Ordinance ___

Councilmember Trusler introduced the following Ordinance and moved for its adoption, which motion was seconded by Councilmember Gibb. The Ordinance being in the following words and figures:

"AN ORDINANCE PROHIBITING THE USE OF RECREATIONAL VEHICLES AND TENTS AS PERMANENT DWELLINGS"

WHEREAS, pursuant to the authority granted by W. Va. Code §§ 8-11-1, et seq., the council of the TOWN OF MARLINTON desires to enact an ordinance, to be known as § 150.250 of the Code of the Town of Marlinton, West Virginia, prohibiting the use of recreational vehicles and tents as permanent dwellings within the corporate limits of the Town.

NOW, THEREFORE, THE TOWN OF MARLINTON HEREBY ORDAINS:

150.250 - USE OF RECREATIONAL VEHICLES AND TENTS AS DWELLING PROHIBITED.

(A) For purposes of this section, a "recreational vehicle" shall include, but not be limited to the following:

(1) "Camper" - a separate vehicle or structure designed for human habitation and which can be attached or detached from a pickup truck. Campers include unmounted campers, truck campers and overhead campers.

(2) "Camping trailer" - a type of trailer or trailer coach, the walls of which are so constructed as to be collapsible and made from either canvas or similar cloth, or some form of rigid material such as fiberglass, plastic or metal. The walls are collapsed while the recreational vehicle is being towed or stored and are raised or unfolded when the vehicle becomes temporary living quarters and is not being moved.

(3) "Motor home" - a vehicular portable structure built on a chassis primarily designed to provide temporary living quarters for travel, camping, recreation and vacation uses.

(B) For purposes of this section, a "tent" shall include, but not be limited to a collapsible shelter of fabric (such as nylon or canvas) stretched and sustained by poles which is primarily used for camping outdoors or as a temporary building.

(C) The use of recreational vehicles or tents for permanent living, sleeping or housekeeping and its connection to utility services (other than for periodic maintenance and/or repair purposes) shall be prohibited on any private or public property within the corporate limits of the Town of Marlinton.

(D) Any recreational vehicle or tent situated on private property for the purpose of storage must abide by all setback codes and fire codes pursuant to the Town Code.

(E) The provisions set forth herein shall not apply to those recreational vehicles permitted by variance pursuant to § 92.004 of the Town Code.

This Ordinance shall be effective upon passage

I, the undersigned Recorder of the Town of Marlinton, State of West Virginia, do hereby certify that the foregoing amendment to an Ordinance was duly passed and adopted by the Town Council of the Town of Marlinton, and that the proposed Ordinance was read by title at not less than three (3) meetings of the Town Council with at least one (1) week intervening between each meeting, and that the Ordinance is now in full force and effect.

07/01/24
Passed First Reading

_____
Passed Second Reading

_____
Passed Third Reading

_____
Mary K. Clendenen, Recorder