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ORDINANCE NO. 199

WASHINGTON CO AR
B. STAMPS

AN ORDINANCE TO AMEND TITLE 14, ZONING, TO AMEND CHAPTER 4.12 ZONING DISTRICTS, AND TO ADD CHAPTER 14.26 RECREATIONAL VEHICLE PARKS TO TITLE 14 OF THE GREENLAND MUNICIPAL CODE (AS HEREINAFTER SPECIFIED) AND FOR OTHER PURPOSES.

WHEREAS, the City of Greenland Planning Commission has reviewed and studied the need for regulations covering Recreational Vehicle Parks and their operation within the City.

WHEREAS, the existing code has no provisions to provide guidance to City personnel, the Planning Commission or citizens in regard to Recreational Vehicle Parks.

WHEREAS, the following amendment/addition is the best solution to amend and add to the existing Municipal Code to bring it into conformity with the needs of the City.

BE IT ORDAINED BY THE CITY COUNCIL OF GREENLAND, ARKANSAS, as follows:

SECTION 1: That Title 14, Zoning of the Greenland Municipal Code as to the Chapters within such Title is hereby amended effective with the date of passage of this Ordinance to read as hereinafter set forth.

SECTION 2: That Chapter 4.12 Zoning Districts, Subsection 14.12.01 R-2 Medium Density Residential, paragraph B. Conditional Uses: is hereby amended to read as follows:

“B. Conditional Uses: Mobile Houses, Mobile Home Parks, and Recreational Vehicle Parks subject to the provisions of Section 14.16 of this Ordinance”

SECTION 3: That Title 14, Zoning of the Greenland Municipal Code is hereby amended effective with the date of passage of this Ordinance to add Chapter 14.26, Recreational Vehicle Parks as hereinafter set forth.

PASSED AND APPROVED THIS 8 day of October, 2001

Patsy Cox
PATSY COX, Mayor

Donna Cheevers
DONNA CHEEVERS, Recorder/Treasurer

2001128499
Notary Public Seal: Patricia L. Watkins, Notary Public, Washington County, Arkansas, My Comm. Exp. 01-26-10

Subscribed and sworn to before me this 8th day of October, 2001
PATRICIA L. WATKINS
NOTARY PUBLIC
WASHINGTON COUNTY
My Comm. Exp. 01-26-10

Title 14

ZONING

Chapters:

- 14.04 Zoning in General
- 14.08 Districts and Regulations
- 14.12 Zoning Districts
- 14.16 General Regulations
- 14.20 Mobile Homes
- 14.24 Mobile Home Parks
- 14.26 Recreational Vehicle Parks
- 14.28 Board of Adjustment
- 14.32 Enforcement
- 14.36 Definitions
- 14.40 Flood Damage

Chapter 14.07

ZONING IN GENERAL

Sections:

- 14.04.01 Authority
- 14.04.02 Purpose
- 14.04.03 Planning Commission
- 14.04.04 Intent
- 14.04.05 Districts
- 14.04.06 Zoning Map

14.04.01 Authority Act 186 of 1957 of the General Assembly of the State of Arkansas, as amended, empowers municipalities to enact zoning ordinances and to provide for its administration, enforcement and amendment. (Ord. No. 93)

14.04.02 Purpose The City Council of the City of Greenland, Arkansas, deems it necessary, for the purpose of promoting the health, safety, morals and general welfare of the City, to enact a zoning ordinance. (Ord. No. 93)

14.04.03 Planning Commission The City Council, pursuant to the provisions of Act 186 of 1957 of the General Assembly, as amended, has established a Planning Commission which Planning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with the general plan for land use. (Ord. No. 93)

RECREATIONAL VEHICLE PARKS

Sections:

- 14.26.01 Definitions
- 14.26.02 Development Requirements
- 14.26.03 Design Standards
- 14.26.04 Existing Recreational Vehicle Parks
- 14.26.05 Operator's Permit
- 14.26.06 Building Permits
- 14.26.07 Authority of Health Officer
- 14.26.08 Duty of Owners and Occupants
- 14.26.09 Police and Fire Departments
- 14.26.10 Penalty for Violation
- 14.26.11 Notice for Violation
- 14.26.12 Appeal of Notice
- 14.26.13 Appeal of Decision

14.26.01 Definitions For the purpose of this ordinance, the following words and phrases shall have the meaning ascribed to them in this section:

Accessory Structures: Means any structural addition to the recreational vehicle such as awnings, cabanas, carports, Florida rooms, porches, patio covers, and similar additions.

Accessory Community Structure: Means a structure or a portion of a structure for a commercial use that is located in a recreational vehicle park and which is intended solely for the convenience of the residents or occupants of the recreational vehicle park.

Building Permit: Means a written permit issued by the enforcement officer permitting construction, erection, alteration, remodeling or repairing of a recreational vehicle park.

Community Storage Structure: Is a structure located in a recreational vehicle park for the convenience of the residents to provide storage space for often used outdoor equipment, furniture, tools and other items which cannot be conveniently stored in the typical recreational vehicle.

Dependent Recreational Vehicle: Means a recreational vehicle which does not have a flush toilet and a bath or shower.

Enforcement Officer: Means the Building Inspector designated by the City Council, City

of Greenland, Arkansas, or his authorized representative.

Health Officer: Means the county sanitarian or his authorized representative.

Independent Recreational Vehicle: Means a recreational vehicle which has a flush toilet and a bath or shower.

Recreational Vehicle: Means any trailer or motor home intended for or capable of temporary camping/occupancy.

Recreational Vehicle Park: Means any park, court, site, parcel or tract of land designed, maintained, intended or used for the purpose of supplying a location or accommodations for two (2) or more recreational vehicles and shall include all buildings used or intended for use as part of the equipment thereof, whether or not a charge is made for the use of the court and its facilities.

Recreational Vehicle Pad: Means that part of an individual recreational vehicle lot which has been reserved for the placement of a recreational vehicle.

Recreational Vehicle Lot: Means a plot of ground or a lot in a recreational vehicle park designed for the location for only one (1) recreational vehicle.

Operator's Permit: Means a written permit issued by the Enforcement Officer permitting the recreational vehicle park to operate under this ordinance and regulations promulgated thereunder.

Person: Mean any individual, firm, partnership, corporation, company or association.

Service Building: Means a building housing toilet and bathing facilities for men and women, including facilities for the handicapped, with laundry facilities and such other facilities as may be required by this ordinance.

14.26.02 Development Requirements

1. Prior to development of a recreational vehicle park (or extensively remodeling an existing recreational vehicle park), the developer shall be required to submit to the Planning Commission of the City of Greenland, Arkansas, for review and approval an official plat of the proposed recreational vehicle park. Said official plat, when approved by the Planning Commission, shall be recorded by the Recorder/Treasurer in the office of the Circuit Clerk and Ex-officio Recorder.

2. The official plat shall indicate all interior and adjacent exterior streets and said streets shall be subject to the following:

a. The location and width of all streets shall be subject to the city Master

- b. All streets shall be paved and constructed so as to meet and comply with the minimum street design standards and specifications of the City of Greenland, Arkansas, ordinance in effect at the time of development. However, curbing and guttering shall not be required.

14.26.03 Design Standards

1. The minimum site for a recreational vehicle park development shall be no less than one 1) acre nor more than three (3) acres.
2. The recreational vehicle park shall be located on a well-drained site and shall be located so that its drainage will not endanger any water supply. All recreational vehicle parks shall be in areas free from marshes, swamps or other potential breeding places for insects or rodents.
3. The minimum recreational vehicle lot shall:
 - a. Contain a minimum of twenty-five hundred (2,500) square feet of area.
 - b. Provide for a hard-surface, off-the-street parking area for two (2) vehicles.
4. The recreational vehicle pads in a recreational vehicle park shall be located on the recreational vehicle lot and designed in such a way that:
 - a. Recreational vehicles, including any attachment thereto, shall be separated from each other by at least twenty (20) feet.
 - b. Recreational vehicles, shall be located at least ten (10) feet from any exterior boundaries of the recreational vehicle park adjacent to private property.
 - c. Recreational vehicles shall be located at least twenty-five (25) feet from any public street.
5. Whenever the external boundaries of a recreational vehicle park abuts residential property or a city street or highway, there shall be provided in such park, along the common boundary line, a screening wall.
6. Structures placed in a recreational vehicle park shall be for the exclusive use of recreational vehicle park tenants.

- a. Every park shall provide community sanitary facilities in a community building to be located in the park with the following emergency sanitary facilities:

For each ten (10) recreational vehicle lots or fractional part thereof, there shall be one (1) handicapped accessible/usable flush toilet and one (1) handicapped accessible/usable lavatory for each sex.

2. The building containing such emergency sanitary facilities shall be accessible to all recreational vehicles.

- b. Temporary or permanent tents or tent-like structures are prohibited in recreational vehicle parks.

7. An accessible, adequate, safe and potable water supply shall be provided for each recreational vehicle park capable of furnishing a minimum of one hundred fifty (150) gallons per day for each recreational vehicle space.

- a. Where a public supply of water is available, connection shall be made thereto and its supply shall be used exclusively.
- b. All water piping shall be constructed and maintained in accordance with state and local law; the water piping system shall not be connected with non-potable or questionable water supplies and shall be protected against the hazards of backflow or back-siphonage.
- c. Where drinking fountains are provided for public use, they shall be of a type approved by the State Board of Health and in locations approved by the enforcement officer.
- d. Individual water-service connections which are provided for direct use by recreational vehicles shall be so constructed that they will not be damaged by the parking of such recreational vehicles.

8. The minimum electric service and exterior lighting shall be:

- a. An electrical outlet supplying at least one hundred fifteen (115) volts shall be provided for each recreational vehicle space. The installation shall comply with all applicable state and local electrical codes and ordinances. Such electrical outlets shall be grounded and weatherproofed. No power supply lines to the recreational vehicle space shall be permitted to lie on the ground or be suspended less than ten (10) feet above the ground. No power supply line in a recreational vehicle park shall be suspended less than

fifteen (15) feet over any driveway.

- b. The point of the electrical connections for the recreational vehicle should be within the area of the recreational vehicle pad and approximately forty (40) feet from the front of the stand.
- c. All exposed noncurrent-carrying metal parts of the recreational vehicle and equipment shall be grounded by means of an approved grounding system. The neutral conductor shall not be used as an equipment ground for recreational vehicles or other equipment.
- d. Adequate public lighting shall be provided for all streets, walkways, building and other facilities subject to nighttime use in all recreational vehicles parks.

9. All piping from outside fuel storage tanks or cylinders to recreational vehicles shall be rigid iron pipe or AGA or UL labeled flexible tubing, permanently installed, and securely fastened in place in such a manner as to exclude the possibility of damage by physical contact. All fuel storage tanks or cylinders shall be securely fastened in place and shall not be located inside or beneath the recreational vehicle or less than five (5) feet from any recreational vehicle exit and shall be located and secured in such a manner as to not be susceptible to damage by physical contact.

10. The recreational vehicle park area shall be subject to the fire prevention rules and regulations of the City of Greenland, Arkansas.

- a. Recreational vehicle park areas shall be kept free of litter, rubbish and other flammable materials.
- b. Portable fire extinguishers of a type prescribed by city ordinance shall be kept in service buildings and shall be maintained in good operating condition.

11. All plumbing in the recreational vehicle park shall comply with state and local plumbing laws and regulations.

12. Recreational vehicle park operators shall not allow occupancy of one (1) or more recreational vehicle lots within the recreational vehicle park by a recreational vehicle or its occupants for more than six (6) months in any twelve (12) month period.

14.26.04 Existing recreational vehicle parks. Recreational vehicle parks that are in existence on the effective date of this ordinance but which are not operating in conformity with any and all provisions of this ordinance may continue to so operate subject to the requirements of

this ordinance as contained in Section 14.26.03 subsections 7, 8, 9 10 and 11, and further subject to the zoning, health, safety, plumbing, electrical and fire prevention laws, ordinances and regulations of the City of Greenland and the State of Arkansas. Furthermore, existing Recreational Vehicle Parks shall enforce the provisions of subsection 12 of Section 14.26.03 as to all recreational vehicles and occupants who move in or take up occupancy after the effective date of this Ordinance.

14.26.05 Operator's permit. It shall be unlawful for any person to operate any recreational vehicle park within the limits of the City of Greenland, Arkansas, unless he or she holds a valid operator's permit issued by the Planning Commission in the name of such persons for the specific recreational vehicle park.

1. All applications for permits shall be made to the enforcement officer, who shall issue such permit to be valid for a period of one (1) year, then renewable annually, upon compliance by the applicant with any and all provisions of this ordinance and any and all regulations adopted pursuant thereto and of any other applicable legal requirements. No permits shall be transferable. Every person holding such a permit shall give notice in writing to the enforcement officer within twenty-four (24) hours after having sold, transferred, given away, or otherwise disposed of operator's right to the control of the recreational vehicle park for which such permit was issued and any such permit shall then and there expire and immediately be null and void. Such notice shall include the name and address of the person succeeding to the control of the recreational vehicle park. No successor to the right to operate said recreational vehicle park may commence operations until he or she has been issued a valid permit as herein required.

2. Applications for recreational vehicle park operator's permits shall be in writing, signed by the applicant, and accompanied by an affidavit of the applicant as to the truth of the statement and facts set forth in the application and shall contain the following:

- a. The name and address of the applicant.
- b. The interest of the applicant in and the location of the recreational vehicle park.

3. Applications for renewal of recreational vehicle park operator's permits shall be made in writing by the holder of the permit and shall contain the following:

- a. Any change in the information submitted since the time the original permit was issued or the latest renewal granted.
- b. Such other information as the enforcement officer may require.

4. Any person whose application for a permit under this article has been denied may request and shall be granted a hearing on the matter before the City Council.

14.26.06 Building permits. Applications for building permits for recreational vehicle parks shall be in writing, signed by the applicant and accompanied by an affidavit of the applicant as to the truth of the statements and facts set forth in the application and shall contain the following:

1. A complete plan of the recreational vehicle park containing the legal description, showing compliance with all applicable provisions of this ordinance and regulations promulgated thereunder.

2. A complete plan, for the purpose of obtaining a building permit, shall show:

- a. The area and dimensions of the tract of land.
- b. The number, location and size of all recreational vehicle lots.
- c. The location and width of roadways and walkways.
- d. The location of service buildings and any other proposed structures.
- e. The location of water and sewer lines.
- f. Plans and specifications of all buildings and other improvements constructed or to be constructed within the recreational vehicle park pursuant to such application.

3. Before issuance of a building permit, all such plans and specifications for recreational vehicle parks must be reviewed and approved by the Planning Commission and by the Arkansas State Board of Health.

14.26.07 Authority of Health Officer. The Health Officer shall have the power and authority to enter at reasonable times upon any recreational vehicle park for the purpose of inspecting and investigating conditions relating to the enforcement of this ordinance or of regulations promulgated thereunder.

14.26.08 Utility Connections. The recreational vehicle park operator is to see that all utility connections are installed in accordance with the ordinances of the City of Greenland, Arkansas.

14.26.09 Police and fire departments. The police and fire departments shall, in the course of their duties, have free and complete access to all recreational vehicle parks for the purpose of inspection, patrol and enforcement of fire and police regulations.

14.26.10 Penalty for violation. Any person who violates any provision of this ordinance shall, upon conviction thereof, be punished by a fine of not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) and each day's failure to comply with any such

provision shall constitute a separate violation.

14.26.11 Notice of violation. Whenever the enforcement officer determines that there are reasonable grounds to believe that there has been a violation of any provision of this ordinance, he shall give notice of such violation to the owner of the recreational vehicle park and to the person to whom the operator's permit was issued. Such notice shall:

1. Be in writing.
2. Include a statement of the reason for its issuance.
3. Allow a reasonable time for the performance of any act it requires.
4. Be served upon the owner and the operator; provided that such notice or order shall be deemed to have been properly served upon such owner or operator when a copy thereof has been sent by certified mail to their last known address or when they have been served with such notice by any other method authorized or required by the laws of the State of Arkansas.
5. Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this ordinance.

14.26.12 Appeal of notice. Any person affected by any notice which has been issued in connection with the enforcement of any provision of this ordinance may request and shall be granted a hearing on the matter before the Planning Commission. Such person must file in the office of the Recorder/Treasurer a written petition requesting such hearing within ten (10) days after the notice was served. The filing of the request for hearing shall operate as a stay of the notice.

14.26.13 Appeal of decision. Any person aggrieved by the decision of the Planning Commission may seek relief from the City Council and thereafter in any court of competent jurisdiction as provided by the laws of the State of Arkansas.