

ORDINANCE #2008-04

AN ORDINANCE OF THE CITY OF RIESEL, TEXAS REGULATING THE LOCATION, DESIGN, CONSTRUCTION, AND OPERATION OF RECREATIONAL VEHICLE PARKS, REQUIRING LICENSURE, MAKING VIOLATION OF THE ORDINANCE AN OFFENSE, AND ESTABLISHING A PENALTY FOR OFFENSE.

WHEREAS, it is in best interest of the City of Riesel and its citizens for the location, design, construction, and operation of Recreational Vehicle Parks to be regulated and subject to City licensure; and

WHEREAS, this Ordinance is necessary for the orderly and planned growth of the City; and

WHEREAS, this Ordinance is necessary for the protection of public health, safety, and welfare.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIESEL, TEXAS THAT:

1. Definitions

"Recreational Vehicles" Means a vehicle which is designed as temporary living quarters for recreational, camping, or travel use, which either has its own mode of power, or is mounted on or drawn by another vehicle. Recreational Vehicles include travel trailers, camping trailers, truck campers, motor homes, private motor coaches, van conversions, and fifth-wheel trailers.

"Recreational Vehicle Park" means a parcel of land used for the parking of Recreational Vehicles occupied or intended to be occupied for dwelling purposes.

2. Prohibition of Establishing, Maintaining, Expanding, or Operating a Recreational Vehicle Park Without a License

No person or entity shall establish, maintain, expand or operate a Recreational Vehicle Park within the corporate limits of the City of Riesel unless it has been licensed by the City.

3. Application for License

3.1 An application form for a Recreational Vehicle License may be obtained at Riesel City Hall.

3.2 An application for a Recreational Vehicle License must be filed with the City Secretary.

3.3 The Applicant must provide all information requested in the Application Form.

3.4 The Application must be accompanied by plans and specifications for the development of the Recreational Vehicle Park, including all utilities and infrastructure, road and drives, lots or space arrangements, locations and size of spaces, and any improvements within the Recreational Vehicle Park. The Application must set forth how the Applicant intends to comply with the requirements of this Ordinance. The Application must also include any other information reasonably requested by the City.

3.5 The Application will be reviewed by the Building Official, and approved or disapproved for licensure. If disapproved, the Applicant may appeal the Building Official's decision to the City Council (or, if in existence, the Board of Adjustment). A decision by the City Council is final. A decision by the Board of Adjustment may be appealed to the City Council. Appeals must be filed within ten (10) business days of the action being appealed.

If approved for licensure, a license will be issued.

3.6 License Application Fees

The license fee shall be \$250.00, plus \$50.00 for each 10 spaces to be included in the Recreational Vehicle Park. A license is also required for expansion of a Recreational Vehicle Park. The fee for an

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expansion license shall be \$100.00, plus \$50.00 for each 10 spaces to be included in the expansion. The fees are payable at the time that the Application is submitted and are not refundable, whether or not a license is granted.

3.7 Suspension or Revocation of License

A license granted by the City for a Recreational Vehicle Park may be suspended or revoked for the Licensee's failure to comply with the provisions of this Ordinance. Suspension or revocation may occur after notice to the Licensee, and an opportunity for the Licensee to be heard. The hearing will be held before the City Council, which will make the determination on the license.

4. Location

A Recreational Vehicle Park may be located anywhere in the City, subject to the provisions of any City Zoning Ordinance which now exists or may be adopted in the future. A recreational Vehicle Park which was compliant with applicable City ordinances when licensed is not rendered in violation of this Ordinance by the passage of a future Zoning Ordinance which would render its location non-conforming.

5. Recreational Vehicle Park Requirements

A Recreational Vehicle Park must meet the following requirements:

5.1 Drainage of Site

Each Recreational Vehicle Park shall be located on a well drained site, properly graded to ensure rapid drainage and freedom from stagnate pools of water.

5.2 Minimum Space Requirements

Recreational Vehicle spaces in each Recreational Vehicle Park shall be provided, consisting of a minimum of 1,250 square feet, a width of not less than 25 square feet, and lot size not less than one acre.

5.3. Water Supply

An adequate supply of pure water for drinking and domestic purposes shall be supplied to meet the requirements of the Recreational Vehicle Park.

5.4 Sewage: Waste Disposal

Each Recreational Vehicle space shall be provided with a trapped sewer and individual clean-out at least three inches in diameter, which shall be connected to receive the Recreational Vehicle facilities. The Recreational Vehicle Park shall be connected to the City's sewer system.

5.5 Sanitation Facilities in Parks Allowing Temporary Overnight Parking

Each Recreational Vehicle Park that allows temporary overnight parking shall be provided with toilets, baths or showers, shop sinks, and other sanitation facilities which shall conform to the following requirements:

5.5.1 The toilet and other sanitation facilities for males and females shall either be in separate buildings or shall be separated, if in the same building, by a soundproof wall.

5.5.2 Toilet facilities for males shall consist of not less than one flush toilet and one urinal for every 20 Recreational Vehicle spaces, one shower or bathtub with individual dressing accommodations for every 20 Recreational Vehicle spaces, and one lavatory for every 20 Recreational Vehicle spaces.

5.5.3 Toilet facilities for females shall consist of not less than one flush toilet for every 15 Recreational Vehicle spaces, one shower or bathtub with individual dressing accommodations for every 15 Recreational Vehicle spaces, and one lavatory for every 20 Recreational Vehicle spaces.

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5.5.4 Each toilet and each shower or bathtub with individual dressing accommodation and handicap accessibility shall be in a private compartment.

5.5.5 Service buildings housing the toilet facilities shall be permanent structures complying with all applicable laws and statutes regulating buildings, electrical installations, and plumbing and sanitation systems.

5.5.6 Service buildings housing the toilet facilities shall be located not closer than ten feet not farther than 500 feet from any Recreational Vehicle space.

5.5.7 The service buildings shall be lighted at all times of the day and night, shall be well ventilated with screened openings, shall be constructed of such moisture proof material, and shall be maintained at a temperature of at least 68 degrees Fahrenheit. The

5.5.8 All service buildings and grounds of the Recreational Vehicle Park shall be maintained in a clean, sanitary condition, and kept free of any condition that will menace the health of any occupant if the public, or constitute a nuisance.

5.5.9 Each Recreational Vehicle space shall have a pad of either concrete or compacted road base material. Such pads shall be kept reasonably level.

5.5.10 Each Recreational Vehicle space shall be equipped with water, sewer, and electrical hook-ups which conform to all applicable codes of the City.

5.5.11 The Recreational Vehicle Park shall have a minimum of two fly-tight, water-tight, rodent-proof dumpsters for the first 100 sites, and one additional dumpster for each 100 sites, or a fraction thereof, above the initial 100 sites.

5.5.12 The Recreational Vehicle Park must be equipped at all times with fire extinguishing equipment in good working order. Consult the Fire marshal to determine the type, size, and number appropriate.

5.5.13 Licensee shall allow inspection by the Building Official, Fire Marshal, or Chief of Police at any time the Recreational Vehicle Park is open for business to determine compliance with this Ordinance.

5.6 Fire Protection

No open fires shall be permitted except as permitted by the Fire Marshal. No fires shall be left unattended at any time. Covered grills are excepted.

5.7 Register of Occupants

It shall be the duty of each licensee under the provisions of this Ordinance to keep a register containing a record of all Recreational Vehicle owners and occupants located within the Recreational Vehicle Park.

The register shall contain the following information:

1. The name and address of each Recreational Vehicle owner or occupant.
2. The license number and owner of each Recreational Vehicle.

The Recreational Vehicle Park shall keep the registration available for inspection at all times by law enforcement officials, public health officials, and other officials whose duties necessitate acquisition of the information contained in the register. The register records shall not be destroyed for a period of three years following the date of registration.

5.8 Supervision

A responsible attendant or care taker, owner or operator shall be in charge of a Recreational Vehicle Park at all times to keep the Recreational Vehicle Park, its facilities, and equipment in a clean, orderly,

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and sanitary condition. The attendant shall be answerable, with the licensee, for any violation of the provisions of this Ordinance.

5.9 Emergency Services Access

All Recreational Vehicle spaces in the Recreational Vehicle Park must be readily accessible by fire and ambulance services. Roads and drives within the Recreational Vehicle Park must be of sufficient width and construction to accommodate fire and emergency vehicles. Roads and drives shall be kept maintained, and shall not be fenced or blocked.

5.10 Upkeep

The Recreational Vehicle Park must be kept maintained and in safe condition. Weeds, rubbish, and trash must be kept abated and be properly disposed of accordance with applicable laws and health regulations. Regular insect, pest, and vermin control will be carried out at the Recreational Vehicle Park. no nuisance or noxious condition shall be created or allowed to be maintained at the Recreational Vehicle Park.

5.11 Screening

The entire recreational Vehicle Park must be screened from view from any public street or road, or any private residence within 300 feet, by a solid barrier fence of one earth-tone color, and of a minimum height of six feet.

6. Offense / Penalty

Violation of any provision of this Ordinance is an offense (misdemeanor) punishable by a fine not to exceed \$500.00. Each day of violation is a separate offense.

7. Civil Enforcement

In addition to, and without waiver of any criminal enforcement, this Ordinance may be enforced by a civil suit for injunctive relief filed by the City.

8. Miscellaneous Provisions

8.1 This Ordinance shall become effective upon publication in accordance with Chapter 52 of the Local Government Code.

8.2 This Ordinance shall apply only within the incorporated boundaries of the City of Riesel.


8.3 If any section, subsection, provision, or clause of this Ordinance is for any reason held to be unconstitutional, void, voidable, or invalid, the validity of the remainder of the Ordinance shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that the unconstitutionality or invalidity of one part of this Ordinance shall only make that part inoperative, and sever it from the Ordinance, and shall not affect the remainder of the Ordinance.

8.4 This Ordinance was adopted at a meeting posted and held in accordance with Chapter 551 of the Government Code.

PASSED AND APPROVED this 4TH day of MARCH 2008.


David Guenal, Jr., Mayor - City of Riesel

ATTESTED:


Robin Miguez, City Secretary