

**THE CORPORATION
OF THE TOWNSHIP OF NORTH GLENGARRY
TEMPORARY STORAGE STRUCTURES**

BY-LAW # 02-2015

BEING a by-law to regulate the erection of temporary structures, commonly known as "Tempo Garages".

WHEREAS Section 128 (1) of the Municipal Act, S.O. 2001, Chapter 25 does authorize a municipality to pass by-laws with respect to Public Nuisance;

AND WHEREAS Section 427 of the Municipal Act, S.O. 2001, Chapter 25 does authorize a municipality to enter onto lands and undertake work to be done at expense of a person and assign the costs to the tax rolls and collecting the costs in the same manner as taxes;

AND WHEREAS the Council does believe the proliferation of temporary storage structures made of plastic and metal or similar materials to be a detriment to the streetscapes and a visual nuisance;

AND NOTWITHSTANDING the functional nature of these structures, the Council of the Corporation of the Township of North Glengarry does believe a level of control should be placed on the installation of these structures in order to achieve a balance between function and the impact on the visual nature of the Township.

NOW THEREFORE the Council of the Corporation of the Township of North Glengarry enacts as follows:

1.0 DEFINITIONS

In this by-Law;

"Corporation" means the Corporation of the Township of North Glengarry;

"Municipal Law Enforcement Officer" means the Municipal Law Enforcement Officer appointed by the Council of the Corporation of the Township of North Glengarry.

"Officer" means the Municipal Law Enforcement Officer appointed by the Township of North Glengarry;

"Owner" means the registered owner or any person, firm or corporation having control over, or possession, of any portion of the building or property under consideration and includes the persons in the building or property;

"Sight Triangle" means the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 6 m from the point of intersection of the street lines (measured along the street lines). Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines;

"Temporary Storage Structure" means any manufactured structure kit fabricated of plastic and metal or treated fabric and metal or any structure that is erected for the purpose of providing a tarp type roof cover and, or including side wall panels over goods, materials, motor vehicles or leisure vehicles;

"Township" means the geographic area of the Corporation of the Township of North Glengarry.

2.0 GENRAL PROHIBITIONS

Temporary storage structures as defined in this by-law shall be permitted accessory to a dwelling in accordance with the following:

- 2.1 No persons shall erect a temporary storage structure exceeding 4.0 meters in height.
- 2.2 No persons shall erect a more than 1 temporary storage structure in the front yard or interior side yard or exterior side yard.
- 2.3 In areas other than those designated as Rural or Agricultural under the zoning by-law #39-2000, no persons shall erect a temporary storage structure before October 15th of any given year.
- 2.4 In areas other than those designated as Rural or Agricultural under the zoning by-law #39-2000, no person shall fail to dismantle and remove a temporary storage structure before April 15th of every year;
- a) The removal of the temporary storage shall include the entire structure
- 2.5 No person shall erect a temporary storage structure other than over a driveway.
- 2.6 No person shall erect a temporary storage structure that obstructs a sidewalk.
- 2.7 No person shall erect a temporary storage structure closer to 1.5 meters from any public highway right-of-way.
- 2.8 No person shall erect a temporary storage structure closer than 1.0 meter to any front lot line, shall not be located closer than 3.0 meters to any exterior side lot line and 0.5 meters from any interior side lot line and 1.5 meters from any rear yard lot line.
- 2.9 No person shall erect a temporary storage structure that obstructs snow ploughing or maintenance.
- 2.10 No person shall erect a temporary storage structure that obstructs or encroaches into any sight triangle.
- 2.11 No person shall erect or maintain a temporary storage structure in a manner deemed unsafe or create hazard conditions.
- 2.12 No person shall erect more than 1 double or 2 single temporary storage structures on the same lot.

3.0 GENERAL INFORMATION

- 3.1 Temporary storage structure does not require the issuance of a building permit.
- 3.2 Temporary storage structure shall not be included in the total lot coverage requirement for accessory buildings and structures as defined in the zoning by-law 39-2000, as amended.

4.0 ADMINISTRATION AND ENFORCEMENT

- 4.1 The provisions of this by-law shall be administered and enforced by the Municipal Law Enforcement Officer.
- 4.2 An officer may enter upon land, at any reasonable time, for the purpose of carrying out an inspection to determine whether the following are being complied with:
- a) the provisions of this by-law;
- b) a notice sent pursuant to this by-law; or
- c) an order made under section 431 of the Municipal Act, S.O. 2001, c25, as amended.

- 4.3 No person shall:
- a) hinder or obstruct, or attempt to hinder or obstruct a Municipal Law Enforcement Officer in the lawful performance of his duties.
- b) fail to identify themselves to the officer upon request.

5.0 PENALTIES

Every person who contravenes any provisions of this by-Law or is party to such contravention is guilty of an offence and is liable to a fine in accordance with;

- a) a fine as set out in Schedule "A"; or
- b) every person who contravenes any section of this by-law is guilty of an offence and upon conviction is liable to a fine as set out for in the Provincial Offences Act R.S.O., chapter 33 as amended.
- c) schedule "A" shall only come into force and take effect until it is approved and filed by Regional Senior Justice, pursuant to Provincial Offences Act Part 1.

6.0 REMEDY

- a) Where any requirement in accordance with this by-law is not carried out, the Municipal Law Enforcement Officer or persons designated by the Municipal Law Enforcement Officer of the Township of North Glengarry may, upon such notice that he deems suitable, remove the temporary storage structure or do such thing at the expense of the person required to do it and, in so doing, may charge an administration fee of 25% of the amount expended by or on behalf of the Township and such total shall be recovered by action like municipal taxes.
- b) Where any matter or material is removed in accordance with 6.0 (a), it may be immediately disposed of by the Municipal Law Enforcement Officer.
- c) The removal of structures by the Township shall not relieve any person from liability for the penalty for breach of any of the provisions herein, or for further compliance with any provisions herein contained.
- d) In addition to the imposition of a fine or other remedy, as court of competent jurisdiction may, upon conviction on an offence under this by-law, issue an order prohibiting the continuation or repetition of the violation by the person convicted.

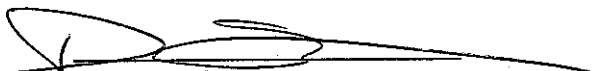
7.0 By-Laws


By-Law No Z-03-2008 and all of its amendments of the Corporation of the Township of North Glengarry is hereby repealed.

8.0 Effective Date

This by-Law shall come effective on the date of final passing thereof.

READ a first, second, third time and enacted in Open Council, this 9th day of February, 2015.


 CAO/Clerk


 Mayor

I hereby certify this to be a true copy of by-law No. 02-2015, and that such by-law is in full force and effect.

 Date Certified

 Clerk / Deputy Clerk

SCHEDULE "A"

**Township of North Glengarry
Part 1 Provincial Offences Act
Bylaw 02-2015: Temporary Storage Structures**

Item	Column 1 Short Form Wording	Column 2 Provision creating or defining offence	Column 3 Set Fines
1.	Erect a temporary storage structure exceeding 4 meters in height	2.1	\$200.00
2.	Erect more than 1 temporary storage structure in the front or side yard	2.2	\$200.00
3.	Erect a temporary storage structure before October 15 th of any given year	2.3	\$200.00
4.	Fail to dismantle a temporary storage structure before April 15 th of every year	2.4	\$200.00
5.	Erect a temporary storage structure other than over a driveway	2.5	\$200.00
6.	Erect a temporary storage structure that obstructs a sidewalk	2.6	\$200.00
7.	Erect a temporary storage structure closer to 1.5 meters from a highway	2.7	\$200.00
8.	Erect a temporary storage structure failing to meet the minimum setbacks	2.8	\$200.00
9.	Erect a temporary storage structure that obstructs snow ploughing	2.9	\$200.00
10.	Erect a temporary storage structure that obstruct or encroaches into a sight triangle	2.10	\$200.00
11.	Erect or maintain a temporary storage structure in an unsafe or hazardous condition	2.11	\$200.00
12.	Erect more than the permitted amount of temporary storage structure	2.12	\$200.00
13.	Obstruct an officer	4.3(a)	\$500.00
14.	Fail to identify upon request	4.3(b)	\$500.00

Note: the general penalty provision for the offences listed above is section 5 of bylaw 02-2015, a certified copy of which has been filed and section 5 of the Provincial Offences Act, R.S.O. 1990,c.P.33.