

ORDINANCE NO. 373

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WINK, TEXAS THAT REGULATES THE ESTABLISHMENT AND OPERATION OF RECREATIONAL VEHICLE PARKS (RV PARKS) AND INDIVIDUAL RECREATIONAL VEHICLES LOCATED WITHIN THE CITY OF WINK; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR AN ENGROSSMENT CLAUSE; PROVIDING FOR A POSTING CLAUSE.

WHEREAS, Texas Law provides for actions to be taken by a municipality as necessary or expedient to promote the safety and health of the residents of its community and encourage economical and orderly development of such community; and

WHEREAS, it has come to the attention of the City of Wink City Council, that due to a demand for temporary housing, that Recreational Vehicle Parks (RV Parks) and the placement of individual Recreational Vehicles have become increasingly popular within the City of Wink; and

WHEREAS, this City Council, after careful deliberation and study, finds that properly planned and operated Recreational Vehicle Parks (RV Parks) promote the safety and health of the residents of the City of Wink and encourage economical and orderly development of the City;

WHEREAS, this City Council here now declares it 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 Recreational Vehicle Parks (RV Parks) and prohibiting the placement of individual Recreational Vehicles within City of Wink by providing for the standards and regulation necessary to accomplish these purposes.

WHEREAS, this Ordinance 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.

WHEREAS, there presently exists Recreational Vehicle Parks (RV Parks) that are lawful before this ordinance is passed, but which would be prohibited, regulated or restricted under the terms of this ordinance or future amendments. It is the intent of this ordinance that the owners of the existing Recreational Vehicle Parks shall be required to comply with this ordinance as provided.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINK, TEXAS AS FOLLOWS:

Section 1.0 Purpose

The City Council finds that properly planned and operated recreational vehicle communities, i.e. Recreational Vehicle Parks (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 ordinance 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 1.1 Applicability

This ordinance shall apply to any Recreational Vehicle Park(s) and to any Recreational Vehicle located on a lot, tract or parcel within the City limits.

Section 1.2 Definitions

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

Recreational Vehicle- A vehicular, portable structure designed to be transported from one location to another, and containing living or sleeping accommodations, such structure being designed and actually used as a temporary dwelling during travel for recreation and pleasure purposes.

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.

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 (1) Recreational Vehicle or RV.

Section 2- Special Use Permit- RV Park

- a. Required- It shall be unlawful for any person to operate any RV Park within the City limits unless he holds a valid special use permit issued by the City of Wink in the name of such person for the specific RV Park. The cost of the special use permit is Twenty-Five Dollars (\$25.00).
- b. If a person operates more than one RV Park, a separate permit and fee are required for each park.
- c. Renewal- All special use permits are valid until the 10th day of May immediately following issuance. Subsequent permits are valid for one year and applicant must reapply annually on or before the 10th day of May of each year.
- d. Existing RV Parks- Owners of existing RV Parks shall apply for a Special Use Permit with the City of Wink within sixty (60) days of the effective date of this ordinance.
- e. Suspension- 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 provide 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 special use permit and give notice of such suspension. Upon suspension of the permit, the licensee shall cease operation of such park.

Section 3.1. Inspections

- a. The City's designee shall make inspections as necessary to determine compliance with this article.
- b. City officials shall have the power to enter, during normal operating hours, upon any private or public property with the purpose of inspecting and investigating conditions relating to the enforcement of this article.

Section 3.2. Notices of violation

Whenever it is determined there are grounds to believe there has been a violation of any provision of this article or any City Ordinance, the City of Wink shall give notice of such alleged violation to the licensee or agent. Such notice shall:

- a. Be in writing.
- b. Include a statement of the reasons for its issuance.
- c. Allow ten (10) business days for compliance.
- d. Be served upon the licensee or his agent either in person or by certified mail to the address provided on the permit application.

Section 3.3. Violations declared nuisance; abatement; penalty

Any noncompliance with this article is hereby deemed a nuisance. The City may abate and remove the nuisance and hold the RV Park owner responsible for causing or allowing the nuisance condition to exist. Any person(s) violating this article shall be subject to a fine not 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 two thousand dollars (\$2000.00) per day per violation.

Section 4 Size of Individual sites; pad requirements

- a. Each RV site shall have a permanent site marker or sign clearly identifying the site number. Each site marker or sign shall be easily visible from the adjacent RV Park roadway during both daytime and nighttime.
- b. Each RV site parking pad shall be situated on the RV Park sites such that there is a minimum of twenty-five (25) feet between each sewer tap.
- c. Each RV shall be situation such that each RV is placed at least five (5) feet from any property lines.
- d. Each RV shall be situated such that there is a minimum of ten (10) feet between each RV, on all sides.
- e. Each pad shall be sufficiently lit by security lights to assist emergency personnel.

Section 5 Registration

The owner of an RV Park will not allow a Recreational Vehicle to occupy a site in the park unless the RV is in good condition, registered, and displaying proper tags at the time it is placed on the property.

Section 6 Water Supply

Each site within an RV Park shall be provided with a connection to the City water supply if available. A maximum of four (4) RVs may be connected to one water meter. RVs may only be connected to water taps designated for specific use by the RV park, and no RV shall be connected to a water tap used by a mobile home or permanent residence.

If City water supply is not available, then a permit for the Texas Commission on Environmental Quality (TCEQ) shall be obtained to install a well. The water supply system, fixtures and other equipment must be installed in accordance with applicable codes adopted by the City, as well as any and all State regulations. The City has no maintenance responsibility for service lines within the RV Park. The responsibility of the City stops at the property line.

Section 7 Wastewater Facilities

Each site within an RV Park shall be provided with a connection for wastewater if available. RVs may only be connected to sewer taps designated for specific use by the RV park, and no RV shall be connected to a sewer tap used by a mobile home or permanent residence.

If City wastewater is not available, then a permit for the Texas Commission on Environmental Quality (TCEQ) shall be obtained prior to placement of an on-site sewage facility. All proposed wastewater service lines shall be connected to the City wastewater system if available. The wastewater system, fixtures and other equipment must be installed in accordance with applicable codes adopted by the City, as well as any and all State regulations. The City has no maintenance responsibility for the wastewater system within the RV Park. The responsibility of the City stops at the property line.

Section 8 Electrical Service

Each site within an RV Park shall be provided with electrical service. All electrical service shall be underground and installed in accordance with the most currently adopted National Electrical Code, as well as any and all applicable codes adoption by the City and State regulations. The City has no maintenance responsibility for the electrical service lines within the RV Park. The responsibility of the City stops at the property line.

Section 9 Repeal

All ordinances or parts of ordinances conflicting with or not consistent with the provisions of this ordinance are hereby repealed; provided that such repeal shall be only to the extent of such inconsistency or conflict, and in all respects this ordinance shall be cumulative of all other ordinances of the City of Wink regulating and governing the subject matter covered in this ordinance.

Section 10 Engrossment and Enrollment

The City Secretary is hereby directed to engross and enroll this ordinance by copying the caption, penalty clause, publication clause and effective date clause in the minutes of the City Council and filing the ordinance in the ordinance records of the City.

Section 11 Publication

The City Secretary is hereby directed to post or publish in the office newspaper of the City, the caption, penalty clause, publication clause and effective date clause of this ordinance in the official newspaper of the City.

Section 12 Effective Date

This Ordinance shall take effect immediately upon and after its passage and publication.

Adopted: January 8, 2018

Approve:


Linda Plunkett, MAYOR PRO TEM


Attest: 
Tonya Todd, CITY SECRETARY