MOTION WAS MADE BY Mr. Dale Evans, SECONDED BY Mr. Alan Tatom,, THAT THE FOLLOWING ORDINANCE BE PASSED:

ORDINANCE NO. 2003-280

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; REGULATING WHERE SUCH RECREATIONAL VEHICLES CAN BE PARKED OR STORED, AND LIMITING THE NUMBER OF RECREATIONAL VEHICLES PER RESIDENCE TO ONE; SPECIFYING THE TIME AND LOCATION TO PARK RECREATIONAL VEHICLES FOR LOADING AND UNLOADING; PROHIBITING PARKING AND STORING RECREATIONAL VEHICLES WITHIN TEN FEET OF THE PAVED EDGE OF THE STREET; PERMITTING A NON-CONFORMING, NON-TRANSFERABLE WAIVER AND EXCEPTIONS FOR RECREATIONAL VEHICLES ONLY; PROVIDING A PENALTY OF UP TO $500 PER DAY FOR VIOLATING THE ORDINANCE; 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 health and 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 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 of recreational vehicles that may impair the line of sight and value of residential lots 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. "**Hard Surface**" means cement or asphalt parking surface, which is free of liter, debris, weeds, or other objectionable material or objects.

d. "**Front Yard**" means the area on a residential lot between the city street and the front of a residence.

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

f. "**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.

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

SECTION II.
RESIDENTIAL OFF-STREET/ONSITE PARKING REGULATIONS.

1. It shall be unlawful for any person to park or store, or allow any person to park or store any recreational vehicle in the City of Panorama Village:

   a. In front of any portion of a residence to include any portion of a front yard of any lot and side yard of any corner lot which are zoned or used for residential purposes.
   b. On any vacant unimproved lot.
   c. On any City easement, public street, or public right-of-way.
   d. On any driveway in such a way as to constitute a clear and demonstrated traffic hazard or threat to public health and safety.

2. Recreational vehicles may be parked on the grass or on a hard surface behind or adjacent to a residence, but in no case in front of any portion of a residence.

3. Only one recreational vehicle may be parked or stored outside of a residence or a garage.
4. Under no circumstance may a recreational vehicle parked on a hard surface driveway at a residence may extend over the front property line onto the City easement, street, or road right-of-way.

SECTION III.
EXCEPTIONS TO THE RECREATIONAL VEHICLE PARKING REGULATIONS

1. A non-conforming, non-transferable waiver may be authorized by the City Council to current City residents who own recreational vehicles on the effective date of this Ordinance, subject to the following;

    a. The recreational vehicle is not parked or stored except on a driveway or other hard surface area which is immediately adjacent to and an expansion of the driveway.

    b. The recreational vehicle is not parked within ten (10) feet of the edge of the pavement of the street.

    c. The person has filed with the City Secretary a registration of non-conformity applicable to the recreational vehicle within sixty (60) days following the date of the adoption of this Ordinance. However, no non-conformity allowed under this section shall be permitted to continue following conveyance of the lot in question to another person, or following abandonment of the non-conforming use for a period of ninety (90) consecutive days.

    d. A resident who has received a non-conforming wavier from the City under this Section may replace the recreational vehicle with another recreational vehicle.

2. No non-conforming waivers will be granted for any additional recreational vehicles from the effective date of this Ordinance.

3. A recreational vehicle may be parked in violation of this Ordinance for no more than seventy-two (72) hours so that it can be loaded, unloaded, and/or cleaned. However, no recreational vehicle may be parked on a public street or public easement or road right-of-way during this temporary time.

4. The recreational vehicle of a visiting guest may be permitted to park at a residence for no more than seventy-two (72) hours, so long as it is not parked on a public street, road right-of-way, or public easement. The City Secretary may approve a reasonable extension of time of up to two (2) weeks for the parking of a visiting guest's recreational vehicle, upon application by the resident with the City Secretary.

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

6. No recreational vehicle shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot, except for the temporary sleeping of guests or residents not to exceed two (2) consecutive weeks, in a thirty (30) day period.

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

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 affect 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 22 day of April A D 2003.

CITY OF PANORAMA VILLAGE, TEXAS

HOWARD KRAVETZ, Mayor

ATTEST:

LISA EVANS, City Secretary

APPROVED:

LARRY L. FOERSTER, City Attorney