

Arizona Governor Ducey
Attorney General Mark Brnovich
Arizona Department of Tourism
Arizona Commerce Authority

March 10, 2016

cc: Arizona Republic, Tucson Star, Casa Grande TriValley news.

To whom it may concern:

The Pinal County RV Citizen's Committee does not have the resources to hire private counsel to defend the State of Arizona. If the Pinal County Supervisors pass the Pinal County Planning Department's proposal of their new "Occupied RVs use as Temporary Guest Housing" ordinance, there may be significant effects on many state agencies. These would include the Department of Tourism, new Department of Economic Development, and State Treasurer. Every county within the entire state that follows State Administrative Rules would also be impacted. Governor Ducey's proclamation of Canada Week indicates almost a billion dollars of visitor dollars just from Canadians. We, the RV Citizens committee, have not requested the opinion of the Arizona Attorney General for our personal gain but rather to confirm an accurate interpretation of a rule that impacts Arizona tourism. We would again request that you investigate the original intent of Arizona Administrative Code Title 9, Chapter 8, Article 5 TRAILER COACH PARKS. It is our opinion this Article 5 is even older than the 1962 existing Pinal County RV ordinance and does not include modern recreation vehicles.

Dear Mark Brnovich,

March 1, 2016

We were recently in touch with the Governor's office regarding an issue involving Pinal County's interpretation of the Arizona Administrative Code. They referred us to you, suggesting that your office is the appropriate area to address our concerns.

We are a citizens group (numbering approximately 200) in Pinal County that feel that Pinal County Planning and Zoning Department is improperly using Arizona Administrative Code to severely limit and/or exclude property owners in unincorporated areas of the county from having RV guests visit and stay at our properties for short periods of time. Their current proposal is to limit all rural properties in the county to only 1 RV guest at a time and no RV guest on any residential property at any time. They are citing Arizona Administrative Code Title 9, Chapter 8, Article 5 TRAILER COACH PARKS as justification for limiting any property to no more than 1 RV at a time. They are alluding to the section R9-8-512 definitions section F. "trailer coach" means any vehicle including mobile homes having no foundation other than wheels, jacks, or skirting, and so designed or constructed as to permit occupancy for dwelling or sleeping purposes. Removal of the wheels shall not change the meaning of the term." They are saying RVs are covered under section F and thus they have no choice but to limit all properties to no more than 1 RV at a time.

Throughout the entire article(5) there is only reference to "dependent" and "independent" trailer coaches. There is no mention of recreational vehicles. Today's RVs, with their self-contained systems, are nothing like "trailer coaches" that need to be hooked up to a sewer system. It seems beyond the intent of this article(5) to require a property owner to be considered a trailer coach park because he has 2 RV guests visit at the same time. If this article(5) applies to RVs then it would also apply to all semi trucks with sleeper cabs thus making all truck stops trailer coach parks and have to meet all the requirements for said trailer coach parks.

The implications of the Pinal Planning and Zoning Department's interpretation could have extensive consequences for the entire state. Many of us property owners, including a large number of Canadians

that have purchased properties of 1-5 acres as well as U. S. citizens in the unincorporated town of Arizona City will be impacted. The economic impact and negative publicity will be far reaching. There have been several articles in the local papers on this issue in recent weeks.

Please note that as an example, during the winter months of each year in Quartzite Arizona there are many thousands of RVs parked for multiple days without the designation of "trailer coach park".

It is clear to us that article(5) was intended to cover "mobile homes" that are not self-contained. We are asking that your office clarify that the intent of this article(5) does not have to include RVs and semi trucks.

Pinal Citizens Committee

Rich Wist
Ken Parsons

=====

Hello Richard Wist,

March 8, 2016

You may contact the Arizona Legislature Office for assistance interpreting a bill at (602)926-3559 or (602)926-4221.

Our Office acts as legal counsel for State Agencies in Arizona and, therefore, cannot act as a private attorney to individual citizens. This means we cannot give legal advice, opinions or interpretation of law to individuals. If you wish to consult with a private attorney regarding your question, the State Bar of Arizona 602-252-4804 or the Maricopa County Bar Association 602-257-4434 may be able to assist you in locating an attorney at little or no cost. You may also wish to contact the AZ Community Information & Referral System 602-263-8856 to see what other resources might be available to you.

Thank you,
Arizona Attorney General's Office