

ORDINANCE NO. \_\_\_\_2009

AN ORDINANCE OF LIBERTY TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA, PROVIDING DEFINITIONS OF TERMS; REQUIRING A PERMIT TO MAINTAIN AND OPERATE A CAMPGROUND, SETTING THE BASIS FOR A GRANT OF A PERMIT, THE TERM OF THE PERMIT AND THE FEE; PROHIBITING THE TRANSFER OF LICENSES; SETTING FORTH REGULATIONS FOR THE MAINTENANCE OF THE CAMPGROUND; ALLOWING INSPECITONS BY THE TOWNSHIP; AND PROVIDING PENALTIES AND PERMITTING EQUITABLE RELIEF FOR VIOLATIONS.

The Board of Supervisors of Liberty Township ordains as follows:

**Section 100. Purpose.**

This ordinance contains provisions setting forth minimum standards for the design and maintenance of Campgrounds and related utilities and facilities within Liberty Township, Adams County.

**Section 101. Definitions.**

CAMPER – A vehicular portable structure to be mounted on a chassis or wheels and towed or constructed as an integral part of a self-propelled vehicle for use as temporary dwelling for travel, recreation, and vacation commonly known as travel trailers, pickup coaches, motor homes, or camping trailers.

CAMPGROUNDS – A plot of ground upon which two or more campsites are located, established, or maintained for occupancy by camping units as temporary living quarters for recreation, education, or vacation purposes. Pennsylvania Department of Health requires a permit for campgrounds which meet the following definition: a portion of land used for the purpose of providing a space for trailers or tents for camping purposes regardless of whether a fee has been charged for the leasing, renting or occupying of the space, in accordance with the Pennsylvania Code, Title 28, Chapter 19. The campground may be an organization camp which includes a combination of programs and facilities established for the primary purpose of providing an outdoor group living experience for children, youth, and adults with social, recreational, and educational objectives and operated and used for five (5) or more consecutive days during one or more seasons a year.

CAMPING UNIT – A tent, trailer, cabin, lean-to, recreation vehicle, or similar structure established or maintained and operated in a campground as temporary living quarters for recreation, education, or vacation purposes.

**CAMPSITE** – Any plot of ground within a campground intended for exclusive occupancy by a camping unit or units under the control of a camper.

**DEPARTMENT** – The Department of Environmental Protection of the Commonwealth of Pennsylvania and its authorized representatives.

**PERSON** – An individual, partnership, corporation, association, or any other entity.

**TENT** – A portable lodging unit usually made out of skins, canvas, plastic, or strong cloth stretched and usually sustained by poles, and is dependent upon separate toilet and lavatory facilities.

**TOWNSHIP** – Liberty Township, Adams County, Pennsylvania.

### **Section 102. Permits.**

- A. It shall be unlawful for any person to construct or maintain a campground within Liberty Township, Adams County, Pennsylvania, without first having secured a permit from the Township.
- B. Application for such permit shall be provided by the Township Secretary upon request. Following the approval of the Township Supervisors, a permit shall be issued by the Secretary.
- C. The campground permit fee, and the fee for the annual renewal thereof, shall be set from time to time by resolution of the Board of Supervisors.
- D. The permit shall be valid only for the campground for which application is made.
- E. The permit may be transferred to new ownership, provided the new ownership maintains the campground in compliance with all provisions of this ordinance and upon the payment of the transfer fee, which shall be set from time to time by resolution of the Board of Supervisors.
- F. In the event the issuance of a permit is authorized by the Board of Supervisors for the establishment of a campground in accordance with the provisions of this ordinance, or in the case of a presently existing campground, no change or alteration shall be made unless application therefore shall be made to the Board as in the case of the original establishment of a campground and a permit is thereupon authorized to be granted for such change or alteration by resolution of the Board.
- G. The Supervisors may revoke, suspend, or refuse to renew a permit at such time as there is evidence of noncompliance with this ordinance.

### **Section 103. Campground Plan.**

- A. Application for a campground permit for a new campground shall be accompanied by an approved land development plan, in accordance with applicable requirements of the Liberty Township Subdivision and Land Development Ordinance, for the proposed development. Such land development plan shall include the location of all streets and roads, campsites, utility services, buildings, recreation areas, and other facilities.. In addition, application for a campground permit shall be accompanied by documentation confirming approval of the campground in accordance with applicable requirements of the Liberty Township Zoning Ordinance.
- B. Application for a campground permit for an existing campground shall be accompanied by an as built plan prepared in sufficient detail to demonstrate full compliance with the requirements of this Ordinance.

### **Section 104. Standards.**

- A. A minimum lot area of fifteen (15) acres is required.
- B. Setbacks: All campsites shall be located at least fifty feet (50) from any side or rear property line and at least one-hundred feet (100) from any street line.
- C. Each campsite shall be at least two thousand five hundred (2500) square feet in size and shall provide parking space for one (1) automobile. The parking space shall be located in a manner that the parking space does not interfere with movement of traffic. In lieu of providing the required parking space at the campsite, the parking space may be provided in a common parking area.
- D. In no case shall there be more than five (5) campsites per acre within a campground. All campgrounds are limited to a maximum of 150 campsites.
- E. An internal campground access drive system shall be provided. The pavement width of one-way access drives shall be at least twelve feet (12') and the pavement width of two-way access drives shall be at least twenty feet (20'). Parallel parking shall not be permitted on access drives.
- F. All outdoor play areas shall be set back one hundred feet (100) from any property line.
- G. All campgrounds shall furnish leak proof and vector proof sanitary and garbage collection facilities. Such facilities shall be set back a minimum of one hundred feet (100) from any property line. Such facilities shall be

screened by fencing or plantings that completely obscure the sanitary and garbage collection facilities from view from adjoining properties.

- H. Any accessory retail or service commercial uses shall be setback a minimum of one hundred feet (100) from any property line. Such accessory uses shall be solely designed and constructed to serve the campground's registered guests and their visitors. Any parking spaces provided for these commercial uses shall have vehicular access from the campground's internal access drives rather than from the public street. All accessory commercial uses and related parking shall be screened by plantings to minimize their visibility from adjoining properties.
- I. All campgrounds containing more than one hundred (100) campsites shall have direct vehicular access to an arterial road as identified on the Liberty Township Comprehensive Plan, as may be updated or amended.
- J. A campground owner may erect signs in accordance with applicable provisions of the Liberty Township Zoning Ordinance, as may be adopted or amended.
- K. A minimum of twenty percent (20%) of the gross area of the campground shall be devoted to active and passive recreational facilities. Responsibility for maintenance of the recreation area shall be with the landowner.
- L. Every campground shall have an on-site office and a person responsible for operation of the campground. A person responsible for the operation of the campground must be present at all times the campground is open.
- M. All water facilities, sewage disposal systems, rest rooms, solid waste disposal and vector control shall be approved and maintained in accordance with the requirements of the Pennsylvania Department of Environmental Protection.
- N. Lighting shall be arranged and shielded so that no glare or direct illumination shall be cast upon adjacent properties or public streets.
- O. No visitor or guest shall be allowed to stay at the campground for longer than six (6) months during any twelve (12) month period.
- P. The minimum number of spaces completed and ready for occupancy before the first occupancy is permitted shall be ten (10).
- R. The maximum length of any building shall not exceed one hundred (100) feet. Distance between buildings shall not be less than twenty-five feet (25).

- S. There shall be a minimum of two (2) points of ingress and egress. At the discretion of the Township Supervisors, one (1) point of ingress and egress may be designated for emergency purposes only.
- V. A minimum of one (1) central restroom facility shall be provided for every fifty (50) campsites or portion thereof. In addition, one central dumping station shall be installed to service those vehicles with self-contained sanitary facilities.
- W. Central restroom facilities shall comply with the following minimum requirements:
  - 1. Cumulative toilet facilities for males shall consist of not less than one (1) flush toilet and one (1) urinal for every fifteen (15) campsites or portion thereof.
  - 2. Cumulative toilet facilities for females shall consist of not less than two (2) flush toilets for every fifteen (15) campsites or portion thereof.
  - 3. Each gender shall be provided with not less than one (1) lavatory and one (1) shower or bath tub, with hot and cold running water and individual dressing accommodations every fifteen (15) campsites or portion thereof.
  - 4. Each toilet and each shower or bath tub with individual dressing accommodations shall be in a private compartment or stall.
  - 5. The toilet and other sanitation facilities for males and females shall either be in separate buildings or shall be separated, if in the same building, by a soundproof wall.
- Y. Service Buildings: Buildings housing sanitation and laundry facilities shall be approved as service buildings by the Department of Labor and Industry and comply with all applicable ordinances and statutes.
  - 1. Service buildings shall be well lit at all times of day or night and shall be well ventilated with automatic exhaust fans as necessary.
  - 2. The floors shall be of a water impervious material.
  - 3. All service buildings shall be kept free of any condition that will menace the health of any user or constitute a nuisance.
- Z. The owner of the campground must provide the Township with proof of current Liability Insurance for the site and its workers and guests.

### **Section 105. Compliance with Other Regulations.**

- A. All campgrounds shall comply with the Rules and Regulations of the Commonwealth of Pennsylvania, Department of Health, as set forth in Article 413, Chapter 4 "Regulations for Control of Sanitation in Organized Camps and Campgrounds," adopted April 25, 1968, as amended.

- B. Violation of the above shall constitute violation of this ordinance, and such violator shall be subject to penalties described herein.

### **Section 106. Additional Requirements.**

In addition to compliance with the standards set forth in this ordinance, the Township Supervisors may apply additional requirements as deemed necessary to protect the health, safety and general welfare of the public. Such additional requirements shall be included in the land development plan or as-built plan for the campground and shall be complied with prior to issuance or renewal of a permit.

### **Section 107. Campgrounds in Existence at Time of Adoption of this Ordinance.**

- A. Any person operating a campground within Liberty Township at the time of adoption of this ordinance shall make application for a permit, including an as-built plan of the existing campground.
- B. The Supervisors shall examine the as-built plan to determine which violations of this chapter, if any, necessitate immediate correction, and proof of such correction shall be required prior to issuance of a permit.
- C. Any person operating a campground at the time of adoption of this ordinance shall, within one year, submit a corrective action plan for the campground to achieve compliance with the requirements of this ordinance. Within two years of the date of this ordinance, the campground owner shall fully implement the corrective action plan.

### **Section 108. Waivers.**

Upon receipt of evidence that compliance with the requirements and standards of this ordinance would render undue hardship, the Supervisors may grant a waiver to these requirements and standards, provided that such waiver does not violate the intent of this ordinance and/or endanger the health, safety or general welfare of the public.

### **Section 109. Inspections.**

The Township Engineer, Code Enforcement Officer or duly authorized representative of the Township may make a thorough inspection monthly of all campgrounds located within the Township. He may thereupon make a report to the Board at its next meeting on the health and sanitary conditions found in each campground. At a minimum, an inspection will be conducted once a year.

### **Section 110. Violations and Penalties.**

- A. Any person who violates or permits a violation of this ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township before a District Justice, shall pay a fine of not more than \$600, plus all court costs, including reasonable attorney's fees, incurred by the Township in the enforcement of this ordinance. No judgment shall be imposed until the date of the determination of the violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable Rules of Civil Procedure. Each day a violation exists shall constitute a separate offense. Further, the appropriate officers or agents of the Township are hereby authorized to seek equitable relief, including injunction, to enforce compliance herewith.
- B. In addition to the penalty set forth in Subsection A above, the Township Supervisors are hereby authorized, or their duly appointed representative is hereby authorized, to issue stop, cease and desist orders to any persons who violate any provision of this ordinance by the institution of appropriate action or proceedings, as law or in equity to enjoin and restrain any such person from violating any provision of this ordinance.

**Section 111. Records to be Kept.**

- A. Each campground shall have an office in which copies of all records pertaining to the management and supervision of the campground shall be kept. Such records shall be available for inspection by the authorized officers of the Township.
- B. The permit from the Township shall be display in a conspicuous place on the premises at all times.

**Section 112. Register of Campers.**

- A. The owner or his agent shall keep a register of the head of the family accommodated in the campers or tents, their regular home address and the number and description of their automobiles or other vehicles. Said register shall be open at all times to the inspection by any authorized official of the Liberty Township Board of Supervisors.
- B. The owner or his agent shall prescribe rules and regulations for the management at the campground and make adequate provision for the enforcement of such rules.

**Section 113. Validity.**

- A. Should any section or provision of this ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereon, other than the part so declared to be invalid.
- B. Any ordinance or parts of ordinance conflicting with the provisions of this ordinance are hereby repealed so far as the same affect this ordinance.

**ENACTED AND ORDAINED** this \_\_\_\_ day of \_\_\_\_ July \_\_\_\_\_, 2009

**TOWNSHIP OF LIBERTY**

Attest:

\_\_\_\_\_  
Its Secretary

\_\_\_\_\_  
Its Chairman

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Supervisor