

## DICKINSON ORDINANCE

### Crew Camp Housing

#### Sections:

#### 39.13.001 Definition

#### 39.13.002 Crew Housing Special Use Permit

#### 39.13.003 Crew Housing Permit Fees

#### 39.13.004 Minimum Design Standards

#### 39.13.005 Application for Special Use Permit

#### 39.13.006 Grant of Special Use Permit

#### 39.13.007 Revocation of Permit

#### 39.13.008 Prohibited Housing Types

#### 39.13.009 Prohibited Activities

#### 39.13.010 Posting of Reclamation Bond

#### 39.13.011 Conditions – Reporting Requirements

#### Section 39.13.001 Definitions

As used in this Article:

1. "Crew housing facilities" means one or more lodging units or skid units, ordinarily designed for human living quarters or a place of business, on a temporary or permanent basis, which are not real property, as defined in section 57-02-04, and are not mobile homes, as defined in section 57-55-01. A group of crew housing facilities that are connected physically or by common ownership may be treated as a single crew housing facility for purposes of imposition of crew housing permit fees imposed under this chapter.
2. "Crew housing permit" means a right granted by a city or county to locate crew housing facilities on property within the jurisdiction of the city or county under this chapter and to enjoy attendant services and facilities provided by the city or county.
3. "Skid unit" means a structure or group of structures, either single or multisectional, which is not built on a permanent chassis and is ordinarily designed for human living quarters or a place of business, on a temporary or permanent basis. (Ord. No. 1419 § 1.)

#### Section 39.13.002 Crew housing special use permit

Any person desiring to operate a crew housing facility shall first apply for a special use permit, as provided herein. Upon receipt of the completed application, the Board of City Commissioners shall have the obligation to (1) judge whether the person applying for the permit, and any owner, operator, or vendor associated with the applicant, is experienced and able to operate a crew camp in the best interests of the City of Dickinson and its citizens; and (2) judge whether the physical location and land sought to be used for a crew housing facility is appropriate for the use intended.

Any crew housing facility shall require a special use permit, and shall not be allowed in any zoning designation within the City of Dickinson or its extra-territorial zoning jurisdiction without such special use permit. Such special use permit shall be valid for a maximum period of five years from the date of final approval by the Board of City Commissioners. Any person granted a special use permit for a Dickinson Municipal Code

November 2011

crew housing facility shall have the option to apply for an extension of the special use permit for an additional five years period. Any extension of the special use permit shall be at the sole discretion of the Board of City Commissioners. (Ord. No. 1419 § 2.)

#### Section 39.13.003 Crew housing permit fees

The City shall impose an annual crew housing permit fee, the amount of which shall be determined on the basis of the value of services and facilities provided to the crew housing facility by the

city or county, or both, and incorporated into the City's fee schedule. (Ord. No. 1419 § 3.)

### **Section 39.13.004 Minimum Design Standards**

All crew housing facilities permitted under this Article shall meet the following minimum design standards:

- 1) Provide all ordinary urban services, to include municipal water, municipal wastewater, and urban roads
- 2) Annexation of all real property containing the crew housing facility into city limits
- 3) Provide adequate parking for any and all crew housing facility residents
- 4) Provide for adequate fire suppression
- 5) Provide for adequate access to emergency vehicles
- 6) Provide for adequate security of the crew camp facility
- 7) Meet all design standards requires by any building code, fire code, subdivision code, or zoning code adopted by the City of Dickinson
- 8) The Board of City Commissioners may further require a minimum lot size or minimum acreage for the crew housing facility.
- 9) The Board of City Commissioners may further require the land on which the crew housing facility is located to be platted as a subdivision
- 10) The Board of City Commissioners may further require any condition or restriction that in the judgment of the Board is reasonable and necessary for the crew housing facility. (Ord. No. 1419 § 4.)

### **Section 39.13.005 Application for Special Use Permit**

The application for a special use permit for crew housing facility shall be signed by the owner of the crew housing facility, as well as by the owner of the land on which the crew housing facility is to be located. The application shall include the following information:

- (1) A complete statement of the type of business contemplated
- (2) Consent to a background investigation of the owner of the crew housing facility
- (3) Identify any vendors who are expected to provide services at the crew housing facility
- (4) The applicant's history of residency, employment, and business ownership for five years prior to the date of the application. If the applicant is a partnership, this information shall be furnished for all the partners; and, if a corporation, whether such corporation is a subsidiary of any corporation, and, if so, the name of the parent corporation, the purposes for which the corporation was incorporated and the names and addresses of all officers, directors and managing agents and the names and addresses of all stockholders holding more than five percent of the capital stock of such corporation.
- (5) Whether the applicant has ever engaged in the business of owning or operating a crew housing facility before; and, if so, the dates and locations of such ownership or operation.
- (6) Whether during the five (5) years preceding the date of the application, the applicant has ever been convicted of a violation of any law of the United States or of any state; and, if so, the dates, names of places and courts in which such convictions were obtained.
- (7) Whether the applicant has any agreement, understanding or intention to have any agreement or understanding with any person to obtain for any other person or to transfer to any other person the license obtained or to use the license for any other purpose other than the specific use of the applicant; and, if so, the names and addresses of such persons and the conditions of such agreements.
- (8) A description of the temporary housing units
- (9) A description of how the proposed units are to be set and/or anchored to the ground
- (10) A statement that roads to be constructed within the facility will meet city specifications
- (11) A copy of the applicants deed and/or lease to the real property on which the crew housing facility would be located.
- (12) A copy of plot plans, drawn to scale, showing the location of housing units, additional structures, setbacks, utilities, drainage, parking, ingress, egress, screens, buffers, and fencing
- (13) A copy of the facility's house rules and regulations
- (14) A copy of the facility's on-site security plan

(15) A copy of the facility's on-site emergency management plan, to include contingencies for fire, tornado, and other natural disaster

(16) Any additional information deemed necessary by the City Planner, City Engineer, Planning and Zoning Commission, or Board of City Commissioners  
(Ord. No. 1419 § 5.)

### **Section 39.13.006 Grant of Special Use Permit**

Any application for a special use permit as provided under this Article shall be denied to any applicant who, in the discretion of the Board of City Commissioners, is a person of questionable character or for any other cause which would, in the opinion of the Board, render either the applicant or the premises to be licensed, improper or unfit for a crew housing facility, or which would, in the Board's judgment, make the granting of the permit contrary to the best interests of the City and its citizens. In granting any special use permit under this Article, the Board of City Commissioners shall have the authority to limit the number of living units or total number of persons to be housed in such units within the crew housing facility. The Board of City Commissioners shall further have the authority to limit the total acreage or land area that may be used for the crew housing facility. (Ord. No. 1419 § 6.)

### **Section 13.13.007 Revocation of Permit**

The Board of City Commissioners may review the status of any permit issued pursuant to this Article, and take appropriate action to suspend or revoke the same, as provided herein:

#### **Dickinson Municipal Code**

November 2011

(1) Suspension and Revocation for Cause. Any permit issued pursuant to this Article may be revoked or suspended for cause by the Board of City Commissioners for cause, which cause may include, among other grounds, the following:

- a. When the applicant is adjudged bankrupt.
- b. When the applicant has made any false statement or statements in an application for the issuance of such permit.
- c. When the applicant, in the case of a corporation or other entity, manager of a licensee has been convicted of a violation of any felony crime under the laws of the United States or of any state.
- d. When the business of the applicant at the location permitted has been conducted in violation of the health or sanitary regulations of the city or of the state.
- e. When in the judgment of the Board of City Commissioners, the applicant has conducted his business or permitted his business to be conducted in a disorderly manner or in a manner that is dangerous or detrimental to the public welfare and morals.
- f. When the applicant or an agent or employee of the applicant violates any term or condition of the permit or any provision of this Article.

(2) Notice – public hearing. Sanctions or penalties under this section may not be invoked without a public hearing if requested by the applicant. Upon written notification to the applicant by the City Administrator that a penalty is being sought under this section, the applicant may notify the City Administrator's office within ten (10) days of the date of such written notification and request a hearing on the proposed penalty. Failure to notify the City Administrator within ten (10) days of the date of such written notification will be deemed acceptance of the penalty without hearing.

A hearing shall be set before the Board of City Commissioners specifying the time and place of the hearing, and shall be mailed to the applicant. A record of any hearing shall be made by electronic recording device.

If, upon such hearing, it appears to a majority of the Board of City Commissioners that sufficient cause exists for the penalty sanctions, the Board of City Commissioners shall make its order in accordance with the provisions of this Article. The Board of City Commissioners shall further issue its findings, conclusions and order which shall be mailed to the applicant.

(3) No Refunds on Revocation or Suspension. When any permit is revoked or suspended for any reason, no portion of the permit fee shall be returned to the applicant. (Ord. No. 1419 § 7.)

### **Section 39.13.008 Prohibited Housing Types**

Recreational vehicles, campers, and mobile homes are prohibited units within a crew housing facility (Ord. No. 1419 § 8.)

**Section 39.13.009 Prohibited Activities**

No animals are allowed on the premises of a crew housing facility. No parking shall be allowed between units. The site is to be maintained free of garbage and junk. The operator of the crew housing facility shall be responsible for establishing and enforcing any restrictions related to possession or use of Page 139 of 141

alcohol on the crew housing facility premises. (Ord. No. 1419 § 9.)

**Section 39.13.010 Posting of Reclamation Bond**

Prior to the start of any construction on the crew housing facility, or any occupancy thereof, the applicant shall post with the City of Dickinson a valid reclamation bond in an amount to be determined by the City Engineer based upon the engineer's estimate of the costs to return the property to its original condition, permanent improvements excepted, following termination of the use of the property for a crew housing facility. (Ord. No. 1419 § 10.)

**Section 39.13.011 Conditions – Reporting Requirements**

The Board of City Commissioners may attach any conditions or reporting requirements to the grant of the special use permit that it deems necessary and prudent. (Ord. No. 1419 § 1.)