



Town of Garland Recreational Vehicle and Shelter Ordinance

Purpose:

The purpose and intent of this ordinance is to ensure that the temporary occupancy of tents, campers and recreational vehicles within the limits of Garland shall be conducted in a manner that protects public health and safety, protects surface and subsurface water quality and ensures the safe and legal disposal of human waste and wastewater.

Section I: Definitions

For this ordinance, the following definitions shall apply:

Campground – Any premises established for overnight use for the purpose of temporary camping, and for which a fee is charged.

Camping Trailer – A trailer constructed with collapsible partial side walls that fold for towing by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping or travel use.

Motor Home – A motor vehicle designed to provide temporary living quarters for recreational, camping, or travel use that contains at least four of the following as permanently installed independent systems that meet the National Fire Protection Association standard for recreational vehicles:

- a. A cooking facility with an on-board fuel source
- b. A potable water supply system that includes at least a sink, a faucet, and a water tank with an exterior service supply connection
- c. A toilet with exterior evacuation
- d. A gas or electric refrigerator
- e. A heating or air-conditioning system with an on-board power or fuel source separate from the vehicle engine
- f. A 110-volt to 125-volt electric power supply

Park Model/Park Model Trailer – A structure not exceeding 400 square feet in area and transported by and off-loadable from a trailer designed with connections to site utilities necessary for the operation of installed fixtures and appliances. A “park trailer” is classified as a recreational vehicle and not as a mobile home.

Person – Natural persons, partnerships, associations, and all other bodies corporate or public.

Recreational Vehicle – A vehicle that is either self-propelled or towed by a consumer-owned vehicle, is primarily designed to provide temporary living quarters for recreational, camping or travel use, complies with all applicable federal vehicle regulations and does not require special highway movement permits to legally use the highways. Recreational vehicles include motor homes, travel trailers, fifth-wheel trailers and folding camping trailers.

Sewage – Sewage shall mean all liquids and water waste from sinks, bathing, washing and toilet facilities.

Structure – Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground, including but not limited to mobile homes, buildings, walls, billboards, signs, piers, and floats, but excluding fences and retaining walls.

Temporary Shelter – A physical shelter having form and substance, including but not limited to floor, walls, windows, doors, and a roof, which is not permanently affixed to a foundation and whose supplies of potable water, sewage disposal and electrical current, among other utility services, are not permanently attached or incorporated into the design of the structure in accord with applicable state or local codes. For the purposes of this ordinance, tents shall be considered temporary shelters, but pop-up tent trailers shall be classified as temporary camping vehicles.

Temporary Camping Vehicles – A camping trailer, motor home, or recreational vehicle, or a bus, truck trailer, or other motor vehicle that has been converted to accommodate sleeping and/or living quarters. To be considered a temporary camping vehicle and not a structure, the unit must remain with its tires on the ground and must be registered with a state division of motor vehicles or similar agency, unless a park model located within a legal commercial campground.

Truck Camper – A portable unit constructed to provide temporary living quarters for recreational, travel or camping use, consisting of a roof, floor, and sides, designed to be loaded onto and unloaded from the bed of a truck.

Temporary Human Habitation – The occupation of a camper vehicle or other non-permanent structure for a period not to exceed the limits set forth in this ordinance.

Section II: Occupancy Limitations

- A. Storage of temporary camping vehicles. Temporary camping vehicles may be parked or stored on private property within Garland, provided:
 - 1. Such vehicles are not parked or stored within any setback area required by the Shoreland Zoning Ordinance of Garland
- B. Occupancy – Residential properties; Person(s) may occupy a temporary camping, or a temporary shelter located on a residential property, provided that:
 - 1. The occupants are not charged a fee for use of the temporary shelter or camping vehicle
 - 2. Person(s) occupying the dwelling unit on the property have granted permission to the occupants of the temporary camping vehicle or temporary shelter to use the householder's toilet and washing facilities

3. The length of time which any temporary camping vehicle or temporary shelter is occupied shall not exceed one hundred twenty (120) days within the calendar year. Sec 1.12 MRSA 682 sub §18
4. Construction: When a building notification form has been completed and issued for a construction or renovation project, the Code Enforcement Officer may issue a temporary permit, valid for three to six months, for the placement and occupation of one temporary camping vehicle or temporary shelter in connection with the construction or renovation project if he/she finds that the following standards will be met. He/she may extend the permit for an additional three to six months if he/she finds that construction or renovation has been diligently pursued and that justifiable circumstances require the extension.
 - a. The applicant has submitted a plan showing the specific proposed location and has paid the Building Notification fee established by the Town of Garland's Legislative Body.
 - b. The proposed location is on the same lot as the building being constructed or renovated
 - c. The proposed location will not violate any other approved ordinances of the Town of Garland
 - d. Adequate provision is made for disposal of all waste

Section III: Licensing & Code Requirements

1. Licenses – All temporary camping vehicles used for temporary occupancy shall meet all municipal and state registration, insurance, and inspection requirements.
2. The wheels or similar devices for transportation of any temporary camping vehicle shall not be removed except for repairs lasting no more than 10 days. Park model units shall not be removed from the transport trailer.
3. Any temporary shelter constructed on a fixed foundation on the ground, or any temporary camping vehicle with its wheels removed, shall be deemed a structure and subject to the Maine Plumbing Code and the Maine Uniform Building and Energy Code as directed by Garland's Code Enforcement Officer.
4. Boats may not be used for living or sleeping purposes while stored or parked on land

Section IV: Sewage – The occupancy of temporary camping vehicles and temporary shelters shall be subject to the following sanitary standards:

1. Temporary camping vehicle holding tanks. No toilet, sink or other plumbing fixture contained in a temporary camping vehicle shall be used unless it discharges into a holding tank built into the temporary camping vehicle, or into an on-site subsurface wastewater disposal system approved and maintained in accordance with all town and state laws and regulations. Holding tanks built into a temporary camping vehicle must be emptied regularly by discharging their contents into a campground

dumping station or other lawful dumping station or by delivering their contents to a wastewater hauler for lawful disposal.

2. Storage of sewage in auxiliary containers. Sewage and wastewater shall not be discharged or stored in auxiliary buckets or containers external to a temporary camping vehicle.
3. Illegal sewage discharge. No sewage or wastewater from temporary camping vehicles or temporary shelters shall be discharged into pits or privies, onto the surface of the ground, or into surface waters such as wetlands, streams, or other water bodies.
4. A holding tank on a camper is the same as a holding tank on a septic system. No first-time holding tanks shall be permitted in the shoreland zone. (Maine Building Officials & Inspector Association)
5. If a camping vehicle is going to be placed permanently on a property, the owner will have to install a system for the camper with a minimum design flow of 2 bedrooms and not use porta-potties or holding tank for disposal. (Maine Building Officials & Inspector Association)

Section V: Exemptions

1. The following uses shall be exempt from the requirements of use
 - a. Campgrounds. Any temporary camping vehicle or temporary shelter located in a public or private campground approved by the Town of Garland or licensed by the State of Maine.
 - b. Tents and tree houses. Tents and tree houses located on a residential lot and used primarily and sporadically for overnight accommodations by the occupants of the principal dwelling unit on the same lot.

Section VI: Violations and Penalties

1. When any violation of any provision of this ordinance shall be found to exist, the Code Enforcement Officer shall notify the Select Board in writing of the violation. The Select Board is hereby authorized and directed to institute all actions and proceedings, either legal or equitable, that may be appropriate or necessary to enforce the provisions of this ordinance for the Town of Garland, in accordance with 30-A M.R.S.A § 4452.
2. Any person(s), including but not limited to a landowner, their agent or invitee, or a contractor, who violates a provision of this ordinance shall be liable for penalties as set forth in 30-A M.R.S.A. § 4452. Each day a violation is continued shall constitute a separate violation. The minimum penalty for a specific violation is \$100, and the maximum penalty is \$5,000.

Date of Public Hearing: December 17, 2024

Date of Town Meeting/Ordinance adoption: _____

Garland Select Board

Regina M. Fick Date 2/5/2025

Regina Fick, Select Board Chair

Nova Watson

Nova Watson, 2nd Seat

Teresa Scott

Teresa Scott, 3rd Seat

Attest: A true copy of an ordinance entitled "Town of Garland Recreational Vehicle and Shelter Ordinance", as certified to me by the municipal officer of Garland on the 2nd day of February, 2025.

Signature: Lesley A Maynard
Lesley A Maynard, Town Clerk of Garland

And I have this 27 day of February, 2025, posted one copy of an ordinance entitled, "Town of Garland Recreational Vehicle and Shelter Ordinance", attested by the municipal clerk, with the warrant(s) at the same place(s).

Signature: [Signature]

