

ORDINANCE NO. 103

AN ORDINANCE REGULATING  
RECREATIONAL VEHICLE PARKS (RV PARKS)  
WITHIN THE CITY OF ZAVALLA, TEXAS

WHEREAS, the City Council finds that properly planned and operated recreational vehicle communities (RV Parks) promote the safety, health, and welfare of the residents of such communities.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ZAVALLA, TEXAS:

SECTION 1. PURPOSE

(a) The purpose and intent of this section is to protect the City's water resources and to provide certain minimum standards, provisions and requirements for safe, sanitary and suitable methods for construction and operation of RV parks within the City.

(b) **Applicability** – This section shall apply to any recreational vehicle park located or to be located within the city limits or the extra territorial jurisdiction of the city.

SECTION 2. DEFINITIONS

(a) **Permit** - A written permit issued by the City of Zavalla authorizing and permitting a person to construct, alter or operate an RV Park under the provisions of this section.

(b) **Recreational Vehicle (RV)** - Any of the following while in use as a residence:

(1) **Travel Trailer** - A portable structure built on a chassis, designed to provide temporary living quarters for recreational camping or travel use, and constructed with integral wheels to make it mobile and/or towable by a motor vehicle.

(2) **Motor Home** - A motor vehicle equipped like a travel trailer and which is a portable, temporary dwelling to be used for travel, recreation and vacation.

(3) **Dependent Trailer** - A travel trailer which is dependent upon a service building for toilet and lavatory facilities.

(4) **Self-Contained Trailer** - A travel trailer which can operate independent of connections to sewer, water and electric systems. It contains a water-flush toilet, lavatory, shower and kitchen sink, all of which are connected to water storage and sewage-holding tanks located within the trailer.

(5) **Truck Camper** - A camper unit equipped like a travel trailer that fits in the bed of a pickup truck and may or may not be separated from the truck for use as living quarters.

(c) **Recreational Vehicle Park (RV Park)** - Any tract or parcel of land used in whole or in part, for the accommodation of RV's by the day, week or a longer period of time.

(d) **Existing RV Park** - Any RV Park with water, sewer and/or electrical hook-ups; active utility accounts for water, sewer and electrical service; and paying occupants.

(e) **Owner or Manager** - Any person who has the control, direction, maintenance or supervision of an RV Park, whether as owner or otherwise.

(f) **Development Plan** - Graphic representation, drawn to scale, 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: Includes existing structures, proposed construction, drainage, and any easements or rights of way.

(g) **RV Site** - Any designated site or pad within an RV Park for the parking of an RV.

(h) **Accessory Structure** - Any structural addition to the recreational vehicle or site, including awnings, cabanas, carports, garages, porches, storage cabinets, storage sheds, and similar structures.

(i) **Backflow** - Water flowing in the opposite of its intended direction, either from a loss of pressure in the supply lines or an increase in pressure. When the water backflows it can carry contaminants with it into the water lines.

(j) **Cross Connection** - is the point at which a contaminated substance comes in contact with the drinking water system.

### SECTION 3. PERMIT PROCESS

(a) **Permit Required** - It shall be unlawful for any person to establish, maintain, conduct or operate any RV Park within the city limits unless he/she holds a valid permit issued annually by the City of Zavalla in the name of such person for the specific park. The applicant shall make all applications for the permit on forms furnished by the City of Zavalla which shall issue a permit upon compliance with the provisions of this article. Existing RV Parks that have not filed an application for a permit at City Hall within thirty (120) days of the effective date of this Ordinance will be deemed in violation of this requirement. Existing RV Parks, that have paid the annual permit fee, but have not come into compliance with the provisions of this article within 120 days may or may not receive an extension upon City Council Approval

(b) **Permit Fee** - The annual permit fee for up to 10 RV sites shall be \$250.00. The annual permit fee for more than 10 RV sites shall be \$500.00. In the event, an application for a permit is rejected or withdrawn, half of the fee shall be returned to the applicant and the other half retained by the City to cover the cost of inspection, plan review and study.

#### (c) **Permit Procedure for New RV Parks or for Changes/Additions to Existing RV Parks**

(1) **Application** - An application for a permit to open and operate a new RV Park, or to change

or add to an existing RV Park, shall be made to the City on forms available at City Hall for that purpose. An application to open a new RV Park, or to change or add to an existing RV Park, shall be made prior to any actual construction and shall include a Development Plan and the applicable permit fee.

**(2) New or Additional Hook-Ups to City Water System** - If the Development Plan contemplates connecting additional water and sewer hook-ups to the City water system, the application will be rejected as long as drought restrictions are in effect for the City of Zavalla.

**(3) Review and Approval** - Upon receipt of a properly completed application that does not contemplate new or additional hook-ups to the City water system, the Mayor shall review the application with the City Council to determine conformance with the applicable standards listed in Section 4 below. Upon approval of the application by the City Council, a permit shall be issued to the applicant, which shall be valid until December 31 of that year at which time application for renewal shall be made for the next calendar year.

**(4) Hearing on denial** – Any person whose application for a permit under this article has been denied may request, and shall be granted, a hearing on this matter before the city council for approval or disapproval.

**(5) Application for renewal** – Application for renewal of a license shall be made in writing by the license on forms furnished by the City of Zavalla on or before December 31<sup>st</sup> of each year. Such application shall contain any changes in the information occurring after the original license was issued or the latest renewal granted.

**(6) Fee** – All applications shall be accompanied by a fee as provided for in the fee schedule found in this ordinance or a later amendment.

**(7) Approval of transfer** – Every person holding a permit shall give notice in writing to the City of Zavalla within then (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 permit shall be made within ten (10) calendar days after notification of change covered in this subsection. Within thirty (30) calendar days thereafter, the City of Zavalla shall act on the application for permit transfer and it shall be approved if the RV Park is in compliance with the provisions of this section.

**(8) Transfer Fee** – All applications for permit transfer shall be accompanied by a fee as provided for in the fee notice to be provided by the City. The transfer fee for up to 10 RV sites shall be \$250.00. The annual permit fee for more than 10 RV sites shall be \$500.00. In the event, an application for a permit is rejected or withdrawn, half of the fee shall be returned to the applicant and the other half retained by the City to cover the cost of inspection, plan review and study.

**(9) Suspension** –

- 1) Whenever, upon inspection of any RV park, the City finds that conditions or practices exist which are in violation of any provisions of this article 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 for in the notice, the city will suspend the permit and give notice of such suspension. Upon suspension of the permit, the permit shall cease operation of such park.

- 2) The suspension of the permit may be appealed to the city council as set forth in this ordinance, by the next City Council meeting after the appeal has been received.

**(d) Permit Procedure for Continued Operation of Existing RV Parks**

**(1) Application** - An application to continue operation of an existing RV Park (no changes or additions) shall be made to the City on forms available at City Hall for that purpose. Such application shall include receipts evidencing active utility accounts for water, sewer and electrical service, and a copy of the RV Park's register of occupants.

**(2) Review and Approval** - Upon receipt of a properly completed application that does not contemplate new or additional hook-ups to the City water system, the City Administrator shall review the application to determine conformance with the applicable standards listed in Section 4 below. Upon approval of the application by the City Administrator, a permit shall be issued to the applicant, which shall be valid until December 31<sup>st</sup> of that year at which time application for renewal shall be made for the next calendar year.

**SECTION 4. STANDARDS**

**(a) Size and Density** - Each RV park shall have a minimum size of two (2) acres, with a maximum size of five (5) acres. The maximum site density for RV parks shall be twenty (20) sites per acre.

**(b) Individual Sites Requirements**

**(1) Only one RV per Site** - Only one (1) recreational vehicle is permitted per recreational vehicle site.

**(2) Distance between RV's** - All RV's shall be located no closer than the following:

- (1) The sides of the RV shall be no close than 18 feet from any other RV.
- (2) The rear of the RV shall be no closer than 10 feet from any other RV.
- (3) No part of the front of any RV shall be closer than 10 feet from the internal roadway.

**(3) Internal Roadway** - Each recreational vehicle site shall be accessible by an internal roadway, which shall provide access to a public street. The internal roadway shall have a width at least equal to the public streets in Zavalla. Approaches to all sites shall be kept clear for access by EMT and fire-fighting personnel and equipment. Each site shall be clearly marked identifying the site number.

**(4) Water, Sewer and Electrical Hook-Ups** - Each site shall be equipped with water, sewer and electrical hook-ups which shall conform to all applicable codes and regulations, including

all applicable regulations of the Texas Commission on Environmental Quality (TCEQ).

**(c) Parking** - Each RV park shall provide off-road parking spaces for two (2) passenger vehicles at each recreational vehicle site.

**(d) Accessory Structures** - Accessory structures are not allowed at the individual sites within the RV Park, unless installed by the RV Park owner or manager.

**(e) Drainage** - 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. Topography shall be such that it shall not create a hazard to the property or the health and safety of the occupants.

**(f) Backflow Prevention** – To protect against backflow, RV Park managers should prohibit the use of “Y Hose Adapters”, which enable an RV owner to establish connections from a potable water hose bib to both the RV’s potable watery system and sewer flusher connection at the same time. A reduced pressure principal backflow preventer will be required to be placed at the property line on the discharge side of the master meter or any other city issued water meters. The city has no maintenance responsibility to service water lines within the RV Park.

**(g) Storage, 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. Storage, collection, and handling shall be conducted so as to create no health or fire hazards.

**(h) Control of Rodents, Insects and Other Pests** - Grounds, buildings and structures in the RV Park shall be maintained free of the accumulation of high grass and weeds and debris so as to prevent rodent and snake harborage or the breeding of flies, mosquitoes or other pests. 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.

**(i) Fire Safety and Protection** - The owner or manager of an RV Park shall see that any applicable Burn Ban and all other City ordinances relating to prevention of fires shall be fully complied with at all times.

**(j) Texas Landlord-Tenant Law** - The owner or manager of an RV Park shall ensure compliance with Texas Property Code, Title 8, Chapter 94, as it applies to the landlord-tenant relationship of RV Park owners/managers and their occupants.

**(k) Grandfathering of Existing RV Parks** - An existing RV Park is considered grandfathered and shall not be required to comply with the standards set forth in paragraphs (a) through g) of this section. Compliance with paragraphs (h) through (k) is required. To maintain their grandfathered status, existing RV Parks shall maintain a minimum access space between the sides of each RV is at least ten (10) feet, and the approach to all sites must be kept clear for EMT and fire-fighting personnel and equipment. Upon change of controlling interest of a grandfathered RV park, the new owner shall immediately bring the existing RV park into full compliance with the requirements of this Ordinance.

## **SECTION 5: REGISTRATION OF OCCUPANTS**

The owner, manager, operation, or person in charge of the RV Park shall maintain a register of park occupancy which shall contain at least the following information:

- (1) Name of occupant(s);
- (2) Full address of permanent residence of occupant(s);
- (3) Automobile and recreational vehicle license plate number and the state in which each is registered;
- (4) Driver's license number of the occupant(s); or state issued ID
- (5) The number or letter of the site rented;
- (6) Date of arrival and departure.

The Mayor or any other duly authorized employee of the City shall have the right and authority to inspect the register, which shall be available for inspection at all reasonable times.

## **SECTION 6: INSPECTION, REVOCATION AND SUSPENSION**

The Mayor or any other duly authorized employee of the City shall have the right and authority to enter upon the RV Parks at all reasonable times for the purpose of inspecting same and to see that no legal violations are made. The Mayor shall have the authority to suspend or revoke permits if conditions are urgent, or to order utility disconnection for any of the following reasons:

- (a) Violations** - The owner or any of his agents, representatives or employees are violating or have violated any provisions of this Ordinance or any other ordinance of the City or laws of the State of Texas.
- (b) Refusal to Allow Inspections** - The owner or any of his agents, representatives or employees have refused to allow the City Administrator or any other duly authorized employee of the City to enter upon and inspect the RV Park.
- (c) Failure to Pay Permit Fee** - The permit fee is not paid by the stated time.
- (d) Appeal:** The RV Park has the right to appeal to the City Council in regards to this Section.

## **SECTION 7: VIOLATIONS DECLARED A NUISANCE, ABATEMENT AND PENALTY**

Any noncompliance with this Ordinance is hereby declared 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. Such person(s) 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 that govern fire safety, or public health and sanitation, including dumping of refuse, the fine may not exceed two thousand dollars (\$2,000.00) per day, per violation.

**SECTION 8: EXCEPTIONS**

The provisions of this Ordinance shall not apply to:

- (1) **Recreational Vehicles Stored by Owner** - Recreational vehicles stored at or near the owner's residence and used personally by the owner for vacation travel or guest quarters.
- (2) **Recreational Vehicles in Storage Facilities** - Recreational vehicles stored in off-site storage facilities with no hook-ups and personally used by the owner for vacation travel.
- (3) **Recreational Vehicles for Sale** - Locations where recreational vehicles are displayed and/or sold, whether by an individual seller or dealer.

PASSED AND APPROVED THIS 12 DAY OF April, 2022.



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**Carlos Guzman, Mayor**

ATTEST:

  
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**Waunessa Herrington, City Secretary**

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RV Park Owner.

I have received a copy of this ordinance and I understand this ordinance.

First reading March 8, 2022.

Second reading April 12, 2022