

**Irion County
Commissioners' Court
209 N. Park View Street
PO Box 770
Mertzon, Texas 76941
325-835-4361**

ORDER

On this 19th day of December, 2017 the Commissioners' Court of Irion County, Texas convened in Special Session of said Court, at 209 North Park View St., Mertzon, Texas with the following members present, to wit:

Tom Aiken, Irion County Judge
Tia Paxton, Commissioner Precinct 1
Jeff Davidson, Commissioner Precinct 2
John Nanny, Commissioner Precinct 3
Bill McManus, Commissioner Precinct 4

IT IS HEREBY ORDERED that the following Irion County Infrastructure Requirements for Recreational Vehicle Parks be adopted and shall take effect on this 19th day of December, 2017.



TOM AIKEN, County Judge



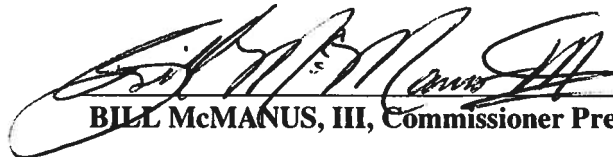
TIA PAXTON, Commissioner Precinct 1



JEFF DAVIDSON, Commissioner Precinct 2

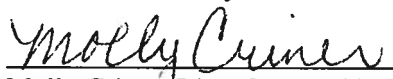


JOHN NANNY, Commissioner Precinct 3



BILL McMANUS, III, Commissioner Precinct 4

Attest this 19th day of December, 2017



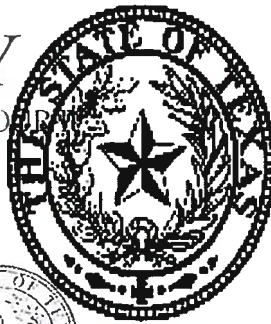
Molly Criner, Irion County Clerk

By: _____
Deputy

COUNTY OF IRION, TEXAS

APPROVED BY

IRION COUNTY COMMISSIONERS' COURT



JUDGE: J.A.
PCT 1:
PCT 2:
PCT 3:
PCT 4:



IRION COUNTY INFRASTRUCTURE REQUIREMENTS FOR RECREATIONAL VEHICLE PARKS

APPROVED BY COMMISSIONERS COURT

EFFECTIVE ON

Dec. 19, 2017

**IRION COUNTY INFRASTRUCTURE
REQUIREMENTS FOR
RECREATIONAL VEHICLE PARKS**

I. PURPOSE

HEALTH AND SAFETY: It is the primary purpose of these Recreational Vehicle Park Requirements to promote the health, safety, morals, or general welfare of the county and the safe, orderly, and healthful development of the unincorporated area of the county. RV Parks present a special need to for regulation due to their transitory nature, the typically very close proximity of the Recreational Vehicles to each other, and the high density of occupation.

II. APPLICABILITY

These Requirements are intended to supplement the Irion County Regulations, Rules, and Specifications for Plats, Roads, Subdivisions and Manufactured Homes. To the extent of any conflict with those prior regulations, these Requirements will apply to Recreational Vehicle Parks in Irion County, Texas. Temporary use of recreational vehicles for lodging of hunting parties while hunting on the property on which the recreational vehicles are located is excepted from these requirements.

III. DEFINITIONS:

CERTIFICATE OF COMPLIANCE: A certificate, from Irion County, that the operator of a Recreational Vehicle Park is in compliance with the Irion County Infrastructure Requirements for Recreational Vehicle Parks.

OPERATOR. The person in charge of managing a recreational vehicle park, either under written or verbal (oral) lease, or any other arrangement whereby he or she exercises control over the premises. The Owner of a recreational vehicle park may also be the Operator.

OWNER. The person who holds title to the land, on which a Recreational Vehicle Park is constructed, or operated.

PERSON. Any natural individual, firm, trust, partnership, association, or corporation.

RECREATIONAL VEHICLE. A vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projections; (3) designed to be self-propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. Includes any of the following:

a) **CAMPING TRAILER.** A folding structure mounted on wheels and designed for travel, recreation, and vacation use.

b) **MOTOR HOME.** A portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.

c) **PICKUP COACH.** A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.

d) **TRAVEL TRAILER.** A vehicular structure built on a chassis with body width not to exceed eight (8) feet and body length less than 46 feet, that structure designed to be transported and intended for human occupancy as a dwelling for short periods of time and containing limited or no

kitchen or bathroom facilities.

RECREATIONAL VEHICLE PARK. Any lot or tract of land designed to accommodate two or more recreational vehicles, as defined, and which exist as a privately owned and operated enterprise with or without charges for the parking of recreational vehicles occupied or intended to be occupied for dwelling or sleeping purposes for any length of time. Hunting camps that are temporary are excluded.

RECREATIONAL VEHICLE SPACE. A plot of land within a recreational vehicle park designed for the accommodation of one recreational vehicle.

IV. RECREATIONAL VEHICLE PARK INFRASTRUCTURE DEVELOPMENT PLAN

(A) The owner of land located in Irion County outside the city limits of a municipality, or outside of the extra territorial jurisdiction of a municipality that regulates recreational vehicle parks in its extra territorial jurisdiction, who intends to use the land for a Recreational Vehicle Park must have an infrastructure development plan prepared that complies with the minimum infrastructure standards that are set out below in Section 5.

(B) Prior to beginning any construction, the owner must submit the six (6) hard copies, and one digital copy in PDF format, of the IDP. along with the items required by these regulations to the Irion County Judge by the close of business on the first (1st) business day of the month for review and consideration for placement on the following month's scheduled Irion County Commissioners' Court meeting agenda.

The Irion County Commissioners' Court will review, and provide a recommendation for, or against, approval. Final approval, or disapproval, is by the Irion County Commissioners Court. Construction may not begin before the plan is approved.

(C) Not later than the 60th day after the date the plan is submitted; the Irion County Commissioners' Court shall approve or reject the plan in writing. If the plan is approved, construction may begin immediately. If the plan is rejected, the written rejection shall specify the reasons for the rejection and the actions required for approval of the plan. The failure to reject a plan within the period prescribed by this subsection constitutes approval of the plan.

(D) The Irion County Commissioners' Court, as well as any other person designated by the Commissioners' Court, may inspect the infrastructure at any reasonable time during construction, and the owner and his agents shall not hinder such inspections.

(E) On completion of construction, the owner shall confirm in writing to the Irion County Commissioners' Court that the infrastructure is complete, and a final inspection must be completed no later than the second business day after the notice is received by the County Judge. If the inspector determines that the infrastructure does not fully comply with the plan, the owner shall be given an opportunity to cure the defects. On completion of curative construction, the owner should request another inspection.

(F) When the inspector determines that the infrastructure complies with the plan, the Commissioners' Court shall issue a Certificate of Compliance not later than the fifth business day after the final inspection is completed.

(G) A utility may not provide utility services, including water, sewer, gas, and electric services, to a

recreational vehicle park or to a recreational vehicle in the community covered by these rules, unless the owner provides the utility with a copy of the Certificate of Compliance.

V. INFRASTRUCTURE REQUIREMENTS

The Infrastructure Development Plan for a Recreational Vehicle Park must include each of the following:

(A) **PLAT:** A PLAT identifying the proposed community's boundaries by metes and bounds and any significant feature of the community, including the proposed location of:

- 1) recreational vehicle spaces, which shall be numbered sequentially,
- 2) utility easements,
- 3) water and wastewater lines
- 4) roads and rights of way which provide access to RV Park from a public road.

(B) **DRAINAGE:** Reasonable specified plans to provide adequate drainage in accordance with standard engineering practices, including specifying necessary drainage culverts and identifying areas included in the special flood hazard area. The placement of any structure within the regulatory floodplain shall be in accordance with the Irion County Floodplain regulations.

(C) **WATER:** Either:

1) **Public Water:** Reasonable specified plans to provide an adequate public or community water supply, including specifying the location of supply lines, in accordance with Subchapter C, chapter 341, Texas Health and Safety Code. If water is to be provided by a utility, a certification by the utility that water is available for each of the planned spaces or lots must be attached to the plan; or,

2) **Private Water:** Certification that adequate groundwater is available for the development. If groundwater is the source of water supply for the development, the developer is required to obtain certification, by a licensed professional engineer (or other professionals designated by State law) registered to practice in Texas, that adequate groundwater is available for the development, according to the certificate form and content as promulgated by the Texas Commission On Environmental Quality (Lack of certification that suitable and adequate groundwater is available is grounds for denial of plat approval, if groundwater is the proposed source of water). The certification document shall be recorded as part of the dedication instrument and a note shall be placed on the plat that groundwater is to be the source of water.

(D) **POWER:** A letter from the local electrical utility, and natural gas utility, if natural gas connections will be furnished, that sufficient service for all recreational vehicle spaces is available.

(E) **SEWAGE:** Either:

(1) **PUBLIC SEWAGE:** Reasonably specified plans to provide access to sanitary sewer lines, including specifying the location of sanitary sewer lines. If sewage treatment is to be provided by a utility, a certification by the utility that service for each of the planned spaces or lots is available must be attached to the plan. If the sewage is to be treated in some other way, approval by the relevant government agency that is to license or inspect the treatment facilities must be attached; or

2) **PRIVATE SEWAGE:** Reasonably specified plans for providing on-site sewage facilities in accordance with Chapter 366, Texas Health and Safety Code if estimated sewage flow does not exceed 5,000 gallons per day (gpd). These plans must meet minimum standards established under Chapter 285.4 of the OSSF rules and Irion County Public Health District local order. Approval by the Irion County Public Health District-Environmental Health Division must be attached to the plan.

(3) **TCEQ APPROVAL:** Reasonably specified plans for providing sewage treatment and disposal under Chapter 26 of the Texas Water Code if estimated flow exceeds 5,000 gallons per day, at an estimated minimum of 50 gallons per day per recreational vehicle site. Approval by Texas Commission on Environmental Quality must be attached to the plan.

(F) **ROADS:** Reasonably specified plans for streets or roads in the Recreational Vehicle Park to provide ingress and egress for fire and emergency vehicles, providing, at a minimum, that:

1) Rights of way serving as access to RVP shall be at least 30 feet wide and must be free of restrictions and obstructions such as fence posts, gates, trees or any other impediment to the free passage of emergency vehicles and any oncoming traffic they may encounter including a Recreational Vehicle either arriving or leaving the Recreational Vehicle Park. In all cases, emergency vehicles must be able to pass unobstructed from the public road which serves as the access means of the Recreational Vehicle Park all the way to the Recreational Vehicle Park unobstructed by traffic in the same or opposite direction. Once in the Recreational Vehicle Park, any emergency vehicle must be able access each Recreational Vehicle unit without obstruction.

2) The improved surface of two-way roads shall be at least 20 feet wide.

3) Roads shall be designed, constructed and maintained so as to be passable to recreational vehicles, or emergency vehicles, at all times, in all weather. Primary access roads shall either be paved or constructed with crushed stone base of sufficient depth and raised to allow water to run off and not accumulate on road surface or cause rutting in wet weather. These road design features shall be in accordance with standard engineering practices.

4) The entrance to the park shall be designed to minimize congestion and hazards and allow free movement of traffic on adjacent streets.

(G) **SET BACKS:** Building Set Backs, including any part of a recreational vehicle parked on a recreational vehicle space, shall be:

1) Not less than 25 feet from a public right of way,

2) Not less than 15 feet from a property line,

3) Not less than 15 feet from an internal road,

4) Not less than 10 feet between each recreational vehicle, with slide outs extended.

(H) **RECREATIONAL VEHICLE SPACES:** Each recreational vehicle space shall:

1) Afford parking and maneuvering space sufficient so that the parking, loading, and the like, of recreational vehicles shall not necessitate the use of any public right-of-way or privately owned property which may abut the park.

2) If provided with electrical service, be so served through an underground distribution system.

3) Include a hardened area of not less than 12 feet by 40 feet, improved with compacted crushed road base material, adequate to support the weight of the recreational vehicle, so as to not heave, shift, or settle unevenly under the weight of the recreational vehicle due to frost action, inadequate drainage, vibration or other forces acting on the structure.

(I) **GARBAGE**: Each recreational vehicle park shall provide one fly tight, watertight, rodent proof three (3) cubic yard (yd³) dumpster for the first eight (8) recreational vehicle spaces, and one (1) additional dumpster of the same size for each eight (8) additional recreational vehicle spaces, or fraction thereof.

(J) **UTILITIES BURIED**: All water, sewage, gas and electrical lines servicing recreational vehicle spaces, or services buildings, shall be buried.

(K) **IDENTITY OF OPERATOR**: The Operator will identify its self by name, address and telephone number. The Operator has a continuing obligation to keep the Irion County Commissioners' Court informed, in writing, of any changes in this information.

(L) **VARIANCES**: Commissioners' Court may grant a variance when strict application of these standards would work an unusual hardship.

1) A written request for a variance, setting out exactly what variance is sought, and in what way complying with these rules would be a an unusual hardship, must be submitted to the Irion County Commissioners' Court **before** the infrastructure development plan application is filed. An application for a variance request shall be deemed to be complete when all of the materials and fees are delivered to the Irion County Judge's Office by the fifteenth (15th) day of the month for review and consideration for placement on the following month's scheduled Irion County Commissioners' Court meeting agenda.

2) Commissioners Court will make the final decision about the variance.

3) After Commissioners Court makes its decision, the Operator may, within one year after the date the variance is allowed by Commissioners Court, file an application, and Infrastructure Development Plan, that includes the variance allowed by Commissioners Court.

4) The Operator will not file an application, and Infrastructure Development Plan, that is contingent upon the allowance of a variance that has not already been before the Commissioners Court.

5) A variance expires one calendar year after it is granted, if no Infrastructure Development Plan, that includes the variance allowed by the Commissioners Court, is filed with the proper office, and with all fees.

(M) **RECOMENDATION FOR APPROVAL, OR DISAPPROVAL, AND ISSUANCE OF A CERTIFICATE OF COMPLIANCE**: The Irion County Commissioners' Court will review the materials submitted by the Operator.

(N) **ISSUANCE, OR REFUSAL, OF CERTIFICATE OF COMPLIANCE**: The Commissioners' Court will make the final decision to issue, or not issue, a certificate of compliance.

VI. RECREATIONAL VEHICLE PARK REGULATIONS.

The regulations described herein govern the development, operation, and maintenance of recreational vehicle parks, as previously defined.

(A) DEVELOPMENT AND OPERATION OF RECREATIONAL VEHICLE PARK:

Recreational vehicle parks shall be developed, and operated, to conform to those requirements:

- 1) The Operator shall mark with a sign each recreational vehicle space, with its number, taken from the Survey.
- 2) The characters on each recreational vehicle space sign shall be: reflective, at least 3 inches high, and plainly visible from the road.
- 3) The Operator shall maintain each recreational vehicle space sign, and shall not allow it to be obscured by weeds, vehicles, or anything else.
- 4) The Operator shall display the name of the Recreational Vehicle Park with a sign.
- 5) The Operator shall maintain the Recreational Vehicle Park sign, each recreational vehicle space sign, and shall not allow them to be obscured by weeds, vehicles, or anything else.
- 6) The Operator shall keep all internal roadways clear of obstructions, including parked vehicles, at all times.
- 7) The Operator shall require that water discharged in the Recreational Vehicle Park, by a recreational vehicle, except air conditioning condensation, flow into the sewage system.
- 8) The Operator shall not allow the waste tanks of a recreational vehicle to be flushed in the Recreational Vehicle Park unless the flush water flows into the sewage system, or into a holding tank the contents of which are removed in compliance with State law and regulations. Furthermore, the Operator shall not allow water hoses connected to the fresh water supply to come into contact with wastewater in holding tanks of Recreational Vehicles or any other wastewater on the Recreational Vehicle Park premises.
- 9) The Operator shall keep the area around the dumpsters, and garbage receptacles, clean at all times.
- 10) The Operator shall have the dumpsters, and garbage receptacles emptied when full, or when they become a nuisance.
- 11) The Operator shall not allow, or engage in, any burning of garbage, or other disposal of garbage, except into the dumpsters. For the purposes of this section, dry materials that have been segregated, and stored in a sanitary manner, for recycling, shall not be considered garbage.

VII. OTHER REGULATIONS:

Persons developing Recreational Vehicle Parks should be aware that this order is not the exclusive law or regulation controlling development in Irion County. The following is only a partial list of regulations that may apply.

(A) Recreational Vehicle Parks are subject to Irion County Subdivision Regulations. All Recreational Vehicle Parks within the Extra Territorial Jurisdiction (E.T.J.) of an incorporated city may also be subject to city regulations, or as per any mutually (County-City) agreed upon regulations as approved and accepted under an interlocal cooperation agreement.

(B) All Recreational Vehicle Parks are subject to regulations of general applicability, including public health nuisances under Chapter 341 and 343 of the Texas Health and Safety Code. The developer must address solid waste disposal, rodent/insect harboring, fly breeding and improper water disposal in accordance with these Chapters.

(C) Other agencies with regulatory authority that may apply to a Recreational Vehicle Park include, but are not limited to, several Emergency Services Districts, the Texas Commission on Environmental Quality, the Public Utilities Commission, the United States Parks and Wildlife Service, the Environmental Protection Agency and the U.S. Army Corporation of Engineers. Issuance of a Certificate of Compliance under this order does not indicate compliance with any of these requirements.

VIII. FEES

Fees for permits, license and transfers, as established by Irion County, are payable to "Irion County." The fees are:

\$500.00, plus \$10.00 per lot/space, for initial application for a Certificate of Compliance.

\$250.00 for application for reinstatement of a Certificate of Compliance.

\$100.00 for application for Variance Request

IX. SUSPENSION OF CERTIFICATE OF COMPLIANCE

(A) **CONTINUED COMPLIANCE** The owner or operator of a RVP shall verify annually the continued compliance with these requirements by filing an affidavit with the Irion County Clerk. The annual period shall begin upon issuance of the Certificate of Compliance.

(B) **SUSPENSION FOR NONCOMPLIANCE** The operator of a Recreational Vehicle Park that is not in compliance with the Irion County Infrastructure Requirements for Recreational Vehicle Parks, may have its Certificate of Compliance suspended.

(C) NOTICE OF NONCOMPLIANCE

1) The Irion County Commissioners' Court shall send written notice, by hand delivery, or certified mail, to the operator at the address on file, or to the on-site office of the Recreational Vehicle Park, informing the operator of the non-compliance.

2) The operator shall have three business days, after receipt of the notice, if hand delivered, or six business days after mailing of the notice, if mailed, to either bring the Recreational Vehicle Park into compliance with these rules, or present a written plan to the Irion County Commissioners' Court, to bring the Recreational Vehicle Park into compliance with these rules.

3) If the operator neither brings the Recreational Vehicle Park into compliance with these

rules, within three business days, nor presents a written plan to the Irion County Commissioners' Court to bring the Recreational Vehicle Park into compliance with these rules, the Certificate of Compliance of the Recreational Vehicle Park is suspended.

(B) APPROVAL OR REJECTION OF WRITTEN COMPLIANCE PLAN

1) If the operator presents a written plan to the Irion County Commissioners' Court within the time period specified above, that office may approve it, with or without changes made by operator, or refuse to approve it.

2) If the Irion County Commissioners' Court does not approve the written plan, the Irion County Commissioners Court may, at a meeting, suspend the Certificate of Compliance of the Recreational Vehicle Park.

(C) REINSTATEMENT OF CERTIFICATE OF COMPLIANCE

1) If a Certificate of Compliance has been suspended for less than 90 days, the Operator may file with the Irion County Commissioners' Court a written plan to bring the Recreational Vehicle Park into compliance with all applicable rules.

2) The Irion County Commissioners Court will consider the plan, and make the final decision to reinstate, or not reinstate, the Certificate of Compliance.

3) If a Certificate of Compliance has been suspended for more than 90 days, the Operator must file a new Infrastructure Development Plan, with the Irion County Commissioners' Court.

X. ENFORCEMENT AND PENALTIES:

CATEGORY OF OFFENSE A person commits an offense if the person knowingly or intentionally violates a requirement of these regulations, including the Road Design and Construction Specifications incorporated into these regulations. An offense under this provision is a Class B Misdemeanor.

ENFORCEMENT ACTIONS At the request of the Commissioner's Court, the county attorney or other prosecuting attorney for the County may file an action in a Court of competent jurisdiction to:

a) Enjoin the violation or threatened violation of a requirement established by, or adopted by the Commissioner's Court under a preceding section of this chapter (Local Government Code Chapter 232);

b) Recover damages in an amount adequate for the county to undertake any construction or other activity necessary to bring about compliance with a requirement established by, or adopted by the Commissioner's Court under a preceding section of the chapter (Local Government Code Chapter 232).

EXISTING SUBDIVISIONS

Lawful subdivisions of land that are in current operation and that may be affected by these regulations will be permitted to continue operations in their current locations as long as they are not enlarged or expanded.

XI. SEVERABILITY

Should any portion of these rules be found, or held, to be illegal, unenforceable, or void, the remainder of these rules shall remain in full force and effect.