

ORDINANCE 07-2023

CITY OF DIAMOND CITY, BOONE COUNTY, ARKANSAS

**AN ORDINANCE TO AMEND OR REPEAL ORDINANCE 9-03 AND 09-2013 REGARDING THE PLACEMENT AND REQUIREMENTS OF A RECREATIONAL VEHICLE BY THE PLANNING AND ZONING COMMISSION OF DIAMOND CITY.**

**WHEREAS:** The Diamond City Planning and Zoning commission held a public hearing on August 17<sup>th</sup>, 2023. After thorough consideration and of comments and views expressed by all interested parties approved to Amend the previous Ordinances and recommended to the city council for review and approval and adoption.

**WHEREAS:** The language and restriction of the use of Recreational Vehicles and other non-permanent structures for residential purposes and the parking of recreational vehicles needs to be amended to better clarify the intent of City Council and the City of Diamond City.

**WHEREAS:** It is beneficial to the citizens of the City of Diamond City that this is a clear, explicit, ordinance and accurately reflects state and local laws. Protecting the public needs and expectations of the Citizens of Diamond City in the creation and regulation of an RV Park.

**BE IT ORDAINED BY THE CITY COUNCIL OF DIAMOND CITY, ARKANSAS:**

**SECTION 1**

**Definitions:** The following Definitions are duly adopted and endorsed by the Arkansas State Board of health pursuant to the authority expressed conferred by the Laws of the State of Arkansas, including without limitation Act 96 of 1913 (Ark. Code Ann. 20-7-109

- A) Service building:** A structure housing toilet, lavatory and other facilities that are necessary to adequately serve park occupants If more than 1- 15 RV spots are in 1 RV Park, a building or structure designed to house toilets, lavatory and other facilities that are necessary to adequately serve the park occupants. Existing RV Parks as of January 2024 will be grandfathered in for a period of 1 year, then they will have to comply to the ordinance. If they sale the property, the new owners will not be grandfathered in.
- B) Sanitary Station:** A facility used for removal and disposing of waste from recreational vehicles approved by the Arkansas Health Department if the site has 15 or more rental spaces.
- C) Service Water:** A sanitary station water supply for the wash down of sewer holding tanks that is equipped with a backflow prevention device, air gap supply line and drain to the sewer disposal system. Existing RV parks as of January 2024 will be grandfathered in for a period of 1 year to comply with the ordinance. If the property is sold the new owner will not be grandfathered in.
- D) Sewer:** all waste discharging from sanitary conveniences and plumbing fixtures of a domestic nature, exclusive of industrial and commercial waste.

- E) **Sewer Connections:** the connection consisting of all pipes, fittings and appurtenance from the drain outlet of the trailer/ RV to the inlet of the corresponding sewer riser pipe of the sewer system serving the RV Park.
- F) **Sewer Riser Pipe:** That portion of the sewer line which extends vertically to the ground elevation and terminates at each RV space.
- G) **Individual Water Risers' Pipes and Connections:** Individual water risers shall be located within the confined area of the RV space where it is in a vertical position. Water riser pipes shall extend at least four (4") above ground elevation. Water outlet to be capped when not in use. Adequate provision shall be made to prevent the freezing of service lines, valves, and riser pipes. A shut off valve below the frost line shall be provided near.
- H) **Water Station:** A facility for supplying the water storage tanks of recreational vehicles with portable water.
- I) **Water Supply:** An adequate supply of water under pressure which meets the requirements of the Arkansas State Board of Health Water Standards shall be provided in each RV.
- J) **Wastewater:** Any sewer containing animal or vegetable material in suspension or solution, including but not limited to waste from toilets, kitchen sinks, lavatories, washing machines and plumbing fixtures.
- K) **Electrical Distribution System:** Should consist of approved fixtures and equipment, appurtenances should be installed and maintained in accordance with the National Electrical code.
- L) **Recreational Vehicles:**
  - 1) **Travel Trailer** is a portable vehicular structure built on a chassis designed for a temporary dwelling for travel and recreation. Defined by manufacture of the trailer and factory equipped for the road.
  - 2) **Motor Home** is a self-powered enclosed recreational vehicle dually used as a vehicle and a temporary dwelling Self-contained which can operate independent of connections to sewer, water, electrical systems.
  - 3) **Dependent recreational** vehicle that is dependent upon a service building for toilet and lavatory facilities.
  - 4) **Pick-up coach** is a structure designed to be mounted on a truck chassis for use as a temporary or full-time dwelling.
  - 5) **Self- Contained Recreational** Vehicle is a RV that can operate independent of connections to sewer, water, and electrical systems. Contains water flush toilet, lavatory, shower, and kitchen sink, all of which are connected to water storage and sewage holding tanks located in the RV.
- M) **Recreational Vehicles** are factory built on a single chassis with one or more axles that is self-contained with a bathroom. Kitchen and sleeping facilities.
- N) **Recreational Vehicle Park:** A parcel of land for which plans have been approved by the Diamond City Planning and Zoning Commission. Where 3 or more spaces are occupied by RV's.

- O) **Recreational vehicle space** is a recreational vehicle parking area for placement of single RV and the exclusive use of its owners.

## **SECTION 2: COMPLIANCE**

Any parcel of land in which 3 or more RV spaces are occupied or intended for occupancy by a RV for temporary placement and or maintenance services are provided for a fee, whether a new or existing shall be considered an RV park and shall be following all the City of Diamond City Regulations. The owner operator shall be responsible for compliance with all the city regulations.

No person, firm, corporation, or association shall begin construction, alteration, extension of RV park without first submitting to and receiving approval from the Planning and Zoning Commission. Detailed plans and specifications shall be submitted that include park layout, sewage system, water source, all buildings, parking areas, dump stations and topographical features of the park.

### **Section 3: ENVIRONMENTAL AND OPEN SPACE REQUIREMENTS:**

- A. **General Requirements** Conditions of the soil, ground water level, drainage shall not create hazards to the property or nearby properties. RVs shall not be a permanent connector to recreational spaces and shall be quickly and easily moved when a flood is imminent.
- B. **Soil and Ground Cover:** Exposed ground surfaces in all parts of every parking area shall be paved, or covered with stone-type material that can prevent soil erosion and eliminate objectional dust.
- C. **Recreational vehicles** shall be separated from each other and from other structures by at least fifteen (15) feet. Any accessory structures such as an attached awning, or individual storage item, and fencing for the purpose of separation shall be considered part of the RV.
- D. The access drives, and parking pads, shall be paved with a dust-free hard surface.
- E. All RV parks shall have direct access to and from dedicated City streets.

### **SECTION 4: ZONING:**

- A. NO RV Park is to be in a residential zone.
- B. The minimum site set back is twenty-five (25) feet except when the RV Park fronts a State Highway then the minimum shall be fifty (50) feet. The minimum side set back when abutting a dedicated public right of way shall be twenty -five (25) feet. The side setback shall be twenty-five (25) feet when abutting to any other zoning district such as residential. The rear setback when abuts a dedicated public right away shall be a

minimum of twenty-five (25) feet. Existing RV parks may be grandfathered in January 2024. If they sale than the grandfather clause is removed, and the new owner must conform to the ordinance.

- C. A RV that does not have a flush toilet and a bath, or shower may not be set, or remain set, within the city after the passage of this ordinance. A storage trailer, van or container unit not manufactured as a motorized vehicle or intended for long-term or short-term occupancy but designed and manufactured for the primary purpose of storage and or transporting commodities are not allowed in an RV Park

Where needed to ensure public safety the RV Park shall be enclosed by a fence or a wall or landscaping screen or other design approved by the Planning and Zoning Commission.

#### **SECTION 5: VEHICLE PARKING AND ROAD ACCESS:**

- A. RV parking and roads shall be designed for the safe and convenient movement of vehicles.
- B. Each traffic and or parking lane shall be a minimum of ten (10) feet wide then the minimum width for a one-way road with parking on one side would be twenty (20) feet.
- C. There shall be two (2) off-street parking areas that shall be paved or have a stone-like compact material.
- D. All RV parks shall provide safe and convenient vehicular access from a public street. All street improvements to an existing street or road connecting to the RV Park in accordance with The City of Diamond City and or the State of Arkansas Department of Transportation.
- E. ALL RV parking places must be permanently lined and numbered for emergency purposes.
- F. In operable or unlicensed vehicles are not permitted in the park.
- G. All RV parks with twenty-five (25) or more sites shall have two (2) or more entrances and exits. All parks with one hundred or more (100) will have three (3) or more entrances and exits.

#### **SECTION 6: RV PARK SITES:**

All RV sites must remain clean and free of debris. It is unlawful and a public nuisance to park, store or leave standing in public view upon any public or private property, any RV that is wrecked, dismantled, unregistered, inoperative, or otherwise unsightly. Any RV shall be deemed unsightly when the body parts rust or become corroded, paint becomes faded, tarps used to cover the roof or any part of the RV.

- A. Only furniture meant for outside use may be put outside.
- B. Gas or charcoal BBQ grills may be used for outdoor cooking on site. During times of no burn order given by the County Judge these will not be allowed.
- C. All pet owners must adhere to the City of Diamond City Ordinances.

- D. No clothesline.
- E. All sites must be mowed and maintained by the Park owner
- F. No mailboxes allowed.
- G. Each parking pad shall be equipped with electrical hook-ups
- H. All RV parks shall be maintained in a clean, safe, and healthy manner.
- I. No removal of wheels of an RV vehicle except for a temporary purpose of repair is allowed.

**SECTION 7: SERVICE BUILDING AND OTHER SERVICE FACILITIES**

Service building for recreational vehicle parks

- A. A central service building containing the necessary toilet and other plumbing fixtures specified in Table I shall be provided in recreational vehicle parks that provide parking spaces for dependent recreational vehicles. Service buildings shall be conveniently located within a radius of approximately 300 feet of the spaces to be served. Service buildings shall be conveniently located within a radius of approximately 300 feet to all areas designated or used for overflow or tent camping.

B. TABLE 1

No. of Parking Spaces?	Toilets		Urinals Men	Lavatories		Showers		Other Fixtures
	Men	Women		Men	Women	Men	Women	
1-15	1	1	1	1		1	1	1 service sink with a flushing rim
16-30	1	2	1	2	2	1	1	
31-45	2	2	1	3	3	1	1	
46-60	2	3	2	3	3	2	2	
61-80	3	4	2	4	4	2	2	
81-100	3	4	2	4	4	3	3	

a Parking spaces for dependent recreational vehicles.

b Additional fixtures including laundry trays, clothes washing machines (one for every 30 sites) and ice-making machine may be provided.

A service sink with a flush rim shall be provided for disposal of liquid waste unless a sanitary station is conveniently accessible for this purpose.

For parks having more than one hundred (100) recreational vehicle spaces, there shall be provided: One (1) additional toilet and lavatory for each sex per additional thirty (30) recreational vehicle spaces; One (1) additional shower for each sex per each additional forty (40) recreational vehicle spaces; and One (1) additional men's urinal per each additional one hundred (100) recreational vehicle spaces.

B. When a recreational vehicle park requiring a service building is operated in connection with a resort or other business establishment, the number of sanitary facilities for such business establishment shall be in excess of those required by the schedule for recreational vehicle spaces and shall be based on the total number of persons using such facilities.

C. Service buildings and sanitary facilities shall be operated and maintained in a safe, clean, and sanitary manner.

D, Recreational vehicle sanitary stations

1 Each recreational vehicle park shall provide a sanitary station consisting of at least:

- A trapped four-inch sewer riser pipe, connected to the recreational vehicle parking area sewerage system, surrounded at the inlet end by a concrete apron sloped to the drain, and provided with a suitable hinged cover.

- A water outlet, equipped with approved backflow prevention devices, connected to the park water supply system to permit periodic wash-down of the immediate adjacent area.

2. Each recreational vehicle parking area shall be provided with a sanitary station in the ratio of one for every one hundred (100) recreational vehicle spaces or fractional part thereof.

3. Sanitary stations shall be screened from other activities by visual barriers such as fences, walls or natural growth and shall be separated from any recreational vehicle space by a distance of at least one hundred (100) feet.

## **SECTION 8: Water Supply**

A. Quality and source

An adequate supply of water, under pressure, which meets the bacteriological, chemical, and physical requirements of the Arkansas State Board of Health Drinking Water Standards, or equivalent, shall be provided in each recreational vehicle and mobile home park.

B. Individual water riser pipes and connections

1. Individual water riser pipes shall be located within the confined area of the RV space at a point where the water connection will approximate a vertical position.

2. Water riser pipes shall extend at least four inches above ground elevation. The water riser pipe shall be at least three-quarters ( $3/4$ ) inch in diameter. The water outlet shall be capped when a Recreational Vehicle does not occupy the lot.

3. Adequate provisions shall be made to prevent the freezing of service lines, valves, and riser pipes. Surface drainage shall be diverted away from the location of the riser pipe.

4. A shut-off valve below the frost line shall be provided near the water riser pipe on each Recreational Vehicle space.

5. All water-piping fixtures shall be constructed and maintained in accordance with the current Arkansas State Plumbing Code.

C. Watering stations

I. Each recreational vehicle shall be provided with one or more easily accessible water supply outlets for filling recreational vehicle water storage tanks. Water supply outlets shall consist of at least one water hydrant and necessary appurtenances and shall be protected against the hazards of backflow and back siphonage.

2. When recreational vehicle spaces are provided with water service, it shall comply with requirements set forth in SECTION 8.

## **SECTION 9: SEWER DISPOSAL**

An adequate, safe, and approved sewage system shall be provided in all recreational vehicle parks for the conveying and disposing of all sewage. All sewage shall be disposed of in a public sewer system where one is accessible within three hundred (300) feet. Sewage treatment/disposal systems for recreational vehicle parks shall be sized according to the estimated daily flow requirements as specified in Appendix B of the Rules and Regulations Pertaining to Onsite Wastewater Systems, Designated Representatives, and Installers. Central laundry facilities, where provided, shall be reviewed, approved, and permitted by the Arkansas Department of Environmental Quality. Central laundry facilities shall not be connected to the onsite wastewater system serving the mobile home or recreational vehicle park

## **SECTION 10: PLUMBING**

All plumbing shall conform to the current Arkansas State Plumbing and Fuel Gas Code.

## **SECTION 11: REFUSE HANDLING**

The storage, collection, and disposal of refuse in the mobile home and recreational vehicle park shall be conducted so as to create no health hazard, rodent harborage, insect breeding area, accident or fire hazard.

## **SECTION 12: PLAN REVIEW**

When a recreational vehicle park is proposed or remodeled, properly prepared plans and specifications for such construction, remodeling or alteration shall be submitted to the Diamond City Planning and Zoning Commission for approval before any work is begun.

**SECTION 13 : ASSESSORY USES**

Management, recreational facilities, toilets, dumping stations, showers, coin operated laundry facilities, and other uses and structures customarily incidental to operations of a RV Park and campground are permitted to the park

**SECTION 14: PENALTY**

A violation of this Ordinance in any Section shall be deemed a misdemeanor and shall be punishable by a fine. Any person, firm or corporation who violates or refuses to comply with any of the provisions of the ordinance shall be fined not less than fifty (\$50.00) nor more than two hundred and fifty (\$250.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense. However, no civil penalty may be assessed until the person charged with the violation has been given the opportunity for a hearing on the violation. Ark. Code Ann, 20-7-101.

**SECTION 15: SEVERABILITY**

If any provisions of the Rules and Regulations or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of the Rules and Regulations which can give effect with the invalid provision or applications, and this end the provisions hereto be declared to be severable.

1<sup>st</sup> Reading November 28<sup>th</sup>, 2023 PASSED 11-28-2023 6YEAS 0 NAYS

2<sup>nd</sup> Reading December 19<sup>th</sup>, 2023 PASSES 12-19-2023 5 YEAS 0 NAYS

3<sup>rd</sup> Reading January 23<sup>th</sup>, 2024

  
RECORDER/KATHY PATE

  
MAYOR/JAIME NUESSNER