

ORDINANCE NO. 2017-0001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TODD MISSION, TEXAS REGARDING THE PLACING AND LOCATION OF RECREATIONAL VEHICLE PARKS TO BE LOCATED WITHIN THE CITY OF TODD MISSION; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT MATTER.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TODD MISSION, TEXAS:

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 the 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 by providing for planned and supervised recreational vehicle communities by providing for the standards and regulations necessary to accomplish these purposes. This Ordinance 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 negative impacts, and to promote the health, safety and general welfare of the public.

Section 1.1. Applicability.

This Ordinance shall apply to any recreational vehicle park to be located within the City limits.

Section 2. Definitions.

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.

Code official . The official of the city responsible for the inspection of electrical, mechanical, and plumbing associated with a property.

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

Dry hydrant. An un-pressurized, permanently installed pipe that has one end below the water level of a lake, pond or container.

Fifth-Wheel Travel Trailer. is a towable recreational vehicle mounted on wheels and designed to be towed by a motorized vehicle by means of a towing mechanism that is mounted above or forward of the tow vehicle's rear axle.

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.

Inspection Sample Well. This is a sample well located at the property line near where the RV Park's sewer pip and the public sewer pipe connect that serves as an inspection sample well and is at least 30 inches in diameter.

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 park.

Opaque fence. A fence made of solid materials designed to shield from public view the RV park. i.e. is difficult to see through or perceive.

PMRV. (also known as a recreational park trailer) is a trailer-type recreational vehicle designed to provide temporary accommodation for recreation, camping or seasonal use.

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

Recreational vehicle or RV. Any PMRV, camp trailer, travel trailer, motor home or fifth-wheel travel trailer 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. A recreational vehicle is a vehicle which is:

- (1) Built on a single chassis;
- (2) 400 Square feet or less when measured at the largest horizontal projections;
- (3) Self-propelled or permanently towable by a light duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

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 provided for recreational vehicle use

with or without community facilities and permitted permanent buildings.

Recreational vehicle site or RV site. That part of a lot or area in a recreational vehicle park or RV park that has been reserved for the placement of one recreational vehicle.

Section 3. License.

(a) Required. It shall be unlawful for any person to operate any RV park within the City limits unless he/she holds a valid license issued annually by the City of Todd Mission in the name of such person for the specific park. The applicant shall make all applications for the licenses on forms furnished by the City of Todd Mission, which shall issue a license upon compliance with the provisions of this Ordinance.

(b) Application for renewal. Application for renewal of a license shall be made in writing by the licensee on forms furnished by the City of Todd Mission upon request on or before December 31st of each year. Such application shall contain any changes in the information occurring after the original license was issued or the latest renewal granted.

(c) Fee. All applications shall be accompanied by a fee as provided for in the fee schedule found in Appendix A. The City Council may amend the fee by resolution.

(d) Approval of transfer. Every person holding a license shall give notice in writing to the City of Todd Mission within ten (10) days after having sold, transferred, given away, or otherwise disposed of interest in or control of any RV park. Application for transfer of a license shall be made within ten (10) calendar days after notification of change covered in this subsection. Within thirty (30) calendar days thereafter, the City of Todd Mission shall act on the application for license transfer and it shall be approved if the RV park is in compliance with the provisions of this Ordinance.

(e) Transfer fee. All applications for license transfer shall be accompanied by a fee as provided for in the fee schedule found in Appendix A.

(f) Suspension.

- 1) Whenever, upon inspection of any RV park, the City finds that conditions or practices exist which are in violation of any provisions of this Ordinance applicable to such park, the City shall give notice in writing to the owner and/or manager of the park, and if such conditions or practices have not been corrected in the time frame set forth in the notice, the City will suspend the license and give notice of such suspension. Upon suspension of the license, the licensee shall cease operation of such park.
- 2) The suspension of the license may be appealed to the Mayor and City Council as set forth in this Ordinance.

Section 3.1. Inspections.

- (a) Authorized. The City is authorized to make such inspections as are necessary to determine compliance with this Ordinance.
- (b) Entry on premises. The person designated by the City to enforce this Ordinance shall have the power to enter at reasonable times upon any private or public property within the purpose of inspecting and investigating conditions relating to the enforcement of this Ordinance.

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 Ordinance and such grounds are proposed to form the basis to denying, revoking or refusing to renew or transfer a license, the City of Todd Mission shall give notice of such alleged violation to the licensee or agent, as hereinafter provided. Such 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 owner or licensee or their respective agent; provided that such notice or order shall be deemed to have been properly served upon such licensee or agent when a copy thereof has been served in person or sent by certified mail to his/her last known address.
 - 5) Contain an outline of remedial action that, if taken, will effect compliance with the provisions of this Ordinance.

If the City mails a notice to a property owner 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 is considered as delivered.

(b) Appeal from notice. Any person affected by any notice that has been issued in connection with the enforcement of any provision of this Ordinance affecting the status of their license may appeal this matter in writing to the Mayor within 10 days of such notice; the Mayor will then make a recommendation to City Council for approval or disapproval. The appeal process shall operate as a stay of the notice and of the suspension, except in the case of an order issued under subsection (c) of this section.

(c) Order without notice. Whenever the City finds that an emergency exists which requires immediate action to protect the public health or safety, the designated City official may, without notice or hearing, issue an order 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 applicant or licensee shall be afforded an opportunity to appeal to the Mayor as set forth in this section.

Section 4. Site development plan.

A site development plan must be prepared and submitted to the City and must include the requirements for site plans contained herein.

Section 4.1. Location and screening.

(a) RV parks shall be located in an area regulated by section 4.2 of this Ordinance.

(b) Screening of the RV Park is required on any side or rear not fronting a public roadway. Screening shall consist of an opaque fence at least six feet in height placed on the property line along the side and rear. Screening will be required along the street frontage and shall be afforded through the use of natural barriers such as trees or shrubs where possible, either naturally in place or planted specifically for screening. Where natural barriers are not feasible, an opaque privacy type fence shall be constructed. In either case, the barrier must be a minimum of six (6) feet tall, measured from ground level. Screening design will be reviewed with the RV park application and site plans, and is subject to the approval of the City. No screening barrier or accessory building shall be allowed to obstruct a driver's line of vision for a reasonable distance

from any street intersection inside or at an entrance or exit from the RV Park. Opaque fencing must consist of metal or galvanized materials, or brick and mortar or other durable material approved by the City. No wood fences are allowed.

Section 4.2. Size and density.

Each RV park must have a minimum size of six (6) acres, with a maximum of ten (10) acres per point of public access to the property. The maximum site density for RV parks shall be ten (10) sites per acre. Only one (1) recreational vehicle is permitted per recreational vehicle site.

Section 4.3. Size of individual sites; pad requirements; landscaping.

(a) Each recreational vehicle site within the RV park shall have a minimum area of one thousand nine hundred fifty (1,950) square feet and shall be at least thirty (30) feet wide and sixty-five (65) feet in depth. The sites shall be designed as pull-through for ease of entering and leaving the site. A roadway is therefore required to the front and rear. In addition, the space shall be clearly marked identifying the space number.

(b) The left 1/3 (10 x 65) of the site or driver's side must be planted with grass and other landscaping; the middle (10 x 65) must be paved with cement and the remaining 1/3 or passenger side can be paved with either cement, asphalt, crushed rock or similar material. The middle portion is to be used for the parking of the recreational vehicle with the paved area on the right used as a parking or patio area.

Section 4.4. Street access; street lighting.

(a) Each recreational vehicle 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 thirty (30) feet with an adequate curb radius. The major thoroughfare shall have a pavement width (concrete or asphalt) of twenty-four (24) feet in accordance with City standards. The roadway may be fifteen (15) feet wide if the RV park is designed for one-way roads. Each emergency access lane shall have a clear unobstructed width of twenty-four (24) feet; fifteen (15) feet if one-way and shall have a turning area and radii with a minimum of sixty (60) feet to permit free movement of emergency vehicles. Dead-end streets

are not allowed. The internal streets off the major thoroughfare may be constructed with crushed rock materials or similar material with the objective to prohibit dust.

(b) Metal signs shall be placed along the emergency access lane, by the owner or agent of the RV park stating that parking is prohibited. The sign type, size, height and location shall be approved by the City.

(c) An intended street lighting plan showing location and lumens for the RV park shall be approved by the City as part of the site plan.

Section 4.5. Required facilities.

(a) Each RV park must have an office for the manager of the RV park, and a bathroom and shower facilities, as well as laundry facilities. All facilities used by those staying at the RV park must be well lit inside and out during the night hours. All facilities must meet applicable codes adopted by the City. Each RV site must have reasonable access to the bathroom, laundry, and shower facilities by being further than 200 feet away.

(b) All RV parks shall have at least one (1) recreation area, located as to be free of traffic hazards, easily accessible to all those staying at the RV park and centrally located where topography permits. Not less than ten (10) percent of the gross park area shall be devoted to recreational facilities. Recreation areas include space for community buildings and community use facilities such as restroom and shower facilities, adult recreation (basketball court or tennis court) and playgrounds for children, and swimming pools, but not including vehicle parking, maintenance and utility areas.

Section 4.6. Soil and ground cover.

Exposed ground surfaces in all of 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. All surfacing shall be maintained and kept in good repair.

Section 4.7. Placement of recreational vehicle for occupancy.

- a) The placement of a recreational vehicle for occupancy 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.

- b) No RV park or recreational vehicle therein shall be used as a permanent residence for any period of time, except for permanent full-time employees of the RV park. No more than one (1) space shall be allowed in an RV park for use as a permanent residence for full time employees. Occupancy or parking of a recreational vehicle within the RV park extending beyond fourteen (14) consecutive days shall be presumed permanent occupancy and is hereby prohibited. A recreational vehicle may not return for a period of sixty (60) days following any stay extending beyond thirteen (13) consecutive days.

- c) The City reserves the right to modify or change this section of this ordinance for the purpose of a natural disaster or related incidents including the requirement of removal of all recreational vehicles that may be subject to dangerous or inclement weather. However, the final removal of all recreational vehicles, as defined herein, shall be the responsibility of the owner/operator of the RV park.

Section 5. Drainage.

The ground surface in all parts of the RV park shall be graded and designed to drain all stormwater and surface water in a safe, efficient manner. Drainage analysis shall be performed by a licensed professional engineer and easements for the conveyance of surface water off-site shall be obtained, if necessary.

Section 6. Water supply.

Each site within the RV park shall be provided with a connection to the public water supply. The proposed water facility plans must be approved prior to construction by the City and by the Todd Mission and any other entities responsible for the regulation of and provision of public water services. The water distribution system shall be installed as follows:

- 1) The water supply system, fixtures and other equipment must be installed in accordance

with applicable codes and laws.

- 2) A master water meter shall be installed to serve the RV park. Sub-metering or re-metering of RV sites is not permitted.
- 3) A reduced pressure principal backflow preventer will be required to be placed at the property line on the discharge side of the master meter. In addition, one (1) must be placed at each of the connections for each RV site and located on the left side of the site.
- 4) Water riser service branch lines shall extend at least four (4) inches above ground elevation. The branch line shall be at least 3/4 inch.
- 5) 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.
- 6) A shut off valve below the frost line shall be provided near each water riser pipe.
- 7) The owner/operator shall have complete maintenance responsibility for the water system within the RV park.

Section 7. Wastewater facilities.

Each site within the RV park shall be provided with a connection for wastewater. All proposed wastewater service lines shall be connected to the public wastewater system at a single point consisting of a manhole and nearby inspection sample well. All proposed wastewater facility plans must be approved prior to construction by the City and any other entities responsible for the regulation of and provision of public wastewater treatment services. The wastewater distribution system shall be installed as follows:

- 1) The wastewater system and materials must be installed in accordance with applicable codes and statutes.
- 2) Each site shall be provided with a four-inch diameter wastewater riser and shall extend above grade four (4) to six (6) inches. The wastewater riser pipe shall be so located on each stand so that the wastewater connection to the RV drain outlet will approximate a vertical position. Each inlet shall be provided with a gastight seal when connected to a recreational vehicle or have a gastight seal plug when not in service. The plug shall be that of a spring loaded device.
- 3) The wastewater connection to each site shall consist of a single four-inch service line without any branch lines, fittings, or connections. All joints shall be water tight.
- 4) Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least four (4) to six (6) inches above the ground elevation.
- 5) Each collection wastewater line shall provide a vent extending a minimum of ten (10) feet in height.
- 6) The owner/operator shall have complete maintenance responsibility for the wastewater

system within the RV park.

Section 8. Electrical service.

Each site within the RV park shall be provided with electrical service. All electrical service shall be underground and installed in accordance with the National Electrical Code. The electrical service shall be installed as follows:

- 1) A master electric meter shall be installed to serve the RV park. Sub-metering or re-metering of RV sites is not permitted.
- 2) The location of all underground lines shall be clearly marked by surface signs at approved intervals.
- 3) Power supply to each site shall be a minimum of one 30-amp and one 50-amp power supply.
- 4) Outlets (receptacles or pressure connectors) shall be housed in an Underwriters' Laboratories, Inc. – approved weather proof outlet box.
- 5) A water tight seal shall be provided for underground conduit in floodplain installations and a riser extending a minimum of two (2) feet above the floodplain elevation shall be provided.

Section 9. Sanitary facilities.

(a) Each RV park shall provide the following sanitary facilities as listed below:

- 1) One (1) toilet or stool for the female sex for every twenty (20) sites or fraction thereof (minimum of one (1) is required) for the first one hundred and twenty (120) sites, and one (1) per forty (40) sites thereafter.
- 2) One (1) toilet or stool and one (1) urinal stall for the male sex for every twenty (20) sites or fraction thereof (minimum of one (1) is required) for the first one hundred and twenty (120) sites, and one (1) per forty (40) sites thereafter.
- 3) One (1) washbasin shall be provided within the toilet room for every two (2) toilets or fraction thereof (a minimum of one (1) is required).
- 4) One (1) shower shall be provided for each sex for each twenty (20) sites or fraction thereof (minimum of one (1) is required for each sex) for the first one hundred and twenty (120) sites, and one (1) per forty (40) sites thereafter.
- 5) All toilets and shower facilities shall be placed in properly constructed buildings and located not more than two hundred (200) feet from any recreational vehicle site.
- 6) Buildings shall be well lit at all times, day or night, be well ventilated with screened openings, and constructed of moisture proof material to permit rapid and satisfactory cleaning, scouring and washing.
- 7) The floors shall be of concrete or other impervious material, elevated not less than four (4) inches above grade, and each room shall be provided with floor drains.
- 8) A slop sink or basin with water supply shall be in each restroom (male and female) and at least one (1) in the laundry facility, and shall be constructed in

accordance with design, size and materials approved by the code official.

- (b) Toilet and bathing facilities shall be in separate rooms or partitioned apart in any manner as to provide privacy and promote cleanliness. Each toilet provided in a community toilet house shall be partitioned apart from any other toilet in the same room. The floor surface around the commode shall not drain into the shower floor.
- (c) 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 papered with canvas and wallpaper, or 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. Every site shall be located within two hundred (200) feet of a refuse facility measured along the RV park internal roadway. Trash dumpsters shall be screened on three (3) sides.

Section 11. Telephone.

A minimum of one (1) land line telephone shall be provided in an easily accessible location twenty-four (24) hours a day, seven (7) days a week for emergency use.

Section 12. Accessory structures.

The individual sites within the RV park are not allowed to have accessory structures as defined herein.

Section 13. Registration of guests.

Each person renting a site within a RV park shall provide the following information to the owners, managers, operators or persons in charge of the RV park and shall be able to access such information on site seven days a week 24 hours a day:

- 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 of the owner;
- 5) The number or letter of the site being rented; and
- 6) Date of arrival and departure.

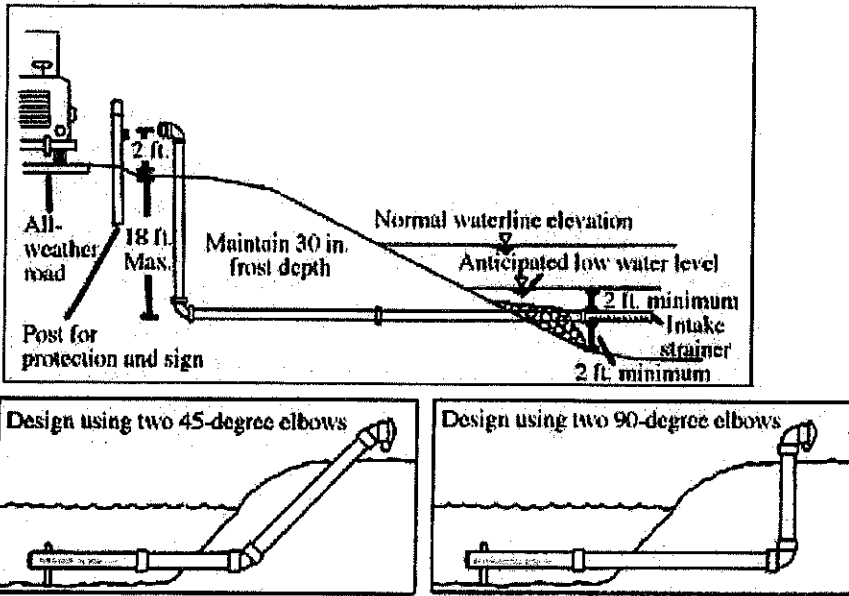
Section 14. Control of insects, rodents and other pests.

- (a) 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.
- (b) 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 15. Fire safety standards; fire hydrants.

- (a) Open fires shall be allowed only in a manner and within a container approved by the fire chief.
- (b) A fire hydrant(s) must be placed such that each recreational vehicle site is no further than six hundred (600) feet from one.
- (c) If a RV park is to be placed in an area where public water is not available, the RV park owner must have a pond located on the property filled at all times with a minimum capacity of twenty thousand (20,000) gallons with a dry hydrant installed. A container capable of holding a minimum of twenty thousand (20,000) gallons with a dry hydrant installed shall also be allowed and/or substituted for a pond. The dry hydrant outlet shall be of standard size or four (4) inches.

Note. Please see diagram of a dry hydrant below:




Section 16. Severability Clause.

In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

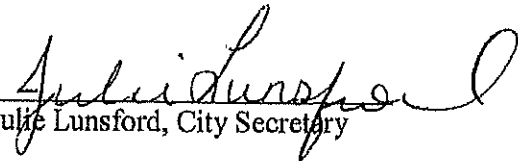
Section 17. Penalty Provision.

Whenever in this Ordinance an act is prohibited or the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision shall be punished by a fine not exceeding \$2,000.00 for violations of all such provisions that govern fire safety or public health and sanitation, including dumping of refuse, and not exceeding \$500.00 for all other violations. Each day any violation of this Ordinance shall continue shall constitute a separate offense. Whenever in this Ordinance the provision does not expressly require proof of a culpable mental state, proof of a culpable mental state is not required for conviction of such offense, it being the intent of the City Council to dispense with the requirement of any culpable mental state in prosecutions filed under such provisions of this Ordinance.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Todd Mission, this 2nd day of February, 2017.


George C. Coulam, Mayor

ATTEST:


Julie Lunsford, City Secretary

APPENDIX A FEES

Recreational Vehicle Parks

Annual License Fee:

(a) \$ 250.00

Transfer Fee:

(a) \$250.00