

ORDINANCE NO. 2006

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 13, SECTION 13.9.01 OF THE CODE OF THE CITY OF MESQUITE BY ESTABLISHING CERTAIN REGULATIONS FOR THE PARKING OF RECREATIONAL VEHICLES; BY ADOPTING CERTAIN DEFINITIONS; BY REGULATING THE PARKING OF MOBILE HOMES; BY PROHIBITING OCCUPANCY OF MOBILE HOMES; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That Chapter 13, Section 13.9.01 of the Code of the City of Mesquite, "Mobile Homes and Recreational Vehicles" is hereby amended to read as follows, in all other respects said Chapter and Code to remain in full force and effect:

Sec. 13-9.01. Mobile homes and recreational vehicles.

(A) Definitions. For the purpose of this section the following definitions are adopted:

- (1) "Mobile home". A vehicular, portable structure capable of being transported over the highways and containing sleeping accommodations and exceeding thirty-five (35) feet in length. Such term may be used interchangeably with the term, "trailer house".
- (2) "Recreational vehicle". A vehicular, portable structure designed to be transported over the highways and containing living or sleeping accommodations, such structure being designed and actually used as a temporary dwelling during travel for recreation and pleasure purposes, and not exceeding thirty-five (35) feet in length. Any portable, vehicular structure with living or sleeping accommodations in excess of the length and width herein, regardless of the design and the use thereof, for the purpose of this section shall be classed as a mobile home. The term "recreational vehicle" may include the terms "travel trailer", "camper", "motor home", or any other term given such vehicle if same is within the definition herein.

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In order to effect the intent of this section, the classification of recreational vehicle is further classified as class I recreational vehicle and class II recreational vehicle:

- (a) Class I recreational vehicle. A recreational vehicle as defined herein but not in excess of twenty-two (22) feet in length, including campers designed for transportation on a pickup truck if not in excess of such length including the vehicle.
 - (b) Class II recreational vehicle. A recreational vehicle as defined herein but exceeding twenty-two (22) feet in length.
- (3) Length. That distance from end to end of the vehicle, not including the tow bar for connection to another vehicle.
- (B) Mobile Homes Prohibited. It shall be unlawful to place, park or maintain any mobil home, as defined herein, on any street, alley, lot, tract or parcel of land in the city for a period in excess of twenty-four (24) hours, except in a mobile home park or authorized mobile home storage area as authorized and permitted under the provisions of the comprehensive zoning ordinance.
- (C) When recreational vehicles allowed. Recreational vehicles shall be allowed under the following conditions:
- (1) Class I recreational vehicles. A class I recreational vehicle may be parked in the driveway or in front of the building line on a paved surface but must not block the sidewalk area.
 - (2) Class II recreational vehicle. A class II recreational vehicle may be parked behind the setback or building line and not within five (5) feet of any main building, and not otherwise.
- (D) Hardship variance. An owner of an over length unit in excess of permitted length not entitled to non-conforming status may make application to the board of adjustment for nonconforming status as in other cases; provided, however that any variance granted on the basis of hardship shall be limited to one year.

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(E) Occupancy prohibited. Recreational vehicles and mobile homes shall not be occupied while in the city and shall not be connected to public or private utilities except when located in an approved mobile home park.

SECTION 2. It shall be an affirmative defense that any excess of length not exceeding thirty-five (35) feet is in a location more than thirty (30) feet from the front or side street right of way line so that no more than twenty-two (22) feet of a recreational vehicle is within the front thirty (30) feet of the front or side yard when the vehicle is parked on a line perpendicular to the front street right of way line or in any position in the side yard and providing that the parking of said vehicle otherwise is in compliance with this ordinance.

SECTION 3. This ordinance and the ordinance regulating the parking of vehicles in the front yard generally shall be read and construed together in para materia and the provisions relating to paved and improved surfaces for the parking of vehicles generally shall likewise apply to the parking of recreational vehicles and variances granted under this ordinance shall be deemed to be applicable to the regulation of recreational vehicles under both ordinances unless said variance provisions shall be expressly negated.

SECTION 4. Should any word, phrase, sentence, paragraph or section of this ordinance be held to be invalid or unconstitutional the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 5. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1973, of the City of Mesquite, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 12th day of March, A.D., 1984.

Mrs. Brunhilde Nystrom
Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:

Lynn Prugel
Lynn Prugel
City Secretary

Elland Archer
City Attorney

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