

**RESORT VILLAGE OF TOBIN LAKE
BYLAW NO. 16/2020**

**A BYLAW RESPECTING PERMIT FEES FOR TRAILER PARKS, CAMPGROUNDS,
RECREATION VEHICLE PARKS AND MOBILE HOME PARKS**

The Municipalities Act of Saskatchewan permits a council to enact a bylaw, to authorize and require the operators and every owner or occupant of property who permits two or more trailers or mobile homes that are used as living quarters, or one or more trailers or mobile homes that are divided into multiple units that are used as living quarters, to be located on property, to register the owners of the trailers or mobile homes, to collect from the owners of the trailers or mobile homes, any permits fees that are imposed by bylaw and to pay the permit fees to the municipality.

The Council of the Resort Village of Tobin Lake in the Province of Saskatchewan enacts as follows:

Short Title

- 1) This Bylaw may be cited as the "Trailer Permit Fee Bylaw"

**PART I
PURPOSE AND DEFINITIONS**

Purpose and Scope

- 2) The purpose of this Bylaw is to Permit the Operation of Trailer Parks, Campgrounds, RV Parks and Mobile Home Parks so as:
 - a) to ensure compliance with land-use and building regulations;
 - b) to gather fees for services;
 - c) to gather land-use information; and
 - d) to facilitate planning decisions.

Definitions

- 3) In this bylaw;
 - a. "Administrator" means the Administrator of the Municipality;
 - b. "Bylaw Enforcement Officer" means a person appointed by Council pursuant to Section 373 of *The Municipalities Act*;
 - c. "Campground" means an area designated for the recreational use and operation of campsites;
 - d. "Campsite (short term)" means a specified area of land within a campground with marked boundaries designated for no more than one (1) individual unit permitted to be used by the travelling public for overnight stays, the maximum consecutive period being one calendar week;
 - e. "Campsite (long term)" means a specified area of land within a campground with marked boundaries designated for no more than one (1) individual unit permitted to be used by the travelling public for overnight stays on a year-round basis;
 - f. "Council" means the Council of The Resort Village of Tobin Lake;
 - g. "Designated Officer" means a person appointed by the Municipality to enforce this Bylaw and shall include a Bylaw Enforcement Officer;
 - h. "Municipality" means The Resort Village of Tobin Lake;
 - i. "Operation" means the act and process of operating Trailer Parks, Campgrounds, RV Parks and Mobile Home Parks within the municipality;

- j. **“Operator”** means the person operating a park, and includes any owner or occupant of a Property who suffers or permits a park to exist thereon.
- k. **“Operator’s permit”** means a permit issued by the Administrator or Village Office.
- l. **“Park”** means commercial land that is i) operated as a recreation vehicle park, or ii) land that contains two or more trailers or mobile homes, that are used as living quarters, or iii) one or more trailers or mobile homes that are divided into multiple units that are used as living quarters or iv) land that is used to station a unit or units for more than 7 consecutive days or a total of thirty days or more between the months of April and October of each year.
- m. **“Park Model trailer”** means a seasonal dwelling mobile home that cannot be licensed as a recreation vehicle, has no brakes or taillights and must be permitted to be transported on a public highway.
- n. **“Permit fee”** means the annual fee per recreation vehicle site, and includes the costs imposed by the Municipality for services provided, and including but are not limited to facility maintenance and improvements, landfill access, fire and police protection and bylaw enforcement;
- o. **“RV”** means recreation vehicle;
- p. **“Site”** means that portion of a park used or intended for use by an individual unit.
- q. **“Unit”** means a single recreational vehicle, trailer coach, mobile home, truck camper, motor home, fifth wheel, park model and travel trailer or other such approved accommodation intended for use in a trailer park, campground, RV park or mobile home park and intended to be used as living quarters.

PART II **GENERAL**

- 4) The owner or operator of any Park, used within the Municipality shall not operate a park, or suffer or permit the operation of a park on property owned or occupied by that person or corporation within the boundaries of the Resort Village of Tobin Lake without first obtaining an Operator’s Permit.
- 5) The application of, or issuance of, any Operator’s Permit is required in addition to any other municipal, provincial, or federal license or permit that may be required.
- 6) All Operator’s Permits expire on December 31st of the year they were issued.
- 7) The Administrator shall issue an Operator’s Permit to an Operator upon receiving a properly completed application (in such form as the Administrator or Council shall determine from time to time) in which the operator shall correctly and accurately set for the following information and shall certify the truth thereof under oath or affirmation;
 - a) the names and mailing addresses of the operator;
 - b) the property comprising the park;
 - c) the number of sites in the park; and how many are designated as long term and short term sites.

- d) such other information as may be required in any other bylaw of the municipality.
and upon receiving payment of the annual license fee from the Operator.
- 8) The Administrator shall issue an Operator's Permit once the application is completed to the satisfaction of the Municipality, and if unable to, shall provide written reasons thereof.
 - 9) If an Operator contravenes any term or condition of the permit or of this Bylaw, or any municipal or provincial law or a requirement of that operation, the Municipality may suspend or cancel the Operator's Permit providing 10 days written notice is provided.
 - 10) Each Operator is responsible for remitting a permit fee to the Municipality for each site. Such permit fees shall be incurred each year for the period January 1 to December 31, inclusive.
 - 11) Permit fees shall be charged per site, regardless of term.
 - 12) Permit fees shall be an amount set annually by resolution of Council and attached to this bylaw in Schedule "A".
 - 13) All fees under this bylaw shall be paid to the Municipality on or before October 1st of the year in which the fees are imposed.
 - 14) The Operator shall declare in writing to the Municipality the number of sites which are utilized for long term, and those which are utilized for short term, by July 10th each year.
 - 15) If the Operator does not make a declaration stating which sites are utilized for short term and which are utilized for long term by July 10th each year, permit fees shall be charged to all sites at the rates provided in Schedule "A" for long term sites.
 - 16) Any permit fee payment must accompany a list identifying what campsites the fees are being remitted for and if they are short term or long term.
 - 17) Any permit fee not paid by the prescribed time shall be subject to a late payment financial penalty as listed in Schedule "A".
 - 18) The administration and enforcement of this Bylaw is hereby delegated to a Designated Officer for the Municipality.
 - 19) The inspection of any property in the Municipality to determine if this Bylaw is being complied with is hereby authorized.

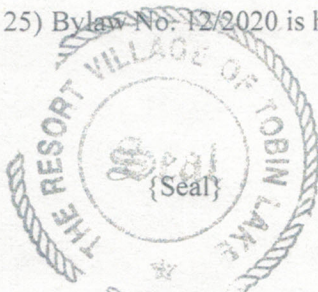
PART III
OFFENCES AND PENALTIES

- 20) A person who contravenes any section of this bylaw, is guilty of an offence and liable on summary conviction to a fine:
 - a) For the first offence of \$500;

- b) For the second offence of \$750;
 - c) For the third and subsequent offences, of a fine not less than \$1,000 and not more than 2,000.
- 21) A corporation who contravenes any section of this bylaw, is guilty of an offence and liable on summary conviction to a fine:
- a) For the first offence of \$1,000;
 - b) For the second offence of \$1,500;
 - c) For the third and subsequent offences, of a fine not less than \$2,000 and not more than \$5,000.
- 22) Where an offence has been committed hereunder:
- a) A municipal bylaw enforcement officer or a peace officer may issue a notice of violation to the person or corporation. The notice shall require the person to pay to the Municipality the penalty specified in section 20 or 21.
 - b) The penalty may be paid at the offices of the Municipality during regular office hours, or by mailing payment to the Resort Village of Tobin Lake at Box 1479, Nipawin, Saskatchewan, S0E 1E0.
 - c) Notwithstanding subsection a), if a municipal bylaw enforcement officer or a peace officer is of the opinion that it is in the public interest to compel a person or corporation who has contravened a provision of this bylaw for the first or second time, to appear before a justice, the municipal inspector or peace officer may issue a summons that requires the person to appear before a justice without the alternative of paying the specified amount.
- 23) The court may, in default of payment of a fine, imposed under this bylaw, order imprisonment of the individual for a term not exceeding one year.

PART IV
COMING INTO FORCE

- 24) This bylaw shall come into effect on the day of its final passing.
- 25) Bylaw No. 12/2020 is hereby repealed.



Read a third time and adopted
this 15 day of October, 2020.

Amy Duester Mayor
Chelrey Parkison Clerk

Certified a true copy of Bylaw
No. 16/2020. Passed by resolution
of Council on October 15, 2020.
Chelrey Parkison

Schedule 'A'

The service fee shall be as follows for each campsite:

Long Term:
\$293.00

Short Term:
\$145.00

Late Payment Penalty shall be 10% per annum effective October 2nd, of the year they are due to the municipality pursuant to this bylaw.

Operator's Permit fee of \$25.00 paid annually