

**CITY OF IDAHO CITY**

**ORDINANCE No. 367**

**AN ORDINANCE OF THE CITY OF IDAHO CITY, BOISE COUNTY, IDAHO, REPEALING TITLE 8, CHAPTER 4, CREATING A NEW TITLE PROVIDING FOR THE TEMPORARY USE OF RECREATIONAL VEHICLES AND PROVIDING PENALTIES, AMENDING TITLE 8, CHAPTER 1 TO MAKE A CORRECTION, AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Idaho City finds it is necessary to regulate the habitation of recreational vehicles and other such structures primarily designed as temporary living accommodations to promote the public health, safety, and welfare of the citizens of Idaho City and the orderly growth of the City of Idaho City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO CITY, IDAHO:

**Section 1. REPEAL OF TITLE 8, CHAPTER 4 OF THE CITY CODE OF IDAHO CITY.** Ordinance No. 1-35, governing the use requirements and penalties for using a trailer for sleeping and eating quarters, enacted May 8, 1959, and codified as Chapter 4 of Title 8 of the City Code of Idaho City is repealed.

**Section 2. ADDITION OF NEW CHAPTER TO TITLE 4 REGULATING THE SHORT-TERM USE RECREATIONAL VEHICLES.** A new Chapter 4 of Title 4 of the City Code of Idaho City shall be created as follows:

**4-4-1: Short Title:** This ordinance shall be referred to as the "Short-Term Recreational Vehicle Use Ordinance."

**4-4-2: Definitions:** For the purposes of this chapter, the terms Recreational Vehicle or RV include, but are not limited to, the following specific vehicles:

**Camper:** A separate vehicle designed for human habitation and which can be attached or detached from a pickup truck. When removed from the truck, campers are called "unmounted campers". These campers are sometimes referred to as "truck campers" and "overhead campers". Camper shells on pickup trucks are excluded from this definition.

**Camping Trailer:** A type of trailer or trailer coach, the walls of which are so constructed as to be collapsible and made out of either canvas or similar cloth, or some form of rigid material such as fiberglass, plastic or metal. The walls are collapsed while the recreational vehicle is being towed or stored and are raised or unfolded when the vehicle becomes temporary living quarters and is not being moved.

**Motor Home:** A motorized vehicle that has a truck or motor van chassis primarily designed to provide temporary living quarters for travel, camping, recreation and vacation use.

Travel Trailer: A trailer without its own motive power, designed as a temporary dwelling for travel, camping, recreation and vacation use. This definition includes fifth wheelers.

#### **4-4-3: General Provision Regarding Recreational Vehicles:**

Except as otherwise provided herein or in other sections the City Code of Idaho City or unless otherwise prohibited, no person shall park or place within the city limits any recreational vehicle actively in use as sleeping or living accommodations for more than fourteen (14) consecutive days in any six (6) month period, unless the recreational vehicle is located in a mobile home or recreational vehicle park.

#### **4-4-4: Exceptions:**

A. A recreational vehicle may be used as temporary housing when a building permit has been issued and a permanent dwelling structure is being constructed or substantially remodeled such that the permanent dwelling structure is not habitable.

B. A recreational vehicle may be used for a longer period of time than otherwise allowed in this Chapter when it is connected through an approved and exclusive connection to city water and sewer services, provided that appropriate steps must be taken between the months of October through May to ensure adequate snow removal from or prevent the accumulation of snow on the roof of the recreational vehicle and to protect water and sewer connections from freezing. The recreational vehicle must be placed to comply with the setback requirements of the Zoning Regulations of the City Code of Idaho City and may not be placed in the public right-of-way or other easement used for vehicular ingress and egress to the public highway or public right-of-way. The recreational vehicle shall have a current registration and shall be in operational condition so it can be operated in a safe and lawful manner upon the roads and highways in the State of Idaho as set forth in the Motor Vehicle Laws of the State of Idaho, title 49, Idaho Code. A recreational vehicle shall not be set on blocks with the tires or running gear removed.

C. A recreational vehicle may continue to be used and maintained as permanent housing in the same manner and under the same conditions when it was being used as permanent housing before this Chapter was enacted and until a change of use occurs, relocation to another property occurs, or an occupancy permit issued is issued for a permanent dwelling structure on the property. A recreational vehicle may be repaired or replaced. The exception in this paragraph does not supersede, excuse, or waive compliance with any other provision of the City Code of Idaho City, or any other applicable federal, state, or local law, regulation, rule, or ordinance.

#### **4-4-5: Penalty:**

A. A first violation of this chapter shall be an infraction punishable by a penalty not to exceed fifty dollars (\$50).

B. A second violation of this chapter within three (3) years of the commission of the first offense for which the person was convicted shall be an infraction punishable by a penalty not to exceed one hundred dollars (\$100).

C. A third violation of this chapter within three (3) years of the commission of the first offense for which the person was convicted shall be a misdemeanor and be punishable by a fine not exceeding one thousand dollars (\$1,000), by imprisonment not to exceed six months, or both.

D. Each twenty-four (24) hour period that a violation continues shall be a separate violation.

**Section 3. CORRECTION TO SECTION 3, CHAPTER 1, TITLE 8 OF THE CITY CODE.** The City Code of Idaho City, Section 8-1-3 be amended with the following correction:

**8-1-3: MOBILE HOME, TRAILER OR MANUFACTURED HOME:**

Any mobile home, trailer or manufactured home which is proposed to be placed upon property inside the corporate limits of the City shall meet the standards set forth by the Idaho Division of Building Safety. This requirement shall also apply to moving an existing mobile home, trailer or manufactured home from one lot inside the City limits to another lot inside the City limits. Any such mobile home or trailer shall not be older than the year 1976.

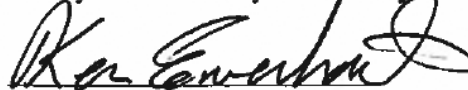
**Section 4. SAVINGS CLAUSE.** Ordinance 1-35 repealed by this ordinance, shall remain in force to authorize the arrest, prosecution, conviction and punishment of a person who violates Ordinance 1-35 prior to the effective date of this ordinance.

**Section 5. SEVERABILITY CLAUSE.** The sections of this ordinance are severable. The invalidity of a section shall not affect the validity of the remaining sections.

**Section 6. EFFECTIVE DATE.** That this ordinance shall be in full force and effect upon passage, approval and publication according to law.

PASSED BY THE COUNCIL of the City of Idaho City this 29 day of March 2022.

APPROVED BY THE MAYOR of the City of Idaho City this 29 day of March 2022.

  
Kenny Everhart, Mayor

ATTEST:

  
Nancy L Ptak, City Clerk