

**ORDINANCE #008-23**

**AN ORDINANCE OF THE CITY OF DE LEON, TEXAS, PROVIDING FOR THE PERMITTING, OPERATION AND INSPECTION OF RECREATIONAL VEHICLE PARKS; PROVIDING FOR NOTICES, ORDERS AND REVOCATION OF PERMITS; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE**

**WHEREAS**, the De Leon City Council finds that properly planned and operated recreational vehicle communities (i.e., recreational vehicle (“RV”) parks): (1) promote the safety and health of the residents of the City; (2) encourage economical and orderly development of the City, and 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 supervised recreational vehicle community and by providing for the standards and regulations necessary to accomplish these purposes; and

**WHEREAS**, the City Council finds that this ordinance is in the best interest of the City and is enacted to achieve orderly development of recreational vehicle parks, to promote and develop the use of land to minimize possible impacts, and to promote the health, safety and general welfare of the City and its citizens; and

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

**SECTION 1.0. FINDINGS.**

All of the above premises are found to be true and correct legislative determinations of the City Council and they are hereby incorporated into the body of this Ordinance as if copied and set forth herein in their entirety.

**SECTION 2.0 ENACTMENT.**

The following Ordinance is hereby adopted by the City:

This article may be referred to as the “City of De Leon Recreational Vehicle Parks Ordinance.”

“1. Intent

The City Council finds that properly planned and operated recreational vehicle communities (i.e., recreational vehicle (“RV”) parks):

(1) promote the safety and health of the residents of the City; (2) encourage economical and orderly development of the City. 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 supervised recreational vehicle community and by

providing for the standards and regulations necessary to accomplish these purposes. This article is enacted to achieve orderly development of recreational vehicle parks, to promote and develop the use of land to minimize possible impacts, and to promote the health, safety and general welfare of the City and its citizens.

## 2. Definitions

Unless otherwise specified, the following terms shall have the meaning respectively assigned to them in this section:

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

**CITY.** City of De Leon, Texas.

**CITY COUNCIL.** The City Council of the City of De Leon.

**CITY MANAGER.** The City Manager of the City of De Leon or his/her designee.

**CODE ENFORCEMENT OFFICER.** The legally designated inspection authority of the City or his/her authorized representative.

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

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

**HARD-SURFACE.** Means an asphalt or concrete road or walkway meeting the approval of the Director of Public Works.

**PARK.** Means recreational vehicle park.

**PERMIT.** A written permit 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.

**PERMITTEE.** Means any person permitted to operate and maintain a recreational vehicle park under the provisions of this ordinance.

**PERSON.** Any natural individual, firm, trusts partnership, association or corporation.

**POLICE CHIEF.** The legally designated Chief of the Police Department of the City or his/her authorized representative.

**RECREATIONAL VEHICLE.** Any licensed camp trailer, travel trailer, motor home or fifth wheel designed to provide temporary living quarters for travel and recreational and vacation uses. Such



vehicles shall not exceed 102 inches in width and forty-six (46) feet in length and shall be constructed with integral wheels to make it mobile and/or towable by motor vehicle; and shall also include pick-up campers, converted buses and tent trailers.

**RECREATIONAL VEHICLE PARK.** Any contiguous lot, tract or parcel of land upon which accommodation is provided for two or more recreational vehicles for the parking of recreational vehicles occupied or intended to be occupied for dwelling or sleeping purposes for any length of time and is permitted pursuant to the provisions of this ordinance.

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

**SITE 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.

**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 also 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.

### 3. Permit.

(a) Required. It shall be unlawful for any person to maintain or operate a recreational vehicle park within the corporate limits of the City unless such person holds a valid permit issued annually by the City.

#### (b) Permit Fees.

1. The annual permit 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) dollars for a park having more than ten (10) spaces.

2. The transfer fee of permit 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 for both the recreational vehicle park and the manufactured home park.

#### (c) Applications for Permit.

1. Applications for recreational vehicle park permits shall be filed with the City Manager or his designee, and upon the approval by the City Council of the City, the City Manager or his designee shall issue the permit.

2. Applications shall be in writing signed by the applicant or a duly authorized officer or agent of applicant on forms furnished by the City 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 site 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 City Council to enable it to determine if the recreational vehicle park will comply with the legal requirements of this ordinance.

(d) Public Hearing on Application. Any person whose application for a permit has been filed with the City Manager or his designee shall be placed on the City Council agenda for approval, no later than thirty (30) days after the application has been filed. The City Council shall hold a public hearing on the application to determine if the recreational vehicle park complies with this ordinance and is compatible with the surrounding property and the uses of that property.

(e) Permit Renewal. An application for renewal of a permit shall be made in writing by the permittee on forms furnished by the City on or before December 31<sup>st</sup> of each year. Such application shall contain any changes in the information occurring after the original permit or the latest renewal permit was issued.

(f) Approval of transfer. Every person holding a permit shall give notice in writing to the City Manager within ten (10) days after having sold, transferred, given away, or otherwise disposed of an interest in or control of any recreational vehicle park. Application for transfer of a permit shall be made within ten (10) days after notification of a transfer covered in this subsection. Within thirty (30) days after receiving the application for transfer, the City Council shall approve the transfer request provided that the recreational vehicle park and the applicant are in compliance with this ordinance.

#### 4. Location of Recreational Vehicle Parks

Recreational vehicle parks may be located only in an area where it is compatible with the property and its uses adjacent to or near the recreational vehicle park.

#### 5. Recreational Vehicle Park Requirements

All recreational vehicle parks shall comply with the following requirements:

(a) Park Size. All recreational vehicle parks shall contain a minimum contiguous area of two (2) acres, with a maximum of five (5) acres.



(b) Density. The maximum site density for recreational vehicle parks shall be twelve (12) recreational vehicles per acre.

(c) Minimum Recreational Vehicle Space. Each recreational vehicle park shall provide recreational vehicle parking spaces and each such space shall be clearly defined and must provide convenient access for the placement of a recreational vehicle. Only one (1) recreational vehicle is permitted per recreational vehicle space. Each individual space within the recreational vehicle park shall have an area of not less than one thousand nine hundred fifty (1,950) square feet and shall be at least thirty (30) feet wide and sixty-five (65) feet in depth, to provide adequate space for a recreational vehicle.

(d) Separation of Recreational Vehicles. Pads for recreational vehicles shall be separated by a minimum of ten (10) feet and each recreational vehicle shall be separated from each other and accessory structures by ten (10) feet.

(e) Fencing. An opaque fence at least eight (8) feet in height must be placed on the perimeter of the recreational vehicle park to buffer the park from view. The fence shall be installed on both sides and at the rear of the property. The fence must be made of wood, metal or galvanized materials and be kept in a clean, well-preserved manner. In the front of the park, landscaping shall be utilized to screen the park from view, except for the entrance to the park. Where landscaping is used, the landscaping shall be properly maintained.

(f) Soil, Ground Cover and Drainage. Exposed ground surfaces in all parts of every park shall be paved, covered with other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and eliminating dust. The park owner shall be responsible for maintenance of the ground surfaces. 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.

(g) Streets, Internal Circulation, Parking and Park Entrance.

(1) All streets providing access to a recreational vehicle park shall be developed and maintained in good condition by the permittee in accordance with the following:

a. All public streets shall include grading the full width of right-of-way, construction of integral curbs and gutters, base and pavement, constructed in accordance with city standards.

b. All private streets shall provide adequate right-of-way to permit access to the recreational vehicle park.

(2) All streets providing access to individual spaces or sites in the recreational vehicle parks shall be developed in accordance with the following:

a. All public streets shall include grading the full width of right-of-way, construction of integral curbs and gutters, base and pavement, constructed in accordance with city standards.

b. All private streets shall provide adequate paving width, with a minimum width of twenty-four (24) feet, consisting of acceptable base materials that will prohibit dust.

c. On-street parking shall be prohibited on all streets within the park unless additional paving of adequate width is provided, and the plans for the park shall provide for one (1) space for each recreational vehicle space and one (1) additional space for every six (6) recreational vehicle lots.

d. All cul-de-sacs shall have a minimum radius of sixty (60) feet. No cul-de-sac shall exceed four hundred (400) feet in length.

(3) The entrance to the park shall be designed to minimize congestion and hazards and allow free movement of traffic on adjacent streets.

(h) Compliance with the Americans with Disabilities Act ("ADA"). The park shall comply with all state and federal standards for accessibility for the mobility impaired. The applicant shall show proof of compliance.

(i) 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.

(j) Restroom Facilities. Each park shall provide the following toilet, lavatory and shower facilities:

(1) One (1) toilet per sex for every ten (10) sites.

(2) One (1) lavatory per sex for every ten (10) sites.

(3) One (1) bathing facility (shower) per sex for every ten (10) sites.

(4) Each toilet room shall have a sewer dump-station outside.

(5) All toilets, lavatories, and bathing facilities 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 material and elevated not less than four inches (4") above grade. Each room shall be provided with floor drainage.

(6) All toilets, lavatories and bathing facilities shall comply with the ADA.



(k) Utilities Provided. Each recreational vehicle space shall be equipped with water, sewer and electrical hook-ups which shall conform to all applicable Codes or Ordinances of the City.

(l) Walkways. 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.

(m) Park Lighting. All streets 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.

(n) 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.

(o) Sewage Disposal. An adequate and safe sewer system shall be provided in all parks for conveying and disposing of all sewage. The sewer system shall be constructed and maintained in accordance with City codes. All proposed sewage disposal facilities shall be approved by the City building official or plumbing inspector.

(p) Electricity. All electrical service shall be underground and installed in accordance with all applicable codes.

(q) Garbage Receptacles.

(1) Each recreational vehicle park shall be provided with adequate facilities for the collection and removal of refuse and garbage. Notwithstanding the foregoing, each park shall provide a minimum of two (2) fly tight, watertight, rodent proof dumpsters located in the park so that every recreational vehicle space is within two hundred (200) feet of a dumpster.

(2) Refuse collection 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.

(3) The storage, collection and disposal of refuse in the recreational vehicle park shall be so conducted as to create no health hazards.

(4) The dumpsters shall be screened from public view.

(r) Fuel. Bottled gas for cooking purposes shall not be used at individual recreational vehicle spaces unless the containers are properly connected by copper or other suitable metallic tubing.

(1) Bottled gas cylinders shall be securely fastened in place.

(2) No cylinders containing bottled gas shall be located in a recreational vehicle or within five (5) feet of a door thereof.

(3) All state and local regulations, including all City ordinances and codes shall apply to the handling of bottled gas and fuel oil and must be complied with.

(s) Fire Protection.

(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.

(2) No open fires shall be permitted, except that this shall not be construed to prevent barbecuing with charcoal in an approved pit or grill.

(3) All spaces and any part of a recreational vehicle shall not exceed one hundred fifty (150) feet from the hard surface streets.

(4) Storage and Handling of Flammable Liquids. In parks in which gasoline, fuel oil, or other flammable liquids are stored or dispensed their handling and storage shall comply with the City fire code.

(5) Access to Spaces for Firefighting. Approaches to all recreational vehicle spaces shall be kept clear for fire fighting personnel and equipment.

(6) Firefighting Instruction. The park owner or agent shall be responsible for the instruction of his staff in the use of the park fire protection equipment and in their specific duties in the event of fire.

(7) Water Supply Facilities for Fire Department Operations.

a. Water supply facilities for Fire Department operations shall be connected to the city public water supply system.

b. The park owner shall provide standard City approved fire hydrants located within five hundred (500) feet of all spaces, measured along the path of travel using driveways and/or streets. When fire hydrants are required, the water mains and fire hydrants shall be dedicated to the City after construction of improvements is preformed to the City engineering standards and approved by the Code Enforcement Officer. The water mains and fire hydrants when located on private property shall be in a dedicated utility easements of the size set by the Code Enforcement Officer adequate to service said lines and hydrants after all development has accrued.

(8) Dry Vegetation. The park permittee or agent shall be responsible for maintaining the entire area of the park free of dry brush, leaves and weeds.

6. Park Supervision.



(A) Each park shall have a park manager.

(B) The park manager 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.

(C) The park manager shall notify park occupants of all applicable provisions of this ordinance and inform them of their duties and responsibilities under this ordinance.

(D) The park manager shall maintain a register of 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.

(E) 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.

(F) 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.

## 7. Inspection.

(A) The City Manager or his designee, Director of Public Works, Code Enforcement Officer, the Fire Chief, and the Police Chief and other designated City employees (hereinafter "Authorized City employees") are hereby authorized and directed to make such inspections as necessary to determine compliance with this ordinance.

(B) Authorized City employees shall have the power 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.

(C) Authorized City employees shall have the power and authority in discharging their official duties to inspect the register containing a record of all residents of the park.

## 8. Notices, Hearings and Orders of Revocation of Permits.

(A) Notice of Violation. Whenever it is determined that there are grounds to believe that there has been a violation of any provisions of this ordinance, the City Manager shall give notice of such alleged violation to the permittee. 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 permittee or his/her agent, provided that such notice or order shall be deemed to have been properly served upon such permittee or agent when a copy has been served upon such permittee or agent or 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 effect compliance with the provisions of this ordinance;
- (6) After all procedures outlined above are exhausted, citations may be issued.

(B) Appeal from Notice. Any person affected by any notice that has been issued in connection with the enforcement of any provision of this ordinance may request a hearing before the City Council; provided that such person shall file within ten (10) days after the day the notice was served, in the city secretary's office, with a copy to the office of the City Manager, a written petition requesting such hearing and setting forth a brief statement of the grounds thereof. If the person affected does not appeal within the ten-day period, the notice of violation shall be final and the City may revoke the permit to operate the recreational vehicle park if the park remains in noncompliance with this ordinance.

(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 permit to operate a recreational vehicle park.

(D) Revocation of Permits. The City Manager may revoke any permit to maintain and operate a park when the permittee has been found by the City Council to have violated the provisions of this ordinance, or if the permittee received a notice of violation and did not appeal the notice to the City Council and has not corrected the violations in the notice, and/or if found guilty by a court of competent jurisdiction of violating any provision of this ordinance.

(E) After such revocation, a new permit may be reissued if the circumstances leading to revocation have been remedied and the park is being maintained and operated in full compliance with this ordinance."

### **SECTION 3.0 PENALTY**

Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of De Leon, Texas, 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 ordinance is declared to be a separate offense. For violations of the provisions of this ordinance that govern fire safety, public health or sanitation, including dumping of garbage, the fine may not exceed Two Thousand (\$2,000.00) dollars per day, per violation. In the event that a different penalty has been established by the state law for such offense the penalty shall be that fixed by state law; and each and every day said violation is continued shall constitute a separate offense.

**SECTION 4.0 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 5.0 REPEALING CLAUSE**

All provisions in other ordinances 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 6.0 PUBLICATION AND EFFECTIVE DATE**


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 and this ordinance shall become effective after publication of same as provided by Charter and/or state law.

**PASSED AND APPROVED** this 16 day of May, 2023 by a unanimous vote of the City Council.

**ATTEST:**

**CITY OF DE LEON, TEXAS**

  
Melenda K. Harbour, City Secretary

  
Jan Grisham, Mayor  
City of De Leon, Texas