

**ORDINANCE NO. 34B-2021**

**PROCEDURES FOR THE PARKING AND STORAGE OF  
RECREATIONAL VEHICLES**

**AN ORDINANCE BY THE CITY OF HILLCREST VILLAGE, TEXAS, PROVIDING FOR THE PARKING AND STORAGE OF RECREATIONAL VEHICLES, COMMERCIAL/NON-COMMERCIAL VEHICLES, PERSONAL VEHICLES, DEFINITIONS, GENERAL REGULATIONS, ADOPTION OF TEXAS TRANSPORTATION CODE TITLE 7, SUBTITLE H, CHAPTER 683, SUBCHAPTER A, SECTIONS 683.001 THROUGH SECTION 683.078 CURRENT EDITIONS AND ALL SUBSEQUENT REVISIONS AND AMENDMENTS MADE BY STATE LEGISLATURE OF THE STATE OF TEXAS AND MADE A PART OF THIS ORDINANCE UNDER SECTION NO. 6, AND PROVIDING FOR ENFORCEMENT AND PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE.**

**WHEREAS**, over the years there has been an increase in the use of Recreational Vehicles by the residents of the City of Hillcrest Village; and

**WHEREAS**, many of these Recreational Vehicles have been stored or parked in the front yard on unimproved surfaces or in a manner that may create traffic hazards or inhibit pedestrian use of the public sidewalk; and

**WHEREAS**, some of the Recreational Vehicles visible from the public right-of-way have an unsightly appearance; and

**WHEREAS**, many complaints have been received by the City regarding the parking of Recreational Vehicles with respect to location and appearance; and

**WHEREAS**, the City Council held Public Hearings to review current codes and make recommendations regarding Recreational Vehicle parking with respect to unsightly Recreational Vehicle parking setbacks for residential property, and this matter has been discussed with the City Council of the City of Hillcrest Village; and

**WHEREAS**, the City Council has decided to re-write the City Ordinance to allow all Recreational Vehicles/Utility Trailers and Boats to be regulated; and

**WHEREAS**, the Council on November 12, 2018, taking into consideration the discussions held in the Public Hearings, made specific recommendations as to changes to the Municipal Ordinance regarding Recreational Vehicle parking; and

**WHEREAS**, each property owner has an obligation to their neighbors and general public to maintain a safe and appealing appearance for the City; and

**WHEREAS**, the purpose of this ordinance is not to harass property owners who might commit a technical violation, but to maintain appearance and property values in the City; and

**WHEREAS**, the following findings have been set forth by the City Council of the City of Hillcrest Village:

1. The proposed Ordinance is consistent with the General Plan in that these regulations on Recreational Vehicle parking will further the City's Goals to maintain and enhance the visual appearance of the community and protect the public safety.
2. The proposed Ordinance is consistent with all other applicable requirements of local ordinances and state law in that the proposed regulation of Recreational Vehicle parking will not conflict with any existing provisions of Municipal Ordinances and will be in conformance with the State of Texas Municipal Codes.
3. The proposed Ordinance will not be detrimental to the health, safety, morals, comfort or general welfare of the persons residing within the City of Hillcrest Village or be injurious to property or improvements within the City of Hillcrest Village.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HILLCREST VILLAGE DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION NO. 1**

**DEFINITIONS:**

Commercial or Non-Commercial Vehicle – any motor vehicle designed or used primarily for transportation of persons or property for, or in connection with a business.

Personal Vehicle – any motor vehicle designed or used primarily for transportation of person or property for, or in connection with personal use.

Recreational Vehicle (RV's) – any vehicle or piece of equipment intended for recreational use, including but not limited to boats, jet skies, camping or travel trailers, motor homes, detachable travel equipment of a type adaptable to light duty trucks, boat trailers, water craft, horse trailers, or trailers mounted with a recreational vehicle such as water craft or off-road vehicle and other equipment or vehicles of a similar nature.

Utility Trailers – a trailer, not defined as a recreational vehicle, that has an axle or axles and a frame that can be used to haul or contain any type of material or equipment.

SECTION NO. 2

Adoption of State of Texas Transportation Code Title 7, Subtitle H, Chapter 683, Subchapter A, Section 683.001 through Section 683.078, current editions and all subsequent revisions and amendments made by Texas State Legislature and hereby made a part of this ordinance.

GENERAL PROVISIONS:

The outdoor storage or parking of recreational vehicles, commercial or non-commercial vehicles, and non-commercial trucks rated at more than one (1) ton shall be prohibited within the city limits of Hillcrest Village for more than a total of 72 hours during any thirty (30) day period and for more than thirty-six (36) consecutive hours except as otherwise permitted by this ordinance, provided the following conditions are met:

SECTION NO. 3

Recreational Vehicle/Utility Trailer parking and storage:

**All such vehicles and equipment shall be placed within a completely enclosed building or located behind the furthest front face of the main building, as measured from the setback line and no closer than five feet to any side or rear lot line. Once a house is constructed, the effective set back line for that lot is established as the front edge of the structure. If the property is a corner lot, in an addition to the above requirements, all such vehicles and equipment shall be placed within a completely enclosed building or located behind the furthest side face of the main building, as measured from the setback line and no closer than five feet to any side or rear lot line. Once a house is constructed, the effective set back line for that lot is established as the side edge of the main structure.**

1. On interior lots, all such vehicles and equipment shall be placed within a completely enclosed building or located behind the furthest front face of the main building, as measured from the setback line and no closer than five feet to any side or rear lot line. Once a house is constructed, the effective set back line for that lot is established as the front edge of the structure.
2. Recreational Vehicles/Utility Trailers when parked or stored on residential properties, must be kept neat and clean at all times. Spider webs, debris, excessive dirt, weed accumulation on and under a Recreational Vehicles/Utility Trailers are prohibited at all times as are broken windows and flat tires. All Recreational Vehicles/Utility Trailers must be weather resistant at all times
3. All Recreational Vehicles/Utility Trailers when parked or stored on residential properties must display current vehicle registration tags. Those Recreational Vehicles/Utility Trailers not displaying current registration tags will be considered in-operable and must

be removed from the public view which includes streets, sidewalks and adjacent properties.

4. All covers and tarps or any other material employed to protect a Recreational Vehicle/Utility Trailer from the elements must be secured and be must be weather proof.
5. Rocks/bricks or other weighted items cannot be used to secure the weather proofing cover.
6. All Recreational Vehicle/Utility Trailer parking and storage areas shall be properly maintained and kept free of weeds, mud and other debris.
7. In no instance shall a Recreational Vehicle/Utility Trailer be parked or stored where any portion of the Recreational Vehicle blocks or overhangs the sidewalk within the public right-of-way.
8. A Recreational Vehicle/Utility Trailer shall not be parked or stored where such parking or storage constitutes a clear and demonstrable traffic hazard and threat to public health and safety. Either the Sheriff or City Manager can, at their discretion declare the parking or storage of a particular Recreational Vehicle/Utility Trailer to be a traffic hazard and require the immediate removal of the Recreational Vehicle/Utility Trailer.
9. No Recreational Vehicle/Utility Trailer shall be parked or stored in the corner lot side yard next to the street unless it complies with all other provisions of this section.
10. All Recreational Vehicle/Utility Trailer must park perpendicular to the street except where they are parked on a curved or circular driveway.
11. All Recreational Vehicles/Utility Trailers in the front yard or the side yard must be parked or stored on an improved surface such as concrete, asphalt, laid brick, or other impervious material. Recreational Vehicles/Utility Trailers parked in the back yard may be parked on gravel in lieu of an impervious surface.
12. All paved areas including areas used for Recreational Vehicle/Utility Trailer parking and storage shall not exceed fifty percent of the lot area located between the front property line and the required front setback line of the residential zone and of the lot area located between the corner side property line and the required side yard setback line of a corner lot.
13. Recreational Vehicles/Utility Trailers shall not be occupied for living purposes or be used as a storage container. Electrical hookups are prohibited except during loading and unloading or for the charging of batteries for no more than 48 consecutive hours per week. Sewer hookups are prohibited at all times.
14. No Recreational Vehicle/Utility Trailer shall be parked or stored on a residential site for a period exceeding one month unless it is owned by the resident.

15. No camper shells or cab-over-campers shall be stored in the front yard or the corner side yard of a corner lot other than on an operable and licensed pick-up truck parked in a lawful manner. Said camper shells or cab-over-campers may be stored unmounted in the interior side yard or rear yard so long as they are screened in conformance with Section 18.73.200 of the Municipal Code.
16. No boats or other water craft shall be stored in the front yard or side yard other than on a validly licensed trailer parked in a lawful manner.
17. No more than one Recreational Vehicle/Utility Trailer shall be parked in the front yard or side yard for any lot or parcel less than 20,000 square feet in size. A maximum of one additional Recreational Vehicle/Utility Trailer may be parked in the rear yard for any parcel less than 20,000 square feet. For parcels 20,000 square feet or larger, two Recreational Vehicles/Utility Trailers may be parked in the front yard or side yard. A maximum of two additional Recreational Vehicles/Utility Trailers may be parked in the rear yard for any parcel 20,000 square feet or larger.
18. No second driveways or driveway approaches may be created or used for the purposes of parking or storing a Recreational Vehicle/Utility Trailer except where the lot is 100 feet wide or except where the second driveway would be on the side of a corner lot where there is no existing driveway or driveway approach. Any second driveway shall have the proper driveway approach requiring a City permit.
19. No Recreational Vehicle/Utility Trailer shall be parked on a public street if it is within 50 feet of any intersection or within 50 feet of any crosswalk.
20. All non-motorized Recreational Vehicles/Utility Trailers must be attached to the tow vehicle if parked on a public street. Any owner of a detached, nonmotorized Recreational Vehicle/Utility Trailer parked on the public street for any length of time will be subject to immediate citation and/or to the removal of the Recreational Vehicle/Utility Trailer at the owner's expense.
21. No Recreational Vehicle/Utility Trailer shall be parked on a public street longer than 72 consecutive hours without being moved. The total number of days a recreational vehicle may be parked on a public street shall not exceed 6 days per month.
22. Minor modifications or adjustments to this Section may be administratively approved by the Community Development Director by means of a Recreational Vehicle/Utility Trailer parking minor variance where conditions such as, but not limited to, lot size, lot configuration, house location, previous construction or improvements warrant a minor modification or adjustment. If the Community Development Director cannot make such a determination, the matter may be appealed to the City's Planning Commission with the appropriate appeal fee. In no instance shall a modification or adjustment be made to the provisions of this Section if it violates a safety concern/regulation of this Section.

- 23. If a Recreational Vehicle/Utility Trailer is parked or stored on a portion of a driveway leading to the garage of the residence, the garage door must be fully operational which means it can be fully opened at all times.
- 24. Storage or parking shall be limited to a parcel of land upon which is located on an inhabited dwelling unit and the vehicle or equipment so stored or parked shall be owned by the occupant of the unit.
- 25. The time limitations contained in this section may be suspended during natural disasters.

**SECTION NO. 4**

Visual Screening of Unsightly Uses, modified as follows:

All open storage of motor vehicles, recreational vehicles, trailers, unmounted camper shells or cab-over-campers, building materials, appliances and similar materials shall be screened from all other properties and public streets by a six (6) foot high solid fence on residential properties, unless otherwise approved by the City Council.

**SECTION NO. 5**

Recreational Vehicle/Utility Trailer Parking and Storage Fines and Penalties to read as follows:

The following fines have been established for violations:

<b>Description of Violation</b>	<b>Fine</b>
Parking within 50 feet of a crosswalk or intersection	\$75.00
Parking/storage on unimproved surface	\$25.00
Inoperable vehicle parked on property	\$30.00
Accumulation of dirt, debris, litter under/around an RV/Utility Trailer	\$25.00
Torn RV/Utility Trailer cover including any and all tarps or all other materials and improper use of articles to secure tarp (not limited to but including rocks, bricks and other heavy objects)	\$25.00
Sewer hook-up	\$100.00
Electrical hookup for more than 48 consecutive hours – 1 <sup>st</sup> Violation	\$50.00
Electrical hookup for more than 48 consecutive hours – 2 <sup>nd</sup> Violation	\$100.00
Parking an unattached RV/Utility Trailer on the street, City right-of-way or any City Property	\$75.00
RV/Utility Trailer blocking or overhanging the sidewalk within the public right-of-way	\$75.00
Blocking a garage door with a RV/Utility Trailer	\$25.00
RV/Utility Trailer parking/storage on unimproved surface in the front yard or the side yard of a corner lot	\$25.00

RV/Utility Trailer parking/storage on an unimproved surface or non-graveled surface in the rear yard	\$25.00
Parking/storage an unmounted camper or cab-over-camper in the front yard or corner side yard	\$25.00
Non-approved driveway approach for the parking in the front yard or corner side yard	\$25.00
Parking of a RV/Utility Trailer on a public street in excess of 6 days per month	\$75.00

**SECTION NO. 6**

Ordinance Enforcement:

- A. Be it ordained that it shall be the duty of the City of Hillcrest Village Marshal’s Department to enforce the provisions of this ordinance. Whenever violations of this ordinance exist, the City shall provide notice to the resident to remedy the condition and to come into compliance within 10 days. Such notice shall be in writing and shall be served on the resident by placing written notice at the property and by U.S. Mail to the address on record. If the ordinance violation has not been remedied within the 10-day requirement, a hearing will be set and notice given in accordance with the Building Standards Commission Ordinance 25-2109.
- B. In addition to the fines listed in Section 5 of this ordinance, the City of Hillcrest may at the direction of the Building Standards Commission and in accordance with Sec 25.3 of the Building Standards Commission ordinance order removal of the property in violation.
- C. Some circumstances may require an extension of time to come into compliance. Should this be the case, the property owner/resident must request a hearing before the City of Hillcrest Building Standards Commission to request an extension of time to comply.
- D. A misdemeanor citation will be issued at a fine of up to \$200.00 per day if at the end of the 10-day compliance period one of the following has not occurred:
  - 1. The correction has been made
  - 2. A concentrated effort is in progress to correct the condition.
  - 3. A hearing request before the Building and Standards Commission has been received
- E. Each continuing day of violation is a separate offense and punishable by a citation being issued each and every day of continued violation until the violation is corrected and compliance with this ordinance has occurred.

- F. Penalties: Each and every day during which a violation(s) continues, except in cases which a given time has been allowed for corrective action to be taken, shall be a separate and distinct offense. Any and all persons guilty of an infraction shall pay the fine within thirty days or be declared delinquent and the fine doubled. Failure to pay within ninety days shall result in a tripling of the fine and filing of the amount with the county as a tax lien against the property

**SECTION NO. 7**

**Appeal Process:**

Be it further ordained by the City Council of the City of Hillcrest Village, Texas that residents have an appeal process to the enforcement of this ordinance, that is, they may submit written petition of appeal for a hearing with the City of Hillcrest Building Standards Commission. This includes the petition of appeal for interpretation of this ordinance by the City of Hillcrest Building Standards Commission. The City Council, after a hearing, may vary any provision of this ordinance to any particular case when, in its opinion, would be contrary to the spirit and purpose of this ordinance or the technical codes of public interest, and the enforcement thereof would do manifest injustice and also finds all of the following:

- A. That special conditions and circumstances exist which are peculiar to this incident and which are not applicable to others;
- B. That the special conditions and circumstances do not result from the action or inaction of the applicant;
- C. That the granting of the variance requested will not confer on to the applicant any special privilege;
- D. That the grant of the variance will be in harmony with the general intent and purpose of this ordinance and will not be detrimental to public health, safety, and general welfare.

Note that any petition of appeal approved by the City of Hillcrest Building Standards Commission shall be issued in writing and provided to the resident making the petition of appeal for their file.

**SECTION NO. 8**

**Savings Clause:**

The terms and provisions of this ordinance shall be deemed to be severable and that is if the validity of any section, subsections, sentence, clause, or phrase of this ordinance should be



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declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance.

**SECTION NO. 9**

This ordinance shall become effective and in full force on the date it is approved and adopted by the City Council of Hillcrest Village, Texas, on its final reading and signed.

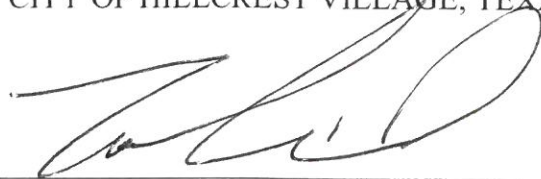
**FIRST READING:**

PASSED, APPROVED, AND ADOPTED, THIS 12<sup>th</sup> DAY OF April 2021.

CITY OF HILLCREST VILLAGE, TEXAS



RASHELLE CASAS, CITY CLERK



TOM WILSON, MAYOR

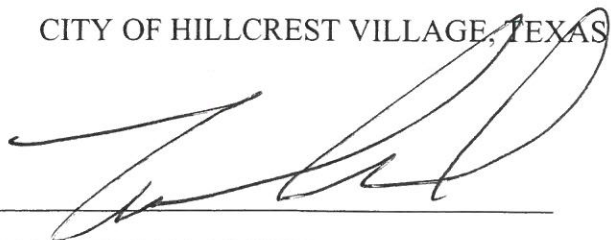
**FINAL READING:**

PASSED, APPROVED, AND ADOPTED, THIS 10<sup>th</sup> DAY OF May 2021.

CITY OF HILLCREST VILLAGE, TEXAS



RASHELLE CASAS, CITY CLERK



TOM WILSON, MAYOR