

**Land occupation fee by-law.**

**Province of Québec**

**MRC Pontiac**

**Municipality of Waltham**

**By-law Number 2020-02**

**By-law pertaining to the use of vacant property as camping  
on the territory of the municipality of Waltham**

Whereas the present by-law is needed to regulate the use of vacant lot for camping.

Whereas a notice of motion that by-law 2020-02 was duly given by councilor Odette Godin at a regular meeting of council that was held on July 21<sup>st</sup> 2020.

Whereas the first draft was adopted on March 2<sup>nd</sup> 2021

Whereas a public consultation will be held between March 2<sup>nd</sup> and April 6<sup>th</sup> 2021

It is moved by councilor Odette Godin

Seconded by councilor: Ramona Marion

And resolved unanimously

**That the by-law 2020-02 known as vacant land occupation by-law has the  
following rules:**

**Section 1 Definition**

This bylaw applies to all kind of camping use done on vacant lot in the municipality of Waltham.

The terms camping includes all kind of tents and the following types of vehicles:

Truck campers,

Popup campers,

Camper trailers,

Campervans, or buses

Caravans,

Travel trailers,

Fifth-wheel trailers

All classes of motor homes

Boat homes or marine boat house.

This by-law does not apply to the fabricated 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 Waltham subject to the conditions of this by-law.

## **Section 3- Installation of recreational vehicles and trailers on a vacant lot.**

A maximum of (1) one 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 Ministry of Transport (MTQ).

It is serviced by a septic system in accordance with the regulations on the treatment and disposal of sewage and waste from isolated dwellings (Environmental Quality act.)

It can be 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 by-law # 2003-01 and the guide d'interprétation -Politique de protection des rives , du littoral et des plaines inondables, du Ministère du développement durable, de l'environnement et de la lutte contre les changements climatiques.

The setbacks are respected as for a main building.

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 feet by the length of the 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.

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

A Tent will also require a permit and will be allowed.

## **Section 4- Installation and use of a 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 or 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 unless it is being used by guest for a short period.

A maximum of one (1) recreational vehicle or trailer may be stored per lot if the lot is less than 2 acres. If the lot is bigger than 2 acres then more trailers are allowed to be stored.

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. Except in the case of a major crisis when no other reasonable options are available.

The municipality shall not charge a fee for the storage of a recreational vehicle or trailer by a property owner on his or 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 including a tent on the owner's lot for no more than 15 days, provided that there is a main building or a trailer with a permanent septic system set-up and has a yearly permit paid. The property owner shall notify the municipality each time a guest recreational vehicle or trailer is installed for more than 3 days.

### **Section 7-Acquired rights**

The acquired rights with regard to recreational vehicles or trailers in the municipality of Waltham exist but will stop when the trailer is removed.

### **Section 8- Fees**

Annual fees for a recreational vehicle, tent or trailer using municipal services will be established on an annual basis by the municipality by simple resolution.

The season for camping is allowed between May 1<sup>st</sup> and October 30<sup>th</sup>. If a trailer is left on the property between November 1<sup>st</sup> and April 30<sup>th</sup> it must not be occupied.

If the recreation vehicle is left year-round on the property it must not be in the flood zones. All vehicle in the flood zones must be removed by October 30<sup>th</sup>

**The following fees applies for camping.**

The cost of a permit for any period of time from May 1<sup>st</sup> to October 30<sup>th</sup> is 300\$.

The permit is to be collected by the designated officer of the municipality.

### **Section 9 – Application of by-law**

The building Inspector, while exercising his 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 by-law 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 by-law.

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 three hundred dollars (\$300) in the case of a natural person and five hundred (\$500) in the case of a moral person for the first infraction.

The fine will be double for each subsequent offence during the same 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 a court gives a sentence concerning an infraction to the by-law, he may, over and above the fine and cost, 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 correction at the offender's expense and seize any of his chattel in the municipality.

## **Section 13 -Replacement**

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

## **Section 14-Entry into force**

The present by-law shall enter into force in accordance with the law of Québec.

Date of Publication: April 7<sup>th</sup> 2021

Mayor David Rochon: \_\_\_\_\_

Director-General Fern Roy: \_\_\_\_\_