

ORDINANCE NO. ____-24

AN ORDINANCE ESTABLISHING CHAPTER 8.27 OF THE EVANS MUNICIPAL CODE REGULATING THE STORAGE OF RECREATIONAL EQUIPMENT AND VEHICLES

WHEREAS, the City of Evans is a home rule municipality having all powers conferred by Article XX of the Colorado Constitution; and

WHEREAS, the Evans City Council has formed the Citizens Ad Hoc Committee to make policy recommendations regarding the storage of recreational vehicles (RVs), boats, and trailers on residential property; and

WHEREAS, the RV Ad Hoc Committee, comprised of seven Evans residents, were selected by the Mayor and City Council and first met on Tuesday, June 25, 2024, at 6:00 p.m. in the City Council Chambers at the Evans Community Complex in a meeting that was open to the public; and

WHEREAS, the RV Ad Hoc Committee has now made recommendations regarding the regulation of RVs; and

WHEREAS, the Evans City Council desires to establish Chapter 8.27 of the Evans Municipal Code adopting by ordinance the recommendations of the RV Ad Hoc Committee.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANS, COLORADO:

Section 1. Chapter 8.27 of the Evans Municipal Code is hereby established to read in its entirety as follows:

8.27.010 – Intent.

The intent of this Chapter shall be to preserve and enhance property values within the City by requiring certain minimum standards regarding the storage or parking of recreational equipment and vehicles. This Chapter is not intended to replace or supplant any other requirements of this Code, as amended. Where conflicting provisions of the Code are found to exist, the more restrictive provision or the provision with the higher standard, shall govern.

8.27.020 – Definitions.

Recreational Equipment means equipment intended for outdoor recreational use, including, but not limited to, snowmobiles, jet skis, all-terrain vehicles (ATVs), canoes and boats, and including the trailers for transporting such equipment.

Recreational Vehicle means a transportable structure that is primarily designed for seasonal recreational/vacation, camping and travel uses including, but not limited to, boats, travel trailers, campers, snowmobiles, self-propelled motor homes, and similar vehicles/units. For the purposes of this definition, neither a pop-up trailer nor a truck topper accessory (also known as a camper shell) which is not higher than eight inches above the truck cab when installed shall be considered a recreational vehicle. A horse trailer used primarily for transport of horses and/or livestock to or from the site it is stored upon shall not be considered a recreational vehicle under this definition.

Utility Trailer means a trailer with an open-top rear cargo area (bed) capable of hauling light loads whether such hauling be for commercial or recreational purposes.

8.27.030 – Storage and Parking Regulations.

- A. **Public Rights-of-Way.** It is unlawful for any person to park any recreational equipment or recreational vehicle on a public right-of-way, in whole or in part, except for temporary parking or storage of recreational equipment or vehicles used for loading or unloading of personal goods or property for a period not to exceed 48 hours.
- B. **Improved Storage Surface.** Parking or storage of any recreational equipment, recreational vehicle, or utility trailer in the front yard of a residentially zoned lot shall be prohibited unless such recreational equipment, recreational vehicle, or utility trailer is parked or stored in an orderly manner, fully on an improved storage surface which must be kept free of weeds. Parking or storage of any recreational equipment, recreational vehicle, or utility trailer on an improved driveway must not cover more than 50 percent of the improved driveway surface. Storage surfaces shall be paved or be a gravel surface surrounded by a constructed collar of concrete, pavers, or other solid form of edging at least six inches wide and sufficient to contain the gravel fully. Gravel shall be of a depth and density to fully cover the storage area and support the weight of the recreational equipment, recreational vehicle, or utility trailer without ruts or displacement of the gravel. Access to the storage shall be an approved all-weather surface. Except when operating under a guest camping tag as provided under Section 8.27.030.E, recreational vehicles and equipment shall be stored in a manner to appear unoccupied. For example, except for routine maintenance, the slide must not be out, the steps must not be down, or the utility hook-up must not be connected.
- C. **Registration and licenses.** Recreational equipment, recreational vehicles, and utility trailers shall be operable and be current on all registrations or licenses required by law and be legally registered to the occupant of the dwelling where it is stored.
- D. **Dwelling.** Recreational vehicles or equipment stored on a residential property shall not be used for temporary, accessory, or permanent living, except as provided in Subsection E.

- E. **Camping, guests.** Each residential property shall be entitled to one (1) guest camping tag per quarter for a recreational vehicle for a period not to exceed seven (7) consecutive days. Guest camping tags shall be issued by the City Clerk on forms prescribed by the City Manager. The following requirements shall apply:
- (a) No clear vision zone is adversely affected.
 - (b) No part of the RV or attachments obstructs any sidewalk or other right-of-way.
 - (c) RV is not parked in a manner that interferes with the privacy of neighboring properties.
 - (d) The City Manager may grant extensions for one additional week where unusual circumstances warrant. In no event shall an extension be granted more than once in a 365-day period for a single property unless there is a change in ownership or occupancy of the property.
 - (e) Under no circumstances shall wastewater be dumped into the City's sanitary sewer system.
- F. **Storage of junk limited.** No recreational vehicle, recreational equipment, or utility trailer shall be used to store junk, as the term is defined in Evans Municipal Code Section 8.24.020 for a period of more than seven (7) consecutive days.
- G. **Unlicensed commercial work prohibited.** No residential property shall be used for the maintenance of recreational vehicles, recreational equipment, or utility trailers which are not owned by the occupant unless such use is allowed by the adopted zoning regulations and all required permits and/or licenses are issued to the occupant of the property.

8.27.050 Violations and Enforcement.

Violations of this Chapter shall be enforceable under Chapters 1.16 or 1.17 of this Code.

Section 2. Publication and Effective Date. This Ordinance, after its passage on final reading, shall be numbered, recorded, published, and posted as required by the City Charter and the adoption, posting, and publication shall be authenticated by the signature of the Mayor and City Clerk, and by the Certificate of Publication. This Ordinance shall become effective upon final passage.

Section 4. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 5. Repeal. Only parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed. In addition, this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.

INTRODUCED AND PASSED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF EVANS ON THIS _____ DAY OF _____, 2024.

ATTEST:

CITY OF EVANS, COLORADO

Julie Barnett, City Clerk

By: _____
Mark C. Clark, Mayor

PASSED AND ADOPTED ON A SECOND READING THIS _____ DAY OF _____, 2024.

ATTEST:

CITY OF EVANS, COLORADO

Julie Barnett, City Clerk

By: _____
Mark C. Clark, Mayor