

1) DISCUSS REGULATIONS REGARDING MANUFACTURED HOME PARKS AND RECREATIONAL VEHICLE PARKS IN THE CITY LIMITS, INCLUDING REQUIRED LICENSE AND FEES FOR OPERATION.

Below are the current fees that were adopted in 2022 when the Manufactured Home Park Ordinance was updated to provide more specific language for RV Parks. In the previous ordinance the RV Park License fee was \$100.00

Section Number	Subject	Fee Amount
<u>26-9</u>	<i>Fees associated with manufactured housing:</i>	
	Housing park license	\$100.00
	Placement permit	\$50.00
	Plumbing, electrical, etc.	Set by ordinance
	Habitability inspection	\$100.00 plus travel expenses and mileage

MANUFACTURED HOUSING

RV PARKS

Section Number	Subject	Fee Amount	
<u>26-26</u>	<i>Fees associated with recreational parks:</i>		
	For parks from one (1) space to fifty (50) spaces:		
	License fee	\$250.00	
	Annual renewal	\$100.00	
	License transfer	\$50.00	
	For parks in excess of fifty (50) spaces:		
	License fee	\$500.00	
	Annual renewal	\$200.00	
	License transfer	\$100.00	

Other registration fees required by ordinance are:

Commercial alarm systems: \$25 annual permit

Amusement Center: \$50/machine annual license

Sexually oriented business permit is \$150 and a \$150 annual renewal

Food handlers permit \$50 annual permit or \$10 per event.

Facilities without food preparation: \$ 50 initial fee.

Facilities with onsite food preparation: \$ 75 initial fee.

The Fire Department does make annual inspections of commercial businesses, but there is no fee charged for this.

Sec. 26-7. - Recreational vehicles.

- (a) Occupied recreational vehicles shall be installed in licensed recreational vehicles parks or manufactured housing parks. Recreational vehicles installed in manufactured housing parks shall be subject to the same installation requirements as manufactured housing. An exception to this requirement is a recreational vehicle which is used to house temporary guests. Such recreational vehicle may be occupied on individual residential lots for a period not to exceed 30 days in a calendar year, provided that the property owner obtains a permit for the RV connection and disconnection, at no cost, from the permits department in city hall in order to keep up with the timeline for the 30-day rule. The water and wastewater connect and disconnect service will only be done by a city employee.

Sec. 26-11. - License—RV park.

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 Port Lavaca in the name of the person for the specific RV park. The applicant shall make all applications for the license on forms furnished by the city which shall issue a license upon compliance with the provisions of this chapter. It shall further be unlawful for any person to place, or have placed, an individual RV, for the purpose of inhabiting said RV, on any lot, parcel, or tract of land, within the city limits and is regulated by the city's ordinances and building codes through a signed water and/or sewer utility contract, that is connected to utilities.

- (2) *Application for renewal.* All RV park licenses expire on September 30th of every year. Application for renewal of a license shall be made in writing by the licensee on forms furnished by the city on or before September 1st of each year. Application for renewal not submitted within 90 days of the specified timeline shall be revoked. A person may obtain a new license for the park by complying with the requirements and procedures of this article. Such application shall contain any changes in the information occurring after the original license was issued or the latest renewal granted.
- (3) *Fee.* All applications shall be accompanied by a fee as provided for in the fee schedule in Appendix A of this Code.

Sec. 26-12. - Inspections.

- (a) *Authorized.* The city building official, or designee shall make one annual inspection per RV park and additional inspections as are necessary, without prior notice, to determine compliance with this article.

OPTIONS FOR CONSIDERATION:

- 1) The License Fee shall be waived for Existing RV Parks and Manufactured Home Parks when they initially apply for their license.
- 2) An annual renewal rate is oftentimes charged to offset the cost of the annual inspection, however, as can be seen in the poll of other cities, many do not charge this fee, nor does the City of Port Lavaca charge for Fire inspection fees. We want to make sure we maintain current contact information on the RV Park so an annual renewal is required on October 1 of each year. One option is not to charge for renewals, but if they are greater than say 90 days past the due date, they will need to make a new application.
- 3) For new applications,

License Fee (1-50 spaces) \$100; License Fee > 50 spaces \$200

Annual Renewals due on Oct 1 of each year - \$0

Transfers \$0 if made within 90 days of the transfer of ownership.

Sec. 26-6. - Manufactured housing parks.

Required. It shall be unlawful for any person to operate any Manufactured Home Park within the city limits unless he/she holds a valid license issued annually by the City of Port Lavaca in the name of the person for the specific Manufactured Home Park. The applicant shall make all applications for the license on forms furnished by the city which shall issue a license upon compliance with the provisions of this chapter.

(1) 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 city council.

(2) Application for renewal. All Manufactured Home Park licenses expire on December 31st of every year. Application for renewal of a license shall be made in writing by the licensee on forms furnished by the city on or before December 1st of each year. Application for renewal not submitted within 90 days of the specified timeline shall be revoked. A person may obtain a new license for the park by complying with the requirements and procedures of this article. Such application shall contain any changes in the information occurring after the original license was issued or the latest renewal granted. Before issuing such license, the building official shall cause inspections of the property to be made to determine that:

- a. The property is clean and sanitary.
- b. All utility installations and connections comply with applicable codes and ordinances.
- c. The common access routes are properly maintained to allow for smooth and safe travel by park occupants and emergency response vehicles.
- d. The storage, collection, and disposal of refuse in the manufactured housing park is conducted in such a way as to create no unsightly conditions, health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution; and
- e. The manufactured housing park is kept free of litter, rubbish, uninhabitable homes, junked vehicles, and other flammable materials.

In order to correct any deficiencies in the requirements listed in subsection (2) a. through e. of this section, the person operating the existing manufactured home park may apply to the building official for a temporary license. The application shall include a detailed schedule and method of corrections. If approved by the building official, such temporary permit shall not exceed 180 days. Failure to meet the schedule will void the temporary license.

(3) Fee. All applications shall be accompanied by a fee as provided for in the fee schedule in Appendix A of this Code.

(4) *Approval of transfer.* Every person holding a license shall give notice in writing to the city within ten days after having sold, transferred, given away or otherwise disposed of interest in, or control of, any Manufactured Home Park. Application for transfer of a license shall be made within ten calendar days after notification of change covered in this subsection. Within 30 calendar days thereafter, the city shall act on the application for license transfer, and it shall be approved if the Manufactured Home Park is in compliance with the provisions of this article.

(5) *Cessation.* It is required that every person holding a Manufactured Home Park license shall give notice in writing to the city within ten days after voluntary cessation of operations of the Manufactured Home Park.

Licensed/permitted manufactured home parks as of the effective date of the ordinance from which this chapter is derived shall meet the following regulations:

(6) *Maintenance.*

a. It shall be the park licensee's responsibility to maintain the conditions listed in subsection (2) a through e of this section.

b. It shall be the park licensee's responsibility to maintain proper setback and separation distances between units and between units and property lines for any manufactured home installed in the park after the effective date of the ordinance from which this chapter is derived, unless otherwise approved by the building official.

c. In addition to other penalties, the building official shall have the authority to void the license to operate a manufactured housing park if the requirements of this section are not maintained.

(7) *Inspections.*

a. *Authorized.* The city building official, or designee shall make one annual inspection per manufactured housing park and additional inspections as are necessary, without prior notice, to determine compliance with this article.

b. *Entry on premises.* The city building official and code enforcement officer shall have the power to enter, during normal operation hours, upon any private or public property with the purpose of inspection and investigating conditions relating to the enforcement of this article.

- **Sec. 26-7. - Recreational vehicles.**

(1) Occupied recreational vehicles shall be installed in licensed recreational vehicles parks or manufactured housing parks. Recreational vehicles installed in manufactured housing parks shall be subject to the same installation requirements as manufactured housing. An exception to this requirement is a recreational vehicle which is used to house temporary guests. Such recreational vehicle may be occupied on individual residential lots for a period not to exceed 30 days in a calendar year, provided that the property owner obtains a permit for the RV connection and disconnection, at no cost, from the permits department in city hall in order to keep up with the timeline for the 30-day rule. The water and wastewater connect and disconnect service will only be done by a city employee.

(2) Recreational vehicles shall not be parked or stored in any street or public right-of-way. Recreational vehicles parked or stored on individual lots shall not be provided with permanent city water and wastewater utilities. Electric hook-up is permissible to act as a mold deterrent and in order to keep running a generator or a refrigerator.

(Ord. No. [G-10-22](#), § 1(Exh. A), 12-12-2022)

- **Sec. 26-8. - Recreational vehicle parks.**

(Ord. No. [G-10-22](#), § 1(Exh. A), 12-12-2022)

- **Sec. 26-9. - Purpose.**

The recreational vehicle parks (RV parks) article is created to promote the safety and health of the residents of such communities and of other nearby communities. Additionally, the article is created to 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.

(Ord. No. [G-10-22](#), § 1(Exh. A), 12-12-2022)

- **Sec. 26-10. - Applicability.**

This article shall apply to any recreational vehicle park(s) and to any recreational vehicle located on a lot, tract or parcel within the city limits and is regulated by the city's ordinances and building codes through a signed water and/or sewer utility contract.

(Ord. No. G-10-22, § 1(Exh. A), 12-12-2022)

- **Sec. 26-11. - License—RV park.**

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 Port Lavaca in the name of the person for the specific RV park. The applicant shall make all applications for the license on forms furnished by the city which shall issue a license upon compliance with the provisions of this chapter. It shall further be unlawful for any person to place, or have placed, an individual RV, for the purpose of inhabiting said RV, on any lot, parcel, or tract of land, within the city limits and is regulated by the city's ordinances and building codes through a signed water and/or sewer utility contract, that is connected to utilities.

(1) *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 city council.

(2) *Application for renewal.* All RV park licenses expire on September 30th of every year. Application for renewal of a license shall be made in writing by the licensee on forms furnished by the city on or before September 1st of each year. Application for renewal not submitted within 90 days of the specified timeline shall be revoked. A person may obtain a new license for the park by complying with the requirements and procedures of this article. Such application shall contain any changes in the information occurring after the original license was issued or the latest renewal granted.

(3) *Fee.* All applications shall be accompanied by a fee as provided for in the fee schedule in Appendix A of this Code.

(4) *Approval of transfer.* Every person holding a license shall give notice in writing to the city within ten 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 calendar days after notification of change covered in this subsection. Within 30 calendar days thereafter, the city 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 article.

(5) *Suspension.*

a. 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 or adopted building codes applicable to such park, the city shall provide notice in writing to the owner and/or manager of the park, and if such conditions or

practices have not been corrected within 90 days or in the time frame set forth in the notice, the city will suspend the license and give notice of such suspension. Upon suspension of the license, the licensee shall cease operation of such park.

b. The suspension of the license may be appealed to the city council as set forth in [section 26-13](#).

c. It is required that every person holding a RV park license shall give notice in writing to the city within ten days after voluntary cessation of operations of the RV park.

(Ord. No. [G-10-22](#), § 1(Exh. A), 12-12-2022)

- **Sec. 26-12. - Inspections.**

(1) *Authorized.* The city building official, or designee shall make one annual inspection per RV park and additional inspections as are necessary, without prior notice, to determine compliance with this article.

(2) *Entry on premises.* The city building official and code enforcement officer shall have the power to enter, during normal operation hours, upon any private or public property with the purpose of inspection and investigating conditions relating to the enforcement of this article.

(Ord. No. [G-10-22](#), § 1(Exh. A), 12-12-2022)



