

Franklin County Ordinance
Living in Recreational Vehicles at County Reservoir Areas
2025-__ - __

“RVs and Temporary Occupancy at Reservoir and Recreation Areas”

Section 1. Purpose and intent

The purpose of this ordinance is to preserve public health, safety, and welfare, protect natural resources, maintain effective management of recreation lands and reservoir shoreline areas, prevent long-term residential occupation of recreational vehicles (RVs) and other temporary lodging units in areas designated for recreational day-use or overnight camping, and to ensure that such lands remain available for transient recreational use and managed consistent with state and federal law.

Section 2. Definitions

For purposes of this ordinance:

- (a) “Recreational Vehicle (RV)” means a vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use. (See Idaho Code § 39-4201 definition)
- (b) “Camping” or “camp” means using the area for dwelling, lodging, or living accommodation, which may include storing personal belongings, using tents or other temporary structures for storing personal belongings or for sleeping, carrying on cooking activities, laying out bedding or making any fire. (See Idaho Code § 67-1613)
- (c) “Reservoir recreation area” means the lands, shorelines, parking areas, access roads, and other facilities within the county of Franklin (or jointly managed) around the reservoir(s) that are designated for recreational use.
- (d) “Permanent residential occupation” means the use of a site for habitation or lodging of a person for a period exceeding 48 hours, or as a primary residence rather than for transient or recreational use.

Section 3. Applicability

This ordinance shall apply to:

- (a) All recreational areas, shorelines, parking lots, and access roads managed by the county, or area’s properly marked by signage regarding overnight stays.
- (b) All vehicles, trailers, RVs, campers, tents, shelters, and other accommodations used for lodging overnight or continuously.
- (c) This ordinance shall be in addition to any state or federal laws, rules or regulations applicable to the land.

Section 4. Prohibition on long-term occupancy and living in RVs

- (a) No person shall occupy, reside in, or use a recreational vehicle, travel trailer, motor home, camping trailer, or similar unit as a primary residence, or use such unit for living or

lodging accommodation continuously for more than 48 hours in any 28-day period within the reservoir recreation area.

(b) After the expiration of the stay period described in subsection (a), the vehicle and its occupants must vacate the reservoir recreation area and may not return to any reservoir for the purpose of camping for a period of at least 28 days or must relocate outside a radius of 30 miles from the previous site.

(c) Vehicles shall not be connected to utilities, septic, sewer, or similar services in a manner that supports permanent occupancy, except at designated and approved RV parks or campgrounds licensed for such use.

(d) Vehicles parked in the reservoir recreation area for the purpose of habitation or long-term lodging shall be considered a violation of this section.

Section 5. Temporary recreational camping allowed only in designated areas

(a) Camping or overnight stays in a recreational vehicle or other lodging unit within the reservoir recreation area may be allowed only in areas designated for camping or overnight parking by the county.

(b) All users must comply with any posted limits, registration requirements, camping / parking duration limits, sanitation and waste disposal rules, and other conditions of use.

(c) For example, under Idaho law for "Endowment lands" managed by Idaho Department of Lands, camping is limited to fourteen (14) days in one location during a 28-day period and campers must move if staying longer (IDAPA 20.05.01.020)

(d) Similarly, under state wildlife management lands, camping or parking a vehicle/trailer for more than ten (10) days in any thirty (30) day period is prohibited.

Section 6. Enforcement and penalties

(a) The county sheriff or any sworn Peace Officer working under the discretion of the Sheriff, shall enforce the provisions of this ordinance.

(b) Any person found in violation of Section 4 or Section 5 shall be guilty of a misdemeanor offense, and may additionally be required to remove the vehicle and vacate the site immediately.

(c) Removal or impoundment of vehicles, and other enforcement mechanisms, may be used as authorized under county code.

(d) Each day of continued violation may constitute a separate offense.

Section 7. Severability

If any provision of this ordinance is held invalid, the remaining provisions shall continue in full force and effect.

Section 8. Effective date

This ordinance shall take effect _____ after adoption and publication as required by law.

PASSED AND APPROVED this ____ day of _____, 2026.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, IDAHO

Camille Larsen, County Clerk

Robert Swainston, Chairman

Zan Bowles

Zach Stewart

References:

Idaho Statutory / Administrative

- Idaho Code § 67-1613: "No person shall camp on or in any state-owned or leased property ... except those designated as a recreational camping ground..." This defines "camping" to include using a vehicle or trailer for lodging.
- IDAPA 20.05.01.020 (Rules pertaining to Recreation Use of Endowment Lands, administered by Idaho Dept of Lands) – "Permanent camping is prohibited. Temporary camping ... limited to 14 days within 28 consecutive days ..."
- IDAPA 13.01.03.100 (Public Use Restrictions) – For wildlife management area lands, prohibits camping or parking a vehicle/trailer more than ten (10) days during any thirty (30) day period or leaving it unattended for more than 48 hours.

Federal / Public-Lands Regulations

- 36 CFR § 261.10: On National Forest System lands, it is prohibited to construct, occupy or use a residence unless authorized.
- 36 CFR § 2.61: "Residing on Federal lands ... is prohibited except pursuant to a permit, lease or contract."
- For the Bureau of Land Management (BLM) lands: Under 43 CFR § 8365.1–6 and supplementary rules, camping is limited (e.g., 14 days in 30 days), after which you must move a certain distance, and you may not establish occupancy/residential use of public lands.

These regulations show a clear trend: public lands are intended for **recreation** rather than **residential or long-term occupancy**. That supports a county ordinance designed to limit RV living at reservoir recreation areas.
