

ORDINANCE NO. 20**AN ORDINANCE REGULATING CAMPING IN TELLER COUNTY**

WHEREAS, the Board of County Commissioners has authority pursuant to C.R.S. 30-11-101, 30-28-102, 30-28-115, and 30-28-116 to promulgate regulations governing zoning and land use and to promote the health, welfare, and safety of the inhabitants of the County; and

WHEREAS, the Teller County Board of County Commissioners adopted the current Teller County Land Use Regulations on 12-06-07, effective 01-01-08 as amended on 12-13-18, which contain regulations pertaining to Camping in Section 2.4.

WHEREAS, camping is permitted as a use by right in all residential zones and the agricultural zone (A-1); and

WHEREAS, the Teller County Planning Department is the appropriate agency to manage camping and camping regulations as identified in this Ordinance; and

WHEREAS, the Board of County Commissioners respects the rights of private property owners to use and enjoy their property, but desires to ensure that camping is conducted in a manner that protects the health and safety of the residents of Teller County; and

WHEREAS, the Board of County Commissioners has determined that the Teller County Sheriff's office is the appropriate agency for enforcement of this Ordinance if compliance cannot be gained through the Teller County Zoning Official.

WHEREAS, the Board of County Commissioners hereby finds, determines and declares that adoption of this Ordinance is necessary for the preservation and protection of the public health, safety and welfare of the inhabitants of Teller County, Colorado

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TELLER COUNTY, COLORADO AS FOLLOWS:

Section 1. Title and Purpose.

The title of this Ordinance is the Teller County Camping Ordinance. The purpose of this Ordinance is to regulate camping in Teller County and to provide for enforcement procedures and penalties for violations of this Ordinance because unauthorized camping is a health and safety hazard and a public nuisance.

Section 2. Authority.

This Ordinance is authorized pursuant to Colorado Revised Statutes 30-11-101, 30-28-102, 30-28-115, 30-28-116, 30-28-124, and 30-28-124.5.

Section 3. Scope.

This Ordinance shall apply to all residential zones and agricultural zone districts in unincorporated Teller County.

Section 4. Regulations, Definitions and Restrictions Pertaining to Camping in Unincorporated Teller County.

Section 2.4 of the Teller County Land Use Regulations is incorporated into this Ordinance and is set forth below in its entirety:

- A. Camping on Vacant Property. Camping on any vacant property, including but not limited to a vacant lot, parcel, tract or mining claim, is permitted only when the following requirements are met:
1. Property Owners may camp on their property for up to 60 days in any continuous 12-month period. Camping in excess of 60 days in any continuous 12-month period is not permitted, will be considered a permanent residence and is a violation of these Regulations.
 2. A camping permit is required for camping on vacant property in excess of 14 days. See Section 2.4.B.
 3. A camping unit is defined as a recreational vehicle (RV), camp trailer, 5th wheel or tent.
 4. No more than two camping units per lot, parcel, tract, or mining claim are allowed.
 5. The recreational vehicle (RV), camp trailer, or 5th wheel must have current licensing and registration and be in an operable road worthy condition.
 6. Trash must be managed on-site, and removed from the site regularly during camping and upon completion of camping.
 7. The lot, parcel, tract, or mining claim on which camping occurs must be maintained in a safe, clean and sanitary manner, and must not be a nuisance or create adverse impacts to surrounding property, land or land uses.
 8. The property address must be visible from the road.
 9. Compliance with all minimum setbacks for the zone district must be met.
 10. Sewage must be disposed of at an off-site facility and approved by the Teller County Environmental Health Department where a dump receipt must be provided or by means of a permitted and installed on site wastewater disposal system. Campers shall retain copies of dump receipts and must be provided to the Teller County Environmental Health Department.
 11. All camping on vacant land by persons other than the property owner must have the written permission of the property owner and is permitted as long as no commercial activity is associated with the camping.

B. Camping Permit

1. A camping permit is not required for camping on vacant property for up to fourteen (14) days.
2. A camping permit is required for the following:
 - a) Camping more than fourteen (14) days on vacant property.
 - b) A property owner that is subject to Teller County Code Enforcement Action
 - c) Prior to electrical service being supplied to the property.
3. A camping permit must be obtained from the Teller County Community Development Services Department. A camping permit must include a narrative detailing the duration of the camping, written permission from the property owner if the camper is not the property owner, the property address, the method for obtaining potable water supply, wastewater treatment, and trash removal.
4. Compliance with all minimum setbacks for the zone district must be met.

C. Camping on Improved Properties. Camping on an improved lot, parcel, tract or mining claim is permitted only when the following requirements are met:

1. Property owners who have improved their property to include a permanent residence with a permanent water supply and wastewater treatment system will be permitted to allow non-paying guests and family members to camp on their property as long as there is no commercial activity associated with the camping.
2. Camping on improved property will be limited to up to fourteen (14) consecutive days, and no more than thirty (30) days during any six (6) month period.
3. Events on improved property involving more than twenty (25) non-paying guests or family members and more than two camping units such as a family re-union or other social gathering, require a Special Events Permit from the Teller County Administration office.
4. All camping by persons other than the property owner must have written permission of the property owner.

Section 5. Authorized Enforcement Personnel.

The following County officers and officials are authorized to enforce this Ordinance:

- a. The Teller County Zoning Official and any other person designated by the Board of County Commissioners of Teller County.
- b. Any Teller County Code Enforcement Officer with authority to inspect for violations of the Teller County Land Use Regulations (LUR) pursuant to Section 1.10.A thereof.
- c. Any level I peace officer, as such term is defined in C.R.S Section 18-1-901(1).

Section 6. Violations and Penalties

Any violation of this Ordinance may be separately, concurrently or together enforced through this Ordinance and the Land Use Regulations.

In addition to any other penalties that may be legally imposed, any person, individual, firm, corporation, partnership, or other entity violating any zoning provisions of these Regulations is subject to the imposition, by order of the County Court, of civil penalties provided and set forth in Sections 30-28-124 and 30-28-124.5 of the Colorado Revised Statutes.

Violation of any provision of this Ordinance shall be a Class 2 petty offense and upon conviction or admission of guilt, shall be punishable as follows:

- a. For the first violation, a fine of not less than \$50.00 and not more than \$150.00, except that if a penalty assessment is issued as provided by Section 6.d, the fine shall be the minimum.
- b. For the second offense by the same person or property owner, the person shall be assessed a fine of not less than \$150.00 and not more than \$500.00, except that if a penalty assessment is issued as provided by Section 6.d, the fine shall be the minimum.
- c. For a third or any subsequent offense thereafter by the same person or property owner, the person or property owner shall be punished by a fine of not less than \$500.00 but not more than \$1,000.00 for each separate offense.
- d. Violations of this Ordinance may also be enforced through the penalty assessment procedure pursuant to C.R.S. section 16-2-201, as the same may be from time to time amended, requiring the defendant to appear at the place, time and date specified or, in lieu thereof, to pay the specified fine in person or by mail at the place and within the time specified in the notice. Payment of the specified fine shall constitute acknowledgement of guilt of the offense charged.

Any fees or fines assessed for violations of this Ordinance shall be paid to the Treasury of Teller County.

Each day of a violation of this Ordinance shall be a separate violation.

Section 8. Severability.

If a Court of competent jurisdiction shall hold any part of this Ordinance void or unconstitutional, such part shall be deemed severable, and the invalidity thereof shall not affect the remaining provisions of the Ordinance.

Section 9. Effective Date.

The publication and notice of this Ordinance will be performed in accordance with C.R.S. 30-15-405 and 30-15-406 and shall become effective 30 days after the second publication of the Ordinance.

CERTIFICATION: The foregoing Ordinance was introduced and read on January 24, 2019 by the Board of County Commissioners of Teller County, Colorado and approved for publication.

DATE OF FIRST PUBLICATION: 02/06/2019

The foregoing Ordinance was considered on March 28, 2019 and adopted by the Board of County Commissioners of Teller County and ordered published by reference to title and changes only in The Pikes Peak Courier.

DATE OF SECOND PUBLICATION: 04/10/2019

EFFECTIVE DATE: 05/10/2019

Stephanie Kees
Krystal Brown
Teller County Clerk and Recorder

BY: THE TELLER COUNTY BOARD OF COUNTY COMMISSIONERS

Norm Steen
NORM STEEN, CHAIRMAN

3/28/19
DATE

Attest:

Stephanie Kees
Krystal Brown
Teller County Clerk and Recorder



