

BY-LAW NO. 3878

A BY-LAW to regulate the construction and operation of tourist houses within the Municipality of Burnaby.

The Municipal Council of The Corporation of the District of Burnaby ENACTS as follows:

1. This By-law may be cited as "BURNABY AUTO COURT BY-LAW 1957."

2. INTERPRETATION

In this By-law unless the context otherwise requires the terms hereinafter used shall bear the meaning as follows:

"ADMINISTRATION BUILDING" means a permanent building on an auto court site, not exceeding two storeys in height, housing the administrative offices necessary to the particular operation and which may contain additional space for rental units. Commercial occupancy and applicable regulations as to building height shall be permitted in Commercial areas.

"AUTO COURT" shall mean any parcel of land or premises other than licensed hotels designed and equipped for user in providing facilities for transient accommodation and shall include tourist accommodation, tourist court, and trailer coach court as herein defined.

"AUTO COURT ZONE" shall mean any area designated by the Municipality for use as tourist accommodation, tourist court or trailer coach court.

"BUILDING INSPECTOR" shall mean the person or persons appointed from time to time by the Council as building inspector.

"COUNCIL" shall mean the Municipal Council of The Corporation of the District of Burnaby.

"DOG" means any animal of the canine species.

"DOMESTIC ANIMAL" includes any horse, mule, ass, swine, sheep or goat, and any turkey, goose, duck, barn-door fowl, or other poultry as well as any neat cattle or animal of the bovine species by whatever technical or familiar name known.

"FIRE PREVENTION OFFICER" shall mean the person appointed from time to time by the Council as officer in charge of the Fire Prevention Bureau and shall include the Chief of the Fire Department of the Municipality.

"HOUSE CAR" shall include any self-propelled conveyance on wheels which is used or intended to be used as living or sleeping quarters.

"HOUSEKEEPING UNIT" means any habitable space designed for human occupancy containing not less than three hundred (300) square feet of floor space where cooking may be done by guests or residents thereof provided that the total occupancy of such unit shall be determined by subtracting sixty (60') feet from the total floor area of the unit reckoned in square feet and by dividing the remaining square foot floor area by sixty (60).

"LICENCE INSPECTOR" shall mean the person or persons appointed from time to time by the Council as Licence Inspector.

"LICENSED HOTEL" shall mean any building or any portion thereof which is constructed, used or maintained for the purpose of renting lodging accommodation to the public and which is licensed pursuant to the Government Liquor Act 1953 being Chapter 14 of the 1953 Statutes of British Columbia.

"MEDICAL HEALTH OFFICER" shall mean the person or persons appointed as medical health officer for the Corporation or the officer in charge of the Health Unit created pursuant to the Health By-law of the Corporation.

"MUNICIPALITY" means the Municipality of the District of Burnaby.

"OPERATOR" means the person responsible for the maintenance and management of a tourist court.

"OWNER" shall mean an owner as defined in the Municipal Act.

"PERSON" shall include any Corporation or party or partnership and the heirs, executors, administrators, assigns or other legal representatives of such person to whom the context can apply according to law.

"RENTAL UNIT" shall include a house, cabin, cottage, administration building, suite, room, lodge, or any part of them providing housekeeping or sleeping units maintained for the use of the transient public as tourist accommodation.

"SANITARY INSPECTOR" shall mean the person or persons appointed from time to time by the Council as sanitary inspector or sanitary inspectors.

"SERVICE BUILDING" means a permanent building or buildings containing sanitary facilities for bathing, toilet, washing and laundry with proper interior space for laundry drying facilities.

"SLEEPING UNIT" means any habitable space designed for human occupancy containing not less than sixty (60) square feet of floor space per person and in no case containing less than two hundred and forty (240) square feet of floor space where cooking is not done in the unit by guests or residents thereof.

"TOURIST ACCOMMODATION" or "ACCOMMODATION" means any parcel of land or premises equipped with rental units whether or not a fee or charge is paid or made for the rental or use of same.

"TOURIST COURT" means a combined tourist accommodation and trailer coach court.

"TRAILER COACH" means any portable structure or vehicle so constructed and designed as to permit occupancy thereof for dwelling or sleeping purposes.

"TRAILER COACH COURT" means any plot of ground within an auto court upon which two (2) or more trailer coaches occupied for dwelling or sleeping purposes are located regardless of whether or not a charge is made for such accommodation.

"TRAILER COACH SPACE" means a plot of ground within a trailer coach court designed for the accommodation of one trailer coach.

3. It shall be unlawful for any owner or person to carry on or permit to be carried on business as an Auto Court within the Municipality other than in accordance with the provisions of this By-law and upon being issued a permit therefor.

4. No permit shall be issued for an Auto Court

(a) in any area other than an Auto Court Zone or a Commercial Zone, and

(b) in any area serviced by a public sewer for any parcel of land less than one-half acre in area, or

(c) in any area not serviced by a public sewer for any parcel of land less than one acre in area.

5. Where an area has been designated as an Auto Court Zone the user thereof shall be restricted to use as an Auto Court site or to any use or activity permitted in Residential Single Family or Residential Two Family Zones only.

6. The number of rental units permitted for an Auto Court shall not exceed

(a) in an area serviced by a public sewer the number obtained by dividing the total site area reckoned in square feet by 1500, fractions excluded, provided that this clause shall apply only to rental units located on the ground floor.

(b) in an area not serviced by a public sewer such number as shall be certified by the Medical Health Officer as within the limits of public health and sanitary safety, provided that in no case shall the number in this clause exceed

the number permitted in subparagraph (a) of this section.

7. Where an area has been designated as an Auto Court Zone abutting property zoned as

(a) Residential, Local Commercial, Small Holdings as defined in the applicable By-laws of the Municipality, the Auto Court shall be subject to the same provisions with respect to side, front and rear yards as set forth in the applicable By-law relating to the property so abutted.

(b) Commercial, Light Industrial or Heavy Industrial as defined in the applicable By-laws of the Municipality the Auto Court shall be subject to the same provisions with respect to side yards as set forth in the applicable By-law relating to the property so abutted, provided that this paragraph shall not apply to the location of trailer coaches.

8. (1) All buildings erected in Auto Court Zones shall not exceed two (2) storeys in height and shall conform to the building By-laws of the Municipality.

(2) Rental units in addition to compliance with the building By-laws may, insofar as finished interior walls, ceilings and floors, be required to apply such finish materials as the Medical Health Officer shall approve as capable of maintenance in a sanitary manner.

9. Each Auto Court shall be provided with an Administration Building.

10. Each Auto Court shall be provided with automobile parking space on the basis of two hundred (200) square feet for every rental unit constructed or provided thereon.

11. Adequate provision for egress and ingress to an Auto Court shall be provided, subject to the approval of the Municipal Engineer.

12. (1) Each Trailer Court or Trailer Coach Court or Tourist Court shall be provided with a service building.

(2) Each Tourist Accommodation may be provided with a service building.

13. (1) Wheresoever service buildings are required or permitted the same shall be of permanent structure and shall comply with all applicable By-laws regulating buildings, electrical, plumbing and sanitation systems.

(2) The service buildings in addition to compliance with the By-laws and regulations in the previous sections set forth shall have floors of water impervious materials and shall be finished in the interior with such moisture proof material inclusive of painted woodwork as shall permit and withstand repeated cleaning and washing.

(3) Such service building shall have adequate postage of signs within the Auto Court indicating the location of the same and shall be located not closer than twenty (20') feet and not farther than two hundred (200') feet from any Trailer Coach space.

(4) The service building may provide the facilities contained in the definition thereof in one building, and if in more than one building the separate buildings shall not be less than twenty (20') feet apart, and such service buildings shall contain:

(a) If in the same building a reasonably sound proof wall shall separate toilet facilities for men from toilet facilities for women and from the laundry facilities.

(b) Toilet facilities for men and for women shall consist of not less than one flush toilet for every ten (10) Trailer Coach spaces or fraction thereof and one shower or bath tub for every ten (10) Trailer Coach spaces or fraction thereof and one lavatory for every ten (10) Trailer Coach spaces or fraction thereof. Each toilet, shower or bath tub shall be in a separate compartment.

(c) At least one slop sink located in a separate compartment shall be provided in the toilet facilities for men and for women.

(d) An adequate supply of hot water for bathing, washing and laundry facilities.

(e) The laundry shall contain at least one double laundry tub and one ironing board for every twenty (20) Trailer Coach spaces or fraction thereof. An electrical outlet supplying electrical current sufficient to operate an iron shall be located conveniently near the ironing board. Drying space shall be provided sufficient to accommodate laundry of the Trailer Coach occupants.

(f) Adjacent to the laundry there shall be permitted if required outside laundry drying facilities within the space provided with clotheslines and enclosed with a lattice work or other shelter screen to a height extending at least two (2') feet above the said clotheslines.

14. Application for Auto Court approval shall be made to the Municipal Clerk in writing signed by the applicant and shall be accompanied by a fee of Five (\$5.00) Dollars and

(a) In the case of Tourist accommodation by duplicate copies of the site plan showing the name and address of the registered owner of the site, a legal description of the property, a plan of the proposed layout of the site drawn to a scale of not less than one (1") inch equalling fifty (50') feet.

(b) In the case of a Tourist Court or a Trailer Coach Court the name and address of the registered owner, a legal description of the property, the complete plan of the Court site, plans and specifications of all buildings or improvements constructed or to be constructed within the Court.

And for both (a) and (b) such further information as may be requested by Council to enable it to determine if the property shall comply with the regulations herein set forth.

15. (1) The Operator of each Auto Court shall within two months of the effective date of this By-law, file a plot plan of his operation drawn to scale with the Building Inspector who shall within a further period of one month certify to each Operator by registered mail, the status of his operation in respect of the applicable number of rental units and Trailer Coach spaces in compliance with the standards set forth in subsection 3 of this section.

(2) Where any Auto Court which has been certified pursuant to paragraph one of this section is expanded in accordance with this By-law the status of the original certified operation shall not be deemed to be affected, provided, however, that any expansion of existing Auto Courts shall be deemed to be a new Auto Court and shall be subject to the provisions of subsection 3.

(3) New Auto Courts shall conform to the following rules;

(a) The court shall be located on a well drained site properly graded to ensure satisfactory drainage and freedom from stagnant water.

(b) The number of Trailer Coach spaces shall be determined by dividing seventy-five (75%) per cent of the total available trailer site area reckoned in square feet by fifteen hundred (1500) and the remainder reckoned in square feet by six hundred (600). Trailer Coach spaces shall be clearly defined and in no case shall measure less than thirty (30') feet in width. Trailer Coaches shall be so harbored on each space that there shall be at least a fifteen (15) foot clearance between trailer coaches.

(c) All Trailer Coach spaces shall abut upon a driveway of not less than twenty (20') feet in width which driveway shall have unobstructed access to the street. All driveways shall be hard surfaced, well marked in the daytime and lighted at night with equivalent of twenty-five (25) watt lamps at intervals of One Hundred (100') feet located approximately fifteen (15') feet from the ground. Each Court shall provide a service building or buildings to house sanitary facilities as hereinbefore more particularly prescribed.

(d) All rental units shall comply with the provisions of section 5 of this By-law.

16. It shall be unlawful for any person to place, stand, park or locate any Trailer Coach or house car while occupied as living or sleeping quarters within the Municipality except on a Trailer Coach space within the boundaries of a duly licensed Auto Court.

17. One Trailer Coach or house car shall be allowed for each Auto Court rental unit provided that where the number of Trailer Coach spaces is in excess of that permitted by this By-law at the time of certification pursuant to Section 14 (1) additional Trailer Coach spaces shall not be permitted until the ratio of one Trailer Coach or house car for each rental unit has been reached.

18. It shall be unlawful to place large trailers on a Trailer space designated for small trailers, provided that for the purpose of this section a large trailer shall be deemed to be any trailer in excess of 18 feet overall length.

19. An adequate supply of water from the Municipal domestic water system for all domestic and sanitary purposes shall be supplied to meet the requirements of a Trailer Coach Court or

a Tourist Court. The water supply shall be obtained from faucets only. No common drinking cups shall be permitted. Cold water supply faucets shall be located at each Trailer Coach space being conducted by a connection approved by the Medical Health Officer to the Trailer Coach.

20. All rental units or Trailer Coach spaces in an Auto Court shall bear a distinguishing number.

21. Every Operator of an Auto Court shall provide and keep thereat a suitable guest registry for the registration of all persons provided with sleeping, housekeeping or Trailer Coach or other accommodation at the Auto Court. Upon arrival of every person at the Auto Court, the Operator shall require that person to enter in the registry or enter for him therein, the name and home address of such person and of each other person with him as a member of his party together with the date of arrival. If the person is travelling by motor vehicle the trade name of the motor vehicle, the license plate number thereof and other identifying letters or characteristics appearing on the number plate including the name of the province, state or country in which the license plate was issued. And the Operator shall also enter in the registry the number or name of the rental unit occupied by the guest and if there is a trailer the Operator shall also record that fact in the registry. Upon the departure of the guest the Operator shall enter the date of departure in the registry.

22. Every person when arriving at an Auto Court and applying for accommodation therein shall furnish to the operator the registration information necessary to complete his registry in accordance with the preceding paragraph and shall not be provided with accommodation until such information has been furnished.

23. Every Operator shall establish rates for each rental unit. Such rates shall be posted conspicuously in the rental unit to which they apply and shall be posted conspicuously in the administration building for both rental units and Trailer Coach spaces.

24. The Operator of every Auto Court shall make his registration records available for inspection by any Constable or authorized Municipal Inspector.

25. All Registration records shall be kept in the administration building of the Auto Court where entries are made and shall not be removed or transferred to any other buildings provided that where a Tourist Court changes ownership such records shall be made available to the new owner.

26. Unless accompanied by his or her parents or guardian no unmarried person under the age of eighteen (18) years shall be registered as a guest at any Auto Court or be allowed to occupy any cabin or dwelling contained therein.

27. No Operator shall knowingly permit, cause, or suffer any male person over the age of ten (10) years to use or occupy any room which is used or occupied as a sleeping apartment by any person of the female sex nor shall such operator permit, cause or suffer any female to use or occupy any room which is used or occupied by any male person over the age of ten (10) years. Provided always that this section shall not apply to a man and / or his wife or family occupying one rental unit.

28. No domestic animals or dogs are to be kept on any Tourist Court or any Auto Court unless special provision is made therefor to the satisfaction of the Medical Health Officer.

29. All service buildings shall be well lighted at all times of the day or night and well ventilated with screened openings and the service buildings and grounds of the Auto Court shall be maintained in a clean sightly condition and be kept free of any condition menacing health or constituting a nuisance.

30. All Auto Courts shall be provided with tightly covered metal garbage cans in accordance with the provisions of the Burnaby Incinerator and Garbage Disposal By-law, in quantities adequate to permit disposal of all garbage or refuse. Garbage cans shall be located no further than two hundred (200') feet from any Trailer Coach space or any rental unit. A garbage receptacle shall be provided for each rental unit and collection of garbage therefrom shall be made at least every twenty-four (24) hours or oftener if deemed necessary by the Medical Health Officer.

31. No person in charge of any dog, cat or other pet animal shall permit it to run at large or commit or be a nuisance within the limits of any Auto Court.

32. The Operator shall not permit an occupier of any rental unit or Trailer Coach to utilize facilities for drying or airing of clothing or other household effects in the open air other than in an approved drying court as described in paragraph 12 (4) (f).

33. The Operator of every Tourist Accommodation shall

(a) Cause each room and each rental unit to be thoroughly cleaned after every occupancy.

(b) Where bedding and / or linen is provided keep and maintain the same in a clean and sanitary condition and provide freshly laundered bedding and linen for each new occupant.

34. (1) Any Operator who knows of or suspects the presence of a person in the Auto Court having an infectious or communicable disease shall report the facts within his knowledge to the Medical Health Officer.

(2) Where any room or rental unit has been occupied by a person having an infectious or communicable disease, the operator shall treat the room or rental unit and furnishings therein in accordance with the requirements made pursuant to the Health Act in respect of the disease in question.

35. (1) All wastes from showers, bath tubs, toilets, slop sinks and laundries shall be discharged into a public sewer system in compliance with the applicable By-laws or into a private sewer and disposal plant or septic tank system of such construction and in such manner as provided by the applicable By-laws relating to health and sanitation of the municipality.

(2) The method of sewage or refuse disposal utilized in connection with the operation of an Auto Court shall be such as to meet the approval of the Medical Health Officer.

36. The Medical Health Officer may in the course of the inspection of an Auto Court or upon the request of the Sanitary Inspector require any person, operator or owner to remove any unsanitary condition found upon the Auto Court or correct the same and if the same be not removed or corrected as the case may be in a reasonable time may cause a notice to be posted upon the premises where such unsanitary condition shall be found. The said notice may require that such premises be not occupied or used for human habitation and that any person in occupancy shall vacate such premises and that no further occupancy or use be permitted until such time as permitted by the Medical Health Officer.

37. The owner or operator of each Auto Court shall provide for safety from and prevention of fires by the installation of

proper equipment of style and form approved by the Fire Prevention Officer.

38. The Fire Prevention Officer shall have access to all premises located in an Auto Court at reasonable times for the purpose of inspection of such premises and may

(a) Require the owner, operator or other person in occupancy of the premises to remove therefrom anything which in his opinion is a fire hazard or increases danger from fire.

(b) Require the owner or operator to clean chimneys and flues or other apparatus which may if not so cleaned constitute a fire hazard.

39. Outdoor fires may be permitted subject to the approval of the Fire Prevention Officer provided that

(a) Refuse disposal by burning shall be in an approved incinerator.

(b) No open Fire shall be permitted in any place where the same would endanger life and property.

(c) No open fire shall be left unattended at any time.

40. (1) In Tourist Courts or Trailer Coach Courts the trailer coach shall be parked in the places provided therefor in such manner that the hitch of the trailer coach faces the driveway in which the trailer coach abuts.

(2) The parking of trailer coaches in the places allotted therefor insofar as the same is authorized by this By-law shall be such as to permit reasonable access thereto on all sides of fire fighting equipment.

41. Should any section or provision of this By-law be declared invalid or be deemed repugnant to the provisions of Tourist Court Regulation Act or any regulation made pursuant thereto such section or provision shall ipso facto be null and void but the remaining portion of this By-law shall continue in full force and effect.

42. Any person, firm or corporation guilty of any infraction of this By-law (and for the purposes hereof every infraction shall be deemed to be a continuing, new and separate offence, for each day during which the same shall continue) shall upon conviction of such infraction or infractions before the Police Magistrate or any Justice of the Peace or any Magistrates having jurisdiction within the District of or for the District of Burnaby on the oath or affirmation of any credible witness forfeit and pay at discretion of the said Police magistrate, Justice of the Peace or other Magistrate or Magistrates convicting, a fine or penalty not exceeding the sum of One Hundred Dollars for each day or part of a day upon which any such infraction shall be committed and a further fine or penalty not exceeding One Hundred Dollars for each day or part of a day upon which any such infraction shall be continued together with the costs for each such offence; in default of payment thereof forthwith it shall be lawful for such Magistrate or Magistrates so convicting as aforesaid to issue a warrant under his or their hand and seal to levy the said fine or penalty and costs or costs only by distress and sale of the offender's goods and chattels.

43. The following By-laws are hereby repealed

(a) Burnaby Health By-law 1926, Amendment By-law 1928 being By-law No. 711.

(b) Burnaby Health By-law 1926, Amendment By-law 1930 being By-law No. 1036.

(c) Burnaby Health By-law 1926, Amendment By-law 1930, No. 2 being By-law No. 1120.

(d) Burnaby Health By-law 1926, Amendment By-law No. 2, 1944, being By-law 1855.

Read a first time this 5th day of August 1957.

Read a second time this 12th day of August 1957.

Read a third time this 18th day of November, 1957.

Reconsidered and adopted this 16th day of December,
1957.



Chas. MacSorley
R E E V E .

Charles B. Brown
C L E R K .