

ORDINANCE NO. 2009-04

AN ORDINANCE OF THE TOWN OF RICO, COLORADO AMENDING RICO'S LAND USE CODE, ARTICLE II, SECTIONS 212 AND 214, AND ARTICLE IX, DEFINITIONS, TO ADDRESS THE USE OF RECREATIONAL VEHICLES FOR OCCUPANCY WITHIN TOWN LIMITS

WHEREAS, the Board of Trustees of the Town of Rico finds it is in the public interest to preserve the integrity of the Town's residential neighborhoods;

WHEREAS, the Board of Trustees finds that the Rico Land Use Code provides for zone districts with specified uses by right and conditional uses;

WHEREAS, the Board of Trustees desires to promote enforcement of these specified uses and to discourage deviation from zoning requirements which could result in the degradation of Town residential lots;

WHEREAS, the Board of Trustees also finds that allowing the parking of recreational vehicles for residential use on Town lots for extended periods of time is not in the best interest of Rico's citizens and jeopardizes the public health, safety and welfare.

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

SECTION I:

Rico Land Use Code, Article II, Section 212, shall be amended as follows:

212. RECREATION VEHICLES AND CAMPERS.

Recreational vehicles or campers may be parked on private property and used for occupancy with the express permission of the property owner. Only one recreational vehicle may be parked and used for occupancy per Town lot. Where several adjacent Town lots are clustered under one ownership, these lots shall be considered one lot for the purposes of this regulation. Recreation vehicles and campers may be used for occupancy for (10) days total in a calendar year on private property.

SECTION II:

Rico Land Use Code, Article II, Section 214, shall be amended as follows:

214. PARKING RESTRICTIONS ON EXCESS WEIGHT AND RECREATIONAL VEHICLES AND THE UNAUTHORIZED USE OF VEHICLES AS RESIDENCES

This section establishes parking regulations for vehicles in excess of ten thousand (10,000) pounds (not including emergency vehicles), boats, boat trailers, tractors, trailers, semi-trailers, motor homes, buses and detached/dismounted campers, hereinafter collectively referred to excess weight and recreational vehicles. This section also limits the use of vehicles as residences within the public right of way and on public property.

214.1 Parking restrictions on excess weight and recreational vehicles. The owner or operator of excess weight or recreational vehicles shall not park on any public right-of-way or road way for longer than seventy-two (72) hours, and shall not be parked in a fashion that restricts normal access and use of town streets.

214.2 Use of vehicles as residences

- A. The unauthorized use of vehicles as residences within public rights-of-way and on public property is deemed to be injurious to residential and nonresidential neighborhoods alike and conducive to the creation and perpetuation of congestion, unwanted noise, sanitation problems, unsightly visual conditions and confrontations between residents and nonresidents. The intent and purpose of this Section is not to regulate vehicles or those locations where vehicles may be parked or stored, except as otherwise set forth herein, but to prohibit activities and occupancies within vehicles so as to protect the integrity of neighborhoods, preserve public streets, rights-of-way and parks for their intended public purposes, ensure the proper use of public property in conformity with zoning and land use regulations and promote the public health and safety.
- B. Prohibitions. No person shall occupy any vehicle upon any municipal street, state highway, alley, public right-of-way or public property for the purpose of providing a residence or residential living or sleeping quarters or storage, whether temporary or permanent, except as otherwise set forth herein. The type or nature of any given vehicle shall not be conclusive as to whether a vehicle is being occupied for living or sleeping quarters or other residential use.
- C. Exemptions. The prohibitions as contained in this Section shall not apply to activities undertaken pursuant to a valid and authorized land use, building or camping permit issued by the Town or where a vehicle is used for occupancy for less than (72) hours total within a calendar year.

SECTION III:

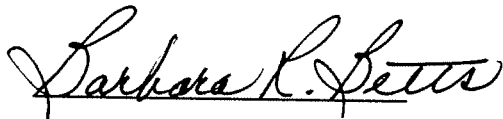
Rico Land Use Code, Article IX, DEFINITIONS, shall be amended as follows:

Vehicle: Any device which is capable of moving itself, or being moved, from place to place upon wheels.

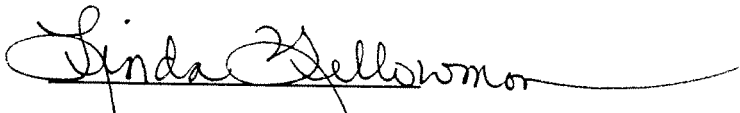
This Ordinance shall be effective upon its final passage by the Rico Board of Trustees and publication as required by Colorado Statute.

INTRODUCED, READ AND ADOPTED UPON FIRST READING THIS 20 DAY OF May, 2009.

INTRODUCED, READ, AND ADOPTED FOLLOWING PUBLIC HEARING UPON SECOND READING THIS 24 DAY OF May, 2009.



Rico Mayor



ATTEST: Town Clerk