

ORDINANCE NO. 01-2012

**AN ORDINANCE TO CREATE, REPEAL, AND RECREATE CERTAIN PROVISIONS
OF CHAPTER 13 OF THE VILLAGE OF ARLINGTON CODE OF ORDINANCES
REGARDING THE STORAGE OF RECREATIONAL VEHICLES**

WHEREAS, the Village of Arlington Plan Commission recommended on August 11, 2011, to change the Village of Arlington Zoning Code regarding the storage of recreational vehicles; and

WHEREAS, prior to the enactment of this Ordinance, the Village held at least one public hearing regarding this Amendment in compliance with the requirements of Chapter 985 of the Wisconsin State Statutes.

NOW THEREFORE, the Village Board of the Village of Arlington, Columbia County, Wisconsin, does hereby ordain as follows:

1. Section 13.48(a)(2)(i) is created to read as follows:
 - i. **All-terrain vehicles** include any engine-driven device that has a net weight of 900 pounds or less, which has a width of 50 inches or less, which is equipped with a seat designed to be straddled by the operator and which is designed by the manufacturer to travel on 3 or more low-pressure tires. A "low pressure tire" is a tire that has a minimum width of six (6) inches that is designed to be inflated with an operating pressure not to exceed ten (10) pounds per square inch as recommended by the manufacturer.

2. Section 13.48(a)(2)(j) is created to read as follows:
 - j. **Utility task vehicles** include any engine-driven device that has a net weight of more than 900 pounds but not more than 1,999 pounds, which has a width of not more than 65 inches, which is equipped with seats for at least 2 occupants and which is designed by the manufacturer to travel on four or more low-pressure tires. A "low pressure tire" is a tire that has a minimum width of six (6) inches that is designed to be inflated with an operating pressure not to exceed ten (10) pounds per square inch as recommended by the manufacturer. Golf carts shall be considered a utility task vehicle for the purposes of this section. Low speed vehicles shall not be considered a utility task vehicle for the purposes of this section.

2. Section 13.48(b) is repealed and recreated to read as follows:
 - (b) **Permitted Parking or Storage of Recreational Vehicles.** In all residential and commercial districts it is permissible to park or store a recreational vehicle on private property in the following manner:

- (1) Parking or storage is permitted at any time inside any enclosed structure.
 - (2) Outside parking or storage in any street yard is permitted on a hard-surfaced or well-drained gravel driveway.
 - (3) Outside parking or storage is permitted on a hard-surfaced or well-drained gravel pad in the side yard or rear yard provided the recreational vehicle is not nearer than five (5) feet to the any side or rear lot line.
 - (4) The body of the recreational vehicle must be at least 15 feet from the face of any curb or the edge of any pavement unless subsection (b)(5) of this section requires that this distance be greater than 15 feet.
 - (5) No part of the recreational vehicle may extend over the public sidewalk or public right-of-way.
 - (6) Parking is permitted only for storage purposes.
 - (7) Recreational vehicles shall not be:
 - a. Used for dwelling purposes, except for overnight sleeping for a maximum of 14 days in any one calendar year. Cooking is not permitted at any time.
 - b. Permanently connected to sewer lines, water lines or electricity. The recreational vehicle may be connected to electricity temporarily for charging batteries and other purposes.
 - c. Used for storage of goods, materials or equipment other than those items considered to be part of the unit or essential for its immediate use.
 - (8) No more than two recreational vehicles shall be parked or stored on one property at any one time. Any recreational vehicle parked inside of an enclosed structure shall not be counted against this limit.
 - (9) When parked for storage, all wheels or tires of the recreational vehicle shall be chocked to prevent uncontrolled movement.
 - (10) The recreational vehicle shall be owned by the occupant on whose property the recreational vehicle is parked for storage.
 - (11) Notwithstanding the above, a recreational vehicle may be parked anywhere on the premises during active loading or unloading, and the use of electricity or propane fuel is permitted when necessary to prepare a recreational vehicle for use. Parking for active loading or unloading or preparation for use shall be permitted for up to 72 hours, at which time the recreational vehicle must either be stored in a manner that is compliant with the requirements of this section or be removed from the premises.
2. Severability of Provisions. Should any section, sentence, phrase or other portion of this Ordinance be declared invalid, such portion shall be deemed as a separate and distinct provision and shall not affect the validity of the remaining portions of this Ordinance.
 3. Effective date. This Ordinance shall take effect and be enforced upon its passage and publication or posting as provided by law. Except as provided herein, all of

the terms and provisions of Chapter 13 of the Village of Arlington Code of Ordinances shall remain in full force and effect.

Dated and effective this 9th day of January, 2012.

VILLAGE OF ARLINGTON

By: _____
James Laatsch
Village President

Attest: _____
Michael McKinney
Village Clerk

Ayes: _____

Nays: _____

Ordinance Adopted: _____

Ordinance Posted: _____