

**ORDINANCE NO. 5795**

**AN ORDINANCE REGULATING TRAVEL PARKS BY REPEALING CHAPTER 12.44 OF THE RAPID CITY MUNICIPAL CODE AND ADOPTING A NEW CHAPTER 15.52 OF THE RAPID CITY MUNICIPAL CODE.**

WHEREAS, the State of South Dakota has given municipalities the general police power to promote the health, safety, morals, and general welfare of the community; and

WHEREAS, the State of South Dakota has given municipalities the power to regulate buildings and construction; and

WHEREAS, the City of Rapid City desires to eliminate conflicting regulations contained within various Code sections; and

WHEREAS, the Common Council of the City of Rapid City deems it to be in the City's best interests to repeal Chapter 12.44 relating to Travel Parks and adopt a new revised Chapter 15.52 of the Rapid City Municipal Code.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Chapter 12.44 is hereby repealed in its entirety.

**Chapter 12 Travel Parks**

**~~12.44.010 Definitions.~~**

~~— For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.~~

~~— A. — **DEPENDENT UNIT.** Any unit other than a self-contained unit.~~

~~— B. — **RECREATIONAL HOUSING.** Includes travel trailers, park model trailers, camping cabins, pick-up coaches or campers, motorhomes, camping trailers, tents and similar forms of housing or shelter used for recreational purposes. An individual facility of the kind described herein shall hereafter be referred to as a unit.~~

~~— C. — **RECREATIONAL HOUSING SPACE.** The land set aside for the placement of the unit and exclusive use of its occupants and hereafter is referred to as space.~~

~~— D. — **SELF-CONTAINED UNIT.** A unit which can operate independent of external sewer, water and electric systems, containing a toilet, water storage connected to a kitchen sink and holding facilities for all liquid wastes.~~

~~— E. — **TRAVEL PARK.** A plot of ground primarily for use as parking and camping facilities by persons with transportable recreational housing with appropriate accessory uses.~~

**~~12.44.020 Required.~~**

~~—No travel park shall be operated within the city without first obtaining a permit therefor.~~

**~~12.44.030 Application.~~**

~~—A.—An application for a travel park permit shall be as regulated hereunder.~~

~~—B.—The application for a permit shall be filed with and issued by the Building Inspection Department upon approval of the Common Council. Each application shall be accompanied by 3 copies of the plot plan drawn to scale and prepared by a licensed engineer or architect. The copies shall be reviewed and approved by the Building Inspector, the Health Department and the Common Council. The application for a permit shall be accompanied by a minimum fee of \$25 plus \$1 for every 10 spaces or fraction thereof over the minimum of 100 spaces. The following information shall be shown on the application:~~

- ~~—— 1. —Location and legal description of the proposed travel park;~~
- ~~—— 2. —Plans and specifications of all buildings, improvements, facilities and spaces constructed or to be constructed within the travel park;~~
- ~~—— 3. —Proposed use of buildings and spaces shown on the site;~~
- ~~—— 4. —The location and size of all recreational vehicle spaces;~~
- ~~—— 5. —Location of all points of entry and exit for motor vehicles and internal circulation pattern;~~
- ~~—— 6. —The location of all landscaping to be provided;~~
- ~~—— 7. —The location of all lighting and standards thereof to be provided;~~
- ~~—— 8. —Location of all walls and fences indicating height and materials of construction;~~
- ~~—— 9. —Name and address of the applicant;~~
- ~~—— 10. —Such other architectural and engineering data as may be required to permit the Building Inspector and Common Council to determine if the provisions of this chapter are being complied with.~~

**~~12.44.040 Authorization authority.~~**

~~—Travel parks will be allowed only with the approval of the Planning Commission and Common Council.~~

**~~12.44.050 Issuance prior to completion.~~**

~~—The permit may be issued prior to construction or completion thereof; provided, that a time schedule for development shall be prepared, which shall demonstrate the applicant's readiness and ability to provide the proposed services and all requirement improvements and facilities shall be installed within 1 year.~~

**~~12.44.060 Term.~~**

~~—Travel parks will be licensed annually and a fee will be charged.~~

**~~12.44.070 Fee.~~**

~~—The permit fee for operating a travel park shall be \$35 per year for the first 10 trailer spaces and an additional \$.50 per year for each trailer space in excess of 10. Any travel park adding a trailer space during a permit year shall pay the sum of \$.50 for each space so added, for the unexpired portion of the year.~~

**~~12.44.080 Applicability.~~**

~~—The following property development standards shall apply for all travel parks established after adoption of this chapter.~~

**~~12.44.090 Area.~~**

~~—No parcel of land containing less than 5 acres may be used for the purpose permitted as a travel park or recreational vehicle park. Parcels containing less than 5 acres and more than 3 acres may be allowed as a conditional use permit in accordance with § [17.54.030](#) and all other provisions of this article.~~

**~~12.44.100 Density.~~**

~~—A travel park shall be subject to the following density requirements: there shall be not less than 1,500 square feet of lot area for each space provided in the travel park; provided, however, that, maximum density shall not exceed 20 spaces per acre within the travel park.~~

**~~12.44.110 Drainage.~~**

~~—The travel park shall be located on a well drained site properly graded to insure rapid drainage and freedom from stagnant pools of water.~~

**~~12.44.120 Yards.~~**

~~—Yards adjacent to public streets shall be a minimum of 25 feet in depth. Yards adjacent to property outside the travel park without an intervening street or other permanent open space shall be at least 75 feet in width; provided, however, that this open space requirement may be reduced to a minimum of 25 feet upon adequate fencing and vegetative screening to protect occupants of adjoining properties from adverse influences within the travel park. All yards shall be landscaped and maintained.~~

#### **~~12.44.130 Internal streets.~~**

~~—Internal streets shall provide safe and convenient access to the spaces in appropriate travel park facilities. Alignment and grade shall be properly adapted to topography. Streets shall be paved with asphalt or portland cement concrete, and provide a well-drained surface. The roadway shall be of adequate width to accommodate anticipated traffic and shall meet the following minimum requirements:~~

~~—A. Entrance and all 2-way roads (no parking): 25 feet;~~

~~—B. One-way (no parking): 12 feet.~~

#### **~~12.44.140 Pedestrian walkways.~~**

~~—Access for pedestrians entering or leaving a travel park shall be by safe and convenient routes. The access need not be adjacent to or in the vicinity of vehicular access points. Where there are crossing of roads for pedestrians at the edge of the travel park, they shall be safely located, marked and controlled where necessary. Adequate provisions shall be made for mutual visibility of drivers and persons crossing at such points.~~

#### **~~12.44.150 Recreation area.~~**

~~—Not less than 10% of the area of the travel park shall be devoted to recreation area. The recreation area may include space for common walkways and related landscaping in block interiors; provided that, the common open space is at least 20 feet in width, as passive recreation space, but shall include at least half of the total required recreation area in facilities for active recreation, such as swimming pools, ball fields, shuffleboard courts, play lots for small children and the like, of a nature designed to serve the type of campers anticipated, and so located as to be readily available from all spaces free from traffic hazards.~~

#### **~~12.44.160 Spaces.~~**

~~—A. Spaces shall be so located in relation to internal streets as to provide for convenient vehicular ingress and egress if the space is intended for use by wheeled units.~~

~~—B. Where back in or back out spaces are used, appropriate maneuvering room shall be provided in the adjacent internal street and within the space, and where there are obstacles within potential maneuvering areas which might not be seen by a driver, the limits of the safe area shall be indicated in a manner clearly visible to the driver and ground blocks may be required to prevent backing into obstacles.~~

~~—C. That spaces be numbered to facilitate location by emergency vehicles.~~

~~—D. Where reasonably possible without excessive destruction of trees or other vegetation, particularly in campgrounds or portions of campgrounds intended for use by travel trailers, preference shall be given to a pull through arrangement, so that no backing is necessary.~~

~~—E.— Where spaces are to be used exclusively for erection of tents on the ground, it shall not be required to provide for vehicular access onto such spaces, but parking areas shall be provided within 100 feet thereof.~~

~~—F.— No minimum dimensions are specified for spaces, but each shall provide a stand (unless used exclusively for erection of tents with no vehicles permitted) and the clearance and open spaces specified herein and the boundaries of each stand and space shall be clearly indicated.~~

~~—G.— Spaces for dependent units shall be located within at least 300 feet by normal pedestrian routes of toilet, washroom and bath facilities. Spaces for self-contained units operating as such may be located more than 300 feet, but not more than 500 feet by normal pedestrian routes of toilet, washroom and bath facilities.~~

#### **~~12.44.170 Stands.~~**

~~—A.— Stands shall be of such size and be so located and improved in the spaces as to provide for the types of units which are intended to use them. Thus, where use by wheeled units is intended, vehicular access must be provided to the stand. If use is to be restricted to tents to be erected on the ground, the stand shall have a level surface suitable for erection of a tent, free of rocks, roots or other impediments to the driving of pegs to the depth of at least 8 inches, and graded and drained to prevent flow of surface water into or under tents erected on it. Stands for wheeled units shall provide a smooth, hard, dense, well-drained, dust-free surface level or of a grade not to exceed 5%. Stands shall be so located that when used clearances from units, including attached awnings and the like shall be as follows:~~

~~—— 1.— From units on adjoining stands: 15 feet;~~

~~—— 2.— From common walkways, internal streets or parking areas: 15 feet;~~

~~—— 3.— From buildings containing uses not likely to disturb stand occupants: 15 feet;~~

~~—— 4.— From portions of buildings containing uses which would be disturbing to stand occupants: 25 feet.~~

~~—B.— Within each space there shall be provided a living area suitably located and improved for outdoor use by occupants of units not to be occupied by units or towing vehicles, such space to be at least 10 feet minimum dimension and 200 square feet in area and so located as to be~~

~~(Prior code § 19-22 (i))~~

#### **~~12.44.180 Parking.~~**

~~—No parking shall be permitted upon the internal streets of the travel park and vehicle parking space shall be provided within each space or where tent facilities are utilized within a common area.~~

#### **~~12.44.190 Electrical hookups.~~**

~~— Each space shall be equipped with 1 electrical hookup, 120 volts, 30 ampere with ground on conduit support. All electrical lines shall be installed underground. Electric hookups must meet the standards of the National Fire Protection Association Code 501 D-1971 A119.4-1971 for recreational travel parks.~~

#### **~~12.44.200 Water connections.~~**

~~— Each space shall include 1 water connection with ¾-inch riser valve and ¾-inch hose bib. All water installations shall conform to the state plumbing code and current building codes adopted by the City of Rapid City, as amended. The trailer court water system shall be adequate to provide 15 pounds per square inch of pressure at all spaces.~~

#### **~~12.44.210 Sewer hookups.~~**

~~— A minimum of 10% of the spaces shall be provided with sewer hookups. Such sewer hookups shall be installed pursuant to the requirements of the state plumbing code and the current building codes as adopted by the city.~~

#### **~~12.44.220 Toilet, washroom, bathing facilities.~~**

~~— A. — A travel park containing one hundred spaces or less, shall provide toilet, washroom and bathing facilities of the following minimums:~~

~~—— 1. — Men: 4 shower stalls or 3 unisex showers, 2 water closets, 2 urinals, 4 lavatories;~~

~~—— 2. — Women: 4 shower stalls or 3 unisex showers, 4 water closets, 4 lavatories.~~

~~— B. — The same ratio shall apply for additional dependent sites and half of the facilities shall be required for additional self-contained sites. All such facilities shall be constructed and installed pursuant to city's Building Code and state's Plumbing Codes.~~

#### **~~12.44.230 Service buildings.~~**

~~— Each travel park shall be provided with a management office for management of the park and to provide services therefore. Such building office shall be constructed according to the current building code requirements adopted by the City of Rapid City. The management office may provide for sale or rental of supplies or for provision of services for satisfaction of daily or frequent needs of campers within the park, including providing groceries, ice, sundries, self-service laundry equipment and the like, but not sale of gasoline to automobiles.~~

#### **~~12.44.240 Dumping station.~~**

~~— Each park shall include a sanitary dumping station to be so located as not to create a traffic hazard on the main or circulating roads, nor to be a health hazard to the occupants of the park. Such dumping station shall be constructed to meet the minimum requirements of the state plumbing code, the current building codes adopted by the City of Rapid City, and other applicable ordinances and regulations, and shall meet the approval of the health department.~~

**12.44.250 Fireplaces and cooking shelters.**

~~—Where fireplaces, cooking shelters or similar facilities for open fires or outdoor cooking are provided within spaces or elsewhere, they shall be so located, constructed, maintained and used as to minimize fire hazards, smoke nuisance within the park and in adjoining areas. Fuels used in outdoor fireplaces and grills must be restricted to wood, gas or charcoal.~~

BE IT FURTHER ORDAINED by the City of Rapid City that a new Chapter 15.52 be created to read as follows:

**CHAPTER 15.52 TRAVEL PARKS**

Section

- 15.52.010 Definitions
- 15.52.020 Travel Parks – License Required.
- 15.52.030 Expiration.
- 15.52.040 Refunds.
- 15.52.050 Building Permit Required.
- 15.52.060 Area Regulations.
- 15.52.070 Density.
- 15.52.080 Accessory Buildings and Structures.
- 15.52.090 Permit Exemptions – Building and Zoning Codes.
- 15.52.100 Property Maintenance.
- 15.52.110 Junk Cars and Nuisances.
- 15.52.120 Internal Vehicular Circulation.
- 15.52.130 Fireplaces and cooking shelters.
- 15.52.140 Signage.
- 15.52.150 Recreational Housing Space Numbering.
- 15.52.160 Drainage.
- 15.52.170 Sewer and Water.
- 15.52.180 Parking.
- 15.52.190 Sewage Dumping Stations.
- 15.52.200 Industrial Pre-Treatment.
- 15.52.210 Violation-Penalty.
- 15.52.220 Appeals.
- 15.52.230 Non-conforming Travel Parks.
- 15.52.240 Expansion of Non-conforming Travel Parks.
- 15.52.250 Inspections.
- 15.52.260 Road Maintenance and Snow Removal.
- 15.52.270 Garbage Removal.

**15.52.010 Definitions.**

For the purpose of this chapter, the following definitions shall apply:

**RECREATIONAL HOUSING** Includes travel trailers, park model trailers, camping cabins, pick-up coaches or campers, motorhomes, camping trailers, tents and similar forms of housing or shelter used for recreational purposes. An individual facility of the kind described herein shall hereafter be referred to as a unit.

**RECREATIONAL HOUSING SPACE.** The land set aside for the placement of the unit and exclusive use of its occupants and hereafter is referred to as space.

**SELF-CONTAINED UNIT.** A unit which can operate independent of external sewer, water and electric systems, containing a toilet, water storage connected to a kitchen sink and holding facilities for all liquid wastes.

**TRAVEL PARK.** A plot of ground primarily for Recreational Housing and camping facilities by persons with transportable recreational housing with appropriate accessory uses.

**DEPENDENT UNIT.** Any unit other than a self-contained unit.

#### **15.52.020 Travel Parks – License Required.**

Every lot or parcel where there exists Recreational Housing shall apply for and obtain a permit annually. The permit application shall be provided by the Finance Officer. The applications shall be due by July 30 of every year. The fee shall be \$50 for each travel park having up to 10 recreational housing space, and an additional \$2 for each space in excess of 10. For any Travel Park found not to be in compliance, there shall be a re-inspection fee as provided in Table 100C of the International Building Code. This re-inspection fee shall be charged each time a Travel Park is re-inspected. The number of spaces in the park shall be the same as the number of spaces indicated on the application. Increasing the number of spaces within a Travel Park shall be done in compliance with Title 15.52 and Title 17. Travel Parks shall be in compliance with all the requirements of this Chapter prior to the issuance of a permit by the Finance Officer.

#### **15.52.030 Expiration.**

All Travel Park permits shall expire on July 31, 2012 and every July 31 thereafter. A 60 day grace period may be requested in writing to the Finance Officer. Such extensions may be granted for good cause.

#### **15.52.040 Refunds.**

Travel Park permit fees are non-refundable.

#### **15.52.050 Building Permit Required.**

A building permit is required for every new Travel Park or expansion of a Travel Park, and must be obtained at the Growth Management office. Separate permits are also required for any gas, plumbing, electrical and mechanical work within the Travel Park or when altering



services for self-contained units. All work shall comply with the currently adopted zoning, building, gas, plumbing, electrical and mechanical codes. The fees for permit applications shall be identical to the current building code fee schedule adopted by the City.

#### **15.52.060 Area Regulations.**

Recreational house units, main and accessory structures and playgrounds shall be setback from exterior property boundaries per the area regulations in the applicable zoning district.

Recreational housing units shall be separated from adjacent recreational housing units, main and accessory structures and playgrounds by not less than 15 feet.

Recreational housing units shall be setback from fire lanes by not less than 5 feet.

Recreational housing units, main and accessory structures within the travel park shall not exceed height restrictions per the applicable zoning district.

Spaces for dependent units shall be located within 300 feet of toilet, washroom and bath facilities. Spaces for self-contained units operating as such may be located more than 300 feet of toilet, washroom and bath facilities.

#### **15.52.070 Density.**

A travel park shall be subject to the following density requirements: there shall be not less than 1,500 square feet of lot area for each space provided in the travel park; provided, however, that, maximum density shall not exceed 20 spaces per acre within the travel park.

#### **15.52.080 Accessory Buildings and Structures.**

Accessory garages, carports, sheds, swimming pools and decks are permitted. Permits are required in the same manner as for all building permits as provided for in the current building code adopted by the City. Swimming pool shall be grounded in accordance with the National Electrical Code.

#### **15.52.090 Permit Exemptions – Building and Zoning Codes.**

Any permit exemptions allowed by the current Building and Zoning Codes, or any other Code adopted by the City shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Chapter.

#### **15.52.100 Property Maintenance.**

All Travel Parks, including any self-contained unit, shall be in compliance with the currently adopted International Property Maintenance Code.

#### **15.52.110 Junk Cars and Nuisances.**

All Travel Parks shall be free from junk, unlicensed vehicles and nuisances per Title 8 of the Rapid City Municipal Code.

### **15.52.120 Internal Vehicular Circulation.**

Internal roadways shall provide access to the recreational housing spaces in travel park facilities. Roadways shall be paved with asphalt or portland cement concrete, and provide a well-drained surface. The roadway shall be of adequate width to accommodate anticipated traffic and shall meet the following minimum requirements:

- A. Entrance and all 2-way roads (no parking): 25 feet;
- B. One-way (no parking): 12 feet.

New or altered internal roadways shall be designed by a professional engineer licensed in the State of South Dakota. Roadway alignment and grades shall be in accordance with the Infrastructure Design Criteria Manual (current edition).

Fire lanes shall be constructed and maintained as per the current adopted Fire Code. Driving surfaces shall be able to withstand the loads of vehicular traffic and fire services apparatus.

### **15.52.130 Fireplaces and cooking shelters.**

Where fireplaces, cooking shelters or similar facilities for open fires or outdoor cooking are provided within spaces or elsewhere, they shall be so located, constructed, maintained and used as to minimize fire hazards, smoke nuisance within the park and in adjoining areas. Fuels used in outdoor fireplaces and grills must be restricted to wood, gas or charcoal.

### **15.52.140 Signage.**

The entrance to each row of within a Travel Park shall have a directional sign with a minimum of 4 inch numbers indicating the space numbers in each row. Each Travel Park shall display an identification sign containing the name, phone number and address of the Travel Park. Advertising signs within the Travel Park shall be subject to the provisions of the current Sign Code adopted by the City.

### **15.52.150 Recreational Housing Space Numbering.**

Recreational house space numbers shall be no less than 3 inches in height, placed at the same location for each space, readily visible from fire lanes. Recreational house space numbering shall be subject to review at every annual license renewal to ensure continual compliance.

### **15.52.160 Drainage.**

Travel Parks shall be constructed or placed in such a manner so as to ensure adequate drainage and protect property and improvements in accordance with the Infrastructure Design Criteria Manual (current edition).

### **15.52.170 Sewer and Water.**

Sanitary sewer and water supply systems shall be properly maintained at all times. New or replacement water and sewer distribution and collection systems shall be in accordance with the provisions of Title 13 of this code, Infrastructure Design Criteria Manual, Master Utility Plan and City Standard Specifications for Public Works Construction (current edition).

### **15.52.180 Parking.**

There shall be established and maintained within each park two parking spaces per Recreational Housing Space. There shall also be 1 additional parking space per eight recreational housing space for use by guests. In no case shall parking be less than required in Title 17.50.270 of this ordinance.

### **15.52.190 Sewage Dumping Stations.**

Sewage Dumping Stations shall be in accordance with the provisions of Title 13 of this code, the Infrastructure Design Criteria Manual, and City Standard Specifications for Public Works Construction (current edition).

### **15.52.200 Industrial Pre-Treatment.**

A travel park shall be considered a commercial user. No Travel Park shall discharge wastewater to the wastewater facilities without having a valid industrial waste permit issued by the Director of Public Works in accordance with Title 13.08.260 of this ordinance. Industrial Pre-treatment shall be applied to the Travel Park, inclusive of the sewer services and any sewage dumping stations.

### **15.52.210 Violation-Penalty.**

Wherever in this chapter an act is prohibited or is made or declared unlawful, or the doing of any act is required or the failure to do any act is declared to be unlawful, any person who shall be convicted of any such violation shall be fined and jailed in accordance with the City's general penalty RCMC § 1.12.10. Each day any violation of this chapter continues shall constitute a separate offense.

### **15.48.220 Appeals.**

- A. Any person directly affected by a decision, notice or order of the code official under this Code shall have the right to appeal to the International Property Maintenance Code Board of Appeals, provided that a written application for appeal is filed with the City Building Official or their authorized designee within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

- B. Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.
- C. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official, any member of the City staff, or any person whose interests are affected shall be given an opportunity to be heard.
- D. The decision of the code official shall only be modified or reversed upon a majority vote of the members present. The decision of the Board shall be final.

**15.52.230 Non-conforming Travel Parks.**

A legal non-conforming Travel Park or accessory structure existing at the time of the adoption of this chapter may be continued and maintained except as otherwise provided in this chapter. Signage, space numbering, and fire lane markings shall conform to the provisions of this chapter at all times.

**15.52.240 Expansion of Non-conforming Travel Parks.**

Travel Parks shall not be expanded in area or by number of spaces without first being in compliance with this Chapter and Chapter 17.

**15.52.250 Inspections.**

- A. The Fire Chief or his designee and/or the Building Official or his designee are authorized and directed to make inspections to determine the condition of Travel Parks located in the city in order that they may perform their duties of safeguarding the health and safety of occupants of the Travel Park.
- B. The Fire Chief or his designee and/or the Building Official or his designee shall have the power to enter at reasonable times upon any Travel Park for the purpose of inspecting and investigating conditions relating to the enforcement of this chapter. It shall be the duty of the owner or occupant of the Travel Park or the person in charge thereof to give the Fire Department free access to such Travel Park at reasonable times for the purpose of inspections.

**15.52.260 Road Maintenance and Snow Removal.**

The owner of each Travel Park shall be responsible for road maintenance and snow removal within the Travel Park.

**15.52.270 Garbage Removal.**

Garbage removal shall be as provided for in Title 8 of the Rapid City Municipal Code.

CITY OF RAPID CITY

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Mayor

ATTEST:

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Finance Officer

(SEAL)