

CITY OF ANAHUAC
ORDINANCE NO. 2014-04-04
RECREATIONAL VEHICLE PARKS

AN ORDINANCE OF THE CITY OF ANAHUAC, TEXAS REGARDING THE PLACING
AND LOCATION OF RECREATIONAL VEHICLE PARKS TO BE LOCATED WITHIN
THE CITY OF ANAHUAC; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Anahuac (“City Council”) seeks to promote the health, safety, and general welfare of the community by preventing death, injuries and property damage within the City of Anahuac (“City”) limits; and

WHEREAS, the City Council seeks to protect property values within the City limits; and

WHEREAS, pursuant to the laws of the State of Texas, including Texas Local Government Code section 51.001, the City Council has the authority to adopt, publish, amend or repeal an ordinance that provides for good government, as well as the peace or order of the City.

THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF ANAHUAC, TEXAS THAT:

SECTION 1 - Purpose.

The City Council finds that properly planned and operated recreational vehicle communities (i.e., recreational vehicle (RV) parks: (1) promote the safety and health of residents of such communities and of other nearby communities; & (2) encourage economical and orderly development of such communities and of other nearby communities. It is therefore, declared to be the policy of the City to eliminate and prevent health and safety hazards and to promote the economical and orderly development and utilization of land planned and supervised recreational vehicle communities by providing for the standards and regulations necessary to accomplish these purposes. This article is enacted in order to achieve orderly development of recreational vehicle parks (RV Parks), to promote and develop the use of land to minimize possible impacts, and to promote the health, safety and general welfare of the public.

SECTION 1.1 - Applicability.

This article shall apply to any recreational vehicle park to be located within the city limits of Anahuac, Texas.

Accessory structure – Any structural addition to the recreational vehicle or site, including awnings, cabanas, carports, garages, porches, storage cabinets, storage sheds, and similar appurtenant structures.

Biodegradable – Means capable of being decomposed by biological agents, especially bacteria.

Building official – The official of the City responsible for the inspection of electrical, mechanical and plumbing associated with a property. If there is no such official then the City Administrator or his designee shall be the ex officio building official.

Code official – The official of the City or his designee charged with the enforcement of the provisions of this article. If there is no such official then the City Administrator or his designee shall be the ex officio code official.

Controlling interest – A person or developer who controls at least fifty-one percent (51%) of ownership.

Full-time employee – A person who is responsible for maintenance of the RV Park seven (7) days per week. This person may or may not be the owner of the RV Park.

Licensee or agent – A person who may or may not own the RV Park but is the person responsible for the day to day operations including records and license of the RV Park.

Public use phone – A phone used by registrants of the RV Park for emergency purposes.

Recreational Vehicle or RV – Any licensed camper trailer, travel trailer, motor home, 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.

Recreational Vehicle Park or RV Park – Any lot, tract, or parcel of land upon which accommodation is provided for two or more recreational vehicles used as living or sleeping quarters by the day, week, or month, whether a charge is or is not made. A recreational vehicle park is a unified development of recreational vehicle spaces providing for recreational vehicle use with or without community facilities and permitted permanent buildings.

SECTION 3.1 - Inspections.

(a) Authorized. The building official and code official are hereby authorized to make such inspections of any RV Park in the City, in whole or in part, as are necessary to determine compliance with this article and Ordinance.

(b) Entry on Premises & Consent to Entry. The building official and code official shall have the power to enter the RV Park at reasonable times upon any private or public property with the express purpose of inspecting and investigating conditions relating to the enforcement of this article. The RV Park's owner, or the RV Park licensee or agent, or the RV Park full-time employee shall consent to entry and inspection in writing and shall deliver such consent to the building official or code official immediately upon request. It is a violation of this Ordinance if no such consent to entry is made or no such delivery of the written consent is made.

SECTION 3.2 - Notices, hearings and orders.

(a) Notice of violation. Whenever it is determined that there are grounds to believe that there has been a violation of any provision of this article or Ordinance, the City shall give notice of such alleged violation (Violation Notice) to the RV Park Owner or the licensee or agent, as hereinafter provided. Such Violation Notice shall:

- 1) be in writing;
- 2) include a statement of the reasons for its issuance;
- 3) allow ten (10) days for compliance;
- 4) be served upon the RV Park Owner or the licensee or agent; provided that such notice or order shall be deemed to have been properly served upon such RV Park Owner or the licensee or agent when a copy thereof has been served in person or sent by certified mail to his/her last known address through United States Mail ; and
- 5) contain an outline of remedial action that, if taken, will effect compliance with the provisions of this article or Ordinance

After all procedures outlined above are exhausted, the citations for noncompliance may be issued.

If the City mails a notice to a RV Park Owner, the licensee or agent, in accordance with this section and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice sent by United States Mail is deemed delivered.

(b) Appeal from notice. Any person affected by any Violation Notice that has been issued in connection with the enforcement of any provision of this article or ordinance applicable to a RV Park may request a hearing before the City Council; provided that such person shall file within ten (10) days after the day the Violation Notice was served, in the City Secretary's office of the City, and a copy to the Office of the Code Official, a written petition requesting such hearing and setting forth a brief statement of the grounds thereof. The decision of the City Council after such

hearing is final. The filing of a request for a hearing shall operate as a stay of the Violation Notice and a stay of the RV Park's right to operate in the City and to receipt City services, except in the case of an order issued under subsection (d) of this section.

(c) Issuance of an Order. After such hearing, the City Council shall issue an order in writing sustaining, modifying, or withdrawing the Notice of Violation, which order shall be served by certified mail upon the petitioner or by personal service. Any failure to comply with an order sustaining or modifying the finding of a violation shall constitute grounds for immediate termination of City services to the RV Park, including but not limited to water, sewer or garbage collection.

(d) Order without notice. Whenever the City finds that an emergency exists which requires immediate action to protect the public health or safety, the designated official may, without notice or hearing, issue an order to the RV Park Owner, or the licensee or agent, reciting the existence of such an emergency and requiring the action to be taken as deemed necessary to meet the emergency. Notwithstanding any other provisions of this section, such order shall be effective immediately, but upon written petition to the City, the RV Park Owner, or the licensee or agent, shall be afforded a hearing as soon as possible. The provisions of subsection (c) of this section shall be applicable to such hearing and the order issued thereafter.

SECTION 3.3 - Violations declared nuisance; abatement; penalty.

Any noncompliance with this article is hereby deemed a nuisance. The City may abate and remove the nuisance and punish the person(s) responsible for causing or allowing the nuisance condition to exist. Any person(s) violating this article shall be subject to a fine not to exceed five hundred dollars (\$500.00) for each provision violated. Each day that there is a failure to comply with the terms of any provision of this article is declared to be a separate offense. For violations of the provisions of this article that govern fire safety, zoning, or public health and sanitation, including dumping of refuse, the fine may not exceed two thousand dollars (\$2,000.00) per day, per violation. The Code Official shall be the authority of the jurisdiction responsible for the issuance of citations and any action deemed necessary for the enforcement of this ordinance.

The City shall be entitled to a temporary and permanent injunction from a court of competent jurisdiction against the person(s) responsible for causing or allowing the nuisance condition to exist, without bond or other security, commanding and ordering the person(s) to cease and desist from the acts or omissions causing or allowing the nuisance condition to exist, and to a mandatory injunction commanding and ordering the person(s) to take certain actions to cause the nuisance or the nuisance condition to stop.

SECTION 4 - Site Development Plan.

Before an RV Park Owner, or the licensee or agent, may begin development of property located in the City as an RV Park, the RV Park Owner, licensee or agent shall prepare and submit to the City (through its staff) a Site Development Plan which must include the requirements for Site Plans and show how the development will comply with the RV Park requirements under this section or Ordinance.

SECTION 4.1 - Location and fencing.

(a) RV Parks shall be located in an area regulated by this Ordinance.

(b) The City may require an RV Park to have fencing if the City Council determines that the RV Park is causing a nuisance or nuisance condition that fencing will diminish or alleviate. The City may require and designate the type of fence, the location of the fence and the fence material to be used. The City may require an RV Park Owner, licensee or agent to remove fencing from an RV Park if the City Council determines that the fencing is causing a nuisance or a nuisance condition.

SECTION 4.2 - Size and density.

Each RV Park must contain a minimum surface area of one and one-half (1 1/2) acres, a minimum surface dimension of at least one hundred (100) linear feet on a side. The minimum size for an RV Site (a lot for one RV within an RV Park) within the RV Park shall be a surface area equal to one thousand five hundred (1500) square feet. The density for RV Sites within an RV Park shall not allow for more RV Sites than this minimum surface area requirement allows. Only one (1) Recreational Vehicle (RV) is permitted per Recreational Vehicle Site (RV Site) in an RV Park. An RV Park that consists of land contiguous, adjoining and located partly within the City Limits and partly outside the City Limits is deemed to comply with these minimum surface area requirements if the entire RV Park would otherwise meet the minimum surface area requirements to an RV Park in the City.

The Subdivision Ordinance requirements for a minimum lot size in Section 154.07(C) of Chapter 154 of the Code of Ordinances of the City of Anahuac, Texas shall not apply to an RV Park that is in compliance with the minimum requirements of this Ordinance, and such RV Park in compliance is exempt from said Section 154.07(C).

SECTION 4.3 - Size of individual sites; pad requirements; landscaping.

(a) Each Recreational Vehicle Site (RV Site) within an RV Park shall have a minimum surface area of one thousand five hundred (1,500) square feet. Each RV Site shall be clearly marked identifying the RV Site or Space number.

SECTION 4.4 - Street access; street lighting.

(a) Each Recreational Vehicle Site (RV Site) within the RV Park shall have access to an internal private roadway, which shall have access to a public street. The entrance of the internal roadway shall have a pavement width of at least twenty (20) feet with an adequate curb radius. The internal streets off the major through-fare may be constructed with crushed rock materials or similar material with the objective to prohibit dust. The City Council may require an RV Park Owner, licensee or agent to take reasonable measures to stop excessive dust if the City Council deems the condition of the road to be a nuisance or the cause of a nuisance.

(b) Adequate street lighting for the RV Park shall be approved by the City to prevent lighting from being a nuisance or a hazard.

SECTION 4.5 - Soil and ground cover.

Exposed ground surfaces in all parts of the RV parks shall be paved, covered with stone, rock, or other similar solid material, or protected with vegetative cover that is capable of preventing soil erosion and eliminating dust.

Note: All pavement shall be kept in good repair.

SECTION 4.6 -Prohibited placement of recreational vehicles.

The placement of a recreational vehicle for occupancy longer than fourteen (14) days shall not be permitted except in an approved recreational vehicle park. A recreational vehicle may be placed at an owner's residence as long as the RV is placed in the side or rear yard area and not used for occupancy longer than fourteen (14) days in a twelve (12) month period. City Council may allow exceptions to the prohibited placement of an RV upon application to and approval by City Council.

SECTION 4.7 — Area designated for RV parks.

An RV Park in the City may not be located, in whole or in part, in a platted, residential subdivision subject to restrictive covenants.

SECTION 5.0 — Drainage

The area designated for the placement of recreational vehicle parks shall be graded and designed to drain all storm water, surface water in a safe efficient manner.

SECTION 6 - Water Supply

An RV Park may be provided with a connection to the City Water only if the RV Park is in compliance with this Ordinance and other applicable City Codes. The City must approve all proposed water facility plans prior to construction of the RV Park and the RV Park is not entitled to any water services or connection until the facility plans have been approved. The RV Park shall have a water distribution system to be installed and installed as follows:

- 1) the water supply system, fixtures and other equipment must be installed in accordance with applicable codes adopted by the city;
- 2) a master water meter shall be installed to serve the RV Park;
- 3) adequate provisions shall be made to prevent freezing of service lines, valves and riser pipes. Surface drainage shall be diverted from the location of utility connections at each site;
- 4) a shut off valve below the frost line shall be provided near each the master water meter;
- 5) the RV Park Owner, licensee or agent shall have complete maintenance responsibility for the water system within the RV Park; and
- 6) the City shall have no maintenance responsibility for service lines within the RV Park. The responsibility of the City stops at the property line of the RV Park.

SECTION 7 – Wastewater facilities

Each site within the RV Park shall be provided with a connection for city wastewater.

- 1) the wastewater system and materials must be installed in accordance with applicable codes adopted by the City
- 2) the RV Park Owner, licensee or agent shall have complete maintenance responsibility for the wastewater system within the RV Park. The responsibility of the city stops at the property line. All chemicals entering the city sewer shall be biodegradable in accordance with City Code.

SECTION 8 - Electric service

Each site within the RV Park shall be provided with the electrical service. All electrical service shall be underground and installed in accordance with the National Electrical Code and applicable City and County Codes.

SECTION 9 – Sanitary facilities

- (a) Toilet and bathing facilities shall be in accordance with the Uniform Plumbing Code with separate rooms or portioned apart in any manner as to provide privacy and promote cleanliness. Each toilet provided in a community toilet house shall be portioned apart from any other toilet in the same room. The floor surface around the commode shall not drain into the shower floor.
- (b) Toilet floors and walls shall be of impervious material, painted white or a light color, and kept clean at all times. Shower stalls shall be of tile, plaster, cement or some other impervious material and shall be kept clean at all times. If a shower stall is of some impervious material other than tile, cement or plaster, it shall be white or some light color and kept clean at all times. The floor of any bathroom, other than the shower stall, shall be of some impervious material, and the walls of the bathroom, other than the shower stall, shall be of some impervious material or, as to the walls, an equivalent washable surface kept clean at all times.

SECTION 10 – 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 hazards, rodent harborage, insect breeding areas, or fire hazards.

SECTION 10.1 — Registration of guest

Each person renting a site within a RV park shall provide the following information to the owner, manager, operator or person in charge of the RV Park:

- 1) Name;
- 2) Full address of permanent residence;
- 3) Automobile and recreational vehicle license plate number and the state in which each is registered;
- 4) Driver's license number or identification number of the vehicle owner, with a copy of the driver's license or identification card, as applicable;
- 5) The number or letter of the site being rented;
- 6) Date of arrival and anticipated departure.
- 7) A new register shall be initiated on January 1 of each year and the old register is retired, but the old register shall be retained on the premises for at least three (3) years following the retirement

SECTION 10.2 - Control of insects, rodents and other pets

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.

(a) 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.

SECTION 10.3 — Fire safety standards; fire hydrants

(a) Open fires shall be allowed only in a manner and within a container approved by the fire Marshal.

(b) A fire hydrant(s) must be placed or exist such that each Recreational Vehicle Park is within five hundred (500) feet from one.

SECTION 11 — Change of ownership of grandfathered RV Park

Upon change of controlling interest of a grandfathered RV park (whether entity or person) the new owner shall immediately bring the existing RV park to meet the requirements of this ordinance.

SECTION 11.1 — Existing Manufactured or Mobile Home Parks

In no instance shall a new manufactured mobile home park to be located within the city limits of Anahuac, Texas be allowed recreational vehicles or spaces for recreational vehicles. Same shall apply to a recreational vehicle to be located within the city limits of Anahuac, Texas. Only recreational vehicles shall be allowed in a recreational vehicle park. No manufactured mobile home shall be permitted in a recreational vehicle park.

SECTION 12. No Services if Non-Compliant

The City may deny, refuse or terminate City services, including but not limited to water, sewer or garbage collection, to an RV Park that is not in compliance with this Ordinance, or owned or operated by an RV Park Owner, licensee or agent not in compliance with this Ordinance concerning the RV Park,

SECTION 13 — Effective date

This ordinance shall be in full force and effect from and after the date of its passage.

ADOPTED, PASSED, APPROVED AND EFFECTIVE AS OF this the 9th day of JUNE, 2014.

CHERYL SANDERS, MAYOR

ATTEST:

JULIE HARVILL, CITY SECRETARY

APPENDIX A

“RECREATIONAL VEHICLE PARKS FEES”

Annual License Fee:

(a) \$150.00