

**CITY OF COTTER
ORDINANCE 2021-04**

**AN ORDINANCE OF THE CITY OF COTTER AMENDING ITS
MUNICIPAL CODES TO ADD CHAPTER 8.24 -
RECREATIONAL VEHICLES:**

CHAPTER 8.24

RECREATIONAL VEHICLES

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8.24.01 Intent.

It is the intent of this chapter to provide for the parking and storage of recreational vehicles. It is also the intent of this chapter to define habitation of recreational vehicles. This chapter is intended to supplement all applicable state and City of Cotter regulations.

8.24.02 Purpose.

Recreational vehicles may be parked or stored on private property in Residential R1 and R2 Zoning District. Recreational vehicles shall require a permit to be parked, stored or used as habitation as per Municipal Code Book regulations applicable to commercial and multiple use zones allowing Commercial Recreation as a permitted use. Recreational vehicle parks, trailer parks and campgrounds may be conditionally permitted by the Planning and Zoning Commission under the Cotter Municipal Code Book of Ordinances after meeting the standards and permitting by the Arkansas Department of Health.

8.24.03 Definitions.

A. "Campground" means a lot or parcel of land occupied or intended for temporary occupancy by recreational vehicles or tents for travel, recreational or vacation usage for short periods of stay and containing a potable water source and public toilet facilities.

B. "Habitation" means to "use for living space" and shall include, but not be limited to, acts of sleeping, cooking, bathing, occupying as a dwelling, or any stay within the recreational vehicle not directly related to its driving.

C. "Recreational vehicle" or "RV" means a vehicular-type unit primarily designed as temporary living quarters for recreational, camping, travel or seasonal use that either has its own motive power or is mounted on, or towed by, another vehicle. The basic types of RV entities are: camping trailer, fifth wheel trailer, motor home, park trailer, travel trailer, truck camper, and tiny house trailer which are individually defined as follows:

1. "Camping trailer" is a vehicular portable unit mounted on wheels and constructed with collapsible partial side walls that fold for towing by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping or travel use.
2. "Fifth wheel trailer" is a vehicular unit, mounted on wheels, designed to provide temporary living quarters for recreational, camping or travel use, designed to be towed by a motorized vehicle that contains a towing mechanism that is mounted above or forward of the tow vehicle's rear axle.
3. "Motor home" is a vehicular unit designed to provide temporary living quarters for 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.
4. "Park trailer" is a recreational vehicle that meets the following criteria:
 - a. Built on a single chassis mounted on wheels;
 - b. Having a gross trailer area not exceeding four hundred (400) square feet in the set-up mode;
 - c. Certified by the manufacturer as complying with ANSI A119.5.
5. "Travel trailer" is a vehicular unit, mounted on wheels, designed to provide temporary living quarters for recreational, camping or travel use, of such size or weight as not to require special highway movement permits when towed by a motorized vehicle, and of gross trailer area less than three hundred twenty (320) square feet.
6. "Truck camper" is a portable unit constructed to provide temporary living quarters for recreational, travel or camping use, consisting of a roof, floor and sides, designed to be loaded onto and unloaded from the bed of a pickup truck.

7. "Tiny house trailer" is a portable housing unit built on or permanently attached to a single chassis mounted on wheels or on a trailer and constructed to provide temporary living quarters for recreational, travel or seasonal use, consisting of a roof, floor and sides. See Ordinance 2019-01, Definition #36 for maximum square footage.

8. Pop-Up Campers and Tents – Soft sided shelter.

D. "Recreational vehicle park" or "RV park" is a tourist facility for parking motor homes, travel trailers and other recreational vehicles.

E. "Storage trailer and van" means a wheeled van or container unit not manufactured as a motorized vehicle or intended for long-term or short-term occupancy but designed and manufactured for the primary purpose of storage and/or transporting commodities and goods.

F. "Trailer park" means any parcel or adjacent parcels of land in the same ownership, which is utilized for occupancy, either free of charge or for revenue, together with any building, structure or enclosure. This term shall not be construed to mean tourist facilities.

G. "Used" or "occupied" see definition of "habitation."

H. "Vacation Usage" means occupancy that does not exceed seven (7) days, per permit. The property owner shall apply for a "Vacation Use" permit at Cotter City Hall which may be granted, upon approval, by the permitting official. No more than three (3) "Vacation Use" permits may be issued to a property owner in a calendar year. Exceptions to the three (3) "Vacation Use" annual permits may be made by the Mayor. No fee will be charged for a "Vacation Use" permit.

I. "Off-Street Parking" means recreational vehicles cannot be stored in the City Right-a-Way or on the street or alley.

8.24.04 Storage of RVs.

A. Street parking. No RV shall be parked or stored for more than twelve (12) consecutive hours within any seven (7) day period on any public property or right-of-way within the municipal corporate boundaries.

B. Storage on residential property. RVs parked in a driveway or immediately adjacent to and parallel to the driveway may not encroach into the right-of-way such that any part of the RV extends over any sidewalk, curb, or public travel way.

C. Multiple RVs stored on property. Property owners may have no more than one RV stored on their property unless the following criteria are met:

1. A minimum of 1250 square feet per RV is provided;
2. The RV is setback from all property lines by five feet (5'-0");
3. A six foot tall (6'-0") solid wall or fence screens the RV from the neighbors and street;

4. Off-street parking requirements are met.

D. Recreation Vehicles as defined in **8.24.03 Definitions**; RV and Tents are prohibited from being stored or lived in on a vacant lot in the City of Cotter in any zone. RV are only allowed to be stored on lots with homes in R-1 and R-2 Zone.

8.24.05 Habitation.

A. Habitation of any parked or stored RV shall be prohibited, with the following exceptions:

1. Exceptions:

- a. When the RV is situated in an approved RV or trailer park;
- b. Vacation usage as defined in Section 8.24.03.H
- c. When a valid conditional use permit is obtained for RV habitation in conjunction with construction in accordance with subsection B of this section.
- d. In case of a natural disaster upon approval by the City.

B. Habitation of a RV when used in conjunction with construction.

1. A RV may be used for temporary living quarters for not more than twelve (12) months while the occupant thereof is constructing a permanent dwelling on the same property. Before a RV will be permitted in such an instance, the owner of the property or the person intended to occupy the RV shall secure a conditional use permit for the RV from the Cotter Building Inspector. Such permit shall be granted upon the receipt of a signed statement by the applicant that a permanent dwelling will be completed within twelve (12) months thereafter. Construction footings/foundation must start before RV placement. Only one (1) RV shall be permitted on any parcel of land during the construction or repair of a permanent dwelling. If construction is not completed within twelve months from issuance of the permit, a permit extension will be reviewed on a case by case basis by the building inspector.

a. A repair shall be considered for purposes of subsection B when the repair will cause a condition that disallows the homeowner from occupying the inside of the home during the repair construction. Repairs that are minor and can be confined within the interior shall not be considered.

b. Multiple RVs / Office Trailer may be allowed on commercial projects that are not located within the residential zoning districts when construction is expected to continue for more than ninety (90) days and the project is valued at \$1,000,000.00 or more.

C. Habitation of RVs other than that of vacation usage shall conform to:

1. All recreational units shall meet the following standards adopted by the RV Industry Association's Board of Directors for the construction of RVs. <https://www.rvia.org/standards-regulations/standards-compliance/association-and-ansi-standards>

2. RV park owners shall be responsible for performing the necessary inspection of all RVs being used for seasonal habitation to ensure that those RVs are in compliance with ANSI A119.2 standards by using the form prescribed by ANSI for RV inspection. Upon completion of each inspection the owner shall keep a record of the inspection reports and shall submit a copy of the reports to the Permitting Official within one week of the completion of each inspection.

8.24.07 Utilities.

Legally parked or stored RVs may be connected to an approved source of electricity in conformance with the adopted building and safety codes referenced under Chapter 11. Compliance with other laws and regulations. Except for legally established RV parks, direct water and sewer connections cannot be made to hook up to any RV unless permitted by an approved conditional use permit. Additionally, propane tanks must be shut off from the RV when stored. Vacation usage, as defined in 8.25.03.H, shall not be construed to allow temporary servicing of the RV with water or sewer connections. No generator may be used in any RV in the municipality unless it is for temporary servicing or during a lapse of electrical power in the area in which the RV is located.

8.24.08 RV maintenance.

Recreational Vehicles remain subject to provisions of Ordinance No: 2008-10. It is unlawful and a public nuisance to park, store, or leave standing in public view, upon any public or private property, any RV that is wrecked, dismantled, unregistered, inoperative or otherwise unsightly. Any RV shall be deemed unsightly when body parts rust or become corroded, paint becomes faded, chipped, or peeled, or the RV exterior becomes otherwise dilapidated.

8.24.09 Compliance with other laws and regulations.

It is the intent of this chapter to supplement any state and city regulations which may be applicable. Standards adopted in Chapter 11 and 14 in Municipal Code Book governing Recreational Vehicles shall apply to the regulation of RVs only.

8.24.10 Fees.

The City of Cotter may by resolution establish fees to be paid by applicants for any type of inspection, permit, approval or other municipal processing under this chapter.

8.24.11 Enforcement.

This chapter shall be enforced by the Cotter Police Department, Cotter Public Works Director, and/or City of Cotter Mayor, or Mayor's designee.

8.24.12 Penalties.

Any person in violation of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction shall be fined not less than \$50.00 nor more than \$100.00 per day. Each act of violation and every day upon which any such violation shall occur shall constitute and separate offense.

PASSED AND ADOPTED THIS 23rd DAY OF September 2021.

APPROVED



McGeorge Caradine, Mayor

ATTEST: Andrea Kray
Andrea Kray, Recorder/Treasurer