

RECREATIONAL VEHICLES

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Ordinance History: #982, 996, 1208, 1390, 1528

15.12.010 Purpose.

Occupancy of recreational vehicles shall not be allowed within the city of Bandon except as provided in this chapter.

15.12.020 Definitions.

As used in this chapter:

"Camper" means a structure that has a floor; is designed to be mounted upon a motor vehicle; is not permanently attached to a motor vehicle upon which it is mounted; is designed to provide facilities for human habitation or for camping; is six feet or more in overall length; is five and one-half feet or more in height from floor to ceiling at any point; and has no more than one axle designed to support a portion of the weight of the camper. (ORS 801.180)

"Motor home" means a motor vehicle that: (1) is reconstructed, permanently altered, or originally designed to provide facilities for human habitation; or (2) has a structure permanently attached to it that would be a camper if the structure was not permanently attached to the motor vehicle. (ORS 801.350)

"Recreational vehicle" means a vehicle with or without motive power, which is designed for human occupancy and to be used temporarily for recreational, seasonal or emergency purposes, and has a gross floor area not exceeding four hundred (400) square feet in the set-up mode. The term "recreational vehicle" includes a camper, motor home, self-contained unit, and travel trailer, but does not include a mobile home or trailer house. (ORS 46.005(37))

"Recreation vehicle park" means any area designated by the person establishing, operating, managing or maintaining the same for picnicking or overnight camping by the general public or any segment of the public. "Recreation park" includes but is not limited to areas open to use free of charge or through payment of a tax or fee or by virtue of rental, lease, license, membership, association or common ownership and further includes, but is not limited to those areas divided into two or more lots, parcels, units or other interests for purposes of such use.

"Self-contained unit" means a camper, recreational vehicle or travel trailer equipped with a holding tank for sewage and other putrescible waste.

"Travel trailer" means a manufactured dwelling that is eight and one-half feet or less in width and is not being used for commercial or business purposes; or a recreational vehicle without motive power that is eight and one-half feet or less in width and is not being used for commercial or business purposes; or a prefabricated structure that is eight and one-half feet or less in width and that is not being used for commercial or business purposes. (ORS 801.565)

15.12.030 Regulation of trailer parks and recreation parks.

- A. Park Operator's Permit Required. It is unlawful for any person to establish, operate, manage, maintain or begin the operation of any recreational vehicle park or trailer park within the city without first having obtained a permit from the Department of Consumer and Business Services, and a conditional use permit as required by the city's municipal code.
- B. Transient Occupancy. Any recreational vehicle park, or trailer park where at least fifty (50) percent of the spaces are occupied by persons who remain for less than thirty (30) days shall be subject to transient occupancy tax regulations of the city.

15.12.040 Trailers subject to building code.

Any trailer from which the wheels are removed or which is blocked up or otherwise supported shall immediately become subject to the State Building Code. It is unlawful to use or occupy the trailer for sleeping or cooking purposes unless the construction satisfies the building code in all respects.

15.12.050 Recreational Vehicles - Prohibited acts.

No person shall:

- A. Occupy a recreational vehicle for cooking or sleeping purposes within the city outside of a recreation park licensed by the state of Oregon, except as provided in Sections 15.12.070 through 15.12.090;
- B. Benefit from city utilities while occupying a recreational vehicle, via extension cords, hoses or other temporary or permanent connections, if that person has a delinquent utility account with the city and has failed to establish and comply with a satisfactory installment plan for the payment of the overdue amount;
- C. Provide a recreational vehicle with access to city water by means of a hose attached to an existing faucet or hydrant unless a check valve has been attached to prevent backflow and placement of the hose does not create a hazard for persons approaching the unit;
- D. Provide the unit with access to electricity by means of an extension cord unless the cord and all connections are weatherproofed and the cord does not create a hazard for persons living in or approaching the unit.
- E. Connect a recreational vehicle to the city's sanitary sewer system without permission from the city and installation of a backflow device and inspection by qualified city personnel;
- F. Use kitchen or toilet facilities in a recreational vehicle parked overnight at a place where sanitary facilities are not provided unless the person makes provision whereby sewage and other waste materials can be held in watertight and sanitary containers of a type approved by the State Health Division;

- G. Empty a container described in F above except into a site authorized by the city or state, or into a septic tank or cesspool of a type approved by the State Department of Environmental Quality;
- H. When using a recreation park or organizational camp, create an unsanitary condition or deposit putrescible or non-putrescible waste any place other than in appropriate containers designated for such purposes.

15.12.060 Temporary occupancy of recreational vehicles - General provisions.

- A. An application for a temporary recreational vehicle occupancy permit shall be signed by both the applicant and the owner or person in charge of the location address.
- B. The application shall describe the recreational vehicle, identify all the occupants, indicate what provisions have been made for water, propane gas or electricity and how, where and how often holding tanks shall be emptied.
- C. The application shall be accompanied by a plot plan that illustrates the proposed position of the recreational vehicle in relation to existing structures and property lines.
- D. Applications for a temporary recreational vehicle occupancy permit shall be filed with the city recorder, accompanied by a non-refundable plan review fee. The planning director will review the application with a recommendation to either grant the permit, grant with conditions, or deny the permit.
- E. An application receiving a favorable endorsement from the planning director shall be returned to the city recorder for issuance of a permit.
- F. The temporary recreational vehicle occupancy permit shall be posted conspicuously on or near the entrance of the unit and shall contain the following information:
 - 1. Description of unit and license number including state where license was issued;
 - 2. Name and mailing address of applicant;
 - 3. Number of persons to occupy the unit;
 - 4. Address at which unit will be located;
 - 5. Name of owner or person in charge of location address;
 - 6. Date of issue and expiration date;
 - 7. Special conditions imposed by the city, if any.
- G. Permit fees shall be established on the basis of the city's average cost for reviewing the plans and administering the permit. Fees may be established and adjusted from time to time by council resolution.
- H. If denial of the permit has been recommended, the city recorder shall notify the applicant of the decision and the right to appeal that decision to the city council.

15.12.070 Temporary occupancy on private land.

- A. Commercial or Industrial Property. Except as otherwise specifically allowed herein, occupancy of a recreational vehicle for cooking or sleeping purposes shall not be allowed on property where the zoning or primary use is commercial or industrial.
- B. Religious Institutions. Occupancy of a recreational vehicle for cooking or sleeping purposes shall not be allowed on property where the primary use is a house of public worship, except as follows:
 - 1. A permit may be obtained for a visiting minister to occupy a self-contained unit in the parking lot adjacent to a church for up to four consecutive days per calendar quarter.

- No more than one unit may be occupied on the property concurrently, and no recreational vehicle may be stored on the property when not in use.
2. No recreational vehicle permit shall be issued for a church to provide temporary housing to transients.
 3. A permit shall be required for one or more self-contained recreational vehicles to occupy church property in connection with a special religious event or maintenance project. The city planning director and/or city manager may impose limitations or conditions on the type of use and the length of time allowed.
 4. A temporary water connection requires a back-flow device and inspection by qualified city personnel. No connection to the city sewer system is permitted.
- C. Residential Visit. If the occupancy of a recreational vehicle is in connection with a visit to an established residence, it is subject to the following limitations:
1. Once each calendar quarter, a self-contained unit may be occupied without a permit for a maximum of seven days, except as provided in subsection D of this section. No more than one such unit may be occupied in this manner at the same address. Parking of the recreational vehicle shall comply with Section 15.14 of this Chapter of the Code.
 2. One Month Permit. The occupant of a self-contained unit may obtain a permit from the city recorder upon payment of the appropriate fee which will entitle the person to occupy the unit on private property within the city outside of a licensed recreation park for a maximum period of thirty (30) days under the provisions of Section 15.12.060. Another permit shall not be re-issued to the same individual or to the same unit at any location within the city for a period of one calendar year after expiration of the permit.
 3. A water connection for a residential visit requires a back-flow device and inspection by qualified city personnel.
 4. No connection to the city sewer system is permitted.
 5. Access to electricity may be provided by means of an extension cord. All connections shall be weatherproofed and the cord shall not create a hazard for persons living in or approaching the RV.
- D. Property Maintenance Permit. The owner of a vacant residential property who does not reside in Coos County and who desires to park an RV on the property periodically while maintaining vegetation or performing tasks preliminary to construction of a residence may obtain a permit from the city recorder under the following conditions:
1. The unit shall be occupied by the owner of the property or the owner's designee a maximum of four days per calendar quarter, under the general provisions of Sections 15.12.050 and 15.12.060.
 2. No more than one unit may be located on the property.
 3. A permit shall be obtained for each visit during the year.
 4. The unit may not be stored on the property when not in use.
- E. Temporary Occupancy during Construction. The owner of a residential property who is engaged in the active construction, reconstruction or remodeling of the residence may obtain a permit from the city recorder to occupy a self-contained unit for a period of up to six months on the same property. In addition to application information required in Section 15.12.070, this permit shall have the following requirements:
1. The application shall include a copy of the building permit issued by the State Building Codes. If the work involves reconstruction or remodeling of an existing residence, a written description of the specific work to be performed shall be attached.

2. Upon issuance of the permit, a person within 100 feet of the subject property who is dissatisfied with the administrative action may appeal that decision to the city council, as provided in 15.12.110.
 3. One renewal of the permit may be granted by the city recorder with the approval of the planning director for up to six additional months upon a finding that the terms of the permit were met and the building permit remains active and adequate Bandon Municipal Code, Title 15 Page 24 of 54 progress is being made. Any further occupancy on the site beyond one year shall be submitted to the City Council for approval.
- F. Medical Emergency. In the event the occupancy of a recreational vehicle is connected with a family medical emergency, and the occupants are engaged in and needed in the care of a person who is an occupant of the established residence (or the occupant requires care from a relative who is an occupant of the established residence) a permit may be obtained for a maximum of ninety (90) days, as follows:
1. Application may be made to the city recorder, providing the information required in Section 15.12.070 plus documentation of the medical emergency from a licensed physician, and the relationship of the occupant of the unit to the person requiring emergency care. The city recorder may issue a permit for a period not to exceed ninety (90) days.
 2. A person within 100 feet of the property who is dissatisfied with the administrative action may appeal that decision to the city council, as provided in Section 15.12.110.
 3. Occupancy shall be limited to the specific recreational vehicle, location and family, and such other conditions as the city may impose.
 - 4.No renewal shall be allowed beyond ninety (90) days.

15.12.080 Temporary occupancy of public land.

Upon application to the city recorder, a permit may be issued administratively to occupy specified public property under the following circumstances:

- A. Use of Mobile home or Trailer House by Governmental Body for Nonliving Purposes. A governmental body may use and occupy a mobile home or trailer house for purposes other than a full-time residence upon a showing to the city of a need for such occupancy. The city recorder may issue a permit for any such use for a period of two years. The permit may be renewed for a like period or periods upon a showing for continued need. There shall be no fee charged to the governmental body for this permit. The granting of such a permit shall not be construed to be a permit to occupy or use the structure in any manner contrary to the municipal code other than those commonly referred to as building code and relating to the manner of constructing a structure. Such a permit shall not be construed to permit any occupancy or use which is contrary to any applicable state or federal laws or regulations. Any permit issued shall contain thereon the provisions of this section.
- B. Special Event. A permit may be issued for self-contained recreational vehicles to occupy specified public property in connection with a convention or community activity held in the city. If the event is to take place on land owned or controlled by the city, it must be an event the city has authorized to take place in that location, and may be subject to conditions or limitations imposed by the city. Such a permit shall not be issued for a period of more than five consecutive days. The city council grants the city manager discretion to require posting of a cash bond to ensure that premises are left clean and undamaged. Any charges against such a bond shall be at the cost of cleanup and/or repair, plus ten (10) percent. Cost shall

include all wages, employer taxes and fringe benefits and a reasonable charge for equipment and disposal of waste.

- C. Park Host. The city shall provide a recreational vehicle site with utilities in City Park for persons contracting with the city to serve as park hosts by providing visitor information, maintenance and security for the park area. No person who is not under contract with the city for this position may use the site.

15.12.090 Parking and Storage of recreational vehicles.

The provisions of this chapter do not apply to the parking of recreational vehicles which are not occupied for sleeping or cooking purposes. Stored recreational vehicles shall be subject to the Bandon municipal code zoning and parking regulations.

15.12.100 Appeal of administrative decision.

A person objecting to an administrative decision to grant a temporary recreational vehicle permit with or without special conditions, or objecting to the denial of such a permit, may appeal that decision to the city council by submitting the specific objections in writing within ten (10) days after notice of the decision has been issued. The statement shall be referred to the council as a part of the regular agenda at its next scheduled meeting which is not less than six days from the date the objection was filed. At the time set for consideration of the appeal, the person protesting may appear and be heard by the council and the council shall determine whether to grant or deny the permit. Council determination shall be required only in those cases where a written statement has been filed as provided.

15.12.110 Revocation of permit.

The council may in its discretion revoke any and all permits issued, either with or without notice, and with or without cause.

15.12.120 Violation - Penalty.

- A. In addition to any other penalty provided by law relating to the construction, operation or maintenance of a tourist facility or relating to local zoning restrictions, violation of this chapter is punishable in accordance with Chapter 1.16 of the Bandon Municipal Code.
- B. Each day's violation of a provision of this chapter constitutes a separate offense, punishable by a fine not to exceed seven hundred fifty dollars (\$750.00) per day.

STORAGE OF RECREATIONAL VEHICLES

Sections:

- 15.14.010 Recreational vehicle (RV) defined.
- 15.14.020 On-street parking or storage.
- 15.14.030 Driveway parking.
- 15.14.040 Side yard parking and storage.
- 15.14.050 Backyard parking and storage.
- 15.14.060 Occupancy of a recreational vehicle.
- 15.14.070 Utility connections to a recreational vehicle.
- 15.14.080 Violation--Penalty.

Ordinance History: #1448

15.14.010 Recreational vehicle (RV) defined.

For purposes of this chapter, a recreational vehicle shall be defined as any vehicle/vessel that is required to be licensed by the Oregon Department of Motor Vehicles and whose primary use is recreational including, but not limited to, single and double axle travel trailers, boats or vessels and their trailers, campers, vehicles with camping shells, vehicles commonly referred to as motor homes, bus conversions or camper-van conversions.

15.14.020 On-street parking or storage.

- A. No RV shall be parked on the street right-of-way adjacent to a residence or business in such a manner that it obstructs the flow of traffic, or obstructs the line of sight of vehicles exiting adjacent driveways, or for a period of time longer than a total of seventy-two (72) hours per year.
- B. No RV not currently licensed may be left standing on the street right-of-way at any time.

15.14.030 Driveway parking.

- A. An RV shall be parked or placed in such a manner that it is parallel to the driveway of the residence and perpendicular to the street.
- B. The RV shall not extend onto an open right-of-way or obstruct the line of sight of vehicles exiting adjacent driveways.
- C. A minimum distance of twelve (12) feet shall be maintained between the edge of the right-of-way and the RV.
- D. The vehicle shall be currently licensed.

15.14.040 Side yard parking and storage.

An RV may be stored or parked in or on the side yard of a residence provided the following conditions are met:

- A. The RV complies with the provisions of Section 15.14.030(B) through (D) of this chapter.
- B. A minimum of five feet shall be maintained between the RV and the walls of any residential structure.
- C. The RV does not obstruct the line of sight of vehicles exiting adjacent driveways.
- D. The area under and around the RV shall be kept clean and free of noxious weeds or pests and maintained in such a manner that grass shall not be allowed to grow higher than four inches.

E. The RV shall not be in an obviously non-operable or deteriorated condition.

15.14.050 Backyard parking and storage.

An RV may be stored or parked in the backyard of a residence at any time provided the following conditions are met:

- A. The RV complies with Section 15.14.030 (B) and (C) of this chapter.
- B. The RV and its surrounding area shall be maintained in a manner which is not a hazard to health and safety.
- C. Backyards with street frontage shall comply with the regulations in Sections 15.14.030 and/or 15.14.040 of this chapter, as appropriate.

15.14.060 Occupancy of a recreational vehicle.

No person shall occupy an RV for cooking or sleeping purposes within the city, outside a recreational vehicle park licensed by the state of Oregon, except as provided in Chapter 15.12 of this code.

15.14.070 Utility connections to a recreational vehicle.

- A. All electrical connections shall be weatherproof, and all cords shall be properly sized and rated for outdoor use. All electrical cords shall be either firmly supported and suspended at least eight feet above the ground, or shall be located at or below ground level in a manner which will not represent a tripping, shock, or other hazard.
- B. No RV shall be provided with access to city water by means of a hose attached to an existing faucet or hydrant unless that connection has been authorized and approved by the city and has been installed in conformance with all city requirements and backflow prevention devices.
- C. No RV shall be connected to the city's sanitary sewer system without permission from the city and installation and inspection by qualified city personnel.

15.14.080 Violation--Penalty.

Each day's violation of a provision of this chapter constitutes a separate offense, punishable by a fine not to exceed seven hundred fifty dollars (\$750.00) per day under the ordinance providing for enforcement of city ordinances.