

RURAL MUNICIPALITY OF GRAHAMDALE

Travel Trailer and RV Permit By-Law

BY-LAW NO. 1086-2024

Being a By-law to Regulate and License Travel Trailers and RV's in the R.M. of Grahamdale

WHEREAS Division 2 and 3 of Part 7 of The Municipal Act L.M. 1996, c. 58 - Chap. M225 provides, in relevant part, that:

Section 231 - The power given to a council under this Division to pass by-laws is stated in general terms

- (a) to give broad authority to the council and to respect its right to govern the municipality in whatever way the council considers appropriate, within the jurisdiction given to it under this and other Acts; and
- (b) to enhance the ability of council to respond to present and future issues in the municipality

Section 232(1) A council may pass by-laws for municipal purposes respecting the following matters:

- (c) subject to section 233, activities or things in or on private property;
- (o) the enforcement of by-laws

Section 232(2) Without limiting the generality of subsection (1), a council may in a by-law passed under this Division

- (e) subject to the regulations, provide for a system of licenses, permits or approvals, including any or all of the following:
 - (i) establishing fees, and terms for payment of fees, for inspections, licenses, permits and approvals, including fees related to recovering the costs of regulation,
 - (iii) prohibiting a development, activity, industry, business or thing until a licence, permit or approval is granted,
 - (iv) providing that terms and conditions may be imposed on any licence, permit or approval, and providing for the nature of the terms and conditions and who may impose them,
 - (v) providing for the duration of licences, permits and approvals and their suspension or cancellation or any other remedy, including undertaking remedial action, and charging and collecting the costs of such action, for failure to pay a fee or to comply with a term or condition or with the by-law or for any other reason specified in the by-law, and

Section 233 A by-law under clause 232(1)(c) (activities or things in or on private property) may contain provisions only in respect of

- (c) the parking and storing of vehicles, including the number and type of vehicles that may be kept or stored and the manner of parking and storing;

Section 236(1) Without limiting the generality of clause 232(1)(o) (enforcement of by-laws) and subject to subsection (3), a by-law passed under that clause may include provisions

- (a) providing for procedures, including inspections, for determining whether by-laws are being complied with; and
- (b) remedying contraventions of by-laws, including

- (i) creating offences,
- (ii) subject to the regulations, providing for fines and penalties, including the imposition of a penalty for an offence that is in addition to a fine or imprisonment, so long as the penalty relates to a fee, rate, toll, charge or cost that is associated with the conduct that gives rise to the offence, or related to enforcing the by-law,
- (iii) providing that an amount owing under subclause (ii) may be collected in any manner in which a tax may be collected or enforced under this Act,
- (iv) seizing, removing, impounding, confiscating and selling or otherwise disposing of plants, animals, vehicles, or other things related to a contravention,
- (v) charging and collecting costs incurred in respect of acting under subclause (iv),
- (vi) imposing a sentence of imprisonment for not more than six months for the commission of offences or nonpayment of fines.

Section 242(1) If a designated officer finds that a person is contravening a by-law or this or any other Act that the municipality is authorized to enforce, the designated officer may by written order require the person responsible for the contravention to remedy it if, in the opinion of the officer, the circumstances so require.

Section 242(2) The order may remedy contraventions of by-laws, including

- (a) direct a person to stop doing something, or to change the way in which the person is doing it;
- (b) direct a person to take any action or measure necessary to remedy the contravention of the Act or by-law, including the removal or demolition of a structure that has been erected or placed in contravention of a by-law and, if necessary, to prevent a reoccurrence of the contravention;
- (a) state a time within which the person must comply with the directions; and
- (d) state that if the person does not comply with the directions within a specified time, the municipality will take the action or measure at the expense of the person.

Section 243(2) The order may

- (a) state a time within which the person must comply with the order; and
- (b) state that if the person does not comply with the order within the specified time, the municipality will take the action or measure at the expense of the person.

AND WHEREAS it is deemed desirable to regulate travel trailers and RV's on private property by establishing a permit process within the R.M. of Grahamdale;

NOW THEREFORE, the Council of the Rural Municipality of Grahamdale, in open meeting duly assembled, enacts as follows:

1. Title and Application

- 1.1 This By-law shall be cited as the "Travel Trailer and RV Permit By-law."
- 1.2 This By-law does not apply to:
 - a. Assessed Recreational Vehicles legally located on a property and assessed under the Province of Manitoba's Municipal Assessment Act;
 - b. Travel Trailers and RV's located in Steep Rock Beach Park Campground;
 - c. A Recreational Vehicle placed on a property as a conditional use in accordance with the provisions of the Zoning By-law.
- 1.3 With the exception of Section 1.2 above, this By-law applies to all travel trailers and Recreational Vehicles and all properties zoned General Development and Lake Residential in the R.M. of Grahamdale.

- 1.4 Property owners with a current Licensed Recreational Vehicle will have until January 1, 2026, to comply with the provisions of this By-law.

2. Definitions and Interpretation

Definitions

- 2.1 In this By-Law, unless the context otherwise requires,

“**Council**” means the Municipal Council of R.M. of Grahamdale;

“**Designated Officer**” means an official appointed by council, from time to time, to enforce this by-law.

“**Dwelling**” means a structure containing one or more habitable rooms, used or intended to be used together for living and sleeping purposes by one or more persons. Recreational vehicles (RVs) or other camping vehicles shall not be considered a dwelling.

“**Municipal Warning**” means a warning issued pursuant to Section 8.0 of this By-Law.

“**Municipal Order**” means an order issued pursuant to Section 8.0 of this By-Law in the form attached hereto as Schedule “A”

“**Persons**” shall mean any individual, corporation or group.

“**Recreational Vehicle**” (RV) means any contrivance so constructed that is suitable for being attached to a motor vehicle for the purposes of being drawn or is propelled by the motor vehicle or self-propelled. A Recreational Vehicle includes a travel trailer, motor home, or camper but does not include a Park Model Trailer, Tiny Home, or Tent Trailer.

Interpretation

- 2.2 In all parts of this By-Law, any word importing the male gender shall include the female gender and vice versa, and any word importing the singular shall include the plural, and vice versa, as applicable and unless the context requires a different interpretation.

3. Scope and General Provisions

- 3.1 Permit Requirement: No person shall place a Travel Trailer or RV on their property without first acquiring a Permit from the Municipality.
- 3.2 Occupancy and Use: No person shall occupy, use, or store a Recreational Vehicle except in accordance with this By-law.

4. Licensing of Recreational Vehicles

- 4.1 Primary Allowance: One (1) Travel Trailer/RV is allowed per property, subject to obtaining a Permit and paying an annual Permit Fee as determined by the Municipality’s Fees and Charges By-law.
- 4.2 Additional Allowance: Additional Travel Trailer/Recreational Vehicles may be permitted, at Council’s discretion, on a property provided:
- a. A separate Permit is obtained for each additional Travel Trailer/RV
 - b. All applicable Permit Fees are paid;
 - c. The placement of all Travel Trailers/RVs meets the setback requirements as per the Municipality’s Zoning By-law, including but not limited to:
 - i. 25 feet from the front yard,
 - ii. 10 feet from the rear yard,

- iii. 10 feet from each side yard and 10 feet from any side yard corner,
- iv. 10 feet from other Recreational Vehicles, buildings, or structures.

4.3 Site Plan Submission: A site plan, including a diagram showing the proposed location of the Travel Trailers/RV(s) with specified setbacks, must be submitted with the Permit application.

5. Temporary Use/Storage

5.1 Temporary use or the storage of more than one (1) Travel Trailer or Recreational Vehicle on a property zoned General Development or Lake Residential requires a Permit.

6. Exemptions

6.1 Special Events: More than one Travel Trailer/RV are permitted for special events or personal gatherings, provided that the event does not last more than 3 days, setback requirements are met, and the R.M. of Grahamdale Municipal Office is informed in writing at least fourteen (14) days prior to the event.

6.2 Construction Projects: Travel Trailers/RV's are permitted without a Permit for temporary use related to third-party construction projects (e.g., roads, cell towers).

7. Permit Fees and Duration

7.1 Permit Fees for Recreational Vehicles shall be established by the Municipality's Fees and Charges By-law.

7.2 Permits are valid from January 1st to December 31st of each year. Fees will be invoiced in January and payable by March 31 of every year.

7.3 Refunds may be requested in writing if a Recreational Vehicle is removed from a property, with the refund amount prorated based on the month following removal confirmation.

7.4 Where a Dwelling exists on the property, there shall be no permit fee for the first Recreational Vehicle.

8. Enforcement

8.1 The Designated Officer is authorized to enter upon any property within the Municipality for the purposes of determining compliance with this By-law and may

- a. enter upon the land at any reasonable time, without the consent of the owner or resident;
- b. request that anything be produced to assist with such inspection; and
- c. make copies of anything related to such inspection.

8.2 If the Designated Officer determines that an offense under this By-law has been or is being committed, the Designated Officer may issue a warning. The warning notice may include:

- a. Notification of the violation providing the section violated;
- b. Notification of specific steps to be undertaken in order to come into compliance; and
- c. Notification of the date and time when a follow-up inspection will be undertaken to ensure compliance.

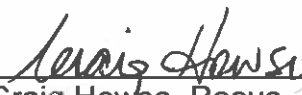
8.3 If the person has not complied by the follow-up inspection date, the Designated Officer may issue a Municipal Order. The Municipal Order may include:

- a. Notification of the violation of the section violated;

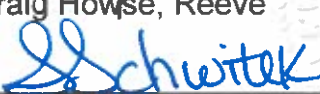
- b. Notification of specific steps to be undertaken in order to come into compliance;
- c. Notification of the date and time when a follow-up inspection will be undertaken to ensure compliance;
- d. Notification of the actions to be undertaken by the Municipality should the violation not be remedied and provide the date that the Municipality will take corrective action; and
- e. Notification of the appeal process

- 8.4** In accordance with the Municipal Act prior to the deadline, the person may, in writing, submit an appeal to Council for their consideration. An appeal shall be submitted within fourteen (14) days from the date the Municipal Order is received. Upon the receipt of an appeal, a Council hearing date will be set. The offender will be notified of the hearing date.
- 8.5** After reviewing the Municipal Order, Council may confirm, vary, or substitute the Order.
- 8.6** Council may cancel the Municipal Order at any time and may provide up to 30 days notice for cancellation;
- 8.7** Should an extension be granted by Council, the Designated Officer shall re-inspect the property upon expiration of the extension. Upon re-inspection, should the person still not be in compliance with the by-law, the Designated Officer shall refer the matter to Council to determine the course of action to be carried out to enforce the Municipal Order and by-law.
- 8.8** The Municipality may take whatever actions or measures are necessary to remedy a contravention of this by-law, the Municipal Act or a permit. Such actions may include performing any work required or revoking a permit. If the person to whom an order was directed did not comply with the Municipal Order within the time specified, and the time for requesting a review of the Order has passed or the person requested that Council review the Order and Council did so and confirmed that the Municipality can take the ordered actions or measures.
- 8.9** The costs of actions or measures taken by the Municipality to carry out the terms of an Order or to enforce this by-law are an amount owing to the Municipality. In addition to the other rights of collection which the Municipality may have, such amounts may be collected by the Municipality in the same manner as a tax may be collected or enforced under the Municipal Act.
- 8.10** A person who contravenes this by-law or a permit is guilty of an offence and is liable on summary conviction to a fine of not more than \$1000.00, to a penalty equal to the costs associated with or resulting from enforcing this by-law, the Act or a permit, and in the case of a contravention for failing to obtain a permit, to a penalty equal to the permit fee.

DONE AND PASSED in Council duly assembled in the Rural Municipality of Grahamdale in the Province of Manitoba, this 24, day of October, 2024.



 Craig Howse, Reeve



 Shelly Schwitek, Chief Administrative Officer

Read a first time this 10th day of October 2024.
 Read a second time this 10th day of October, 2024.
 Read a third time this 24th day of October, 2024.

Schedule A

**RURAL MUNICIPALITY OF GRAHAMDALE
TRAVEL TRAILER AND RV PERMIT BY-LAW
BY-LAW NO. 1086-2024**

MUNICIPAL ORDER

Pursuant to s. 242 of *The Municipal Act*

To:
Address:
RE:
Reference #:

I, as the Designated Officer of The Municipality of Grahamdale, upon inspection, have determined that you are in violation of By-Law 1086-2024.

THE FOLLOWING DEFICIENCIES ARE NOTED:

- 1.
- 2.

PURSUANT TO s. 246(1) OF *THE MUNICIPAL ACT* YOU ARE HEREBY ORDERED TO RECTIFY THE NOTED DEFICIENCIES BY COMPLETING THE FOLLOWING ACTIONS WITHIN () DAYS OF THE RECEIPT OF THIS ORDER.

- 1.
- 2.

NOTICE: IF YOU DO NOT COMPLY WITH THIS ORDER WITHIN THE TIME SET ABOVE, THE RURAL MUNICIPALITY OF GRAHAMDALE MAY EXERCISE ITS AUTHORITY PURSUANT TO S. 242 (2)(b) OF *THE MUNICIPAL ACT* TO ENTER ON YOUR PROPERTY AND COMPLETE THE REQUIRED WORKS. THE COST OF PERFORMING SUCH WORKS WILL, BY STATUTE, BECOME A DEBT OWING BY YOU TO THE RURAL MUNICIPALITY OF GRAHAMDALE.

APPEAL: Pursuant to s. 244(1) of *The Municipal Act*, you have the right to appeal to the Council of the Rural Municipality of Grahamdale ***within fourteen (14) days of the receipt of this Order***. The Council of The Rural Municipality of Grahamdale has the authority to confirm, vary, substitute or cancel this Order. **AN APPEAL TO COUNCIL MUST BE A WRITTEN NOTICE** delivered to the Municipal Office, 23 Government Road, Box 160, Moosehorn, Manitoba, ROC 2E0 Phone (204)768-2858 Fax (204)768-3374 E-Mail info@grahamdale.ca

Re-Inspection Date:

DATE at Moosehorn, Manitoba this day of .

Recipient

**Designated Officer,
Rural Municipality of Grahamdale**