

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

**Section 2. Definitions.**

**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.

**Building official.** The official of 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 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 a person responsible for the day to day operations including records and license of the park.

**Recreational vehicle or RV.** Any licensed camp trailer, travel trailer, or fifth wheel designed to provide temporary living quarters for recreational camping or travel use, constructed with integral wheels to make mobile and/or towable by a motor vehicle.

**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/pad or RV site/pad.** 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.

### **Section 3. 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 Nixon 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 Nixon, which shall issue a license upon compliance with the provisions of this article. Said Application and License form may be found in Appendix B of this ordinance.
- (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 planning and zoning commission 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 licensee on forms furnished by the City of Nixon on or before December 31<sup>st</sup> 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) **Fee.** 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 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.
- (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 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, 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.**

- (a) Authorized. The building official and code official are hereby authorized to make such inspections as are necessary to determine compliance with this article.
- (b) 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:
  - 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 know 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 3.2 (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 planning and zoning commission; provided that such person shall file within ten (10) days after the day the notice was served, in the city secretary's office, with a copy to the office of the code official, a written petition

requesting such hearing and setting forth a brief statement of the grounds thereof. The decision of the planning and zoning commission may be appealed to the city council. The filing 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 designated official 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 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 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 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.

### **Section 4 Site development plan.**

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

#### **Section 4.1 Location.**

- (a) RV parks shall be located in an area regulated by section 4.8 of this article.

#### **Section 4.2 Size and density.**

Only one (1) recreational vehicle is permitted per recreational vehicle site/pad.

**Section 4.3 Size of individual sites; pad requirements.**

- (a) Each recreational vehicle site/pad within the RV Park shall be at least thirty (30) feet wide and fifty (50) feet in depth. In addition, the space shall be clearly marked and illuminated identifying the space/pad number.
- (b) All pad sites within any RV Park must all be consistently built with regards to pad site cover, if any and grass and/or vegetation, if any.

**Section 4.4 Street access; street lighting.**

- (a) Each recreational 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 roadway through the RV Park shall be constructed in accordance with City standards for private roads and/or streets. The major roadway may be fifteen (15) feet wide if the RV Park is designed for one-way roads. Each emergency access lane shall have a clear unobstructed width of twenty-four (24) feet; fifteen (15) feet if one-way and shall have a turning area and radii with a minimum of sixty (60) feet to permit free movement of emergency vehicles. Dead-end streets are not allowed unless a cul-de-sac is constructed at the end of the road with a minimum fifty (50') foot radius. The internal streets off the major thoroughfare may be constructed with crushed rock materials or similar material with the objective to prohibit dust and debris.
- (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.

**Section 4.5 Required facilities.**

- (a) Any and all facilities, if any, used by 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 for occupancy longer than six (6) months 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 six (6) consecutive months.

**Section 4.8 Area designated for RV parks.**

New RV Parks to be constructed after the date of adoption and passage of this ordinance shall only be allowed in the City of Nixon's zoned Industrial District. The Industrial District is fully set forth and described in the City of Nixon's current and amended Zoning Ordinance and the City of Nixon's Zoning Map as prepared by the City's Engineers. Any requested variance for the placement of any new RV Parks with regards to non-Industrial District zones within the City of Nixon must be submitted to the City's Planning and Zoning Commission for approval, PRIOR to the commencement of construction.

**Section 5 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. Drainage analysis shall be performed by a licensed professional engineer and easements for the conveyance of surface water off-site shall be obtained, if necessary.

**Section 6 Water supply.**

Each site within an RV park shall be provided with a connection to the city water supply if available. If city water supply is not available then a permit from the Texas Commission on Environmental Quality (TCEQ) shall 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 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) 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 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 7 Waste facilities.**

Each site within the RV Park shall be provided with a connection for wastewater if available. If city wastewater is not available then a permit from 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.

On-site sewage facilities (OSSF's) are permitted if city utilities are not available. 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 and other Texas Law which regulates OSSF's.
- 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 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 have complete maintenance responsibility for the wastewater system within the RV Park. The responsibility of the city stops at the property line.
- 7) All chemicals entering the city sewer shall be biodegradable.

**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:

- 1) A master electric meter shall be installed to serve the RV Park. Sub-metering or re-metering of RV sites is 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 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.
- 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.

**Section 9 Storage, collection and disposal of refuse and garbage.**

Each RV Park shall be provided with 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.

**Section 10 Accessory structures.**

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

**Section 10.1 Registration of guests.**

Each person renting a site within an RV park shall provide the following information to the owner, manager, operator or person in charge of the RV park:

- a) Name;
- b) Full Address of permanent residence;
- c) Automobile and recreational vehicle license plate number and the state in which each is registered;
- d) Driver's license number of the owner;
- e) The number or letter of the site being rented;
- f) Date of arrival and departure.



**Section 10.2 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 and 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 10.3 Fire safety standards; fire hydrants.**

- (a) Open fires shall be allowed only in a manner and within a container approved by the fire chief and pursuant to the City's outdoor burning ordinance.
- (b) A fire hydrant(s) must be placed such that each recreational vehicle site is at least six hundred (600) feet from one.
- (c) 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 standard size or four (4) inches.

**Section 11 Permanent occupancy prohibited.**

No RV Park or recreational vehicle therein shall be used as a permanent residence for any period of time, notwithstanding section 4.7, except for permanent full-time employees of the RV Park. 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.

**Note:** The city reserves the right to modify or change Section 11 of this ordinance for the purpose of a 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 Nixon assumes no liability.

**Section 12 Change of ownership of grandfathered RV Park.**

Upon change of controlling interest of a grandfathered RV park the new owner shall immediately bring the existing RV Park to meet the requirements of this ordinance and must comply with Section 3 above.

**Section 12.1 Existing Manufactured Mobile Home Parks.**

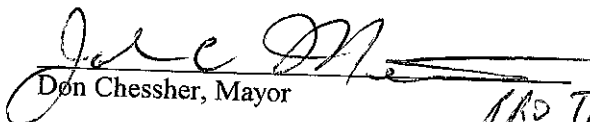
Existing manufactured mobile home parks that have spaces for recreational vehicles existing prior to the adoption of this ordinance shall be permitted to occupy the space with a recreational

vehicle. However, if a new manufactured/mobile home park to be located within the City limits of Nixon be constructed, no recreational vehicle or spaces for recreational vehicles will be allowed. Same shall apply to a recreational vehicle to be located within the city limits of Nixon. Only recreational vehicles shall be allowed in a recreational vehicle park. No manufactured/mobile home shall be permitted in a recreational vehicle park.

**Section 13 Effective Date.**

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

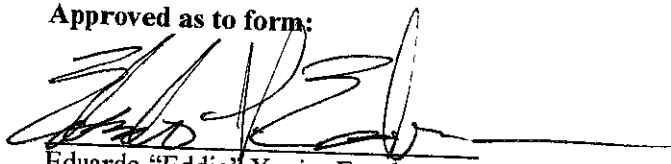
**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Nixon, this 14 day of February, 2011.

  
Don Chessher, Mayor JKD Ten

ATTEST:

  
Tanya Torres, City Secretary

Approved as to form:

  
Eduardo "Eddie" Xavier Escobar  
City Attorney

**\*APPENDIX "A" FEES\***

**Recreational Vehicle Parks**

Annual License Fee:

**\$150.00**

License Transfer Fee:

**\$75.00**

**ORDINANCE NO. O-2011-02-14**

**AN AMENDMENT TO AN EXISTING ORDINANCE OF THE CITY COUNCIL 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. (Amendment #1-Necessary Infrastructure Improvements by The City).**

**WHEREAS**, it has come to the attention of the City Council of the City of Nixon, Texas that it is necessary and reasonable for the City to include an amendment to a previously ordained regulation pursuant to ordinance number O-2011-02-14 concerning the placing, location and regulation of recreational vehicle parks within the City and that the present and future uses of property are such that it is reasonably necessary for the existing regulations to be amended by including an amendment to said regulations in order to promote and preserve the health, safety, morals, and general welfare of the community; and

**WHEREAS**, regulations for necessary city infrastructure improvements by the City to meet the demands of RV Parks utilizing city utilities currently do not exist for the City of Nixon, Texas and said regulations are necessary to promote and preserve the health, safety, morals and general welfare of the community; and

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

**THAT** the attached amendment to Ordinance No. O-2011-02-14 shall constitute as an amendment to current City of Nixon recreational vehicle park ordinance and regulations, subject to future amendment, and said amendment and the original Ordinance No. O-2011-02-14 shall govern the uses of property within the City:

**RECREATIONAL VEHICLE PARK ORDINANCE**  
**(Amendment #1-Necessary Infrastructure Improvements by The City).**

**Section 3 License.**

- (d) All applications shall be accompanied by a fee as provided for in the fee schedule found in Appendix A. In addition, for all RV Parks located within the City limits, within the City's Extra-Territorial Jurisdiction (ETJ), and/or Parks not within the City Limits or in the ETJ but utilizing City utilities, shall pay a monthly lot fee of \$10.00 per lot for any and all lots that are operational within the RV park. Whether or not the lots are occupied or unoccupied, the monthly per lot fee of \$10.00 shall be paid monthly to the City as part of the RV Park's monthly utility bill. The paying of said lot fees will be necessary to maintain the RV Park's yearly license and ongoing utility services. The failure to pay lot fees will result in disconnection of utility service and/or revocation of the RV Parks annual license to conduct business.

**Section 4 Site development; plan.**

- (a) An engineered site development plan, signed and sealed, shall be prepared and submitted to the City Administrator to be forwarded to the City's Engineer and/or any other professional the City Administrator deems necessary, for review and approval. No construction may commence on the proposed RV Park development, until the City Engineer has approved and provided findings on said plans in relation to the site development plan and the demand said plan will impose on existing City infrastructure. In addition, any site development plan must comply with any and all City Ordinances existing at the time of this amendment or ordained in the future, regulating the use and/or management of property located in a flood plain area. Any and all plans submitted for review must include the requirements for site plans contained in this ordinance or any subsequent amendment. The City Engineer shall provide an approval or denial of said site development plan within twenty-one (21) days from the date of receipt of said plans by the City Administrator.
- (b) **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.

- (c) **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 \$0.00.
- (d) **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 5 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. Drainage analysis and study shall be performed by a licensed professional engineer. Any easements for the conveyance of surface water off-site shall be obtained, if necessary at an annual cost of \$0.00 to the City. In addition, as mentioned in Section 4 (a) of this amended ordinance, any site development plan must comply with any and all City Ordinances existing at the time of this amendment or ordained in the future, regulating the use and/or management of property located in a flood plain area.

## **Section 6 Water supply.**

Each site within an RV park shall be provided with a connection to the city water supply if available. If city water supply is not available then a permit or written approval from the Texas Commission on Environmental Quality (TCEQ), the Gonzales County Groundwater Conservation District, and/or the Wilson County Groundwater Conservation District shall 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. This includes any and all water and wastewater service fees as regulated by City Ordinance and subject to amendment by the City Council. Any necessary water and wastewater service fees in place at the time of the requested service will be the rate that the site developer shall pay for said City services.
- 2) A master water meter shall be installed to serve the RV Park. Sub-metering or re-metering of RV sites is permitted. Any and all water rates to be applied to RV Parks shall be regulated by separate City Ordinance which is revised from time to time to reflect a competitive rate in providing said services. Water rates shall be calculated pursuant to meter size and a service unit (SU) conversion table as maintained at City Hall. Any and all water rates in place at the time of the requested service, subject to recalculation utilizing a SU conversion table, will be the rate that the site developer shall pay for said water.

## **Section 7 Waste Water Facilities.**

Each site within the RV Park shall be provided with a connection for wastewater if available and shall be subject to any and all water or wastewater service fees approved by the City. This includes any and all water and wastewater service fees as regulated by City Ordinance and subject to amendment by the City Council. Any necessary water and wastewater service fees in place at the time of the requested service will be the rate that the site developer shall pay for said 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.

## **Section 14 Amendment Applicability.**

Any Section or subsection specifically described in this Amendment #1 shall take the place of any Ordinance provision in any prior version, amended or non-amended, in effect prior to the date of passage of this Amendment #1. Any section, subsection, provision or regulation not specifically addressed in this Amendment #1 shall remain in full force and effect as previously Ordained. In addition, any and all amendments made pursuant to this Amendment #1 shall not apply to any existing and operational RV Park. These amendments shall apply to any and all site development plans submitted to the City of Nixon, for approval, after the date of passage of this Amendment #1.

**Section 15     Ordinance Applicability**

This Ordinance and all Amendments shall apply to any and all RV Parks located within the City limits, within the City's Extra-Territorial Jurisdiction (ETJ), and/or Parks not within the City Limits or in the ETJ but utilizing City utilities.

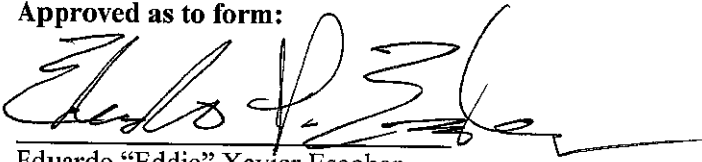
**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Nixon, this 25 day of April, 2011.

  
\_\_\_\_\_  
Bonnie Chessher, Mayor

ATTEST:

  
\_\_\_\_\_  
Tanya Torres, City Secretary

Approved as to form:

  
\_\_\_\_\_  
Eduardo "Eddie" Xavier Escobar  
City Attorney



**ORDINANCE NO. O-2011-02-14**

**AN AMENDMENT TO AN EXISTING ORDINANCE OF THE CITY COUNCIL 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. (Amendment #2 - RV Park Placement Restrictions within the City of Nixon and the City's Extra-Territorial Jurisdiction (ETJ)).**

**WHEREAS**, it has come to the attention of the City Council of the City of Nixon, Texas that it is necessary and reasonable for the City to include an amendment to a previously ordained regulation pursuant to ordinance number O-2011-02-14 concerning the placing, location and regulation of recreational vehicle parks within the City and that the present and future uses of property are such that it is reasonably necessary for the existing regulations to be revised by including an amendment to said regulations in order to promote and preserve the health, safety, morals, and general welfare of the community; and

**WHEREAS**, residential citizen concerns and the current number of existing RV Parks within the city limits of the City of Nixon, Texas has created the necessary and immediate need to regulate the placement and location of any future RV Parks to specifically designated areas. Such placement regulations currently do not exist for the City of Nixon, Texas and said regulations are necessary to promote and preserve the health, safety, morals and general welfare of the community; and

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

**THAT** the attached amendment to Ordinance No. O-2011-02-14 shall constitute as an amendment to current City of Nixon recreational vehicle park ordinance and regulations, subject to future amendment, and said amendment and the original Ordinance No. O-2011-02-14 shall govern the uses of property within the City:

**RECREATIONAL VEHICLE PARK ORDINANCE**

**(Amendment #2- RV Park Placement Restrictions within the City of Nixon).**

**Section 4      Site Development Plan**

**Section 4.8      Area designated for RV parks.**

New RV Parks to be constructed after the date of adoption and passage of this Amendment #2 to the City of Nixon's existing Recreational Vehicle Park Ordinance shall only be allowed within the designated areas in the City of Nixon's official Recreational Vehicle Park Map attached to this Amendment #2 as Exhibit "A". Any requested variance for the placement of any new RV Parks with regards to any area not specifically designated in the City's official Recreational Vehicle Park Map must be submitted to the City Administrator/Manager for approval, PRIOR to the commencement of construction.

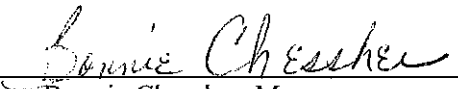
**Section 14      Amendment Applicability.**

Any Section or subsection specifically described in this Amendment #1 shall take the place of any Ordinance provision in any prior version, amended or non-amended, in effect prior to the date of passage of this Amendment #2. Any section, subsection, provision or regulation not specifically addressed in this Amendment #2 shall remain in full force and effect as previously Ordained. In addition, any and all amendments made pursuant to this Amendment #2 shall not apply to any existing and operational RV Park. These amendments shall apply to any and all site development plans submitted to the City of Nixon, for approval, after the date of passage of this Amendment #2.

**Section 15      Ordinance Applicability**

This Ordinance and all Amendments shall apply to any and all RV Parks located within the City limits, within the City's Extra-Territorial Jurisdiction (ETJ), and/or Parks 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 18<sup>th</sup> day of January, 2012.**

  
\_\_\_\_\_  
Bonnie Chessher, Mayor

ATTEST:

  
\_\_\_\_\_  
Tanya Torres, City Secretary

Approved as to form:

  
\_\_\_\_\_  
Eduardo "Eddie" Xavier Escobar  
City Attorney

**EXHIBIT "A"**

**OFFICIAL MAP OF THE CITY OF NIXON, TEXAS  
AND  
THE CITY OF NIXON'S EXTRA-TERRITORIAL JURISDICTION  
INDICATING ALLOWABLE AREAS FOR THE PLACEMENT  
AND OPERATION OF RECREATIONAL VEHICLE (RV) PARKS**



**ORDINANCE NO. O-2011-02-14**

**AN AMENDMENT TO AN EXISTING ORDINANCE OF THE CITY COUNCIL 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. (Amendment #3 - RV Placement Restrictions within the City of Nixon and the City's Extra-Territorial Jurisdiction (ETJ)).**

WHEREAS, it has come to the attention of the City Council of the City of Nixon, Texas that it is necessary and reasonable for the City to include an amendment to a previously ordained regulation pursuant to ordinance number O-2011-02-14 concerning the placing, location and regulation of recreational vehicle parks within the City and that the present and future uses of property are such that it is reasonably necessary for the existing regulations to be revised by including an amendment to said regulations in order to promote and preserve the health, safety, morals, and general welfare of the community; and

WHEREAS, residential citizen concerns and the current number of existing RV Parks and individual RV placement within the city limits of the City of Nixon, Texas has created the necessary and immediate need to regulate the placement and location of any future RV Parks and/or RV's to specifically designated areas. Such placement regulations currently do not exist for the City of Nixon, Texas and said regulations are necessary to promote and preserve the health, safety, morals and general welfare of the community; and

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

THAT the attached amendment to Ordinance No. O-2011-02-14 shall constitute as an amendment to current City of Nixon recreational vehicle park ordinance and regulations, subject to future amendment, and said amendment and the original Ordinance No. O-2011-02-14 shall govern the uses of property within the City:

**RECREATIONAL VEHICLE PARK ORDINANCE**  
**(Amendment #4 - RV Placement Restrictions within the City of Nixon and the  
City's Extra-Territorial Jurisdiction (ETJ)).**

**Section 4      Site Development Plan**

**Section 4.7      Prohibited placement of recreational vehicle.**

The placement of a recreational vehicle ("RV") for occupancy shall not be permitted except in an approved recreational vehicle park. A recreational vehicle may be stored at an owner's residence as long as the RV is placed in the side or 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 any existing RV be currently AND validly placed on property pursuant to a previous version of this ordinance, said placement shall be allowed to continue for the remainder of the six (6) month term, if any is remaining. 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.

**Section 4.7(a)      Placement of recreational vehicles on empty and/or standard size lots.**

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 any existing RV be currently AND validly placed on property pursuant to a previous version of this ordinance and section, said placement shall be allowed to continue for a period of thirty (30) days from the date of publication of this ordinance. After that time period has elapsed, removal and/or disconnection and non-occupancy will be required. 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 14      Amendment Applicability.**

Any Section or subsection specifically described in this Amendment #4 shall take the place of any Ordinance provision in any prior version, amended or non-amended, in effect prior to the date of passage of this Amendment #4. Any section, subsection, provision or regulation not specifically addressed in this Amendment #4 shall remain in full force and effect as previously Ordained. In addition, any and all amendments made pursuant to this Amendment #4 shall apply to any and all existing and operational RV Parks and individual RV's. These amendments shall

also apply to any and all site development plans submitted to the City of Nixon, for approval, after the date of passage of this Amendment #4.

**Section 15     Ordinance Applicability**

This Ordinance and all Amendments shall apply to any and all RV Parks and/or individual RV's located or placed within the City limits, within the City's Extra-Territorial Jurisdiction (ETJ), and/or Parks 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 8<sup>th</sup> day of December, 2014.**

  
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**Hector Dominguez, Mayor**

**ATTEST:**

  
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**Tanya Torres, City Secretary**

**Approved as to form:**

  
\_\_\_\_\_  
**Eduardo "Eddie" Xavier Escobar,**  
**City Attorney**