



STATE OF ARKANSAS
City of Brookland

ORDINANCE 2023-05

AN ORDINANCE TO ESTABLISH CLARITY IN THE REGULATIONS CONCERNING RESIDENTIAL PROPERTY, THE PROPER USE, PARKING AND STORING OF RECREATIONAL VEHICLES, CAMPERS, ENCLOSED TRAILERS, UTILITY TRAILERS AND SERVICE TRAILERS; CREATING SPECIFIC LANGUAGE PURSUANT TO REGULATING RECREATIONAL VEHICLES, CAMPERS, ENCLOSED TRAILERS, UTILITY TRAILERS AND MISCELLANEOUS TRAILERS; DECLARING AND EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Brookland, Arkansas pursuant to Arkansas Code Annotated §14-55-102 shall have the power to make and publish ordinances, not inconsistent with the laws of this state, which, as to them, shall seem necessary to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort, and convenience of such inhabitants thereof; and

WHEREAS, Current Brookland City Municipal Code lacks definitive wording to address the proper use of and storing of Recreational Vehicles, Campers and Enclosed Trailers intended for a similar use.

WHEREAS, the Brookland Municipal Code does not specify restrictions concerning RV's, Campers and Enclosed Trailers intended for a similar use in regard to residential property.

WHEREAS, the Brookland Municipal Code does not specify restrictions on Enclosed Trailers, Utility Trailers and Service Trailers intended for use as a business or trade occupation with regard to residential property.

NOW, THEREFORE, BE IT ORDAINED BY THE BROOKLAND CITY COUNCIL as follows:

Section 1: Definitions:

(RV) Recreational Vehicle: Either a motor vehicle or tow-able trailer primarily intended for leisure activities such as vacations and camping.

Camper: A tow-able enclosed trailer primarily intended for leisure activities such as vacations, camping, hunting and fishing

(ETSU) Enclosed Trailer Intended for Similar Use as a Camper: A Towable Enclosed Trailer that has been modified to function as a Camper.

Enclosed Trailer: A tow-able enclosed trailer, either completely or partially enclosed, intended to store tools, equipment, machinery and materials for the purpose of a business or trade.

Utility Trailer: A tow-able trailer intended to transport equipment, machinery, materials, appliances or any general merchandise whether mercantile, industrial, commercial or residential in nature.

Service Trailer: A tow-able trailer specifically intended to carry equipment, machinery, tools or anything used for the purpose of a business or trade.

Front Yard: That area from the front corners of a residence parallel to the front of the structure extending to the property lines to the right and left then extending away from the front of the structure to the street or curb that is in front of the structure.

Side Yard: That area from the front corners of a residence on both sides extending to the right and left to the property lines then extending towards the rear of the structure to a termination point with a line parallel with the rear of the structure extending to the property line to the right and left.

Rear Yard: That area from the rear corners of a residence parallel to the rear of the structure extending to the property lines to the right and left then extending away from the structure to the rear property line.

Section 2. A Recreational Vehicle (RV), Camper, or Enclosed Trailer intended for a Similar Use (ETSU), may only be parked or located on a residential lot for the sole purpose of storage only and in no case may an RV, Camper or Enclosed Trailer intended for a similar use be connected to any of the utilities of any residence, i.e. water, electric, or sanitary sewer except for the following:

a. An RV, Camper or ETSU may be connected to the residential electrical system for the purpose of making ready for its intended use and to maintain the battery bank.

b. Water may be added to the Potable on board water supply system of an RV, Camper or ETSU from the residential water source but at no time may the on board system be filled more than once for the purpose of making ready for its intended use.

c. An RV, Camper or ETSU may be used as temporary quarters, no longer than five (5) consecutive days and/or 15 days in any six-month period.

Section 3: The intentional release of either Grey Water or Black Water systems of an RV, Camper or ETSU onto the grounds of a residence, driveway, curb, or storm drain is strictly prohibited.

Section 4: An RV, Camper or ETSU while parked at a residence may not be occupied for anything other than the making ready for its intended use, or as provided in Section 2 (c).

Section 5: An RV, Camper or ETSU shall never be parked so as to create an obstruction to street traffic, nor block the view from a driveway onto a city street. Likewise an RV, Camper or ETSU must be parked

in accordance with the zoning regulations pursuant to front yard setbacks. In the case of corner lots, this shall apply to both streets with the following exception.

a. An RV, Camper or ETSU may be allowed to be parked within the side yard of a residence but may not be closer than five (5) feet to any other structure.

Section 6: When provided, an RV located in a permanent or temporary RV Park, as a temporary residence, must also maintain a state of readiness to be moved provided the location is in a Special Flood Hazard Area, (SFHA), in accordance with the National Flood Insurance Program, (NFIP), 44 CFR 60.3 (c).

Section 7: Enclosed Trailers and Service Trailers, if marked or identified with a specific business or trade name, shall not be parked on any residential lot with the following exceptions.

a. An Enclosed Trailer or Utility Trailer must be located in the side yard or back yard.

b. An Enclosed Trailer or Utility Trailer may be allowed to be located in any front yard of any residence for the purpose of loading or unloading appliances, furniture or furnishings.

c. An Enclosed Trailer or Utility Trailer may be allowed to be located in any area of any residential property while being used for property maintenance, construction or general home improvement.

Section 8: Utility Trailers may be located in any garage, car port, side yard or rear yard of any residence. Utility Trailers may only be parked in a front yard for the purpose of loading or unloading appliances, furniture, furnishings, or any items pertinent to the maintenance or upkeep of a residence.

Section 9: Miscellaneous Trailers: Other trailers such as boat trailers, pontoon trailers, ATV trailers must be parked either in the side yard setback or rear yard setback but in no case in any front yard setback.

Section 10: Unless otherwise specified by this ordinance any condition pursuant to any other trailer not mentioned above shall be considered prohibited by default.

Section 11: If any provision of this Ordinance is held invalid by a Court of Law or subsequent legislative action, such holding shall in no way affect the validity of the remaining provisions or sections of this Ordinance, which shall remain in full force and effect.

Section 12: Any person or corporation who shall violate any of the provisions of these regulations or fail to comply therewith or with any of the requirements thereof, shall be guilty of a misdemeanor and shall be liable to a fine of no less than \$100.00 and no more than \$500.00 for each offense. Each day such violation is permitted to exist shall constitute a separate offense.

Section 13: Emergency Clause. The immediate passage of this Ordinance is necessary for the health, safety, and welfare of the citizens of Brookland; THEREFORE, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.

Approved and adopted this 12th day of June, 2023.

Kenneth D. Jones
Kenneth D. Jones, Mayor

ATTEST:

Julie Thomas
Julie Thomas, City Clerk

1st reading: 4-10-23

2nd reading: 5-8-23

3rd reading: 6-12-23

