

**ORDINANCE 20-B**

**AN ORDINANCE OF THE CITY OF ALVIN, TEXAS, AMENDING CHAPTER 24½, MANUFACTURED HOMES AND MANUFACTURED HOME PARKS, BY AMENDING ARTICLE V. RECREATIONAL VEHICLE PARKS, AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALVIN:**

**Section 1.** That the Code of Ordinances, City of Alvin, Texas; is hereby amended by amending Article V, Recreational Vehicle Parks, which said article shall read as follows:

**Article V. Recreational Vehicle Resorts and Parks**

**“Sec. 24½-85. – Purpose and intent.**

(a) The city council finds that properly planned and operated Recreational Vehicle (RV) resort communities and parks:

(1) Promote the health and safety of the occupants or guests of such communities and of other nearby communities; and

(2) Encourage economical and orderly development of such communities and of other nearby communities.

(b) This ordinance is enacted to achieve orderly operation and maintenance of RV resorts and parks, and establishes minimum standards with which all RV resorts and parks must comply.

(c) No new recreational vehicle resorts or recreational vehicle parks will be allowed within the city limits. Any recreational vehicle resort or park located in the city legally, prior to the enactment of this article shall be allowed to remain, but shall not be allowed to expand or be modified, except as defined below, under any circumstance.

(d) An existing resort or park may expand by increasing the number of spaces confined within the resort or park, if all other provisions in this Code are met.

**Sec. 24½-86. – Applicability.**

(a) This article shall apply to all recreational vehicle resorts and parks to be licensed within the city limits. No person shall maintain or operate a recreational vehicle resort or park within the city's corporate limits except in conformity with this article.

(b) All recreational vehicle resort and park facilities and recreational vehicles shall conform, without limitation, to the codes and ordinances of the city, including the building, plumbing, electrical, and fire codes, and all applicable state and federal laws.

**Sec. 24½-87. – Scope and jurisdiction.**

(a) This article is intended to be all-inclusive of elements to be regulated by the city.

(b) Where differences occur between state and local standards affecting building, electrical, plumbing, and fire protection elements, the more restrictive code shall govern.

(c) Any decision to regulate elements of recreational vehicle resorts or parks as they relate to location affecting offsite impacts shall be the sole determination of the city.

(d) Federal regulations under the National Highway Traffic Safety Administration may supersede all or part of this article as applied to any category of regulated motor vehicles.

**Sec. 24½-88. – Fees.**

The schedule of fees as set forth in chapter 28 shall apply to this article.

**Sec. 24½-89. – Definitions.**

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

*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. This does not include awnings or canopies that are built in the RV itself.

*Agent.* Any person authorized by the licensee of a recreational vehicle resort or park to be a representative, manager, or operator to maintain such recreational vehicle resort or park under the provisions of this article.

*Building official.* The building official, the fire marshal, or code compliance officer of the City of Alvin, Texas, or their designee.

*City.* The City of Alvin, Texas.

*Code Compliance Official.* The official of the city or his/her designee charged with the code enforcement of the provisions of this article.

*Common access route.* A private roadway which affords a principal means of access to individual recreational vehicle spaces or auxiliary buildings in a recreational vehicle resort or park.

*Common parking area.* A common area within a recreational vehicle park or resort for the parking of automobiles or other small vehicles of visitors and the temporary storage of trailered boats belonging to recreational vehicle resort or park occupants, the dimensions of which are at least one hundred eighty (180) square feet.

*Driveway.* A minor entrance-way off the common access route within a recreational vehicle resort or park or from a public street into an off-street parking area serving one or more recreational vehicle spaces.

*Fencing.* A masonry fence, wood fence or other opaque fencing pre-approved by the building official.

*Habitable.* There is no defect, damage, or deterioration to the recreational vehicle which creates a dangerous or unsafe situation or condition; that the plumbing, heating, and electrical systems are in safe working order; that the walls, floor, and roof are free from any substantial openings not designed; are structurally sound in accordance with laws of the state, and that all exterior doors and windows are in place.

*Install or installation* When used in reference to recreational vehicles and/or recreational vehicle resorts or parks, it shall mean the construction of the foundation systems, and the placement and erection of a recreational vehicle or components on the foundation system and includes supporting and proper connection of multiple or expandable sections or components.

*Internal street.* The same as common access route.

*Licensee.* Any person licensed to operate and maintain a recreational vehicle resort or park under the provisions of this article.

*Lot.* An individual space for a single recreational vehicle as defined herein.

*Lot parking space.* A space for the parking of vehicles which are located within the boundaries of a recreational vehicle lot.

*Manager.* A person/s that is responsible for the control, direction, management, supervision and/or maintenance of the RV resort or park seven (7) days per week, 24 hours a day. This person/s may or may not be the owner of the RV resort or park.

*Occupant.* Any person who occupies a recreational vehicle which is located in a recreational vehicle resort or park.

*Owner.* A person who has contractual responsibility for the property, or person who has the legal right of possession of the property.

*Pad.* The area within the lot set aside for the placement of the recreational vehicle.

*Recreational vehicle* (hereinafter referred to as "RV"). A vehicular-type camping unit primarily designed as temporary living quarters for recreational camping, travel, or seasonal use that either has its own motor power or is mounted on or towed by another vehicle. All RV's must be registered with the Texas Department of Motor Vehicles, and be "road ready." These vehicles include camping/pop-up trailers, fifth-wheel trailers, motor homes, recreational park trailers, travel trailers, and truck campers. Recreational vehicles must be certified by the manufacturer as complying with ANSI (American National Standards Institute), A119.2 for recreational vehicles and A119.5 park trailers.

A recreational vehicle is not a mobile home or a HUD-Code manufactured dwelling as defined in city codes and ordinances.

(a) *Camping/pop-up trailer*. A recreational vehicle that is mounted on wheels for towing by a motorized vehicle and constructed with side walls that collapse for towing and storage and unfold for use.

(b) *Fifth-wheel trailer*. A recreational vehicle designed to be towed by a motorized vehicle that contains a towing mechanism that is mounted above or forward of the tow vehicle's rear axle.

(c) *Motor home*. A recreational vehicle built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle.

(d) *Recreational park trailer*. A recreational vehicle that meets the following criteria:

(1) Built on a single chassis mounted on wheels.

(2) Certified by the manufacturer as complying with ANSI (American National Standards Institute) A119.5.

(e) *Travel trailer*. A recreational vehicle designed to be towed by a motorized vehicle containing a towing mechanism that is mounted behind the tow vehicle's bumper.

(f) *Truck camper*. A recreational vehicle consisting of a roof, floor, and sides designed to be loaded onto and unloaded from the bed of a pickup truck.

*Recreational vehicle park* (hereinafter referred to as "park"). Any parcel of land development for the placement of recreational vehicles on a temporary basis, located and arranged on a tract of land which is less than ten (10) acres and which has been permitted for such purpose in compliance with this article, with the individual spaces being held under a common ownership and rented or leased to the occupants.

*Recreational vehicle resort* (hereinafter referred to as "RV Resort"). Any lot tract, or parcel of land ten (10) acres or more of unified development of recreational vehicle spaces provided for recreational vehicle use with community facilities and permitted permanent buildings developed for the placement of recreational vehicles on a temporary basis, located and arranged on a tract of

land which has been permitted for such purpose in compliance with this article, with the individual spaces being held under a common ownership and rented or leased to the occupants.

*Site plan.* A drawing showing the use of a parcel of land and the locations of existing and proposed buildings, drives, sidewalks, parking areas, drainage facilities, and other structures to be constructed in relation to surveyed boundaries, and are consistent with other City of Alvin existing ordinances (i.e. storm water drainage).

*Uninhabitable.* Is limited to the deterioration to an RV that has created a dangerous or unsafe situation or condition, and the RV is not structurally sound in accordance with the certification by the manufacturer as complying with ANSI (American National Standards Institute), A119.2, A119.5 or the International Building Code as presently adopted by the city. Uninhabitable RV's will not be allowed to remain within the city limits.

**Sec. 24½-90. – Recreational vehicles outside licensed RV resort or park.**

It shall be unlawful for any person to reside in a recreational vehicle or to connect a recreational vehicle to the city's water or sanitary sewer system within the corporate limits of the city except in a licensed recreational vehicle resort or park as authorized under this article.

**Sec. 24½-91. – Emergency evacuation requirements.**

During a National Weather Service issued Hurricane Warning or alert periods, RVs shall be:

- (1) Removed from the corporate limits of the city; or
- (2) Stored securely in a permanent building which meets all the requirements of the applicable standard codes included in this Code.

The RV park or resort owner shall provide the following minimum information to the occupants:

- (1) Informing the occupants of the advantage of evacuation prior to an evacuation order;
- (2) Providing staff and occupants with information about evacuation routes; and
- (3) Providing staff and occupants with a list of shelters.

**Sec. 24½-92. – Buffering.**

(a) RV resort property shall be buffered from other adjoining properties with earthen berms and/or landscaping. If fencing is erected, it shall be made from brick, stone, masonry, wood, or wrought iron or black-clad cyclone, at least six (6) feet in height on the property. The fence must be maintained in good repair as long as the RV resort remains in operation.

(b) If an RV resort is adjacent to a lake as an amenity, the fencing requirement is not required along the lake side.

**Sec. 24½-93. – Size of RV resort density.**

The minimum size of a RV resort shall be ten (10) acres.

**Sec. 24½-94. – Office, restrooms, and other facilities; recreation area.**

(a) Each RV resort must have a building or buildings for an office for the manager of the RV resort, a bathroom and shower facilities, and laundry facilities. All facilities used by occupants must be well lit inside and out. All facilities must meet applicable codes adopted by the city.

(b) Recreation areas include space for community buildings and community use facilities such as restroom and shower facilities, adult recreation (basketball court or tennis court), playgrounds for children, and swimming pools. All RV resorts will have at least one (1) furnished recreation area club house located as to be free of traffic hazards, and easily accessible to all RV resort occupants. Each club house can have a non-commercial kitchenette, as well as restrooms and a general seating area, stage area, exercise room, media/computer/business center, and attached patio, including a swimming pool, sauna, and hot tub. At a minimum, each RV resort will have one (1) swimming pool.

**Sec. 24½-57. – Soil and ground cover.**

Exposed ground surfaces in all parts of the RV resort shall be concrete or paved, or protected with vegetative cover that is capable of preventing soil erosion and eliminating dust. All pavements shall be kept in good repair.

**Sec. 24½-96. – Landscaping.**

The RV resort owner or manager shall be responsible for maintaining the entire area of the RV resort free of dry brush, leaves, limbs, or weeds.

**Sec. 24½-97. – Storage, collection and disposal of refuse and garbage.**

The RV resort owner or manager shall pick up daily all refuse from each pad site or according to RV resort rules and regulations.

**Sec. 24½-98. – Water.**

(a) All water lines and connections must comply with city and state codes.

(b) The RV resort owner or manager shall have complete maintenance responsibility for the water system within the RV resort.

(c) The city has no maintenance responsibility for service lines within the RV resort. The responsibility of the city stops at the property line.

**Sec. 24½-99. – Waste Water.**

All waste water lines and connections must comply with city and state codes. Each RV resort shall be required to connect to city water and sewer mains.

**Sec. 24½-100. – Streets.**

(a) “No parking” signage must be installed and maintained along the entrance road to RV resort.

(b) All internal streets shall be built in compliance with city standards.

(c) All streets shall have standard street signs erected at appropriate points.

(1) All lots, pads, or spaces shall be sequentially numbered and the numbers shall be displayed in a manner that is clearly visible from the street.

(2) Adequate security lighting shall be provided to illuminate all common areas and RV lots.

(3) Street lights shall be provided along all internal streets at a maximum spacing of three hundred (300) feet between lights and at all street intersections.

(4) Directional lighting methods shall be used when installing building or street lights. The direction of the light shall be downward. Upward or outward lighting will not be acceptable. Directional lighting will prevent unnecessary or unwanted light spill over into adjacent areas or properties.

**Sec. 24½-101. – Parking.**

(a) A minimum of (one) 1 off street parking space shall be provided for each RV lot space.

(b) Off-street parking areas must be provided for visitors and guests.

(c) The minimum lot parking size shall be nine (9) feet in width by twenty (20) feet in depth and made of concrete.

**Sec. 24½-102. – Sidewalks.**

A pedestrian walkway plan shall be submitted in conjunction with the landscape plan.

**Sec. 24½- 103. – Electrical service.**

Each lot within the RV resort shall be provided with an approved electrical wiring system electrical service. All electrical service shall be installed underground from the secondary meter to the lot and installed in accordance with the National Electrical Code. All electrical distributions and connections must comply with applicable city and state codes.

**Sec. 24½-104. – Size of individual sites; pad requirements.**

Each recreational vehicle lot within the RV resort shall have a minimum area of nine hundred fifty (950) square feet.

**Sec. 24½-105. – Dumpsters.**

Garbage dumpster(s) shall be provided by the RV resort in the size and numbers appropriate for the number of lots. The dumpster pad shall be constructed of concrete. The fencing for the dumpster shall be constructed of CMU with heavy duty steel gating, and must not be easily recognized as a dumpster. Pickup service shall be provided no less than once weekly.

**Sec. 24½- 106. – Rules and regulations for RV resorts and parks to be adopted by owner.**

(a) Each owner or his/her agent shall comply with all applicable regulations of the city. In addition, it shall be the duty of the owner to prescribe rules and regulations for the management of the resort or park, to make adequate provisions for the enforcement of such rules, and to subscribe to all subsequent rules and regulations which may be adopted for the management of the resort or park. Copies of all the rules and regulations shall be furnished to the building official upon request.

(b) It shall be the duty of each owner or manager to keep a register containing a record of all visiting guests. The register shall contain the following information:

(1) The name and home address of the owner of each recreational vehicle or guest.

(2) The make, model, year, license, and state of issue of tow vehicle, motor-powered recreational vehicle, and a copy of a valid driver's license along with proof of insurance for guests.

(3) The date of arrival and departure of each recreational vehicle or guest.

(4) The location of each recreational vehicle within the resort by unit number and street address.

(5) The name, address, and phone number of contact in case of emergency.(6) The register shall be kept available at all time for inspection by law enforcement officers.

(c) Maintain current site map of the premises showing location, size, and depth of all utility, gas, or other lines within the RV resort.

**Sec. 24½-107. – License issuance.**

(a) *License required.* It shall be unlawful for any person to operate a RV resort or park unless such person holds a valid license issued in the name of the person for a specific resort or park.

(b) *Application for license.*

(1) All applications for a license to operate an RV resort or park shall be on forms furnished by the city, signed by the applicant, and accompanied by the annual license fee. The application shall contain the following:

- a. The name, address and contact phone number of the applicant. If the applicant is not the owner of the premises on which the RV resort or park is located, the applicant shall provide the name and address of the owner with a copy of the lease between the applicant and the owner;
- b. The day and night phone number for the owner or manager;
- c. The RV resort or park's street address; and
- d. The legal description of the RV resort or park.

(2) If the applicant is not the owner, the applicant must be a lessee of the owner pursuant to a written lease having a remaining term (including any provisions for renewal and extension of such lease) of not less than the term for which the license will be issued.

(3) The building official shall grant such application and issue a license to operate an RV resort or park to the applicant unless he or she finds the information contained in the application to be inaccurate.

(4) The park must comply with all code standards prior to issuance of a license.

(c) *License fee.* Each resort or park shall pay an annual license fee in addition to a fee for each recreational vehicle lot as set forth in chapter 28.

(d) *License expiration.* The license shall expire on January 31 of each calendar year following the year in which it is issued. All licenses shall be renewed on or before January 31 of each year.

(e) *Application for license renewal.* Each year a resort or park owner shall make application to renew a license to operate a resort or park and shall submit the annual license fee. All terms of the initial license issuance applies to license renewal. An application for a renewal license shall reflect any change in the information from the preceding application. The building official shall grant such application unless the information contained therein is inaccurate or unless the building official believes that the licensee committed or allowed a violation of any provision of this article applicable to such resort or park to occur and which has not been corrected.

(f) *Renewal of suspended license prohibited.* A suspended license may not be renewed during the period for which it was suspended.

#### **Sec. 24½-108. – Transfer of license; fee.**

(a) Any person desiring to purchase an existing resort or park shall apply for a transfer of license on forms furnished by the city. The transfer of license application shall be signed by the licensee and shall contain information as the building official may reasonably require to assure the building official that the resort or park is being and will be operated in compliance with all the requirements of this article. The transfer of license application shall be accompanied by the license transfer fee as set forth in chapter 28.

(b) A suspended license may not be transferred during the period for which it was suspended.

**Sec. 24½-109. – Appeal from denial of license.**

Any person whose application for a license to operate a RV resort or park is denied, or any person whose application to renew or transfer such license has been denied by the building official, may appeal to the Building Board of Adjustment & Appeals (BBOAA) and shall be granted a hearing on the matter. The BBOAA shall affirm or reverse the denial of such application by the building official, by majority vote of its members present and voting at any regular or special meeting. If the decision of the building official is reversed by the BBOAA, the building official shall issue the license or any renewal or transfer the same with such requirements as the majority of the BBOAA may reasonably require. Any decision of the BBOAA in such appeal shall be final.

**Sec. 24½-110. – Maintenance and operation of RV resorts and parks**

(a) *Fire safety standards.*

(1) *Storage and handling of liquefied petroleum gases.* In RV resorts and parks in which liquefied petroleum gases are stored and dispensed, their handling and storage shall comply with requirements of chapter 9.

(2) *Storage and handling of flammable liquids.* In RV resorts and parks in which gasoline, fuel, oil, or other flammable liquids are stored and/or dispensed, their handling and storage shall comply with the provisions of chapter 9.

(3) *Firefighting.* Approaches to all lots shall be kept clear at all times for access by firefighting equipment. The RV resort or park shall provide an adequate water supply for fire department operations which shall be connected to the city's public water supply system. This shall include standard city fire hydrants located within three hundred (300) feet of all lots measured along the driveways and internal streets of the RV resort. The fire hydrants shall be made available for periodic inspection by the city's fire department and water department. The adequacy of the water supply for firefighting shall be determined by state standards and the fire code adopted by the city.

(4) *Barbecue pits, fireplaces, and stoves.* All fireplaces, wood burning stoves, chimneys, chimeneas and other forms of outdoor cooking shall be located, constructed, maintained and used as to minimize fire hazards and smoke nuisance both in the area where used and in neighboring area of the RV resort or park. No uncontained open fire shall be permitted in the RV resort or park.

(5) *Portable fire extinguishers.* Portable fire extinguishers shall be located throughout the RV resort or park in compliance with city ordinances and any applicable state or federal regulations.

(6) *Extension cords.* Extension cords shall not be permitted, except the electrical supply cord that is UL listed for recreational vehicles and complies with the fire code adopted by the city.

(7) *Fire department access.* All RV resorts and parks shall comply with the fire department access requirements of chapter 9.

(b) *Insect and rodent control.* Grounds, buildings, and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform to the requirements of the city health official.

**Sec. 24½-111. – Telephone.**

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

**Sec. 24½-112. – Accessory structures.** The individual lots within RV resorts and parks, and/or individual RVs, are not allowed to have accessory structures as defined herein. Additionally, all RVs must be removeable within one (1) hour notice by the RV resort or park owner or manager.

**Sec. 24½-113. – Sanitary facilities.**

Sanitary facilities shall be provided at amenity locations such as lakes, pools, spas, etc. Such facilities must meet all requirements of the City of Alvin Ordinances.

**Sec. 24½-114. – Inspection of RV resorts and parks.**

(a) The building official, the health official, the fire chief, the chief of police or their respective authorized designees, shall have the right and are hereby directed at all reasonable times to enter upon any premises for which a license to operate a park has been issued for the purpose of determining satisfactory compliance with this chapter and all other applicable ordinances and laws. The official shall present proper identification upon request.

(b) The RV resort owner or manager shall be responsible for insuring that all RV utility connections, common facilities, and grounds comply with this chapter.

(c) RV resort or park owners and managers shall permit the building official to enter and inspect the RV resort or park, without prior notice, during the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday.

(d) In case of emergency, where extreme hazards are known to exist that may involve imminent injury to persons, loss of life, or severe property damage, the building official may enter the premises at any time. The building official is hereby authorized to obtain a search warrant as provided by law if denied admission to inspect any such premises.

**Sec. 24½-115. – Penalty.**

Any person who violates any provision, restriction or requirement of this article shall be guilty of a misdemeanor which shall be punishable by a fine not to exceed the amount as prescribed by [section 1-5](#). Each day of violation of this article shall constitute a separate offense. Prosecution in municipal court shall be in addition to other remedies provided in this article, by law, or in equity.

**Sec. 24½-116. – Violation; suspension; appeal.**

(a) Upon inspection of any resort or park, whenever the building official, the health officer, the fire chief, the chief of police, or their respective authorized designee, finds that conditions or practices exist at the resort or park which are in violation of any provision of this article, the building official shall issue to the owner of the resort or park or his or her agent a written notice setting forth each condition or practice that exists. The notice shall inform the owner or his agent that unless the condition or practice is corrected or stopped within the time specified in the notice, the license to operate the resort or park shall be suspended. The specified time for compliance shall be determined by the building official. At the end of the notice period, the building official shall re-inspect the resort or park and, if all conditions or practices stated in the notice have not been corrected or stopped, the building official shall immediately suspend the license of the owner to operate the resort or park for the period of time the building official deems appropriate.

(b) Any person whose license to operate a resort or park is suspended shall have the right to have the suspension reviewed by the BBOAA. The BBOAA shall affirm or reverse the suspension of such license by the building official, by majority vote of its members present and voting at any regular or special meeting. If the decision of the building official is reversed by the BBOAA, the BBOAA may either reinstate the license or suspend it for a lesser period of time than that for which it was suspended by the building official. Any decision of the BBOAA in the appeal shall be final.

**Section 2.** That except as amended herein all other provisions of Chapter 24½ of the Code of Ordinances, City of Alvin, Texas, shall remain in full force and effect. To the extent of any conflict or inconsistency between the provisions of this Ordinance and any other ordinance, the provisions of this Ordinance shall control.

**Section 3. Severability.** Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

**Section 4. Penalty Provision.** Any person, firm, corporation or business entity violating this Ordinance if deemed guilty, and upon conviction thereof shall be fined as set forth herein. Each unlawful act or continuing day's violation under this Ordinance shall constitute a separate offense. The penal provision imposed under this Ordinance shall not preclude the City of Alvin from filing suit to enjoin the violation. The City of Alvin retains all legal rights and remedies available to it pursuant to local, state and federal law.

**Section 5. Publication.** The City Secretary of the City of Alvin is hereby directed to publish this ordinance, or its caption and penalty clause, in one issue of the official City newspaper as required by the Charter of the City of Alvin, Texas.

**Section 6. Effective Date.** This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of Chapter 52, Texas Local Government Code and the City of Alvin Charter.

**Section7. Open Meetings.** It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

**PASSED AND APPROVED** on first and final reading on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST: **CITY OF ALVIN, TEXAS:**

By: \_\_\_\_\_  
Dixie Roberts, City Secretary

By: \_\_\_\_\_  
Paul A. Horn, Mayor