

RURAL MUNICIPALITY OF CORNWALLIS

PROVINCE OF MANITOBA

BEING A BY-LAW of the Rural Municipality of Cornwallis to Establish Fees for Mobile Homes, and repealing By-law No. 1598/01/2007.

WHEREAS it is deemed expedient and in the best interest of the corporation to enact new provisions relating to the licensing of mobile homes;

NOW THEREFORE the Council of The Rural Municipality of Cornwallis in regular session assembled enacts as follows:

1. DEFINITIONS

- (A) Building Inspector shall mean an officer or such other person appointed by the Brandon and Area Planning District to inspect buildings in the Rural Municipality of Cornwallis.
- (B) “Existing Mobile Home Park” shall mean those mobile home parks in existence on the passing of this By-law.
- (C) “Fire Inspector” means an officer or such other person appointed by the Municipality to enforce the Municipality’s Fire Prevention and Emergency Services By-law No. 1597/05/2006, as amended or replaced from time to time.
- (D) “Licence” shall mean a licence issued by the Brandon and Area Planning District Building Inspector to a person, authorizing the placement and location of a mobile home within a mobile home park.
- (E) “Mobile Home” means a vehicle that:
 - (i) is so constructed as to be capable of being attached to and drawn on highways by a motor vehicle, or which can be propelled by a motor vehicle engine installed therein or thereon, and
 - (ii) is intended to be used, and is used by person for living, sleeping, eating, or business purposes, or any one or more of all of those purposes and shall include;
- (F) “Mobile Home Park” means an area that is intended to be used, and is used, for the placing or parking of mobile homes, and includes any auxiliary buildings or other structures or facilities intended for or to be used for cooking, personal cleanliness, washing, health or sanitation, or any one or more or all of those purposes and which has been approved in accordance with the Municipality’s Zoning By-law;
- (G) “Mobile Home Space” shall mean a space in a mobile home park for the placement of a mobile home.
- (H) “Municipality” means the municipal corporation of The Rural Municipality of Cornwallis.
- (I) “Zoning By-law” shall mean the Rural Municipality of Cornwallis Zoning By-law No. 1664/03/2016 as amended or replaced from time to time.

2. GENERAL APPLICATION

- (a) All mobile homes, placed, located or relocated in the Rural Municipality of Cornwallis shall conform to the Building and Mobile Homes Act and the C.S.A. Standards for Mobile Homes.
- (b) All mobile homes shall be placed and located within areas designated or permitted for such uses in accordance with the Municipality’s Zoning By-law.
- (c) Each mobile home space shall be considered to be an approved location provided that the plans for the mobile home park have been approved by the Municipality in accordance with the Municipality’s Zoning By-law and provided further that all conditions of approval for the said park have been fulfilled and have not since been violated.
- (d) The provisions of this By-law shall not apply to any mobile home used by any person who:
 - (i) is a non-paying guest of a local resident and parks such mobile house on the premises of such local resident;

- (a) for a period not exceeding seventy-two (72) hours; or
- (b) for a period not exceeding thirty (30) days, provided such parking is reported by such local resident to the Building Inspector within seventy-two (72) hours after it occurs and is approved by said Building Inspector.

3. MOBILE HOME PARK

(a) Application Requirements

Every person wishing to establish, expand, or alter a mobile home park within the Municipality shall make application to the Brandon and Area Planning District and the application shall be in a form satisfactory to the Brandon and Area Planning District and in accordance with the provisions of the Municipality's Zoning By-law and shall include as well:

- (i) the method of garbage collection and disposal;
- (ii) an engineer's report, which shall be prepared by a registered professional engineer who is legally entitled to practice engineering in the Province of Manitoba, and consisting of the following:
 - (a) water supply and distribution system in a form satisfactory to the Provincial Government Department or Agency having jurisdiction;
 - (b) wastewater collection and disposal system in a form satisfactory to the Provincial Government Department or Agency having jurisdiction;
 - (c) lot grading and storm water drainage plan;

(b) General Requirements

- (i) the minimum requirements pertaining to a mobile home park as set forth in the Municipality's Zoning By-law shall apply;
- (ii) all roadways within the mobile home park shall be properly illuminated in accordance with a lighting plan submitted by Manitoba Hydro and approved by the Municipality;
- (iii) the owner or operator of every existing and new mobile home park shall, at his sole expense, ensure that snow removal operations on all roadways within the mobile home park are carried out promptly;
- (iv) each mobile home shall display lot numbers in accordance with the civic addressing standard for Manitoba;
- (v) all public utilities such as hydro, telephone, sewer and water distribution must be underground;
- (vi) the portion of the mobile home park not occupied by mobile home foundations, mobile home additions, common use and storage buildings, roadways, walkways, driveways, car parking areas and any other developed facilities shall be seeded or sodded and landscaped with suitable trees and shrubbery;

4. MOBILE HOME SPACE

(a) Licence Application Requirements

Every person wishing to place or locate a mobile home on an approved mobile home space shall file with the Building Inspector a written application for a permit in a form satisfactory to the Brandon and Area Planning District including but not limited to the following:

- (i) the name of the applicant;
- (ii) the name and address of the registered owner of the lands upon which the mobile home is located together with the space number the mobile is to be located on;
- (iii) a declaration that the mobile home is to be used for residential purposes;
- (iv) the make, model and serial number of the mobile home;
- (v) the name of the owner of the mobile home if different from that of the applicant;

- (vi) a plan or sketch drawn to scale showing the exact size of the mobile home, the exact location of the mobile home on the mobile home space and any accessory buildings or structures, and showing the clearance between the mobile home and the limits of the mobile home space, and any utility right-of-way.
- (b) Any person wishing to add or create an addition to any mobile home or accessory building shall obtain the written permission of the owner and/or operator of the mobile home park and be required to obtain a permit issued by the Building Inspector.
- (c) General Requirements
 - (i) The minimum mobile home space shall be in accordance with all relevant provisions of the Municipality's Zoning By-law.
 - (ii) All mobile homes and additions thereto shall be provided with skirting which shall be so designed and constructed as to not degrade the appearance of the mobile home.
 - (iii) All accessory structures such as patios, porches, additions and skirting shall meet the requirements of the building by-law and shall be so designed and erected as to harmonize with the mobile home;
 - (iv) Tanks and stands for storage of fuel oil and propane shall be kept in a clean, rust free and well-maintained painted condition.

5. LICENCES

- (a) A mobile home which receives a permit from the Brandon and Area Planning District, necessary for its relocation to a site within a mobile home park within the Municipality shall be deemed to be licenced in accordance with the terms of this By-law.
- (b) The owner of every mobile home placed and located within a mobile home park shall pay a monthly licence fee in lieu of residential property taxes whereby said fee shall be in accordance with Schedule "A" to this by-law.
- (c) The owner or occupant of any mobile home located in a mobile home park in the Rural Municipality of Cornwallis shall pay a monthly licence fee on the first day of every month to the owner of the mobile home park in which said mobile home is situated.
- (d) The owner of any mobile home park in the Rural Municipality of Cornwallis shall pay to the Municipality by the twentieth day of every month the licence fees that are liable to have been collected in accordance with 6 (b) aforesaid. If the owner or operator fails to collect or remit the fees, the amount thereof shall be added to the taxes payable in respect to the land and collected in the same manner as other taxes payable in respect to the land.
- (d) A penalty shall be applied on all outstanding amounts on the first day of each month following the month or months to which the fee applies and such penalty shall be equal to the prevailing tax penalty rate established in the annual Rural Municipality of Cornwallis Mill Rate By-law.
- (e) A licence issued under this By-law:
 - (i) is not transferable;
 - (ii) does not provide for a change of location while the licence is in force except by consent of the Building Inspector;
 - (iii) may be revoked by the Building Inspector at any time for failure on the part of the licensee to abide by this By-law or any other laws and regulations effective in the Municipality, which pertains to Mobile Home Parks and Mobile Homes.

6. PENALTY

- (a) Any person who violates, contravenes, or fails to observe and carry out any provision of this by-law shall, upon summary conviction, be liable to a fine of no more than One Thousand Dollars (\$1,000.00) and costs, except that any person who fails to obtain a licence for their mobile home space shall be subject to a fine of two hundred and fifty dollars (\$250.00) and costs.
- (b) Where the contravention, refusal, neglect, omission or failure, including failure to comply with a notice, order or direction given continues for more than one day, the person is guilty of a separate offence for each day that it continues.

7. COMMENCEMENT

This by-law shall come into force and take effect on January 1, 2018.

8. REPEAL

By-law No. 1598/01/2007 is hereby repealed effective upon the passing of this By-law.

DONE AND PASSED by the Council of the Rural Municipality of Cornwallis duly assembled this 21st day of November A.D. 2017.

THE RURAL MUNICIPALITY OF CORNWALLIS

REEVE

CHIEF ADMINISTRATIVE OFFICER

RECEIVED first reading this 17th day of October, 2017.

RECEIVED second reading this 17th day of October, 2017.

RECEIVED third reading this 21st day of November, 2017.

**SCHEDULE "A" to
BY-LAW NO. 1669/04/2017**

LICENCE FEE SCHEDULE

Licence Fee Payable Per Month

Year	Monthly Fee
2018	\$42.00
2019	\$45.00
2020	\$48.00
2021	\$51.00
2022	\$54.00