

**HAMPTON TOWNSHIP
ORDINANCE #2023-27**

**AN ORDINANCE TO AMEND CHAPTER 113, ENTITLED “CAMPGROUNDS,
PRIVATE” OF THE CODE OF THE TOWNSHIP OF HAMPTON, COUNTY OF
SUSSEX, STATE OF NEW JERSEY**

BE IT RESOLVED by the Township Board of Health of the Township of Hampton in the County of Sussex, as follows:

SECTION 1. Chapter 113, entitled “Campgrounds, Private” of the Code of the Township of Hampton is hereby replaced with the following:

Chapter 113. Campgrounds.

§ 113-1. Definitions.

CAMPER

Any person who occupies a campsite and participates in camping or RVing

CAMPING TRAILER

A recreational vehicle that is mounted on wheels and constructed with collapsible partial side walls that fold for towing and unfold for use.

CAMPING UNIT

Any tent or recreational vehicle, which is capable of being temporarily located on a campsite; or a cabin, lean-to, park model trailer or similar structure established or maintained and operated in a public or private campground. The term “camping unit” does not include a unit kept on land occupied by the owner or any camping unit which is unoccupied and which is kept at a public or private campground for storage purposes only.

CAMPSITE

Any plot of ground within a public or private campground which is intended for the exclusive occupation by a camping unit or units.

ENFORCING OFFICER

The Health Officer of the Township of Hampton.

FIFTH WHEEL TRAILER

A recreational vehicle designed to be towed by a motorized vehicle containing a towing mechanism mounted above or forward of the tow vehicle’s rear axle (See American National Standard Institute’s Recreational Vehicle Industry Association, 1896 Preston White Drive, Reston, VA 22090.)

LOCAL HEALTH AUTHORITY

The Hampton Township Board of Health and such officers lawfully exercising any of the powers of the Hampton Township Board of Health under the laws governing the Township.

MOTOR HOME

A recreational vehicle built on or permanently attached to a self-propelled motor vehicle chassis, chassis cab or van that is an integral part of the completed vehicle.

OWNER

The person or persons having legal authority to permit the occupancy of a public or private campground by campers.

PARK MODEL TRAILER/RECREATIONAL PARK TRAILER

A recreational vehicle that is built on a single chassis mounted on wheels and certified by the manufacturer as complying with New Jersey Administrative Code 5.23-4D.2.

PRIVATE CAMPGROUND

A plot of ground upon which two or more campsites are located, established, or maintained by a private individual, LLC or corporation or other entity for occupancy by camping units of the general public as temporary living quarters, but not domicile or primary residence, for a total of 15 days or more in any calendar year for recreation, education or vacation purposes. Private campgrounds can also be known as RV Parks, RV Resorts, and Camping Resorts.

PROPRIETARY CAMPGROUND

Any real property designed and used for the purpose of camping and associated recreational uses under a condominium or cooperative form of ownership. Campers own the campsite land in a proprietary campground. Proprietary campgrounds are also known as “Condo Campgrounds”.

PUBLIC CAMPGROUND

A plot of ground upon which two or more campsites are located, established, or maintained by a municipality, county, state, or federal agency for occupancy by camping units of the general public as temporary living quarters, for children or adults, of both, for a total of 15 days or more in any calendar year, for recreation, education or vacation purposes.

RECREATIONAL VEHICLE

A vehicular-type unit primarily designed as temporary living quarters for recreational camping or travel use. The vehicle shall have either its own motive power or be mounted on or towed by another vehicle. Recreational vehicles include, but are not limited to, camping trailers, fifth wheel trailers, motor homes, park model trailers, travel trailers, and truck campers.

RESPONSIBLE PARTY

A person who is 18 years of age or older, who shall be accountable to the public or private campground owner for the actions of all campers in his or her party.

RVer

A camper who uses a recreational vehicle.

SELF-CONTAINED RECREATIONAL VEHICLE

A recreational vehicle equipped with at a minimum a toilet, a holding tank for sewage, a holding tank for drinking water and/or a connection through which the vehicle can be connected to the campground's water supply. These vehicles may also have electrical connections, showers, or other appliances.

TRANSIENT GUESTS

Occupants of a camping unit site who cannot use the site as a permanent residence or domicile irrespective of the length of stay. A transient guest relationship is established because it is not long lasting, enduring or permanent because it is not a landlord tenant relationship.

TRAVEL TRAILER

A recreational vehicle designed to be towed by a motorized vehicle containing a towing mechanism which is mounted behind the tow vehicle's bumper.

TRUCK CAMPER

A recreational vehicle consisting of a roof, floor, and sides, designed to be loaded onto and unloaded from the bed of a pickup truck.

§ 113-2. Composition of the Public and Private Campground.

A. Access.

1. Each public or private campground shall have convenient access for the entry and

exit of traffic from the public road.

2. Public and private campgrounds are not required to provide camper access to the campground outside of their operating season. If the campground is closed, the campground may be completely inaccessible by guests.

B. Service Roads and Parking Areas.

1. Service roads within a public or private campground shall permit convenient and safe movement of traffic.
2. Service roads and parking areas shall be maintained free of potholes and safety hazards.

C. Campsite Layout.

1. Each campsite shall be well-drained, with no pooling of water, and shall provide sufficient open and graded space for the accommodation of camping units.
2. No part of any campsite shall be located within 50 feet of a public road or within 10 feet of a property boundary.
3. Unless necessary to meet the requirements of this chapter, trees, underbrush, large rocks and vegetative cover shall be left intact to ensure privacy, facilitate drainage, prevent erosion and preserve the scenery.

D. Campsite Occupancy.

1. Density shall not exceed 200 persons and 20 campsites per acre, inclusive of service roads, toilet buildings and all other buildings.
2. Each campsite shall consist of a minimum of 900 square feet and include at least one parking space which shall not interfere with convenient and safe movement of traffic.
3. Public and private campground campsites are temporary living quarters and shall not be a primary residence or domicile for a camper. No guests of campgrounds shall use the campground address as their primary residence or domicile. Vehicle and voter registration must be from their permanent home address. Children may not attend in-person school from a public or private campground. Public and private campground owners shall take such measures as necessary to prevent the use of any camping unit within a campground as a primary residence or domicile.
4. Written policies and procedures shall be established by the public or private campground owner to effectively implement the provisions of this chapter. Such policies and procedures shall be reflected in all campsite occupancy agreements.
5. All occupants of a campground are Transient Guests. A landlord tenant relationship is not established for transient guests.
6. Campsites may not be occupied by the same individual, group or household for more than 214 consecutive days per calendar year. Public or private campgrounds may be open year-round.
7. Public and private campgrounds may limit their operating season and close for a portion of the year. At the time of closure, all guests are required to exit the campground, and campsite utilities may be disconnected.
8. Camping units may remain on a campsite year-round with occupancy by guests as specified above.
9. The public or private campground owner shall require the responsible party to register prior to occupancy and to provide the following information:
 - a. The name of the responsible party;
 - b. The permanent address of the responsible party;
 - c. The make and model of vehicle, state of vehicle registration, and vehicle license tag number;
 - d. The number of persons in the party;
 - e. The length of stay;
 - f. The signature of the responsible party; and
 - g. Contact telephone number

§ 113-3. Restrooms and Showers.

- A. Restrooms, including showers, are required for campgrounds hosting campers that are not Self-Contained Recreational Vehicles. A sufficient number of restrooms and

showers must be available for use by guests of the campground. Restroom facilities are to be owned and/or operated by the campground owner.

- B. A camping unit that is not a Self-Contained Recreational Vehicle must be placed within 400 yards of restroom facilities or a camper in its party that is a Self-Contained Recreational Vehicle.
- C. Campgrounds must comply with all local, state and federal code requirements related to restrooms and sanitation.

§ 113-4. Insect, rodent and weed control.

- A. Mosquito breeding shall be controlled by keeping the public and private campground free of cans, jars, buckets, old tires and other articles which may hold water and provide breeding places for mosquitoes. When mosquito control and supplemental larvicidal measures are necessary to control mosquito populations, such measures shall be undertaken pursuant to the requirements of the New Jersey Pesticide Control rules, N.J.A.C. 7:30.
- B. Fly breeding shall be controlled by eliminating unsanitary practices which provide breeding places. Leaking solid waste and recycling containers shall be repaired or replaced. The area surrounding the containers shall not be littered with food wastes or other solid wastes.
- C. All enclosed buildings shall be maintained to eliminate rodent harborage. Special emphasis shall be placed on buildings where food is stored or served.
- D. Weed growth shall be controlled along pathways and within each campsite to reduce to the greatest extent possible ticks and chiggers. Poison ivy, poison oak and poison sumac shall be controlled within each campsite. The application of pesticide shall conform to the requirements of the New Jersey Pesticide Control rules, N.J.A.C. 7:30.

§ 113-5. Fireplaces and fire rings.

- A. Fireplaces shall be located and used in a manner so as not to constitute a fire hazard.
- B. Campfires shall be built and maintained only in fire rings and/or fireplaces provided by the campground owner at the public or private campground. Fires shall not be left unattended and shall be completely extinguished before the campers retire for the night and before the campsite is vacated.

§ 113-6. Pets

- A. Pets shall be controlled at all times and shall not be allowed to create a public health or noise nuisance.
- B. Pets shall not be left unattended.
- C. Pet waste shall be immediately disposed of in accordance with §70-5 of this Code.

§113-7. Swimming Pools, Hot Tubs and Bathing Beaches.

Swimming pools, hot tubs and bathing beaches shall conform to the requirements of N.J.A.C. 8:26, and all other applicable laws, rules and ordinances.

§113-8. Management; Responsibilities.

- A. Duties and Responsibilities of the Owner.
 - 1. The owner shall not cause or permit any services, facilities, equipment or utilities required under the provisions of this chapter to be removed, shut off or discontinued in any occupied public or private campground. Temporary interruptions as may be necessary while actual repairs are in process, or during temporary emergencies when discontinuance of service is authorized by the Department of Environmental Protection, or local health authority, shall be permitted. The campground is not required to provide services or utilities during periods when the campground is closed or to campers who are violating their camping agreement.
 - 2. The owner shall maintain in good repair all roads, water supply systems, potable or drinking water facilities, sanitary conveniences, sewers, storm drains, recreational vehicle holding tank emptying stations, sanitary sewage disposal facilities,

electrical equipment, auxiliary, building, and other services, facilities, equipment and utilities installed in any occupied public campground or private.

3. The owner shall ensure that the public and private campground is well-maintained and that all sanitary conveniences, auxiliary buildings and other services, facilities, equipment and utilities are kept in a clean and sanitary condition.
4. The owner shall ensure that the public and private campground is kept clear of any broken glass, bottles, cans, solid waste and other litter to prevent and eliminate potential safety hazards. The owner shall ensure that said solid waste and recyclables are collected and disposed of with as required by local and county solid waste plans and any applicable laws, rules and ordinances.
5. The owner shall ensure that order is maintained within the public or private campground. The owner may terminate the occupancy of any camper who violates any provision of the NJ Campground Facilities Act, N.J.S.A. 5:16-1.
6. The owner shall carry out measures to prevent and control infestations of rodents, insects or other vermin.

B. Responsibilities of Caretaker.

1. Every public or private campground shall be under the supervision of a caretaker who, if not on-site at the public or private campground, shall visit the public or private campground each day the public or private campground is occupied. The owner may serve as the caretaker.
2. If the caretaker is not on-site at the public or private campground, information shall be posted as to where he or she may be contacted. One caretaker and his or her family are permitted to live on a campsite year-round. Additional caretakers may be added if approved by the Township.
3. A caretaker(s) and their family may reside in a campsite year-round and be treated as a resident of the municipality, providing they are in compliance with local zoning ordinances.

C. Responsibilities of Campers.

1. The campsite occupied by a camper and his or her party shall be maintained in a clean and safe condition.
2. No live wooded vegetation or other live plants shall be cut, disturbed or removed from the area.
3. Campers shall not feed wildlife.
4. Parents or guardians shall always maintain supervision of children in their custody.
5. Undue noise shall not be permitted during hours of 11 P.M. to 8 A.M. and must be in compliance with local zoning and noise ordinances.

D. Operator Enforcement. Nothing in this chapter shall prohibit the campground owner or operator from taking such action as deemed necessary and appropriate to enforce compliance with the requirements of the campground rules and applicable laws to the extent such action shall not violate applicable law.

§ 113-9. Enforcement.

The Health Officer of the Township of Hampton is hereby designated as the officer to exercise the powers prescribed by this chapter, and he or she shall serve in such capacity without any additional salary.

§ 113-10. Inspections.

The Health Officer and the Sussex County Division of Health and/or its authorized representatives (herein referred to as "Inspectors") are hereby authorized to make inspections to determine the condition of camping units, as well as their facilities, located within the Township, in order to safeguard the health and safety of the occupants and of the general public. For the purpose of making such inspections, the Inspectors are authorized to enter, examine and survey at all reasonable times all camping units and all facilities located on or serving any public or private campground. Such inspections shall

also be undertaken by the Inspectors as deemed appropriate to ensure compliance with this chapter and with applicable laws and regulations pertaining to health and safety. The owner, operator, caretaker and occupant of every campground and camping unit shall give the Inspectors free access to the campground, facilities and camping unit at all reasonable times for the purpose of such inspection, examination and survey. Every occupant of a camping unit shall give the owner thereof or his/her agent or employee access to any part of such camping unit, as well as its facilities, at all reasonable times for the purpose of making such repairs or alterations as necessary to effect compliance with the provisions of this chapter or with any lawful rule or regulation adopted or any lawful order issued pursuant to the provisions of this chapter.

§ 113-11. Notice of violations.

A. Whenever the Health Officer determines that there are reasonable grounds to believe that there has been a violation of any provision of this chapter or of any rule or regulation adopted pursuant thereto, he or she shall give notice of such alleged violation to the person or persons responsible therefor as hereinafter provided.

B. Such notice shall:

1. Be put in writing.
2. Include a statement of the reasons why it is being issued.
3. Allow a reasonable time for the performance of any act it requires.
4. Be served upon the owner or his/her agent, or the occupant, as the case may require; provided that such notice shall be deemed to be properly served upon such owner or agent, or upon such occupant, if a copy thereof is served upon him/her personally, or if a copy thereof is sent by registered mail to his last known address, or if a copy thereof is posted in a conspicuous place in or about the dwelling affected by the notice, or if he is served with such notice by any other method authorized or required under the laws of this state.

C. Such notice may contain an outline of remedial action which, if taken, will effect compliance with the provisions of this chapter and with rules and regulations adopted pursuant thereto.

§ 113-12. Hearings.

A. Any person affected by any notice which has been issued in connection with the enforcement of any provision of this chapter or of any rule or regulation adopted pursuant thereto may request and shall be granted a hearing on the matter before the Board of Health, provided that such person shall file in the office of the Board Secretary a written petition requesting such hearing and setting forth a brief statement of the grounds therefor within 10 days after the day the notice was served.

B. Upon receipt of such petition, the Board Secretary shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn. The hearing shall be commenced not later than 10 days after the day on which the petition was filed, provided that, upon application of the petitioner, the Board may postpone the date of the hearing for a reasonable time beyond such ten-day period if, in its judgment, the petitioner has submitted a good and sufficient reason for such postponement.

C. After such hearing, the Board shall sustain, modify or withdraw the notice, depending upon its findings as to whether the provisions of this chapter and the rules and regulations adopted pursuant thereto have been complied with. If the Board sustains or modifies such notice, it shall be deemed to be an order.

D. Any notice served pursuant to this chapter shall automatically become an order if a written petition for a hearing is not filed in the office of the Board of Health within 10 days after such notice is served.

- E. The proceedings at such hearing, including the findings and decision of the Board, shall be summarized, reduced to writing and entered as a matter of public record in the office of the Board of Health. Such record shall also include a copy of every notice or order issued in connection with the matter.
- F. Any person aggrieved by the decision of the Board may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of the state.

§ 113-13. Emergency situations.

Whenever the Health Officer finds that an emergency exists which requires immediate action to protect the public health or safety, he or she may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as he/she deems necessary to meet the emergency. Notwithstanding the other provisions of this chapter, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but upon petition to the Board of Health he shall be afforded a hearing as soon as possible. After such hearing, depending upon its findings as to whether the provisions of this chapter and of the rules and regulations adopted pursuant thereto have been complied with, the Board shall continue such order in effect, or modify it, or revoke it.

§ 113-14. Occupancy of nonconforming premises.

No person shall occupy as owner-occupant or rent to another for occupancy any camping unit, as well as its facilities, for the purpose of living therein, which does not conform to the provisions of this Chapter and is not safe, sanitary and fit for human habitation.

§ 113-15. Violations and penalties.

Any person who violates any provision of or order promulgated under this chapter or the code established herein shall, upon conviction thereof, be liable to a penalty of not less than \$200 nor more than \$2,000 for each violation. Each day a particular violation continues shall constitute a separate offense.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. This Ordinance shall take effect after publication and passage according to law.

CERTIFICATION

I hereby certify that Ordinance #2023-27 was adopted by the Hampton Township Board of Health at their special meeting held on December 5, 2023 at the Hampton Township Municipal Building, Baleville, Sussex County, New Jersey.

Date: _____

 Diana Juarez, Secretary
 Hampton Township Board of Health

NOTICE

NOTICE IS HEREBY GIVEN that the attached Ordinance #2023-27 was introduced at a regular meeting of the Township Board of Health of the Township of Hampton, Sussex County, New Jersey, held on the 21st day of November 2023 and passed on first reading, and that such Ordinance will be further considered for final passage and adoption at a remote-only Special Meeting of the Township Board of Health to be held on the 5th day of December 2023 at 7:00p.m. All persons interested will be given an opportunity to be heard concerning said Ordinance. To

attend the meeting remotely use the following link: <https://us02web.zoom.us/j/4402561511> or to attend the meeting by phone, dial 929 205 6099 (Meeting ID: 440 256 1511).

Date:

Diana Juarez, Secretary
Hampton Township Board of Health

**HAMPTON TOWNSHIP BOARD OF HEALTH
NOTICE
ORDINANCE 2023-27**

NOTICE IS HEREBY GIVEN that the foregoing Ordinance #2023-27 was adopted at Final Reading at the special meeting of the Township Board of Health, County of Sussex held on Tuesday, December 5, 2023, at the Hampton Township Municipal Building, Baleville, N.J.

Date:

Diana Juarez, Secretary
Hampton Township Board of Health