

An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Subsection 18.60.020(H) to clarify the criteria for temporary residence permits.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Subsection 18.60.020(H). Subsection 18.60.020(H) of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

HBC 18.60.020 Specific approval criteria.

The following uses are subject to the preceding general criteria and these additional specific approval criteria:

...

H. Temporary Residence. Persons desiring to place a temporary residence, or a trailer or mobile home **or RV** outside of a mobile home or RV park **in the townsite service area** for a temporary or interim occupancy **over 30 days**, shall apply for a temporary residence permit. ~~Permits for seven days or less will be at no charge and will not require connection to or payment for public water and sewer. Temporary residences remaining over 30 days will require a land use permit and where applicable, the standard monthly water and sewer charges will be levied, except by prior arrangement with the borough.~~ **The intent of a temporary residence permit is to allow a temporary structure for residential use. This means one trailer, RV or mobile home may be occupied during construction of a permanent structure. A temporary residence permit may be granted if all of the following requirements are met:**

1. A valid permit for the permanent structure must be in effect during the entire time that the temporary dwelling is located on the site;

2. A trailer, RV or mobile home used as a temporary dwelling during the construction of a permanent structure must be located on the same lot or parcel;

3. The temporary dwelling must be transported to a sanitary dump station as needed to empty gray water and toilet waste tanks, be connected to public water and sewer if applicable, or be serviced by an approved DEC on-site wastewater system;

4. The temporary dwelling must meet the same setbacks applicable to permanent structures;

5. Temporary residence permits may be granted for a period of one year. One six-month extension of the temporary residence/trailer permit may be granted by the planning commission as long as the developer is complying with all requirements; ~~Any temporary residence, trailer, recreational vehicle or mobile home being occupied by a person must be connected to public water and sewer and may be required to connect to the local electrical~~

~~service. Garbage disposal facilities are required. A minimum of one off-street parking space will be required for a temporary residence.~~

6. The area surrounding the temporary residence/trailer shall be kept in a clean and sanitary condition.

Exception: a temporary residence may be occupied on public or private property located outside of a mobile home or RV park while remodeling or repairing the interior of an existing permanent structure. Any applicable requirements under this subsection shall apply.

Section 5. Amendment of Subsection 18.20.020. Subsection 18.20.020 of the Haines Borough Code is hereby amended as follows:

NOTE: ~~STRIKETHROUGH ITEMS ARE DELETED~~

18.20.020 Definitions – Regulatory.

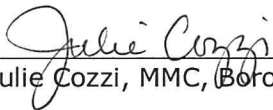
The definitions in this section are intended to be specific to this title. Any word or term not defined shall be used with the meaning of common or standard usage as determined by a current edition of Webster's Unabridged Dictionary. The following words shall have the following meanings for the purpose of this title:

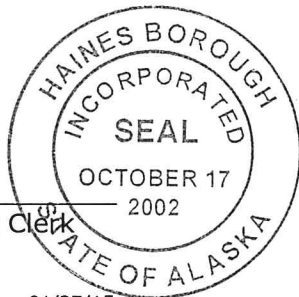
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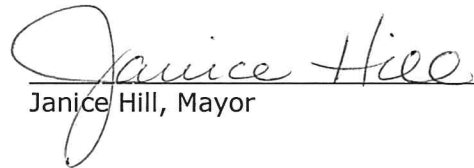
"Campground" means a private or publicly owned use which includes two or more campsites that are located, established or maintained for rent or public use for temporary occupancy of not more than three months and in compliance with ~~HBC 18.60.020(H)~~ by any tent, camper, travel trailer, recreational vehicle, cabin or similar building for recreation, vacation, educational or rehabilitation purposes.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 27th DAY OF OCTOBER, 2015.

ATTEST:


Julie Cozzi, MMC, Borough Clerk




Janice Hill, Mayor

Date Introduced:	01/27/15
Date of First Public Hearing:	02/10/15
Date of Second Public Hearing:	02/24/15 - Referred to GAS Committee following hearing Subsequently referred to Planning Commission
Date Returned to Assembly:	09/22/15 - Accepted Planning Commission Substitute Ordinance
Date of Third Public Hearing:	10/13/15 - Adoption Postponed to 10/27/15
Adoption:	10/27/15