

BY-LAW NO. 74-6

A MOBILE HOME PARKS AND SITES BY-LAW

The Council of the Village of Blacks Harbour, under the authority vested in it by Section 187 of the Municipalities Act, enacts as follows:

TITLE

1. This by-law may be cited as the Village of Blacks Harbour Mobile Home Parks By-law.

INTERPRETATION

2. In this by-law, "natural or artificial barrier" means any river, pond, canal, railway, embankment, fence, hedge, trees or wall.

SCOPE

3. This by-law provides for
 - (a) the regulating and licensing of mobile home parks;
 - (b) the regulating of mobile home sites; and
 - (c) the designation of areas within the municipality which may be used for mobile home parks or mobile home sites.

PROHIBITION

4. (1) Subject to subsection (4), no person may place or locate a mobile home or other trailer within the municipality other than
 - (a) in the case of a mobile home,
 - (i) in a licensed mobile home park,
 - (ii) on a mobile home site permitted under section 9, or
 - (iii) in a tourist camp operated by the municipality; or
 - (b) in the case of a trailer other than a mobile home, in a tourist camp operated by the municipality.
- (2) No mobile home park or mobile home site may be located in the municipality except in the area bounded and described as set out in section 5.
- (3) No person may establish, operate or maintain a mobile home park within the municipality unless such person holds a valid license therefore issued under this by-law.
- (4) This section does not apply to the placing or locating of trailers where permitted for the purposes of storage or sale.

AREAS WHICH MAY BE USED FOR MOBILE HOME PARKS

5. The areas bounded and described as follows may be used for mobile home parks.

Lot A – All that parcel of land situate lying and being in the Village of Blacks Harbour bounded and described as follows:

Beginning at an iron pin on the north side of the government right-of-way from Blacks Harbour to Beaver Harbour. Also the said pin being south thirty-eight degrees thirty minutes east, (S 38° - 30' E), a distance of one hundred and nine feet (109') from the south corner of

Connors Bros., Limited house #320. Thence turning and running by the said right-of-way south forty-two degrees east (S 42° E), a distance of seven hundred and fifty-seven feet (757') to an iron pin, thence turning and running by land of the said Connors Bros., Limited north forty-eight degrees east (N 48° E), a distance of five hundred and thirty-two feet (532') to an iron pin; thence turning and running by land of the said Connors Bros., Limited north forty-two degrees west (N 42° W), a distance of seven hundred and fifty-seven feet (757') to an iron pin, thence turning and running by land of the said Connors Bros., Limited south forty-eight degrees west (S 48° W), a distance of five hundred and thirty-two feet (532') to the place of beginning.

Lot B – All that parcel of land situate lying and being in the Village of Blacks Harbour, bounded and described as follows:

Beginning at an iron pin on the south side of the government right-of-way from Blacks Harbour to Beaver Harbour, also the said pin being south thirty-eight degrees east (S 38° E), a distance of one hundred and five feet (105'), from the eastern corner of the Community Hall.

Thence turning and running by land of Connors Bros., Limited south forty-eight degrees west (S 48° W), a distance of five hundred and thirty-two feet (532') to an iron pin, thence turning and running by land of the said Connors Bros., Limited, south forty-two degrees east (S 42° E), a distance of seven hundred and fifty seven feet (757') to an iron pin, thence turning and running by the land of the said Connors Bros., Limited, north forty-eight degrees east (N 48° E), a distance of five hundred and thirty-two feet (532') to an iron pin, thence turning and running along the Government right-of-way north forty-two degrees west (N 42° W), a distance of seven hundred and fifty-seven feet (757') to an iron pin and the place of beginning.

LICENCES

6. (1) An application for a mobile home park license shall be in a form prescribed by the Council and signed by the applicant, containing
 - (a) the name and address of the applicant;
 - (b) the location and description of the park by metes and bounds;
 - (c) plans and dimensions of all buildings and other improvements constructed within the park; (or to be constructed)
 - (d) a complete plan of the park disclosing compliance with the requirements of this by-law; and
 - (e) such other information as may be requested by the council or the clerk to ascertain the merits of the application.
- (2) The clerk shall issue a mobile home park license when
 - (a) an application under subsection (1) has been received;
 - (b) the Council
 - (i) approves the plans for the park as complying with the requirements of this by-law, and
 - (ii) is satisfied that development of the park will proceed in such a manner as to comply with the requirements of this by-law; and
 - (c) the fee set out in subsection (5) has been paid.
- (3) In respect to any mobile home park in existence in the municipality of the coming into force of this by-law, the owner or operator thereof shall within one month thereafter make application to the clerk for a mobile home park license.
- (4) A license under subsection (2)

- (a) is valid until December 31st of the year in which it is issued;
- (b) is valid only for the carrying out of such plans as have been approved under clause (b) thereof; and
- (c) is renewable.

(5) The fee for a mobile home park license, or renewal thereof, is ten dollars.

PARK REQUIREMENTS

- (1) A mobile home park shall conform to the requirements that
 - (a) it is located on a well-drained site that is properly graded to insure rapid drainage and freedom from stagnant pools of water;
 - (b) clearly defined spaces are provided therein, having and containing
 - (i) an area of at least 6,000 square feet, and
 - (ii) a width of at least 60 feet at the abutting driveway;
 - (c) subject to subsection (2),
 - (i) it is separated from adjoining properties and abutting public streets by a natural or artificial barrier,
 - (ii) no space therein is within 25 feet of a public street,
 - (iii) no building, structure or mobile home therein is within
 - (A) 40 feet of a public street,
 - or
 - (B) 15 feet of a boundary line of the park and
 - (iv) all spaces about a driveway which has unobstructed access to a public street;
 - (d) all spaces therein are serviced by public power and municipal water and sewerage facilities;
 - (e) no mobile home is located within 25 feet of a service building; and
 - (f) the clearance between mobile homes on adjacent spaces is at least
 - (i) subject to subclause (ii), 25 feet, or
 - (ii) when parked end to end, 10 feet
- (2) Spaces in a mobile home park may front on a public street if such street
 - (a) is built especially for the park;
 - (b) intersects only one existing public street;
 - (c) has no more than two intersections with the street mentioned in clause (b); and
 - (d) incorporates a turn-around loop within the park.
- (3) Where spaces in a mobile home park front on a public street, no mobile home may be placed or located so that it is closer to the boundary of such street than 25 feet.

GARBAGE AND RUBBISH DISPOSAL

8. The homeowners of a mobile home park are responsible for
- (a) providing a tightly-covered metal or plastic garbage can, or other container acceptable to the clerk, for each mobile home in the park for the deposit of garbage and rubbish;
 - (b) maintaining containers mentioned in clause (a) in a sanitary condition at all times.

MOBILE HOME SITES

9. (1) Spaces mentioned in subsection (3) of section 7 may be converted to mobile home sites by conveyance to individual owners.
- (2) No mobile home may be placed or located on a mobile home site so that it is within
- (a) 25 feet of the boundary of a public street;
 - or
 - (b) 5 feet of a property line.
- (3) Every mobile home site shall be serviced by public power and municipal water and sewerage facilities.
- (4) No license is required under this by-law in respect of a mobile home site.
- (5) No mobile home may be placed or located on a mobile home site unless a building permit therefore has been issued under the building by-law.
- (6) Notwithstanding anything contained in the building by-law, the fee for a building permit mentioned in subsection (5) is \$5.00.

ENFORCEMENT

10. (1) A person who violates any provision of this By-law is guilty of an offence and is liable on a summary conviction to a fine of not less than twenty-five dollars and not more than one hundred dollars.
- (2) When a person is convicted of establishing, operating or maintaining a mobile home park without a valid license issued under this by-law, a judge of the Provincial Court may, unless such person has paid the fee for such license, order payment thereof in addition to the fine.

READ FIRST TIME *APRIL 9, 1974*

READ SECOND TIME *APRIL 9, 1974*

READ THIRD TIME AND ENACTED *APRIL 9, 1974*

E. R. Armstrong

CLERK

T. A. Glennie

MAYOR