

**CITY OF SANDY OAKS, TEXAS**

**ORDINANCE NO. 2022-205**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANDY OAKS, TEXAS AMENDING ORDINANCE NO. 2016-57 PROVIDING REGULATIONS FOR THE STORAGE AND PARKING OF RECREATIONAL VEHICLES WITHIN THE CITY OF SANDY OAKS, TEXAS; PROVIDING FOR REMOVAL AND IMPOUNDMENT OF RECREATIONAL VEHICLES ON CITY STREETS; PROVIDING FOR A REPEALING CLAUSE, PROVIDING FOR A PENALTY, PROVIDING FOR SEVERABILITY, PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION.**

**WHEREAS**, the City of Sandy Oaks, Texas is a Type A general law municipality duly incorporated and organized under the general laws of the State of Texas; and

**WHEREAS**, Transportation Code section 311.002 provides that a general law municipality has exclusive control over the highways, streets, and alleys of the municipality and that the municipality may abate or remove an encroachment or obstruction on a highway, street, or alley; additionally, Transportation Code section 311.003 provides for the same regulation of authority for municipal sidewalks, culverts, crossways, and bridges; and

**WHEREAS**, the City Council of the City of Sandy Oaks, Texas (“City”) adopted Ordinance No. 2016-57 to provide regulations for the storage and parking of recreational vehicles within the City; and

**WHEREAS**, the City Council of the City has determined that the provisions of this Ordinance are necessary to protect the property values and tranquility of the City’s residents and maintain good order.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANDY OAKS, TEXAS:**

**SECTION 1. DEFINITIONS.** For the purposes of this Ordinance, the following terms shall have the following meanings, unless the content clearly indicates that a different meaning is intended:

- (A) “City” shall mean the City of Sandy Oaks, Texas, a Type A General Law municipality incorporated and operating in Bexar County under the laws of the State of Texas.
- (B) “City Council” shall mean the governing body of the City.
- (C) “City street” means any highway, street, alley, sidewalk, culvert, crossway, bridge, right-of-way, or utility easement, including water, sewer, or drainage mains, constructed, maintained or repaired by the City of Sandy Oaks, Texas.

- (D) "Recreational vehicle" shall mean any camper trailer, travel trailer, and motor home designed to be transported on a roadway and containing living or sleeping accommodations to provide temporary living quarters for recreational camping or travel use.

## **SECTION 2. GENERAL PROHIBITIONS.**

- (A) It shall be unlawful to park or store any unlicensed recreational vehicle within the city limits.
- (B) It shall be unlawful to place, park, or maintain any recreational vehicle on any City street in the city for period in excess of twenty-four (24) hours.
- (C) It shall be unlawful for any person to leave, park, or stand any recreational vehicle upon any public property or city street in such a manner as to block the flow of traffic.
- (D) It shall be unlawful to occupy any recreational vehicle in the city for longer than a period of fourteen (14) consecutive days, any six month period.
- (E) A recreational vehicle shall not be connected to a sanitary sewer facility, or be connected to public or private utilities, except that one recreational vehicle may connect to water and electric utilities if it is occupied in compliance with subsections (D) and (F) in this section.
- (F) It shall be unlawful for a person to allow more than one (1) recreational vehicle on any lot or parcel of property at the same time within the city limits.

**SECTION 3. WHEN RECREATIONAL VEHICLES ALLOWED.** It is not a violation of this Ordinance if a recreational vehicle is parked and/or stored on a lot, tract, or parcel of land upon which is located an inhabited dwelling unit and the recreational vehicle is owned by the occupant of the inhabited dwelling.

## **SECTION 4. REMOVAL AND IMPOUNDMENT OF PARKED RECREATIONAL VEHICLE ON CITY STREET.**

- (A) The City shall have the authority to immediately remove or caused to be removed any recreational vehicle left on public property or on a city street that is an obstruction to traffic.
- (B) Any official of the City, or any peace officer, or any agent of the City is given authority to tow or cause to be towed to a City impound lot or other place designated as an impound lot, any recreational vehicle or trailer which is parked in violation of any of the provisions of this ordinance or any other ordinance of the City and there kept until its redemption shall be made by the owner or his duly authorized agent after payment to the City the sum of \$150.00 together with all other costs of removal and storage that may have accrued thereon. If any recreational vehicle or trailer is stored on a City impound lot or other place designated as an impound lot, the storage fee shall accrue at the current Texas Department of Licensing and Regulation approved rate per calendar day.

(C) The remedy and impounding fee and costs provided for in this section shall be cumulative and shall not relieve any person from prosecution for violating any provision of this ordinance or any other ordinance of the City.

**SECTION 5. REPEAL OF ORDINANCE NO. 2016-57.** Ordinance No. 2016-57 is hereby repealed in its entirety and replaced by this ordinance.

**SECTION 6. VIOLATION AND PENALTY.** Any person violating a provision of this Ordinance is guilty of a Class "C" misdemeanor and upon conviction shall be fined not more than \$500.00 for each offense, however, a fine for the violation of a provision of this ordinance that governs fire safety, zoning, or public health and sanitation, including dumping or refuse, may not exceed \$2,000.00 for each offense. Each day a person violates the provision of this Ordinance shall be considered a separate violation.

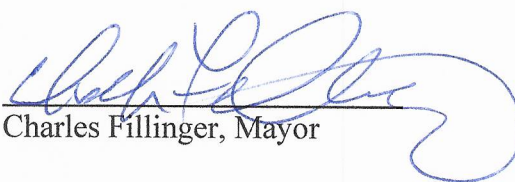
**SECTION 7. SEVERABILITY.** Should any section, subsection, sentence clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses, or phrases is declared unconstitutional and/or invalid.

**SECTION 8. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon its publication as required by section 52.011 of the Local Government Code.

**SECTION 9. PUBLICATION.** The City Clerk is hereby authorized and directed to publish the caption of this Ordinance together with the penalty provision contained therein in the manner and for the length of time prescribed by law.

**PASSED AND APPROVED** on this 23rd day of June 2022.

**CITY OF SANDY OAKS, TEXAS**

  
Charles Fillinger, Mayor

**ATTEST:**

  
Katherine Yelton, City Secretary