

TOWN OF BUENA VISTA, COLORADO

**ORDINANCE NO. 7
(SERIES OF 2016)**

**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO,
AMENDING CERTAIN SECTIONS OF CHAPTERS 16 AND 18 OF THE
BUENA VISTA MUNICIPAL CODE REGARDING THE OCCUPANCY,
PARKING, AND STORAGE OF RECREATIONAL VEHICLES AND
TRAILERS.**

WHEREAS, the use of recreational vehicles for both temporary and permanent occupancy raises issues associated with the safety and health of those individuals residing in them;

WHEREAS, permitting long term residency in a recreational vehicle may have an adverse effect on the health, safety and welfare of those residing in permanent dwellings near the recreational vehicle;

WHEREAS, the Town desires to define when a recreational vehicle may be used as a temporary dwelling; and

WHEREAS, the Town also desires to address the parking and storage of unoccupied recreational vehicles and trailers to protect the health, safety and welfare for the citizens of the Town.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF
THE TOWN OF BUENA VISTA, COLORADO:**

Section 1. Section 16-4 of the Buena Vista Municipal Code is hereby amended by the addition of the following definitions:

Recreational Vehicle (RV) means a vehicular or portable unit mounted on a chassis and wheels, which either has its own motive power or is mounted on, in, or drawn by another vehicle, including but not limited to travel coaches, fifth wheel trailers, pop-up trailers, bed mounted truck campers, camping trailers, or motor homes. A recreational vehicle is not designed or intended for use as a permanent dwelling or sleeping place, but is to provide temporary living quarters associated with recreation, camping, or travel.

Trailer means any wheeled vehicle, without motive power, which is designed to be drawn by a motor vehicle and to carry its cargo load wholly upon its own structure and that is generally and commonly used to carry and transport property over the public highways or streets, and shall not include any vehicle or structure intended for human habitation.

Section 2. The definition of "Mobile Home" in Section 16-4 of the Buena Vista Municipal Code is hereby amended as follows:

Mobile home means a single-family dwelling unit with a living area of at least 500 square feet or more, partially or entirely manufactured in a factory, built on a permanent chassis, and designed to be transported on streets to the place where it is to be occupied as a dwelling unit and built prior to the adoption of the National Manufactured Home Construction and Safety Standards Act of 1974, 42 U.S.C. sec. 5401 *et seq.*

Section 3. Section 16-4 of the Buena Vista Municipal Code is hereby amended by the deletion of the definition of travel trailer.

Section 4. Section 16-249 of the Buena Vista Municipal Code is hereby repealed and reinstated to read as follows:

Section 16-249. - Recreational Vehicles

- (a) For purposes of this Section, the term “parcel” shall mean a single subdivided tract of real property (such as a lot), or a single tract of property that has not been subdivided.
- (b) In any zone district, an RV, which is unoccupied, may be parked and stored on public property or on the public right-of-way accordance with this Section.
 - (1) RVs may only be parked or stored on public property or in the public right of way for a period not to exceed 72 hours in any one week period, regardless of whether the owner of the RV is also the owner or occupant of the abutting parcel. The fact that the RV is moved along the same right of way, moved for the primary purpose of avoiding the 72 hour limitation, or moved away for any period of fewer than 24 hours, shall be ignored in determining whether or not an RV has remained parked for 72 hours or more.
 - (2) Notwithstanding any other provision of this Section, an RV may not be parked or stored in any manner that constitutes a public safety issue, including without limitation by blocking vehicular sight lines or creating unsanitary conditions.
 - (3) RVs may not be parked or stored in the railroad right of way, except that an RV may be parked in any designated public parking lot subject to the same restrictions on any other vehicle.
 - (4) Any RV parked or stored on a public right of way for longer than 72 hours pursuant to this subsection or parked or stored in the railroad right of way in violation of this Section shall be considered abandoned pursuant to this Code.
 - (5) A parked or stored RV may not be used for business operations, except as permitted through a Temporary Use or Temporary Vendor Permit, or the storage of waste materials.

- (6) The parked RV must be operable and maintained as not to create a nuisance.
- (c) Except as provided for herein, RVs shall not be used for dwelling or residential purposes.
 - 1. An RV may be occupied in residential zone districts (which shall include mixed used zone districts allowing for residential uses such as the B-1 OT Zone District) in the public right-of-way for a period not to exceed 72 hours in any one week period, provided that the owner or occupant of the immediately abutting parcel provides permission. The fact that the RV is moved along the same right of way, moved for the primary purpose of avoiding the 72 hour limitation, or moved away for any period of time fewer than 24 hours, shall be ignored in determining whether or not an RV has remained parked for 72 hours or more.
 - 2. An RV may be occupied in residential zone districts (which shall include mixed used zone districts allowing for residential uses such as the B-1 OT Zone District) on a private parcel for no more than two weeks in any sixty day period, provided that the owner or occupant of the subject parcel provides permission.

Section 5. A new Section 16-249.1 of the Buena Vista Municipal Code is hereby added to read as follows:

Section 16-249.1 - Trailers

- (a) For purposes of this Section, the term “parcel” shall mean a single subdivided tract of real property (such as a lot), or a single tract of property that has not been subdivided.
- (b) Trailers may not be parked or stored, unattached to a vehicle, on public property or in the public right of way for a period longer than seven (7) days. The fact that the trailer is moved along the same right of way or is moved away for any period of time fewer than 24 hours, shall be ignored in determining whether or not a trailer has remained parked for more than seven (7) days. No trailer may be parked in the public right-of-way unless permission has been obtained from the owner or occupant of the immediately adjacent parcel.
- (c) A trailer may not be parked or stored in any manner that constitutes a public safety issue. All trailers in the public right of way or on public property shall be legally registered and licensed.
- (d) Notwithstanding any other provision of this Section, a trailer may not be parked or stored in any manner that constitutes a public safety issue, including without limitation by blocking vehicular sight lines or creating unsanitary conditions.
- (e) Any trailer left in the public right of way for more than seven (7) days pursuant to

this subsection or located in the railroad right of way for any period of time shall be considered abandoned pursuant to this Code.

- (f) Trailers may not be parked or stored in the railroad right of way, except that a trailer may be parked in any designated public parking lot subject to the same restrictions any other vehicle. Trailers may be parked in a designated public parking lot for a longer period if permitted by the Town pursuant to Sec. 7-13 of this Code.

Section 6. Section 18-163 of the Buena Vista Municipal Code is hereby amended as follows:

Recreational Vehicle has the same meaning as in Chapter 16 of this Code.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 12th day of July, 2016.

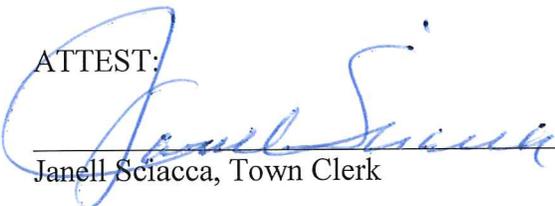
THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY DAYS FROM PUBLICATION.

TOWN OF BUENA VISTA, COLORADO

By: _____

Mayor, ~~Joel Benson~~

ATTEST:



Janell Sciacca, Town Clerk

