

**Ordinance 8-2006
Village of Bonney**

Recreational Vehicles and Recreational Vehicle Parks

An ordinance of the Village of Bonney, Texas, regulating recreational vehicles within the municipal limits of the Village of Bonney, Texas; providing for the licensing of recreational vehicle parks; providing for inspections, fire protection, and revocation of licenses; providing a penalty not to exceed two thousand dollar (\$2,000.00) for each offense except where a different penalty has been established by state law and each and every day said violation is continued shall constitute a separate offense; providing a severability clause; providing a repealer clause; and providing for publication.

Whereas, it is deemed in the best interested of the Village of Bonney, Texas for the health, safety and welfare of its citizens that an ordinance be established to regulate recreational vehicles and recreational vehicle parks within the Village of Bonney; and

Whereas, this Ordinance shall be known and cited as the “Recreational Vehicles and Recreational Vehicle Parks Ordinance” of the Village of Bonney, Texas. The provisions of this Ordinance shall apply to recreational vehicles and recreational vehicle parks.

BE IT ORDAINED BY THE CITY COUCIL OF THE VILLAGE OF BONNEY:

SECTION 1.0 – PURPOSE

The purpose of this ordinance is to establish clear and unambiguous regulations pertaining to recreational vehicles and recreational vehicle parks in the Village of Bonney and to promote thereby an attractive community.

SECTION 2.0 – DEFINITIONS

As used in this ordinance, the following terms shall have the meaning respectively assigned to them in this section:

AGENT – Any person authorized by the licensee of a recreational vehicle park to operate or maintain such park under the provisions of this ordinance.

BUILDING OFFICIAL – The legally designated inspection authority of the city and his/her authorized representative.

CERTIFICATE OF OCCUPANCY – A certificate issued by the Building Official for the use of a building, structure and/or land when it is determined by him/her that the building, structure, and/or land complies with the provisions of all applicable city codes, ordinances, and regulations.

CITY – Village of Bonney, Brazoria County, Texas.

CITY OFFICIAL – The legally designated head of a city department or his/her authorized representative when acting in an official capacity.

COMMON ACCESS ROUTE – A private way which affords the principal means of access to individual site or auxiliary buildings. Common access route when used as Emergency Vehicles Access the materials and design shall meet minimum standards established by the Director of Public Works.

DIRECTOR OF PUBLIC WORKS – The legally designated department head of the City’s Public Works Department or his/her authorized representative.

DRIVEWAY – A minor entranceway of the common access route within the park into an off-street parking area serving no more than two (2) sites.

FIRE CHIEF – The legally designated Chief of the Fire Department of the District or his/her authorized representative.

HARD-SURFACE – Road means an asphalt or concrete road meeting the approval of the Director of Public Works.

INTERNAL STREET – Same as common access route.

LICENSE - A written license issued by the City permitting a person to operate and maintain a recreational vehicle park under the provisions of this ordinance and regulations issued hereunder.

LICENSEE – Means any person licensed to operate and maintain a recreational vehicle park under the provisions of this ordinance.

PARK – Means Recreational Vehicle Park.

PERSON – Any natural individual firm, trust partnership, association or corporation.

PLOT PLAN – Graphic representation, drawn to scale, in a horizontal plane delineating the outlines of the land included in the plan and all proposed use locations, accurately dimensioned, the dimensions also indicating the relation of each use to that adjoining and to the boundary of the property.

POLICE – The legally designated officer of the Police Department or his/her authorized representative.

PRIVATE STREET – Same as common access route.

RECREATIONAL VEHICLE – A portable home designed as a temporary dwelling for travel and recreational and vacation uses. Such homes shall not exceed eight (8) feet in width and forty-six (46) feet in length and shall be classified as a recreational vehicle

whether or not its wheels, rollers, skids or other rolling equipment have been removed, and whether or not any addition thereto has been built on the ground; and shall also include pick-up campers, converted buses, self-powered motor homes, tent trailers, tents and analogous temporary housing and accessory buildings.

RECREATIONAL VEHICLE PARK – A contiguous parcel of land licensed or used in whole or part, with or without charges, for the parking of recreational vehicles occupied or intended to be occupied for dwelling or sleeping purposes for any length of time.

SERVICE BUILDING – A structure housing toilets, lavatories and such other facilities as may be required by this ordinance.

SEWER CONNECTION – The connection consisting of all pipes, fitting, and appurtenances from the drain outlet of a recreational vehicle to the inlet of the corresponding sewer service riser pipe of the sewage system serving the park.

SEWER SERVICE RISER PIPE – The portion of a sewer system which extends vertically to the ground elevation and terminates at each site.

SITE PLAN – Same as Plot Plan

SPACE – A plot of ground within the park designed for the accommodation of one recreational vehicle together with such open space as required by this ordinance. This term shall include the terms lot, stand, and site.

TOW VEHICLE – A vehicle used to tow a recreational vehicle or a vehicle being towed by a recreational vehicle.

WATER CONNECTION – The connection consisting of all pipes, fittings, and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within a recreational vehicle.

WATER RISER PIPE – The portion of the private water service system serving a recreational vehicle park, which extends vertically to the ground elevation and terminates at a designated point at a space.

SECTION 3.0 – GENERAL PROVISIONS

It shall be unlawful for any person for any reason to park or place a recreational vehicle within the Village of Bonney for a period longer than seventy-two (72) hours.

The provisions of this ordinance shall not, however, apply to:

1. Locations where recreational vehicles are manufactured and/or sold or stored by the manufacturer or seller.

2. Temporary offices or display units as approved by the City Council after written request.
3. Recreational vehicles stored on lots in residential areas of the Village of Bonney provided the owner lives in a house on the same lot or on a vacant lot providing the owner of the recreational vehicle lies in a house located on one of the adjoining lots.
4. A recreational vehicle located on a space in a recreational vehicle park duly licensed under the provisions of this ordinance.
5. Locations where the City Council has granted a request to temporarily place recreational vehicle(s). The request shall be in written form signed by the property owners requesting a specified period of time for the recreational vehicle to be present; it shall also address how utilities will be supplied to the recreational vehicle if applicable. With the request there shall also be provided a site plan showing the proposed location of recreational vehicle(s) and any other structures on the property.

In any event, a recreational vehicle shall not be parked on any street or parkway for the purpose of storage.

SECTION 4.0 – LICENSE

It shall be unlawful for any person to maintain or operate a recreational vehicle park within the corporate limits of the Village of Bonney unless such person shall first obtain a license therefore.

4.1 – License Fees

1. The annual license fee for each recreational vehicle park shall be two hundred fifty (\$250.00) dollars for ten (10) spaces or less, and/or five hundred (\$500.00) for a park having more than ten (10) spaces.
2. The fee for transfer of license shall be two hundred fifty (\$250.00) dollars.
3. Where a recreational vehicle park is to be operated in conjunction with a manufactured home park, all fees and requirements apply.

4.2 – Application for License

1. Application for recreational vehicle license shall be filed with the City Secretary of the City and upon the approval by the City Council of the Village of Bonney; City Secretary shall issue the license.
2. Applications shall be in writing signed by the applicant or a duly authorized officer or agent of applicant and shall contain at least the following:
 - a. The name and address of the applicant,
 - b. The location and legal description of the recreational vehicle park,
 - c. A complete plan of the park drawn to scale,

- d. Plans and specifications of all buildings and improvements constructed or to be constructed within the recreational vehicle park, and
- e. Such further information as may be requested by the Planning and Zoning Commission to enable it to determine if the recreational vehicle park will comply with legal requirements.

SECTION 5.0 – LOCATION

Recreational vehicle parks must be located west of the current State Highway FM 521. Persons may seek permits for a waiver from this location requirement by requesting approval of the Village Council at a regular or special meeting of the Council.

SECTION 6.0 – RECREATIONAL VEHICLE PARK PLAN

6.1 - The recreational vehicle park shall conform to the following requirements:

1. The park shall be located on a well-drained site, properly graded and equipped to ensure rapid drainage and to be free from stagnant pools of water. The condition of the soil, ground water, drainage, and topography shall be such that it shall not create a hazard to the property or the health and safety of the occupants.
2. Each park shall provide recreational vehicle parking spaces and each such space shall be clearly defined. Twenty percent (20%) of the parking spaces shall be not less than eighteen (18) feet by fifty (50) feet. There must be at least a ten (10) foot clearance of space between adjacent rows of parking spaces.
3. The entrance to the park shall be designed to minimize congestion and hazards and allow free movement of traffic on adjacent streets.
4. Hard surface private streets adequate to provide access to each recreational vehicle space shall be constructed and maintained in good condition by the licensee and the width of which shall not be less than twenty-four (24) feet.
5. The park shall comply with state and federal standards for accessible for the mobility impaired. The application shall show proof of compliance.

6.2 – Recreational vehicle stands or pads shall:

1. Be improved with compacted crushed road base material and asphalt or concrete adequate to support the weight of the recreational vehicle.
2. Not heave, shift, or settle unevenly under the weight of the recreational vehicle due to frost action, inadequate drainage, vibration, or other forces acting on the structure.

6.3 – Each park shall provide the following unisex toilet and shower facilities:

1. Two (2) toilets, lavatories or wash basins and shower or bathtub for every one-hundred (100) sites with an additional one (1) bathroom facility for each one-hundred (100) sites or fraction thereof.
2. Each toilet room provided for men shall have in addition, one (1) urinal stall.
3. Each toilet room shall have a sewer dump-station outside.
4. All toilets, basins, showers, and bathtubs shall be placed in properly constructed buildings located not more than three hundred (300) feet from each recreational vehicle site. Such buildings shall be well lighted and ventilated at all times. Openings shall be screened with wire of not less than fourteen (14) meshes to the square inch and shall be constructed of such moisture proof material as to permit rapid and satisfactory cleaning, scouring, and washing. Floors shall be of concrete or some similar materials and elevated not less than four (4) inches above grade. Each room shall be provided with floor drainage.
5. When unisex bathrooms are used where toilet, shower, and lavatory are in one separate enclosed unit, at least one bathroom per ten (10) spaces must be provided.
6. All unisex bathrooms shall comply with the Americans with Disabilities Act (ADA).

6.4 – Each parking space or pad shall be equipped with water, sewer, and electrical hook-ups which shall conform to all applicable Codes or Ordinances of the City.

6.5 – Hard surface walkways not less than thirty-six (36) inches wide shall be provided from the recreational vehicle spaces or from the streets, as the case may be to the service buildings.

6.6 - All street and walkways shall be lighted at night. Light standards shall have a height and spacing to insure an average illumination level of not less than 0.2 foot-candles.

6.7 – Service Buildings

1. Service buildings shall be permanent structures complying with all applicable ordinances and statutes regulating electrical, plumbing, gas, and mechanical installations.
2. All service buildings and the grounds of the park shall be maintained in a clean, sightly condition and kept free of any condition that will menace the health of any occupant or the public.

SECTION 7.0 – GARBAGE RECEPTICLES

7.1 – Each recreational vehicle park shall provide a minimum of two (2) fly-tight, water-tight, rodent proof dumpsters for the first one-hundred (100) sites with one (1) additional dumpster for each one-hundred (100) sites or fraction thereof.

- 7.2 – Refuse collections stands shall be provided for all refuse containers. Such container stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration and to cleaning around them.
- 7.3 – The storage, collections, and disposal of refuse in the recreational vehicle park shall be so conducted as to create no health hazards.
- 7.4 – The dumpster shall be screened from public view.

SECTION 8 – FUEL

- 8.1 – Bottled gas for cooking purposed shall not be used at individual recreational vehicle spaces unless the containers are properly connected by copper or other suitable metallic tubing.
- 8.2 – Bottled gas cylinders shall be securely fastened in place.
- 8.3 – No cylinders containing bottled gas shall be located in a recreational vehicle or within five (5) feet of a door thereof.
- 8.4 – State and local regulations applicable to the handling of bottled gas and fuel oil shall apply.
- 8.5 – All applicable provisions of the ordinances of this City regulating the use of liquefied gas must be complied with.

SECTION 9 – FIRE PROTECTION

- 9.1 – Every park shall be equipped at all times with fire extinguishing equipment in good working order of such type, size, and number and so located within the park as to satisfy the fire code and other applicable regulations of the City.
- 9.2 – No open fires shall be permitted, except that this shall not be construed to prevent barbequing with charcoal in an approved pit or grill.
- 9.3 – All sites and any part of a recreational vehicle shall not exceed one-hundred fifty (150) feet from the hard surface streets.
- 9.4 – Storage and Handling of Flammable Liquids.

In parks in which gasoline, fuel oil, or other flammable liquids are stored or dispenses their handling and storage shall comply with the fire code.

- 9.5 – Access to Sites for Fire Fighting

Approaches to all sites shall be kept clear for fire fighting personnel and equipment.

9.6 – Dry Vegetation

The park licensee or agent shall be responsible for maintaining the entire area of the park free of dry brush, leaves, and weeds.

SECTION 10 – SUPERVISION

10.1 – The attendant or caretaker shall be answerable with the licensee for the violation of any provisions of the Ordinance to which the licensee is subject.

10.2 – The licensee or agent shall operate the park in compliance with this Ordinance and other applicable ordinances and shall provide adequate supervision to maintain the park, its facilities, and its equipment, in good repair and in a clean and sanitary condition.

10.3 – The licensee or agent shall notify park occupants of all applicable provisions of this ordinance and inform them of their duties and responsibilities of this ordinance.

10.4 – The licensee or agent shall maintain a register or park occupancy which shall contain at least the following information:

1. name and address of park residents,
2. license number of recreational vehicle and/or tow vehicle,
3. location of each recreational vehicle within the park by space or lot number, and
4. Dates of arrival and departure.

10.5 – 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.

10.6 – Registers shall be available for inspection at all reasonable times by an official of the City whose duties may necessitate access to the information contained therein.

SECTION 11 – INSPECTION

11.1 – The City Official, the Fire Chief, and the Police Officer are hereby authorized and directed to make such inspections as necessary to determine compliance with this ordinance.

11.2 – The City Official, the Fire Chief, and the Police Officer shall have the power and authority to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this ordinance.

11.3 – The City Official, the Fire Chief, and the Police Officer shall have the power and authority in discharging their official duties to inspect the register containing a record of all residents of the park.

SECTION 12.0 – REVOCATION OF LICENSE

12.1 – The City Council may revoke any licensee to maintain and operate a park when the license has been found guilty by a court of competent jurisdiction of violating any provision of this Ordinance.

12.2 – After such conviction, a new license may be reissued if the circumstances leading to conviction have been remedied and the park is being maintained and operated in full compliance with the law.

SECTION 13.0 – SEVERABILITY CLAUSE

That if any provision, word, sentence, paragraph, clause, phrase, or section of this Ordinance or its application to any person or circumstances is adjudged or held invalid, void, or unconstitutional, the invalid, void, or unconstitutional portion shall not affect the validity of the remaining portions of this ordinance which shall remain in full force and effect.

SECTION 14.0 – PENALTY

Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be subject to a fine not to exceed two thousand (\$2,000.00) dollars for each offense, except however, where a different penalty has been established by the state law for such offense the penalty shall be that fixed by the state law; and each and every day said violation is continued shall constitute a separate offense.

SECTION 15.0 – REPEALLING CLAUSE

All provisions in conflict with the provisions of this ordinance shall be, and the same are hereby repealed, and all other provisions not in conflict with the provisions of this ordinance, shall remain in full force and effect.

SECTION 16.0 – EXCEPTIONS

Notwithstanding any of the requirements of this ordinance, if it be shown to the satisfaction of the City Council that any of the requirements if complied with would cause undue hardship on any applicant for a license hereunder or licensee hereunder, and that such requirement or requirements would not be for the best interest and general welfare of the Village of Bonney and the citizens affected by this ordinance, the City Council may waive such requirement or requirements.

SECTION 17.0 – PUBLICATION

The City Secretary is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law.

SECTION 18.0 – INTRODUCTION

This ordinance was introduced before the City Council on the _____ day of _____, _____.

PASSED, APPROVED and ADOPTED on the _____ day of _____, _____.

Mayor

<Seal>

Attest:

City Secretary