

**AN ORDINANCE OF THE CITY OF NIXON, TEXAS REGARDING THE PLACING AND LOCATION OF RECREATIONAL VEHICLE PARKS TO BE LOCATED WITHIN THE CITY OF NIXON; AND PROVIDING FOR AN EFFECTIVE DATE.**

**RECREATIONAL VEHICLE PARK ORDINANCE**

**SECTION 1 PURPOSE**

The City Council finds that properly planned and operated recreational vehicle communities (i.e., 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 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 article shall apply to any recreational vehicle park located or to be located within the city limits.

**SECTION 2 DEFINITIONS**

Accessory structure - Any 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.

Building official - The official of the city or person/s contracted by the city, responsible for the inspection of electrical, mechanical and plumbing associated with a property.

Code official - The official of the city or his/her designee charged with the enforcement of the provisions of this article.

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

Dry hydrant - An un-pressurized, permanently installed pipe that has one end below the water level of a lake, pond or container.

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

4) Fee - All applications shall be accompanied by a fee as provided for in the approved permit and fee schedule approved by City Council. Failure to pay permit fees will result in disconnection of all city utility service and/or revocation of the RV Park annual license to conduct business within the city.

5) Approval of transfer - Every person holding a license shall give notice in writing to the City of Nixon 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 Nixon 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.

6) Transfer fee - All applications for license transfer shall be accompanied by a fee, the transfer fee will be the same as the yearly permit fee, prorated monthly.

7) 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 forth in the notice (10 days), then it will suspend the license and give notice of such suspension. Upon suspension of the license, the licensee shall cease operation of such park. (2) The suspension of the license may be appealed to the city council as set forth in subsection (b) of section 3.2.

### **SECTION 3.1 INSPECTIONS**

1) Authorized, The building official and code official are hereby authorized to make such inspections as are necessary to determine compliance with this article.

2) Entry on premises. The building official and code official shall have the power to enter at reasonable times upon any private or public property for the sole purpose of inspecting and for the investigation of conditions relating to the enforcement of this article.

### **SECTION 3.2 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 Nixon shall give notice of such alleged violation to the licensee or agent, as hereinafter provided. Such notice shall:

2) Professional Review Costs: Any and all individuals and/or entities submitting a site development plan for review pursuant to this ordinance shall be responsible for the cost of review of said plan(s) by professionals and/or City employees. Professional rates including but not limited to Engineers, Accountants and Attorneys shall be at a rate of One Hundred-Five Dollars (\$105.00) per hour. Rates for any City employees deemed necessary by the City Administrator for the review of site development plans shall be at a rate of Fifty Dollars (\$50.00) per hour.

An "upfront payment" for professional review costs shall be determined by the City Administrator pursuant to estimates provided to the City Administrator by the necessary professionals. All funds paid by individuals or entities for professional review shall be placed in a specific professional review trust account by the City Administrator for the payment of professionals. A final accounting shall be provided at the completion of the professional review showing the actual cost for professionals to review the submitted site development plan. Should there be a balance remaining of unused funds from the "upfront payment" made by the individual submitting the Site development plan, said balance shall be reimbursed along with the final accounting within fifteen (15) days from the conclusion of the site development plan review. Should there be a balance owing to the City for the payment of professionals after utilizing the "upfront payment"; a bill shall be submitted to the individual submitting the site development plan along with the final accounting within fifteen (15) days from the conclusion of the site development plan review. Full and final payment for any amounts due to the City pursuant to the final accounting is due within thirty (30) days from the date said final accounting was provided to the individual or entity who submitted a site development plan for review. In the event that any sums due and owing to the City under this section are not paid by the individual or entity owing said sums, the City Administrator shall have the full authority to revoke, suspend and/or deny the necessary RV Park License pursuant to Section 3. of this ordinance.

3) City Infrastructure Improvements: After professional review of the site development plan, if it is determined by the City's professionals that City maintained infrastructure improvements will be necessary to sustain the proposed demands of the proposed site development plan, costs associated with any necessary City infrastructure improvements shall be the responsibility of the site plan developer up to the development property line, and shall not be the responsibility of the City. In addition, any necessary easements for City utilities that the City professionals deem necessary on or through the site developer's property, for any said infrastructure improvements, shall be provided by the site developer to the City at an annual cost of \$50.00.

4) Appeals: Should any individual and/or entity wish to appeal any notice received under this section 4 of this ordinance, procedures outlined in Section 3.2 (b) shall be utilized for said appeals.

## **SECTION 4.5 REQUIRED FACILITIES**

Any and all facilities that are available to residents must be well lit inside and out during the night hours. All facilities must meet applicable codes adopted by the City

## **SECTION 4.6 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.

Note: All pavement shall be kept in good repair.

## **SECTION 4.7 PROHIBITED PLACEMENT OF RECREATIONAL VEHICLE**

The placement of a recreational vehicle ("RV") for occupancy shall not be permitted except in any approved recreational vehicle park: A recreational vehicle may be stored at an owner's residence as long as the RV is placed in the rear yard area and not used for occupancy under any circumstances. Said stored RV's SHALL NOT be connected to and/or be "hooked in" or in any manner use, utilize or connect to the City of Nixon utility services on the owner's property, including but not limited to: Water and/or sewer services and garbage collection. Should an RV be currently placed on property pursuant to this ordinance invalidly, removal and/or disconnection and non-occupancy will be required effective immediately after the necessary publication of this amendment.

Indefinite recreational vehicle (RV) placement and occupancy shall not be allowed within the jurisdiction the subject of this ordinance on any empty lot for the City of Nixon, Texas. A recreational vehicle may be stored on an empty lot but may not not used for occupancy under any circumstances. Said stored RV's SHALL NOT be connected to and/or be "hooked in" or in any manner use, utilize or connect to the City of Nixon utility services on the property, including but not limited to: Water and/or sewer services and garbage collection. Should an RV be currently placed on property pursuant to this ordinance and section invalidly, removal and/or disconnection and non-occupancy will be required effective immediately after the necessary publication of this amendment.

## **SECTION 4.8 AREA DESIGNATED FOR RV PARKS**

City services. If city wastewater is not available then a permit or written approval from the Texas Commission on Environmental Quality (TCEQ), Gonzales County and/or Wilson County, 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 city must approve all proposed wastewater facility plans prior to construction. The wastewater distribution system for the RV Park shall be installed as follows:

- 6) The wastewater system and materials must be installed in accordance with applicable codes adopted by the City and other Texas Law which regulates On-site sewage facilities (OSSF).
- 7) 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 dean outlet will approximate a vertical position. Each inlet shall be provided with a gas tight seal plug when not in service. The plug shall be that of a spring loaded device.
- 8) 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.
- 9) 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.
- 10) Each collection wastewater line shall provide a vent extending a minimum of ten (10) feet in height.
- 11) 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.
- 12) All chemicals entering the city sewer shall be biodegradable.
- 13) All installation or work on plumbing for the water supply system of the RV Park must be completed by a licensed plumber and all necessary permits must be obtained from the Code Compliance Officer or City of Nixon.

## **SECTION 8 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.

- 14) A master electric meter shall be installed to serve the RV Park. Sub-metering or re-metering of RV sites is permitted.
- 15) The city has no maintenance responsibility for service lines within the RV Park. The responsibility of the city stops at the property line.
- 16) The location of all underground lines shall be clearly marked by surface signs at approved intervals.
- 17) Power supply to each site shall be a minimum of one 20-amp and one 50-amp power supply.
- 18) Outlets (receptacles or pressure connectors) shall be housed in an Underwriters' Laboratories, Inc., approved weather proof outlet box.
- 19) 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.

## **SECTION 10.3 FIRE SAFETY STANDARDS; FIRE HYDRANTS**

- 27) Open fires shall be allowed only in a manner and within a container approved by the Nixon Fire Chief and pursuant to the City's outdoor burning ordinance.
- 28) A fire hydrant(s) must be placed such that each recreational vehicle site is at least six hundred (600) feet from one, and is not the responsibility of the city to provide.
- 29) If an RV Park is to be placed in an area where city Water is not available, the RV Park owner 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 stand size or four (4) inches.
- 30) The International Fire Safety Code 2021 shall govern all fire safety codes within the RV Park and enforced by the Nixon Fire Marshall.

## **SECTION 11 PERMANENT OCCUPANCY**

Permanent occupancy is allowed only within designated RV Parks (see section 4.7). Permanent occupancy is considered by the city a renter who stays longer than one (1) month at the RV Park. Permanent occupants must comply with the following standards:

- 31) RV shall be 10 years or newer from the date of move in.
- 32) RV shall be inspected by Code Compliance Officer once a year on anniversary of move in.
- 33) RV shall be in full working condition and structurally sound without major defects.
- 34) RV shall have fully functioning wheels and hitch where the vehicle can be removed at any time.
- 35) RV shall be registered with the state and display valid license plate with expiration date. (RV will be subject to Junked Vehicle Ordinance O-85-12-1 and subject to being removed if not followed)

RV Park owner/manager/operator/or person in charge is responsible for enforcing the above mentioned standards for permanent occupants, and will be responsible for any towing fees that result from noncompliance.

## **SECTION 12 CHANGE OF OWNERSHIP**

Upon change of controlling interest of RV Park the new owner shall immediately bring the existing RV Park to meet requirement of this ordinance and must comply with section 3.

## **SECTION 12.1 MANUFACTURED MOBILE HOME/TINY HOME**

Manufactured mobile home will not be allowed on RV Parks. Existing manufactured mobile homes that are on RV Parks shall be permitted to occupy the space within the RV Park but must follow all ordinances pertaining to manufactured mobile home (City Ordinance O-2022-05-09 and O-09-07).

Tiny homes will only be allowed if owned by the owner/operator of the RV Park and cannot be brought in by tenant. Tiny Homes must follow the following guidelines:

- 36) Tiny home shall be 5 years or newer from date brought into RV Park.
- 37) Tiny home shall have permanent plumbing and electrical connections.
- 38) Tiny home shall be inspected once a year on anniversary of move in by Code Compliance Officer.
- 39) Tiny home shall be in full working condition and structurally sound without major defects.
- 40) Tiny home shall have fully functioning wheels and hitch where the vehicle can be removed at any time.
- 41) Shall be rented as hotel/motel not as permanent lease.

If tiny home is not in compliance with city ordinances code compliance officer must provide proper notification to RV Park owner. If tiny home is not brought into compliance within allotted time Code Compliance Officer will be within their right to have the tiny home towed at owners expense. If tiny home is towed from property it shall not be allowed to be moved back into the RV Park until it comes into compliance.

### **SECTION 13 EFFECTIVE DATE**

This Ordinances shall be in full force and effective from and after the date of its passage, and after publication as required by law.

### **SECTION 14 ORDINANCE APPLICABILITY**

This ordinance shall apply to any and all RV Parks located within the City limits, within the City's Extra-Territorial Jurisdiction (ETJ). Section 6 and Section 7 shall apply to any RV Park not within the City limits or in the ETJ but utilizing City utilities.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Nixon,  
this 13 day of April, 20 20.



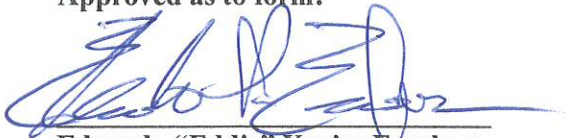
Ellie Dominguez, Mayor  
City of Nixon, Texas

ATTEST:



Tanya Torres, City Secretary

Approved as to form:



Eduardo "Eddie" Xavier Escobar  
Gonzales County Attorney