

TOWN OF HIGH RIVER  
ALBERTA  
BY-LAW NO. 3555/86

A BY-LAW OF THE TOWN OF HIGH RIVER IN THE PROVINCE OF ALBERTA AUTHORIZING THE COUNCIL OF THE TOWN OF HIGH RIVER TO ESTABLISH A LICENSE STRUCTURE FOR MOBILE UNITS SITUATED IN THE TOWN.

WHEREAS

pursuant to the Municipal Government Act and any amendment thereto of Statutes 1980 Chapter M-26, Council may pass a by-law providing for the licensing of mobile units situated within the Town of High River.

NOW THEREFORE

the Council of the Town of High River duly assembled enacts as follows:

1. This By-law may be cited as the "Mobile Unit Licensing By-Law".
2. In this By-Law unless the context otherwise requires:
  - (a) "Council" means the Council of the Town of High River in the Province of Alberta.
  - (b) "License" means a mobile unit license issued pursuant to this section.
  - (c) "License Inspector" means a person appointed by resolution of the council as a license inspector for the purpose of this section and in the absence of a person being appointed means a municipal official.
  - (d) "Mobile Unit" means:
    - (i) any vacation trailer or house trailer, or
    - (ii) any structure whether ordinarily equipped with wheels or not, that is constructed or manufactured to be moved from one point to another by being towed or carried and to provide living accommodation for or other use by one or more persons.
  - (e) "Owner" means any person who is in lawful possession of a mobile unit.
  - (f) "Town" means the Town of High River in the Province of Alberta.
  - (i) "Year" means a calendar year.
3. The license fee to be imposed in respect of a mobile unit for the license year shall be in accordance with a schedule prescribed by the Minister.
4. Mobile Units presently located within the Town before the passage of this By-Law are subject to the provisions of this By-Law relating to Licensing.

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5. This By-Law does not apply to mobile units used in connection with construction work carried on by or for the Town within the limits thereof or a vacation trailer occupied by a bona fide tourist.

6. This By-Law requires that upon request, the owner or operator of every mobile unit or park in the municipality notify the Town Office in writing of:  
(a) the name and address of each mobile unit in the mobile unit park within 14 days of its being occupied, and  
(b) any change of ownership or occupancy or any removal of a mobile unit from the park within 14 days of the change or removal.

7. Every person occupying a mobile unit,  
(a) on request of a license inspector, shall give all information necessary to enable him to carry out his duties, and  
(b) who fails to provide information requested pursuant to clause (a) within 10 days from the day that the request is made is liable to a penalty as contained in Section 15 (a) of this By-Law.

8. License Fees:

(a) Subject to other provisions of this section, a license fee shall be charged for mobile units located within the town per month in accordance with the previous year's set mill rate for taxes.  
(b) When a mobile unit is used as a residence the full amount of the license fee for that portion of the licensing year when unexpired thereupon becomes due and payable unless the town and the owner of the mobile unit have entered into an agreement whereby the license fee is made payable in installments in advance.  
(c) Where the owner of a mobile unit has paid the full annual license fee imposed pursuant to this section and the mobile unit is moved from the town or ceases to be occupied as a residence, the owner upon application therefor shall be refunded one twelfth (1/12) of the annual license fee for each full calendar month remaining in the year and during which the mobile unit is not within the town or the mobile unit is not occupied as a residence.  
(d) A license fee payable pursuant to this section is collectable in the same manner as a debt due to the town.

9. The municipality may allow the owner to pay a license fee by prepaid instalments and on payment of an instalment a license must be issued to the owner which shall be valid for the period of time as set forth on the license.

10. If the owner of a mobile unit has not paid the license fee payable in accordance with this section the municipality may:  
(a) recover the amount of the license fee as a debt owing to the municipality or  
(b) on the licence fee remaining unpaid for 30 days after demand for payment has been made by a license inspector, distrain for the licence fee on the goods and chattels of the owner.

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11. When the license fee owing to the municipality has been paid and the mobile unit has been removed from the municipality or is no longer occupied, the municipality, on application by the owner, shall refund to the owner the license fee for the balance of the license year, calculated is a sum equal to the amount of the prescribed fee for the entire license year, multiplied by the number of days remaining in the license year and divided by the number of days in the entire license year.

12. If a mobile unit is required to be licensed pursuant to this section, the municipality shall make a valuation of the mobile unit for the purpose of determining the license fee payable and shall mail or deliver for the owner written notice of the valuation.

13. The owner of a mobile unit

(a) may, within 30 days of the notice being mailed or delivered to him, complain to the court of revision in respect of the valuation of his mobile unit, and

(b) may appeal to the Appeal Board against the decision of the court of revision if

(i) the owner or the valuation of his mobile unit is affected by a decision of the court of revision, and

(ii) the owner appeared before the court of revision in person or by agent or sent to the license inspector a document setting out in detail the ground of his complaint,

and sections 43 to 61 in the Municipal Taxation Act apply to proceedings under this subsection with all necessary modifications.

14. If a municipality considers it equitable to do so, it may by resolution cancel or refund all or any portion of a mobile unit license fee.

15. Penalties

(a) A person who fails to comply with the provisions of this By-law is guilty of an offence and is liable upon summary conviction to a fine not exceeding five hundred dollars (\$500.00) or in default of payment of any fine imposed to imprisonment for a period not exceeding thirty (30) days or until such time as the fine and costs including the costs of committal are sooner paid.

(b) If a mobile unit is occupied by any person and the owner does not have a subsisting license issued by the municipality in which the mobile unit is situated, the owner is guilty of an offence and liable:

(i) for the first offence, a fine of not more than \$100.00

(ii) for any subsequent offence, to a fine of not more than \$500.00

16. This By-law shall come into full force and effect upon Third Reading thereof.

17. By-Law No. 987 is hereby rescinded.

READ A FIRST, SECOND AND BY UNANIMOUS CONSENT OF ALL COUNCIL PRESENT, A THIRD AND FINAL TIME THIS 27TH DAY OF JANUARY, 1986.

Luella C. Dougherty  
MAYOR

John P. [Signature]  
SECRETARY TREASURER

