

## BYLAW # 2024-12

### A BYLAW OF THE RURAL MUNICIPALITY OF MERVIN No. 499 RESPECTING FEES IN LIEU OF TAXES FOR RECREATIONAL VEHICLES (RV'S) WITHIN RM BOUNDARIES

WHEREAS Section 306(1)(b) of *The Municipalities Act*, SS 2005, c M-36.1 provides, in part, that a municipality may collect from the owners of trailers or mobile homes any permit fees that are imposed by bylaw;

AND WHEREAS Section 306(3)(a) of *The Municipalities Act*, SS 2005, c M-36.1 provides, in part, that the permit fees may be levied in lieu of taxation for trailers and mobile homes.

The Council of the Rural Municipality of Mervin No. 499, in the Province of Saskatchewan, enacts as follows:

#### Part I - General Matters

##### **Short Title**

1. This bylaw shall be referred to as the "Fees in Lieu of Taxes Bylaw".

##### **Purpose**

2. The purpose of this bylaw is to create fairness and equality for all properties within the RM by:
  - a. Ensuring all services are divided equally among users as per the allowable expenses in the Municipalities Act.
  - b. To facilitate accurate asset management procedures that have accurate data.

##### **Definitions**

3. In this bylaw:

- a. "Administrator" means the Administrator of the Municipality or designate;
- b. "Council" means the Council of the RM of Mervin No. 499;
- c. "Designated Officer" means a person appointed by the Municipality to enforce this bylaw and shall include a Peace Officer;
- d. "Municipality" means the RM of Mervin No. 499;
- e. "Peace Officer" means a peace officer as defined in *The Summary Offences Procedures Act*;
- f. "Occupied" means with respect to a site that has any item related to the use of the property, or any other items so stored or placed, on or within that site for any period of time between January 1<sup>st</sup> and December 31<sup>st</sup>;
- g. "Site" shall have the meaning as defined by the Zoning Bylaw for the Municipality;
- h. "Trailer" means, subject to regulations, a structure that:
  - i. is equipped to travel on a road;
  - ii. is intended to provide accommodation for vacation or recreational use;
  - iii. is not connected or attached to an improvement; and
  - iv. is not connected to any utility service provided by a public utility;
- i. "RV" shall mean a tent trailer, travel trailer, truck camper, fifth wheel trailer, motor home or other similar structure intended to provide temporary accommodation for travelers, tourists and campers or other such accommodation intended for use within all districts of the RM.

#### Part II - General Fees

4. The owner of all RV's within the Municipality shall obtain a "Temporary Principal RV Use" permit.
5. Notwithstanding the Section 4, RV's located within RV Parks or Seasonal Campgrounds will be exempt from the "Temporary Principal RV Use" permit and fees prescribed in this bylaw.
6. Each "Temporary Principal RV Use" permit will initiate a "Fee in Lieu" service fee.
7. The "Fee in Lieu" shall be in the form as approved by the Municipality as attached in Schedule "A".

*MS*  
*AB*

8. Each permit holder is responsible for remitting the "Fee in Lieu" service fee to the Municipality. Such fee shall be incurred each year for the period of January 1<sup>st</sup> to December 31<sup>st</sup> inclusive for the duration allowed for the "Temporary Principal RV Use" permit.
9. The fee shall be paid to the Municipality on or before December 31<sup>st</sup> of the year in which the fees are imposed.
10. Any fee not paid by the prescribed time shall be subject to a late payment financial penalty as listed in Schedule "B".
11. The administration and enforcement of this bylaw is hereby delegated to a Designated Officer for the Municipality.
12. The inspection of any property in the Municipality to determine if this bylaw is being complied with is hereby authorized.

**Offences and Penalties**

13. No person shall:
  - a. Obstruct or hinder any designated officer or any other person acting under the authority of this bylaw; or
  - b. Fail to comply with any provision of this bylaw.
14. Except where, or in addition to, a penalty is specifically provided for in this bylaw, every person who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction:
  - a. in a case of an individual, to a fine not less than \$250.00 and not exceeding \$10,000.00 and, in the case of a continuing offence, to a further fine not exceeding \$10,000.00 for each day during which the offence continues; and
  - b. in the case of a corporation, to a fine not less than \$450.00 and not exceeding \$25,000.00 and, in the case of a continuing offence, to a further fine not exceeding \$25,000.00 for each day during which the offence continues; and
  - c. not more than one year in jail.

**Coming into Force**

15. No prosecution for a contravention of this bylaw may be commenced more than two years after the date of the alleged offence.
16. Bylaw No. 2023-35 is hereby repealed.
17. This bylaw comes into force and takes effect on the date of final passing.



Certified a true copy of  
Bylaw No. 2024-12 adopted  
by resolution of Council this

13..... day of FEBRUARY....., 2024

  
Reeve

  
Administrator

  
Reeve

  
Administrator



**Schedule "A"**

The "Fees in Lieu" service fees are as follows:

<b>Service</b>	<b>Expense Amount</b>	<b>Total Dwelling</b>	<b>Cost per Dwelling</b>
Fire	\$ 167,307.13	1801	\$ 92.90
Protective Services	\$ 292,519.20	1801	\$ 162.42
Infrastructure	\$ 535,483.85	1801	\$ 295.66
Sanitation	\$ 164,035.80	1801	\$ 91.08
EPT	<i>As per Regulation Formula</i>		\$ 205.46
<b>Total</b>			<b>\$ 847.52</b>

**Schedule "B"**

The late payment financial penalty consists of 1% per month being charged on all past due amounts.

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