

ORDINANCE NO. 2021-1116

**AN ORDINANCE OF THE CITY OF ROPESVILLE, TEXAS, REGULATING THE PARKING AND STORAGE OF RECREATIONAL VEHICLES IN THE MUNICIPAL LIMITS OF ROPESVILLE; PROHIBITING THE USE OF TRAVEL TRAILERS AND/OR RECREATIONAL VEHICLES AS A RESIDENCE; CREATING EXCEPTIONS; DEFINING TERMS; PROVIDING FOR A PENALTY NOT TO EXCEED \$500.00 FOR EACH OFFENSE; PROVIDING AN EFFECTIVE DATE; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER AND PROVIDING FOR PUBLICATION.**

WHEREAS, the City of Ropesville, Texas ("City"), a Type A general law municipality, is authorized by state law to adopt and implement necessary and reasonable ordinances as necessary for the government, interest, welfare, or good order of the municipality and that is in the best interests of its citizenry; and

WHEREAS, the City of Ropesville City Council previously passed Ordinance No. 2018-0901 regulating travel trailers; and

WHEREAS, the City Council finds it necessary to replace Ordinance No. 2018-0901 in order to better protect the public's health, safety and welfare and that the following ordinance is reasonable and beneficial and in the best interest of and best serves the public health, safety, and welfare of the residents of the City of Ropesville, Texas and will provide regulatory consistency for effective and meaningful enforcement;

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

1. The findings and recitals outlined above are found to be true and correct and are hereby adopted and approved.
2. The following ordinance shall be entitled "Recreational Vehicle Ordinance" which states as follows:

**RECREATIONAL VEHICLE ORDINANCE**

1. **Definition of recreational vehicle.** When used in this ordinance, recreational vehicle shall mean a motor home, motorized dwelling, travel trailer, utility trailer, truck, camper, livestock trailer, pop-up tent trailer, self-contained pickup camper, and similar vehicles.
2. **Proper storage and parking.** It shall be unlawful for the driver, owner, or operator of a recreational vehicle to park or permit to be parked, stand, or remain motionless on any street, public right-of-way, or parkway any recreation vehicle for more than twelve (12) hours unless the vehicle is being actively loaded or unloaded. All other recreational vehicles may be parked or stored anywhere in the city so long as:
  - (a) they are stored in a manner which does not violate the aforementioned parking regulation or any other parking regulation;
  - (b) it is located on a paved, all weather surface;

- (c) does not block any right-of-way or intersection; and
- (d) otherwise violate any applicable state statute.

**3. Use as residence or business strictly prohibited without permit.**

(a) It shall be unlawful for any person, firm or corporation to park or permit the parking of a recreational vehicle on any lot or tract of land within the city for use or occupancy as a residence without first having applied for and obtaining a permit from the city council to the requirements outlined in this section.

(b) The city council may, at its discretion, authorize the issuance of a single permit for the use of a recreational vehicle as a residence so long as the recreational vehicle will not be parked on the street or block any public right-of-way and.

(i) the recreational vehicle will be used as a temporary residence for a period not to exceed seventy-two (72) hours in any sixty (60) day period; or

(ii) the recreational vehicle will be used as a temporary residence for a period not to exceed ninety (90) days separated by a period of 30 days upon providing sufficient evidence to the city council demonstrating that:

(A) the recreational vehicle will be parked on an improved surface designed to handle the weight and size of a recreational vehicle; and

(B) there has been installed on the property where the recreational vehicle is located permitted and separately metered water utility connections and properly permitted utility connections for any other utilities supplied to the recreational vehicle.

**4. Permit Application.**

(a) An application to use a recreational vehicle as a temporary residence must be filed not more than 120 days nor less than 30 days before the first day that the recreational vehicle will be used as a temporary residence. The city council may waive the 30-day filing requirement upon a finding of undue hardship if the permit is denied.

(b) The application shall be filed with the City Secretary. Upon receiving the application, the City Secretary shall notify the members of the city council and place it on the next regular or called city council meeting.

(c) The application for use of a recreational vehicle as a temporary residence shall contain, at a minimum, the following information:

(i) The name, resident address, e-mail address and telephone number of the applicant.

(ii) The name, address, e-mail address and telephone number of the property owner if different than the applicant.

- (iii) The registration number, license plate number, year model and type of recreational vehicle proposed to be used as a temporary residence.
  - (iv) A full and complete description of the location where the recreational vehicle will be located and the type of utility connections available, if any, upon which the event is to be located.
  - (v) The proposed dates when the recreational vehicle will be used as a temporary residence.
  - (vi) The estimated number of people who may reside in the recreational vehicle.
  - (vii) Written permission showing the consent from the owner of the property or their authorized representative for the use of the property.
  - (viii) The name, resident address, and telephone number of the owner of any property adjoining the property where the recreational vehicle will be located.
  - (ix) Sufficient evidence demonstrating that the owners of any property adjoining the property where the recreational vehicle will be located have been notified by the applicant of the intended use of a recreational vehicle as a temporary residence.
5. **Application/Permit Fee.** The application/permit fee shall be nonrefundable and shall be established on an annual basis by the city council. In the event the city council fails to approve the application/permit fee, such fee shall be no less than \$25.00.
6. **Exceptions.** The provisions of this article shall not, however, apply to:
- (a) Locations where recreational vehicles are manufactured and/or sold or stored by a commercial enterprise that does not have any residence located on the lot or within two hundred feet of the lot; or
  - (b) Temporary offices or display units as approved by the city council after written request and not used as a residence.
7. **Penalty; enforcement.** Any person violating any of the provisions or terms of this article shall be deemed guilty of a misdemeanor and, upon conviction, be punished by a fine not to exceed the sum of \$500.00 for each offense, and each and every day such violation shall continue be deemed to constitute a separate offense. Allegation and evidence of a culpable mental state is not required for proof of any offense defined by this ordinance. Further, in addition to said criminal penalty, this article may be enforced by denial of permits, restraining order, injunctive action and/or suit.
8. **Effective Date and Applicability.** This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law and shall apply to the later of the effective date of this ordinance or upon the expiration of any previously issued permit regarding the use of a recreational vehicle by the city council.

9. **Repealed.** Ordinance No. 2018-0901 is hereby repealed in its entirety and replaced with this ordinance. All other terms and provisions of the Code of Ordinances of the City of Ropesville not in conflict herewith and not hereby amended shall remain in full force and effect.

10. **Severability.** If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Ropesville, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

11. **Publication.** The City Secretary of the City of Ropesville is hereby authorized and directed to cause publication of the descriptive caption of this Ordinance as an alternative method provided by law.

Passed and approved this 16 day of November, 2021.

  
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Brenda Rabel, Mayor

ATTEST:

  
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Delia Cruz, City Secretary