MOTION WAS MADE BY Mayor Pro Tem Alan Tatom, SECONDED BY Councilmember Dale Evans THAT THE FOLLOWING ORDINANCE BE PASSED:

ORDINANCE NO. 2008 318

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF PANORAMA VILLAGE, TEXAS, REGULATING THE PARKING AND STORAGE OF MOTOR HOMES, BOATS, TRAILERS, AND OTHER RECREATIONAL VEHICLES; PROVIDING DEFINITIONS; PROHIBITING THE PARKING OR STORAGE OF RECREATIONAL VEHICLES IN PUBLIC VIEW; SPECIFYING THE TIME AND LOCATION TO PARK RECREATIONAL VEHCILES FOR LOADING AND UNLOADING; PROHIBITING PARKING AND STORING RECREATIONAL VEHICLES ON ANY PUBLIC STREET, PUBLIC RIGHT OF WAY, OR CITY EASEMENT; PERMITTING A GRANDFATHER CLAUSE AND OTHER EXCEPTIONS; PROVIDING A PENALTY OF UP TO $500 PER DAY FOR VIOLATING THE ORDINANCE; REPEALING CITY ORDINANCE 2003-280, DATED APRIL 22, 2003; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A TEXAS OPEN MEETINGS CLAUSE; AND PROVIDING THE EFFECTIVE DATE AFTER PUBLICATION

WHEREAS, the City Council of City of Panorama Village, Texas, desires to establish guidelines for the parking and storage of certain recreational vehicles as defined herein at residences within the City to eliminate the occurrence of non-residential use, on-street parking and traffic congestion and public safety hazards caused by certain vehicles; and to insure that such vehicles do not interfere with the use and enjoyment of adjoining property owners' property; and

WHEREAS, the City Council has the authority to regulate parking and storage on private property as provided in the Texas Local Government Code, including Section 431.001; and

WHEREAS, the City Council desires to regulate the parking and storage of recreational vehicles that may impair the line of sight and value of residential lots within the City; and

WHEREAS, the City Council has concluded after receiving public input that it is in the best interest of the citizens of Panorama Village and the preservation of property values within the City that all recreational vehicles as defined in City Ordinance 2003-280, dated April 22, 2003, should be banned within the City unless they are garaged (not a

carport) out of the view of the public along the streets and along the golf fairways within the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANORAMA VILLAGE, TEXAS THAT:

SECTION I.
DEFINITIONS

a. "**City**" means the City of Panorama Village, Montgomery County, Texas.

b. "**City Council**" means the city council for the City of Panorama Village, Texas.

c. "**Person**" means any individual, firm, trust, partnership, association or corporation.

d. "**Recreational Vehicle**" means a motor home, motorized dwelling, boat, jet ski, boat trailer, travel trailer, utility trailer, livestock trailer, pop-up tent trailer, self-contained pickup camper, and the like.

e. "**Vehicle**" means an automobile, truck, golf cart, and any other motorized device designed to transport any person or property.

SECTION II.
RECREATIONAL VEHICLE PARKING AND STORAGE REGULATIONS.

1. It shall be unlawful for any person to park or store, or allow any person to park or store in the City of Panorama Village, any recreational vehicle unless it is garaged (not a carport) out of the view of the public from the streets and the golf fairways within the City.

2. All recreational vehicles of any type shall be currently licensed and inspected where applicable.

3. No recreational vehicle shall be used for living, sleeping, storage or housekeeping purposes when parked or stored in the City, except for the temporary sleeping of guests or residents not to exceed seven nights in a thirty-day period.

SECTION III.
EXCEPTIONS TO THE RECREATIONAL VEHICLE PARKING REGULATIONS

1. Any recreational vehicle within the City that was permitted under the terms and provision of Ordinance No. 2003-280 on the effective date of this Ordinance is grandfathered, and said recreational vehicle may continue to be parked or stored within the City so long as it complies with the provisions set out in Ordinance No. 2003-280.
2. A recreational vehicle may be parked in the City for no more than two nights so that it can be loaded, unloaded, and/or cleaned. However, no recreational vehicle may be parked on a public street, public easement or road right-of way during this time.
3. The recreational vehicle of a visiting guest may be permitted to park at a residence for no more than seven nights, so long as it is not parked on a public street, road right-of-way, or public easement.

SECTION IV
PENALTY

Any person who violates this Ordinance shall be guilty of a misdemeanor and shall be assessed a fine not to exceed $500 per offense. Each day that the recreational vehicle is parked in violation of this Ordinance will constitute a separate offense.

SECTION V
REPEALING CLAUSE

Ordinance 2003-280, dated April 22, 2003 and all ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION VI
SEVERABILITY CLAUSE

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such

holdings shall not effect the validity of the remaining portion hereof.

SECTION VII.

OPEN MEETINGS ACT

It is hereby officially found and determined that the meeting at which this Ordinance was considered 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, of the Texas Government Code.

SECTION VIII

EFFECTIVE DATE

This Ordinance and each section hereof shall take effect and be in full force from the date of its passage and publication as provided by law.

PASSED AND APPROVED this 30 day of September A D 2008.

CITY OF PANORAMA VILLAGE, TEXAS

HOWARD KRAVETZ, Mayor

ATTEST:

LISA EVANS, City Secretary

APPROVED:

LARRY J. FOERSTER, City Attorney

CITY OF PANORAMA VILLAGE TEXAS SEAL

FILED FOR RECORD

2008 DEC 22 PM 3:15

COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY

I hereby certify this instrument was filed in File Number Sequence on the date and at the time stamped herein by me and was duly RECORDED in the Official Public Records of Real Property at Montgomery County, Texas.

DEC 22 2008

COUNTY COURT OF MONTGOMERY COUNTY, TEXAS

County Clerk
Montgomery County, Texas