

## ORDINANCE NO. 343



**IN ORDER TO PRESERVE AND PROTECT THE HEALTH AND SAFETY OF RESIDENTS OF THE CITY OF THOMPSON FALLS AND ASSURE THE NECESSARY AND PROPER DISPOSAL OF SEWAGE AND SEPTIC WASTES, THIS ORDINANCE IS ADOPTED FOR THE REGULATION OF STORAGE, MAINTENANCE AND OCCUPATION OF RECREATIONAL VEHICLES WITHIN THE CITY OF THOMPSON FALLS AND PROVIDING PENALTIES FOR THE VIOLATION OF ELEMENTS OF THE ORDINANCE.**

**WHEREAS**, the City of Thompson Falls has determined that in order to preserve and protect the health and safety of its citizens, the city shall set forth minimum standards, provisions, and requirements for the storage, maintenance and occupation of recreational vehicles within the City of Thompson Falls.

**BE IT ORDAINED BY THE CITY OF THOMPSON FALLS, MONTANA, AS FOLLOWS:**

1. No person shall place, keep or maintain a vehicle, camper, or trailer, on any street, alley or lot as a residence or temporary living accommodation, within the corporate limits of the city for more than 30 days, except in a licensed trailer court or as otherwise stated herein below.
2. Recreational Vehicle means a vehicular unit designed primarily as temporary living quarters for recreational, camping, travel, or seasonal or temporary use, and that either has its own power or is mounted on, or towed by, another vehicle which include, but are not limited to, camping trailer, fifth-wheel trailer, motor home, park trailer, travel trailer, and truck camper.
3. The following rules are hereby adopted and apply to recreation vehicles:
  - a. Unoccupied vehicles in long term or temporary storage are not affected by this ordinance as long as they are operable, licensed, parked or stored on private property.
  - b. A recreational vehicle used in the occupant's employment with a private company, a recreational vehicle occupied during construction (including remodeling or reconstruction of a residence or commercial building containing a residence) or a recreational vehicle used by the city for employment purposes within the City limits, shall obtain a temporary occupancy permit from the City but may not be occupied until a permit has been obtained.

4. **TEMPORARY OCCUPANCY PERMIT:** Permits for temporary recreational vehicle occupancy must be filed in writing and filed with the city clerk on a form approved by the city containing the following information:

- a. The location where the recreational vehicle is to be occupied, the property whereupon the vehicle will be temporarily placed, the length of occupation, a full description of the recreational vehicle to be occupied, including make, model, color, license plate number, and VIN number.
- b. Recreational vehicle to be occupied must comply with Decay Ordinance.
- c. The vehicle must be connected to city water. The vehicle must be connected to city sewer or the applicant must disclose on the permit where the sewage or waste water generated by the recreational vehicle will be disposed. Proper disposal of sewage and waste water shall be at an approved, permitted, facility located in the county or an existing system.

5. The applicant shall pay a permit fee according to the *Fee Schedule Resolution* *passed yearly* for review and issuance of the permit. This fee is in addition to any other fees or licensing required for the associated construction project.

6. The initial permit shall be valid for three months (90 days) from the date of issue.

7. **EXTENSIONS:** Extensions, consisting of additional ninety-day terms, may be obtained on written request prior to expiration of the current permit. The written request must contain a statement explaining the need for the extension. Extensions shall be approved by and granted by the Mayor.

8. **PENALTY:** A violation of this ordinance shall be civil matter enforced in accordance with the provisions of §7-1-4150 MCA. Violation of this part shall be considered a civil offense. A civil penalty of \$50.00 may be imposed for the initial violation of this civil ordinance. The penalty for the second offense within a six month period shall be \$100.00, and the penalty for subsequent offenses within a six month period shall be \$200.00. A civil penalty shall not exceed \$500 for each repeat violation. The city attorney shall enforce this ordinance and may issue a civil citation to a person who commits a violation of this part. The citation may be served by personal service, by certified mail addressed to the Defendant at the defendant's last-known mailing address, return receipt requested, or by personal service or by publication. A copy of the issuing citation must be retained by the issuing officer and one copy must be sent to the clerk of the city court. The citation must serve as notification that a municipal infraction has been committed and must contain the information contained in §7-1-4150(4) MCA.

9. **EFFECTIVE DATE:** This ordinance shall be read at the City Council meetings of November 12, 2018 and January 14, 2019, and, if adopted, shall become effective thirty (30) days after second reading and final adoption. The provisions of this ordinance will go into effect three months after the effective date of the adoption of this ordinance. Upon the effective date of adoption, no recreational vehicle may be occupied as a residence for more than 30 days unless properly permitted.

**ADOPTED BY THE TOWN COUNCIL OF THE CITY OF THOMPSON FALLS AS FOLLOWS:**

First reading: 6 ayes 0 nays 0 abstentions

Second reading: 6 ayes 0 nays 0 abstentions

Effective Date: 1-14-19

Jerry Lacy  
Jerry Lacy, Mayor

Attest: Chelsea Peterson  
Chelsea Peterson, Clerk/Treasurer

