

Ordinance No. 240

An Ordinance providing for the health, safety and general welfare of the residents of Port Huron Township, adopted to amend Sections 40-3 and 40-786 Item of the Charter Township of Port Huron Code of Ordinances, adding new definitions and regulating the use and parking of Commercial & Recreational Vehicles within Port Huron Township.

THE CHARTER TOWNSHIP OF PORT HURON, ST. CLAIR COUNTY, MICHIGAN, ORDAINS:

Section 1: The following definitions shall be modified or added to the Port Huron Township Zoning Ordinance, Sec.40-3 or shall be amended therein, as appropriate as follows:

Recreational unit: Any vehicle used for recreational, sport, or hobby activity normally transported to and from its general location of activity in or on a recreational vehicle or trailer, such as but not limited to a boat, ATV, snowmobile, motorcycle or other motorized vehicle, or large non-motorized vehicle such as a manned glider or winged vehicle.

Recreational Vehicle: A vehicular unit for recreational, sport, camping, hobby or travel use or a unit designed or in the process of being altered in such a manner to provide temporary living quarters. It may have motorized power or may be designed to be drawn by a motor vehicle. The term shall include but is not limited to, a motor home, a travel trailer, folding or tent trailer including a camper designed for mounting on a pickup truck or a converted van or bus.

Trailer: A vehicle without motorized power, designed to be drawn by a motor vehicle, to be used for carrying property including, but not limited to a boat, motorcycle, ATV snowmobile or other similar recreational units or equipment for, camping, travel, utility, sport, hobby or other similar use.

Section 2: Section 40-786. Off Street Parking Requirements, "item (f) Commercial and Recreational Vehicle Parking in Residential Districts" of the Port Huron Township Zoning Ordinance shall be repealed and replaced with the following:

(f) Commercial and Recreational Vehicle Parking.

- 1) Commercial Vehicle Parking. The parking of commercial vehicles and trailers, shall be regulated as listed below:
 - a. Motorized Vehicles. No more than one commercial vehicle, with a rated capacity not to exceed a Class 4 rating with a gross vehicle weight not to exceed 16,000 pounds, if it is the sole means of transportation to and from work for one or more of the permanent residents and no more than one personal vehicle with a commercial wrap or other commercial advertising, may be parked on a residential lot. The vehicle must not be a tank type of vehicle, such as a septic tank pumper or hauler, or other vehicle that carries trash, flammable or toxic materials, or other vehicle deemed similar by the Zoning Administrator. A tow truck, wrecker or other similar vehicle may only be allowed if not in service with a vehicle in tow or carry. Vehicles

used during normal business hours for service or construction may be parked on site, provided they comply with all health, safety and welfare concerns of the Fire, Police, Road Commission, DPW, Zoning and Planning departments.

- b. Non-motorized. No more than one commercial utility or other trailer, with advertising or being used for business purposes shall be stored outside unless otherwise permitted by ordinance. Any such trailer shall be counted as one of 4 allowed recreational vehicles or trailers permitted on a residential lot and shall comply with the regulations listed in this ordinance, including parking as required for recreational vehicles.
- 2) Recreational Vehicle Parking. Recreational vehicles, units, trailers and other similar vehicles or equipment, as defined in this ordinance, may be parked or stored by the owner on residentially-used property, with a principal residence, subject to the following conditions:
- a. Connection to utilities. Recreational vehicles parked or stored shall not be connected to gas or sanitary sewer facilities.
 - b. Use as living quarters. Except as temporarily permitted in this ordinance by the issuance of a Zoning Permit, at no time shall recreational vehicles;
 - 1. Be parked or stored in residential zoning districts to be used for living or housekeeping purposes, except in compliance with this ordinance.
 - 2. Be parked or stored in other than residential zoning districts to be used for living or housekeeping purposes, except as allowed in approved campground or RV facilities.
 - c. Location. Recreational vehicles, units and trailers, not parked in a garage, shall be parked or stored entirely in the rear or side yard, but not less than three feet from an exterior residential wall and one foot to a side or rear property line which abuts a residential use. On a corner lot, recreational vehicles, units and trailers may not be parked in a front yard setback as defined in the ordinance.
 - d. Temporary parking. Notwithstanding the regulations concerning location, recreational vehicles may be parked elsewhere on the premises prior to or after a trip for loading or unloading purposes for a period of not more than 48 hours, excluding Saturday and Sunday.
 - e. Lot coverage & Number of Vehicles. Recreational vehicles, units or trailers stored outside of completely enclosed detached accessory structures may not occupy more than 20% of the existing or required rear yard and must also comply with the following:
 - 1. No more than a total of 4 individually parked or stored recreational vehicles, units or trailers with multiple recreational units, for use by the occupants of the residence, may be stored outside at any one time.
 - f. Condition. Recreational vehicles, units and trailers parked or stored outside must be kept in good repair. Vehicles must be capable of being drawn or moved from place to place under their own power, as designed and must be maintained in good

- running condition. All such vehicles must be properly registered in the name of the occupant of the dwelling unit and, if required, have a current state license attached.
- g. Storage of mobile homes. The parking or storage of a mobile home as defined in this ordinance, being designed as a permanent structure for residential occupancy, is prohibited, except as allowed as the principal residence on a residential property on a permanent foundation or as may be permitted in an approved mobile home park.
 - h. Waiver of regulations. The provisions concerning connection to utilities and use as living quarters and its location may be waived for up to two, two week periods, to permit repair of the occupant's or owner's equipment or to permit the parking of a recreational vehicle of a guest. Any such waiver shall be obtained by submitting a zoning permit, subject to the review and approval of the zoning administrator and the fire department for the safety, health and welfare of the township residents.
 - i. Multiple-family complexes and mobile home parks. The planning commission may require that a screened storage area be provided on the site of a multiple-family complex or mobile home park for parking and storage of recreational vehicles.
- 3) Vehicle Storage and Repair Prohibited. The following are prohibited and/or regulated in all districts as follows:
- a. Inoperable or Unlicensed Vehicles. The outside storage of an inoperable or unlicensed motor vehicle as defined in the state vehicle code, unless specifically authorized for storage by the Planning Commission.
 - b. Storage. The outside storage of any utility trailer, or other recreational vehicle as defined in this chapter, except in compliance with the other requirements of this ordinance or as allowed elsewhere in this ordinance, or as approved by the Planning Commission.
 - c. Repair or maintenance. Vehicles maintained or repaired on or at a residence must be registered to the owner or occupant of the property. All maintenance or repairs in excess of 48 hours excluding Saturday and Sunday, must be conducted entirely within an enclosed garage or other enclosed structure approved for such purpose by the township.
 - d. Vacant property. The outside storage of any utility trailer, or other recreational vehicle, as defined in this chapter on any vacant parcel of property.
 - e. Vehicles for Sale. Only one vehicle may be allowed to be displayed for sale at any time, for a period of up to a month, in the front yard setback of a legally occupied principle residence, by the owner or occupant of the property and must display valid contact information and be promptly removed if sold or if the required information cannot be verified by the code enforcement officer with the owner or occupant of the property.

Section 3. Penalties. Any failure to comply with any part of this Ordinance, or to maintain and/or protect the safety of the animals, the property, and/or neighboring property shall be

considered a violation of the Ordinance and subject to a Municipal Civil Infraction, and/or other action as deemed necessary by the Township.

Section 4. Severability. Should any provision or part of the Ordinance within be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this Ordinance which shall remain in full force and effect.

The above Ordinance was offered for adoption by Township Board Member _____, and was seconded by Township Board Member _____, the vote being as follows:

YEAS: _____

NAYS: _____

ABSTAIN/ABSENT: _____

ORDINANCE DECLARED ADOPTED:

EFFECTIVE DATE: JULY 5, 2017

By: Benita Davis, Clerk
Charter Township of Port Huron

CERTIFICATION

I hereby declare that the above is a true copy of an Ordinance adopted by the Charter Township of Port Huron Board at a board meeting held on June 19th, 2017, at the Charter Township of Port Huron Hall, pursuant to the required statutory procedures.

Dated: _____

Benita Davis, Township Clerk
Charter Township of Port Huron