



ORDINANCE NO. 2020-003

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SANDY, TEXAS, ADOPTING AND DEFINING RECREATIONAL VEHICLE PARKS (RV PARKS) AS PART OF THE COMPREHENSIVE ZONING ORDINANCE (CHAPTER 152: ZONING REGULATIONS) FOR THE CITY OF BIG SANDY; FIXING AND PRESCRIBING THE RATES, CHARGES AND FEES; PRESCRIBING CERTAIN POLICIES, RULES AND REGULATIONS; PROVIDING FOR REPEAL; PROVIDING PENALTIES FOR NONCOMPLIANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Big Sandy, Texas (the "City"), recognizes that the Comprehensive Zoning Ordinance for the City of Big Sandy, Texas was adopted on April 23, 2014; and

WHEREAS, the City acknowledges that the Zoning Map of the City of Big Sandy, Texas was adopted on April 23, 2014 as part of the Comprehensive Zoning Ordinance for the City of Big Sandy, Texas; and

WHEREAS, the City finds it in the best interest of the health, safety and benefit of the citizens of Big Sandy to add to the definition of Recreational Vehicle Park (as defined in Sec. 3-3: Use Definitions #32) as part of the Comprehensive Zoning Ordinance for the City of Big Sandy; and

WHEREAS, the City Council of the City of Big Sandy desires to adopt the "RV Parks" Ordinance, dated August 2020, as the official City policy for RV Parks located in the corporate limits of the City of Big Sandy, Texas.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SANDY THAT:

Section I.

1. **Definitions:** For the purpose of this section, the following definitions shall apply, unless the context clearly indicates or requires a different meaning:
 - a. Recreational Vehicle. Any vehicle as defined in Sec. 3-3: Use Definitions #31 of the City of Big Sandy Zoning Ordinance.
 - b. Recreational Vehicle Park (RV Park). In addition to Sec. 3-3: Use Definitions #32 of the City Of Big Sandy Zoning Ordinance, a RV Park may be any lot, tract or parcel of land used in whole or in part for parking of recreational vehicles used for or to be used as a temporary or permanent dwelling or sleeping place for one or more persons by the day or week or for a larger period of time with or without compensation.
 - c. Recreational Vehicle space. The space of ground set aside and permanently marked off and designated on the RV park site for occupancy by one RV or the space or plot of ground actually occupied by a RV in a RV park.
 - d. Natural or artificial barrier. Any river, pond, canal, railroad, levee, embankment, fence or hedge.
 - e. Park. Recreational Vehicle park.
 - f. Permit. A written permit or certification issued by the building inspector or other authorized agent of the City of Big Sandy permitting the construction, alteration or extension of a RV park under the provisions of this article.

- g. Person. Any natural individual, executor, administrator, firm, trust, partnership, association or corporation.
- h. Street. Any street, alley, avenue, lane, drive or other public place or highway commonly used for the purpose of travel within the corporate limits of the city.

2. Recreational Vehicles outside of licensed park

- a. It shall be unlawful for any person to locate or maintain any such recreational vehicle in any place in the city other than a duly licensed and lawful recreational vehicle park, except where authorized by the City of Big Sandy Code of Ordinances for the purpose of parking or storage.

3. License Required

- a. It shall be unlawful for any person to maintain or operate, within the limits of the city, any RV park unless the person shall first obtain a license therefore. All RV parks in existence upon the effective date of this article shall within 90 days thereafter obtain the license and in all other respects comply fully with the requirements of this article.
- b. Fees
 - a. The annual license fee for each RV park shall be \$200.00.
 - b. There shall be no charge for the fee of the transfer of the license as provided for in this article.
- c. Application; issuance
 - a. Application requirements. Applications for a RV park license shall be filed with the city secretary, and upon approval by the city council, the city secretary shall issue the license. Applications shall be in writing, signed by the applicant, and shall contain the following:
 - i. The name and address of the applicant;
 - ii. The location and legal description of the mobile home park;
 - iii. A complete site plan of the park showing compliance with all codes and ordinances,
 - iv. Plans and specifications of all buildings and other improvements constructed or to be constructed within the RV park; and
 - v. Further information as may be requested by the city council to enable it to determine if the RV park will comply with the legal requirements.
 - b. Investigation; issuance.
 - i. The application and all accompanying plans and specifications shall be filed in triplicate. The mayor, the city Public Works Director or designees and the city building inspector shall investigate the applicant and inspect the proposed plans and specifications.
 - ii. Each of them shall then make a report to the city council concerning the applicant and include therein their recommendations relative to the issuance of a license. If the RV park will be in compliance with all provisions of this article and all other applicable ordinances or statutes, the city council may approve the application, and, in the case of proposed parks, make the approval contingent upon the completion of the park according to the plans and specifications submitted with the application.
 - iii. The city secretary, at the direction of the city council, shall issue the license.
- d. Revocation
 - a. The city council may revoke any license to maintain and operate a RV park when the licensee has been found guilty by a court of competent jurisdiction of violating any provisions of this article. After the conviction, the license may be reissued if the circumstances leading to conviction have been remedied and the park is being maintained and operated in full compliance with law and this article.
- e. Transfer; term
 - a. Upon application for a transfer of the license, the city council may issue a transfer if the city council finds that the transferee is of good moral character. The original license, and transfer thereof, may be granted at any time during the year and shall expire at the end of the fiscal year of the city unless previously revoked or terminated.

f. Posting

- a. The license certificate shall be conspicuously posted in the office of or on the premises of the RV park at all times.

4. Design and Operation

- a. Park plan; design standards. Any RV park shall conform to the following requirements:
 1. Drainage. The park shall be located on a well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.
 2. Size of spaces; distance requirements. RV spaces shall be provided consisting of a minimum of 900 (nine hundred) square feet for each space, which shall be at least 30 (thirty) feet wide. There shall be no minimum lot depth. RV's shall be so harbored on each space that there shall be at least 10 (ten) feet clearance between RV's. No RV shall be located closer than eight feet from any building within the park and it must be set back at least 20 feet from the streets in the RV park.
 3. Driveways; access to spaces. All RV spaces shall abut upon a driveway of not less than 20 (twenty) feet in width which shall have unobstructed access to a public street, alley or highway. All streets shall be hard surfaced, well marked in the daytime and lighted at night. The minimum quality of the street to be approved with the city public works in accordance with other subdivision street requirements.
 4. Walkways:
 - i. Walkways not less than two feet wide shall be provided from the RV spaces to the service building and recreational areas.
 - ii. The walkway shall be hard surfaced, as that term is defined in the preceding subsection, well marked in the daytime and lighted at night.
 5. Electrical outlets. An electrical outlet supplying at least 110 volts shall be provided for each RV space.
 6. Setbacks from park boundary and adjacent streets. No RV shall be situated closer to the street upon which the RV park fronts or any boundary line surrounding the mobile home park than 20 feet from the property line.
 7. Utility lines to be placed underground. All utility wires, conductors, pipes, connections or other items that may be used to provide services to the RVs in a RV park, including but not limited to gas lines, electric lines and telephone lines, shall be placed and installed underground.
 8. Recreational facilities. There shall be a minimum of 8% of the gross RV park site devoted to and occupied by recreational facilities for the use and benefit of occupants of the RVs in the park.
 9. Streets:
 - i. All streets shall have a 50 (fifty) foot easement which can be used for that purpose; provided, however, that each street shall have a minimum width of 30 (thirty) feet.
 - ii. All streets shall meet the minimum standards that are required by the city for subdivisions and all dead-end streets shall have a turning width of at least 50 (fifty) feet in diameter.
 10. Height limit. Rv's, carports, garages, storage buildings, laundry houses or other buildings shall not exceed a height of one and one-half stories.

5. Location

- a. RV parks may be located only in conformity with the comprehensive zoning ordinance of the city and, in addition to the requirements contained herein, each boundary of the park must be at least 200 feet from any permanent residential building located outside the park, unless separated there from by a natural or artificial barrier, the determination of the sufficiency of the [barrier] being

made by the city council, or unless a majority of the property owners according to area within 200 feet consent, in writing, to the establishment of the park.

- b. The provisions of this section shall not apply to RV parks already in existence and operation at the time of the passage of this article, and the existing and operating parks shall be treated as a nonconforming use insofar as the requirements of this section are concerned.

6. Maintenance

Every person owning or operating a RV park shall maintain the park, and any facilities, fixtures and permanent equipment in connection therewith, in a clean and sanitary condition, and shall maintain the equipment in a state of good repair.

7. Office building; records

Each RV park shall be provided with a building to be known as the "office," in which shall be kept copies of all records pertaining to the management and supervision of the park, as well as rules and regulations which shall be available for inspections by law enforcement officers, public health officials and other officials whose duties necessitate acquisition of the information contained therein.

8. Responsibilities of manager

- a. It shall be the duty of the owner or his or her agent, representative or manager to prescribe rules and regulations for management of the park, to make adequate provisions for the enforcement of the rules and to subscribe to any and all subsequent rules and regulations which may be adopted for the management of the park.
- b. Copies of all rules and regulations shall be furnished to the city council.
- c. In addition thereto, it shall be the duty of the owner or his or her agent, representative or manager to comply strictly with the following:
 1. Provide for regular inspection of the water and sanitary conveniences;
 2. Provide for the collection and removal of garbage and other waste material;
 3. Prohibit the placing or storage of unsightly material or vehicles of any kind;
 4. Prohibit the placing of any RV more than seven years of age in the RV park;
 5. Provide for the regular cleaning, painting, repairing and disinfecting of all buildings;
 6. Take such other measures as may be deemed to be necessary by the city to preserve the health, comfort and safety of all persons residing in the park and the general public;
 7. Report to the city, within 24 hours, all cases of communicable diseases or suspected cases of communicable diseases affecting any guest or employee of the park;
 8. Report immediately in the police department of the city all acts of disorderly character committed by any person or persons inside of the park; and
 9. See that copies of all rules and regulations are prepared and posted in conspicuous locations throughout the park.

9. Designation of manager

- a. Each RV park shall be under the direct management of the owner or his or her agent or representative, for whose acts he, she or they shall be fully responsible.
- b. The name of the person entrusted with the direct management of a park shall be filed for reference with the city council.
- c. The person or persons must be of good reputation and character and shall satisfy the city council of their experience and capacity to supervise, manage, regulate and control the park and maintain good sanitary conditions in and about the park.

10. Additions to RV's

- a. It shall be unlawful for any person operating a RV park or occupying a RV to construct or permit to be constructed in the park, or in connection with the RV, any additional structure, building or shelter in connection with or attached to a RV; except, however, awnings of canvas or metal,