

ORDINANCE NO. 2022-07-01

AN ORDINANCE OF THE CITY OF ALBANY, TEXAS, PROHIBITING THE OCCUPANCY OF RECREATIONAL VEHICLES INSIDE THE CITY LIMITS OF ALBANY; PROVIDING FOR REGISTRATION OF RECREATIONAL VEHICLES THAT ARE BEING OCCUPIED AND/OR LIVED IN ON THE EFFECTIVE DATE OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE.

WHEREAS, the City Council finds that it is in the interest of the citizens of the City to create regulations prohibiting residential use of recreational vehicles, and

WHEREAS, the City Council finds that it is in the interest of the citizens of the City to create regulations to protect land values of adjacent land owners in the City of Albany.

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

SECTION 1. Recreational vehicles.

(a) **Definitions.** For the purposes of this section, the following definitions are adopted:

- (1) Recreational vehicle means a vehicular, portable structure designed to be transported over the highways and containing living or sleeping accommodations, such structure being designed and actually used as a temporary dwelling during travel for recreation and pleasure purposes.
- (2) The term "recreational vehicle" may include the terms "travel trailer, camper," "motor home" or campers designed for transportation on a pickup truck.

(b) **Occupancy prohibited.** Recreational vehicles shall not be occupied and/or lived in while in the City and shall not be connected to public or private utilities except when located in a Council approved recreational vehicle park.

(c) **Exception to Occupancy prohibited:** Any recreational vehicle inside the city limits of Albany that is being occupied and/or lived in on the effective date of this Ordinance is grandfathered in place. If the recreational vehicle is moved and/or relocated after the Effective Date of this Ordinance, the recreational vehicle must then comply with the terms of this Ordinance. Any owners of recreational vehicles inside the city limits of Albany that are

being occupied and/or lived in on the effective date of this Ordinance shall register the recreational vehicle with the City of Albany. The failure to register the recreational vehicle as provided herein within thirty (30) days after passage of this Ordinance shall constitute an admission that the recreational vehicle was not being occupied and/or lived in on the effective date of this Ordinance.

SECTION 2. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

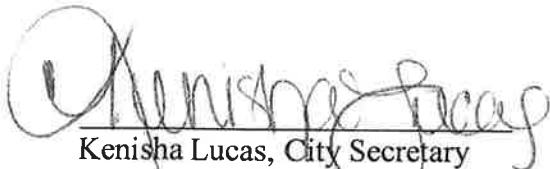
SECTION 3. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed five hundred dollars (\$500.00) for each offense. Each day that the violation continues shall constitute a separate offense.

SECTION 4. That this Ordinance shall take effect immediately from and after its passage and publication of the caption of this Ordinance, as the law in such cases requires.

PASSED AND APPROVED on this 11th day of July, 2022.

ATTEST:

CITY OF ALBANY, TEXAS


Kenisha Lucas, City Secretary


Susan Montgomery, Mayor

Sec. 32-1. Water connections.

(a) No consumer shall supply water to other persons or to other families or suffer them to take it except for use on the premises, without the permission of the water department.

(b) No residential or commercial customer of the city's water system shall sell, supply, or allow the use of water for off-premises industrial, commercial, or mining uses, without the written permission of the city's water department. "Off-premises use" shall mean the use of the water at a location other than where the customer's meter is located. "Industrial use" shall be defined as provided by Title 30, Chapter 297, Subchapter 297.1 of the Texas Administrative Code as may be amended, and shall mean the use of water in processes designed to convert materials of a lower order of volume into forms having greater usability and commercial value, including the development of power by means other than hydroelectric, but does not include agricultural use. "Commercial use" shall mean use in a business such as an office building and/or retail store. "Mining use" shall be defined as provided by Title 30, Chapter 297, Subchapter 297.1 of the Texas Administrative Code and shall mean the use of water for mining processes including hydraulic use, drilling, washing sand and gravel, and oil field pressuring.

(c) Two or more houses or businesses shall not be permitted to be supplied with one service pipe where there is a water main in front of the premises or on either side thereof, but shall have separate service pipes. Two or more houses or businesses fronting on a street where there is no water main may be supplied with one service connected with the main, such service being of sufficient size to ensure ample supply, but in such cases each of the houses or businesses shall have a separate service pipe, stopcock and meter, except when the city and the owners and/or renters of the houses or businesses enter into a written agreement to pay a monthly fee which is equivalent to the amount of water and sewer charges that are customary for that house or business as determined by water use calculations performed by the city manager.

(d) No patron of the water works system of the city shall permit any person to tap any water lines leading to his premises without the consent of the city council.

(e) After water is introduced into a building or upon any premises, the same shall not be extended by any plumber or any other person to any other premises for additional fixtures.

(f) Penalty; authority to discontinue water service for violations of subsection (b).