

**THE CORPORATION OF THE
TOWNSHIP OF MCGARRY
BY-LAW NO. 2010-15**

**BEING A BY-LAW TO REGULATE THE ERECTION
AND USE OF TEMPORARY STRUCTURES**

WHEREAS Section 10(2)(10) of the Municipal Act, 2001, as amended by the Municipal Statute Law 2006 authorizes Council to enact By-Laws respecting structures.

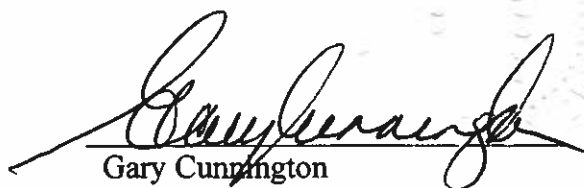
AND WHEREAS Council is desirous to control the use of Temporary Structures which are constructed for seasonal use and for which no building permit is required.

NOW THEREFORE, Council of the Corporation of the Township of McGarry enacts as follows:

1. That for the purposes of this By-Law a temporary structure shall be defined as a structure with no foundation, generally constructed with a cloth or plastic covering which are used to cover cars, boats or such items.
2. Temporary Structures will be allowed to be placed in side or rear yards, year round, if their location complies with any setback requirements in effect.
3. Temporary Structures will be allowed to be placed in the front yard during the months of October to April, only, and must be at least one metre back from the road allowance. Any Temporary Structure located in the front yard must be dismantled, including the frame, during the period of May 1st to September 30th.
4. The provisions of this By-Law may be enforced pursuant to the provisions of the Provincial Offences Act, RSO 1990, Chapter 33 as amended, and where any provision of this By-Law is contravened and a conviction entered, in addition to any other remedy and to any other penalty may also be prohibited from continuing or repeating the offence in accordance with the provisions of s 444 of the Municipal Act SO 2001, c.25 as amended.
5. Every person who is guilty of an offence under this By-Law may, if permitted under the Provincial Offences Act, RSO 1990, C.P. 33 as amended, pay a set fine, and the Chief Judge of the Ontario Court, Provincial Division, shall be requested to establish set fines as set out in Section 'A' to this By-Law.
6. In accordance with the provisions of the Municipal Act, S.O. 201, c25, as amended, Section 426 (1), no person shall hinder, interfere with, or, otherwise obstruct either directly or indirectly an officer, an employee of the Township of McGarry and/or agent in the lawful exercise of power or duty under this By-Law.
7. The Township assumes no liability for property damage or personal injury resulting from remedial action or remedial work undertaken with respect to any person or property that is subject to this By-Law.
8. For the purpose of this By-Law each day of a continued offence shall be deemed to be a separate offence.
9. The short title of this By-Law is the Temporary Structure By-Law.
10. That By-Law 2007-46 be and is hereby repealed.

Read a first, second and third time this 11th day of May, 2010.


Clermont Lapointe
Reeve


Gary Cunningham
Clerk-Treasurer

Township of McGarry

Part 1 - Provincial Offences Act

Section 'A', By-Law 2010-15

Temporary Structures By-Law

<u>Item #</u>	<u>Column 1</u> <u>Short Form Wording</u>	<u>Column 2</u> <u>Provisions Creating</u> <u>or Defining Others</u>	<u>Column 3</u> <u>Fine</u>
1	Fail to construct in accordance with setbacks.	2	\$110 .00
2	Fail to meet front yard setbacks.	3	\$110.00
3	Fail to remove Structure as required.	3	\$110.00
4	Obstructing Officer or Agent in the Lawful exercise of Power or Duty.	6	\$110.00