

ORDINANCE NO. 70

ORDINANCE REGULATING RECREATIONAL VEHICLE PARKS

AN ORDINANCE OF THE CITY OF IOLA REGULATING RECREATIONAL VEHICLE PARKS; PROVIDING FOR DEFINITIONS, PROHIBITION OF RECREATIONAL VEHICLE PARK WITHOUT PERMIT, RECREATIONAL VEHICLE PARK DEVELOPMENT STANDARDS, & PENALTY NOT EXCEEDING \$500.00; PROVIDING FOR REPEALER, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City of Iola ("City") has general authority to adopt ordinances and regulations that are for the good government, peace or order of the City and are necessary or proper for carrying out a police power granted by law to the City; and

WHEREAS, the City Council finds that an emergency is present that necessitates the regulation of recreational vehicle communities in the City; and

WHEREAS, the City Council finds that properly planned and operated recreational vehicle communities (RV Parks) promote the safety, health, and welfare of the residents of such communities;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IOLA, TEXAS:

SECTION 1. PURPOSE

The purpose and intent of this Ordinance is to protect the City's water resources and to provide certain minimum standards, provisions and requirements for safe, sanitary and suitable methods for construction and operation of RV Parks within the City.

SECTION 2. DEFINITIONS

(A) Recreational Vehicle (RV) – Any licensed camp trailer, travel trailer, motor home or fifth wheel designed to provide temporary living quarters for recreational camping or travel use, constructed with integral wheels to make it mobile and/or towable by motor vehicle, including, but not limited to:

(1) Travel Trailer – A portable structure built on a chassis, designed to provide temporary living quarters for recreational camping or travel use, and constructed with integral wheels to make it mobile and/or towable by a motor vehicle.

- (2) Motor Home** – A motor vehicle equipped like a travel trailer and which is a portable, temporary dwelling to be used for travel, recreation and vacation.
- (3) Dependent Trailer** – A travel trailer which is dependent upon a service building for toilet and lavatory facilities.
- (4) Self-Contained Trailer** – A travel trailer which can operate independent of connections to sewer, water and electric systems. It contains a water-flush toilet, lavatory, shower and kitchen sink, all of which are connected to water storage and sewage-holding tanks located within the trailer.
- (5) Truck Camper** – A camper unit equipped like a travel trailer that fits in the bed of a pickup truck and may or may not be separated from the truck for use as living quarters.
- (B) Recreational Vehicle Park (RV Park)** – Any tract or parcel of land used in whole or in part, for the accommodation of RV's by the day, week or a longer period of time.
- (C) Existing RV Park** – Any RV Park with water, sewer and electrical hook-ups; active utility accounts for water, sewer and electrical service; and paying occupants.
- (D) Owner or Manager** – Any person who has the control, direction, maintenance or supervision of an RV Park, whether as owner or otherwise.
- (E) Development Plan** – Graphic representation, drawn to scale, delineating the outlines of the land included in the plan and all proposed use locations, accurately dimensioned, the dimensions also indicating the relation of each use to that adjoining and to the boundary of the property: Includes existing structures, proposed construction, drainage, and any easements or rights of way.
- (F) RV Site** – Any designated site or pad within an RV Park for the parking of an RV.
- (G) Accessory Structure** – Any structural addition to the recreational vehicle or site, including awnings, cabanas, carports, garages, porches, storage cabinets, storage sheds, and similar structures.

SECTION 3. STANDARDS

- (A) Size and Density** - Each RV Park shall have a minimum size of two (2) acres, with a maximum size of five (5) acres. The maximum site density for RV parks shall be twenty (20) sites per acre.
- (B) Individual Sites Requirements**
- (1) Only one RV per Site** - Only one (1) recreational vehicle is permitted per recreational

vehicle site.

(2) Distance between RV's – All RV's shall be located no closer than the following:

- (1) The sides of the RV shall be no closer than 18 feet from any other RV.
- (2) The rear of the RV shall be no closer than 10 feet from any other RV.
- (3) No part of the front of any RV shall be closer than 10 feet from the internal roadway.

(3) Internal Roadway – Each recreational vehicle site shall be accessible by an internal roadway, which shall provide access to a public street. The internal roadway shall have a width at least equal to the public streets in Iola. Approaches to all sites shall be kept clear for access by EMT and fire-fighting personnel and equipment. Each site shall be clearly marked identifying the site number.

(4) Water, Sewer and Electrical Hook-Ups – Each site shall be equipped with water, sewer and electrical hook-ups which shall conform to all applicable codes and regulations, including all applicable regulations of the Texas Commission on Environmental Quality (TCEQ).

(C) Parking – Each RV Park shall provide off-road parking spaces for two (2) passenger vehicles at each recreational vehicle site.

(D) Toilet and Shower Facilities – Each RV Park shall provide toilet and shower facilities in properly constructed buildings. Such buildings shall be well lighted and ventilated at all times. Floors shall be of concrete or some similar material, and each room shall be provided with floor drainage. All toilet and shower facilities shall comply with the Americans with Disabilities Act (ADA).

(E) Fencing – A solid fence at least eight (8) feet in height shall be placed on or just inside the property line to buffer the RV Park from view. The fence shall be installed on both sides and at the rear of the property. The fence must be of metal or galvanized materials. No wood fences are allowed.

(F) Accessory Structures – Accessory structures are not allowed at the individual sites within the RV Park.

(G) Drainage – The RV Park shall be located on a well-drained site, properly graded and equipped to ensure rapid drainage and to be free from stagnant pools of water. Topography shall be such that it shall not create a hazard to the property or the health and safety of the occupants.

(H) Storage, Collection and Disposal of Refuse and Garbage – Each RV Park shall be provided with safe and adequate facilities for the collection and removal of waste and garbage.

Storage, collection, and handling shall be conducted so as to create no health or fire hazards.

- (I) Control of Rodents, Insects and Other Pests** – Grounds, buildings and structures in the RV Park shall be maintained free of the accumulation of high grass and weeds and debris so as to prevent rodent and snake harborage or the breeding of flies, mosquitoes or other pests. The RV Park owner or manager shall be responsible for maintaining the entire area of the park free of dry brush, leaves, limbs and weeds.
- (J) Fire Safety and Protection** – The owner or manager of an RV Park shall see that the City's Burn Ban contained in Ordinance No. 2 and all other City ordinances relating to prevention of fires shall be fully complied with at all times.
- (K) Texas Landlord-Tenant Law** – The owner or manager of an RV Park shall ensure compliance with Texas Property Code, Title 8, Chapter 94, as it applies to the landlord-tenant relationship of RV Park owners/managers and their occupants.
- (L) Grandfathering of Existing RV Parks** - An existing RV Park is considered grandfathered and shall not be required to comply with the standards set forth in paragraphs (A) through (G) of this section. Compliance with paragraphs (H) through (K) is required. Upon change of controlling interest of a grandfathered RV Park, the new owner shall immediately bring the existing RV Park into full compliance with the requirements of this Ordinance.

SECTION 4: DEVELOPMENT PLAN & PERMIT

A development plan must be prepared and submitted to the City for approval before any new RV Park may begin construction and/or operation within the City. Upon approval of the development plan a permit will be issued to the owner of the new RV Park. All existing RV Parks which are grandfathered must acquire a permit from the City in order to continue operating within the City. Development plan/permit fees shall be \$150.

SECTION 5: REGISTRATION OF OCCUPANTS

The owner, manager, operator, or person in charge of the RV Park shall maintain a register of park occupancy which shall contain at least the following information:

- (1) Name of occupant(s);
- (2) Full address of permanent residence of occupant(s);
- (3) Automobile and recreational vehicle license plate number and the state in which each is registered;
- (4) Driver's license number of the occupant(s);
- (5) The number or letter of the site rented;
- (6) Date of arrival and departure.

SECTION 6: EXCEPTIONS

The provisions of this Ordinance shall not apply to:

(1) Recreational Vehicles Stored by Owner – Recreational vehicles stored at or near the owner's residence and used personally by the owner for vacation travel or guest quarters.

(2) Recreational Vehicles in Storage Facilities – Recreational vehicles stored in off-site storage facilities with no hook-ups and personally used by the owner for vacation travel.

(3) Recreational Vehicles for Sale – Locations where recreational vehicles are displayed and/or sold, whether by an individual seller or dealer.

SECTION 7: PENALTY

Any person, firm, or corporation violating any provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined up to five hundred dollars (\$500.00). Each day a violation of a provision of this Ordinance continues to exist shall constitute a separate offense.

SECTION 8: REPEALER

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

SECTION 9: SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

SECTION 10: EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication.

SECTION 11: PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

PASSED AND APPROVED THIS 12 DAY OF October 2021

Christina Stover
Christina Stover, Mayor

Donna Ray
Attest: Donna Ray, City Secretary

