

THE CORPORATION OF THE CITY OF PENTICTON
BYLAW #3636

A BYLAW OF THE CORPORATION OF THE CITY OF PENTICTON TO REGULATE
THE ESTABLISHMENT EXTENSION, DESIGN AND SERVICING OF CAMPSITES,
AND SPECIAL REGULATIONS AND RESTRICTIONS PERTAINING TO TOURIST
ACCOMODATIONS IN GENERAL, PURSUANT TO SECTION 714 (I) OF THE
“MUNICIPAL ACT”

The Municipal Council of The Corporation of the City of Penticton in open meeting assembled ENACTS as follows:

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DIVISION I – ADMINISTRATION

1. Interpretation and Administration

DIVISION II CAMPSITES

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4. Site Development
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6. Utilities
7. Supervision

DIVISION III – TOURIST ACCOMMODATION – GENERAL

8. Tourist Accommodation – General

DIVISION I – ADMINISTRATION

Title

- 1.01 This Bylaw may be cited as “City of Penticton Tourist Accommodation Bylaw, 1978”.

Application

- 1.02 This Bylaw shall be applicable to all land contained within the boundaries of the City of Penticton, together with the campsite or other tourist accommodation regulations of the Province of British Columbia and amendments thereto.

Definitions

1.03 In this Bylaw, unless the context otherwise requires,

“Approved” and any other like term relative to a standard of acceptance shall mean approved or other like term by the authority having jurisdiction.

“Authority Having Jurisdiction” shall mean the Chief Inspector of the Building and License Department, being also the Building Inspector, Plumbing Inspector and License Inspector of the City of Penticton, and those persons acting on his behalf under his authority.

“Camping Party” shall mean a group of not more than six (6) adult persons camping together.

“Camping Space” shall mean an area in a campsite used for one camping party.

“Camping Unit” shall mean a tent, tent camper, truck camper, travel trailer, motor home, van, station wagon, car, or any other vehicle or shelter where such is used for sleeping, cooking or any camping purpose.

“Campsite” shall mean a site occupied and maintained, or intended to be occupied and maintained for the temporary accommodation of travellers, which is either operated for reward or is licensed accommodation under regulations made pursuant to the “British Columbia Government Bureau Act”, but does not include a mobile home park or motel, a hotel, an auto court, or a camp licensed under the “Community Care Facilities Licensing Act”.

“Chief Inspector” shall mean the Inspector in charge of the Inspection Department of the City.

“City” shall mean The Corporation of the City of Penticton as a body corporate, or the area within the geographic boundaries of The Corporation of the City of Penticton, as the context may require.

“Medical Health Officer” shall mean the Medical Health Officer appointed under the “Health Act” for the territorial jurisdiction of the area in which a mobile home park is located.

“Mobile Home” shall mean a detached single family dwelling unit with all of the following characteristics:

- (a) designed for long-term occupancy and containing sleeping accommodation, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems, having a floor area of not less than 22m² (236.8 sq. ft.);
- (b) designed to be licensed for transport on any highway, having its own built-in framework;
- (c) arriving at the site where it is to be occupied as a complete dwelling and ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports, and connections to utilities;
- (d) consisting of not more than a one-storey structure.

“Owner” shall mean an owner, agent, lessor, licensee, or manager of, or any person who operates a mobile home park.

“Tourist Accommodation – General” shall mean all type of accommodation oriented to serve the tourist, including but not limited to campsites, hotels, mobile home parks and motels.

The definition contained in the Campsite Regulations made pursuant to the “Health Act” shall be deemed to be included in this section to the extent that those definitions have not been varied by the definitions contained in this section.

Metric Units

- 1.04 Metric units are used for all measurements in this Bylaw. The approximate equivalent of those units in currently used units of Imperial Measure (feet, gallons, etc) are shown in brackets following each metric measurement and such bracketed figures are included for convenience only and do not form part of this Bylaw.

Administration

- 1.05
1. The authority having jurisdiction is the Chief Inspector and those persons acting on behalf under his authority. The authority having jurisdiction may enter any building or premises at any reasonable time for the purpose of administering or enforcing this Bylaw.
 2. All campsite or other tourist accommodation development and application of all specific provisions shall require prior approval by the authority having jurisdiction.

Violation

- 1.06
1. It shall be unlawful for any person to cause, suffer or permit the establishment, extension, or operation of a mobile home park in contravention of this Bylaw or otherwise to contravene or fail to comply with this Bylaw.
 2. It shall be unlawful for any person to prevent or obstruct the authority having jurisdiction from carrying out his duties under this Bylaw.

Responsibility of Owner

- 1.07
1. A responsible person appointed by the owner shall be in charge to keep the campsite or other tourist accommodation, its facilities and equipment, in a clean, safe, orderly and sanitary condition, and he shall be answerable with the owner and licensee for any violation of the provisions of this or any other Bylaw.
 2. It is the responsibility of the owner to assure the regulations of this Bylaw and all relevant City, Provincial and Federal regulations and legislation are complied with and to immediately take such remedial action as necessary when a violation occurs or exists.

Penalty

- 1.08
1. Any person who violates any provision of this Bylaw is liable on summary conviction, to a penalty not exceeding Two Thousand Dollars (\$2,000.00), and also the cost of the prosecution.
 2. Each day during which such violation is continued shall be deemed to constitute a new and separate offence.
 3. Upon conviction, the Court may direct that no prosecution under subsection (2) may be made with respect to the continuance of the violation for such period of time as he directs.

Severability

- 1.09
- If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

DIVISION II – CAMPSITES

- 2.01 1. No person shall:
- (a) locate, establish, construct, alter, extend, expand, subdivide, or operate a campsite; or
- (b) cause or allow a camping unit to be parked or to remain in a campsite or a camping space to be used,
- in contravention of the Bylaw.
- 2.02 1. No person shall establish, construct, alter, or subdivide a campsite until written approval of plans and specifications as required in subsection 3 is received from the authority having jurisdiction.
2. Written approval under subsection (1) shall not be given until a sewage disposal system and water supply source/system have been approved by the authority having jurisdiction.
3. All contiguous parcels of land proposed for the development of a campsite shall be consolidated into one registered parcel of land prior to the issuance of any Building Development Permit.
- 2.03 No camping unit shall be located elsewhere than in a camping space.
- 2.04 Only a camping unit and parking associated with such unit shall be allowed in a single camping space.
- 2.05 No more than one camping party so registered shall be permitted in a single camping space.
- 2.06 No tent, camper, motor home, travel trailer, or any other type of camping unit shall be permitted on any camping space continuously for a period of more than four (4) months; nor shall a mobile home be permitted on any camping space continuously for a period greater than one (1) month. No tent, camper, motor home, travel trailer, or any other type of camping unit may reoccupy any camping space in the same campsite for a period of not less than sixty (60) days from the date of departure.
- 2.07 No home occupation or business shall be permitted to operate in a camping space and no business shall be permitted to operate within a campsite, except as provided in the City of Penticton Zoning Bylaw.

Plan and Specifications

- 3.01 1. Application for approval of plans and specifications shall be made in writing to the authority having jurisdiction and contain:
- (a) the name and address of the applicant;
 - (b) the intended use of the land;
 - (c) a popularly understandable description of the location of the land and the legal description of the land on which the proposed mobile home park is to be established, constructed, altered or extended;
 - (d) where the water to be provided does not come from a public water distribution system:
 - (i) a map showing the location of the source of the proposed water supply, and the location and extent of the area proposed for sewage disposal, waste water disposal and garbage disposal;
 - (ii) a certificate signed by the Medical Health Officer stating that the water from the source indicated on the map is potable and that the location and extent of the areas proposed for sewage disposal, waste water disposal and garbage disposal indicated on the map meet with his approval.
- 3.02 1. The applicant shall submit two complete and legible sets of plans to scale showing:
- (a) the area dimensions and legal description of the parcel of land;
 - (b) the dimension of the plot layout;
 - (c) the owner's space/office;
 - (d) the dimensions and location of service buildings and other structures;
 - (e) the internal layouts of service buildings and other structures, with complete working plans;
 - (f) the location and details of the source of water, treatment plants, water distribution lines and outlets;
 - (g) the location and details of on-site garbage and reFuse disposal areas;

- (h) a north arrow and notation of the scales used;
- (i) the provisions for landscaping and screen planting;
- (j) the number, location, dimensions and designation of camping spaces, other designated areas, fences, all building and campsite office;
- (k) plans, profiles and cross-sections of roadways, underground utilities and rough and finished grading of the site
- (l) such other information required by the authority having jurisdiction.

Site Development – Buffer Area

- 4.01 1. Every campsite shall provide a buffer area immediately within those boundaries abutting public streets, all of which shall have approved landscaping consisting of lawn and at least one row of deciduous and/or evergreen trees spaced not more than 10m (32.81 ft.) apart, and one or more rows of bushy shrubs or hedging capable of attaining a height of at least 1m (3.281 ft.) in three (3) years and eventually a height of 1.5m (4.921 ft.). Planting shall be hardy, appropriate for use and location, and planted so as to thrive with normal maintenance.
- (a) The buffer area of (1) shall be a minimum of 6m (19.69 ft.) in depth.
 - (b) A buffer area a minimum of 3m (9.842 ft.) shall be provided within all other boundaries.
 - (c) Where campsites are located immediately adjacent to arterial or district collector roads, as shown on Schedule “C” of the Zoning Bylaw, there shall be required in addition to (1), an approved screening of a height not less than 1.5m (4.921 ft.) nor more than 2m (6.562 ft.), respecting also the fence height control, along the boundary abutting such roads. Screen fencing of a height not less than 1.5m (4.921 ft.) nor more than 2m (6.562 ft.) shall be provided on all interior boundaries where the site is adjacent to residentially zoned property whether a lane intervenes or not, except for the setback distance from the street where there is no fencing provided on the street boundary.

- (d) No recreation, amenity, or service areas, except for waterfront recreation or amenity areas, may be located.
- (e) No camping space nor an owner's residential space may be located.
- (f) No building or structure may be erected or placed, except a sign which may be placed according to CT provisions.
- (g) No garbage disposal area and no part of any private sewage disposal system other than such parts of such system as may be underground, shall be located.

4.02 The only roads permitted in the buffer area adjacent to streets are those which cross it as close to right angles as practicable and connect directly with the road system contained within the remainder of the mobile home park. No road shall traverse the buffer area and/or give direct access from any public highway to any camping space.

- 4.03
1. Where a campsite is separated from neighbouring property by a body of water, then notwithstanding Section 4.01;
 - (a) for the purpose of establishing the buffer area, the campsite boundary shall be deemed to be the centre line of the body of water; and
 - (b) a building or buildings to house boats or dressing rooms may be located on land adjoining waters that are suitable for small boat navigation at low water, so long as the buildings are not within 3m (9.843 ft.) of any other boundary.

Recreation Area

- 4.04
1. Where recreation areas are provided, such will be located in other than the required buffer area.
 2. Such areas shall be grassed or hard-surfaced, dust free and shall drain properly.

Roadways, Parkways, Parking Areas, Service Areas

- 4.05
1. Roadways, parking and service areas shall be at least rolled gravel, flush coated and designed to drain to an approved storm drainage system.
 2. Roadways shall be of adequate widths with 3m (9.843 ft.) minimum moving lanes for all roads and 2m (6.562 ft.) minimum lanes for parallel parking. Other types of parking are permitted;

however, such must be designed so there is no encroachment on the moving lanes when the vehicles are in a parking position.

3. Approved vehicle bumper stops shall be provided as necessary.
4. Entrance roads and other roads with parking both sides shall be a minimum width of 10m (32.81 ft.)
5. One-way roads with no parking (acceptable only if less than 150m (492.1 ft.) in total length and serving less than twenty-five (25) camping spaces), shall be a minimum width of 4m (13.12 ft.) between curbs.
6. Car parking spaces shall be provided at the rate of at least one (1) space for each camping space.
7. Parking or storage of heavy equipment or trucks exceeding one (1) space for each camping space.
8. Parking shall be provided according to these regulations and in addition, parking shall be provided in accordance with the City of Penticton Zoning Bylaw, according to the type of ancillary use, such as entertainment, recreational, retail or personal use, etc.
9. Service areas such as outdoor drying yards shall be conveniently located in respect to service buildings and/or the camping spaces served and shall be screened where considered necessary by a 1.5m (4.921 ft.) louvred fence.

Placement of Camping Units, Service and Ancillary Buildings

- 5.01 Within a campsite, no camping space shall be allocated that is not reasonably level for the and kept free from drainage from adjacent land.
- 5.02 Camping units shall be so placed that no part of any camping unit shall be closer than 1.5m (4.921 ft.) to the camp space boundary and all supports, pegs, ropes or other bracing or guying of camping units shall be contained within the camp space allotted.
- 5.03 No buildings of any type are permitted on camping spaces; no additions to any travel trailer, mobile home or other camping unit shall be permitted in any campsite.
- 5.04 All permanent campsite structures shall conform to the City Building Bylaw, except campsite service and accessory structures may be of approved mobile units permanently fixed in position.

Accessory Buildings

- 5.05
1. Only accessory buildings required for the campsite operation are permitted of not more than one (1) storey, 3m (9.843 ft.) average in height.
 2. In addition to Division VII of the Provincial Campsite Regulations the following amendments will apply:
 - (a) Irrespective of Section 7.02 (a) of the Provincial Campsite Regulations, the distance to service buildings shall not be more than 60m (196.9 ft);
 - (b) The plumbing facility requirements under Section 7.03 of the aforementioned Regulations will be amended as follows; Where more than two (2) water closets are required for an individual sex, urinals may be substituted for two-thirds of the required number of water closets and may be counted as water closets.
 - (c) The floor of service buildings shall be sloped to an approved floor drain connected to the sanitary sewer system; shall be impervious to water and sealed to a baseboard or equivalent, also impervious to water, with a waterproof seal to the floor surface.
- 5.06
1. Each space shall:
 - (a) have a minimum area of 85m² (914.9 sq. ft.);
 - (b) have a minimum mean width of 7m (22.96 ft.) and an actual frontage of not less than 6m (19.69 ft.);
 - (c) have the corners adequately defined with visible markers;
 - (d) be prominently numbered.
 2. The location of space markers and numbering shall not be changed without first submitting plans of the proposed changes to the authority having jurisdiction and obtaining approval.
- 5.07
- All structures and/or development in any campsite shall comply with the Bylaws and/or regulations in force in the City pursuant to Federal, Provincial or Municipal Statutes.
- 5.08
- All camping units shall be placed in a manner so there is no apparent danger to persons or property and shall be adequately restrained from moving.

Utilities

- 6.01 All utilities, including electrical power and telephone lines, shall be installed underground and according to relevant controls of Federal, Provincial and Municipal requirements.

Water Supply

- 6.02
1. The owner of a campsite shall provide a water supply system to furnish a constant supply of potable water that is under a minimum pressure of 140 KPa (20.32 lbs. per sq. in.) at all outlets. Such a water system shall be designed in accordance with the plumbing regulations in force in the City.
 2. All water outlets shall be provided with a suitable receptacle for adequate drainage and where the faucet is threaded or designed for the connection of flexible apparatus or there is danger of contamination, shall be provided with an adequate backflow preventer or anti-siphonage device.

Sanitary Sewer

- 6.03
1. The sanitary sewer collection system of a campsite shall be connected to the City sanitary sewer system.
 2. The sewer service lateral to camp spaces, such
 - shall be a minimum of 75mm (0.246 ft.);
 - shall terminate a minimum of 150mm (0.492 ft.) above grade;
 - shall be an approved gas-tight fitting with threaded and quick-change adapted coupling;
 - shall be protected by a metal casing or shall be encased in a concrete pad not less than 75mm (0.246 ft.) in thickness and 90mm² (0.969 sq.ft.).
 3. Clean-outs
 - shall be installed in sewer service laterals every 15m (49.21 ft.) or whenever a sewer line changes direction more than forty-five (45) degrees;
 - shall be extended to grade level;
 - shall be protected as for a sewer service outlet where there is danger of damage, and identified as to location.
 4. Each camp space provided with a hook-up shall be considered as having a hydraulic load of six (6) fixture units.

Street Lighting

- 6.04
1. Approved night lighting shall be provided to ensure the safety

of vehicular and pedestrian traffic, so arranged so as to reflect light away from camping spaces.

Storm Drainage

- 6.05 The storm drainage system shall be connected to the City storm main, except where such is not reasonably available, an approved private storm drainage system may be considered.

Garbage Disposal

- 6.06
1. A garbage disposal area shall be provided for metal containers with covers, in sufficient number.
 2. The above area shall be located not more than 45m (147.6 ft.) from the space(s) it serves.
 3. Containers to be located in a fenced or effectively screened area and to be secured to prevent overturning.
 4. Waste water disposal:
 - (a) There shall be provided a suitable receptacle designed for receiving liquid waste from cooking, washing and similar operations within 60m (196.9 ft.) of every camping space. Such a receptacle may be in a service building, providing that it is separated from the sanitary facilities and every such receptacle shall have a holding sump and be connected to the sanitary sewer system of the campsite.
 - (b) No person shall deposit on the ground any liquid waste.
- 6.06 All garbage or other waste, both solid and liquid, shall be deposited only in the receptacle(s) provided for the purpose.

Supervision

- 7.01 The owner shall maintain the campsite and the equipment in the campsite in a clean, safe, orderly and sanitary condition.
- 7.02 Every campsite shall be kept free of flammable debris and rubbish at all times.
- 7.03 Fires shall be made only in stoves, incinerators or other structures designed for that purpose.
- 7.04
1. The owner shall not permit visitors outside of closed buildings within the campsite after 12:00 Midnight;

2. The owner shall not permit excessive noise which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the tourist accommodation, neighborhood, or persons in the vicinity.
- 7.05 The owner shall assure that the occupancy of the tourist accommodation does not exceed that for which the operation is licensed, pursuant to the Business License Bylaw of the City
- 7.06 Where boats are operated for hire at tourist accommodation, the owner of the accommodation shall keep the boats in a clean, safe and seaworthy condition, and shall mark, and keep marked on each boat, in a conspicuous place, the safe carrying capacity of the boat.
- 7.07 Where other recreational or other equipment is available for hire, the owner shall ensure such shall be maintained to a safe standard before allowing such to be rented, and shall ensure that the person(s) to whom it is rented is adequately instructed on its operation.
- 7.08
1. Mobile homes are not permitted in campsites except as provided in Section 2.06 of this Bylaw; however, any mobile homes existing at the time of enactment of the Bylaw and for more than one (1) month thereafter shall be classified as non-conforming.
 2. The owner of every campsite shall register each space occupied by a non-conforming mobile home, including identification of the mobile home, the name of the owner and the name of the occupant, with the authority having jurisdiction at the time of the enactment of this Bylaw, and said registration may be verified by the authority having jurisdiction.
 3. The mobile home may not change location in the campsite and every mobile home which has a change of ownership or principal occupants must be removed from the campsite within seven (7) days and may not be replaced.

DIVISION III – TOURIST ACCOMMODATION – GENERAL

General Provisions

- 8.01 No person shall locate, establish, construct, alter, subdivide or operate tourist accommodation or cause or allow tourist accommodation to be conducted in contravention of the Bylaw.
- 8.02
1. No persons shall establish, construct, or alter tourist

accommodation until written approval of plans and specifications is received from the authority having jurisdiction.

2. Written approval under subsection (1) shall not be given until a sewage disposal system and water supply source/system have been approved.
3. All contiguous parcels of land proposed for the development of tourist accommodation shall be consolidated into one registered parcel of land prior to the issuance of any Building or Development Permit.

8.03

1. Each room, space, unit, or other type of tourist accommodation shall have distinguishing number. In the case of plans submitted, such distinguishing number shall appear on such plans.
2. Each room, rental unit or similar tourist accommodation shall be thoroughly cleaned after every occupancy and where bedding is provided, freshly laundered linen must be provided not less than once a week and after every occupancy.
3. The Medical Health Officer shall, prior to the initial occupancy of tourist accommodation:
 - (a) approve the source and conditions of the potable water supply;
 - (b) approve the sanitary conditions in general, including but not limiting disposal of all waste matters, garbage, condition of toilet facilities and/or service buildings.
4. It is the full responsibility of the owner/operator to assure that the occupancy of the accommodation does not exceed that for which the operation is licensed, pursuant to the Business License Bylaw of the City.

Registration

8.04

1. The owner shall keep all registration records at the tourist accommodation office where entries are made and shall not remove or transfer them to any other place. They shall be handed over to new owners upon transfer of any properties coming under the provisions of these regulations. Such registration records shall be available at any time for scrutiny by the authority having jurisdiction or police having jurisdiction in the City.

2. Every person when arriving at tourist accommodation and applying for accommodation therein, shall furnish to the owner the registration information necessary to complete such registration and shall not be provided with accommodation until such information has been furnished.
3. Every owner of tourist accommodation shall provide and maintain thereat a suitable guest register for the registration of all persons provided with sleeping, housekeeping, camping, or other accommodation. Upon arrival of every such person the operation shall require the person to legibly enter in the register, or legibly enter for him therein, the following:
 - (a) initials and surname of the head of the party;
 - (b) the number of persons in the party;
 - (c) all persons not being of the same family of the head of the party;
 - (d) the home address of all persons in the party;
 - (e) vehicle, license identification, colour, make, type and year;
 - (f) camp space/unit/room or other accommodation; number allotment;
 - (g) time and date of entry, time and date of departure

No entry shall be permitted by the owner until the full information required is supplied in a manner that there is no question as to identification of the entire party.

4. Every operator shall establish rates for each rental unit. Such rates shall be posted conspicuously in the rental unit to which they apply, or if not in a room where such may be posted, must be conspicuous in the office where the registration is made. The operator of every tourist accommodation shall make his registration records available for inspection by the authority having jurisdiction

READ A FIRST time this 30th day of January, 1978.
READ A SECOND time this 30th day of January, 1978.
READ A THIRD time this 3rd day of April, 1978.
RECONSIDERED and FINALLY PASSED and ADOPTED
this 10th day of April, 1978.

"Kenyon"
Mayor

"Sewell"
Clerk

Certified a true copy of Bylaw
No. 3636 as adopted.

"Sewell"
City Clerk

(byl/camp)