

THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN

BY-LAW NO. 2021-07

BEING A BY-LAW TO REGULATE AND PROHIBIT THE USE OF SEA CANS/SHIPPING CONTAINERS.

WHEREAS Section 8 1) of the Municipal Act, 2001, c.25 as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 10 (1) of the Municipal Act 2001, c.25 as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

NOW THEREFORE the Council of the Corporation of the Township of Matachewan enacts as follows:

DEFINITIONS

1. In this by-law, the following terms shall have the corresponding meanings:
 - "Town-site" means the geographical area identified as Concession "A" Lot 11 of Cairo Township within the Corporation of the Township of Matachewan as per Appendix A
 - "Sea Cans/Shipping Containers" means any pre-fabricated metal unit/container that is self-contained and is larger than three (3) square meters.

PERMISSION IN THE TOWNSITE

2. The location of a sea can/ shipping container on a property within the Townsite is permitted, subject to the following conditions and every person shall comply with these requirements:
 - a. A maximum of 1 sea can/shipping container is permitted per lot in the R1 Zone and 2 in the C1 zone.
 - b. Notwithstanding subsection 2a, a sea can/shipping container shall not be located or used on a vacant lot, and shall only be permitted in the rear yard or interior side yard.
 - c. The sea can/shipping container shall be screened by an opaque fence or landscaping such that it shall not be visible from the street line, interior side lot line, and rear lot line.
 - d. The sea can/shipping container shall be jacked up properly and in a safe manner, but shall remain portable and moveable.
 - e. The sea can/shipping container shall be maintained in a clean and sanitary condition, that complies with property standards requirements.
 - f. Flammable materials shall not be stored in the sea can/shipping container.
 - g. When applicable, every person shall obtain a building permit for the sea can/shipping container.

REQUIREMENT FOR ZONING CONFIRMATION

3. Prior to locating a sea can/shipping container on a property within the Townsite, the proponent shall prove to the Township that the locating of a sea can/ shipping container is compliant with the zoning standards for the lot where it is located.

PRE-EXISTING CONTAINERS

4. Any sea cans which existed prior to passing of this by-law shall either be removed or brought into compliance with the provisions in this by-law.

ADMINISTRATION AND ENFORCEMENT

5. The administration and enforcement of this By-law is delegated to the Clerk Treasurer, the Chief Building Official and the By-law Officer.
6. (a) No person shall hinder or obstruct an Officer, appointed under this by-law or employed to enforce this by-law, from carrying out an inspection of lands, nor shall any person obstruct any employee or agent authorized to carry out the work for the municipality in an order issued hereunder.

(b) Every person shall comply with any Order or Notice issued under the authority of this bylaw.

OFFENCE

7. Every person who contravenes any provision of this by-law is guilty of an offence. Each day that such a contravention exists constitutes a separate offence.
8. A municipal employee, staff person, agent or contractor hired by the Municipality, accompanied by any person under his or her direction, may enter onto any land that is used or believed to be used in contravention of this by-law for the purposes set out in subsection 436(1) of the *Municipal Act*, 2001 and shall have all powers of inspection set out in subsection 436(2) of the Act.
9. Any sea can/shipping container used, maintained or located in contravention of this By-law shall be removed from the lot, at the expense of the owner of the lot. Failure to remove any sea can/shipping container from a lot within the time prescribed by the By-law Officer may result in the removal of said sea can/shipping containers by the Municipality, at the expense of the owner of the lot.

PENALTIES

10. Every person who is convicted of an offence under any provision of the by-law shall be liable to a penalty as provided for by section 61 of The Provincial Offences Act, R.S.O. 1990, C.p. 33, as amended or any successor thereof.

PREVIOUS BY-LAWS

11. That all previous by-laws and/or resolutions, or parts thereof, contrary hereto or inconsistent herewith, be and the same are hereby repealed.

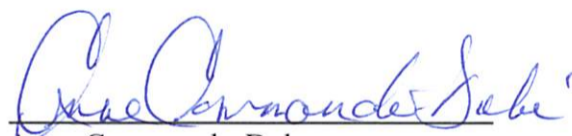
FORCE MAJEUR

12. That this by-law shall come into force and effect upon final passing thereof and remain in force and effect until such time as it is repealed by the Council of the Corporation of the Township of Matachewan.

READ A FIRST TIME this 1st day of March, 2021.

READ A SECOND TIME this 1st day of March, 2021.

READ A THIRD TIME AND FINALLY PASSED this 1st day of March, 2021.



Anne Commando-Dube
Mayor



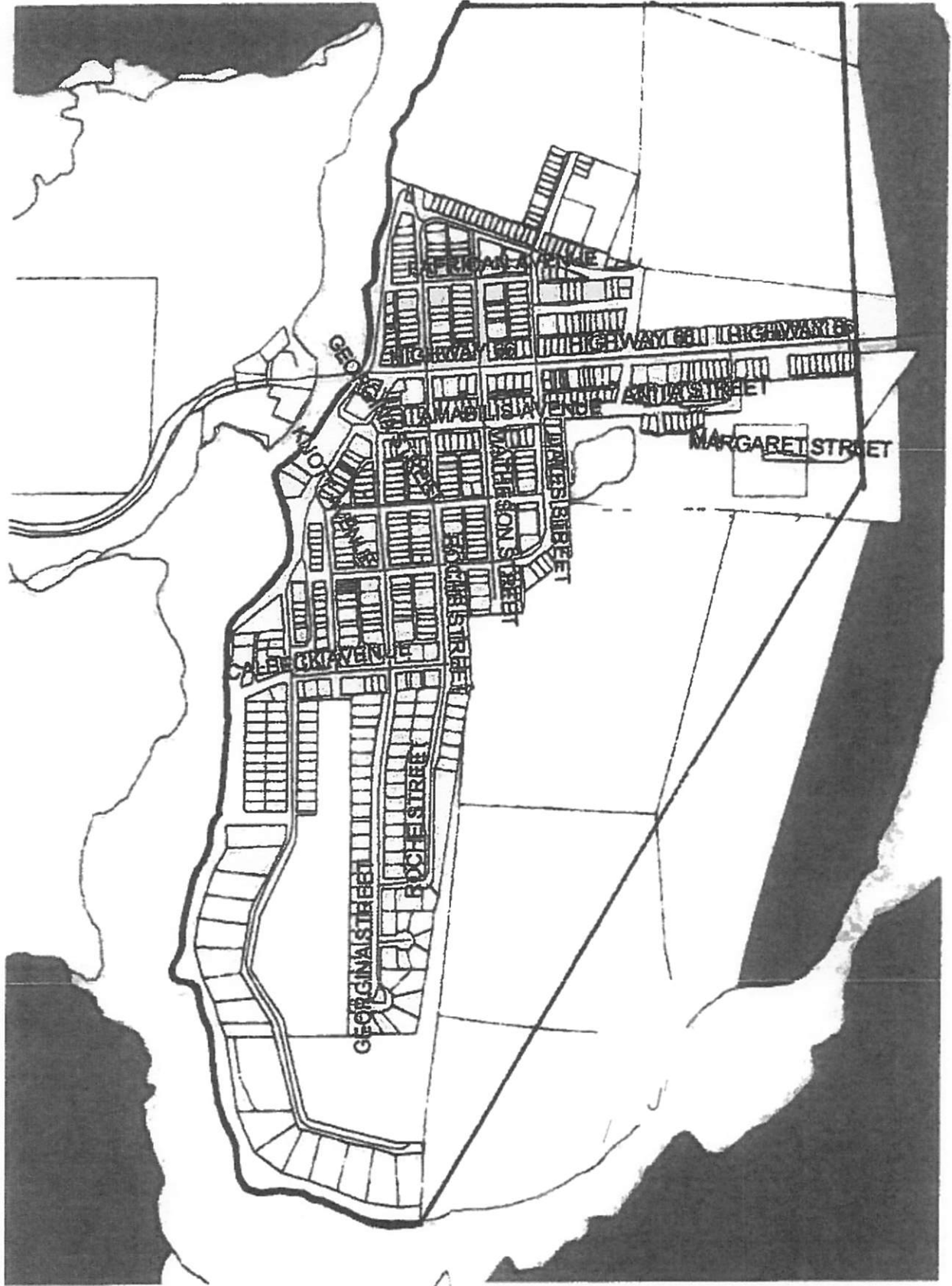


Janet Gore
CAO/Clerk-Treasurer

THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN

BY-LAW NO. 2020-20

APPENDIX "A"



PART 1 – PROVINCIAL OFFENCES ACT TOWNSHIP OF MATACHEWAN

SEA CANS/SHIPPING CONTAINERS BY-LAW 2021-07

ITEM	SHORT FORM WORDING	PROVISION CREATING OR DEFINING OFFENCE	SET FINE
1	Locate more sea cans/shipping containers than permitted	2a	300.00
2	Use a sea can/shipping container on a vacant lot.	2b	300.00
3	Locate a sea cans/shipping container in a yard other than the interior side or rear yard	2b	100.00
4	Fail to screen the sea can/shipping container	2c	100.00
5	Fail to properly jack the sea can/ shipping container	2d	100.00
6	Fail to maintain the sea can/shipping container	2e	100.00
7	Store flammables in the sea can/shipping container	2f	300.00
8	Fail to obtain a building permit	2g	300.00
9	Fail to provide zoning confirmation to the Township prior to locating the sea can/shipping container	3	300.00
10	Obstruct person designated to enforce this by-law	6	300.00

Note: The Penalty provision for the offences indicated above is Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33.as amended