

**(Golden Valley County)**

**4.12 Temporary Crew Housing (Workforce Temporary Housing)**

**4.12.1 Definitions**

**Temporary Crew Housing (work camp housing):**

Modular residential structures used to house workers on a temporary basis for a specified period of time. It may include one or more lodging units which are not mobile homes as defined in NDCC Section 57- 02- 04 and are not mobile homes as defined in NDCC Section 57-55-01.

**Crew Housing Permit:**

A right granted by the county to locate a crew housing facility within the jurisdiction of the county and to enjoy attendant services and facilities provided by the county.

**Skid Units:**

A structure or group of structures, either single or multi-sectional, which is not built on a permanent chassis and is ordinarily designed for human living quarters , or a place of business, on a temporary basis.

**Closed Crew Camp:**

Employee housing occupied by employees of an applicant business or premises leased to a business for the purpose of providing temporary housing to only the employees of that business.

**4.12.2 Conditional Use Permit**

A Temporary Closed Crew Camp Housing Permit authorizes a conditional use, the issuance of which is subject to the procedures contained within Section 2.7 of this code. It is allowable as a conditional use in Industrial Districts.

**4.12.3 Application Procedure:**

An application for a Temporary Crew Housing Permit shall be signed by the applicant or authorized representative and shall include the following information:

- 1) A description of the units together with a numbering system.
- 2) A description of how the proposed units are set/and or anchored.
- 3) A statement that roads to be constructed within the facility will meet county specifications.
- 4) The name and address and contact information of the applicant.
- 5) The name and address and contact information of the onsite manager.
- 6) A copy of lease (if applicable).
- 7) An occupancy list to be maintained and provided to the county 911 emergency coordinator on a current basis.
- 8) Plot plans drawn to scale showing housing units, additional structures, setbacks, utilities, drainage, ingress and egress, screens, buffers, and fencing.
- 9) Unit spacing adequate to accommodate emergency services
- 10) List of house rules and regulations
- 11) On site security plan.
- 12) Fire and emergency evacuation plan.
- 13) Copy of permit issued by the North Dakota State Health Department and Southwest Health Department including fresh water, refuse disposal plan, and septic or sewer discharge plan.
- 14) Pay a Planning and Zoning Fee in the amount of two hundred (\$200) dollars per projected occupant within the crew housing units.
- 15) A copy of the closure plan.

- 16) Submit a surety bond for clean-up purposes using the following schedule:
- 0-50 person camp - \$ 20,000
  - 51-100 person camp - 30,000
  - 101-250 person camp 50,000
  - 251-500 person camp - 100,000
  - 501- 1200 person camp - 250,000
- 17) Off-street parking shall be provided on a one-to-one ratio, one parking space per bed.
- 18) Any additional information deemed necessary by the County Zoning Director, the Planning and Zoning Commission, or the County Commission.

#### **4.12.4 Prohibited Housing Types**

Recreational vehicles, campers, and mobile homes are prohibited as units in a crew housing facility.

#### **4.12.5 Prohibited Activities**

No illegal substances or animals are allowed on the premises of a crew housing facility. No parking will be allowed between units. The site is to be maintained free of garbage and junk.

#### **4.12.6 Termination of Crew Housing Permit**

A Crew Housing Permit is a conditional use permit subject to review by the Planning and Zoning Commission at any time. The permit may be revoked by the County Commission anytime the applicant is in non-compliance with any of the conditions set by the Planning and Zoning Commission or the County Commission for the issuance of the permit.

#### **4.12.7 Renewal of Conditional Use Permit**

Any Temporary Closed Crew Housing Permit granted in accordance with this section shall expire two years from the date of issuance. The permit may be extended by the Planning and Zoning Commission upon written application of the owner of the property or authorized representative provided that the extension is for the same use as specified in the original permit and that the applicant is in compliance with the terms and conditions specified in the original permit.

**(Bowman County)**

**6.13 Temporary Crew Housing (Workforce Temporary Housing)**

**6.13.1 Definitions**

**Temporary Crew Housing (work camp housing):**

Modular residential structures used to house workers on a temporary basis for a specified period of time. It may include one or more lodging units which are not mobile homes as defined in NDCC Section 57- 02-04 and are not mobile homes as defined in NDCC Section 57-55-01.

**Crew Housing Permit:**

A right granted by the county to locate a crew housing facility within the jurisdiction of the county and to enjoy attendant services and facilities provided by the county.

**Skid Units:**

A structure or group of structures, either single or multi-sectional, which is not built on a permanent chassis and is ordinarily designed for human living quarters , or a place of business, on a temporary basis.

**Closed Crew Camp:**

Employee housing occupied by employees of an applicant business or premises leased to a business for the purpose of providing temporary housing to only the employees of that business.

**6.13.2 Conditional Use Permit**

A Temporary Closed Crew Camp Housing Permit authorizes a conditional use, the issuance of which is subject to the procedures contained within Section 8.3 of this code . It is allowable as a conditional use in Industrial Districts.

**6.13.3 Application Procedure:**

An application for a Temporary Crew Housing Permit shall be signed by the applicant or authorized representative and shall include the following information:

- 19) A description of the units together with a numbering system.
- 20) A description of how the proposed units are set/and or anchored.
- 21) A statement that roads to be constructed within the facility will meet county specifications.
- 22) The name and address and contact information of the applicant.
- 23) The name and address and contact information of the onsite manager.
- 24) A copy of lease (if applicable).
- 25) An occupancy list to be maintained and provided to the county 911 emergency coordinator on a current basis.
- 26) Plot plans drawn to scale showing housing units, additional structures, setbacks, utilities, drainage, ingress and egress, screens, buffers, and fencing.
- 27) Unit spacing adequate to accommodate emergency services
- 28) List of house rules and regulations
- 29) On site security plan.
- 30) Fire and emergency evacuation plan.
- 31) Copy of permit issued by the North Dakota State Health Department and Southwest Health Department including fresh water, refuse disposal plan, and septic or sewer discharge plan.
- 32) Pay a Planning and Zoning Fee in the amount of one dollar and fifty cents (\$1.50) per square foot of the area encompassing the crew housing units.
- 33) A copy of the closure plan.
- 34) Submit a surety bond for clean-up purposes, the amount of which is to be determined by the county's designated engineering firm to include an amount to clean the premises upon abandonment together with an escalator clause to cover anticipated increases in costs for such purpose.

- 35) Off-street parking shall be provided on a one-to-one ratio, one parking space per bed.
- 36) Any additional information deemed necessary by the zoning director, the planning and zoning board, or the county commission.

#### **6.13.4 Prohibited Housing Types**

Recreational vehicles, campers, and mobile homes are prohibited as units in a crew housing facility.

#### **6.13.5 Prohibited Activities**

No illegal substances or animals are allowed on the premises of a crew housing facility. No parking will be allowed between units. The site is to be maintained free of garbage and junk.

#### **6.13.6 Termination of Crew Housing Permit**

A Crew Housing Permit is a conditional use permit subject to review by the Planning and Zoning Board at any time. The permit may be revoked by the County Commission anytime the applicant is in non-compliance with any of the conditions set by the Planning and Zoning Board or the County Commission for the issuance of the permit.

#### **6.13.7 Renewal of Conditional Use Permit**

Any Temporary Closed Crew Housing Permit granted in accordance with this section shall expire two years from the date of issuance. The permit may be extended by the Planning and Zoning Board upon written application of the owner of the property or authorized representative provided that the extension is for the same use as specified in the original permit and that the applicant is in compliance with the terms and conditions specified in the original permit.

## **(Hettinger County)**

### 6.15 Crew Camp Housing

#### 6.15.1 Definitions

As used in this Ordinance:

- (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 NDCC §57-02-04 and are not mobile homes as defined in NDCC §57-55-01.
- (2) “Crew housing permit” means a right granted by Hettinger County to locate crew housing facilities on property within the jurisdiction of Hettinger County under this ordinance 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 multi- sectional, 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.

#### 6.15.2 Crew Housing Conditional Use Permit

A Temporary Crew Housing Permit authorizes a conditional use, the issuance of which is subject to the procedures contained in this zoning ordinance. It is allowable as a conditional use in Agricultural, Commercial and Industrial Districts. The application shall be submitted to the Hettinger County Planning and Zoning Commission.

#### 6.15.3 Applicant Background Information

The Applicant for a Temporary Crew Housing Permit shall provide the following information or documents:

- (1) Consent to background investigation of the owner of the temporary crew housing facility.

- (2) Consent to background investigation of the owner of the real estate upon which the temporary crew housing facility will be located.
- (3) A list of vendors expected to provide services at or to the temporary crew housing facility.
- (4) Applicant's history of residency, employment and business ownership for five (5) years prior to the date of application. If the applicant is a partnership, the required information and consents shall be furnished for all of the partners. If the applicant is a corporation or limited liability company, information shall be provided as to the applicant's status as a subsidiary, if any, of any other corporation or limited liability company, the purposes for which the applicant was organized, and the names and addresses of all officers, directors, managing agents and the names and addresses of all stockholders or interest holders owning more than five per cent (5%) of the capital stock of such corporation.
- (5) Whether the applicant has ever engaged in the business of owning or operating a temporary crew housing facility or similar operation before, and if so, the dates and locations of such ownership or operation.
- (6) Whether during the five (5) years immediately preceding the date of the application, the applicant, or any of the applicant's officers, directors, managing agents or partners have been convicted of a violation of the laws of the United States of America or of any state or municipality; and if so, the dates, location 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 or entity to obtain for another person or entity or to transfer to another person or entity the license obtained or to use the license for any other purpose other than the specific use described in the application, and if so, the names and addresses of such persons and the conditions of such agreements.

#### 6.15.4 Application Procedure

An application for a Temporary Crew Housing Permit shall be signed by the applicant or authorized representative and shall include the following information:



- (1) The legal description of the property upon which the temporary crew housing will be located.
- (2) A description of the units together with a numbering system that clearly identifies the occupied quarters for purposes of emergency responses.
- (3) A description of how the proposed units are set and/or anchored.
- (4) A statement that roads to be constructed within the facility meet county specifications.
- (5) The name, address and contact information of the applicant.
- (6) The name, address and contact information of the onsite manager.
- (7) A copy of any lease for real estate or personal property involved.
- (8) Plot plans drawn to scale showing housing units, additional structures, setbacks, utilities, drainage, ingress and egress, parking plans, screens, buffers and fencing. Plot plans shall be provided to the Hettinger County 911 emergency coordinator on a current basis.
- (9) An occupancy list to be maintained and provided to the Hettinger County 911 emergency coordinator on a current basis.
- (10) Unit spacing adequate to accommodate emergency services.
- (11) A list of house rules and regulations.
- (12) On-site security plan, including plans for controlled access to the facility and a minimum six-foot (6') high chain link fence encompassing the facility.
- (13) Fire and emergency evacuation plan.
- (14) Copy of the permit, or approval, issued by the North Dakota State Health Department, Southwest Water Authority and Southwest District Health Unit including fresh water, refuse disposal plan and septic or sewer discharge plan.

- (15) Pay an annual Planning and Zoning fee in the amount of fifty cents (\$.50) per square foot of the area of the legal description provided as required in Section 5 (a) above. In the event there are multi-storied crew housing units, the annual fee shall include another fifty cents (\$.50) per square foot of the stories after the ground story.
- (16) A copy of plans for closing the temporary crew housing and cleaning up and reclaiming the real property.
- (17) Submit a surety bond to ensure the proper clean-up and reclamation according to the following schedule:

0-100 person camp	\$ 75,000.00
101-250 person camp	100,000.00
250-500 person camp	250,000.00
501-1200 person camp	500,000.00

The surety bond shall be forfeited to Hettinger County if the Temporary Crew Housing Facility is not dismantled and the area restored to its unoccupied condition as set out in the written plan and agreement provided to the county. The bond will also be forfeited if any of the following events or conditions occur:

- a) The Sheriff's Department or any other law enforcement agency receives or services ten (10) complaints due to noise, fighting, unruly behavior or other acts prohibited by the North Dakota Century Code within a three (3) month period of time at the Temporary Crew Housing Facility location.
- b) The Sheriff's Department or any other law enforcement agency receives or services three (3) complaints due to noise, fighting, unruly behavior or other acts prohibited by the North Dakota Century Code for any single individual at the Temporary Crew Housing Facility and said individual is permitted to remain at or in the Temporary Crew Housing Facility by the applicant or the applicant's agents.
- c) The Temporary Crew Housing Facility fails to appropriately dispose of refuse.

- d) The occupancy of the Temporary Crew Housing Facility exceeds the number of individuals indicated in the application.
- (18) At a minimum, off-street parking shall be provided on a one-to-one ratio, one parking space per bed and one parking space per employee.
- (19) Any additional information deemed necessary by the Zoning Administrator, the Planning and Zoning Commission or the County Commission.

#### 6.15.5 Restrictions on Grant of Permit

The Hettinger County Board of Commissioners or the Hettinger County Planning and Zoning Commission may at its discretion deny an application for a Temporary Crew Housing Permit if the applicant is of questionable character or for any other cause which would, in the opinion of the Board of County Commissioners or the Planning and Zoning Commission, render the applicant or the premises to be licensed, improper or unfit for a temporary crew housing facility, or which would, in the judgment of the Board of County Commissioners or the Planning and Zoning Commission, make the granting of the permit contrary to the best interests of the county or its citizens.

#### 6.15.6 Prohibited Housing Types

Recreational vehicles, campers and mobile homes are prohibited as units in a Temporary Crew Housing facility.

#### 6.15.7 Prohibited Activities

No alcoholic beverages, firearms, illegal substances or animals are allowed on the premises of a temporary crew housing facility. No parking shall be allowed between the units. The site shall be maintained free of garbage and junk.

#### 6.15.8 Revocation of Permit

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

- (1) Suspension or Revocation for Cause.

Any permit issued pursuant to this Ordinance may be revoked or suspended for cause by the Board of County Commissioners, which cause may include, among other ground, the following:

- a) The applicant being adjudged bankrupt.
- b) Applicant's falsifying of any statement or statements in the application process described herein.
- c) Applicant's conviction, or the conviction of an applicant's officers, directors or agents, of any felony crime under the laws of the United States of America or any state or municipality.
- d) The applicant's violation of any health or sanitary regulations of Hettinger County or the State of North Dakota.
- e) The applicant's conduct of business in a disorderly manner or in a manner deemed to be dangerous or detrimental to the public welfare, safety or morals.
- f) The applicant's, or any agent or employee of the applicant, violation of any term or condition of the permit or any provision of this Ordinance.

(2) Notice - Public Hearing

Sanctions or penalties under this ordinance may not be invoked without a public hearing if requested by the applicant. The County Auditor shall give written notification to the applicant that a penalty is being sought under this ordinance. The applicant may notify the County Auditor's office within ten (10) days of such written notification and request a hearing on the proposed penalty. Failure to request the hearing within 10 days of the date of such written notification will be deemed to be acceptance of the penalty without hearing.

If a hearing is requested on the suspension or revocation of a permit, a hearing shall be scheduled by the Board of County Commissioners with a notice specifying the time and

place of hearing mailed to the applicant. The hearing shall be recorded electronically.

If, after such hearing, the majority of the Board of County Commissioners agrees that sufficient cause exists for the penalty sanctions, the Board shall enter an order in accordance with the provisions of this ordinance. The Board shall issue written findings, conclusion and order which will 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.

6.15.9 Expansion of Temporary Crew Housing

In the event an application is to expand an existing temporary Crew Housing Facility Permit, the expansion shall be treated as a new application, and all conditions, terms and fees shall apply to the new application without consideration for the existing temporary crew housing facility.

6.15.10 Renewal of Conditional Use Permit

Any Temporary Crew Housing Permit granted in accordance with this ordinance shall expire one year from the date of issuance. The permit may be extended by the Planning and Zoning Commission upon written application of the owner of the property or authorized representative provided that the extension is for the same use as specified in the original permit and that the applicant is in compliance with the terms and conditions specified in the original permit.

6.15.11 Conditions – Reporting Requirements

The Board of County Commissioners or the Planning and Zoning Commission may attach any necessary and prudent conditions or reporting requirements to the grant of the conditional use permit.