Proposed by:	Assemblymember Potter
Planning & Zoning:	04/14/2022
Attorney Review:	_____
Vote:	_ Aye _ Nay _ Absent

MUNICIPALITY OF SKAGWAY, ALASKA

RESOLUTION NO. 22-10R

A RESOLUTION OF THE MUNICIPALITY OF SKAGWAY, ALASKA, AMENDING RESOLUTION NO. 21-29R, UPDATING THE PLAN TO TEMPORARILY PROVIDE ANNUAL PERMITS ALLOWING FOR THE HABITATION OF RECREATIONAL VEHICLES.

WHEREAS, the Municipality of Skagway recognizes a lack of seasonal housing resulting in the proliferation of the habitation of recreational vehicles (RV) in conflict with SMC 15.15 Recreational Vehicles; and

WHEREAS, the Municipality recognizes the need to provide seasonal housing for employees, and recognizes the potential for the displacement of employees if RVs are no longer utilized; and

WHEREAS, a planned RV/mobile home park on municipal land north of the Skagway River Bridge is at minimum three years away from completion;

WHEREAS, the Municipality wishes to mitigate the loss of seasonal housing while also enforcing municipal code that prohibits the habitation of RVs; and

WHEREAS, the Municipality wishes to temporarily provide for an annual permit allowing the habitation of one RV per lot as long as the applicant meets the required conditions; and

WHEREAS, the Municipality wishes to implement this permitting plan over the next four seasons, and to help gradually transition current RV users to a legal use of RVs, without exacerbating the current seasonal housing crisis by abruptly displacing workers from their housing; and

WHEREAS, the Municipality recognizes the potential to abuse an issued permit; therefore, any violation of the permit will result in the immediate termination of the permit and require that the property owner reapply for a permit; and

WHEREAS, the issuance of a permit to a lot owner is an exception to the current code requirements, the issuance of a permit does not create any new or additional rights in the permit holder, and specifically does not create grandfather rights nor any right of appeal in the event the permit is terminated due to a violation determined by the Permitting Official; and

WHEREAS, the Municipality intends to enforce code as it is currently written in SMC 15.15 for all RVs used for habitation that have not received a permit; and

NOW, THEREFORE BE IT RESOLVED, by the Borough Assembly of the Municipality of Skagway that the following enforcement plan established via Resolution No. 21-29R for the habitation of recreational vehicles is hereby amended as follows:

1. An annual permit will be available to allow the habitation of RVs from April through October each year;

2. The permit will be approved by the Permitting Official, and is subject to a life-safety inspection and compliance with utility requirements;
3. There is a limit of one RV permit per 5,000-square-foot lot, or two RV permits on vacant 5-000-square-foot lots north of 15th Avenue;
4. RVs are required to be operational, drivable, and/or mobile at all times;
5. RVs are required to be equipped and licensed for use on public roads at all times as required by the State of Alaska Department of Motor Vehicles;
6. A copy of current vehicle registration shall be required with submittal of an application;
7. RVs will be required to be properly connected to water and sewer utility services and present proof of payment of utilities to ensure the account is in the owner's name;
8. Permits will cost $300.00 for the summer season each year;
9. Regulations regarding habitation of an RV without a permit, including those RVs for which a permit has been revoked under item 13, will be governed by SMC 15.15;
10. Fines for habitation of a vehicle not designed for human habitation shall be governed by SMC 15.15.100;
11. Certificates will be issued for the completion of an application review and site inspection, and will be required to be posted on the RV and visible from the road or alley;
12. Any violation of the conditions of the permit, as identified by the Permitting Official, will result in immediate revocation and such revocation shall not be appealable;
13. If a permit is revoked, in order to receive a new permit, the applicant is required to re-apply for a permit and is again subject to all application fees and inspections;
14. The Municipality does not waive its right to act on a violation and terminate a permit based on how long the violation is unremedied or on any previous knowledge of the Municipality as to the existence of a violation;
15. Permits will be granted upon compliance with these conditions in all use zones, except that permits will not be issued for use in the Historic District, the Waterfront District, or on property used for congregate housing;
16. For the purposes of this resolution, the following definitions shall apply:
    a) "Recreational vehicle" or "RV" means a vehicular-type unit primarily designed as temporary living quarters for recreational, camping, travel, or seasonal use that either has its own motive power or is mounted on, or towed by, another vehicle. The basic types of RV entities are: camping trailer, fifth wheel trailer, motor home, park trailer, and travel trailer, which are individually defined below.
    b) "Camping trailer" is a vehicular portable unit mounted on wheels and 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.
    c) "Fifth wheel trailer" is a vehicular unit, mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, of such size or weight as not to require special highway movement permit(s), of gross trailer area not to exceed four-hundred (400) square feet (37.2 m^2) in the set-up mode, designed to be towed by a motorized vehicle that contains a towing mechanism that is mounted above or forward of the tow vehicle's rear axle.
    d) "Motor home" is a vehicular unit designed to provide temporary living quarters for recreational, camping, or travel use, built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle.
    e) "Park trailer" is a recreational vehicle that meets the following criteria: a) built on a

single chassis mounted on wheels; b) having a gross trailer area not exceeding four-hundred (400) square feet in the set-up mode; c) certified by the manufacturer as complying with ANSI A119.5.

f) "Travel trailer" is a vehicular unit, mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, of such size or weight as not to require special highway movement permit(s) when towed by a motorized vehicle, and of gross trailer area less than three-hundred twenty (320) square feet (29.7 m^2).

BE IT FURTHER RESOLVED, that the plan outlined in this resolution shall take effect immediately and shall sunset on May 1, 2026.

PASSED AND APPROVED by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this ___ day of _____, 2022.

_____
Andrew Cremata, Mayor

ATTEST:

_____
Steve Burnham Jr., Borough Clerk

(SEAL)