

ORDINANCE NO. 3-2024

RECREATIONAL VEHICLE ORDINANCE

WHEREAS, the Town Board of the Town of Roann is the Town legislative body and is by law authorized to adopt ordinances and resolutions for the performance of functions for the Town of Roann;

WHEREAS, the Town Board of the Town of Roann, Indiana deems it to be within the public interest to further the public safety, health, welfare, general aesthetics, and common good with the Town of Roann to establish an ordinance governing recreational vehicles in the Town limits;

This article is intended to promote the public health, safety, and welfare and to safeguard the health, comfort, living conditions, safety and welfare of the citizens of the Town of Roann, Indiana by adding standards for camping and overnight accommodations in residential neighborhoods for the purpose of enhancing property values and to improve the quality of life in Roann.

Now, therefore, be it resolved by the Board of the Town of Roann, Indiana as follows:

1. Definitions

- a. "Recreational Vehicle" (hereinafter referred to as "RV") means a vehicle which is:
 - i. Built on a single chassis or base frame:
 - ii. Five hundred (500) square feet or less when measured at the largest horizontal projections:
 - iii. Designed to be self-propelled or towable by a motor vehicle: and/or
 - iv. Designed primarily not for use as a permanent dwelling but as quarters for recreational camping, travel, or seasonal use.
 - v. "RV" shall also include "mobile homes" as that term is defined by Ind § 16-41-27-4 and "manufactured homes" as that term is defined by 42 U.S.C.A. § 5402.
- b. "Property Owner" means a person, corporation, trust, partnership, or other entity that owns a fee simple interest or life estate in a parcel of real property in which a RV is situated.
- c. "Tenant" means a person, corporation, trust, partnership, or other entity that leases, possesses, or otherwise occupies a parcel of real property without owning said real property.

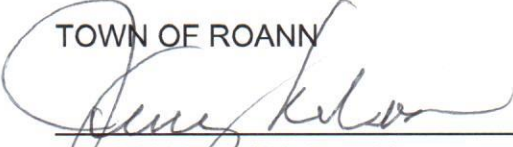
2. A RV parked or stored in the Town of Roann, Indiana is subject to the following requirements:

- a. At any time that the Town Marshal deems there to be an unsafe condition. The Town Marshal can request that the RV be removed immediately. Failure to comply will result in the Town removing or towing the vehicle at the owner's expense and subject the owner of the RV and/or Property Owner to the fines and penalties set forth in 2(b).
 - b. An owner of a RV that has not moved their RV in accordance with 2(a) and 2(c), has their RV stored or parked in the Town in violation of this ordinance, allows their RV to be used for living, sleeping, or housekeeping purposes exceeding the timeframe set forth in 5, or otherwise fails to comply with the provisions of this Ordinance will be charged an ordinance violation fine of one hundred dollars (\$100.00) a week until the owner and/or Property Owner comes into compliance with this Ordinance. Each RV not in compliance with this Ordinance will be deemed a separate offense for which the owner and/or Property Owner will be subject to a separate fine.
 - c. A Property Owner that allows or permits a RV situated on their real property to be in violation of this Ordinance shall be subject to the same fines and penalties set forth in 2(b) as their Tenant(s). Each RV not in compliance with this Ordinance will be deemed a separate offense for which the Property Owner will be subject to a separate fine.
 - d. Appropriate legal action may be taken to collect such fines and costs if they remain unpaid for forty-five (45) days after the owner and/or Property Owner receives notice of their violations. Unpaid fines and costs may become a lien against the real property where the violations of this Ordinance have occurred.
3. A RV located within the Town of Roann, Indiana shall be fully licensed and ready for use on a public highway (defined as on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions).
4. RVs owned by Tenants shall not be parked or stored in any front yard, on any street, alley, driveway, or any other part of the lot on any parcel occupied by a residential dwelling, or on any parcel zoned residential within the Town unless the RV is enclosed in a garage, shed, barn, or carport or located behind a fence at least six (6) feet tall in the side or rear yard of the lot. However, RVs may be parked or stored anywhere on the residential premises or street directly in front of the RV's owner or tenant's residence for no more than seventy-two (72) hours for the purposes of loading and unloading unless it is deemed to be a traffic hazard by the Town Marshal.
5. RVs shall not be used for living, sleeping, or housekeeping purposes for a period exceeding seven (7) days in a sixty (60) day period when properly parked or stored on a residential lot set forth in 4, or on any location not approved for such use. An extension

of seven (7) additional days may be granted by the Town Marshal, if requested prior to the initial seven (7) day period's expiration. Any time past the initial seven (7) day period and Town Marshal approved seven (7) day extension must be requested in writing to the Board of the Town of Roann.

6. RVs shall not be parked on any streets or alleys within the Town except under the conditions set forth in paragraph 4.
7. Any person subject to fines or other enforcement actions taken by the Town Marshal or other representative of the Town of Roann, Indiana for violations of this Ordinance may appeal that determination or action in writing to the Board of the Town of Roann within three (3) business days of receiving the ordinance violation.
8. The Town Marshal shall provide both the owner of the RV and Property Owner with proper notice of any violations of this Ordinance. Such Notice shall be deemed properly served if a copy is either (1) delivered personally to the Responsible Person: (2) sent by certified mail, return receipt requested to the last known address of the Responsible Person: (3) sent by certified mail. return receipt requested to the tax bill mailing address of the Responsible Person as it appears in the office of the Wabash County Auditor: or (4) by posting a copy of such notice in a conspicuous place in or about the RV affected by such notice.
9. If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance. The remaining portions of this Ordinance shall remain in full force and effect.
10. This Ordinance does not supersede federal or state laws, statutes. or regulations, except as allowed under the Town's home rule powers. In the event any provisions of other Town ordinances conflict with this Ordinance, the provisions of this Ordinance shall control.
11. This Ordinance will be in full force and effect after its passage, approval. and any publication required by law.

Dated this 8th day of July, 2024.

TOWN OF ROANN


JERRY NELSON, President

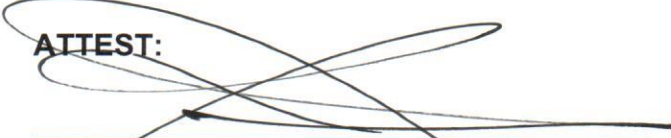


NEIL BEVER, Board Member



JEREMY FISHER, Board Member

ATTEST:



ROBERT M. FERGUSON, JR., IAMC, IAMCA, CMC, CMO
Clerk-Treasurer, Town of Roann