

ORDINANCE NO. 09-028

AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, AMENDING ORDINANCE NO. 08-062 TO EXTEND THE JUNE 1, 2009 DEADLINE TO DECEMBER 1, 2009 AUTHORIZING THE CONDITIONAL PLACEMENT AND USE OF PRIVATELY OWNED TRAILERS AND RECREATIONAL VEHICLES AT DAMAGED RESIDENTIAL OR COMMERCIAL LOCATIONS DURING CONSTRUCTION, SUBJECT TO TEMPORARY RULES AND REGULATIONS; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

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WHEREAS, on October 9, 2008 City Council adopted Ordinance No. 08-062 temporarily suspending all regulations relating to the placement of trailers and recreational vehicles and adopting temporary regulations including but not limited to conditional permits, placement, maintenance, utilities, removal, sanitation, and other related health and safety matters for trailers and recreational vehicles located on residential and commercial properties provided the vehicle must be removed from the property upon issuance of a Certificate of Occupancy for the repaired building or by June 1, 2009, whichever comes first, in response to widespread damage caused by Hurricane Ike; and,

WHEREAS, on February 12, 2009 City Council adopted Ordinance No. 09-005 to temporarily suspend all regulations relating to permit the placement of trailers and recreational vehicles located on volunteer sites until April 30, 2010, subject to temporary rules and regulations, in response to widespread damage caused by Hurricane Ike; and,

WHEREAS, the City Council deems it in the public interest to extend the deadline to December 1, 2009 authorizing the conditional placement and use of privately owned trailers and recreational vehicles at damaged residential or commercial locations during construction, subject to temporary rules and regulations, in response to widespread damage caused by Hurricane Ike necessitating repairs and property rehabilitation;

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

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. The City Council finds that it is in the public interest to protect public health, safety, property, and the general welfare of the public to amend Ordinance No. 08-062 to extend the deadline temporarily suspending all regulations relating to the placement of trailers and recreational vehicles and adopting temporary regulations including but not limited to conditional permits, placement, maintenance, utilities, removal, sanitation, and other related health and safety matters for trailers and recreational vehicles located at damaged residential and commercial properties during construction in response to widespread damage caused by

Hurricane Ike. The trailers and recreational vehicles must be removed from the property by December 1, 2009 unless further extended by City Council.

SECTION 3. The City Council hereby authorizes the following temporary rules and regulations:

## **Hurricane Ike Temporary Trailer/Recreational Vehicle Placement**

### **Definitions:**

Camper—A portable dwelling designed to be used for casual travel being whether a self-propelled unit, or not, or an independent or dependent unit, including, but not limited to, truck campers, bus campers, and self-propelled travel homes.

Recreational Vehicle-- A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which is self-propelled or is affixed to or drawn by another vehicle.

Trailer/Travel Trailer—A portable vehicular structure built on a chassis, which may or may not be self-propelled, being either a dependent or independent unit, designed for casual travel and/or temporary living, including recreational vehicles.

### **Residential:**

In order to place a temporary trailer/recreational vehicle at your residential location, the following requirements apply:

- Trailers/Recreational Vehicles must be located on the property where the damaged residential building is located, not in the city right-of-way (including sidewalk areas, streets or alleys.)
- The Trailer/Recreational Vehicle may **only** be occupied by the property owner of the subject residential building. No subletting of the Trailer/Recreational Vehicle will be permitted.
- Trailers/Recreational Vehicles shall meet the zoning setbacks for the district upon which it is located, where practicable.
- No additional structures or accessory structures may be added to the Trailer/Recreational Vehicle with the exception of ADA-compliant ramps.
- The Trailer/Recreational Vehicle must be removed from the property upon issuance of a Certificate of Occupancy for the repaired building or by December 1, 2009, whichever comes first.

**Commercial:**

In order to place a temporary Trailer/Recreational Vehicle at your commercial location, the following requirements apply:

- Trailers/Recreational Vehicles may **only** be utilized for permanent businesses within the City of Galveston that have sustained damage to their buildings.
- Trailers/Recreational Vehicles must be located on the property where the permanent business is located.
- The Trailer/Recreational Vehicle may not be utilized for any residential purpose.
- No additional structures or accessory structures may be added to the Trailer/Recreational Vehicle with the exception of ADA-compliant ramps.
- A maximum of three (3) temporary Trailers/Recreational Vehicles may be located per commercial property. Trailers/Recreational Vehicles should be grouped together to allow the maximum parking area possible.
- Any signage for the business located in the temporary Trailer/Recreational Vehicle is limited to a thirty-two (32) square foot sign upon the wall of the Trailer/Recreational Vehicle. No temporary detached signs or off-premise signs are permitted.
- The Trailer/Recreational Vehicle must be removed from the property upon issuance of a Certificate of Occupancy for the repaired building or by December 1, 2009, whichever comes first.

All such vehicles such as trailers, mobile homes, recreational vehicles, etc. will be considered temporary in nature. A permit by the City of Galveston must be issued in advance of placement, and may be subject to additional site conditions. Utility connections will require separate permits and approval.

SECTION 4. The City Council hereby authorizes the Director of Planning of Community Development to make special exceptions for site specific placement for trailers and recreational vehicles in appropriate cases and subject to appropriate conditions and safeguards that are consistent with the general purposes and intent of this Ordinance and in accordance with any applicable rules contained in this Ordinance.

SECTION 5. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clause, sentences, paragraphs and sections of this Ordinance.

SECTION 6. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 7. In accordance with the provisions of Sections 12 and 13 of Article II of the City Charter this Ordinance has been publicly available in the office of the City Secretary

for not less than 72 hours prior to its adoption; that this Ordinance may be read and published by descriptive caption only.

SECTION 8. This Ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of the Charter of the City of Galveston.

APPROVED AS TO FORM:

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Susie Green  
City Attorney

I, Barbara S. Lawrence, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Galveston at its regular meeting held on the 14<sup>th</sup> day of May, 2009, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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Secretary for the City Council  
Of the City of Galveston