

VILLAGE OF ROSCOMMON
ORDINANCE 17

Recreational Vehicle and Equipment; use and storage

An Ordinance to set forth the conditions under which recreational vehicles and/or equipment may be parked or stored within the Village of Roscommon; To set forth conditions which use of recreational vehicles and/or equipment within the Village of Roscommon is authorized.

IT IS HEREBY ORDAINED:

Section I. Definitions:

1. Recreational Equipment shall include, but is not limited to:
 - a. Boats and boat trailers which shall include boats, floats and rafts, plus the normal equipment to transport the same on a roadway;
 - b. Folding tent trailer, pop up trailer, and such type of equipment which is a folding structure mounted on wheels and designed for travel and vacations use;
 - c. Pickup camper which is a structure designed primarily to be mounted on a pickup or truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational and vacations use;
 - d. Travel trailer which is a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses, permanently identified "travel trailer" by the manufacturer, included in this subsection are items like fifth wheelers and pull behinds;
 - e. Utility trailer which is a vehicle used to transport motorcycles, snowmobiles, go-carts or stock cars, and the like.
2. Recreational Vehicle shall include, but is not limited to:
 - a. A motorized home which is a portable dwelling designed and constructed as an integral part of a self-propelled vehicle;
 - b. A motorized off road vehicle which is not licensed for general operation on public roadways.

Section II. Parking/storing of recreational vehicles/equipment

1. Recreational vehicles and/or equipment may not be parked or stored within the front yard set back of any commercial establishment within the Village of Roscommon unless that establishment is licensed for sale of such vehicles. Recreational vehicles and/or equipment may not be parked or stored within the front yard set back of any residential structure within the Village of Roscommon unless in compliance with a. below:

- a. Recreational vehicles defined in section I.2.a. and recreational equipment defined in section I.1.a. may be parked within the front yard set back when parked on an established driveway. Parking of such vehicles must be done in a manner so as to remain clear of any public sidewalk and not be within 18 feet of the traveled edge of the improved roadway in front of such residence.
- b. Recreational vehicles defined in section I.2.a and recreational equipment defined in section I.1.a may be temporarily parked in any front yard set back area for a period of forty eight (48) continuous hours for the purpose of loading, unloading and/or trip preparation. A new forty-eight hour period does not commence until the vehicle, boat/trailer has been absent from the front yard set back area for a period of at least seven (7) consecutive days. In calculating a forty-eight (48) hour violation, absence of less than seven (7) days shall be disregarded and shall be treated as if the vehicle, boat/trailer was continuously present for the entire period.

Section III. Temporary Occupancy

Recreational equipment/vehicles may be used for temporary occupancy purposed for non-residential guests for a period not exceeding fourteen (14) days, in accordance with the following restrictions:

- a. vehicle/equipment being so occupied must be located either in the driveway of the front yard set back, as identified in Section II.a., or in a side or rear yard.
- b. Vehicle/equipment shall not be connected to sanitary sewer or water facilities.
- c. All periods of temporary occupancy must be registered with the Village Office, Village of Roscommon, and a "Use" permit obtained.
- d. A resident will be limited to no more than three (3) permits within a twelve (12) month period for such temporary occupancy purposes.
- e. Vehicle/equipment shall be removed or dismantled at the end of the temporary occupancy period. A new occupancy period does not commence until the vehicle/equipment has been either absent from the lot, or unoccupied, for a period of fourteen (14) days. In calculating a fourteen (14) day violation, absence of less than fourteen (14) days shall be disregarded and shall be treated as if the vehicle/equipment was continuously occupied for the entire period.

The Roscommon Village Council reserves the right to authorize temporary occupancy of any recreation vehicle as defined in Section I, 2; or recreational equipment as defined in Sections I, 1b, c, or d,; for a period not to exceed thirty (30) days during an emergency situation. For the purposes of this ordinance, an emergency situation is defined as cases when the principal dwelling on a property has become non-inhabitable as certified by either the Village Building Inspector, local fire chief, or Public Health official. The Village Manager may authorize temporary occupancy conditional to presentation to council, at the next regular scheduled council meeting, of emergency situation that exists.

Section IV. Enforcement

Whenever a complaint is received and investigation reveals that a ordinance violation exists within the Village, the Village Manager is charged with the enforcement of this ordinance. When any property is in violation of this ordinance, the enforcing officer, or his authorized representative, shall notify the owner, person in control, or occupant of such private premises to correct the violation within two (2) days after being put on notice of said violation. Such notice shall be served in one of the following manners:

- a. by delivering the notice to the owner and/or person in control personally or by leaving the same at his residence, office, or place of business with some person of suitable age and discretion, or
- b. if the owner is unknown, by posting said notice in some conspicuous place on the premises at least one (1) day before the act or action concerning which the notice is given is required or is to occur.

Any person violating any provisions of this Ordinance shall be responsible for a civil infraction. The penalty for the first offense shall be \$30 and for the first repeat offense, \$120.00. Repeat offense shall be defined as a violation of said ordinance which has been ticketed for within the past 30 days. For any second or subsequent repeat offense, the fine shall be no more than \$250.00. It shall be the duty of the Village Manager of the Village of Roscommon, or authorized representative, to enforce the provisions of this Ordinance. If, after investigation, the Village Manager, or authorized representative, determines that a violation of this Ordinance exists, he shall be authorized to issue a municipal civil infraction citation to any person, firm, or corporation that is responsible for violating the provisions of this Ordinance. Service of said civil infraction citation or civil infraction notice shall be made in accordance with MCL 600.8707, Public Act 12 of 1994.

Permitting a violation of the Ordinance on private premises is hereby declared to constitute a nuisance per se. Upon application to any court of competent jurisdiction, the Court may order the nuisance abated and/or the violation restrained and enjoined. The enforcement of the Ordinance by abatement of any nuisance by the enforcing officer or by application to any court of competent jurisdiction for abatement by judicial decree or writ shall not preclude enforcement of the Ordinance by the issuance of a municipal civil infraction and the imposition of fine and costs. Complaint for violation of this Ordinance and the imposition of fine or imprisonment as herein provided.

Section V. Repealer

All ordinances or parts of ordinance in conflict herewith are repealed only to the extent necessary to give this Ordinance full force and effect.

Section VI. Severability

Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section VII. EFFECTIVE DATE

This Ordinance shall become effective in the Village of Roscommon following adoption by the Village Council and two weeks after publication.

ADOPTED: July 10, 1997

PUBLISHED: July 20, 1997

EFFECTIVE: August 4, 1997