

ARTICLE X. - RECREATIONAL VEHICLE PARKS (RV PARKS)

Sec. 5-140. - Purpose.

The recreational vehicle parks (RV Parks) article is created to promote the safety and health of the residents of such communities and of other nearby communities. Additionally, the article is created to 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.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-141. - Applicability.

This article shall apply to any recreational vehicle park(s) and to any recreational vehicle located on a lot, tract or parcel with the city limits or within the city's extraterritorial jurisdiction (ETJ) when the lot, tract or parcel in the ETJ is regulated by the city's ordinances and building codes through a signed water and/or sewer utility contract.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-142. - Definitions.

Accessory structure: Any structural improvement and/or accessory building to a 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 permitting and inspections of building, mechanical, electrical and plumbing associated with a property.

Majority ownership: A firm or entity, person or developer who controls at least fifty-one (51) percent of ownership.

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

Opaque fence: A fence made of solid masonry, wood or vinyl materials designed to shield the RV park from public view.

Recreational vehicle: A vehicular, portable structure designed to be transported over the highways and containing living or sleeping accommodations. Such structure being designed and actually used as a temporary dwelling during travel for recreation and pleasure purposes and not exceeding eight (8) feet in width and forty (40) feet in length, less side pull outs.

Recreational vehicle park or RV park: Any lot, tract or parcel of land upon which accommodation is provided for two (2) 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 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 (1) recreational vehicle or RV.

Sample well site: The connection at the property line where the customer's line and city line connect, shall be installed a vertical riser of four (4) inches in circumference, shall extend four (4) to six (6) inches above grade for the detection of non-biodegradable materials.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-143. - License—RV park.

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 Aransas Pass in the name of the person for the specific RV park. The applicant shall make all applications for the license on forms furnished by the city which shall issue a license upon compliance with the provisions of this ordinance. It shall further be unlawful for any person to place, or have placed, an individual RV, for the purpose of inhabiting said RV, on any lot, parcel or tract of land, within the city limits or within the city's extraterritorial jurisdiction (ETJ) when the lot, tract or parcel is regulated by the city's ordinances and building codes through a signed water and/or sewer utility contract, that is connected to utilities (i.e., electrical, water, sewer).

- (1) *Hearing on denial.* Any person whose application for a license, under this article, has been denied may request, and shall be granted, a hearing on this matter before the building board of standards and appeals.
- (2) *Application for renewal.* All RV park licenses expire on September 30th of every year. Application for renewal of a license shall be made in writing by the licensee on forms furnished by the City on or before September 1st of each year. If application for renewal is not submitted within the specified time line then a late fee of twenty-five dollars (\$25.00) shall be accrued for each week following the deadline. Such application shall contain any changes in the information occurring after the original license was issued or the latest renewal granted.
- (3) *Fee.* All applications shall be accompanied by a fee as provided for in the fee schedule in section 5-169.
- (4) *Approval of transfer.* Every person holding a license shall give notice in writing to the city 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 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 article.
- (5) *Suspension.*
 - a. Whenever, upon inspection of any RV park, the city finds that conditions or practices exist which are in violation of any provisions of this article or adopted building codes applicable to such park, the city shall provide 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.
 - b. The suspension of the license may be appealed to the building board of standards and appeals as set forth in section 5-145.
 - c. It is required that every person holding a RV park license shall give notice in writing to the city within ten (10) days after voluntary cessation of operations of the RV park.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-144. - Inspections.

- (1) *Authorized.* The city building official or designee shall make one (1) annual inspection per RV park and additional inspections as are necessary, without prior notice, to determine compliance with this article.
- (2) *Entry on premises.* The city building official and code enforcement officer shall have the power to enter, during normal operation hours, upon any private or public property with the purpose of inspection and investigating conditions relating to the enforcement of this article.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-145. - Notices, hearings and orders.

- (1) *Notice of violation.* Whenever it is determined there are grounds to believe there has been a violation of any provision of this article, or any other city ordinance, the city shall give notice of such alleged violation to the licensee or agent, as hereinafter provided. Such notice shall:
 - a. Be in writing.
 - b. Include a statement of the reasons for its issuance.
 - c. Allow ten (10) business days for compliance. The building official is authorized to grant extensions for work that may require more than ten (10) business days. The extensions shall be in writing and justifiable cause demonstrated.
 - d. Be served upon the licensee or his agent; provided that such notice or order shall be deemed to have been properly served upon such licensee or agent when a copy of thereof has been served in person or sent by certified mail to his/her last known address.
 - e. Citations may be issued after all procedures outlined above have been exhausted.

If the city mails a notice to the property owner in accordance with section 5-145(d) and the United States Postal Service returns the notice as "refused" or "unclaimed", the validity of the notice is not affected, the notice is considered as delivered.

- (2) Appeals to the building board of standards and appeals ("board") can be made by any person aggrieved or by an officer, department or board of the aggrieved party affected by any decision of the building official. Such appeal shall be filed with the building official within fifteen (15) days after the decision has been rendered by the building official.
- (3) An appeal shall stay all proceedings in furtherance of the action appealed from unless the building official certifies to the board, after the notice of appeal has been filed with the building official, that, by reasons of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the board or a court of record on application or notice to the building official from whom the appeal is taken and on whom due cause shown.

- (4) No appeal to the board for the same or related variance on the same piece of property shall be allowed prior to the expiration of six (6) months from a previous ruling of the board on any appeal to such body unless other property in the immediate vicinity has, within the said six (6) months period, been changed or acted on by the board or city council so as to alter the facts and conditions on which the previous board action was based. Such change of circumstances shall permit the re-hearing of an appeal by the board prior to the expiration of six (6) months period, but such conditions shall in no way have any force in law to compel the board, after a hearing, to grant subsequent appeal. Such subsequent appeal shall be considered entirely on its merits and the peculiar and specific conditions related to the property on which the appeal is brought.
- (5) At a public hearing relative to any appeal, any interested party may appear in person or by agent or by attorney. The burden of proof shall be on the applicant to establish the necessary facts to warrant favorable action of the board on any appeal. Any special exception or variance granted or authorized by the board, under the provision of this section, shall authorize the issuance of a building permit or a certificate of occupancy, as the case may be, for a period of ninety (90) days from the date of the favorable action of the board, unless said board shall have, in its action approved a longer period of time and has so shown such specific longer period in the minutes of the action. If the building permit and/or certificate of occupancy shall be have been applied for within said ninety (90) day period, or such extended period as the board may have specifically granted, then the special exception or variance shall be deemed to have been waived and all rights hereunder terminated. Such termination and waiver shall be without prejudice to a subsequent appeal, and such subsequent appeal shall be subject to the same regulation and requirement for hearing as herein specified for the original appeal.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-146. - Violations declared nuisance—Abatement—Penalty.

Any non-compliance with this article is hereby deemed a nuisance. The city may abate and remove the nuisance and hold the RV park owner 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, and 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 building official shall be the authority of the jurisdiction responsible for the issuance of citations and any action deemed necessary for the enforcement of this article.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-147. - Site development plan.

A comprehensive site development plan, including all proposed on-site utilities, right-of-way and drainage, RV site(s) layout, building improvements, landscaping, driveway locations and specifications, interior access road locations and materials, fencing, lighting and signage must be prepared and submitted to the city and must address and include all requirements contained herein.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-148. - Size and density.

Each RV park must have a minimum size of two (2) acres, with a maximum of ten (10) acres. The maximum site density for RV parks shall be twenty (20) sites per acre. Only one (1) recreational vehicle is permitted per recreational vehicle site.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-149. - Location and fencing.

- (1) RV parks shall be located in an area regulated by section 5-148 of this article.
- (2) A solid screening fence at least six (6) feet in height must be placed on all side and rear property lines. Along the front property line and any property line abutting a street, an approved landscaping plan and lighting plan will be required and installed.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-150. - Size of individual sites; pad requirements.

- (1) Each recreational vehicle site within the RV park shall have a minimum area of one thousand seven hundred fifty (1,750) square feet and shall be at least twenty-five (25) feet in width.
- (2) Each RV park site shall have a permanent site marker or sign clearly identifying the sitenumber. Each site marker or sign shall be easily visible from the adjacent RV park roadway during both daytime and nighttime.
- (3) Each RV park site shall include a RV parking pad consisting of concrete or asphalt of a minimum size of ten (10) feet wide and forty-two (42) feet in depth. Each recreational vehicle shall be parked on the provided parking pad of each RV site. The remaining ground area of the RV site must comply with section 5-153.
- (4) RV site parking pads shall be situated on the RV park sites such that all recreational vehicles shall be separated by a minimum of ten (10) feet.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-151. - Street access.

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 curve radius or flare.

The major thoroughfare shall have a pavement width (concrete, asphalt or crushed limestone) of twenty-eight (28) feet in accordance with city standards. The roadway may be fifteen (15) feet if the RV park is designed for one-way roads.

Each emergency access lane shall have a clear unobstructed width of twenty-eight (28) feet; fifteen (15) feet if one-way and shall have a turning areas and radii with a minimum of sixty (60) feet to permit free movement of emergency vehicles.

Dead-end streets are not allowed. The internal street off the major thoroughfare may be constructed with concrete or asphalt.

Final approval of the street and access plan with be issued by the building official or designee during the review of the proposed site development plan.

All RV parks must have a minimum of two (2) access points to the public street system.

On street parking of RVs shall not be allowed. All RVs must be parked in their respective spaces. On street parking is not allowed.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-152. - Required facilities.

Each RV park must have an office for the manager of the RV park and a community or commons building which shall include laundry facilities and a minimum of one (1) bathroom and one (1) shower facility for each sex per forty (40) recreational vehicle sites or portions thereof. All building improvements and facilities must meet all applicable federal, state and local codes and shall be well lit inside and out during night hours.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-153. - 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.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-154. - Area(s) designated for vehicle parking.

- (1) Each recreational vehicle site within the RV park shall have a minimum of one (1) 10'-0" × 20'-0" off-street parking space provided.
- (2) Each RV park shall provide a minimum of one (1) common guest parking space for every four (4) recreational vehicle sites.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-155. - Drainage.

The ground surface in all parts of the RV park shall be graded and designed to drain all storm water 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.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-156. - Water supply.

Each site within an RV park shall be provided with a connection to the city water supply. The city must approve all proposed water facility plans prior to construction. 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 adopted by the city.
- (2) A master water meter shall be installed to the RV park. Sub-metering or re-metering for private purposes by the owner/operator of the RV park is permitted however sub-metering or re-metering of individual RV sites for public purposes, as determined by the city, 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 or any other city-issued water meters.
- (4) A shut-off valve shall be provided on each branch water service line. All shut-off valves shall be enclosed in an appropriate valve box. All valves shall be labeled.
- (5) The owner/operator shall have complete maintenance responsibility for the water system within the RV park.
- (6) The city has no maintenance responsibility for service water lines within the RV park. The responsibility of the city stops at the property line.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-157. - Wastewater facilities.

Each site within the RV park shall be provided with a connection for wastewater service. All proposed wastewater service lines shall be connected to on site wastewater collection lines, which shall then connect to the city wastewater collection system. The city must approve all proposed wastewater facility plans prior to construction. The wastewater collection system shall be installed as follows:

- (1) The wastewater system and material must be installed in accordance with applicable codes adopted by the city.
- (2) Each site shall be provided with four (4) 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 site so that the wastewater connection to the RV drain outlet will approximate a vertical position. Each inlet shall be provided with a gas tight seal when connected to a recreational vehicle or have a gas tight seal plug when not in service.
- (3) The wastewater connection to each site shall consist of single, four (4) inch service line without any branch line, 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) The owner/operator shall have complete maintenance responsibility for the wastewater system within the RV park and the city's responsibility stops at the property line.
- (6) Each RV park shall be required to install at the property line, where connection to the city sewer is made, a sample well site as defined herein. The sample well site shall be installed according to city code.

- (7) Clean outs and manholes shall be installed within the private system as to allow the proper service and maintenance of the wastewater system and to prevent damage to the private and city portions of the system.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-158. - 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 most currently adopted 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 for private purposes by the owner/operator of the RV park is permitted however sub-metering or re-metering of individual RV sites for public purposes, as determined by the city, is not permitted.
- (2) The city has no maintenance responsibility for service lines within the RV park
- (3) The location of all underground lines shall be clearly marked by surface signs at approved intervals.
- (4) Power supply to each RV site shall be a minimum of one (1) 20-amp and one (1) 50-amp power supply.
- (5) Outlets (receptacles or pressure connectors) shall be housed in an Underwriter's Laboratories, Inc. approved weather proof outlet box.
- (6) 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.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-159. - Sanitary facilities.

Each RV park shall provide the following sanitary facilities as required by section 5-152 and as listed below:

- (1) One (1) toilet for the female sex.
- (2) One (1) toilet for the male sex.
- (3) One (1) washbasin shall be provided within the bathroom.
- (4) One (1) shower shall be provided for each sex.
- (5) All toilet and shower facilities shall be placed in a properly construction building or buildings.
- (6) All sanitary facilities shall comply with all city adopted codes including the Texas Accessibility Standards for handicap accessibility.
- (7) Buildings shall be well lit at all times, day or night, well ventilated with screened openings and constructed of moisture proof material to permit rapid and satisfactory cleaning, scouring and washing.
- (8) The floors shall be of concrete or other impervious material, elevated not less than four (4) inches above the finished floor and each room shall be provided with floor drains.

Toilet and bathing facilities shall be in separate rooms. 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.

Toilet floors, toilet walls and shower stalls shall be of impervious material, painted white or a light color and be kept clean at all times. Shower stalls shall be partitioned in any manner as to provide privacy and promote cleanliness.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-160. - Storage, collection and disposal of refuse and garbage.

Each RV park shall be provided with adequate facilities for the collection and removal of waste and garbage. Storage, collection and handling shall be conducted so as to not create any health hazards, rodent harborage, insect breeding areas or fire hazards. The city staff shall determine the amount of weekly pickups and the appropriate number of refuse containers to be placed within the RV park. All refuse containers shall be screened by a minimum six (6) foot opaque fence on three (3) sides in compliance with the city's screening ordinance.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-161. - Accessory structures.

The individual RV sites within the RV park are not allowed to have accessory structures larger than one hundred twenty (120) sq. ft.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-162. - Registration of guest.

Each person occupying 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) Photocopy of driver's license of the primary tenant;
- (5) The number or letter of the designated site being rented;
- (6) Date of arrival and departure;

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-163. - Control of insects, rodents and other pests.

Grounds, buildings and structures in the RV park shall be maintained free of the accumulation of high grass, weeds and debris so as to prevent rodent, snake harborage or the breeding of flies, mosquitoes or other pests.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-164. - Fire safety standards; fire hydrants.

Open fires shall be allowed only in a manner and within a container approved by the city fire chief.

A fire hydrant(s) must be placed such that each recreational vehicle site is not more than three hundred (300) feet away.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-165. - Existing non-conforming RV parks.

Unless as otherwise provided herein, this article shall not be applicable to any existing non-conforming RV parks in existence on the effective date of adoption of this article until such time as provided in section 5-166.

Further, if a RV park is under actual construction and same has been lawfully permitted and diligently begun prior to the effective date of the adoption of this ordinance, then this ordinance shall not apply until such time as provided in section 5-166. Actual construction shall be defined as including the approval of the RV park site development plan by the city and commencement of construction of permanent utility services. Final determination of actual construction shall be determined by the building official or his designee.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-166. - Change of ownership of existing non-conforming RV park.

Upon a change of ownership of an existing non-conforming RV park, as referenced above, the new owner shall be issued a temporary license and given ninety (90) days to bring the existing RV park into compliance with the requirements of this article. The building official is authorized to grant extensions for work that may require more than ninety (90) days. The extension shall be in writing and justifiable cause demonstrated. Change of ownership shall include a change from ownership of any person, firm or entity to any other person, firm or entity. Change of ownership shall not include an assignment to an entity formed and majority owned by the original existing non-conforming owner.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-167. - Existing manufactured home parks.

Existing manufactured home parks that have spaces for recreational vehicles existing prior to the adoption of this article shall be permitted to occupy the space with a recreational vehicle. However, a new manufactured home park to be located within the city with recreational vehicles or spaces for recreational vehicles after the adoption of this article must meet all the provisions of this RV park ordinance.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-168. - Severability.

That it is hereby declared that the sections, articles, subsections, paragraphs, sentences, clauses and phrases of the ordinance are severable and if any phrase, clause, sentence, paragraph, subsection, article or section of this article shall be declared void, ineffective or unconstitutional by a valid judgment or final decree of a court of competent jurisdiction, such voidness, ineffectiveness or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, subsections, articles or sections of this article since the same would have been enacted by the city council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph, subsection, article or section.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-169. - Fees.

Recreational vehicle park fee schedule is as follows:

For parks from one (1) space to fifty (50) spaces:

- License Fee..... \$250.00
- Annual Renewal.....\$100.00
- License Transfer.....\$50.00

For parks in excess of fifty (50) spaces:

- License Fee..... \$500.00
- Annual Renewal.....\$200.00
- License Transfer.....\$100.00

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-170. - Repeal.

All ordinances or parts of ordinances conflicting with or not consistent with the provisions of this article are hereby repealed; provided that such repeal shall be only to the extent of such inconsistency or conflict, and in all respects, this article shall be cumulative of all other ordinances of the City of Aransas Pass regulating and governing the subject matter covered in this ordinance. Any cause of action accruing prior to the passage of this article shall continue as if this ordinance was not passed or any other ordinance had not been repealed.

(Ord. No. 4113, § 1, 8-3-15)

Sec. 5-171. - Effective date.

That this article shall take effect immediately after the date of publication of the caption or title of same, including the penalty, as required by the City Charter.

(Ord. No. 4113, § 1, 8-3-15)

Secs. 5-172—5-180. - Reserved.