

## **Editorial - Galveston County Daily News – Jan-29-2019**

### **Plan to police RVs with flood rules has pitfalls**

- [By MICHAEL A. SMITH](#), Editor

Galveston County Commissioners might be entering into some tricky territory by attempting to abate nuisances and battle crime by amending rules that exist to manage development in flood-prone areas.

Commissioners had been scheduled Monday to vote on changes to the county's flood plain regulations, which would have imposed restrictions on recreational vehicles and RV parks.

The rules would have required RV owners to obtain a county permit every 180 days, and to prove their RVs were movable and not permanent structures. The owners of RV parks would also be required to obtain operating permits and track how long people were staying in their parks.

Two things were driving the push for new regulations, commissioners and county administrators said.

The first was a need to bring county regulations in line with Federal Emergency Management Agency rules. The county must meet FEMA's standards or county residents might not qualify to be insured through the National Flood Insurance Program, officials said.

Apparently, however, the county already requires people who live in FEMA-designated flood zones to get RV permits and for those vehicles to be road worthy so they can leave during hurricane evacuations.

The new proposal is to expand the rules to places outside FEMA flood zones where the federal regulations do not necessarily need to apply.

Despite their proximity to Galveston Bay, large parts of Bacliff and San Leon are not in FEMA flood zones, officials said.

So, protecting residents' access to coverage under the National Flood Insurance Program seems not to have been the main driver.

The RV regulations would apply countywide because the entire county is "a rising water prone area," Galveston County Engineer Michael Shannon said. During floods, an unsecured RV could become a missile, Shannon said.

It's true the county has a reasonable interest in not wanting people to live in small, unanchored structures, RVs and travel trailers that once were vehicles but can no longer move or be moved because they've deteriorated too much to be road worthy.

That is a bad idea in most places in the county, no matter whether a particular place is a FEMA-designated flood zone or not.

The tricky part is that officials acknowledged the floodplain regulations also are meant to give the county another tool to battle nuisance and crime complaints in some communities.

County Commissioner Darrell Apffel has mentioned complaints the county received about a specific RV park in San Leon.

"I have said publicly this is about cleaning up crime and drugs in the Bayshore area, and I still maintain that is one of the reasons for stiffer regulations," Apffel said.

"We have got to do something about these RV parks that are breeding crime and drugs."

Those are noble aims, without question. What is questionable, however, is whether the county can legally achieve those aims by applying tighter flood-plain rules.

You can't blame the county for looking for indirect means to combat nuisance properties. Unlike cities, counties have limited authority to enact codes against things such as derelict vehicles and rundown houses.

Before they move ahead with idea, however, commissioners need to ensure they can use such indirect methods without putting taxpayers on the hook for a spate of litigation.

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