

TOWN OF ANDES

LOCAL LAW NO. 2 OF THE YEAR 2021

**A LOCAL LAW TO
REGULATE COMMERCIAL TENT CAMPSITES**

BE IT ENACTED by the Town Board of the Town of Andes:

Section 1: Purpose and Intent: There has been a significant increase recently in the offering of facilities or locations for commercial tent camping within the Town of Andes. In order to better protect the users of these facilities as well as the residents and other visitors, it is deemed necessary and appropriate for the general health and welfare of the citizens of the Town to enact a local law requiring a Permit for commercial tent camping within the Town of Andes.

Section 2: Permit Required: A Commercial Tent Campsite (CTC) Permit is required for the operation of any commercial tent camping site within the Town of Andes.

Section 3: Definitions: For the purpose of this local law, a "Commercial Campsite" shall include any property within the Town upon which tent camping is offered by the owner, or the representative of the owner, in exchange for a fee or other valuable consideration.

Section 4: Permits: The Permit application shall be made upon a form approved from time to time by the Town Board. Permit applications may be obtained from the Town Clerk or Town Code Enforcement Officer and submitted to the Code Enforcement Officer for consideration. Permits shall be issued by the Town Code Enforcement Officer on an annual basis for each calendar year.

Section 5: General Regulations for Permitted Sites:

- There must be adequate off-road parking for all campsite vehicles.
- The campsite entrance must be marked with the local street number to aid emergency services.
- The site must be at least 500 feet from any neighboring dwelling.
- The site must be at least 200 feet from the property line.
- Each CTC shall accommodate not more than 8 adults or 6 adults and up to 4 children per site.
- Any property upon which camping is offered must contain at least 8 acres, with an additional 8 acres for each additional campsite up to a maximum total of 3 sites.

- The CTC must have and implement a plan for proper waste disposal at least on a weekly cycle.
 - Any CTC must be at least 100 feet from any stream or wetland.
 - No amplified sound is permitted.
 - Any campfire must be in a designated fire pit at least 50 feet from any shrub, trees or overhead tree canopy. During dry conditions more restrictive standards may be implemented. NYS DEC requirements for fires must always be followed. NYS issues a burn ban annually from March 16th-May 14th, at a minimum. Please verify status prior to burning.
 - If the landowner does not live on site, a designated agent must be registered and on file with the Town Code Enforcement Officer, together with immediate contact information for that agent, who must be readily available (within 30 miles) to resolve any potential site problems such as more than the permitted people on site, or excessive noise.
 - A Fire Extinguisher must be provided for each campsite.
 - Each permit will be issued for the calendar year, January 1st-December 31st. Fees will not be pro-rated.
 - The Permit Fee is \$125 for the first site and an additional \$50 per additional site. Renewals are \$50 for each subsequent year. The Town Board shall have the power at any time to amend the Permit Fees set forth herein by a subsequent Resolution to that effect.
 - Violations of any of the provisions of the permit, in addition to any other penalty under this local law, may result in a revocation of the permit and a new application having to be submitted.

Section 7: Violations: Any violation of the provisions of this local law shall subject the violator to a fine of not more than Two Hundred Fifty (\$250.00) Dollars. Every week that the required permit has not been issued for the property shall constitute a separate violation of this law.

Section 8: Appeals: Applications for a variance will be reviewed by the Andes Zoning Board of Appeals

Section 9: Enforcement: The enforcement of this local law, and any regulations promulgated thereunder will be under the authority of the Town Code Enforcement Officer.

Section 10: Effective Date: This local law shall become effective immediately upon filing with the Office of the Secretary of State of the State of New York.