

Temporary Camping Vehicles and Temporary Shelters

(Approved at Town Meeting July 8, 2019)

Article 1 Purpose:

This ordinance addresses the temporary occupancy of campers, recreational vehicles, or other manufactured housing on wheels that don't otherwise meet the definition or safety standards of the Town of Bradford's Manufactured Housing Safety Ordinance. The purpose of the ordinance is to ensure that the occupancy of such facilities within the Town of Bradford is conducted in a manner that protects public health and safety, ensures the safe and legal disposal of human waste and wastewater, restricts the use of nonstandard electrical power sources and portable heating devices, protects surface and subsurface water quality, minimizes fire exposures and overcrowding, preserves property values and prohibits the creation of substandard permanent housing stock.

Article 2 Definitions:

For the purpose of this ordinance, the following definitions apply:

Campground:

Any premises established for overnight use for the purpose of temporary camping, and for which a fee is charged.

Camping Trailer:

A trailer constructed with collapsible partial side walls that fold for towing by another vehicle and unfold at a campsite to provide temporary living quarters for recreational, camping or travel use.

Motor Home:

A motor vehicle designed to provide temporary living quarters for recreational, camping or travel use that contains at least four of the following as permanently installed independent systems that meet the National Fire Protection Association for recreational vehicles:

- A. A cooking facility with an on-board fuel source;
- B. A potable water supply system that includes at least a sink, faucets and a water tank with an exterior service supply connection;
- C. A toilet with exterior evacuation;
- D. A gas or electric refrigerator;
- E. A heating or air-conditioning system with an on-board power or fuel source separate from the vehicle engine; and
- F. A 110-volt to 125-volt electric power supply.

Person:

Natural persons, partnerships, associations and all other bodies corporate or public.

Recreational Vehicle:

A vehicle that is either self-propelled or towed by a consumer-owned tow vehicle, is primarily designed to provide temporary living quarters for recreational, camping or travel use, complies with all applicable federal vehicle regulations and does not require special highway movement permits to legally use the highways. Recreational vehicles include motor homes, travel trailers, fifth-wheel trailers, camping trailers and other manufactured housing on wheels that don't meet the definition of a manufactured home as discussed in the Town's Manufactured Housing Safety Ordinance.

Sewage:

Sewage shall mean all liquids and water waste from sinks, bathing, washing, and toilet facilities.

Structure:

Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, including but not limited to mobile homes, buildings, walls, billboards, signs, piers and floats, but excluding fences and retaining walls.

Substantive renovation of a primary structure: A substantive renovation of a primary dwelling is one which makes it impractical or unsafe to occupy the primary structure on a residential property.

Temporary Camping Vehicles:

A camping trailer, motor home, recreational vehicle, or bus, truck trailer, or other motor vehicle that has been converted to accommodate sleeping and/or living quarters. In order to be considered a temporary camping vehicle and not a structure, the unit must remain with its tires on the ground, and must be registered with a state division of motor vehicles or similar agency.

Temporary Shelter:

A physical shelter having form and substance, which is not permanently affixed to a foundation, and whose supplies, if any, of potable water, sewage disposal, electrical current, and other utility services are not permanently attached or incorporated into the design of the shelter in accord with applicable state or local codes. For the purpose of this ordinance, tents shall be considered temporary shelters, but pop-up tents trailers shall be classified as temporary camping vehicles.

Article 3 Occupancy Limitations

- A. **Storage of temporary camping vehicles:** Temporary camping vehicles may be parked or stored on private property within the Town provided that:
- (1) The temporary camping vehicles are not used for living or sleeping purposes during the time they are stored or parked on the property;
 - (2) The temporary camping vehicles are not stored or parked within any setback area required by the Land Use Ordinance.
 - (3) The stored or parked temporary camping vehicle does not constitute a nuisance to the public or a fire hazard.
- B. **Occupancy:** Property owners and businesses utilizing or allowing the utilization of temporary camping vehicles or temporary shelters on their property under the circumstances covered by this ordinance must notify the Code Enforcement Officer prior to occupation of the temporary camping vehicle or temporary shelter.
- (1) Residential properties. Persons may occupy a temporary camping vehicle or a temporary shelter located on a residential property, provided that:
 - a. The occupants are not charged a fee for use of the temporary camping vehicle or temporary shelter;
 - b. Persons occupying the dwelling unit on the property have granted permission to the occupants of the temporary camping vehicle or temporary shelter to use the dwelling unit's toilet and washing facilities.
 - c. No more than one temporary camping vehicle or temporary shelter is so occupied on the property at one time;

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- d. The period of time during which any temporary camping vehicles or temporary shelter is occupied does not exceed 30 days in total within a twelve-month period. However, the Code Enforcement Officer may extend temporary occupation for an additional 30 days.
 - e. For temporary camping vehicles, the temporary camping vehicle is not parked within a setback area required by the Land Use Ordinance.
 - f. The period during which temporary camping vehicles or temporary shelters can be occupied is limited to April 1 through November 30. Temporary camping vehicles and temporary shelters shall not be occupied between December 1 and March 31.
- (2) **Business properties.** No temporary camping vehicle or temporary shelter located on a nonresidential property shall be occupied, with the following exceptions:
- a. If a legal residential dwelling unit is located on the property, the standards of Article 3, Paragraphs A and B of this ordinance shall apply.
 - b. Agricultural businesses may use temporary camping vehicles or temporary shelters to house temporary farm labor for up to two consecutive weeks for planting or harvesting activities provided all Town ordinances are met including those associated with access to potable water and appropriate disposal of waste water, sewerage and trash.
- C. **Construction.** Notwithstanding Article 3, Paragraph B of this ordinance, the owner of a property engaged in construction of a primary dwelling structure or a substantive renovation involving the primary dwelling structure on a property, and who has obtained all necessary building and other permits for the project from the Town or state, may occupy a temporary camping vehicle or a temporary shelter located on the property for a period not to exceed 90 days in total within a twelve-month period, provided that all other requirement of Article 3, Section B are met. The Code Enforcement Officer may issue a permit for up to two 90-day extensions for extenuating circumstances associated with the construction project, provided all other requirements of this ordinance are met, including the occupancy prohibition between December 1 and March 31.
- D. **Special events.** In order to accommodate family reunions, weddings, and other special events, the Code Enforcement Officer may issue a permit for persons to exceed the use and density limitations cited in Article 3, Paragraph B, subject to the following limitations:
- (1) Maximum duration. No special event shall exceed one week in duration, nor shall a single property host more than three special events in any twelve-month period.
 - (2) Sanitary facilities. Permittees shall provide adequate sanitary facilities, in the form of portable restrooms and wash facilities, to accommodate the projected demand as determined by the Maine Plumbing Code and the Town's Code Enforcement Officer.
- E. **Licensing and code requirements:**
- (1) All temporary camping vehicles used for temporary occupancy shall meet all municipal and state registration, insurance, and inspection requirements.
 - (2) The wheels of similar devices for transportation of any temporary camping vehicle shall not be removed except for repairs lasting no more than 10 days.
 - (3) Any temporary shelter constructed on a fixed foundation on the ground, or any temporary camping vehicle with its wheels removed, shall be deemed a structure and subject to the standards of the Bradford Land Use Ordinance, the Bradford Manufactured Housing Ordinance, the Maine Plumbing Code and the Maine Uniform Building and Energy Code.

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- F. **Boats.** Boats may not be used for living or sleeping purposes while stored or parked on land.
- G. Use for living or sleeping purposes of any physical shelter or vehicle not meeting the definition of structure, temporary shelter, or temporary camping vehicle is prohibited.

Article 4 Sewage.

The occupancy of temporary camping vehicles and temporary shelters shall be subject to the following sanitary standards:

- A. Temporary camping vehicle holding tanks. No toilet, sink, shower or other plumbing fixture contained in a temporary camping vehicle shall be used unless it discharges into a holding tank built into the temporary camping vehicle, or into an on-site subsurface wastewater disposal system approved and maintained in accordance with all Town ordinances and state laws and regulations. Holding tanks built into a temporary camping vehicle must be emptied regularly by discharging the contents into a campground dumping station or other lawful dumping station or by delivering the contents to a wastewater hauler for lawful disposal.
- B. Storage of sewage in auxiliary containers. Sewage and wastewater shall not be discharged or stored in auxiliary buckets or containers external to a temporary camping vehicle.
- C. Illegal sewage discharge. No sewage or wastewater from temporary camping vehicles or temporary shelters shall be discharged into pits or privies, onto the surface of the ground, or into surface waters such as wetlands, streams, or other water bodies.
- D. Special events sanitation. Sanitary facilities provided for special events shall meet the requirements of Article 3, Paragraph D of this ordinance.

Article 5 Exemptions.

The following uses shall be exempt from the requirements of this chapter:

- A. Campgrounds. Any temporary camping vehicle or temporary shelter located in a public or private campground that was approved by the Bradford Planning Board and currently meets all Bradford Ordinances and state law.
- B. Tents and tree houses. Tents and tree houses located on a residential lot and used primarily and sporadically for overnight accommodations by the occupants of the principal dwelling unit on the same lot.

Article 6 Violations and penalties.

- A. When any violation of any provision of this chapter shall be found to exist, the Code Enforcement Officer is hereby authorized and directed to institute any and all actions and proceedings, either legal or equitable, that may be appropriate or necessary to enforce the provisions of this chapter in the name of the Town in accordance with State law.
- B. Any person, including but not limited to a landowner, his or her agent or invitee, or a contractor, who violates a provision of this chapter shall be liable for penalties as set forth in 30-A M.R.S.A paragraph 4452. Each day a violation is continued shall constitute a separate violation.

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