**THE CORPORATION OF THE TOWNSHIP OF BILLINGS**

**BY-LAW 2025-xx**

**BEING A BY-LAW TO REGULATE THE USE OF SHIPPNG CONTAINERS/SEA CONTAINERS**

**WHEREAS** The *Ontario Municipal Act 2001 c.25 section 8* provides that the powers of a municipality shall be interpreted broadly to confer broad authority on the municipalities to govern its affairs as it considers appropriate and enhance the municipalities’ ability to respond to municipal issues; and

**WHEREAS** The *Ontario Municipal Act 2001 c. 25 section 11(3)* provides that a lower-tier municipality may pass by-laws respecting structures, including fences and signs; and

**WHEREAS** the Council of the Township deems it appropriate to pass a By-law for the purpose of regulating the uses of sea containers/shipping containers/transport trailers and truck boxes; and

**WHEREAS** the Council of the Township of Billings enacts as follows:

1. **Short Title**

1.1 This By-law may be cited as the **Shipping Containers By-law**

2.0 **Definitions**

In this By-law

2.1 "Council” means the elected Council of the Township of Billings.

2.2 “Permanent Use Permit” means a permit issued by the Township of Billings that allows for a Shipping Container to be permanently set on a property.

2.3 “Officer" means any Person or Persons appointed by the Council of the Township of Billings for the purposes of enforcing Township by-laws. and/or an officer of the Ontario Provincial Police. (O.P.P.)

2.4 Person” means an individual, association, firm, partnership or corporation.

2.5 Property Owner” means the registered owner of the lands or Premise or his or her authorized agent (Who, is authorized in writing) that is in legal control of the lands or Premise.

2,6 “Shipping Container” shall mean a reusable enclosed metal structure manufactured to be utilized in the transporting, shipping, and storing of goods and having the original intended benefit to be transferred from one mode of transport to another without the requirement of being unloaded. This shall include intermodal shipping containers, sea containers, storage containers, transport truck trailers, and straight truck trailer boxes, but does not include any vehicle defined herein. This shall also include those containers where the original doors and/or door closures have been removed, added or altered leaving the container not fully enclosed. Any sea container that has been modified for habitable or occupiable purposes must conform to the Ontario Building Code.

2.7 “Temporary Use Permit” a permit that is issued, for a fee, by the Township of Billings that allows a Shipping Container to be on a property for a period not exceeding 180 days.

**3.0 General Provisions**

3.1 Shipping Containers shall only be placed on a property after a Temporary Use Shipping Container Permit, or a Permanent Use Shipping Container Permit has been issued by the Township of Billings.

3.2 Shipping Container Permits will only be issued upon receipt of the following information:

3.2.1 An approved Township of Billings building permit that is issued by the Township Chief Building Officer.

3.2.2 Picture(s) of foundation structure.

3.2.3 Picture(s) of the Shipping Container

3.4 Shipping Containers shall have all axles and wheel attachments removed.

3.5 Shipping Containers shall be set upon a solid base foundation or supporting base structure that will support the weight of the Shipping Container in a manner that prevents the Shipping Container from sinking into the ground or tipping over.

3.6 Shipping Containers are only permitted in the following designated township zones as identified in the Township of Billings Zoning By-law 2022-57:

3.6.1 General Commercial (C1)

3.6.2 Core Commercial (C2)

3.6.3 Tourist Commercial (TC)

3.6.4 General Commercial (M1)

3.6.5 Agricultural (A)

3.6.6 Rural (RU)

3.6.7 Waste Disposal Site (WD)

3.6.8 Shoreline Residential (SR) on lots that are a minimum of 1.0 acres in size.

3.6.9 Shipping Containers shall be placed on a property in accordance with Zoning By-law setbacks and in a manner that does obstruct driveways, fire lanes, intersections or natural lines of sight.

3.7 The number of Shipping Containers allowed on a property shall be dependant on the township zone that the Shipping Container is being located. The number of allowable Shipping Containers per property will be as follows:

3.7.1 Village Area (VA) x 0

3.7.2 Residential (R1) x 0

3.7.3 Open Space Recreation (OSR) x 0

3.7.4 Open Space Conservation (OSC) x 0

3.7.5 Pit and Quarry (Q) x 0

3.7.6 General Commercial (C1) x 2

3.7.7 Core Commercial (C2) x 2

3.7.8 Tourist Commercial (TC) x2

3.7.9 General Industrial (M1) x2

3.7.10 Agricultural (A) x 3

3.7.11 Rural (RU) x 3

3.7.12 Waste Disposal Site (WD) x3

3.7.13 Shoreline Residential (SR) on lots that are a minimum of 1.0 acres in size. X 1

3.7.14 Shoreline Residential property sizes will be determined by dimensions identified on Township Property Information Documents

3.8 Shipping Containers shall not be used as a habitable space unless the Shipping Container is specifically designed for habitation and that it meets Ontario Building Code specific

3.9 Shipping containers will be painted a neutral, non-reflective colour and not have logos or other designs visible.

3.10 Shipping Containers will be kept in good condition and free of rust and graffiti.

3.11 Shipping Containers shall be kept free of structural appendages such as lean-tos, shelters or decks.

3.12 Shipping Containers being used as a commercial operation shall be permitted to have structural appendages such as lean-tos, shelters or decks.

3.13 Shipping Containers shall not be stacked.

3.14 Temporary Shipping Container Permits will be issued for properties with an active building permit, but for no longer of a period than 180 days.

3.15 Shipping containers that are located on properties within the Township of Billings prior to the passing and enactment of this By-law will be required to meet the requirements of this By-law within 180 days of the By-law enactment and be subject to the provisions of this By-law going forward from that date.

**4.0 Prohibitions**

4.1 No Person shall place a Shipping container onto a property without obtaining a Township of Billings Temporary Shipping Container Permit or a Permanent Use Shipping Container Permit.

4.2 No Person shall keep a Shipping Container on a property that has an expired Temporary Shipping Container Permit

4.3 No Person shall set or use a Shipping Container that has an under carriage, axle or wheels attached.

4.4 No Person shall have or set a Shipping Container on a property unless the Shipping Container is set on to a foundation or supporting base structure that prevents the container from tilting or sinking into the ground.

4.5 No person shall exceed the maximum allowable number of Shipping Containers per property as identified in Section 3.7 0f this By-law.

4.6 No Person set or use a Shipping Container in a Village Area (VA).

4.7 No Person shall place a Shipping Container on a Shore Line Road allowance.

4.8 No Person shall place a Shipping Container on an Unopened Road Allowance.

4.9 No Person shall have a Shipping Container that has not been painted a neutral or non-reflective color on a property.

4.10 No Person shall have a Shipping Container that is showing logos, designs, rust or graffiti on a property.

4.11 No Person shall use a Shipping Container for habitable purposes.

4.12 No person shall append any fixed structure to a Shipping Container.

4.13 No Person shall have stacked Shipping Containers on a property.

4.14 No Person shall attempt to obstruct or hinder an Officer who is exercising a power or duty under this By-law.

4.15 No Person shall obstruct or hinder an Officer who is exercising a power or duty under this By-law.

Exemption: 3.11 Shipping Containers being used as a commercial operation shall be permitted to have structural appendages such as lean-tos, shelters or decks

**5.0 Enforcements and Penalties**

5,1 The provisions of this By-law shall be enforced by the By-law Enforcement Officer and/or the O.P.P.

5.2Any Person who contravenes the provisions of this By-law is guilty of an offence and, upon conviction, is subject to fine as provided by the *Provincial Offences Act* and to any other applicable penalties. (see appendix ‘’A’’)

5.3 Each day that a violation continues constitutes a separate offense and is liable on a summary conviction of a penalty of not more than $5,000 or as prescribed.

**6.0 Severability**

6.1 If any provision or part of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part in particular circumstances, the balance of the By-law or its application in other circumstances, shall not be affected and shall continue in full force and effect.

**7.0 Administration**

7.1 This By-law shall be enforced within the boundaries of Billings Township.

7.2 This By-law will come into effect upon the final passing thereof.

7.3 This By-law repeals section 4.1.7 of Billings Township Zoning By-law 2022-57.

**8.0 Application**

8.1 This By-law applies to all property owners, tenants and commercial operations in Billings Township.

Read a first, second and third time in open council and enacted this day ?? o f??? 2025

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Bryan Barker, Mayor Veronique Dion, CAO/Clerk

**BY-LAW 2025-xx**

**SHIPPING CONTAINER BY-LAW**

**SCHEDULE “A”**

**SET FINES SCHEDULE**

**PROVINCIAL OFFENCES ACT**

**PART 1**

|  |  |  |  |
| --- | --- | --- | --- |
| **ITEM** | **SHORT FORM WORDING** | **PROVISION CREATING OR DEFINING OFFENCE** | **SET FINE** |
| 1 | Place Shipping Container on property without a permit | 4.1 | $700.00 |
| 2 | Have shipping Container on property with expired permit. | 4.2 | $700.00 |
| 3 | Place Shipping Container with undercarriage, axle or wheels attached. | 4.3 | $700.00 |
| 4 | Set Shipping Container without foundation or supporting structure | 4.4 | $700.00 |
| 5 | Exceed maximum allowable number of Shipping Containers | 4.5 | $700.00 |
| 5 | Set Shipping Container in unauthorized Zone | 4.6 | $700.00 |
| 6 | Place Shipping Container on Shoreline Road Allowance | 4.7 | $700.00 |
| 7 | Place Shipping Container on Unopened Road Allowance | 4.8 | $700.00 |
| 8 | Have Improperly painted Shipping Container | 4.9 | $400.00 |
| 9 | Shipping Container displaying rust or graffiti | 4.10 | $400.00 |
| 10 | Use Shipping Container for habitable purposes | 4.11 | $500.00 |
| 11 | Append structure to Shipping Container | 4.12 | $700.00 |
| 12 | Have Stacked Shipping Containers on Property | 4.13 | $400.00 |
| 13 | Attempt to Hinder or Obstruct a By-law Officer | 4.14 | $700.00 |
| 14 | Hinder or Obstruct a By-law Officer | 4.15 | $700.00 |

**NOTE: The penalty provision for the offences listed above is section 5.5 of By-law 2025-XX, which a certified copy has been filed.**

**BY-LAW 2025-xx**

**SHIPPING CONTAINER BY-LAW**

**SCHEDULE “B”**

**Shipping Container Permit Fee Schedule**

|  |  |
| --- | --- |
| **Permit Description** | **Permit Fee** |
| Permanent Use | $100.00 |
| Temporary Use | $50.00 |

**BY-LAW 2025-xx**

**SHIPPING CONTAINER BY-LAW**

**SCHEDULE “C”**

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**SHIPPING CONTAINER**

**PERMANENT USE PERMIT**

**PERMIT NUMBER:**

ISSUED TO:

ADDRESS:

DATE OF ISSUE:

1. Has the applicant obtained a Township issued building permit? Yes \_\_ No \_\_\_
2. Has the applicant provided a picture(s) of the shipping container? Yes \_\_\_ No \_\_\_
3. Has the Applicant provided pictures(s) of foundation structure? Yes \_\_\_ No \_\_\_

DECLARATION

 I hereby declare that I have reviewed and understand the shipping container standards and that I will comply with the following shipping container standards identified in By-law 2025- XX. These standards include the following:

1) Shipping Containers shall not be used as a habitable space unless the Shipping Container is specifically designed for habitation and that it meets Ontario Building Code specifications.

2) Shipping Containers shall be placed on a property in accordance with Zoning By-law setbacks and in a manner that does obstruct driveways, fire lanes, intersections or natural lines of sight.

3) Shipping containers shall be painted a neutral, non-reflective colour.

4) Shipping Containers shall be kept in good condition and free of rust and graffiti.

5) Shipping Containers shall not be stacked.

6) Appending structures shall not be attached to shipping containers.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Name (Print) Signature

Issuer: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Name (Print) Signature

Permit Fee: $100. 00

Non-Transferable

**BY-LAW 2025-xx**

**SHIPPING CONTAINER BY-LAW**

**SCHEDULE “D”**

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**SHIPPING CONTAINER**

**TEMPORARY USE PERMIT**

**PERMIT NUMBER:**

ISSUED TO:

ADDRESS:

DATE OF ISSUE:

1. Has the applicant obtained a Township issued building permit? Yes \_\_ No \_\_\_
2. Has the applicant provided a picture(s) of the shipping container? Yes \_\_\_ No \_\_\_
3. Has the Applicant provided pictures(s) of foundation structure? Yes \_\_\_ No \_\_\_

DECLARATION

 I hereby declare that I have reviewed and understand the shipping container standards and that I will comply with the following shipping container standards identified in By-law 2025- XX. These standards include the following:

1) Shipping Containers shall not be used as a habitable space unless the Shipping Container is specifically designed for habitation and that it meets Ontario Building Code specifications.

2) Shipping Containers shall be placed on a property in accordance with Zoning By-law setbacks and in a manner that does obstruct driveways, fire lanes, intersections or natural lines of sight.

3) Shipping containers shall be painted a neutral, non-reflective colour.

4) Shipping Containers shall be kept in good condition and free of rust and graffiti.

5) Shipping Containers shall not be stacked.

6) Appending structures shall not be attached to shipping containers.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Name (Print) Signature

Issuer: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Name (Print) Signature

Permit Fee: $50.00

Non-Transferable