

# **TWIN HARBOR CAMPGROUND ORDINANCE**

## **Montgomery County, North Carolina**



**Adopted May 4, 2004**  
**Amended: March 15, 2011**

## TWIN HARBOR CAMPGROUND ORDINANCE

For the purpose of this ordinance, all procedures and processes including authority, enforcement, regulations, and penalties shall follow the same guidelines as outlined and described in the Montgomery County Zoning Ordinance.

### SECTION 1: DEFINITIONS

For the purpose of this article, the following words or phrases shall have the meanings respectively ascribed to them by this section:

**Accessory Use:** Any building, structure or construction that is secondary to the primary unit.

**Campground:** For the purposes of this ordinance, campground is defined as all the land, streets, campsites and amenities of Twin Harbor Campground.

**Camp Site:** A privately owned plot of land within campground for the placement of a single tent, park model, motor home, pickup coach, RV camping trailer, with or without facilities for the exclusive use of its occupants.

**Private Road:** Any street within campground not publicly maintained and utilized for access by the occupants of the campground, their guest, and the public. All streets and roads in Twin Harbor Campground are private and shall be maintained by the Twin Harbor Park Association.

**Recreational Vehicle (RV):** Any vehicle or structure designed to be transported and intended for human occupancy as a dwelling for short periods of time. For purposes of this ordinance it includes ANSI park models, motor homes, campers, and tents. Units shall not be structurally altered in anyway. If altered, it shall be removed and replaced with an approved labeled RV within 30 days of notification.

**Sanitary Station:** A facility provided for the removing and disposing of wastes from trailer holding tanks.

**Service Building:** A structure housing toilet, lavatory, bathing, laundry and other facilities for the purpose of supplementing tents, park models, motor homes, pickup coaches or RV camping trailers with or without water and sewer facilities.

**Storage Building:** Storage buildings are accessory buildings. They are to be used for storage type uses only.

**Temporary RV:** An RV that is designed to be used for temporary dwelling not labeled by HUD or built to NC modular construction code. Temporary RVs include ANSI park models, motor homes, pickup coach, and RV camping trailers with or without facilities.



**Tent or RV Unit Space:** That portion of an individual campsite which is intended for occupancy by a single ANSI park model, motor home, pickup coach, RV camping trailer with or without facilities, or tent.

**Watering Station:** A facility for providing potable water for water storage tanks.

## **SECTION 2: REQUIREMENTS & SPECIFICATIONS**

Other uses not listed within this ordinance shall be considered prohibited unless preempted by state law or statute. Campground shall conform to the following requirements and specifications:

**A. Building Permit:** To obtain a building permit from the County Inspection Department all accessory buildings and recreational vehicle units must meet setbacks. A detailed set of plans with a material list is to be furnished to the Inspection Department. A surveyed plat showing the placement of existing accessory structures and recreational vehicle unit on the lot is required. No building permit shall be issued unless a certified labeled recreational vehicle unit is on the lot. A Campground Permit is required prior to issuance of a building permit.

**B. Campsites:** Every camp site shall consist of a minimum of two thousand four hundred square feet, having a minimum width of thirty feet at some point on the site. Each camp site shall be clearly established on the ground by permanent monuments or markers. Each campsite shall have a space for one permitted unit and parking space for at least two cars. All campsites shall be located at least twenty-five (25) feet from any campground boundary line coincident with a public street or highway right-of-way boundary, or any boundary of a residential dwelling district.

**C. Camp Stores:** For the convenience and use of campground residents and their invited guests, the campground may provide and operate camp stores. Camp stores may include laundry facilities, concessions, video and pinball machines, groceries, produce, and camping equipment. Adequate parking must be provided.

**D. Carport:** Carports shall be built to State Building Code and may be used to cover vehicles or boats. They shall not be used to cover RVs, decks, room additions or any other conflicting uses. The maximum size shall be 12 feet wide, 28 feet long and 12 feet high. Carports shall be detached and shall not be enclosed on any side or front. Carports must meet all setbacks, and shall be permitted lights and receptacles.

**E. Canopies:** Temporary vinyl (and similar materials) and frame canopies used for cars, storage or additional shelter shall be limited to two per lot, meet all required setbacks and shall not be enclosed on any side. Temporary canopy permits shall be obtained from the Twin Harbor Association.



- F. Combination Screen Room/Deck/Patio/Room Addition:** In lieu of a separate screen room, deck, patio or room addition, a combination of any of the four options may be utilized adjacent to the front of the RV unit. The maximum size shall be 12 feet wide and a length not exceeding the length of the RV unit, minus the tongue and bumper. A 12-inch overhang is allowed on the front (overhang has to meet setbacks).
- G. Cover, RV:** Shall be built to NC State Building Code, and shall not be enclosed on any side, front or back. Size of cover shall not exceed 12 feet in width. A 12" overhang is allowed on each side and front (overhang has to meet setbacks). Roof pitch shall not exceed 4/12 and clearance from RV shall be 24 inches as measured from bottom of ceiling joist to the roof of the RV. Maximum length shall not exceed length of RV.
- H. Cover, Deck:** Shall be built to NC State Building Code, and shall not be enclosed on any side, front or back. Size of cover shall not exceed 12 feet in width. A 12" overhang is allowed (overhang has to meet setbacks). Roof pitch shall not exceed 4/12. Maximum length shall not exceed length of deck.
- I. Deck:** A single deck may be utilized with a maximum width of 12 feet and a length not to exceed the length of the RV unit, minus the tongue and bumper.
- J. Driveway:** Driveways shall not be paved with concrete or asphalt.
- K. Entrance Porch:** Entrance porches for ingress and egress, shall be 4x6 and may be covered or uncovered and built at unit or room entrance.
- L. Fences:** Fences on individual camp sites shall not be permitted in the front yard as measured from the addressed street and back to the RV or modular unit. Height of fence shall not exceed 6 feet. All fences shall be set out side of street right-of-way.
- M. Gazebo:** A Gazebo is allowed on an individual camp site in lieu of a carport. Gazebos shall be limited to 100 sq. ft., be unattached, built to State Building Code and may be screened. No vinyl, plastic or other solid materials may be utilized to enclose the gazebo. Gazebos are permitted within the common area of the Campground with an approved zoning and building permit.
- N. Patio:** Patios are permitted on individual camp sites in accordance with "F" above. Patios may be utilized within the common area of the Campground. A zoning permit is required.
- O. Permitted Units:** Recreation vehicles and recreational camping units allowed in a campground include: One ANSI park model, motor home, pickup coach, tent, and RV camping trailers with or without facilities. No structure shall be occupied unless a certified labeled recreational vehicle unit is on the lot. For



example, if the RV is removed from the site, then the room addition or screen porch cannot be used and must be removed from the property within 90 days.

Certain Permanent RV's are not permitted in Campground. An RV that is designed to be used for temporary dwelling labeled by HUD as a manufactured home (park model not exceeding 400 square feet) or built to NC modular construction code (Modular RV).

1. **ANSI Park Model:** A transportable one story unit with a body width not to exceed 12 feet and built on a single chassis, and total area not to exceed 400 square feet. It is designed to provide seasonal or temporary living quarters when connected to utilities necessary for the operation of installed fixtures and appliances. ANSI park models cannot be placed on a permanent foundation.

(a) **Gross Trailer Area:** The total plan area measured to the maximum horizontal projections of exterior walls in the set-up mode. In calculating the square footage, measurements shall be taken on the exterior. Square footage includes all siding, corner trims, moldings, storage spaces, areas enclosed by windows, but not the roof overhang.

(b) **Factory Installed Porch:** Porch shall refer to an exterior floor area, with or without a roof that is not enclosed in any manner, with the exception of guardrails and roof supports. (Exception: screen enclosures may be included or added, but shall not contain provisions for installation of windows or other weather proof materials). A factory installed porch shall be contained on the original chassis front or rear end of the unit not to exceed the width of the unit and shall not be longer than eight (8) feet. Units utilizing the factory installed porch option shall not be eligible for a screen room or porch addition.

2. **Motor Home:** A portable, temporary dwelling, to be used for travel, recreation and vacation, construction as an integral part of self-propelled vehicle.
3. **Pickup Coach:** A portable structure for use as a temporary dwelling for travel, recreation and vacation, designed to be mounted on a truck chassis for transportation and to be used for a temporary dwelling while either mounted or dismounted.
4. **RV Camping Trailer (with facilities):** A travel trailer, which can operate independently of connections to sewer, water and electric systems. An RV Camping Trailer with facilities shall contain a water flushed toilet, lavatory shower and kitchen facilities, all of which are connected to water storage and sewage holding tanks located within the unit. These units may also be connected to public water and sewer.



5. **RV Camping Trailer (without facilities):** A travel trailer, which can operate independently of connections to sewer, water and electric systems. An RV camping trailer without facilities may contain any of the following: water flushed toilet, lavatory, shower or kitchen facilities (example: RV Pop-up Camper).

6. **Tent:** A collapsible shelter of canvas or other material stretched and sustained by poles and intended for human occupancy as a temporary dwelling for short periods of time. *Note: one temporary tent may be utilized in conjunction with one of the above units for a period not to exceed seven (7) days, as long as a permit is obtained from Twin Harbor Association.*

P. **Recreation Area:** There shall be at least one recreation area, which shall be easily accessible from all camp sites. The gross amount of such recreation areas shall be not less than seven percent (7%) of the gross site area. No individual area shall be less than two thousand five hundred square feet in size.

Q. **Retaining Wall:** Walls used to retain soil and back filled, 4 feet or greater in height, shall be required to provide an engineered plan from a licensed landscape architect or professional engineer. A site survey may also be required.

R. **Room Addition:** Each RV unit is allowed a one-story addition, not to exceed a height of 14 feet 8 inches to the peak of the roof from the ground. Must be built parallel and beside principal structure. Room additions shall have a maximum width of 12 feet and a maximum length not to exceed the length of the unit, minus bumpers and tongues. The maximum roof pitch is 4/12. A 12" inch overhang is allowed on each side and front (overhang has to meet setbacks). Room additions must be built on a crawl area type foundation. Basements are not allowed in Campground. The room addition cannot be attached to an RV unit. The room addition may be built and attached as a single unit when combined with an ANSI Park Model, not to exceed 24 feet in width.

S. **Screen Room:** An RV unit may have a full screen room with a maximum width of 12 feet and a length not exceeding the length of the RV unit minus the tongue and bumper. A 12" inch overhang is allowed on each side and front (overhang has to meet setbacks). A screen room shall not be utilized for storage. The screen room must maintain 100% screen along the outside of all walls with no enclosure. No enclosure materials of any kind may be used, including, but not limited to clear plastic materials. The screen room cannot be attached to the RV unit.

T. **Setbacks:** Each campsite shall conform to the following setbacks as measured from their property lines: front yard setback of 10 feet, a rear yard setback of 5 feet and side yard setbacks of 5 feet. Corner lots shall have a 7 foot setback from the non addressed street property line. Setbacks are measured from the property line and not the edge of pavement. All RV's, accessory uses and



buildings must meet setbacks before a zoning or building permit can be issued. For any new construction, the entire lot, including all buildings and accessory uses, previously grandfathered, must be brought into compliance and meet the current setbacks before a building or zoning permit will be issued. A surveyed plat, showing compliance, is required prior to issuance of a building or zoning permit.

**U. Storage Building:** One storage building per lot, not to exceed 11 ½ x 11 ½ is permitted. They are not to be used as habitable space, and no water or sewer may be utilized in a storage building.

**V. Streets:** Campground shall provide safe and convenient vehicular access from abutting public streets or roads to each campsite. Surfacing and maintenance shall provide a smooth, hard and dense surface, which shall be free of dust and well drained.

**W. Walkway:** a 4 foot wide walkway is allowed to gain access from the entrance porch to a deck, screen room or a combination deck/screen/patio room. Walkway may not be covered.

### **SECTION 3: UTILITIES & SERVICES**

#### **1. Utility Connections**

In every campground, all utility installations or connections, shall comply with the provisions of the building, plumbing, electrical, heating and gas regulations of the applicable county ordinances and other applicable regulations.

#### **2. Water Supply**

Campground shall obtain water from a source approved by the county and/or the state the supply shall be adequate to meet a demand of one hundred gallons per campsite per day. The drinking, cooking, laundry, bath and general water supply for each campsite shall be obtained only from faucets or other plumbing fixtures connected directly to the water supply system. Such faucets or water supply fixtures may be either located by each campsite or at centralized watering stations.

#### **3. Sewage Disposal**

Campground shall provide and maintain an adequate sewage disposal system, by connection to a public sewage system, package treatment plant or other system approved by the county and/or the state. All sewage wastes, whether from individual trailers or campsites or centralized facilities, including wastes from toilets, showers, bathtubs, lavatories, wash basins, and sinks, shall be piped into the campground sewage disposal system.

If individual connections for sewage disposal are provided at the campsite, such connections shall be of a type approved by the Montgomery County Health Department. Connections shall be sealed at all times when not connected to an RV unit or permanent park unit. RVs having limited bathroom or kitchen facilities



and lacking sewage connections, shall be prohibited from using their unit facilities, and must use Service Buildings provided by the Campground.

#### **4 Sanitary Stations**

At least one central sanitary station shall be provided for removing and disposing of wastes from waste holding tanks or self-contained trailers. The sanitary station shall be of a type approved by the county and/or the state disposal system. Sanitary stations shall be separated from any camp site by a distance of at least fifty (50) feet.

#### **5 Service Buildings**

Campground shall provide adequate service buildings in order to provide for campsites with tents and RV camping trailers without plumbing and toilet facilities in order provide access to such facilities. These facilities shall be constructed in accordance with the North Carolina Plumbing Code.

#### **6 Garbage Disposal**

All garbage and refuse shall be stored in a suitable watertight and fly resistant trash receptacle. It shall be the duty of the campground to regularly dispose of garbage in a sanitary manner.

#### **Grandfathering of Existing RV's and Accessory Uses**

Any existing RV and or accessory use in violation of this ordinance at the time of it adoption shall be grandfathered until such time as the RV or accessory use is moved or removed from the campsite or becomes dilapidated and abatement required.

### **SECTION 4: PENALTIES & ENFORCEMENT**

#### **1. Cancellation of Permits**

The Montgomery County Zoning Administrator/County Inspector through the Montgomery County Inspections Department shall cancel a building or occupancy permit when the method of construction or use violates any provisions contained in these regulations. This allows the inspector to discontinue electrical or water service to this facility.

#### **Criminal Penalties**

Any person, firm or corporation violating any section or provision of this Ordinance shall, upon conviction, be guilty of a misdemeanor and shall be fined not more than \$50.00, or imprisoned not more than thirty (30) days. Each day such violation continues, however, shall be a separate and distinct offense, punishable as hereinbefore provided. (For example, a continued violation of one (1) week after receiving notice from the Zoning Administrator/County Inspector could accumulate penalties of up to \$350.00 in fines or imprisonment of up to two hundred and ten (210) days.)



**3. Civil Remedies**

**(a.) Monetary Penalty**

Any act constituting a violation of the provisions of this Ordinance of failure to comply with any of its requirements, including violations of any conditions and safeguards established in connection with the grants of variances or special-use or conditional-use permits, shall also subject the offender to a civil penalty of a maximum of \$100.00 per day. If the offender fails to pay this penalty within 10 days after being cited for a violation, the County, in an action in the nature of the debt, may recover the penalty. A civil penalty may not be appealed to the Board of Adjustment if the offender was sent a final notice of violation and did not take an appeal to the board of adjustment within the prescribed time.

**(b.) Injunctive Relief**

If a building or structure is erected, constructed, reconstructed, or altered, repaired, converted, or maintained, or any building, structure land is occupied or used in violation of the General Statutes of North Carolina, this Ordinance, or other regulation made under authority conferred thereby; Montgomery County may apply to the District Court, Civil Division, or any other court of competent jurisdiction for a mandatory or prohibitory injunction and order of abatement commanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property.

**(c.) Abatement**

In addition to an injunction, the court may enter an order of abatement as a part of the judgment in the case. An order of abatement may direct that buildings or other structures on the property be closed and demolished or removed; that fixtures, furniture, or other movable property be removed from the buildings on the property; that grass and weeds be cut; that improvements or repairs be made; or that any other action be taken that is necessary to bring the property into compliance with this Ordinance. If the defendant fails or refuses to comply with an injunction or with an order of abatement within the time allowed by the court, he may be cited for contempt, and the county may execute the order of abatement. The county shall have a lien on the property for the cost of executing an order of abatement.

**4. Equitable Relief**

Montgomery County may apply to the District Court, Civil Division or other court of competent jurisdiction for an appropriate equitable remedy. It shall not be a defense to the County's application for equitable relief that there is an adequate remedy at law.

**5. Combination of Remedies**

The County may choose to enforce this Ordinance by any one, all, or combination of the above procedures.

**6. State Enforcement Authority**

The Environmental Management Commission may take any appropriate preventive or remedial enforcement action authorized under GS 143-214.5 against any person who violates any minimum statewide water supply watershed management requirement.