

ORDINANCE NO. 18-09

RECREATIONAL VEHICLES AND RECREATIONAL VEHICLE PARKS

AMENDING ORDINANCE OF THE CITY OF BRONTE, TEXAS ADOPTING REGARDING THE PLACING AND LOCATION OF RECREATIONAL VEHICLES AND RECREATIONAL VEHICLE PARKS TO BE LOCATED WITHIN THE CITY OF BRONTE AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, it is in the public interest to regulate Recreational Vehicles and Recreational Vehicle Parks within the City of Bronte and Extraterritorial Jurisdiction of the City of Bronte;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRONTE AS FOLLOWS:

SECTION 1 Purpose

This Ordinance is enacted in order to achieve orderly development of recreational vehicle parks (RV parks), to 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 ordinance shall apply to any recreational vehicle park to be located within the City limits and ETJ.

SECTION 2 Definitions

For the purpose of this Ordinance, certain terms, words and phrases shall have the meanings hereinafter described thereto:

“Accessory structure” is any structural addition to the recreational vehicle or site, including cabanas, garages, porches, storage cabinets, storage sheds, and similar appurtenant structures.

“Agent” shall mean any person authorized by the licensee of a travel trailer/recreation vehicle park to operate or maintain such park such under the provisions of this Ordinance.

“Building Inspector” shall mean the legally designated inspection authority of the City or his/her authorized representative.

“Permit” shall mean a written permit or certification issued by the City permitting the construction, alteration and extension of a travel trailer/recreation vehicle park under the provisions of this Ordinance and regulations issued hereunder.

“Recreational Vehicle or RV is any camp trailer, travel trailer, motor home or 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” is 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.

“Recreational vehicle” site or RV site is 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 or RV.

SECTION 3 Licenses

(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 Bronte 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 Bronte, which shall issue a license upon compliance with the provisions of this ordinance.

(b) Petition required All applications for license for any RV park that is proposed shall be accompanied by a petition signed by the surround inhabitants within three hundred and sixty (360) ft. of the location of the proposed RV park granting their consent to the operation of said business. The petition form and instructions shall be furnished by the City.

(c) Hearing on denial any person whose application for a license under this ordinance has been denied may request and shall be granted a hearing on this matter before the City Council.

(d) Application for renewal Application for renewal of a license shall be made in writing by the licensee on forms furnished by the City of Bronte 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.

(e) Fee all applications shall be accompanied by a fee of \$150.00

(f) Approval of transfer Every person holding a license shall give notice in writing to the City of Bronte 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) days calendar days thereafter, the City of Bronte shall act on this application for license transfer and it shall be approved if the RV Park follows the provisions of this section.

(g) Transfer fee All applications for license transfer shall be accompanied by a fee of \$150.00.

(h) Suspension

1) Whenever, upon inspection of any RV park, the city finds that conditions or practices exist which are in violation of any provision 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 City Council as set forth in section subsection (b) of section 3.2.

Section 3.1 Inspections

(a) Authorized the Building Official and Ordinance Enforcement Officers are hereby authorized to make such inspections as are necessary to determine compliance with this ordinance.

(b) Entry on premises The Building Official and Ordinance Enforcement Officers 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 violation of any provision of this ordinance, the City of Bronte 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 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 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 affect compliance with the provision of this ordinance.
- 6) After all procedures outlined above are exhausted, citations may be issued.

If the City mails a notice to a property owner in accordance with Section 3.2 (a) and the United State 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 provisions of this ordinance applicable to such park may [request] a hearing before the City Council; provided that such person shall file within ten (10) days after the day the notice is served, in the city secretary’s office a written petition requesting such hearing and setting forth a brief statement of the grounds thereof. The filing request for a hearing shall operate as a stay of the notice and the suspension, except in the case of an order issued under subsection (d) of this section.

(c) Issuance of 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. Any failure to comply with an order sustaining or modifying the finding of a violation shall constitute grounds for immediate revocation of the license of the park affected by the order.

(d) Order without notice Whenever the City finds that an emergency exists which requires immediate action to protect the public health or safety, the Mayor and Building Inspector 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 the licensee’s written petition to the City, 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 ordinance 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 ordinance 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 ordinance that govern fire safety or public health and sanitation, including dumping of refuse, the fine may not exceed two thousand dollars (\$2000.00) per day, per violation. The ordinance enforcement 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.

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 fencing

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

(b) A metal privacy fence at least eight (8) feet in height must be placed on the property line to buffer the RV Park from view and to provide a neat, attractive and aesthetically pleasing appearance. The fence shall be installed on both sides and at the rear of the property. The fence must be of metal or galvanized materials. No wood fences are allowed.

Section 4.2 Size and density

Each RV Park must have a minimum size of 19500 Sq. Ft and a maximum of 42000 Sq. Ft. The maximum site density for RV parks shall be four (4) sites in a minimum size park and eight (8) sites in a maximum size park. 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 two thousand two hundred seventy-five (2275) square feet and shall be at least thirty (35) 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 right 2/3's of the site must be paved with cement, asphalt, crushed rock or similar material. The recreational vehicle is too parked in the middle 1/3 of the site. The left 1/3 of the site must be planted with grass or other landscaping that is consistent with the City's Water Conservation Plan.

Section 4.4 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 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 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 radius with 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 crushed rock material or similar material with the objective to prohibit dust.

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 can prevent soil erosion and eliminating dust.

Section 4.6 Prohibited placement of recreational vehicle

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 (1) at an owner's residence if the RV vehicle 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.

Section 5 Drainage

The ground surface in all parts of the RV Park shall be graded and designed to drain all stormwater, surface water in a safe, efficient manner.

Section 6 Water supply

Each site within an RV park shall be connected to the city water supply if available. If a water well is to be installed it must be permitted by the Texas Commission on Environmental Quality (TCEQ) and Coke County Underground Water District. 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 meter shall be installed to serve the RV Park. A Minimum meter size requirement – 1” meter for two (2) RV sites, 1½” compound meter to three to six (3-6) RV sites, 2” compound meter to seven to ten (7-10) RV sites. A main shut-off valve shall be placed within two (2) feet of the master meter on the discharge side.

3) A reduced pressure principal backflow preventer will be required to be placed at the property line on the discharge side within three (3) feet of the master meter. In addition, one (1) must be placed at each of the connections for each RV site.

4) Water rise service branch lines shall extend at least four (4) inches above ground elevation. The branch line shall be at least ¾ 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 City has no maintenance responsibility for service lines within the RV Park. The responsibility of the City stops at the City meter.

Section 7 Wastewater facilities

Each site within the RV Park shall be provided with a connection for wastewater if available. If City wastewater service is not available, then a permit from the Texas Commission on Environmental Quality (TCEQ) and Coke County Designated On-Site Sewage Representative shall be obtained prior to placement of an on-site sewage facility. All proposed wastewater service lines shall be connected to the City wastewater system if available.

On-site sewage facilities are permitted if City utilities are not available. The City must approve all proposed wastewater facility plans prior to construction. The wastewater distribution system shall be installed as follows:

1) The wastewater system and materials must be installed in accordance with applicable codes adopted by the city.

2) Each site shall be provided with a four-inch (4”) diameter wastewater riser and shall extend above grade four (4) to six (6) inches. The wastewater riser pipe shall be so located so that the wastewater connection to the RV drain outlet will approximate vertical position. Each inlet shall be provided with a gastight seal when connected to the 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) The owner/operator shall have complete maintenance responsibility for the wastewater system within the RV Park. The responsibility of the city stops at the city’s main.

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) All chemicals entering the City sewer shall be bio-degradable.

- 8) No dumping of waste generated from other sites will be allowed.

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 follow:

- 1) The master electric meter shall be installed to serve the RV Park. Sub-metering or re-metering of RV sites is not permitted. A main disconnect (amped to the load) must be installed below the master electric meter.
- 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 site shall be a minimum of one 20-amp and one 50-amp power supply.
- 5) Outlets (receptacles or pressure connectors) shall be housed in an Underwriters' Laboratories, Inc., approved weather proof outlet box.
- 6) Water tight seal shall be provided for underground conduit in floodplain elevation shall be provided.

Section 9 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 by the City's trash collection service. These areas shall be kept clean and free from trash and debris surrounding the trash containers. Collection and handling shall be conducted to create no health hazards, rodent harborage, insect breeding areas or fire hazard. Trash dumpsters shall be screened on three (3) sides.

Section 9.01 Accessory structures

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

Section 9.02 Registration of guests

Each person renting a site within a RV park shall provide the following information to the owner, manage, 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 of the owner;
- 5) The number or letter of site being rented;
- 6) Date of arrival and departure.

The records shall be maintained for a period of one year from the date of departure.

Section 9.03 Control of insects, rodents and other pests

Grounds, buildings and structures in the RV Park shall be maintained in a manner that is free from the accumulation of high grass, weeds and debris 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 9.04 Fire safety standards

- (a) Open fires are not allowed within a RV park.

Section 10 Permanent occupancy prohibited

No RV Park or recreational vehicle therein shall be used as a permanent residence for any period, except for permanent full-time employees of the RV Park. No more than one (1) space shall be allowed for use as a permanent residence for full time employees. Occupancy or parking of a recreational vehicle within the RV Park extending beyond six (6) consecutive months in any twelve (12) month period shall be presumed permanent occupancy and is hereby prohibited.

A recreational vehicle may not return for a period of sixty (60) days following six (6) months consecutively.

NOTE. The City reserves the right to modify or change Section 10 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 decision for the removal of all recreational vehicles, as defined herein, shall be at the sole discretion of the owner/operator of the RV Park. The City of Bronte assumes no liability.

Section 11 Change of ownership of grandfathered RV Park

Upon change of controlling interest of a grandfathered RV park the new owner shall immediately bring the existing RV Park to meet the requirements of this ordinance.

Section 12 Effective Date

This Ordinance shall be in full force and effective as of February 21, 2019.

AMENDED, ADPOTED, PASSED AND APPROVED THIS 21st DAY, FEBRUARY 2019.


Paul Gohman, Mayor

ATTEST:


Teresa Ballard, City Secretary

