

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MEMPHIS, TEXAS ESTABLISHING RULES AND REGULATIONS FOR RECREATIONAL VEHICLE PARKS WITHIN THE CITY, REQUIRING AN APPLICATION FOR RECREATIONAL VEHICLE PARK PERMITS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City of Memphis, Texas (the “City”), a general rule, type A municipality, is authorized by its Charter and state laws to set forth ordinance and regulations and exercise its police powers to take steps necessary to protect the public health, safety, morals, or general welfare of the citizens of the City of Memphis; and

WHEREAS, in order to minimize the risk of disease and promote the health and safety of persons residing within the city, the City Council of the City of Memphis finds it necessary to establish reasonable rules and regulations for Recreational Vehicle Parks within the City; and

WHEREAS, the City Council of the City of Memphis finds it to be in the interest of public safety, health, and general welfare to regulate Recreational Vehicle Parks.

WHEREAS, this Ordinance is in conjunction with Texas Senate Bill 1, NFPA 1194, signed into law on September 5, 2025.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MEMPHIS, TEXAS, AS FOLLOWS:

SECTION 1. The findings and recitals outlined above are found to be true, factual and correct and are hereby adopted and approved by the City Council and incorporated into this ordinance as though set forth fully herein.

SECTION 2. The Code of Ordinances for the City of Memphis, Texas is hereby amended to add a new Ordinance to be and read as follows:

Section 1: Purpose and Intent

- A. Provision is hereby made for the development, construction, enlargement, reconstruction, or improvement of Recreational Vehicle Parks within the City. A development design as a Recreational Vehicle Park shall meet all requirements of the Ordinance and any sections of standards contained within National, Uniform, or International Code as may be adopted by ordinance of the City of Memphis, the City’s zoning ordinance, and applicable state and federal laws and local ordinances.
- B. The requirements of Recreational Vehicle Parks are established for the protection of the public health, safety, and welfare and for the following purposes:
 - To provide adequate space and size diversifications or temporary and long-term Recreational Vehicle Park occupancy and to accommodate the needs and requirements of recreational vehicles;

- To protect against pollution, environmental hazards and other nuisances;
 - To make adequate provisions for vehicular and pedestrian circulation;
 - To promote occupancy densities appropriate to and compatible with existing and proposed support facilities; and
 - To promote the desirable use of land and direction of building development, to promote stability of development, to protect the character of neighborhoods, to conserve the value of land and buildings and to protect and improve the City's tax base
- C. For any Recreational Vehicle Parks in the city limits as of the effective date of this ordinance and which do not meet the requirements of this ordinance, full compliance with this ordinance (save and except compliance with Section IV(I.)), shall be required within three (3) months of the effective date of this ordinance or upon abandonment of use at such location, whichever occurs first.

Section II: Definitions

For purposes of the Ordinance, certain terms, words and phrases shall have the meaning hereafter ascribed thereto:

- A. *Accessory Buildings*: Sheds, storage buildings, exterior kitchens, canopies, picnic tables, grills, and any building addition added to a Recreational Vehicle Site and thought as permanent.
- B. *Building Official*: The fire Marshall or other designated inspection authority of the City.
- C. *Building Permit*: Written documents issued by the City Administrator authorizing the construction codification, or expansion of a Recreational Vehicle Park. Structures, buildings, VAs, site utilities, accessory buildings, support facilities, sanitary stations, or other structures authorized in a building permit shall meet those standards contained within any National, Uniform, or International Code as may be adopted by ordinance of the City of Memphis, the City's zoning ordinance, and applicable state and federal laws and local ordinances.
- D. *Buffer*: Open spaces, landscape areas, fences, walls, berms, or any combination thereof, which are used to physically and visually separate one use or property from an abutting property to mitigate the impacts of noise, light, or other nuisances.
- E. *Buffer Yard*: A designated strip of land upon which a buffer is installed.

- F. *Common Access Route*: A street providing the principal means of access to individual recreational vehicle park sites, supported facilities, or accessory buildings within the Recreational Vehicle Park.
- G. *Driveway*: A minor entrance off a common access route designed to accommodate moderate to heavy traffic for entrance and exit into a Recreational Park.
- H. *Full-Service Park*: A Recreational Vehicle Park with support facilities and provides for electrical, water, and sewer needs of dependent recreational vehicles at some or all recreational vehicle sites.
- I. *Opaque Fence*: A fence made of solid materials designed to shield from public view the RV park.
- J. *Operator*: The person(s) who operates and maintains a Recreational Vehicle Park.
- K. *Owner*: The person(s) in whose name is on the title/deed to the lot/lots, block tract or parcel of land on which the Recreational Vehicle Park is to be located.
- L. *Off-Street Parking*: Any site designated for parking a vehicle, bicycle, or motorcycle that is paved in concrete, gravel, asphalt, or other approved ground covering and located within a recreational vehicle site, common parking area, or storage area having unobstructed access to a common access route.
- M. *Partial-Service Park*: A Recreational Vehicle Park that can only accommodate self-contained recreational vehicles.
- N. *Recreational Vehicle*: A motor vehicle, trailer or vehicle/bicycle tent that includes living/sleeping quarters designed for recreational, camping, travel, or seasonal use, though of as temporary living.
- O. *Recreational Vehicle Park*: Any premises on which two (2) or more recreational vehicles are parked or situated and used for the purpose of supplying to the public a parking space for one (1) or more Recreational Vehicles that are owner-occupied.
- P. *Recreational Vehicle Site*: Designated site located within a recreational vehicle park, marked and located for recreational, camping, travel, or seasonal use, designed to accommodate the appropriate classification of Recreational Vehicle.
- Q. *Self-Contained Recreational Vehicle*: A recreational vehicle which can operate independently of connections to sewer, water, electric, and gas systems which contains a water-flushed toilet, lavatory, shower, sinks, stove, or cooktop, to which are all connected to holding tanks located

within the recreational vehicle, such as Class A, Class B, Class B+, and Class C motorhomes, fifth wheels, travel trailers, toy haulers, destination trailers, hybrid travel trailers, and some pop-up or truck-bed campers.

- R. *Sewer Connection*: The connection consisting of all pipes, fittings, and appurtenances from the drain outlet of a recreational vehicle to the inlet of the corresponding sewer riser pipe of the sewage system serving the Recreational Vehicle Park.
- S. *Sewer Riser Pipe*: The portion of the sewer lateral which extends vertically to the ground elevation and terminates at a Recreational Vehicle Site.
- T. *Site Plan*: A collection of documents and drawings accurately depicting all layouts, sites, utilities, and structures to be located within a Recreational Vehicle Park.
- U. *Water Connection*: The connection consisting of all pipes, fittings, and appurtenances from the water rise pipe to the water riser pipe of the distribution system within a Recreational Vehicle Park and also referred to as a “Water Jacket” or “Water Inlet”.
- V. *Water Riser Pipe*: The portion of the water supply system serving a Recreational Vehicle Park which extends vertically to the ground elevation and terminates at a Recreational Vehicle Site.

Section III: Permits/Variances

- A. Variance Permit Required: A variance permit is required to locate a Recreational Vehicle Park within the City of Memphis. An applicant is required to go before the City Council for approval. The owner and/or operator should be present at the time of the meeting.
- B. Application Requirements for a Permit: All applicants must complete an application for building or implementation of a Recreational Vehicle Site. Such an application will include the following information:
 - i. Name and address of applicant;
 - ii. Telephone number of applicant;
 - iii. Location and legal description of the property, containing the block and lot where the proposed Recreational Vehicle Park is to be located;
 - iv. A Site Plan, which shall include the following:
 - 1. The area and dimensions of the tract of land;
 - 2. The number, location and size of all sites and stands;
 - 3. Locations and widths of roads and walkways;
 - 4. Support facilities, if any;
 - 5. Accessory Buildings and other proposed structures and amenities, if any;
 - 6. The location of water and sewer lines and riser pipes;

7. Plans and specification on the water and sewer supply, including sewage disposal facilities, fire hydrants, and extinguishers;
8. Plans and specifications of all buildings to be constructed within the Recreational Vehicle Park;
9. The location, specifications, and details of lighting and electrical systems within the Recreational Vehicle Park;
10. A surface drainage plan, including elevation and landscaping;
11. Evacuation Plan;
12. Proof of Commercial General Liability policy for each park.
 - i. Minimum General Liability policy for certification is \$1,000,000 per occurrence and \$2,000,000 aggregate;
13. A commercial refuse/water account will be established with the City of Memphis for each Recreational Vehicle Park; and
14. A signed agreement that any additions and/or demolitions to a Recreational Vehicle Park, a new site map and new evacuation plan will be submitted to the City of Memphis within 90 days for continuance of permit and inspection;
15. Signed fence agreements (if applicable)

C: Issuance of Permit: The City Council will review and act on the application. The application will be approved and the permit shall be issued if the application complies with all applicable laws, code regulations, and zoning ordinances.

D: Denial of Permit/Hearing: Any applicant whose application or permit has been denied may, within ten (10) days of the denial, request in writing a hearing on the matter as to reasons why the application was denied. An applicant whose application was denied may offer additional information to the City Council at the hearing.

Section IV: Basic Requirements of Recreational Vehicle Parks

A: Minimum Recreational Vehicle Site size for self-contained recreational vehicles or dependent recreational vehicles shall be no smaller than twenty (20) feet wide.

B: There must be a ten (10) feet clearance of side-by-side parking between Recreational Vehicles.

C: There must be a ten (10) foot clearance of end-to-end parking between Recreational Vehicles.

D: Recreational Vehicles cannot be parked closer than ten (10) feet from adjacent buildings.

E: Sewer connection and water connections shall not be contained in the same hole spacing.

F: All sewer and water riser pipes and connections shall meet TCEQ standards for ability services and be protected by appropriate bollards, drainage, and protection from freezing.

G: All Recreational Vehicle Sites shall include ground cover for parking areas and driving areas. Cover may be concrete, packed rock or gravel, crushed limestone, or asphalt.

H: All Recreational Vehicle Sites shall have proper drainage in order to prevent standing water.

I: All Recreational Vehicle Sites shall have adequate garbage bins to handle refuse generated by occupants and that allow for protections from weather, animals, and leaking.

J: All Recreational Vehicle Sites shall be marked and numbered for identification and shall meet all requirements of this Ordinance and any applicable sections of those standards contained within any National, Uniform, or International Code as may be adopted by ordinance of the City of Memphis, the City's zoning ordinance, and applicable state and federal laws and local ordinances.

K: A responsible attendant or supervisor of the Owner or Operator shall be in charge at all times to keep the Recreational Vehicle Park, its facilities and equipment, in clean, orderly, and sanitary condition and shall be responsible for any violations of this Ordinance.

Section V: Support Facilities and Accessory Buildings

A: General. The requirements of this section shall apply to support facilities, recreation buildings, and laundry facilities, and other accessory buildings, such as management offices, repair shops, and storage areas and commercial uses supplying essential services for the exclusive use of Recreational Vehicle Park occupants.

B: Location and Maintenance. All support facilities or accessory buildings shall be located near the units which they serve and shall be maintained in a clean condition. Support facilities will maintain a twenty (20) feet clearance of other buildings.

Section VI: Operation and Use Regulations

A: Refuse Handling. The following are required for all Full-Service Parks and Partial-Service Parks:

- i. The storage, collection, and disposal of refuse in Recreational Vehicle Parks shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution.
- ii. All refuse shall be stored in dumpsters, which shall be centrally located within every Recreational Vehicle Park, and containers shall be provided in a sufficient number and capacity to properly store refuse;
- iii. All refuse shall be collected in accordance with the City's schedule; and
- iv. The Owner or Operator shall ensure that containers at Recreational Parks are emptied regularly.

B: Fencing. A Recreational Vehicle Park shall be visually screened from any immediately adjacent residential dwelling. A permanent Opaque Fence, not less than 6 (six) feet in height, shall be constructed and maintained in good condition by the Recreational Vehicle Park owner. Fencing shall not be required when the adjacent property does not contain a single-family detached dwelling, a townhouse, or two-family dwelling. Fencing may not block or interfere with Recreational Vehicle Park evacuation routes or emergency access routes.

- i. Fencing requirement may be waived with a signed agreement between Recreational Vehicle Park owners and each adjacent property owner stating a screening fence is not required. Signed agreements will be part of the permit application process.
- ii. If an adjacent property owner initially signed an agreement that no fence was warranted, and at a later time desires a fence, the Recreational Vehicle Park owner will not be responsible for the cost of the fence.

C: Insect and Rodent Control. Grounds, buildings, and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform to the requirements of the City of Memphis. Recreational Vehicle Parks shall be maintained free of accumulation of debris, which may provide rodent harborage or breeding places or flies, mosquitoes, and other pests.

D: Open Burning or Campsite Grills. Open burning is allowed according to county burn ban notices as long as it is located in an approved fire ring with distances no less than a twenty (20) foot radius from any structure, trees or shrubs, vehicles or Recreational Vehicles, or any object thought of as flammable, including open or extended Recreational Vehicle slide outs and canopies.

- i. All fire rings and grills are to be approved by the Fire Chief or Building Official before placement or use
- ii. Portable grills may be used but only with charcoal, briquettes, smoking wood or pellets sold in bags or using propane or butane.
- iii. A Recreational Vehicle Park that allows outdoor cooking shall provide fire extinguishers with a distance of no less than seventy-five (75) feet of any fire ring or grill. Structures such as a gazebo or pavilion which have an internal fireplace, fire ring, or grill are allowed in accordance with the National Fire Code, and applicable state and federal laws and ordinances.

E: Operation. The Owner or Operator shall operate the Recreational Vehicle Park in compliance with this Ordinance and other applicable state and federal laws and local ordinances and shall maintain the Recreational Vehicle Park and all facilities in good repair and in a clean and sanitary condition.

F: Notice to Occupants. The Owner or Operator shall notify Recreational Vehicle Park occupants of all applicable provisions of this Ordinance and inform them of their duties and responsibilities under this Ordinance.

G: Maintenance. The Owner or Operator of the Recreational Vehicle Park shall be responsible for ensuring that the Recreational Vehicle Park is maintained in a manner that will not attract or aid propagation of insects or rodents or create a hazard to the health of any occupant or the public or constitute a nuisance. Growth of plant material such as weeds and grass, especially beneath Recreational Vehicles and other structures shall be continuously controlled. The Owner or Operator of the Recreational Vehicle Park shall take any measures as may be deemed to be necessary by the Building Official to preserve the health, comfort, and safety of all persons residing in the Recreational Vehicle Park and the general public

H: Recreational Vehicle Park Rules. It shall be the duty of the Owner or Operator to prescribe rules and regulations for the management of the Recreational Vehicle Park. Recreational Vehicle Park rules and regulations shall be provided to the Building Official.

I: Additional Requirements. In addition to complying with all provisions and requirements of this Ordinance and all future lawful ordinances and regulations adopted or amended by the City of Memphis, every person owning or conducting or in the management and control of any Recreational Vehicle Park shall, in connection with the Recreational Vehicle Park, comply strictly with each and all of the following:

- i. Provide for regular and periodic inspections of the water and sanitary conveniences in the Recreational Vehicle Park;
- ii. Comply with all City codes and ordinances; and
- iii. Take proper measures and care to prevent and suppress lewd or disorderly conduct within the Recreational Vehicle Park and immediately report any such activity to the Police/Sheriff's Department serving the City of Memphis.

J: Responsibilities of Recreational Vehicle Occupants. Recreational Vehicle occupants shall comply with and obey all the rules and regulations of the Recreational Vehicle Park, this Ordinance and all applicable ordinances within the City of Memphis. The Recreational Vehicle occupant shall be responsible for the proper placement of the Recreational Vehicle on its Recreational Vehicle Site and for the proper installation of all utility connections in accordance with the requirements of the Recreational Vehicle Park and applicable state and federal laws and local ordinances.

Section VII: Requirements for Recreational Vehicle Parks

A: Guest Registry. All Recreational Vehicle Parks shall maintain a guest registry to be kept on site. These records should be kept of a minimum of four (4) years. The registry should include all of the following information:

- i. Names of all guests by Recreational Vehicle Site;
- ii. Vehicle and Recreational Vehicle registration by Recreational Vehicle Site;
- iii. Length of stay by Recreational Vehicle Site;
- iv. Number of guests by Recreational Vehicle Site;
- v. Driver's license of the operator of the Recreational Vehicle or vehicle by Recreational Vehicle Site; and
- vi. Telephone number and/or address of guest by Recreational Vehicle Site.

B: Emergency and Non-Emergency Numbers. Owners and Operators of all Recreational Vehicle Parks must post emergency (911) and non-emergency numbers and make them available to all guests at any time.

C: Emergency and Evacuation Plan Required. Owners and Operators of Recreational Vehicle Parks must prepare and post an Emergency and Evacuation Plan addressing weather, fire, or medical emergencies in reference to FEMA and existing emergency preparedness plans. The

Emergency and Evacuation Plan shall be approved by the Fire Chief and City of Memphis or the Building Official. The Emergency and Evacuation Plans shall include the following:

1. Map of Recreational Vehicle Park with location of all support facilities, fire extinguishers, exits, and evacuation routes; and
2. Map of the City of Memphis, with the location of public storm shelters, fire station, police/sheriff's station, and the Recreational Vehicle Park marked with a direct route to each.

Section VIII: Inspection, Notice, Appeals, and Penalties

- A. Inspections. The Building Official or other official designated by the City shall be permitted to make reasonable inspections of the Recreational Vehicle Park to determine compliance with this ordinance.
- B. Notices. If the Building Official determines that there has been a violation of any provisions of this Ordinance, the Building Official shall give notice of such alleged violation(s) to the Owner or Operator. Such notice shall:
- i. Be in writing;
 - ii. Include an explanation of the reason for its issuance; and
 - iii. Be served upon the Owner or Operator or their agent and shall be deemed to have been properly served when a copy thereof has been sent by certified mail, return receipt requested, to the last known business address, or when such notice has been served by any method authorized or required by the laws of this state.
- C: Appeal from Denial of Permit or License. Upon the refusal of the City of Memphis to issue a permit under the provisions of this Ordinance, the applicant may request, and shall be granted, a hearing on the matter before the City Council, provided such person shall, within ten (10) days requesting such hearing and setting forth a brief statement of the grounds thereof. Upon receipt of such a petition, the Building Official shall forward it to the City Secretary who shall request the City Council to set a time and place for such hearing and shall give the petitioner written notice thereof. At such a hearing, the petitioner shall be given an opportunity to be heard and to show why such refusal should be modified or withdrawn.
- D: Appeal from Notice Issued by the Building Official. Any person issued notice by the Building Official in connection with the enforcement of any provision of this Ordinance may request and shall be granted a hearing on the matter before the City Council, provided such person shall, within ten (10) days after the day the notice was served, file in the office of the Building Official, a written petition requesting such hearing and setting forth a brief statement of the grounds thereof. Upon receipt of such a petition, the Building Official shall forward such a petition to the City Secretary who shall request City Council to set a time and place of such hearing and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn.

E: Hearing Order. After a hearing before the City Council, a written order shall be issued sustaining, modifying, or withdrawing the refusal, revocation, or suspension of the permit, which order shall be served as provided this section. Upon failure to comply with an order issued pursuant herein, the permit affected by the order shall be revoked.

F: Order Without Notice. If the Building Official finds that an emergency exists which required immediate action to protect the public health or safety, he may, without notice or hearing, issue an order reciting the existence of such emergency and requiring that action be taken, as he may deem necessary to meet the emergency. Notwithstanding any other provision of this section, such order shall be effective immediately. Any person to whom such order is directed shall comply immediately but, upon written petition submitted in accordance this Ordinance, shall be afforded a hearing before the City Council as soon as possible. The provisions of this section shall be applicable to such hearing and the order issued thereafter.

SECTION 3. Penalty. A violation of any provision of this Ordinance shall be deemed a misdemeanor punishable in accordance the Code of Ordinances of the City of Memphis, Texas.

SECTION 4. Repealed. All other terms and provisions of the Code of Ordinances of the City of Memphis, Texas, not in conflict herewith and not hereby amended shall remain in full force and effect.

SECTION 5. Severability. If any provisions, 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 Memphis, 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.

SECTION 6. Publication. The City Secretary of the City of Memphis, Texas is hereby authorized and directed to cause publication of the descriptive caption of this Ordinance as an alternative method provided by law.

SECTION 7. Effective Date. This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

SECTION 8. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the *Open Meetings Act, Chapter 551, Gov't. Code*.

PROPOSED