

ORDINANCE NO. 25-00

AN ORDINANCE OF THE CITY OF BRECKENRIDGE, TEXAS AMENDING CHAPTER 22 “ZONING” OF THE BRECKENRIDGE CODE OF ORDINANCES BY ADDING SECTION 22-8 “RECREATIONAL VEHICLES” TO REGULATE THE USE OF RECREATIONAL VEHICLES AS RESIDENCES WITHIN THE CITY; BY REVISING THE DEFINITION OF “RECREATIONAL VEHICLE” INCLUDED IN SECTION 22-11; PROVIDING REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Breckenridge, Texas (the “City”) is a home-rule city operating pursuant to its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution;

WHEREAS, the City has the power to adopt ordinances “necessary to protect health, life, and property” within the City, as long as those ordinances are not inconsistent with State law, pursuant to Section 3.2 of the Charter;

WHEREAS, Section 211.003(a) of the Texas Local Government Code provides that a city “may regulate...the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes”;

WHEREAS, pursuant to this authority, the City Commission of the City (the “City Commission”) has adopted Chapter 22 “Zoning” of the Breckenridge Code of Ordinances;

WHEREAS, City staff has recommended that Chapter 22 be amended to prohibit the use of recreational vehicles for residences outside of permitted recreational vehicle parks;

WHEREAS, the Planning and Zoning Commission of the City (“P&Z”) held a public hearing regarding this amendment on April 28, 2025 and has recommended that the City Commission approve this change;

WHEREAS, the City Commission held a public hearing on May 6, 2025 and has given reasonable consideration, among other things, to the recommendation of P&Z, the compatibility of the proposed amendment with the City’s comprehensive plan and zoning ordinance, and whether the proposed amendment would result in a logical and orderly pattern of development in the City, and finds that the requested amendment should be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BRECKENRIDGE, TEXAS THAT:

I. Incorporation of Premises. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

II. Addition of Section 22-8. Chapter 22 “Zoning” of the Breckenridge Code of Ordinances is hereby amended by adding Section 22-8 “Recreational vehicles” to read in its entirety as follows, and all other sections and provisions of said Chapter shall remain in full force and effect:

Sec. 22-8. Recreational vehicles.

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 if the recreational vehicle is being used or occupied as a residence, unless the recreational vehicle is located within a permitted recreational vehicle park.

III. Amendment of Section 22-11. Chapter 22 “Zoning”, Section 22-11 “Use definitions” of the Breckenridge Code of Ordinances is hereby amended by replacing the definition of “recreational vehicle” with the definition below, and all other sections and provisions of said Section shall remain in full force and effect:

Recreational vehicle includes boats, boat trailers, travel trailers, pickup campers and coaches (designed to be mounted upon automotive vehicles), motorized dwellings, tent trailers, utility trailers, livestock trailers, personal watercraft and the like, as well as cases or boxes used for storage or transporting such vehicles, whether occupied by such vehicles or not.

IV. Repeal. Any prior ordinances or ordinance provisions are hereby repealed to the extent they are in conflict with the terms of this Ordinance. Any remaining provisions of said ordinances shall remain in full force and effect.

V. Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Breckenridge hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, clauses, or phrases be declared unconstitutional or invalid.

VI. Effective Date. This Ordinance shall become effective immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED on this the 6th day of May 2025.

ATTEST:

Bob Sims, Mayor

Jessica Sutter, City Secretary

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