

**The Corporation of the Town of Kearney**

**By-Law No. 2008-39**

**Being a by-law to amend the Tariff of Fees  
for the provision of Services or Activities Provided**

**AND WHEREAS**, Section 391(1) of the Municipal Act, S.O. 2001, c.25 authorizes a municipality to impose fees or charges on persons: (a) for services or activities provided or done by or on behalf of it; (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and (c) for the use of its property including property under its control.

**AND WHEREAS**, the Council of The Corporation of the Town of Kearney provides various services and activities; and

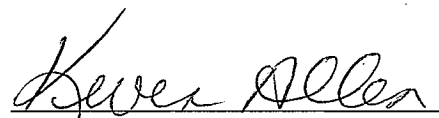
**AND WHEREAS**, the Council of The Corporation of the Town of Kearney deems it advisable and expedient to establish those fees in a Tariff of Fees;

**NOW THEREFORE**, the Council of The Corporation of the Town of Kearney enacts as follows:

1. That the Tariff of Fees Schedule "A" shall be amended as per attached.
2. That fees may be increased from time to time as required by resolution of the Council, or as incorporated into the budget estimates for any year.
3. All previous By-laws and resolutions and parts of by-laws and resolutions inconsistent with the provisions of this by-law, are hereby repealed.
4. This By-Law is effective immediately upon passing.

**READ A FIRST, SECOND AND THIRD TIME**, passed, signed and the Corporate Seal attached hereto this 25<sup>th</sup> day of July, 2008.

  
Jeff Johnston, Mayor

  
Keven Allen, Deputy Clerk Treasurer

**SCHEDULE "A"**

**By-Law No. 2007-35**

**TARIFF OF FEES  
FOR THE PROVISION OF SERVICES OR ACTIVITIES**

**Miscellaneous**

Tax Certification	\$50.00
Zoning/Compliance	\$50.00
Building Compliance Certificate	\$50.00
Burial Permits	\$10.00
Marriage License	\$100.00
Dog Tags	\$5.00 first dog, \$10.00 for two, \$20.00 ea. additional dog
Kennel License	\$75
Lottery License	3% of cash prize
Food Vendor License	\$200
Fire Permit	\$2 (3 day and Seasonal) \$30 day burn
Trailer License	\$20 per month after 30 days
Showers	\$5.00
Civic Address Signs	\$45
Access Permits	\$250 Deposit toward expenses \$100 Non Refundable Administration Fee
Town of Kearney Pins	\$5
Recycling Bins	\$5.00
Official Plan	\$25
Zoning By-Law	\$15
Photocopying – Regular	.25 cents
Faxing	\$2 page to send, \$1 page to receive
Lessee Liability Insurance	\$54.00 \$25.00 Non Refundable Administration Fee

**Rental Fees – Kearney Community Centre**

Gym – banquets, weddings, anniversaries	\$350
Gym as a Gym	\$10 per hour
Gym – reunions, showers	\$50
Bar	\$50
Security Deposit	50% of rental fee
Cleaning Deposit	\$75
Chafing Dishes	\$10 ea.
Tableclothes	\$10 ea.

**SOCAN – Charges for Music**

Without dancing 1-100 people	\$20.56
101 – 300 people	\$41.13
With dancing 1-100 people	\$29.56
101 – 300 people	\$59.17
NO Charge Usage of rooms but donation required	\$100
Non-cancellation Fee	\$20

**Senior's Room Rental Fees**

Senior's Room Rental – no food or beverage	\$25
Senior's Room Rental – Tea & Coffee only	\$40

**Parks and Recreation Program Fees**

Karate Lessons	\$10.00/person/month, Family \$25.00 per month Grading \$20.00 per belt
Canoe Lessons	\$20.00 per person, \$50.00 Family for 3 sessions (6 classes)
Swim Lessons	\$30.00 per child, (10 classes) \$75.00 per family of 3 per session
Adult Yoga Classes	\$35.00 per non-resident child per session \$45.00 per person for 7 classes or \$10.00 per class
Fitness Classes	\$20.00 per person per month or \$3.00 drop in fee
Evening Fitness Classes	\$35.00 for 10 classes or \$4.00 per class
Adult Volleyball	\$20.00 or \$2.00 per game
Baseball	No charge
Walking Club	No charge

THE CORPORATION OF THE TOWN OF KEARNEY

BY-LAW NO. 2002-10

**BEING** a By-law to repeal By-laws No. 1988-10 and 1993-20 to establish a new By-law to provide for the licensing and regulation of trailers.

WHEREAS pursuant to Chapter M45, Section 210, Subsection 101 of the Municipal Act, R.S.O. 1990 (as amended), a municipality may enact a by-law for licensing or for prohibiting the use of trailers located in the municipality (except in a trailer park) for the living, sleeping, or eating accommodations of any person for a period of thirty (30) days or longer in any year.

NOW THEREFORE it is hereby enacted by the Council of the Corporation of the Town of Kearney as follows:

1. **DEFINITIONS**

- (a) "TRAILER" shall mean any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and capable of being used for the living, sleeping or eating accommodation of persons, even if the vehicle is jacked-up or that its running gear is removed.
- (b) "TRAILER PARK" or "TRAILER CAMP" shall mean land in or upon which any trailer or tent is placed, located, kept or maintained, or intended to be used for the living, sleeping or eating accommodation of persons therein, which is appropriately zoned under the Town of Kearney Zoning By-law No. 554 as Amendments thereto.
- (c) "EXISTING LOT" shall mean a legally conveyable parcel of land, as governed by the Planning Act, R.S.O. 1990, as amended.

2. **PROHIBITIONS**

- (a) No person shall use, maintain or locate any trailer within the Town for more than 30 days in any year, outside of a trailer camp or trailer park as defined herein, without a license issued pursuant to this by-law.
- (b) No owner of land shall permit a person to use, maintain or locate any trailer within the Town for more than 30 days in any year, outside of a trailer park as defined herein, without a license issued pursuant to this by-law.

- (c) This by-law shall not apply to a trailer where such a trailer is located on an existing lot for the purpose of storage or for the purpose of the sale of the trailer. Where a trailer is being stored or offered for sale no person shall use or occupy the trailer, except in accordance with this by-law.
- (d) This by-law shall not apply to a mobile home as defined in the Planning Act, R.S.O. 1990 c. P45 as amended.

3. **THE LICENSE**

- (a) The Owner of the lot where the trailer is or is to be located, or the Owner of the trailer shall apply for a license within 30 days of the location of the trailer on the subject lot. The application shall be made in the form attached hereto as Appendix "A".
- (b) Each license is valid until December 31 of the calendar year during which it was obtained or until the date of expiry set out in the license, whichever occurs first.
- (c) No more than one license for one trailer shall be issued for each existing lot.
- (d) No trailer shall be licensed unless the location of the trailer complies with the following:
  - i) all provincial statutory and regulatory requirements including but not limiting the generality of the foregoing, any license or permit required by the Ministry of the Environment;
  - ii) all federal statutory and regulatory requirements.
- (e) A license issued pursuant to this by-law authorizes the location of the trailer on existing lots for temporary accommodation only. The issuance of a license does not grant the licensee the authority to occupy the trailer on a permanent basis. The issuance or renewal of a license is not intended and shall not be construed as permission or consent by the Municipality for the holder of the license to contravene or to fail to observe or comply with any law of Canada or Ontario or any by-law of the Municipality.

4. Licenses for Existing Lots Within Ward one (Townsite), and all Waterfront

- (a) Licenses for trailers, located or to be located in Ward one (Townsite), and on all waterfront, are subject to the following restrictions;
  - (i) licenses shall only be issued upon the issuance of a building permit for a dwelling unit or the substantial re-construction of a dwelling unit on the subject lot;
  - (ii) trailers shall only be occupied during the construction or reconstruction of the dwelling on the subject lot;
  - (iii) licenses shall expire 30 days after an occupancy certificate has been issued for the dwelling on the subject lot.

5. LICENSE FEES

- (a) The license fee for a trailer shall be **THIRTY DOLLARS (\$30.00)** per month for each month the trailer is located on an existing lot. Such fee shall be payable in advance, except for the first month's fee which shall be payable 30 days after location of the trailer, and shall continue for as long as the trailer is located on the property.
- (b) The license fee shall not apply to a trailer which is assessed or which is subject to assessment pursuant to the Assessment Act, R.S.O. 1990, c. A31, as amended..
- (c) No Licence fee shall be charged for a trailer being stored on a property where a dwelling exists.

6. ADMINISTRATION and ENFORCEMENT

- (a) Unless otherwise indicated, the administration of this by-law is assigned to the Chief Administrative Officer who may delegate the performance of his or her functions under this by-law from time to time as occasion requires.
- (b) Every applicant shall provide in full, at the time the application is submitted, all of the information requested on the application form attached as Appendix "A", as well as payment of the prescribed license fee as set out in this by-law and any other document or information as may be required in any other part of this by-law.
- (c) Every application will be subjected to approvals from such provincial or federal departments or agencies as the Chief Administrative Officer deems necessary.

- (d) Any application , comment, recommendation, information, document or thing in possession of the Clerk pursuant to the provisions of this by-law shall be made available by the Clerk for an inspection;
- (i) by any person employed in the administration of the enforcement of this by-law; and
- (ii) by any other person upon the consent, satisfactory to the Clerk, of the person, civic department, board, commission, authority or other agency which produced or submitted the application, comment, recommendation, information, document or thing;

subject only to the limitations imposed by the Municipal Freedom of Information and Protection of Privacy Act.

- (e) The enforcement of this by-law is assigned to the By-law Enforcement Officer of the Town.
- (f) The removal of any trailers used, maintained or located in contravention of this by-law shall be at the expense of the Owner of the Lot or the Owner of the trailer as the case may be in any court proceeding.
- (g) Any person contravening the provisions of this by-law shall be liable to prosecution and upon summary conviction, to a fine not exceeding \$25,000.00 for each day the contravention continues in accordance with the provisions of the Provincial Offenses Act and the Municipal Act.

No person being the registered owner of any lot or parcel of land within the Town of Kearney shall permit any person to locate a trailer on his property except in accordance with the provisions of this by-law

The use of tents, trailers and recreational vehicles for permanent or temporary human habitation shall be prohibited in all zones except for occasional use in any residential zone where a principal dwelling unit exists.

7. **INSPECTIONS**


- (a) Any person designated by the Council to enforce this by-law may, at all reasonable times and upon producing proper identification, enter and inspect any premises or any part of any premises licensed under the provisions of this by-law. Except under the authority of a search warrant issued under Provincial Offences Act any person designated by the Council to enforce this by-law shall not enter any room or place actually used as a dwelling without requesting and obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused and entry made only under the authority of a search warrant.
- (b) No person shall obstruct, hinder or in any way interfere with any person designated to enforce this by-law

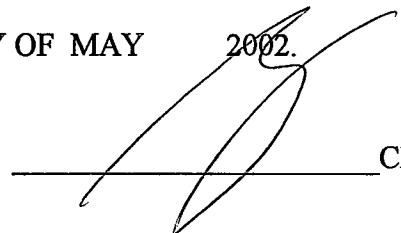
8. **REPEAL**

This by-law repeals By-law number 1988-10 and 1993-20 and shall come into full force and effect on the date it is passed by the Council of the Corporation of the Town of Kearney.

READ A FIRST, SECOND TIME THIS 17th DAY OF MAY

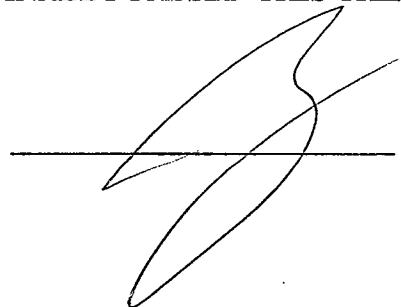
2002.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

AMENDED AND READ A THIRD TIME AND FINALLY PASSED THIS THIRD DAY OF JULY 2002.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk



APPLICATION FOR TRAILER LICENCE  
APPENDIX "A" TO BY-LAW NO. 2002-10

NEW APPLICATION:

RENEWAL:

FROM: DD/MM/YY

TO: DD/MM/YY

NAME:

MAILING ADDRESS:

TELEPHONE #:

LEGAL DESCRIPTION

LOT:	CONCESSION:	PLAN NUMBER:
TOWNSHIP:		
TAX ROLL NUMBER:		ZONING DESIGNATION:

TRAILER INFORMATION

MAKE: MODEL: COLOUR

YEAR: LENGTH EXCLUDING TONGUE:

WILL YOU BE HOOKED UP TO ELECTRICITY?

YES

NO

WHAT WASHROOM FACILITIES ARE AVAILABLE? EXPLAIN

--

HAS THE UNDERCARRIAGE BEEN REMOVED?

YES

NO

DO YOU HAVE A 911 NUMBER?

YES

NO

WILL YOU REQUIRE A 911 NUMBER?

YES

NO

THE CORPORATION OF THE TOWN OF KEARNEY

LICENCE FEE .....

ANY CONTRAVENTION OF THE PROVISIONS OF THIS BY-LAW SHALL MEAN THAT THE LICENCE IS REVOKED.

ACCEPTED:

REJECTED:

.....  
SIGNATURE - CAO/CLERK

DATED THIS ..... DAY OF ..... 200\_

SHOULD THIS APPLICATION BE ACCEPTED

I ALSO UNDERSTAND THAT ANY CONTRAVENTION OF THE PROVISIONS OF THIS BY-LAW SHALL CONSTITUTE PROSECUTION AND UPON SUMMARY CONVICTION, BE LIABLE TO A FINE NOT EXCEEDING \$25,000.00 TOGETHER WITH COSTS IN ACCORDANCE WITH THE PROVINCIAL OFFENCES ACT AND THE MUNICIPAL ACT.

SHOULD THIS APPLICATION BE REJECTED

I UNDERSTAND THAT I SHALL BE REQUIRED TO REMOVE THE TRAILER FROM THE PROPERTY WITHIN SEVEN (7) DAYS.

.....  
SIGNATURE - TRAILER OWNER/ PROPERTY OWNER

DATED THIS ..... DAY OF ..... 200