

Effective Date  
6-2-19

P.O. No. 6771  
05/03/2019 RM/LM

ORDINANCE NO. 19-20

AN ORDINANCE AMENDING ARTICLE III (RECREATIONAL VEHICLE PARKS) OF CHAPTER 58 (MANUFACTURED HOMES, MOBILE HOMES, RECREATIONAL VEHICLES AND PARKS) OF THE CITY OF PORT ARTHUR CODE OF ORDINANCES; VIOLATION OF THIS ORDINANCE ARE PUNISHABLE AS PROVIDED IN SECTION 1-8 OF THE CITY CODE OF ORDINANCES AS AMENDED BY FINE NOT EXCEEDING TWO THOUSAND [\$2,000] DOLLARS); AND PROVIDING FOR PUBLICATIONS IN THE OFFICIAL NEWSPAPER OF THE CITY OF PORT ARTHUR AND EFFECTIVE DATE.

**RECREATIONAL VEHICLE PARKS**

**WHEREAS**, pursuant to Section 1201 of Texas Occupations Code, the City of Port Arthur has the power to regulate Recreational Vehicles; and

**WHEREAS**, the City of Port Arthur wishes to regulate the location of Recreational Vehicle Parks, as amended in Exhibit A; and

**WHEREAS**, the proposed changes are in compliance with Section 47.01(4)(B) of the Texas Penal Code; and

**WHEREAS**, the City Council finds the passage of this Ordinance will protect public health, safety, property, and the general welfare of the public.

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

**SECTION 1.** That the findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

**SECTION 2.** That Article III, Recreational Vehicle Parks, of Chapter 58, Manufactured Homes, Mobile Homes, Recreational Vehicles and Parks, be amended as delineated in Exhibit "A".

**SECTION 3.** That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree

of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clause, sentences, paragraphs and sections of this Ordinance.

**SECTION 4.** That all ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 5.** That any person, firm or corporation who violates any provision of this Ordinance shall be guilty of a misdemeanor and shall be punished by a fine not exceeding Two Thousand (\$2,000) Dollars as provided in Section 1-8 of the Code of Ordinances, and each day such violation shall be permitted to exist shall constitute a separate offense.

**SECTION 6.** That pursuant to Section 52.013 of the Texas Local Government Code, this ordinance with a penalty, it is required that it be published two times in the official newspaper of the City of Port Arthur and shall be effective immediately after the date of publication.

**SECTION 7.** That a copy of the caption of this Ordinance shall be spread upon the Minutes of the City Council.

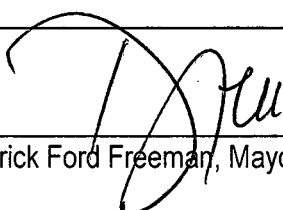
**SECTION 8.** This Ordinance shall be effective immediately.

**READ, ADOPTED AND APPROVED** this 21<sup>st</sup> day of May A.D., 2019 at a Regular Meeting of the City Council of the City of Port Arthur, Texas by the following votes: AYES:

MAYOR: Freeman, Mayor Pro Tem Dewart

COUNCILMEMBERS: Scott, Jones, Kinkew, Moses, Frank

NOES: None

  
Derrick Ford Freeman, Mayor

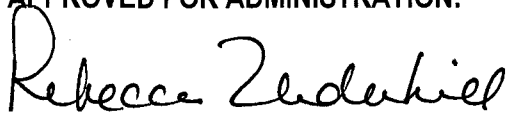
**ATTEST:**

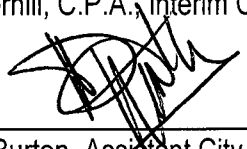
  
\_\_\_\_\_  
Sherri Bellard, TRMC, City Secretary  
*on behalf of*

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Valecia "Val" Tizeno, City Attorney

**APPROVED FOR ADMINISTRATION:**

  
\_\_\_\_\_  
Rebecca Underhill, C.P.A., Interim City Manager

  
\_\_\_\_\_  
Ronald "Ron" Burton, Assistant City Manager/  
Director of Development Services

## **EXHIBIT "A"**

### **Chapter 58: Manufactured Homes, Mobile Homes, Recreational Vehicles and Parks Article III, Recreational Vehicle Parks**

#### **Section 58-119 – Purpose.**

The City Council finds that properly planned and operated recreational vehicle parks (RV parks) promote a safe and orderly development, as well as promote the health, safety, and welfare of the general public.

#### **Section 58-120 – Applicability.**

This article shall apply to any recreational vehicle park located or to be located within the city limits.

#### **Section 58-121 – Definitions.**

Words and phrases used in this Article shall have the meanings set forth in this section. Terms that are not defined below, but are defined elsewhere in the Code of Ordinances, shall be given the meanings set forth in the Code. Words and phrases not defined in the Code of Ordinances shall be given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense; words in the plural number shall include the singular number (and *vice versa*); and words in the masculine gender shall include the feminine gender (and *vice versa*). The word "shall" is always mandatory, while the word "may" is merely directory. Headings and captions are for reference purposes only.

**Recreational vehicle (RV)** means a vehicular type unit, not exceeding eight feet in width, primarily designed as temporary living quarters for recreational, camping or travel use, which has its own motive power or is mounted on or drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper, motor home or other individual camping unit.

**Recreational vehicle park (RV park)** means a parcel of land under single ownership upon which two or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

**Recreational vehicle site (RV site)** means a plat of ground within a recreational vehicle park intended for the accommodation of a recreational vehicle on a temporary basis.

#### **Section 58-122 – Location of Recreational Vehicles**

No recreational vehicle used as a dwelling shall be parked or placed on any tract of land or adjacent private land within the city limits, which is not properly zoned for such use; except, however, that this section:

- (1) Shall not apply to residences that were damaged by ~~Hurricane Harvey~~ a natural disaster, such as a hurricane, fire, or flood:
  - a. For a period not to exceed ~~90~~ 180 days, the parking, use, and occupancy of recreational vehicles on residential property as temporary living quarters while repairs to these properties ~~caused by Hurricane Harvey~~ are ongoing.

- b. That it is hereby permitted that the building official of the city may issue a permit to allow the occupancy of a recreational vehicle for a period of six months, ~~beyond the 90-day period~~, on a residential property as a temporary living quarters by property owners while damage to these properties ~~caused by Hurricane Harvey is~~ are being repaired, provided that:

1. Application to the building official ~~for a six-month extension permit shall be made no later than 90 days from the effective date of this section.~~ be made requesting to use a recreational vehicle as a temporary residence while repairs are being made to the residence that was involved in the natural disaster.

2. Applications must be made with all necessary documentation to establish one of the following:

- i. Substantial work is currently being done under an active building permit issued by the city;
- ii. Active litigation is underway with the property owner's insurance carrier; or
- iii. Application for disaster recovery funds has been made to the city, Southeast Texas Regional Planning Commission, Texas Department of Housing and Community Affairs, or the Texas General Land Office (GLO) and is approved or pending approval.

~~(2) Shall not apply to an occupied residence or residences that have been damaged by fire, flood, or other natural disaster:~~

~~a. Upon approval of the city council.~~

~~b. For a period not to exceed 180 days, the parking, use and occupancy of recreational vehicles on residential property as temporary living quarters while repairs to these properties are ongoing.~~

#### **Section 58-123 – Approval of Plans and Plats Required**

- (1) No recreational vehicle park shall be developed on an unplatted lot. Prior to development, the developer, owner, or their designee shall meet the standards for platting as set forth in Chapter 98, Article III of the City of Port Arthur, Texas Code of Ordinances.
- (2) Site Development Plan - Any person intending to establish a recreational vehicle park shall provide the City of Port Arthur's Planning and Zoning Staff a site development plan that includes all of the requirements for site plans contained herein.
- (3) Before submitting a site plan applicant for a Recreational Vehicle Park, the applicant must first meet with the director of planning of the city or their designee to discuss the intended development to ensure compliance with the basic requirements and to arrive at a coordinated plan layout.

- (4) The plan shall consist of an accurate drawing at a scale of not more than 200 feet to the inch, which shows the exact dimensions of the tract of land under consideration, its relationship to existing and proposed streets and contiguous properties, the type and use of all adjacent property, access provisions, and the exact land use proposed for the entire tract, including screening devices, private streets, recreational vehicle sites, usable open space, parking, lighting, utilities, structures, and any other item required to properly meet standards as outlined in Section 58-124 of this ordinance.
- (5) No person shall alter a recreational vehicle park to the extent of changing or significantly adding to that which is shown on the site plan on file with the planning and zoning commission without first filing an amended site plan in the same manner as an original site plan. The director of planning shall have the right to refuse to examine any incomplete, unintelligible or indefinite site plan.
- (6) The applicant shall submit one reproducible copy of the proposed site plan to the City of Port Arthur's Planning and Zoning ~~commission through the director of planning not less than eight days prior to any meeting at which the plan is to be considered. (It is urged that the applicant first meet with the director of planning of the city to discuss the intended development to ensure compliance with the basic requirements and to arrive at a coordinated plan layout.)~~ The plan shall consist of ~~an accurate drawing at a scale of not more than 200 feet to the inch, which shows the exact dimensions of the tract of land under consideration, its relationship to existing and proposed streets and contiguous properties, the type and use of all adjacent property, access provisions, and the exact land use proposed for the entire tract, including screening devices, private streets, recreational vehicle sites, usable open space, parking, lighting, utilities, structures, and any other items required to properly describe the proposed park layout.~~ No person shall alter a recreational vehicle park to the extent of changing or significantly adding to that which is shown on the site plan on file with the planning and zoning commission without first filing an amended site plan in the same manner as an original site plan. The director of planning shall have the right to refuse to examine any incomplete, unintelligible or indefinite site plan. staff to be approved by the Planning and Zoning Commission once city staff has found it to be in compliance with the requirements outlined in Section 58-124, as well as any other code of ordinance requirement that may pertain to Recreational Vehicle Parks.
- (7) The Planning and Zoning Commission shall notify the applicant in writing as to whether the plan was approved or disapproved, stating the reasons for disapproval and the modifications or conditions that must be made or met before approval can be obtained upon subsequent submission.

#### **Section 58-124 – Minimum Standards.**

Any recreational vehicle park hereafter established, constructed, or erected shall conform to and comply with the following minimum standards and shall be required to be shown on the site plan or their building plans prior to approval and being released for construction.

a. Park Area.

- i. As it pertains to licenses for new recreational parks, each recreational park shall be planned for and shall provide a minimum of five (5) acres in area.

b. Location and Fencing.

- i. Recreational Vehicle (RV) Parks shall only be located in areas allowed by zoning.
- ii. A solid fence at least eight (8) feet in height must be placed on the property line so that the RV Park will be buffered from view. The fence will be installed on all sides and in the rear of the property. The fence must be a solid, permanent screening fence or wall made of metal or galvanized material. No wood fences are allowed.

c. Size and Density.

- i. The maximum site density for an RV park shall be 20 recreational vehicle lot sites per acre, and only one (1) recreational vehicle is permitted per recreational vehicle lot site.
- ii. Each recreational vehicle site within the RV park shall have a minimum area of 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. The sites shall be designed for pull-through access for ease of entering and leaving the site. A roadway is therefore, required to the front and rear. In addition, the space shall be clearly marked identifying the space number.
- iii. Each site shall have a cement paved (10' x 65') parking space where the recreational vehicle will park while at the park. The parking space shall be centered on the site, with a 10' x 65' landscaped area planted with grass and other landscaping material. The remaining 10' x 65' portion may be paved with either cement, asphalt, crushed granite, or a combination of landscaping and pavement to provide for a patio area, as well as parking.

d. Street access and street lighting.

- i. Each recreational vehicle site within the RV park will have access to a private roadway, which will also have access to a public thoroughfare. The entrance from the public thoroughfare to the private roadway will have a pavement width of at least thirty (30) feet with a 25 feet minimum curb radius. The private internal thoroughfare will have a pavement width (concrete or asphalt) of twenty-four (24) feet for two-way streets in accordance with the city standards. The private internal roadway may be fifteen (16) feet if one-way and will have a turning area and radii with a minimum of sixty (60) feet to permit free movement of emergency vehicles. Private street intersections shall generally be at right angles; offsets at intersections of less than one hundred twenty-five (125) feet centerline to centerline should be avoided; intersections of more than two (2) streets at one point shall be avoided. Dead-end streets are not allowed in the RV park. The internal private streets off the public thoroughfare may be constructed of concrete or asphalt.
- ii. Signs shall be placed along the emergency access lane, by the owner or agent of the RV park stating that parking is not allowed. The city will approve the type, size, height, and location of the sign.
- iii. Acceptable street lighting for the RV park will be approved by the city.

e. Required facilities.

- i. Each RV park will have an office for the manager of the RV park. The park shall also have bathroom and shower facilities, as well as laundry accommodations. All facilities used by the residents of the park must be well lit inside and out during all hours. All facilities must meet applicable adopted city codes.
- ii. The RV park shall have a least on (1) recreation area, located in a central area of the park. The area should be easily available to all park residents, and free of traffic hazards. Not less than ten (10) percent of the gross park area shall be devoted to recreational facilities. The recreation area should also include space for community buildings and community uses such as restrooms and shower facilities, adult recreation (basketball or tennis court) and playgrounds for children and swimming pools, but not including vehicle parking, maintenance and utility area.
- iii. It is the City of Port Arthur's policy and practice to provide reasonable accommodations to individuals with disabilities. Housing developments shall provide accommodations for persons with disabilities according to the Federal and State ADA requirements.

f. Soil and ground cover.

- i. All ground surfaces that are exposed in the RV park shall be paved, covered with stone, rock, or other similar solid material, or protected with vegetative cover that is capable of preventing soil erosion and the elimination dust.
- ii. All Private streets shall be constructed of a minimum of asphalt and shall be well drained under normal use and at storm event weather conditions. The private streets shall also be constructed to be able to handle fire truck traffic loads of 33,500 pounds minimum, as well as all proper turn radii, and meet fire lane requirements as outlined in the City's adopted fire code.
- iii. All pavement shall be kept in good repair.

g. Drainage.

- i. The area designated for the placement of recreational vehicle parks shall be graded and designed to drain all storm water, surface water in a safe efficient manner. Drainage analysis shall be performed by a licensed professional engineer in accordance to city and Drainage District No. 7 regulations and ordinances and easements for the conveyance of surface water off-site shall be obtained, if necessary. Post development of RV parks shall not impact stormwater pre-development discharges. ~~The ground surface in all parts of every recreational vehicle park and especially beneath recreational vehicles and other structures shall be graded and equipped to drain all surface water in a safe, efficient manner so as not to permit water to stand or become stagnant.~~



h. Water Supply.

- i. Each RV site within the RV park will be provided with a connection to the city water supply, if possible. If city water supply is not available, then a permit for the Texas Commission on Environmental Quality (TECQ) will be obtained to install a well. The city must approve all proposed water facility plans prior to construction. The water distribution system shall be installed as follows:
  1. The water supply system, fixtures and other equipment must be installed in accordance with applicable codes adopted by the city;
  2. A master water meter shall be installed to serve the RV park. Sub-metering or re-metering of RV sites is not permitted;
  3. A reduced pressure principal backflow preventer will be required to be placed at the property line on the discharge side of the master meter. In addition, one (1) such device must be placed at each of the connections for each RV site and located on the left side of the site;
  4. Water riser service branch lines shall extend at least four (4) inches above ground elevation. The branch line shall be at least  $\frac{3}{4}$  inch;
  5. Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipes. Surface drainage shall be diverted from the location or utility connections at each site;
  6. A shut off valve below the frost line shall be provided near each water riser pipe;
  7. The park owner/operator shall have complete maintenance responsibility for the water system within the RV park; and
  8. The city shall have no maintenance responsibility for service lines within the RV park. The responsibility of the city stops at the property line.

i. Wastewater facilities.

- i. The RV park shall provide each site with a connection for city wastewater, if possible. If city wastewater is not available, then a permit from the TECQ will be obtained prior to placement of an on-site sewage facility. All proposed wastewater serviced lines shall be connected to the city wastewater system if available.
- ii. On-site sewage facilities are permitted if city utilities are not available. The city must approve all proposed wastewater plans prior to construction. The wastewater system shall be installed as follows:
  1. The wastewater system and materials must be installed in accordance with applicable codes adopted by the city;
  2. Each site shall be provided with a four-inch diameter wastewater riser and shall extend above grade four (4) to six (6) inches. The wastewater riser

pipe shall be so located on each stand so that the wastewater connection to the RV drain outlet will approximate a vertical position. Each inlet shall be provided with a gastight seal when connected to a recreational vehicle or have a gastight seal plug when not in service. The plug shall be that of a spring-loaded device;

3. The wastewater connection to each site shall consist of a single four-inch service line without any branch lines, fittings, or connections. All joints shall be water tight;
4. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least four (4) to six (6) inches above the ground elevation;
5. Each collection wastewater line shall provide a vent extending a minimum of ten (10) feet in height;
6. The owner/operator shall be responsible for the maintenance responsibility of the wastewater system within the RV park. The responsibility of the city stops at the property line;
7. Each RV park shall be required to install at the property line, where connection to the city sewer is made, a sample well site. The sample well site shall be installed according to city code; and
8. All chemicals entering the city sewer shall be biodegradable.

j. Sanitary facilities.

i. Each RV park shall provide the following sanitary facilities as listed below:

1. One (1) toilet or stool for the female sex for every twenty (20) sites or fraction thereof (minimum of one (1) is required) for the first one hundred and twenty (120) sites, and one (1) per forty (40) sites thereafter;
2. One (1) toilet or stool and one (1) urinal stall for the male sex for every twenty (20) sites or fraction thereof (minimum of one is required) for the first one hundred and twenty sites, and one (1) per forty (40) sites thereafter;
3. One (1) washbasin will be provided within the toilet room for every two (2) toilets or fraction thereof (minimum of one (1) is required);
4. One (1) shower will be provided for each sex for each twenty (20) sites or fraction thereof (minimum of one (1) is required for each sex) for the first one hundred and twenty (120) sites, and one (1) per forty (40) sites thereafter;
5. All toilets and shower facilities will be placed in properly constructed buildings and located not more than two hundred (200) feet from any recreational vehicle site;

6. Buildings shall be well lit at all times, day or night, well ventilated with screened openings, and constructed of moisture proof material to permit rapid and satisfactory cleaning, scouring and washing;
  7. The floors will be of concrete or other impervious material, elevated not less than four (4) inches above grade, and each room shall be provided with floor drains; and
  8. A slop sink or basin with water supply will be in each restroom (male and female) and at least one (1) in the laundry facility, and shall be constructed in accordance with design, size and materials approved by the building official.
  9. Every RV Park shall contain at least one sanitary disposal station for the sole purpose of removing and disposing of wastes from holding tanks in a clean, efficient and convenient manner.
  10. Each sanitary station shall consist of a drainage basin constructed of impervious material, containing a disposal hatch and self-closing cover, and related washing facilities.
  11. The disposal hatch of sanitary station units shall be connected to the sewage disposal system. Related facilities required to wash holding tanks and the general area of the sanitary station shall be connected to the RV Park water supply system.
  12. Each sanitary station shall have a sign posted stating "Danger – Not to be used for drinking or domestic purposes."
  13. Sanitary stations shall be approved by the City of Port Arthur's Department of Health.
- ii. Toilet and bathing facilities shall be in separate rooms or portioned apart in any manner as to provide privacy and promote cleanliness. Each toilet provided in a community toilet house shall be portioned apart from any other toilet in the same room. The floor surface around the commode shall not drain into the shower floor.
  - iii. Toilet, floors, and walls will be of impervious material, painted white or a light color, and kept clean at all times. Shower stalls shall be of tile, plaster, cement or some other impervious material and shall be kept clean at all times. If a shower stall is of some impervious material other than tile, cement or plaster, it shall be white or some light color and kept clean at all times. The floor of any bathroom, other than the shower stall, shall be papered with canvas wallpaper, or an equivalent washable surface kept clean at all times.

k. Electrical Services

- i. All sites in the RV park shall be provided with electrical service. All electrical service shall be underground and installed in accordance with the National Electrical Code. The electrical service shall be installed as follows:

1. A master electric meter shall be installed to serve the RV park. Sub-metering or re-metering of RV sites is not permitted;
2. The city does not have maintenance responsibility for service lines within the RV park. The obligation of the city stops at the property line;
3. The location of all underground lines shall be clearly marked by surface signs at approved intervals;
4. Power supply to each site shall be a minimum of one 20-amp and one 50-amp power supply;
5. Outlets (receptacles or pressure connectors) shall be housed in an Underwriters' Laboratories, Inc., approved weather proof outlet box; and
6. A water tight seal shall be provided for underground conduit in floodplain installations and a riser extending a minimum of two (2) feet above the floodplain elevation shall be provided.

l. Storage, collection, and disposal of refuse and garbage.

- i. All RV parks shall be provided with safe and acceptable facilities for the collection and removal of waste and garbage. Storage, collection, and handling will be conducted so as to minimize accidents, health hazards, rodent harborage, insect breeding areas, or fire hazards. All sites will be located within two hundred (200) feet of a refuse facility measured along the RV park internal roadway. All dumpster enclosures shall be placed away from the public right-of-way to the greatest extent practical, allowing for ease of access and minimum pedestrian and vehicular conflict. Gates to the dumpster enclosure should not face the right-of-way and shall be closed at all times except when accessed. Trash dumpsters shall be screened on three (3) sides with a masonry material, and screening shall be a minimum of six (6) feet in height. Masonry for the screening wall shall be brick, stone, or stucco with brick or stone columns. The dumpster shall also provide a 12' x 10' solid metal gate, primed and painted to provide access, and the gate shall be closed at all times unless being accessed.

m. Telephone.

- i. The management of the RV park will provide access to at least one (1) land line telephone, which will be used for emergency use. This phone will be in easily accessible location twenty-four (24) hours a day, seven (7) days a week.

n. Accessory structures.

- i. The individual sites within the RV park are not allowed to have accessory structures. Any accessory uses such as attached awnings, steps or pop-puts, shall be considered to be part of the trailer.

o. Fire Safety.

- i. Fire hydrants must be located such that each recreational vehicle site is within six hundred (600) feet from one.
  - ii. The site shall meet all code requirements to the International Fire Code, 2015 edition with amendments, as adopted by the City Council of the City of Port Arthur, Texas. This includes but is not limited to fire lane access to the site, as well as providing adequate fire flow.
  - iii. RV parks located in an area where city water is not available, must have a pond located on the property filled at all times with a minimum capacity of twenty thousand (20,000) gallons with a dry hydrant installed. A container capable of holding a minimum of twenty thousand (20,000) gallons with a dry hydrant installed shall also be allowed and/or substituted for a pond. The dry hydrant outlet shall be of standard size or four (4) inches. These items will be provided by the owner of the park.
- p. Other Standards.
  - i. The following standards shall be met and a note shall be placed on the site plan stating that the site will remain compliant.
    - 1. No RV Park or recreational vehicle shall be used as a permanent residence for any period of time, except for permanent, full-time employs of the RV Park.
    - 2. No more than one (1) space shall be allowed for use as a permanent residence for full-time employees. Occupancy or parking of a recreational vehicle within the RV Park extending beyond six (6) consecutive months in any twelve (12) month period shall be presumed permanent occupancy and is hereby prohibited.
    - 3. A recreational vehicle may not return for a period of sixty (60) days following six (6) months consecutively.
    - 4. The grounds, as well as all buildings and structures in the RV Park shall be maintained free of the growth of high grass, weeds, and debris so as to deter rodents, snake harborage, or the breeding of flies, mosquitos, and other pests.
    - 5. No open fires shall be allowed unless otherwise approved by the City of Port Arthur Fire Chief or their designee.

**Section 58-125 – Registration of guests.**

- a. Each lessee of a site within the RV park will provide the following information to the owner, manager, operator or person in charge of the RV park:
  - i. Name;
  - ii. Full address of permanent residence;
  - iii. Automobile and recreational vehicle license plate number and the state in which each is registered;
  - iv. Driver's license number of the vehicle owner;

- v. The number or letter of the site being rented; and
- vi. Date of arrival and anticipated departure.
- b. This record must be made available for inspection to all appropriate agencies whose duties necessitate acquisition.

**Section 58-126 – Application for Recreational Vehicle Park License Required; duration; fee; display.**

- a. Upon approval of the site plan submitted to the planning and zoning commission, the person intending to establish a recreational vehicle park must abide by the following:
  - i. Application for license. An application for the initial license to operate a recreational vehicle park shall be made to the City Council of the City of Port Arthur. Such applications shall state the name and address of the person desiring to engage in such business, and if the applicant is a partnership or corporation, the names and addresses of the respective partners and/or directors, and a description of the property, including street address of the premises where such RV Park is to operated so that it can be easily identified. It shall also give the name of the owner of such premises, and such other and further information as may be required by the city.
  - ii. Required; duration. It shall be unlawful for any person to establish, maintain, conduct, or operate any present or future recreational vehicle park within the limits of the city without first obtaining a license therefore from the city. Such license shall be for the calendar year or any part of such year, ending on December 31 of each year. Application for the renew of a license shall be made to the superintendent of inspectors.
  - iii. Fee. The annual fee for each license or renew to operate a business park shall be as follows:

For parks from one (1) space to fifty (50) spaces:

- License Fee..... \$300.00
- Annual Renewal.....\$150.00
- License Transfer..... \$100.00

For parks in excess of fifty (50) spaces:

- License Fee..... \$550.00
- Annual Renewal.....\$250.00
- License Transfer..... \$150.00

- iv. Display. The license for recreational vehicle parks must be conspicuously displayed at such parks at all times.

**Section 58-127 – Building Permit Required.**

No person shall erect or construct, or proceed to erect or construct, add to, enlarge, improve, alter, repair, convert, extend, or demolish any recreational vehicle park, RV site, building, structure, fence, or any part of the same, or install any plumbing, electrical, or mechanical equipment as a part of the park, building, or structure, or may any other improvements to any RV site, or cause the same to be done within an RV park without obtaining a building permit. The building permit shall be granted only after a license has been

secured as set out in Section 58-126, and the superintendent of inspectors has determined that all work to be permitted conforms to the site plan or plat and the requirements of this article.

### **Section 58-128 – Change of Ownership of grandfathered RV Parks**

If there is a change of controlling interest of a grandfathered RV park (whether entity or person) the new owner shall without delay bring the existing RV park to meet the conditions of this ordinance.

### **Section 58-129 – Existing Manufactured Mobile Home Parks**

Existing manufactured mobile home parks that have spaces for recreational vehicles existing prior to the adoption of this ordinance shall be permitted to occupy the space with a recreational vehicle. However, in no instance shall a new manufactured mobile home park to be located within the city limits of Port Arthur, Texas be allowed recreational vehicles or spaces for recreational vehicles. The same shall apply to a recreational vehicle to be located within the city limits of Port Arthur, Texas. Only recreational vehicles shall be allowed in a recreational vehicle park. No manufactured mobile home shall be permitted in a recreational vehicle park.

### **Sec. 58-130. - Enforcing officers.**

It shall be the duty of the building official ~~superintendent of inspectors~~, chief of police, chief of the fire department, city health officer or any of their designated representatives to make inspections to determine the existence of violations of this article. It shall be the duty of a recreational vehicle park owner or operator to permit city officials to enter upon such premises at all reasonable times in order that inspections may be made.

### **Sec. 58-131. – Violations declared nuisance; abatement; penalty.**

~~Any person or agent of such person, who shall violate or fail or refuse to comply with any of the provisions of this article, or of any permit issued under this article, or fail to comply therewith, or with any of the requirements of such permit in violation of this article, shall be guilty of a misdemeanor. Such person shall be deemed guilty of a separate offense for each and every day or its portion during which any violation of any of the provisions of this article is committed, or continued and, upon conviction of any such violation, shall be punished by a fine of not less than \$1.00 nor more than \$200.00. Any non-compliance with this article is hereby deemed a nuisance. The City may abate and remove the nuisance and punish the person(s) responsible for causing or allowing the nuisance condition to exist. Any person(s) violating this article 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 provisions violated. Each day that there is a failure to comply with the terms of any provision of this article is declared to be a separate offense. For violations of the provisions of this article that govern fire safety, zoning, or public health and sanitation, including dumping of refuse, the fine may not exceed two thousand dollars (\$2,000.00) per day, per violation. The Code Official shall be the authority of the jurisdiction responsible for the issuance of citations and any action deemed necessary for the enforcement of this ordinance.~~

### **Sec. 58-132. - Disaster recovery.**

Any or all of the requirements of the provisions of this article may be waived during a disaster declaration or recovery period as determined by the city council. In granting this waiver the city may establish any special conditions deemed necessary for the protection of the health, safety and welfare of the citizens.

**Sec. 58-133. – Prohibited placement of recreational vehicles.**

The placement of a recreational vehicle for occupancy longer than fourteen (14) days shall not be permitted except in an approved recreational vehicle park. A recreational vehicle may be placed at an owner's residence as long as the RV is placed in the side or rear yard area and not used for occupancy longer than fourteen (14) days in a twelve (12) month period. City Council may allow exceptions to the prohibited placement of an RV upon application to and approval by City Council.