

Addendum to —

ORDINANCE CHAPTER 38

AN ORDINANCE DEFINING KEEPING, OCCUPYING, AND STORAGE OF CAMPER TRAILERS, ESTABLISHING THE DUTY OF PROPERTY OWNERS, AND AUTHORIZING THE TOWN OF WHITEHALL TO CHARGE THE OWNER AND PROVIDING PENALTIES.

WHEREAS, the Town of Whitehall has determined that in order to protect the health and safety of its citizens, the Town shall set forth minimum standards, provisions, and requirements for the keeping, occupying, and storage of Recreational Vehicles.

BE IT ORDAINED BY THE TOWN OF WHITEHALL, MONTANA, AS FOLLOWS:

1. Recreational Vehicle means a vehicular unit designed primarily as temporary living quarters for recreational, camping, travel, or seasonal use, and that either has its own power or is mounted on, or towed by, another vehicle which include, but are not limited to, camping trailer, fifth-wheel trailer, motor home, park trailer, travel trailer, horse trailers with living quarters, movable living unit, auto trailer, house car or camp car, and truck campers.

No person shall place, keep, occupy, maintain, hold or deposit a Recreational Vehicle, on any street, alley or lot, whether the lot is vacant, occupied, privately owned, leased, rented, improved or unimproved, within the corporate limits of the Town; except in a licensed trailer court for living purposes, for any length of time except as set forth herein. Recreational Vehicles may be stored on owner's private property for dry storage use only. A property owner can allow their visitors to stay in their Recreational Vehicle on property owner's property up to two (2) weeks. (See Utility Ordinance) (Parking Recreational Vehicles on Town property is forbidden except for on-street parking and then only for a total of five (5) days.

2. No vehicle shall be parked or left standing except in conformance with Town Ordinance, Chapter 38, Sec. 38-53.
3. **Penalty**-A violation of this ordinance shall be a civil matter enforced in accordance with the provisions of §7-1-4150 MCA. Violation of this part shall be considered a civil offense. A civil penalty of \$50.00 may be imposed for the initial violation of this civil ordinance. The penalty for the second offense within a six-month period shall be \$100.00, and the penalty for subsequent offenses within a six-month period shall be \$200.00. A civil penalty shall not exceed \$500 for each repeat violation. The Town attorney shall enforce this ordinance and may issue a civil citation to a person who

commits a violation of this part. The citation may be served by personal service, by certified mail addressed to the defendant at the defendant's last-known mailing address, return receipt requested, or by publication. A copy of the issuing citation must be retained by the issuing officer and one copy must be sent to the Clerk of the city court. The citation must serve as notification that a municipal infraction has been committed and must contain the information contained in §7-1-4150 MCA. All fees are subject to change by a Resolution.

4. **EFFECTIVE DATE.** This ordinance shall be read at the Town Council meetings of August 12, 2019 and September 9, 2019, and, if adopted, shall become effective thirty (30) days after second reading and final adoption.

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF WHITEHALL AS FOLLOWS:

First reading: _____ ayes _____ nays _____ abstentions

Second reading: _____ ayes _____ nays _____ abstentions

Effective Date: _____

Mary Janacaro Hensleigh, Mayor

Attest: _____
Summer Fellows, Clerk/Treasurer