

ORDINANCE NO. 2017-19

AN ORDINANCE OF THE CITY OF IOWA COLONY, TEXAS, ALLOWING RESIDENCY IN RECREATIONAL VEHICLES OR TRAVEL TRAILERS DURING REPAIRS OF CERTAIN FLOOD OR STORM DAMAGE; PROVIDING DEFINITIONS, REQUIREMENTS, AND CONDITIONS; WAIVING CERTAIN SETBACKS IN CERTAIN CIRCUMSTANCES; PROVIDING AN EXPIRATION DATE OF AUGUST 31, 2018; PRECLUDING VESTED RIGHTS; AND PROVIDING A SAVINGS CLAUSE, SEVERANCE CLAUSE, AND EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS:

1. "Recreational vehicle" or "Travel trailer" shall have the same meaning as in the Zoning Ordinance, as amended from time to time. Section 5(b)(82) of the Zoning Ordinance currently states:

"82. "Recreational vehicle" or "Travel trailer" shall mean a vehicular, portable structure, built on a chassis and designed for use as a temporary dwelling for travel, recreational and vacation purposes, permanently identified as a travel trailer or recreational vehicle by its manufacturer and, when factory-equipped for the road, having a body width not exceeding eight feet (8')."

2. This ordinance creates an exception to any provision of the Zoning Ordinance, the Subdivision Ordinance, or any other ordinance of the City of Iowa Colony ("the City") prohibiting the placement of a recreational vehicle on a lot or tract or the occupancy of such recreational vehicle as a temporary or permanent residence on that lot or tract, provided that all of the following requirements are satisfied:

a. The person claiming this exception resided temporarily or permanently on that lot or tract at any time between September 1, 2016, and August 31, 2017;

b. Damage caused by Hurricane/Tropical Storm Harvey or related flooding caused that residence to become reasonably uninhabitable;

c. The recreational vehicle is placed on the same lot or tract as that uninhabitable residence or an adjoining lot or tract;

d. The owner or occupant of the recreational vehicle is actively, diligently, and continuously attempting to repair or replace the uninhabitable residence as quickly as reasonably practicable;

e. No unsafe or unsanitary condition results from the type of connection or lack of connection to any utility, including but not limited to: a public, private, or individual supply of

potable water; sewage disposal or treatment; natural gas, butane, or other fuel gas from any source; or electricity; and

f. Sewage and wastewater from the recreational vehicle are disposed of in a lawful manner.

3. This ordinance waives the setback requirements for a recreational vehicle that complies with Section 2, but only to the extent that placement of that recreational vehicle in compliance with the setback requirements would unreasonably interfere with the repair or replacement of the residence on that lot or tract.

4. Sections 2 and 3 of this ordinance shall automatically expire at the end of August 31, 2018.

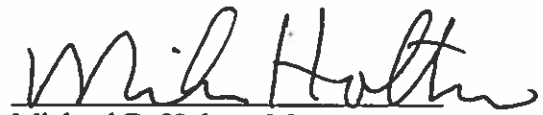
5. The City reserves the right to amend or repeal this ordinance at any time. No person shall have any vested or "grandfathered" right of any type to continue anything after an amendment, repeal, or expiration of this ordinance makes it unlawful. Any act or condition pursuant to this ordinance is strictly subject to this section.

6. All other ordinances and portions of ordinances of the city shall remain in full force and effect.

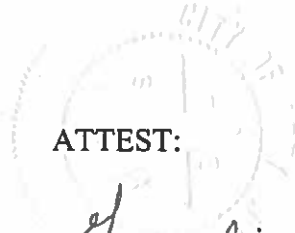
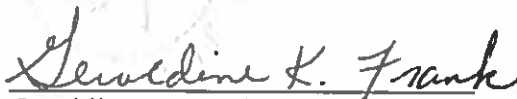
7. If any part of this ordinance, of whatever size, is ever declared invalid or unenforceable for any reason, the remainder of this ordinance shall remain in full force and effect.

8. This ordinance shall be effective immediately upon its passage and approval.

PASSED this 18 day of September, 2017.


Michael B. Holton, Mayor
City of Iowa Colony, Texas

ATTEST:



Geraldine K. Frank, City Secretary
City of Iowa Colony, Texas