

**PROVINCE OF QUEBEC
MUNICIPALITY OF CLARENDON
BY-LAW 2017-261**

**BY-LAW PERTAINING TO THE USE OF RECREATIONAL VEHICLES AND TRAILERS ON THE
TERRITORY OF THE MUNICIPALITY**

WHEREAS recreational vehicles and trailers are in use on the territory of the municipality;

WHEREAS the present by-law needed to be updated

WHEREAS notice of motion that present By-Law 1983-166 will be replaced by By-law 2017-261 was duly given by councillor Eric Smith at a regular meeting of council that was held on April 11, 2017.

WHEREAS the first draft was adopted on April 25, 2017

WHEREAS a public consultation was held on July 11th 2017

IT IS PROPOSED BY ERIC SMITH,

SECONDED BY JERRY BARBER;

AND RESOLVED UNANIMOUSLY:

That the by-law carrying the no 2017-261 replaces by-law carrying the no 1983-166 and that council orders and so rules that it follows:

SECTION 1 - DEFINITION

This bylaw applies to mobile vehicles that is self-propelled or can be pulled by a truck or car, and that can be used as habitation, shelter or office. In no case will a recreational vehicle be considered to be a main building.

The terms recreational vehicle and trailer include the following types of vehicles:

truck campers,
popup campers,
camper trailers,
campervans,
caravans,
travel trailers,
fifth-wheel trailers, and
all classes of motor homes.

This bylaw does not apply to the prefabricated structures referred to as mobile homes, trailer homes, or house trailers.

SECTION 2 – USE OF RECREATIONAL VEHICLES AND TRAILERS

Recreational vehicles and trailers may be used and stored within the Municipality of Clarendon subject to the conditions of this bylaw.

**SECTION 3 – INSTALLATION OF RECREATIONAL VEHICLES AND TRAILERS
ON A VACANT LOT**

A maximum of one (1) recreational vehicle or trailer may be installed on a vacant lot to serve as a habitation provided that:

It belongs to the owner of the land on which it is parked.

It is licensed and can be moved by a domestic vehicle without obtaining a special permit from the Ministère du Transport du Québec (MTQ).

It is serviced by a septic system in accordance with the regulations on the “*Treatment and Disposal of Sewage and Waste Water from Isolated Dwellings*” (Environmental Quality Act).

It is serviced by a well in accordance with the regulations on “*Groundwater Catchment Regulation*” (Environment Quality Act).

It is installed in a way that respects the protected waterfront band as defined in the master plan of the municipality, the zoning bylaw # 2003-216, and the *Guide d’interprétation - Politique de protection des rives, du littoral et des plaines inondables*, 2015 (Ministère du Développement durable, de l’Environnement et de la Lutte contre les changements climatiques).

The setbacks are respected as for a main building.

Exception is granted if the recreational vehicle or trailer will be used under and only under the following conditions:

- Three (3) consecutive days no more than eight (8) times a year and removed from the vacant lot at the end of the 3rd day on each occasion
- Fifteen (15) consecutive days or less no more than once (1) a year and removed from the vacant lot at the end of the 15th day or less

There are no accessory constructions to the recreational vehicle with the exception of a floating platform serving as a stair landing. Under no circumstances can the dimensions of this platform exceed 8’ x the length of trailer, bumper to bumper in this configuration.

Zoning By-law, Section 4.3 pertaining to secondary buildings and accessory structures applies. Therefore, secondary buildings are not permitted on a vacant lot with a recreational vehicle. Exception: One (1) movable 8’ x 8’ utility shed will be allowed.

A permit application is submitted, approved and paid prior to any installation.

The storage of a recreational vehicle or trailer on a vacant lot is not permitted.

Under the provisions of the “Act Respecting Municipal Taxation”, Article 231, the Municipality has the right to charge a fee of \$10/month for the use of a recreational vehicle or trailer by a property owner on his/her lot and is also entitled to payment of compensation for any municipal services that are provided. These fees will be charged at time of the permit application.

SECTION 4 – INSTALLATION AND USE OF RECREATIONAL VEHICLES AND TRAILERS ON A LOT WITH A MAIN BUILDING

The use of a recreational vehicle or trailer is not permitted on a lot where a main building exists except if the conditions stipulated in section 5 and section 6 are respected.

SECTION 5 – STORAGE OF RECREATIONAL VEHICLES OR TRAILERS

The owner of a recreational vehicle or trailer may store it on his/her lot provided that: There is a main building on the lot.

The recreational vehicle or trailer is stored in the side or back yard of the main building.

The recreational vehicle or trailer is not served by water, sanitation or electricity.

A maximum of one (1) recreational vehicle or trailer may be stored per lot.

A stored recreational vehicle or trailer may be used from time to time as temporary short-term (less than 15 days) accommodation for family or guests of the property owner.

In no case shall a stored recreational vehicle or trailer be used for long-term (more than 15 days) residential purposes.

The Municipality shall not charge a fee for the storage of a recreational vehicle or trailer by a property owner on his/her lot.

**SECTION 6 - TOLERANCE FOR GUESTS' RECREATIONAL VEHICLES
OR TRAILERS**

The guest of a property owner may park and use a recreational vehicle or trailer on the owner's lot for no more than fifteen (15) days, provided that there is a main building on the lot.

The property owner shall notify the Municipality each time a guest recreational vehicle or trailer is installed for more than three (3) days.

Under no circumstances shall a property owner charge a fee to a guest for the parking and use of a recreational vehicle or trailer.

SECTION 7 – ACQUIRED RIGHTS

There are no acquired rights with regard to recreational vehicles or trailers in the Municipality of Clarendon.

SECTION 8 – FEES

Annual Fees for a recreational vehicle or trailer municipal services will be established on an annual basis by the Municipality.

SECTION 9 – APPLICATION OF BYLAW

The Building Inspector, while exercising his or her duties, has the right to visit any immovable property between the hours of 7:00 a.m. and 7:00 p.m. The Building Inspector may inspect the inside of a house, building or recreational vehicle or trailer, in order to determine that the present bylaw is respected.

The owners, tenants or occupants are obligated to let the Building Inspector in. They must also answer all questions relevant to the application of the present bylaw.

The Building Inspector may take photos as well as any samples that he or she deems necessary.

SECTION 10 – RESPECT OF THE ENFORCEMENT OFFICER

Anyone present when the Building Inspector is conducting an inspection shall not insult, molest, intimidate, threaten, or harm the officer in any way.

SECTION 11 - INFRACTION

Whoever contravenes a provision of this bylaw commits an offence and is liable to a fine of one hundred dollars (\$100.00) in the case of a natural person and two hundred dollars (\$200.00) in the case of a moral person for the first infraction.

The fine is two hundred dollars (\$200.00) in the case of a natural person, and four hundred dollars (\$400.00) in the case of a moral person for any repeat offence during the following year.

In each case, legal expenses shall be additional if applicable.

If an infraction lasts more than one day the Municipality may count as many single infractions as the duration of days the infraction occurs and these infractions may be in one single accusation.

SECTION 12 - POWERS OF THE JUDGE

In the case where the Judge of the Court gives a sentence concerning an infraction to the bylaw, he may, over and above the fine and costs, order necessary corrections within a prescribed delay.

If an offender fails to comply with the sentence, the Judge may authorize the Municipality to make the necessary corrections at the offender's expense.

SECTION 13 : REPLACEMENT

The present by-law replaces any preceding municipal by-laws concerning to the use of trailers in use on the territory of the municipality.

SECTION 14: ENTRY INTO FORCE

The present by-law shall enter into force in accordance with the Law

Notice of Motion: April 11th 2017

Adoption of first Draft By-Law: April 25th 2017

Adoption of the By-Law: August 8th 2017

Date de publication: August 11th, 2017

Mayor, John Armstrong

Director General, Mike Guitard