

**ORDINANCE OF THE WHITFIELD COUNTY
BOARD OF COMMISSIONERS AMENDING
CHAPTER 5 OF THE
WHITFIELD COUNTY CODE OF ORDINANCES**

Ordinance 2022-0411

WHEREAS, the Whitfield County Board of Commissioners adopted Chapter 5, Buildings; Construction and Related Activities governing various aspects of building and construction in order to protect the health, welfare, and safety of the public; and

WHEREAS, the Whitfield County Board of Commissioners has, from time to time, amended said ordinance by finding such amendments to be useful, necessary, and proper, and protective of the health, welfare, and safety of the public; and

WHEREAS, it is the belief of the Whitfield County Board of Commissioners that in so doing, it protects the health, welfare, and safety of the public;

NOW, THEREFORE, BE IT RESOLVED by the Whitfield County Board of Commissioners that Division 1 of Article IX of Chapter 5 of the *Whitfield County Code of Ordinances* be amended by renumbering existing sections 5-129 and 5-130 and by creating new section 5-129, captioned “Temporary Use of a Camper, Recreational Vehicle or Travel Trailer for Living Purposes,” and new section 5-130, captioned “Permitting;” and for other purposes.

BE IT ORDAINED by the Board of Commissioners of Whitfield County and by the authority of same, **IT IS HEREBY ORDAINED** as follows:

1. Re-number existing Section 5-129, captioned “Penalty,” as new Section 5-131, leaving all other provisions therein unchanged.
2. Re-number existing Section 5-130, captioned “Enforcement,” as new Section 5-132, leaving all other provisions therein unchanged.
3. Create new Section 5-129, as follows:

5-129 Temporary Use of a Camper, Recreational Vehicle or Travel Trailer for Living Purposes.

Notwithstanding the provisions of Sec. 5-122 hereinabove, a Camper, Recreational Vehicle, or Travel Trailer may be utilized for temporary living purposes by the owner(s) or occupant(s) of a single-family dwelling that is then either under construction as a new dwelling or is under active remodeling as an existing dwelling and in which such person(s) has resided or intends to reside, if each and every one of the following requirements is met:

- (a) Any person seeking temporary residence in a Camper, Recreational Vehicle, or Travel Trailer hereunder shall have a current valid building permit issued by Whitfield County Building Inspections Department for the construction or remodeling of a single-family dwelling within unincorporated Whitfield County;

- (b) Not more than five (5) persons total or the maximum rated capacity, whichever is fewer persons, may temporarily reside in a Camper, Recreational Vehicle or Travel Trailer;
- (c) The lot or parcel upon which the single-family dwelling is constructed or is to be constructed is not less than two (2) acres in size and is located within either the GA, SA, R-2, or R-5 zoning districts and is not a part of any platted subdivision;
- (d) Both the single-family dwelling and the Camper, Recreational Vehicle or Travel Trailer must meet all applicable setbacks or have previously obtained a variance therefor from the Board of Zoning Appeals;
- (e) Not more than one (1) Camper, Recreational Vehicle or Travel Trailer may be used for living purposes per single-family dwelling under construction or remodeling;
- (f) Any such Camper, Recreational Vehicle or Travel Trailer shall have electrical service from the applicable utility provider and must meet current NEC Article 551;
- (g) Any such Camper, Recreational Vehicle or Travel Trailer shall connect to city water;
- (h) Any such Camper, Recreational Vehicle or Travel Trailer shall connect either to a public sanitary sewer, an on-site sewage management system approved by the Environmental Health Department, or possess a fully executed agreement with a licensed tank pumping service for regular pumping not less than twice per calendar week;
- (i) Any such Camper, Recreational Vehicle or Travel Trailer shall contain at least one (1) fully charged five-pound (5 lb.) class ABC fire extinguisher and an operable smoke and carbon monoxide detector;
- (j) Any such Camper, Recreational Vehicle or Travel Trailer shall display a current Georgia license plate with proper registration and shall meet ANSI A119.2 certification;
- (k) The Chief Building Inspector of Whitfield County shall have final say in determining whether any proposed temporary living quarters constitutes a Camper, Recreational Vehicle or Travel Trailer for purposes of this Ordinance;

4. Create new Section 5-130, as follows:

5-130 Permitting Requirements and Termination of Permit.

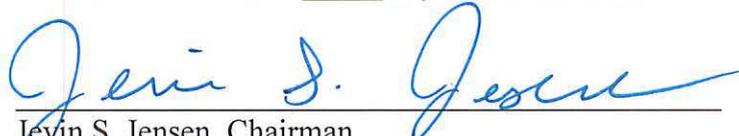
Any person seeking to reside temporarily in a Camper, Recreational Vehicle or Travel Trailer as provided hereinabove shall obtain and maintain an “RV Permit” prior to such use, as follows:

- (a) Such permit shall be obtained through the Whitfield County Building Inspector’s office upon forms provided by that office.
- (b) The application fee shall be fixed at \$50.00.
- (c) An “RV Permit” shall be granted only after inspection of the site, setup, and Camper, Recreational Vehicle or Travel Trailer.
- (d) An “RV Permit” shall be valid for a period of not longer than twelve (12) months.
- (e) An “RV Permit” card shall be affixed to a window or other appropriate area of such Camper, Recreational Vehicle or Travel Trailer and displayed such that it is visible from the driveway during such time that it is valid.

- (e) An "RV Permit" card shall be affixed to a window or other appropriate area of such Camper, Recreational Vehicle or Travel Trailer and displayed such that it is visible from the driveway during such time that it is valid.
- (f) An applicant for an "RV Permit" shall authorize the Whitfield County Building Inspector and/or his or her agent to inspect for compliance herewith during normal business hours.
- (g) An "RV Permit" shall terminate at the earlier of:
 - a. Issuance of either a temporary or permanent Certificate of Occupancy;
 - b. Issuance of a Stop Work Order with respect to the referenced single-family dwelling;
 - c. The expiration of the "RV Permit."

- 5. These amendments shall become effective immediately following enactment by the Board of Commissioners of Whitfield County, Georgia, the public health, safety, and welfare requiring it.
- 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
- 7. It is hereby declared to be the intention of the Board of Commissioners of Whitfield County that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and if any section, paragraph, sentence, clause, or phrase shall be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, or phrases herein.

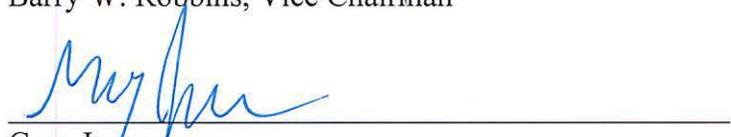
SO ORDAINED, this 11TH APRIL day of ~~March~~, 2022.



 Jeyin S. Jensen, Chairman



 Barry W. Robbins, Vice Chairman



 Greg Jones



 Robby Staten



 John Thomas

Attest:

Blanca Cardona

Blanca Cardona, Whitfield County Clerk