

ORDINANCE NO. 1
Series 2001

AN ORDINANCE OF THE TOWN OF LAKE CITY, COLORADO, REPEALING AND REENACTING SECTION 15.8-13(B) OF THE LAKE CITY MUNICIPAL CODE TO PROVIDE NEW REGULATIONS FOR CERTAIN USES AND LOCATIONS OF TRAVEL VEHICLES, AND PROVIDING PENALTIES FOR VIOLATIONS.

WHEREAS, the Board of Trustees of the Town of Lake City finds it necessary, for the sake of public health and welfare, to broaden the restrictions upon the use of travel homes and other recreational vehicles as temporary residences on public and private property that is not specifically designated and allowed for such use;

NOW THEREFORE, Section 15.8-13(B) of Lake City's Municipal Code is hereby repealed and re-enacted to read as follows:

15.8-13 SUPPLEMENTARY REGULATIONS:

(B) Restrictions on Use and Location of Travel Vehicles.

- (1) Except as expressly authorized by further provisions in this subsection (B), no travel homes, recreational vehicles, or other types of vehicles or trailers shall be used or occupied by any person on any public or private land within the Town of Lake City, Colorado for purposes of short or long-term residency or overnight camping. Further, no generators may be deployed for the purpose of providing electric power to any type of vehicle or trailer allowed or permitted in Lake City, except within areas of the lawfully designated campgrounds and parks referred to in subsection (B)(2) below.
- (2) Notwithstanding the provisions of the preceding subsection (B)(1), any type of vehicle may be used or occupied, during periods of up to, but not more than, thirty weeks in each calendar year, for said purposes of residency or overnight camping in such campgrounds and parks within the Town that have been lawfully designated for such uses and in conformity with applicable Town zoning regulations controlling such uses.
- (3) The owner(s) of any parcel of land properly zoned for residential use may allow occasional, short-term residential use on such land of a properly designed and equipped travel vehicle owned by visiting friends and/or family members, especially during holidays and times of special Town events when campgrounds and other areas designated for residential use of travel vehicles are likely to become congested or full. It is provided, however, that such allowed short-term use of private land shall not involve more than one such travel vehicle at a time and shall not continue for more than seven (7) consecutive days from inception of the allowed use.
- (4) Except as hereinbefore provided by this subsection (B), no type of vehicle may be otherwise allowed, used or occupied for purposes of residency or overnight camping on land within the Town unless a special use permit has first been issued by the Town's Enforcement Officer to the owner(s) of land within the Town on which the subject vehicle is to be so used and

occupied. Each permit so issued by the Enforcement Officer shall be subject to the following conditions, restrictions and further requirements:

- (a) To be eligible for issuance of each such special use permit, the applicant's real property must contain at least two Town lots or have an equivalent size of at least 6,250 square feet. (No more than one vehicle shall be permitted per each 6,250 square feet of property owned by an applicant.)
- (b) A separate application must be signed for each desired permit on a form to be provided by the Town Clerk. No permit shall be deemed valid until approved in writing by the Town Enforcement Officer.
- (c) The owner of the property on which any vehicles may be permitted for the stated purposes shall be responsible for insuring that all conditions of each permit are met throughout its term.
- (d) No vehicle permitted in accord with this Subsection (B) shall be used or occupied as a rental facility or for any other commercial purposes, including the sale of wares or merchandise therefrom. No permitted property owner may charge fees for parking any eligible vehicle on the property.
- (e) The maximum length of any permit issued pursuant to this Subsection (B) shall be thirty (30) days from the time of its issuance; and, after its expiration, no subsequent permit for parking the same vehicle on the applicant's property may be issued during the succeeding 180 days.
- (f) At all times, each permitted vehicle must remain "self-contained" for waste water and not connected to the Town's sewer system. No use of generators to provide power to the vehicle shall be allowed at any time.
- (g) Each permitted vehicle shall be located within the setback lines for the property established by the Town's other zoning provisions.

(5) Nothing in this Subsection (B) shall be deemed to prevent the mere parking of an unoccupied travel home or recreational vehicle for up to twenty four hours upon the Town's public streets or alleys, provided that such vehicle is properly registered and licensed, and is otherwise lawfully parked in a location which does not create a nuisance or hazard.

(6) It shall be unlawful to violate the provisions of this Subsection (B). Vehicles that are not in conformity with the provisions of this Subsection are hereby declared to be a nuisance, subject to abatement by the Town in any lawful manner. In addition to any other legal and/or equitable remedies available to the Town against the owner of any non-conforming vehicle and/or owner of any property on which a non-conforming vehicle is found to be parked, the Town shall be entitled to recover from and against such owner all reasonable attorney fees and court costs incurred in the process of enforcing these regulations and/or abating the nuisance created by a non-conforming vehicle. Moreover, any person convicted of violating the provisions of this Subsection (B) shall be subject to the fines and other penalties provided for violations of the Town of Lake City's general

zoning laws as more particularly set forth in section 15.8-21 of the Lake City Municipal Code, as amended.

Introduced, read and adopted by the Board of Trustees of Lake City, Colorado on February 7, 2001.

Attest: Mary Ann McLeod
Town Clerk

TOWN OF LAKE CITY, COLORADO
By: Robert T. Smith
Mayor