

## ORDINANCE 2020-101

AN ORDINANCE PROHIBITING THE USE OF ANY RECREATIONAL VEHICLE, TRAVEL TRAILER, MOTORHOME OR CONVERTED HOUSECAR/BUS FOR DWELLING PURPOSES WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF COLOME, TRIPP COUNTY, SOUTH DAKOTA.

### **Section -1: Use of a recreational vehicle, travel trailer, motorhome or converted housecar/bus for dwelling purposes is prohibited.**

(a) *Definitions.* For the purpose of this section, unless apparent from the context, certain words and phrases used in this section shall be defined as follows:

*Converted Housecar/bus* - see *Motorhome*.

*Dwelling Purposes* - to occupy a property for residential use.

*Living Quarters* - the design of any recreational vehicle, travel trailer, motor home or converted house car/bus which provides accommodations similar to those found in permanent residential dwellings, including one or more of the following fixtures: self-contained water storage, self-contained waste storage, power generator, batteries, kitchen area, dining area, private sleeping area, or convertible living/dining/sleeping area.

*Motorhome* - any vehicle designed to provide temporary living quarters for vacation, recreational, camping, or travel use, built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle.

*Recreational Vehicle* - any vehicular portable structure built on a chassis designed to provide temporary living quarters for vacation, recreational, camping and travel uses, and may be permanently identified as "travel trailer" by the manufacturer of the trailer.

*Territorial Jurisdiction* - all areas within corporate municipal boundaries of the Town of Colome, SD.

*Travel Trailer* - see *Recreational Vehicle*.

(b) *Prohibitions.* Use of recreational vehicle, travel trailer, motorhome, converted house car/bus for dwelling purposes within the territorial jurisdiction of the Municipality of Colome is prohibited as follows:

- (1) It shall be unlawful for any person to connect such vehicle, either temporarily or permanently, to any utility service including water, sewer, electricity, cable television or telephone.
- (2) It shall be unlawful to winterize such vehicle for use or storage by means of installing insulation, skirting, heat tapes or other such physical modification to prevent freezing.
- (3) It shall be unlawful for any person to use or occupy such vehicle for temporary or permanent living quarters.

(c) *Exceptions.* The provisions of this section shall not apply to the following:

- (1) Any recreational vehicle, travel trailer, motorhome, or converted house car/bus parked in a commercially operated campground or other area designated for such use by resolution of the Colome Council.

(2) *It is not intended to prohibit overnight camping on private residential property by friends or family of the property owner, so long as the owner consents and the overnight camping is limited to not more than Three (3) consecutive nights.*

(3) *One (1) guest recreation vehicle is allowed for a maximum of seven (7) days in any three (3) month period. (Exceptions can be made by the council for special circumstances).*

**Section- 2. Inspections and Violations.**

- (a) Any recreational vehicle, travel trailer, motorhome, or converted house car/bus suspected of being used for dwelling purposes in violation of provisions of this ordinance shall be inspected by any city official accompanied by a law enforcement officer.
- (b) If use of such vehicle is found in violation of provisions of this ordinance, immediate written notice of the violation will be made by posting such notice on the vehicle entrance. The notice shall demand cessation of the prohibited use within 48 hours of posting the violation notice and identify penalties for failure to comply.

**Section -3. Penalty for Violation.**

- (a) Any person who establishes, maintains, or operates a camp or camp facility without a permit is in violation of ordinance 2020-101 and constitutes a public nuisance. Violation of this ordinance will result in a \$200.00 fine per day and eviction from the property.
- (b) Unless otherwise provided, the Colome Council may from time to time establish by resolution fines, penalties or injunctive relief for prohibited use of any recreational vehicle, travel trailer, motorhome, or converted housecar/bus.

Dated at Colome, South Dakota this 6 Day of July 2020.

\_\_\_\_\_  
Brad Hill, Mayor

Attest: \_\_\_\_\_  
Jeff Ohlmann, Finance Officer

First Reading: July 6, 2020  
Second Reading July 31, 2020  
Passed & Approved July 31, 2020  
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