

## ORDINANCE NO. 849

AN ORDINANCE OF THE CITY OF WESTLAKE, LOUISIANA REGARDING THE PLACING AND LOCATION OF RECREATIONAL VEHICLE PARKS TO BE LOCATED WITHIN THE CITY OF WESTLAKE; PROVIDING FOR AN EFFECTIVE DATE; AND ADDING AS A NEW SECTION TO THE ZONING CODE ORDINANCE. DESIGNATED AS SECTION 12-3012 MINIMUM STANDARDS TYPE “C” MOBILE HOME/RECREATION VEHICLE PARK.

### RECREATIONAL VEHICLE PARKS

#### Section 1 Purpose

The City Council finds that properly planned and operated recreational vehicle communities (Le., recreational vehicle (RV) parks): (1) promote the safety and health of the residents of such communities and of other nearby communities; (2) encourage economical and orderly development of such communities and of other nearby communities. 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 and supervised recreational vehicle communities by providing for the standards and regulations necessary to accomplish these purposes. This article is enacted in order to achieve orderly development of recreational vehicle parks (RV parks), to promote and develop the use of land to minimize possible impacts and to promote the health, safety and general welfare of the public.

#### Section 2 Applicability

This article shall apply to any Recreational Vehicle Park to be located within the city limits.

#### Section 3 Definitions

**Building Official.** The official of the city responsible for the inspection of electrical, mechanical and plumbing associated with a property.

**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.

**Biodegradable.** Means capable of being decomposed by biological agents, especially bacteria.

**Code official.** The official of the city or his/her designee charged with the enforcement of the provisions of this article including the building inspections.

**Controlling interest.** A person or developer who controls at least fifty-one percent (51%) of ownership.

**Full-time employee.** A person who is responsible for maintenance of the RV park seven (7) days per week. This person may or may not be the owner of the RV park.

**Licensee or agent.** A person who may or may not own the RV park, but is the person responsible for the day to day operations including records and license of the park.

**Opaque fence.** A fence made of solid materials designed to shield the RV park from public view. i.e. is difficult to see through or perceive.

**Public use phone.** A phone used by registrants of the RV park for emergency purposes.

**Recreational vehicle or RV.** Any licensed motor vehicle, camp trailer, travel trailer, motor home or fifth wheel designed to provide temporary living quarters for recreational camping or travel use, constructed with integral wheels to make it mobile and/or towable by motor vehicle. FEMA trailers shall not be considered a recreational vehicle or RV and will not be allowed in a Recreational Vehicle Park or RV Park.

**Recreational vehicle park or RV park.** Any lot, tract, or parcel of land upon which accommodation is provided for two or more recreational vehicles used as living or sleeping quarters by the day, week, or month, whether a charge is or is not made. A recreational vehicle park is a unified development of recreational vehicle spaces provided for recreational vehicle use with or without community facilities and permitted permanent buildings.

**Recreational vehicle site or RV site.** That part of a lot or area in a recreational vehicle park or RV park that has been reserved for the placement of one recreational vehicle or RV.

**Sample well site.** A connection at the property line where the customer's line and the city line connect, at which, shall be installed a vertical riser of four (4) inches in circumference, shall extend four (4) to six (6) inches above grade, for the detection of non-biodegradable materials.

#### **Section 4                      License**

- (a) Required. It shall be unlawful for any person to operate any RV park within the city limits unless he/she holds a valid license issued annually by the City of Westlake in the name of such person for the specific park. The applicant shall make all applications for the licenses on forms furnished by the City of Westlake, which shall issue a license upon reorganizing of the property to minimum standards type "C" Mobile Home/Recreation Vehicle Park in accordance with the provisions of this article.
- (b) Hearing on denial. Any person whose application for a license under this article has been denied may request, and shall be granted, a hearing on this matter before the zoning board with recommendation forwarded to city council for approval or disapproval.
- (c) Application for renewal. Application for renewal of a license shall be made in writing by the license on forms furnished by the City of Westlake on or before December 31 of each year. Such application shall contain any changes in the information occurring after the original license was issued or the latest renewal granted.
- (d) All applications shall be accompanied by a fee as provided for in the fee schedule found in Appendix A.
- (e) Approval of transfer. Every person holding a license shall give notice in writing to the City of Westlake within ten (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 license 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 Westlake shall act on the application for license transfer and it shall be approved if the RV park is in compliance with the provisions of this section.
- (f) Transfer fee. All applications for license transfer shall be accompanied by a fee as provided for in the fee schedule found in Appendix A.
- (g) Suspension.

- 1) Whenever, upon inspection of an RV park, the city building inspector 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 forth in the notice, the city will suspend the license and give notice of such suspension. Upon suspension of the license, the licensee shall cease operation of such park.
- 2) he suspension of the license may be appealed to the city council as set forth in subsection (b) of section 4.2.

#### **Section 4.1 Inspections**

- (a) Authorized. The building inspector is hereby authorized to make such inspections as are necessary to determine compliance with this article.
- (b) Entry on premises. The building inspector shall have the power to enter at reasonable times upon any private or public property with the purpose of inspecting and investigating conditions relating to the enforcement of this article.

#### **Section 4.2 Notices, hearings and orders**

- (a) Notice of violation. Whenever it is determined that there are grounds to believe that there has been a violation of any provision of this article, the City of Westlake shall give notice of such alleged violation to the licensee or agent, as hereinafter provided. 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 licensee or his agent; provided that such notice or order shall be deemed to have been properly served upon such licensee or agent 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 article.
  - 6) After all procedures outlined above are exhausted citations may be issued.

If a municipality mails a notice to a property owner in accordance with Section 4.2(a) and the United States Postal Service returns the notice as “refused” or “unclaimed”, the validity of the notice is not affected, and the notice is considered as delivered.

- (b) Appeal from notice. Any person affected by any notice that has been issued in connection with the enforcement of any provision of this article applicable to such park may request a hearing before the zoning board; provided that such person shall file within ten (10) days after the day the notice was served, a notice of appeal with the city clerk office, with a copy to the Mayor, a written petition requesting such hearing and setting forth a brief statement of the grounds thereof. The decision of the zoning board may be appealed to the city council. The filing a request for a hearing shall operate as a stay of the notice and of the suspension, except in the case of an order issued under subsection (d) of this section.
- (c) Issuance of order. After such hearing, the planning and zoning commission 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 license of the park affected by the order.

- (d) Order without notice. Whenever the city finds that an emergency exists which requires immediate action to protect the public health or safety, the building inspector may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring the action to be taken as deemed necessary to meet the emergency. Notwithstanding any other provisions of this section, such order shall be effective immediately, but upon written petition to the city shall be afforded a hearing as soon as possible. The provisions of subsection (c) of this section shall be applicable to such hearing and the order issued thereafter.

#### **Section 4.3            Violations declared nuisance; abatement; penalty**

Any noncompliance 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 the 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 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 one thousand dollars (\$1,000.00) per day per violation. The Mayor shall be the authority of the jurisdiction responsible for the issuance of citations and any action deemed necessary for the enforcement of this ordinance.

#### **Section 5            Site development plan**

A site development plan must be prepared and submitted to staff and must include the requirements for site plans contained herein.

##### **Section 5.1            Location and fencing**

- (a) RV parks shall be located in an area zoned for type “C” Mobile Home/Recreation Vehicle Park.
- (b) An opaque fence at least six (6) feet in height must be placed on the property line to buffer the RV park from view. The fence shall be installed on both sides and at the rear of the property. The fence requirement may be waived in the case of boundary lines abutting canals, rivers or other permanent buffers.

##### **Section 5.2            Size and density**

Each RV park must have a minimum size of two (2) acres, with a maximum of five (5) acres. The maximum site density for RV parks shall be fifteen sites per acre. Only one (1) recreational vehicle is permitted per recreational vehicle site.

##### **Section 5.3            Size of individual sites; pad requirements; landscaping**

- (a) Each recreational vehicle pull through site within the RV park shall have a minimum area of one thousand six hundred twenty (1620) square feet and shall be at least twenty-seven (27) feet wide by sixty (60) feet in depth. Each recreational vehicle back in site within the RV park shall have a minimum area of one thousand (1000) square feet, twenty-five (25) feet wide and forty (40) feet long. In addition, the space shall be clearly marked identifying the space number.
- (b) The center portion of each site is to be paved with cement for the parking of the recreational vehicle. The right side of each site used for parking or patio area must be paved with either cement, asphalt, crushed rock or similar material. The setback requirements shall be five (5) feet from the side and rear property lines and twenty (20) feet from the curb.

**Section 5.4            Street access; street lighting**

- (a)        Each recreation vehicle site within the RV park shall have access to an internal private roadway, which shall have access to a public street.    The entrance of the internal roadway shall have a pavement width of at least thirty (30) feet with an adequate curb radius.    The major thoroughfare shall have a pavement width (concrete or asphalt) of twenty (20) feet.    The roadway may be fourteen (14) feet if the RV park is designed for one-way roads.    Dead-end streets are not allowed.    The internal streets off the major thoroughfare shall be constructed of a hard surface and shall be private and maintained by the owner.
- (b)        Metal signs shall be placed along the emergency access lane, by the owner or agent of the RV park stating that parking is prohibited.    The sign type, size, height and location shall be approved by the city.
- (c)        Adequate street lighting for the RV park shall be approved by the city.
- (d)        An approved sign shall be located within twenty-five (25) feet of the entrance to the park and shall not blind sight clearance for entering and existing vehicles.

**Section 5.5            Required Facilities**

- (a)        Each RV park must have an office for the manager of the RV park, and a bathroom and shower facilities, as well as laundry facilities.    All facilities used by residents must be well lit inside and out during the night hours.    All facilities must meet Louisiana State Plumbing Code.
- (b)        All RV parks shall have at least one (1) open area, located as to be free of traffic hazards, easily accessible to all park residents and centrally located where topography permits.    A minimum of 2 parking spaces for every 10 RV spaces shall be provided and can be located through out the park.    On street parking is prohibited.

**Section 5.6            Soil and ground cover**

Exposed ground surfaces in all parts of the RV parks 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 eliminating dust.    All pavement shall be kept in good repair.

**Section 5.7            Area designated for RV parks**

The area designated for the placement of recreational vehicle parks shall be established on a map with a copy of such plat to be kept in the office of the building inspector.

**Section 6              Drainage**

The ground surface in all parts of the RV park shall be graded and designed to drain all storm water, surface water in a safe efficient manner.

**Section 7              Water Supply**

Each site within an RV park shall be provided with a connection to the city water supply.    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 code 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) backflow preventer 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 the ground elevation. The branch line shall be at least two (2) inches in diameter.
- 5) Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipes. Surface drainage shall be diverted from the location of utility connections at each site.
- 6) A shut off valve below the frost line shall be provided near each water riser pipe.
- 7) The owner/operator shall have complete maintenance responsibility for the water system within the RV park.
- 8) The city has no maintenance responsibility for service lines within the RV park. The responsibility of the city stops at the property line.

## **Section 8 Wastewater facilities**

Each site within the RV park shall be provided with a connection for wastewater. All proposed wastewater service lines shall be connected to the city wastewater system.

No onsite sewage facilities are permitted. The city must approve all proposed wastewater facility plans prior to construction. The wastewater distribution 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 (4) 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 gas tight seal when connected to a recreational vehicle or have a gas tight 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 (4) inch service line without any branch lines, fittings, or connections. All joints shall be watertight.
- 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 have complete maintenance responsibility for 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 a 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.
- 8) All chemicals entering the city sewer shall be biodegradable and subject to other ordinances for the City of Westlake.

## **Section 9                   Electrical service**

Each site within 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 has no maintenance responsibility for service lines within the RV park. The responsibility 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 (1) twenty (20) amp and one (1) fifty (50) amp power supply.
- 5) Outlets (receptacles or pressure connectors) shall be housed in an Underwriters Laboratories, Inc. approved weather proof outlet box.
- 6) A water tight seal shall be provided for underground conduit in flood plain installations and a riser extending a minimum of two (2) feet above the flood plain elevation shall be provided.

## **Section 10               Sanitary facilities**

Each RV park shall provide the sanitary facilities that adhere to the Louisiana State Plumbing Code.

## **Section 11               Storage, collection and disposal of refuse and garbage**

Each RV park shall be responsible for providing 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 hazards, rodent harborage, insect breeding areas, or fire hazards. Every site shall be located within two hundred (200) feet of a refuse facility measured along the RV park internal roadway. Trash dumpsters shall be screened on three (3) sides.

### **Section 11.1           Telephone**

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

### **Section 11.2           Accessory structures**

The individual sites within the RV park are not allowed to have accessory structures as defined herein.

### **Section 11.3           Registration of guests**

1. Name.
2. Full address of permanent residence.
3. Automobile and recreational vehicle license plate number and state in which each is registered.
4. Driver's license number of the owner.
5. The number or letter of the site being rented.
6. Date of arrival and departure.
7. Emergency contact information.

**Section 11.4 Control of insects, rodents and other pests**

Grounds, buildings and structures in the RV park shall be maintained free of the accumulation of high grass, weeds, and debris so as to prevent rodent and snake harborage or the breeding of flies, mosquitoes or other pests.

- (a) 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.

**Section 11.5 Fire safety standards; fire hydrants**

- (a) Open fires shall be allowed only in a manner and within a container approve by the Fire Chief.
- (b) A fire hydrant(s) must be placed such that each recreational vehicle site is at least six hundred (600) feet from one.

**Section 12 Permanent occupancy prohibited**

No RV park or recreational vehicle therein shall be used as a permanent residence for any period of time. 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) months consecutive months in any twelve (12) month period shall be presumed permanent occupancy and is hereby prohibited. A recreational vehicle may not return for a period of sixty (60) days following six (6) months consecutively.

Temporary use of a RV as living quarters shall be restricted to RV Parks only.

NOTE: The city reserves the right to modify or change Section 12 of this ordinance for the purpose of a plant expansion, natural disaster, or related incidents including the requirement of removal of all recreational vehicles that may be subject to dangerous or inclement weather. However, the final decision for the removal of all recreational vehicles, as defined herein, shall be at the sole discretion of the owner/operator of the RV park. The City of Westlake assumes no liability.

**Section 13 Existing Manufactured Mobile Home Parks**

Any changes to an existing manufactured mobile home park shall be brought before the Zoning Board for approval. Only recreational vehicles shall be allowed in a recreational vehicle park. No manufactured mobile home shall be permitted in a recreational vehicle park. No recreational vehicle shall be allowed in a Mobile Home Park.



Effective Date

This Ordinance shall be in full force and effect from and after the date of its passage and advertisement.

THIS ORDINANCE having been submitted in writing, having been read, section by section, at a public meeting of the Mayor and City Council of the City of Westlake, Louisiana, was then submitted to an official vote as a whole, the thereon being as follows:

YEAS: Cradure, Peterson-Manuel, Anderson, and Racca.

NAYS: None

ABSENT: Hardey

ABSTAINED: None

THUS ADOPTED AND APPROVED at Westlake, Louisiana on this the 13<sup>th</sup> day of November, 2012.

DANIEL W. CUPIT, Mayor

ATTEST:

ANDREA MAHFOUZ, City Clerk

**APPENDIX “A” - FEES**

**Recreational Vehicle Parks**

**Annual License Fee:**

- (a) \$150.00 per RV space