

ORDINANCE # 06-0912RV

AN ORDINANCE PROHIBITING THE USE OF A RECREATIONAL VEHICLE (RV) FROM BEING USED IN ANY MANNER OTHER THAN WHAT IT IS DESIGNED FOR; PROVIDING FOR TEMPORARY VISITOR PERMITS AND COLLECTION OF FEES; PROVIDING PENALTIES FOR THE VIOLATION WHEREOF; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE

WHEREAS: an RV does not fall under any construction codes or rules as those of a permanent dwelling; and

WHEREAS: it is not taxed as real property; and

WHEREAS: it is not insurable as real property for its own protection nor its neighbor; and

WHEREAS: it does not meet any windstorm qualifications set forth in the Texas Windstorm Codes; and

WHEREAS: an RV shall not be installed as permanent residence in the City of Austwell on any private lot, occupied or not – **Exception** – an RV may be used as permanent residence in a qualified RV Park designed for that purpose; and

WHEREAS: the Park is insured against damage to others; and

WHEREAS: the Park collects use tax for the space; and

WHEREAS: the Park can police the surrounding areas and make sure there is no infiltration of rain water or any other runoff into the city sewer system; and

WHEREAS: if the RV is used as permanent residence, it shall be anchored in such manner as to withstand 120 mph winds; **NOW, THEREFORE;**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTWELL:

SECTION 1

DEFINITIONS

Recreational Vehicle (RV) – A vehicle which is built on a single chassis, 450 square feet or less in size when measured at the largest horizontal projections; designed to be self propelled or permanently towable by a light duty truck; and designed primarily **NOT** for use as a permanent dwelling but as a temporary living quarters for recreation, camping or travel.

Temporary – The word “temporary” used within this ordinance shall mean a period of 7 (seven) days or less.

Current Resident Household Owner and/or Occupant – Must reside at resident household location.

City – The City of Austwell, Texas

IRC – The International Residential Code

SECTION 2

GENERAL PROVISIONS FOR RECREATIONAL VEHICLE PARKS

The following general provisions are required for the development or the expansion of RV Parks:

- 2.1 Upon application, the installation of a Recreational Vehicle Park shall be permitted as determined appropriate by the City.
- 2.2 The park may include Recreational Vehicles as defined in Section 1.
- 2.3 The park shall consist of at least two (2) acres in size. The number and location of external access drives shall be approved by the Building Official.
- 2.4 Scaled plans and specifications showing details of the proposed park layout shall be submitted and reviewed by City Council and Building Official. Any future alteration of the park layout shall require submission of scaled and detailed plans and approved by the Building Official. Extensions or additions to the park shall be processed in the same manner as an original proposal.
- 2.5 Each RV unit shall be located on each space so that there is at least twenty (20) feet unobstructed clearance between units, side to side and end to end and ten (10) feet adjacent to a permanent structure or lot fences. No unit shall be closer than ten (10) feet from any internal road and no closer than fifteen (15) feet from any external access road.
- 2.6 RV's located in the park shall be connected to City water and wastewater systems.
- 2.7 Interior access drives shall be maintained with a hard surface, with approved drainage and be sufficient width as determined by the Building Official. Parking on interior access drives shall be permitted only if sufficient clearance exists for one (1) car passage in addition to parking.
- 2.8 A service building to provide necessary sanitation and laundry facilities shall be provided. Such building(s) shall be conveniently located and shall provide fixtures as required by the Plumbing Code as stated in the IRC.
- 2.9 The RV park shall conform to all other City of Austwell regulations and codes relating to planning & zoning, building, gas, mechanical, plumbing, electrical installations and tie-downs for windstorm compliance. All units unoccupied during hurricane season (June 1 to November 30) shall be tied down (see Building Code) or removed from the park. Lot spaces shall be labeled with numbers to

augment identification by 911 operators. Fire hydrants shall be required as specified by the Building Official and shall be included in the RV park layout plans submitted for approval.

- 2.10 Storage, collection and disposal of refuse shall be so conducted as to create no health hazard, rodent harborage, insect breeding areas, accident or fire hazard or air pollution. Pets shall be leashed per the Animal Control Ordinance.
- 2.11 The property owner/operator shall at all times operate the park in compliance with this ordinance and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean, sanitary and orderly condition at all times.

SECTION 3

GENERAL PROVISIONS FOR RECREATIONAL VEHICLES

- 3.1 No RV shall be allowed to connect to City services on any private lot.
- 3.2 RV's shall not be installed as permanent residence **except** in a park designed for that purpose.
- 3.3 Temporary Visitor Permits, for 7 days or less, shall be required for visitors in RV's wishing to park their RV at a current resident household location.
- 3.4 Current resident household owner and/or occupant shall be responsible for obtaining the Temporary Visitor Permit.
- 3.5 The permit fee for seven (7) days or less shall be \$35.00
- 3.6 Penalties for non-compliance shall be enforced.

PENALTIES

Non compliance of the terms of this ordinance shall result in the following:

Exceeding the 7 day Temporary Visitor Permit –

On the 8th day – Disconnect of City Services

On the 9th day - \$25.00 fine per day of non-compliance

On the 10th day – All of the above plus denial of any future permits

Failure to obtain Temporary Visitor Permit – Permit fee shall be doubled.

SEVERABILITY

If any section, paragraph, sentence, clause, phrase or provision of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

REPEALING

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

EFFECTIVE DATE

This ordinance shall become effective on the 12 day of September, 2006, and shall be published one (1) time in the official newspaper of the City of Austwell and may also be posted in three (3) public places within the City of Austwell.

PASSED AND APPROVED this 12 day of September, 2006.



Mayor

ATTEST:



City Secretary