

**TOWN OF SEVERANCE
ORDINANCE NO. 2019-05**

**AN ORDINANCE REGULATING USE OF BUSES, CAMPER COACHES,
TRAILER COACHES, MOTOR HOMES, SELF-PROPELLED MOTOR HOMES,
RECREATIONAL EQUIPMENT, AND RECREATIONAL VEHICLES AS A
RESIDENCE**

WHEREAS the use of buses, camper coaches, trailer coaches, motor homes, self-propelled motor homes, recreational equipment, or recreational vehicles (collectively referred to as “Prohibited Vehicles”) for living, sleeping, or residing on any street, public roadway, alley, or other public property within the Town of Severance (“Town”) is already prohibited by Town of Severance Municipal Code Section 8-2-40; and

WHEREAS the use of Prohibited Vehicles for living, sleeping, or residing on any private property within the Town of is already prohibited by the Town of Severance Land Use Code; and

WHEREAS the Town, for the benefit of its citizens, desires to clarify and clearly state the prohibition on the use of Prohibited Vehicles for living, sleeping, or residing on private property within the Town; and

WHEREAS it is recognized that circumstances may exist during the construction, repair, remodeling, or renovation of a residential structure that could warrant allowing individuals to utilize a Prohibited Vehicle to serve as a residence on a temporary basis; and

WHEREAS it is recognized that circumstances may exist where use of Prohibited Vehicles to temporarily house guests of the property on which the vehicle is located may arise; and

WHEREAS the Board of Trustees of the Town of Severance desires to allow temporary use of a Prohibited Vehicle as a residence during any properly authorized and permitted construction, repair, remodeling, or renovation of any residential structure; and

WHEREAS the Board of Trustees of the Town of Severance desires to allow temporary use of a Prohibited Vehicle as a residence to temporarily house guests of the property on which the vehicle is located; and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SEVERANCE, COLORADO, AS FOLLOWS:

Section 1. Chapter 8 Article 2 of the Severance Municipal Code is amended to include the following new Section 50:

Section 8-2-50 – Vehicles as a Residence

1. No person shall use any bus, camper coach, trailer coach, motor home, self-propelled motor home, recreational equipment, or recreational vehicle (collectively referred to as “Prohibited Vehicles”) for living, sleeping, or residing; except within a permitted recreational vehicle (RV) park/ campground. This section shall not apply to Prohibited Vehicles used to temporarily house guests of the property on which the vehicle is located, provided the vehicle is located on private residential property and such use does not exceed seven days within any calendar year.

Section 2. Chapter 8 Article 2 of the Severance Municipal Code is amended to include the following new Section 60:

Section 8-2-60 – Temporary Residence Permits

1. As used in this section 8-2-60, the following words will have the meanings indicated:
 - a. “Applicant” means an individual who is a natural person who owns a Property.
 - b. “Construction Activities” means those activities associated with the planned construction, repair, remodeling, or renovation of a Dwelling on a Property.
 - c. “Construction Permits” means all necessary and appropriate permits and authorizations from all governmental or other authorities having jurisdiction to issue such permits and authorizations with respect to Construction Activities on a Property.
 - d. “Property” means a parcel of real estate within the Town of Severance, Colorado, with respect to which an Applicant desires to construct, repair, remodel, or renovate a Dwelling.
 - e. “Prohibited Vehicle” means any bus, camper coach, trailer coach, motor home, self-propelled motor home, recreational equipment, or recreational vehicle.
 - f. “Temporary Residence Permit” means a permit for temporary occupancy of a Prohibited Vehicle.
2. Any Applicant may obtain a Temporary Residence Permit allowing the Applicant and the Applicant’s family to reside in a Prohibited Vehicle on a Property during the period of construction, repair, remodeling, or renovation of a Dwelling on the Property. A Temporary Residence Permit shall not exceed six (6) months.
3. The fee for a Temporary Residence Permit shall be \$100.00. This fee may be revised from time-to-time by resolution of the Board in the Board’s discretion.

4. The Town Clerk is hereby authorized and directed to develop an appropriate application form to be submitted by an Applicant when such Applicant wishes to obtain a Temporary Residence Permit.
5. In order for an Applicant to obtain and hold a Temporary Residence Permit, the following requirements must be met in addition to any others that may be set forth in this section 8-2-60 during the entire period during which the Temporary Residence Permit is effective and valid:
 - a. The Applicant must own the Property.
 - b. The Applicant must pay a fee for the Temporary Residence Permit to the Town Clerk.
 - c. The Applicant must have obtained all necessary Construction Permits.
 - d. The Applicant must be in lawful possession of the Prohibited Vehicle.
 - e. The Property must be served by an existing water tap and an existing sewer tap.
6. In order to obtain a Temporary Residence Permit, the Applicant shall submit to the Town Clerk an application packet containing the following:
 - a. A completed application for Temporary Residence Permit.
 - b. Proof of Applicant's ownership of the Property.
 - c. A description of the Prohibited Vehicle in which Applicant intends to reside, including manufacturer and model number and such other information as the Town Clerk shall determine in his or her sole discretion should be provided to ensure compliance with, and facilitate enforcement of, the terms of this section 8-2-60.
 - d. Proof of Applicant's ownership or lawful possession of the Prohibited Vehicle.
 - e. Proof, which may include copies of the Construction Permits, (i) that any and all necessary and appropriate permits and authorizations for the Construction Activities on the Property have been obtained and (ii) of the period during which such permits and authorizations are effective.
 - f. Proof that the Property is served by an existing water tap and an existing sewer tap.
 - g. The applicable fee for a Temporary Residence Permit.

7. Any Temporary Residence Permit issued under this section 8-2-60 shall immediately and automatically be void in the event any of the Construction Permits expire.
8. If any of the Construction Permits are extended, then proof of such extension shall be immediately provided to the Town Clerk by Applicant. Such extension shall be sufficient to extend the term of the Temporary Residence Permit.
9. If no Construction Permits are necessary or appropriate for the particular Construction Activities, then the term of the Temporary Residence Permit shall end on the earlier of (i) the completion of the Construction Activities or (ii) the second anniversary of the date on which the Temporary Residence Permit was issued.
10. All waste from any use of a Prohibited Vehicle under a Temporary Residence Permit shall be disposed of by Applicant in a lawful manner.
11. It shall be unlawful to use a Prohibited Vehicle for living, sleeping, residing, housekeeping, or preparation of food without a Temporary Residence Permit authorizing such use.
12. The Board of Trustees may in its discretion cancel any Temporary Residence Permit upon receipt of information indicating that there is any violation of the provisions of this section 8-2-60.
13. Violations of this section 8-2-60 shall be subject to the general penalty provisions of the Severance Municipal Code.
14. Nothing in this section 8-2-60 shall impair or affect in any way any lawful use of real property as a recreational vehicle park in any recreational vehicle park/ campground.

PASSED, ADOPTED, SIGNED AND APPROVED this the 26th day of February 2019.

TOWN OF SEVERANCE

By: _____
Donald M. McLeod, Mayor

ATTEST:

By: _____
Michael Jenner, Town Clerk