

**RESOLUTION NO.
10.9.23 A**

**RESOLUTION OF THE BOARD OF COMMISSISONERS OF GRAINGER COUNTY,
TENNESSEE TO REGULATE RECREATIONAL VEHICLE PARKS AND
CAMPGROUNDS IN THE UNINCORPORATED AREAS OF THE COUNTY
PURSUANT TO T.C.A. §5-1-118 AND T.C.A. § 6-2-201(22) AND (23) WITH RESPECT
TO THE REGULATION OF NUISANCES AND OTHER PRACTICES DETRIMENTAL
TO THE INHABITANTS OF GRAINGER COUNTY**

WHEREAS, the Tennessee Code Annotated §5-1-118 authorizes counties that do not have zoning regulations in effect throughout the county to exercise certain municipal powers described in T.C.A. § 6-2-201 by resolution, including, but not limited to, the power to regulate businesses and the use of property potentially detrimental or liable to be detrimental to the health, morals, comfort, safety, convenience, or welfare of inhabitants of unincorporated areas of the county; and

WHEREAS, the Board of County Commissioners of Grainger County has determined that it would be beneficial to the inhabitants of the county for Grainger County to adopt regulatory standards for recreational vehicle parks and campgrounds pursuant to the directives of T.C.A. § 5-1-118 and T.C.A. § 6-2-201; and,

WHEREAS, the Board of County Commissioners of Grainger County has determined that there can potentially be adverse impacts to the county due to unregulated recreational vehicle parks and campgrounds that could have a negative impact on the environment, the road system, and other services provided in the county and which are potentially detrimental or liable to be detrimental to the health, morals, comfort, safety, convenience or welfare of inhabitants of unincorporated areas of Grainger County; and

WHEREAS, the regulations are deemed the minimum regulations necessary to achieve the goal to minimize or eliminate negative impacts from these types of uses; and

WHEREAS, T.C.A. § 5-1-118(c) requires that any county desiring to exercise these powers must adopt a resolution by two-thirds vote of its legislative body in order to do so and must subsequently adopt any such regulations also by a two-thirds majority; and

WHEREAS, the Board of County Commissioners of Grainger County, Tennessee has previously adopted the allowed provisions of T.C.A. . § 6-2-201 by a two-thirds majority vote pursuant to the provisions of T.C.A. § 5- 1-118(c); and accordingly:

IT IS HEREBY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF GRAINGER COUNTY, TENNESSEE THAT THE FOLLOWING REGULATIONS SHALL APPLY FOR RECREATIONAL VEHICLE PARKS AND CAMPGROUNDS IN GRAINGER COUNTY, TENNESSEE:

Purpose: The purpose of this proposal is to assist in creating quality, desirable commercial recreational vehicle parks and campgrounds that are properly located in our communities, with suitable capacity, access, and infrastructure for recreational camping. Also, to create regulations that will help to protect the health, safety and welfare of our citizens and visitors that choose to enjoy these facilities. The provisions of these regulations do not apply to any area that is under zoning authority of any municipality.

Recreational Vehicle Park Definition: Any lot or parcel of land upon which two (2) or more sites are located, established, or maintained for compensated occupancy by Recreational Vehicles, Motor Homes, Travel Trailers, Camping Trailers, Tents, Mini Homes as temporary sites for recreation or vacation services to the public. No primary permanent residences shall be allowed within the RV Park.

Application and Site Plan: Applications for a recreational vehicle park shall be filed with the Grainger County Planning Commission. The Grainger County Planning Commission must give preliminary and final approval of the proposed RV park plan/plat. Applications shall be submitted in writing and signed by the applicant and shall be accompanied by an approved plan/plat of the proposed recreational vehicle park and shall contain the following requirements.

- a. The plan/plat shall be clearly and legibly drawn.
- b. Name, address, phone number and email address of the owner of record, and of the surveyor and/or engineer.
- c. Proposed name of the park

- d. North point, graphic scale, and date.
- e. Map/plat showing location and acreage of the proposed recreational vehicle park including exact boundary lines by bearing and distance, and names of owners of record of adjoining properties.
- f. Existing streets, utilities, easements, and water courses on land adjacent to the tract.
- g. Proposed design including streets, street names, lot lines with dimensions, and easements and location and dimensions of buffer strips.
- h. Other information that may be required by the planning commission.
- i. Applications and plats shall be filed with four copies.
- j. Certifications required are (a) Ownership (B) Surveyor (C) State of Tn. Sewage disposal (D) Water Utility (E) E911 (F) County Road Superintendent (G) Engineer (H) Planning Commission. With approval of these certifications, Grainger County will issue an Official Permit for the Park.

Licensing Requirements: All recreational vehicle parks shall comply with licensing requirements of the State of Tennessee. Each RV Park, existing and new will be required to have a valid and current RV park permit issued by the Grainger County Property Assessor upon final approval from the Grainger County Planning Commission.

Size requirements of Recreational Vehicle Parks: Recreational Vehicle Parks shall be a minimum of five (5) acres located at a suitable location for a recreational vehicle campground, on well drained tracts and outside of flood plain areas. Park must be accessible from Main State or County Roads. There shall be no access to the park from adjoining properties, private property, subdivision roads etc. Parks must adhere to a 30' setback which includes a 20' buffer strip from outer property lines.

Water: Where public water is available through public utilities, it shall be used exclusively. If no public utility water is available, the Park owner may supply water via wells on the proposed tract and in compliance with the Tennessee Division of Groundwater Protection with written permission by legal authority. Each RV site/pad shall be supplied with a water hook up. All water lines shall be underground, and no RV sites/pads shall be on top of these buried water lines. There shall be adequate supply lines to furnish fire protection and to supply at least one Fire Hydrant within the park if Public Utility water is available.

Electricity: All electricity shall be provided by local Electric Utility Organizations and shall be placed underground if available through local Electric Utility Organizations. Each RV site/pad shall be furnished with its own electrical outlet in compliance with National Electrical Code and Tennessee Dept. of Commerce.

Sewage: Where public sewer system is available, it must be used exclusively. If public sewer system is not available, an adequate sewer system such as septic tanks and drain fields must be provided by the owner. The site appropriate system must be certified by the State of Tennessee.

Refuse: There must be adequate storage, collection, and disposal in the park and readily available to each site. Refuse trash shall be managed and maintained by the park owner as to create no health hazards. Disposal of refuse must be at least once per week and more if needed to maintain the park grounds with a clean and safe environment.

Buffer Strip: A natural or planted buffer is required and will be placed 20 (twenty) feet off all side and rear property lines. The buffer shall consist of existing trees and other vegetation or planted evergreen trees to obscure the Park from adjacent properties. This buffer strip is included in the 30' setback provision.

Streets: The first 50 feet of streets entering from state or county roads must be paved. Paving must be completed within one year from the beginning of road construction. The first 150 feet of the entry street must be 30 feet wide and from this point throughout the RV park the internal street width and construction will be determined by the RV park owner. All RV sites must be accessible from these internal streets. There shall be signage for the streets for safety and traffic control.

RV Management: There shall be a 24-hour contact/phone number available to campground occupants.

Primitive or Tent Camping: If allowed, bath and shower facilities shall be provided. Tent and primitive camping shall be for a period less than 30 days.

Recreational Vehicle Sites: Motor Homes, Travel Trailers, Truck campers, Camping Trailers, Tent campers, Mini Homes and Tents shall be located a minimum of 15 (fifteen) feet or more apart in clearly marked spaces. RV sites cannot be sold separately. All recreational vehicles must remain mobile. (No removing axles or wheels and no underpinnings). There shall be no commercial activities or sales allowed by site occupants.

Existing Park Definition: Existing Park shall be defined as a park that is open and conducting business prior to the effective date of this resolution with infrastructure in place or was granted final approval by the Grainger County Planning Commission. Parks that are deemed existing by the Grainger County Planning Commission shall be grandfathered and exempt from these regulations except for the licensing requirements and refuse provisions.

The grandfathered designation will stay with the property permanently. Existing parks shall also be required to submit a plan/plat of the existing park with street names and locations of each RV site/pad within 120 days of resolution approval. These plats/plans will be for safety and E911 purposes.

Expansion, Additions: All parks, in the event of any expansions or addition will be required to submit to the Grainger County Planning Commission appropriate drawings and plans for discussion and approval. Parks that currently have expansions/additions under development and construction and not yet completed, will be required to submit the drawings and plans as outlined in the provision above. Those expansions/additions will be considered

new parks and will require a permit issued by Grainger County. Refer to section "Existing Park Definitions" for further clarification.

New RV Parks under construction: Parks currently under construction and not completed before the date this resolution is adopted, will be evaluated on an individual basis for compliance and correct designation being either existing or new. Owners must appear before the planning commission to discuss necessary changes (if any) to be in compliance.

New RV Parks: New parks will be defined as parks that will be developed after the approval of this resolution and will be subject to all provisions of this resolution. New Parks must be approved by Grainger County Planning Commission prior to start of construction and will require a permit.

Administration and Enforcement: This resolution gives Grainger County the right to collect Hotel/Motel taxes and/or Inspection/Administration fees for these RV rentals or leases from said RV Parks/campground owners monthly, unless a quarterly payment option is approved by the appropriate county officials. The appropriate Grainger County Officials shall enforce these regulations and may enter upon any private or public property at reasonable times for the purpose of inspecting and investigating conditions relative to these regulations. If the property owner or owners are found to conflict with these provisions set forth in this resolution, the permit may be revoked, and appropriate actions may be taken by Grainger County to collect taxes and fees from property owners. Owners shall be subject to civil penalties of fifty dollars (\$50.00) for each offense and provided 30 days to be within compliance of regulations. If violations continue, the County may file a petition with the appropriate courts seeking an injunction to close said park until such time when all violations have been remedied.

Validity: If any provisions of this resolution or its regulations, or the application thereof, to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the resolution or its regulations which can be given effect without the invalid provision or application, and to that end, the provisions of this resolution and its regulations are declared to be severable, and the remaining provisions of this resolution and its regulations shall remain subject to enforcement.

Effective Date: This Resolution shall be in force immediately after its passage and publication, the public welfare requiring it.

Approved and adopted by the Board of County Commissioners of Grainger County,

Tennessee by the following votes _____ Aye _____ Nay.

This the _____ day of September, 2023.

Mike Byrd, County Mayor

Angie Lamb, County Clerk