

**CITY OF NEVIS
PLANNING AND ZONING ORDINANCE NO. 36**

THE CITY COUNCIL OF THE CITY OF NEVIS, MINNESOTA DOES HEREBY ORDAIN:

**AMENDING ORDINANCE NO. 36
ADDING: DIVISION 97 RV PARKS
WITHIN THE CITY OF NEVIS**

- 97.01 Purpose and Intent.
- 97.02 Definitions.
- 97.03 Maintenance.
- 97.04 Permit Required; Applications.
- 97.05 Locations.
- 97.06 Performance Standards.
- 97.07 Prohibited Conduct.
- 97.08 Inspections; Enforcement; Adverse Permit Action.
- 97.09 Penalty.

97.01 PURPOSE AND INTENT.

The purpose of Division 97 RV Parks District is to regulate and guide the establishment of RV Parks in order to promote secure safety from fire, panic, and other damages, orderly layout of RV Parks, and ensure that facilities for transportation, parking, water, sewage, and recreation are provided for RV Park visitors.

97.02 DEFINITIONS.

The following words, terms and phrases, when used in this ordinance, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

- (A) *Blackwater*. Means sewage from toilets, urinals, and any drains equipped with garbage grinders
- (B) *Recreational Vehicle Park (RV Park)*. Means any area, whether privately or publicly owned, used on a daily, nightly, weekly, or longer basis for the accommodation of recreational camping vehicles free of charge or for compensation.
- (C) *Greywater*. Means sewage that does not contain toilet wastes or waste from garbage grinders.
- (D) *Recreational vehicle (RV)*. Means travel trailers including those that telescope or fold down, chassis-mounted campers, motor homes, tent trailers, and converted buses that provide temporary human living quarters.
- (E) *RV site(s)*. Means a space on a RV Park designed and promoted for the purpose of locating a trailer, tent trailer, pickup trailer, or other similar device used for recreation.

97.03 MAINTENANCE.

All RV Park sites shall be properly maintained in a clean and acceptable manner so as not to constitute a menace to the public health, safety, convenience, general welfare, property values, and aesthetics
All Landscaping shall be properly maintained so as preserve planting a live state and free of noxious weeds.

97.04 PERMIT REQUIRED; APPLICATIONS.

- (A) Permit Required. No person shall operate a RV Park whether existing, expanding, or establishing in the

(B) city without a Conditional Use Permit issued by the city. A permit will be issued administratively pursuant to the provisions of this ordinance, by city staff, provided that the applicant has met all requirements of this ordinance. Permits are non-transferrable.

(C) Permit Types. A permit issued by the city under this ordinance will be a Conditional Use Permit.

(D) Applications must also be accompanied by the following:

(1) Completed Conditional Use Permit Application.

(2) A copy of a valid license issued by the Minnesota Department of Health required under Minnesota State Law.

97.05 LOCATIONS.

A RV Park may only operate in the Commercial District (B-2), and Agricultural District (AT)

97.06 PERFORMANCE STANDARDS.

A RV Park Conditional Use permit holder is subject to the following performance standards, and said permit holder is responsible for the adherence to said standards.

(A) RV Park facilities shall be licensed by and meet the standards prescribed by the Minnesota Department of Health except where the provisions of this Ordinance are more restrictive, upon which the most restrictive provisions shall prevail.

(B) RV sites designed to provide water hook-up shall also provide hook-up to a central sewage disposal system which meets the standards, criteria, rules and regulations of the Minnesota Department of Health and of Ordinance #22 Water System and Ordinance #28 Sewer Use Regulations.

(C) An RV Park which allows camping units with self-contained sewage systems shall provide some acceptable form of on-site sewage disposal for these units (Agriculture (AT) self-contained units, Commercial District (B-2) hook-up to city water and sewer)

(D) Vegetative screening is installed to screen any Residential District (R-1) adjacent to the RV Park.

(E) Off-road parking shall be available to each RV site

(F) Adequate and safe ingress and egress access shall be provided to a public road

(G) RV Parks shall only be open May 1st – October 15th (seasonal)

(H) A storm shelter shall be provided and meet Minnesota State regulations Minnesota Rule Chapter 1370

(I) All RVs parked on a RV site must have current licenses attached at all times.

97.07 PROHIBITED CONDUCT.

It is unlawful for any person or RV to do any of the following:

(A) No blackwater or greywater from RVs shall be deposited on a surface of the ground

97.08 INSPECTIONS; ENFORCEMENT; ADVERSE PERMIT ACTION.

(A) An RV Park operating in the city is subject to inspection by city officials at any time to ensure adherence to this ordinance.

(B) A failure to meet any of the requirements outlined in this ordinance may result in an immediate written order to correct the violation(s) or cease operations by city staff or local law enforcement. A failure to abide by such order is considered a violation of this ordinance.

(C) Additionally, any permit requested or issued pursuant to this ordinance may be denied, suspended, or revoked by a city official if the permit holder has violated any part of this ordinance or is otherwise conducting business in such a manner as to constitute a breach of peace, fraudulent conduct, or any other conduct that is prohibited by local, state or federal laws or regulations. Falsification of information required for a permit is also grounds for denial, suspension or revocation of a permit. The adverse action will become final if the holder does not file an appeal pursuant to this section. When taking adverse action on any permit requested or issued under this ordinance, the city official shall provide the applicant or permit holder, as the case may be, with written notice of the adverse action and reasons for said adverse action. The notice shall inform the person of their right to be heard before the City Council by requesting a hearing within 10 calendar days. The City Council shall only conduct a hearing on an adverse action if such request is made by the aggrieved party in writing within that 10-day period. If a request for a hearing is properly made, the City Council shall conduct the hearing at the next available City Council meeting, and following such hearing, the City Council shall issue a decision based on its findings.

97.09 PENALTY.

Any person who violates any provision of this section shall be guilty of a misdemeanor, and upon conviction shall be subject to no more than the maximum penalties provided in Minnesota Statutes, section 609.02, subd. 3, as amended. Each day a violation continues to exist shall constitute a separate offense.

Passed by the City Council of the City of Nevis, Minnesota, on the ____ day of _____, 20__ and to be published on the ____ of _____, 20__. This ordinance shall take effect and be in force upon its adoption and publication.

Mayor, Jeanne Thompson

Dawn M. Veit, City Administrator