his agent.

The applicant shall file with his application a complete copy of the plan of the proposed trailer park or of any extension of a trailer park. This plan, with the legal description of the property shown thereon shall be drawn to scale and shall show clearly the extent of the area to be used for mobile house lots. All proposed roadways and/or drive-ways shall be shown together with each proposed location for a mobile house site; location of all proposed sanitary conveniences; plans for all service buildings and all of the facilities proposed therein; the proposed method of sewage collection; the plan for water supply and lighting; and the location of proposed entrances and exits.

The aforesaid application and plans shall be referred to the Advisory Planning Commission for a report and recommendation prior to a decision of the Council to approve or to reject the plan.

In no case may an application for approval of a plan for a trailer park be considered if the proposed development should fail to meet the requirements of the Department of Health, the Department of Tourism & Recreation, the Clean Environment Commission and any other Provincial Regulation.

No trailer park is permitted on property not designated for such use by a By-law of Council.

(c) The owner or the operator of any trailer park shall

(i) on the first day of each month succeeding the month in which the license is issued, collect the monthly license fee from the licensee of each mobile house in said trailer park, and

(ii) within five days from the first day of each month pay to the Secretary-treasurer of the Town all monthly license fees collected by him for such month and file with the said Secretary-treasurer duplicates of the receipts issued by him for such monthly license fees and a statement in a form approved by Council setting forth a list of all mobile house sites in such trailer park rented on the date of the filing of such statement.

6. DUTIES OF THE SECRETARY-TREASURER.

The Secretary-treasurer of the Town shall perform the following duties:

- (1) Maintain a supply of suitable application forms;
- (2) Receive and record all applications;
- (3) Issue a license in the case of an application which meets all the requirements of this By-law following receipt of the fee payable.
- (4) Record all licenses approved.
- (5) Refer to Council any application which appears to require the interpretation or the direction of Council.

7. DUTIES OF THE LICENSE INSPECTOR

The License Inspector shall perform the following duties:

- (1) Inspect from time to time all mobile houses for which a permit is in force and report any violations of the conditions of this By-law to Council for their direction.

- (2) Report to Council the locating or the placing of a mobile house within the Town for which no license has been acquired.

8. APPEALS

Appeal against any decision of the Inspector must be made in writing, stating the grounds for complaint, to the Council, who shall determine the issue.

9. PENALTIES

The penalty for the violation of any provision of this By-law is a fine not exceeding fifty dollars (\$50.00) for each offence. ~~Each~~ day that a violation is permitted to exist constitutes a separate offence. In case of the non-payment of the penalty and costs imposed for any violation of this By-law and there being no distress found out of which such penalty and costs can be levied, the offender may be imprisoned in the common gaol for the Eastern Judicial District of the Province of Manitoba, for a period not exceeding thirty days.

10. By-law No. 527, By-law No. 688 and By-law No. 826 of the Town of Stonewall are hereby repealed.

PASSED in Council this 26th day of MAY 1971.

W. H. Taylor
Mayor

William Seed
Secretary-treasurer.