

**EXETER TOWNSHIP
LUZERNE COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 10-7-15
(AMENDED RECREATIONAL VEHICLE ORDINANCE)**

**AN ORDINANCE AMENDING ORDINANCE NO. 0001 OF 2000, ALSO KNOWN AS
THE RECREATIONAL VEHICLE ORDINANCE, TO CONFORM TO THE
APPLICABLE PROVISIONS AND REQUIREMENTS OF EXETER TOWNSHIP'S
FLOOD PLAIN MANAGEMENT ORDINANCE (NO. 10-22-12) AND OTHER
APPLICABLE FEDERAL AND STATE LAWS**

WHEREAS, Exeter Township enacted its Recreational Vehicle Ordinance (No. 0001 of 2000) on July 3, 2000; and

WHEREAS, in accordance with Federal and State laws and requirements, Exeter Township enacted its Flood Plain Management Ordinance (No. 10-22-12) on October 22, 2012; and

WHEREAS, some of the provisions of the aforementioned Ordinances are in conflict; and

WHEREAS, Exeter Township has determined that it is in the best interest of the Township and is also legally required to amend the Recreational Vehicle Ordinance to conform to the applicable provisions of the Flood Plain Management Ordinance.

NOW THEREFORE, the Board of Supervisors of Exeter Township, Luzerne County, Pennsylvania does hereby **AMEND, ENACT** and **ORDAIN** the Recreational Vehicle Ordinance as follows:

Section 1. Definitions.

Recreational Type Vehicles: The term includes, but is not limited to campers, travel trailers, park trailers, mobile homes and other similar wheeled vehicles designated to be transported over public highways and defined in the Flood Plain Management Ordinance. A Recreational vehicle is a vehicle which is:

- a. built on a single chassis;
- b. not more than 400 square feet, measured at the largest horizontal projections;
- c. designed to be self-propelled or permanently towable by a light-duty truck,
- d. not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Manufactured home: A structure, transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when attached to the required utilities. The term includes park trailers, travel trailers, recreational and other similar vehicles which are placed on a site for **not** more than 180 consecutive days.

The term "Building Permit Officer" as that term is used in Ordinance No. 0001 of 2000, shall be replaced by "Zoning Officer."

Section 2. Applications.

Pursuant to the Flood Plain Management Ordinance, a variance is hereby required for all recreational type vehicles to be placed on a site in Exeter Township in Zones A, A1-30, AH, and AE of the National Flood Insurance Program's (NFIP) Flood Insurance Rate Map.

A variance must be applied for and approved before any permit can be issued under this Ordinance and Ordinance No. 0001 of 2000. A fee will be charged by Exeter Township in the amount of \$50 for all variance requests. The Floodplain Administrator has the sole authority under this Ordinance to grant a variance. If a variance is granted, the Zoning Officer has the sole authority to issue a permit consistent with this Ordinance and Ordinance No. 0001 of 2000.

In reviewing any request for a variance, Exeter Township shall consider, at a minimum, the following:

1. That there is good and sufficient cause.
2. That failure to grant the variance would result in exceptional hardship to the applicant.
3. That the granting of the variance will
 - a. neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, or extraordinary public expense,
 - b. nor create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable state or local ordinances and regulations.

Within any Identified Floodplain Area, recreational vehicles shall be prohibited. If a variance is obtained in accordance with the criteria in Article VIII of the Flood Plain Management Ordinance and as set forth immediately above, then the following provisions apply:

Recreational vehicles in Zones A, A1-30, AH and AE must either:

1. be on the site for fewer than 180 consecutive days, and
2. be fully licensed and ready for highway use, or
3. meet the permit requirements for manufactured homes in Section 5.06 of the Flood Plain Management Ordinance.

If a variance is granted, a permit for a recreational type vehicle may be issued by the Zoning Officer to be valid for a maximum of 180 days. Said permits are valid only from April 15th to October 12th in any calendar year, and recreational type vehicles may be placed on a site during the aforementioned period of time only. There shall be no recreational type vehicles on a site from October 13th through April 14th of the following year.

All permits issued hereunder are vehicle specific and not site specific.

Section 3. Severability.

The provisions of this Ordinance are severable, and in the event that any provision is held invalid, void, illegal, or unconstitutional by any court, it is the intent of the Board of Supervisors that such determination by the Court shall not affect or render void the remaining provisions of this Ordinance. It is the declared intent of the Board of Supervisors that this Ordinance would have been enacted if any provision subsequently declared to be void, invalid, illegal or unconstitutional had not been included at the time of enactment.

Section 4. Effective Date.

This Ordinance shall take effect five (5) days from the date of adoption.

Section 5. Enforcement.

The Zoning Officer or the Floodplain Administrator shall administer and enforce this Ordinance.

Section 6. All other terms, conditions, and provisions of the Recreational Vehicle Ordinance, No. 0001 of 2000, shall remain in full force and effect unless inconsistent herewith.

This Ordinance is being enacted so that Exeter Township's laws relating to recreational type vehicles conform to the requirements of the Flood Plain Management Ordinance, No. 10-22-12. If there are any conflicts between this Ordinance and the Flood Plain Management Ordinance, the Flood Plain Management Ordinance shall prevail.

AMENDED, ENACTED and ORDAINED this 7TH day of OCTOBER, 2015.

THE BOARD OF SUPERVISORS OF
EXETER TOWNSHIP

By: John Coolbaugh
John Coolbaugh, Chairman

ATTEST:

Mary Frances Martin
Mary Frances Martin, Secretary

**EXETER TWP EMERGENCY DATA & DOCUMENTATION
CONTACT & REMOVAL IN EXECUTING THE EVACUATION SHOULD ONE BE DECLARED
ORDINANCE #0001 OF 2000/ #10-22-12/7-1-15**

FULL NAME OF RESPONSIBLE PERSON TO CONTACT

Name _____
Address _____
Home Phone _____
Cell Phone _____
E-Mail _____

SECONDARY CONTACT RESPONSIBLE PERSON TO CONTACT

Name _____
Address _____
Home Address _____
Cell Phone _____
E-Mail _____

RECREATIONAL TYPE VEHICLE MFG / COLOR / LICENSE PLATE

MFG _____
COLOR _____
LICENSE PLATE #'S & STATE _____

Documentation narrative explaining plans for removing the vehicle and property contents in an executing the evacuation should one be declared by Exeter Township or Luzerne County.

Additional put on back of this document

Exeter Twp Luz.Co. Emergency Manager/Floodplain Admin. Approved Date _____

EXETER TOWNSHIP Luz.Co. Pa. ORDINANCE #10-7-2015

PENNSYLVANIA FLOOD PLAIN MANAGEMENT ACT OF 1978 TWP#10-22-12

VARIANCE REQUIREMENTS FOR RECREATIONL TYPE VEHICLES SECTIONS

CHECK LIST FOR COMPLIANCE

Start and End Dates for being on site for fewer than 180 consecutive days

Start Date of APRIL 15 End Date of October 12

Proof of being fully licensed and ready for highway use (Copy of Registration attached)

Recreational vehicle is not more than 400 square feet, measured at the largest horizontal projections

Not designed for use as a permanent dwelling, but as temporary quarters for recreational ,camping,travel, or seasonal use.

Documentation and Emergency data will be provide to the Township concerning Emergency removal plans,including the names of responsible persons to be contacted who will effect removal from site (Information Attached)

Appurtenant structures or permanent editions which would obstruct the removal of unit from its site are not permitted

Vehicle owners shall insure sites are not used for storage and removal of vehicle from site said site shall be cleaned of garbage and debris, and restored to its preoccupied status.

Each recreational type vehicle owner or site shall maintain appropriate sewage containment such as port-a-john, and each vehicle owner shall provide proof of appropriate sewage disposal to Township official upon request.

Burn Ordinance shall be enforced on material and size of camp fires.

Information was reviewed by the Township Officials

Exeter Township Zoning Date Floodplain Administrator Date

PERMIT ISSUED ON

Copy received by applicant Date: