

ORDINANCE NO. 2003-9

AN ORDINANCE OF THE CITY OF BEASLEY, TEXAS DELETING THE PROVISIONS OF ORDINANCE NO. 17, ENTITLED "MOBILE HOME AND TRAVEL TRAILER PARKS", DATED MAY 21, 1974; TO INCLUDE ALL SUBSEQUENT AMENDMENTS; AND REPLACING SAID ORDINANCE AND SUBSEQUENT AMENDMENTS WITH THIS NEW ORDINANCE ENTITLED "MANUFACTURED HOUSING AND RECREATIONAL VEHICLES."

WHEREAS, the City of Beasley has increasing concern that the free use of real estate without meaningful constraints for certain specified uses having a high impact on the land and abutting infrastructures may adversely impact the health, safety and well-being of the residents and inhabitants of the City; and

WHEREAS, existence of responsible regulations provide assurance that certain specified use can be accomplished with due regard for the health, safety and welfare of the residents, citizens and inhabitants of the City;

HOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEASLEY, TEXAS:

Section 1. That the Code of Ordinances of the City of Beasley is hereby amended by deleting the present provisions of Ordinance No. 17, dated May 21, 1974, entitled, "Mobile Home and Travel Trailer Parks", and all subsequent amendments to said ordinance and replacing it with this new ordinance entitled, "Manufactured Housing and Recreational Travel Trailers," as follows:

MANUFACTURED HOUSING AND RECREATIONAL VEHICLES

ARTICLE I. IN GENERAL

Section 1. Definitions.

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Accessory structure shall mean any structural addition to a manufactured house including, with limitation, awnings, cabanas, decks, Florida rooms, porches, ramadas, storage cabinets and similar appurtenant structures.

Alterations shall mean the replacement, addition, modification, or removal of any equipment or its installation in a new manufactured home after sale by a manufacturer to a retailer but prior to sale and installation by a retailer to a purchaser. It does not include the repair or replacement of a component or appliance requiring "plug-in" to an electrical receptacle, which appliance was not provided with the manufactured home by the manufacturer.

Camping Trailer shall mean a portable unit mounted on wheels and constructed of collapsible partial sidewalls that fold for towing by another vehicle and unfold to provide temporary living quarters for recreational, camping or trailer use.

HUD-code manufactured home shall mean a structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one (1) or more sections, which is the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or when erected on-site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems.

Manufactured housing or manufactured home shall mean a HUD-code manufactured home or a mobile home and collectively means and refers to both.

Mobile home shall mean a structure that was constructed before June 15, 1976, transportable in one (1) or more sections, which is the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or when erected on-site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems.

Manufactured home lot shall mean a plot of ground within a manufactured home park designed for the accommodation of one (1) manufactured home.

Manufactured home park shall mean a contiguous development of land which has been planned and approved for the placement of manufactured homes approved by the city in accordance with all applicable codes, ordinances, laws, rules and regulations.

Manufactured house stand shall mean the space within the lot on which a manufactured home is to be located.

Manufactured home subdivision shall mean a duly recorded subdivision that has been planned and approved for manufactured homes approved by the city in accordance with all applicable codes, ordinances, laws, rules and regulations.

Motor home shall mean a vehicular unit designed to provide temporary living quarters for recreational, camping and travel use built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van which is an integral part of the completed vehicle and shall be understood to mean a recreational vehicle as that term is used herein.

Recreational vehicle shall mean a unit which contains facilities for either sleeping or temporary living quarters, or both, and which has its own motive power or is designed to be mounted on or towed by another motor vehicle. The term recreational vehicle shall include but not be limited to a motor home, truck camper, travel trailer and camping trailer, however a recreational vehicle shall not include a boat, a mobile home or a manufactured home.

Recreational vehicle park shall mean a contiguous development of land which has been planned and improved for the placement of recreational vehicles approved by the city in accordance with applicable codes, ordinances, laws, rules and regulations.

Sales lot shall mean any premises used by a retailer for showing manufactured homes to potential customers or any tract of land used for showing recreational vehicles to potential customers excepting premises used and owned by an individual showing a recreational vehicle.

Skirt shall mean concealment from view of the under carriage on all sides of a manufactured home. Skirting shall be accomplished with metal, vinyl or other material approved by the city.

Solid fence shall mean any fence constructed of masonry, metal, or wood or any combination of such materials and may be screened with Venetian blinds, plantings or other appropriate materials to obscure visibility. The term solid fence as used herein may include a fence that is constructed with masonry, metal or materials made out of wood or wood derivatives and in good repair without flaws, defects or any conditions impairing or limiting the utility of the fence.

Storage lot shall mean any part or portion of an undivided or divided land, lot(s), area, development or subdivision which is dedicated or designed as a manufactured home storage area and which is used to park or store manufactured housing for later sale, repair or renovation at other locations. If a lot or area is in multiple use unrelated to manufactured housing and a portion thereof is used for storage or the keeping of manufactured housing, where the same are stored, such lot shall be deemed a storage lot and regulated under the terms and provisions of this ordinance relating to storage lots.

Travel trailer shall mean a vehicular, portable structure on a permanent chassis, designed by the manufacturer to be towed by another vehicle and used as a dwelling, and which meets the definition of "temporary living quarters" or "permanent living quarters" as applied to its use.

1. *Temporary living quarters.* A travel trailer intended to be used for recreational, camping or travel use and of such size and weight so as not to require a special highway movement permit and which complies with the standards of MFPA 501-C, or ANSI standards for the construction of travel trailers which were in effect at the time the travel trailer was constructed.
2. *Permanent living quarters.* A travel trailer which may be occupied indefinitely (without limit as to the length of time it is occupied) which:
 - a. In the traveling mode does not require special highway permit;
 - b. Is less than eight (8) feet in width;
 - c. Is less than forty (40) feet in length exclusive of pulling or tow equipment;
 - d. Has a minimum floor area of one hundred twenty (120) square feet;
 - e. When placed on location, has all the amenities, facilities and capabilities of a manufactured home; and
 - f. Complies with the standards of NFPA 501-C, current edition, or the ANSI standards for the construction of travel trailers that were in effect at the time the travel trailer was constructed.
 - g. A travel trailer shall not be considered a manufactured house i.e. a HUD-code home, and may not be located or placed in a manufactured home subdivision.

Section 2. Mayor's authority.

Except as otherwise specified in this ordinance, the mayor or his designee shall be the permit and license issuance officer for all permits and licenses required pursuant to this ordinance. He shall prescribe forms therefore including all information reasonably and necessarily required for the enforcement of the provisions of this ordinance. He shall have authority to establish reasonable and necessary administration rules and regulations relating to the performance of his duties under this ordinance such as the place where license and permit applications will be received and the times inspections will be made.

Section 3. Notices and orders.

The mayor shall issue all necessary notices or orders to remove or abate illegal or unsafe conditions and to ensure compliance with all the requirements of this ordinance for the safety, health, and general welfare of the public.

Section 4. Compliance.

When any person shall have been notified by a written notice by the city that any conditions may exist or conduct by him as owner, agent, or in any other capacity, is in violation of the provisions of this ordinance, it shall be his duty to abate the violation within the time specified in the written notice. Such time shall not exceed ten (10) days. In the event legitimate circumstances exist preventing compliance within the specified ten (10) day period, the mayor may extend the compliance time for a period as may be reasonably determined. Additionally, when warranted, the mayor may provide for immediate compliance when a serious threat to life or substantial damage to property may exist.

Section 5. General penalty; continuing violations; abatement.

- (a) *Penalty.* Any person who shall violate any of the provisions of this ordinance shall, upon conviction, be fined not more than the maximum amount as shall be from time to time provided and/or allowed under the laws of the State of Texas, and each day's violation shall constitute a separate violation.
- (b) *Abatement.* In addition to the penalties herein provided, any condition caused or permitted to exist in violation of any of the provisions of this ordinance or any ordinance shall be deemed a public nuisance and may be abated by the city as provided by law.

Sections 6 through 25. Reserved.

ARTICLE II. REQUIREMENTS CONCERNING MANUFACTURED HOMES AND RECREATIONAL VEHICLES

DIVISION 1. GENERALLY

Section 26. Definitions.

Except as otherwise specifically provided, the term "mobile home" as used in this ordinance shall mean and include the term mobile home and manufactured housing.

Section 27. Authorized locations for mobile homes and manufactured housing.

- (a) Placement of a mobile home for use or occupancy as a residential dwelling, constructed prior to June 15, 1976, shall be prohibited within the corporate limits of the city unless otherwise permitted under the terms and provisions of this ordinance. Said prospective shall not apply to a mobile home previously legally permitted and used or occupied as a residential dwelling within the city. Permits for such use and occupancy shall be granted by the city for the replacement of a mobile home constructed prior to June 15, 1976 within the corporate limits with a HUD-code manufactured home, provided the placement of such replacement manufactured home is not otherwise prohibited herein and can meet the setback and distance requirements.

- (b) Except as permitted in (a) above and subject to lawful compliance with this ordinance, a mobile home or manufactured home may be placed, or permitted to remain within the city, if and only if, it is situated:
- (1) In a manufactured home park licensed pursuant to Article III of this ordinance;
 - (2) In a duly platted and recorded manufactured home subdivision, meeting all requirements of Article IV of this ordinance;
 - (3) Upon a city lot platted for residential use in the city, so long as setback requirements can be met;
 - (4) In an approved manufactured home sales lot, or approved storage lot;
 - (5) Upon a site that such mobile home or manufactured home has continuously occupied since the effective date hereof, provided that such occupancy was lawful on that date, and further provided, that the continued occupancy thereof does not pose a significant danger to the health or safety of persons within the home or to others;
 - (6) Upon a site that such mobile home or manufactured home has occupied prior to annexation of the site by the City, provided that such home as continuously occupied the site since the date the site was annexed, and further provided, that the continued occupancy thereof does not pose a significant danger to the health or safety of persons within the home or to others.
- (c) It shall be unlawful for any person to park or place a manufactured home at any location at any location authorized by this ordinance, or to permit or suffer any manufactured home to remain within the city in any location not authorized pursuant to this ordinance.

Section 28. Placement standards and skirting requirements.

- (a) Placement of manufactured homes within manufactured home parks shall be set forth in Article III of this ordinance. Each park shall maintain a separated, marked area for manufactured homes if recreational vehicles or travel trailers are permitted within the park. If recreational vehicles or travel trailers are to be located within the park, they shall be located in a separate designated area and shall meet the requirements of this ordinance.
- (b) Manufactured homes placed outside of manufactured home parks shall conform to all applicable provisions of this ordinance relating to manufactured homes used for occupancy.
- (c) All manufactured homes shall have skirts within thirty (30) days after being placed within the city except as otherwise provided herein.

Section 29. Upkeep, smoke detectors; requirements applicable to all travel trailers, recreational vehicles, mobile home and manufactured housing subject to regulation under this ordinance.

- (a) All manufactured homes and recreational vehicles both existing and new shall have fully operational smoke detectors and they shall be maintained in a safe and operating condition. All devices shall be maintained in good working order.
- (b) No persons shall occupy a manufactured home or recreational vehicle or travel trailer in the city without first complying the subsection (a), above.

Section 30. Restricted use.

Manufactured homes and recreational vehicles shall only be permitted for residential use or occupancy unless another use is specifically approved as an amendment to this ordinance.

Sections 31 through 45. Reserved.

DIVISION 2. MANUFACTURED HOUSING COMPLIANCE

Section 46. Finalized placement permit required for occupancy.

It shall be unlawful for any person to use or occupy in whole or in part, make use of any utility service, or to furnish utility to any manufactured home that has been placed within the city until and unless a placement permit therefore has been issued by the city.

Section 47. Application.

Any person desiring to place a manufactured home shall make application upon such forms as may be prescribed by the mayor. The owner of the manufactured home, or his agent shall sign the application, and if the manufactured home is placed outside a manufactured home park, the owner of the land on which the home is to be located.

Section 48. Finalization of placement permit.

The mayor may issue a placement permit and occupancy of the manufactured home shall be authorized when:

- (a) The applicant has obtained all applicable permits and inspections under this ordinance and the building codes.
- (b) The mayor has found that the manufactured home and its placement meet all applicable requirements of the city's ordinances and all state law that may be enforced by the city.

Section 49. Utility disconnection.

- (a) When any utility service to a manufactured home is disconnected it shall be the duty of the utility company to disconnect, lock, seal or otherwise prevent the unauthorized connection or reconnection of such utility service. In the event the service is provided on submetering or other basis whereby the utility company's

billing is not made directly to the manufactured home resident, then such duty shall rest upon the person contracting for service with the utility company.

- (b) A manufactured home which has not been replaced but which has had any utility service disconnected thereto may be reconnected to such utility service, provided that:
 - (1) A placement permit has been previously issued and finalized for such manufactured home at the site on which it is located; and
 - (2) A permit has been obtained for reconnection for any electrical utilities and the building official has found, upon inspection, that the exterior wiring service on the manufactured home is in such condition that it may be safely connected to the electrical utilities service.

Section 50. Placement inspection fees.

- (a) Each manufactured home placed or replaced within the city for the first time shall be inspected by the city to determine that it's placement is in accordance with the provisions of this ordinance. A fee for such placement inspection is hereby established and shall be collected in the amount of one hundred dollars (\$100.00). In consideration of such fee the applicant shall be entitled to the original inspection of the placement of the manufactured home and one (1) reinspection for deficiencies, if required. A fee of twenty-five dollars (\$25.00) shall be paid for each additional inspection due to deficiencies concerning the manufactured home.
- (b) Each manufactured home moved from one location in the city to another, for which a manufactured home placement permit has already been issued shall be subject to an additional placement fee in the amount described in subsection (a), above.

Sections 51 through 55. Reserved.

DIVISION 3. RECREATIONAL VEHICLES

Section 56. Recreational vehicle placement.

- (a) It shall be unlawful for any person to place, use or occupy a recreational vehicle within the city unless such placement, use or occupancy is specifically authorized by this ordinance.
- (b) Any computation of time under the provisions of this division shall commence from the date that the recreational vehicle is placed.

Section 57. Recreational vehicle outside park.

- (a) A recreational vehicle may be parked or stored outside a recreational vehicle park so long as no one occupies it for use, no utilities, temporary or permanent, are connected to the recreational vehicle and the vehicle is not parked on or

extending over public property unless parked on a public street in full compliance with any applicable parking ordinances and applicable state laws.

- (b) An occupied recreational vehicle may be parked or temporarily placed on property in private ownership for a period not to exceed seven (7) days, unless specifically approved by the city council, in any consecutive six-month period.

Section 58. Camping trailers.

- (a) A camping trailer may be placed in a recreational vehicle park licensed by the city as such, for a period not to exceed thirty (30) days in any consecutive six-month period, unless specifically approved by the city council, and may be used for sleeping and living purposes during the time it is so placed in a park.

- (b) No camping trailer may be placed or used within a manufactured home park.

Section 59. Motor homes, truck campers, and travel trailers.

- (a) A recreational vehicle or a travel trailer may be placed in a recreational vehicle park for a period of time not to exceed six (6) months within any consecutive twelve-month period, and may be used for sleeping and living purposes during the time that it is so placed in the park if:

- (1) It is self-contained.
- (2) It has at least one hundred twenty (120) square feet of floor space.
- (3) The park in which it is placed is licensed by the city as a recreational vehicle park or a manufactured home park if special arrangements and appropriate separations have been made in the park for recreational vehicles as provided in this ordinance.

- (b) A travel trailer which is not self-contained may be placed in a recreational vehicle park for a period of time not to exceed thirty (30) days within any consecutive twelve-month period and may be used for sleeping and living purposes during the time it is placed in the park if:

- (1) The park in which it is placed is licensed by the city as a recreational vehicle park, and the park meets the requirements of this ordinance.
- (2) It is placed on a lot in the park that was shown on the park's application and approved for use of the specific type of recreational vehicle being placed thereon.

- (c) A travel trailer may be placed in a recreational vehicle park and may be used for sleeping and living purposes while it is placed in such park, without limitation as to the limit of time it is so located and used if:

- (1) It is placed in a park that is licensed by the city as a recreational vehicle park.
- (2) It is placed on a lot in a park that is shown on the park's application and approved by the city for use by travel trailers connected to public utilities.

- (3) It is connected to the park's (or to a public) water supply, sewer system and electrical system, and to such a gas system if the travel trailer is designed for natural gas and has any gas appliances.
- (4) It is tied down and in a manner reasonable and necessary to secure the travel trailer.

Sections 60 through 65. Reserved.

ARTICLE III. MANUFACTURED HOUSING AND RECREATIONAL VEHICLE PARKS

DIVISION 1. GENERALLY

Section 66. Manufactured home parks/manufactured housing in general.

A manufactured home park may have provisions for both manufactured housing and recreational vehicles; however, appropriate separation and divisions must be maintained. Specifically marked areas shall be observed as otherwise provided herein and in no case shall a manufactured home have areas where manufactured housing and recreational vehicles are combined or located jointly without separations and dividers as required by this ordinance.

Section 67. Location.

In addition to the requirements contained herein, the nearest property line of a manufactured home park must be at least two hundred (200) feet from any permanent building located outside the park, unless separated by a solid fence at least six (6) feet in height, then the separation shall be twenty-five (25) feet.

Sections 68 through 75. Reserved.

DIVISION 2. PLATTING AND DEVELOPMENT

Section 76. Manufactured home park plat.

- (a) Any person developing a manufactured home park shall become familiar with the requirements of this ordinance and policies of the city.
- (b) Whenever any manufactured home park is proposed and before any building or development permit for the erection of any structure shall be granted by the building official and/or the mayor as hereinafter provided, the person desiring to develop such park shall present to the planning commission, for consideration, a properly prepared plat in accordance with the Subdivision Ordinance of the City of Beasley, with the exception of the filing requirements established by the county clerk's office.
- (c) All proposed manufactured home park plats within the city or its extraterritorial jurisdiction shall be submitted to the planning commission for consideration.

The planning commission has the power and authority to recommend approval of said plats to the council.

Section 77. Building or development permit required.

It shall be unlawful for any person to construct, alter or extend any manufactured home park within the city without first having obtained a permit from the building official.

Section 78. Application contents; fee.

- (a) All applications for manufactured home building or development permit shall be submitted to the mayor with the required fee in the amount of \$400.00 and shall contain the following:
 - (1) The name and address of the applicant;
 - (2) The street address and legal description of the land on which the manufactured home park development is to be or is located;
 - (3) Complete engineering plans and specifications of the proposed development showing, but not limited to the following:
 - a. The area and dimensions of the tract of land;
 - b. The number, location, and size of all manufactured home lots;
 - c. The required drawing shall show:
 - 1. The location of any areas designated for manufactured homes.
 - 2. The location of any areas designated for recreational vehicles which shall be separated from lots or areas set aside for manufactured homes by a separation area of at least fifty (50) feet and in a clearly demarcated area.
 - 3. The dimensions and location of lots.
 - d. The location and width of roadways and walkways and vehicle parking;
 - e. The location of water and sewer lines and riser pipes;
 - f. The location and details of fire hydrants;
 - g. The location of standpipes, if installed;
 - h. Plans and specifications of the required manufactured home park office and all buildings constructed within the manufactured home park;
 - i. The location and details of all electrical and gas systems; and
 - j. The site drainage plan.
 - k. Any additional information the mayor or building official determines will aid in the enforcement of this ordinance.
- (b) The mayor may require that a professional engineer registered in Texas certify all or any portion of the plans and specifications.

Section 79. Review and approval process.

The mayor or his designee shall review the application for a permit and may grant a permit if it is found that the application is in accord with the provisions of this ordinance

and other applicable law, and that the issuance of the permit will not adversely affect the health safety and welfare of the residents, citizens and inhabitants of the city.

Sections 80 through 85. Reserved.

DIVISION 3. LICENSE.

Section 86. Park operators license required.

It shall be unlawful for any person to operate any manufactured home park within the limits of the city unless he holds a valid license issued annually by the mayor in the name of such person for the specific manufactured home park. All applications for licenses shall be made to the mayor, who shall issue the license upon compliance by the applicant with provisions of this ordinance.

Section 87. Notice of disposition and transfer.

Every person holding a license shall give notice in writing to the mayor within thirty (30) days after having sold, transferred, assigned, given away, or disposed of any interest in, or control of any manufactured home park. Such notice shall include the name and address of the person succeeding to the ownership, or control of, such manufactured home park. Upon application in writing for transfer of license and payment of all appropriate fees as herein established, the license shall be transferred if the manufactured home park is in compliance with all applicable provisions of this ordinance. The transferee shall be entitled to operate the park for a period of thirty (30) days and shall apply for an obtain a new permit to operate. If the transferee shall fail to do so within the required thirty (30) day period, all rights and privileges shall be forfeited. If such license terminates upon the aforesaid basis, the occupants of the manufactured home park shall be given a thirty (30) day notice to remove their homes from the premises and failure to do so within such period shall constitute a misdemeanor.

Section 88. Application for license.

- (a) Applications for original licenses shall be in writing, signed by the applicant and shall contain: the name and address of the applicant, the location and legal description of the manufactured home park, plans and specifications of the park as required in this ordinance, and any information that may required by the mayor so that the city can determine whether the park meets all applicable laws and ordinances. Such application shall be accompanied by the payment of \$100.00.
- (b) The city shall inspect each park annually prior to expiration of the license. A copy of the inspection report and notice of renewal will be furnished to each license holder to ensure compliance with applicable ordinances or laws prior to renewal. The expiration date of the licenses is September 30th of each year. While the city will endeavor to send notice for renewal prior to expiration of the subject license, the ultimate responsibility for timely renewal in full compliance with the ordinance is solely that of the license holder. Applications for annual renewal of licenses shall be made in writing by the holders of the license, shall

be accompanied by the annual renewal fee, as defined in this ordinance and shall contain any change in the information submitted since the original license was issued or the latest renewal was granted.

Section 89. Issuance of manufactured home park license.

The mayor shall not issue any license for the operation of a manufactured home park unless application has been made therefore pursuant to this ordinance and the requirements as may from time to time be imposed herein. No license shall be issued until all applicable fees have been paid, and the park is found to meet all requirements of this ordinance and other laws and ordinances. The issuance of a license shall not constitute evidence that the park does meet the requirements of this ordinance or other applicable laws and ordinances.

Section 90. Correction of violations.

Whenever, upon inspection of any manufactured home park, the mayor or his designee finds that conditions or circumstances exist that are in violation of this ordinance, or there exists conditions that are or may tend to be injurious to the health, safety or welfare of the city, the mayor shall give notice in writing to the person to whom the license was issued that unless such conditions or practices are corrected within a reasonable period of time specified in the notice, the license shall be subject to revocation.

Section 91. Revocation and expiration of license.

- (a) Any license issued herein may be revoked for violation of any of the terms or provisions of this ordinance or other applicable state or federal laws.
- (b) After a manufactured home park license has expired, or if a manufactured home park license has been revoked, notice shall be given by the city to the occupants of the subject park to vacate the premises within a period of thirty (30) days and remove their manufactured homes therefrom. Failure of any such occupant to comply shall constitute a misdemeanor. In the event legitimate circumstances exist preventing compliance within the specified time, the mayor may extend the compliance time for a period as may be reasonably determined. Additionally, when warranted, the mayor may provide for immediate compliance when a serious threat to life or substantial damage to property may exist.
- (c) Nothing contained in this section shall be construed to prevent the city from ordering the immediate evacuation or closure of any manufactured home park to the extent permitted by law in the event of imminent or extreme hazard to human life or property.
- (d) No license once revoked shall be at any time reinstated, renewed or reissued until such time as the former permit holder has fully complied with all of the terms and provisions of this ordinance for a new permit holder.

Section 92. Posting.

The license certificate issued under this article shall be conspicuously posted in the office of or on the premises of the manufactured home park at all times.

Section 93. Fees.

The annual fee for each manufactured home park shall be fifty dollars (\$50.00) and an additional fee of fifteen dollars (\$15.00) for each mobile home stand. This fee entitles the park to the initial inspection for license renewal and a follow-up inspection, if necessary. If additional inspections are required for noncompliance, a fee of one hundred dollars (\$100.00) for each additional inspection shall be charged. Failure to pay these fees will be considered justification to deny the manufactured home park license.

Sections 94 through 100. Reserved.

DIVISION 4. INSPECTION

Section 101. Maintenance.

Every person owning or operating a manufactured home park shall maintain such park, and any facilities, fixtures, and permanent equipment in connection therewith, in a clean and sanitary condition free from litter and high weeds, shall maintain the equipment present or used in a state of good repair and in compliance with applicable laws.

Section 102. Office building.

- (a) Each manufactured home park with more than fifty (50) lots shall be provided with a building to be known as the office with a sign thereon, in which shall be kept copies of all records pertaining to the management and supervision of the park, as well as all rules and regulations of the park.
- (b) Manufactured home parks with fifty (50) lots or less shall be required to permanently post in a prominent place at or near the entrance to the park a placard or notice containing the name and address of a person authorized to respond to notification for inspection by the mayor or his designee on a twenty-four (24) hour basis. Additionally, such parks will make available to the mayor or his designee identified in Section 103, upon request, all records pertaining to the management and supervision of the park.
- (c) Nonconforming manufactured home parks existing on the effective date hereof will be required to comply with subsection (b) above, regardless of the number of lots therein.

Section 103. Inspection of manufactured home parks.

The mayor or his designee are hereby authorized and directed to make such inspections as are necessary or desirable to determine satisfactory compliance with this ordinance and all other applicable ordinances and laws.

Section 104. Inspection and entry.

The mayor, his designee or any officer of the city shall be authorized and directed to perform inspection of manufactured home parks and shall be granted immediate access upon notice of intent to perform inspections and request to enter. If denied access, the mayor shall have the power to commence such action as shall be necessary to secure revocation of the permit of authority previously issued for the manufactured home park including a permit to operate said park.

Sections 105 through 110. Reserved.

DIVISION 5. MANUFACTURED HOME PARK STANDARDS

Section 111. Location.

A manufactured home park may be located upon any property in the city provided:

- (a) The site is a contiguous development land comprised of a minimum of fifteen acres;
- (b) The applicant shall certify under oath as a part of application that a reasonable inquiry has been made and that as a result of said inquiry there are no valid and applicable deed restrictions or other land use restrictions that prohibit the development or use of the site as a manufactured home park;
- (c) Soil conditions, ground water level, drainage and topography do not constitute hazards to health, safety or welfare;
- (d) The site is not to be exposed to objectionable smoke, dust, noise, odors, or other adverse influences;
- (e) The use of the site, as proposed, is not in any flood hazard area preventing the use of the site for a manufactured home park;
- (f) The location of this site and the intended use of the site is in compliance with all other ordinances of the city; and
- (g) The site development plans provide for adequate infrastructure improvements for a manufactured home park.

Section 112. Use for nonresidential purposes prohibited.

No part of any park shall be used for nonresidential purposes, except such uses that are required for the direct servicing and well being of park residents and for the management and maintenance of the park and the required park office.

Section 113. Additional requirements for a manufactured home park.

The manufactured home park shall conform to the following requirements:

- (a) The manufactured home park shall be located on a well-drained site, properly graded to insure repaid drainage and freedom from stagnant pools of water.
- (b) Each manufactured home lot shall:
 - (1) Consist of a minimum of four thousand (4,000) square feet; and
 - (2) Be at least forty (40) feet wide at the front stand.
- (c) A manufactured home shall be placed on each lot stand so that:
 - (1) There shall be a minimum clearance of twenty-five (25) feet from front of lot line.
 - (2) There shall be at least twenty-one (21) feet clearance between each manufactured home.
 - (3) End-to-end clearance shall be not less than ten (10) feet.
 - (4) There shall be at least ten (10) feet clearance between manufactured homes and any building within the park.
- (d) All manufactured home lots shall abut upon a street or driveway and meet the following requirements:
 - (1) Entrance and collector streets shall be at least twenty-eight (28) feet wide.
 - (2) All other streets or driveways shall be at least twenty-four (24) feet wide.
 - (3) All streets and driveways shall be well marked in daytime and lighted at night and shall meet the following requirements:
 - a. The minimum quality of all public streets and driveways which are to be dedicated shall be six (6) inches of concrete and constructed in accordance with the most current edition of the Design Standards for the construction of streets.
 - b. All streets previously existing in a manufactured home park shall be improved and altered to meet the requirements as herein set out upon any application for permit to change, enlarge or modify the existing configuration of the manufactured home park.
- (e) For each manufactured home lot there shall be two (2) off-street parking spaces provided.
- (f) For each manufactured home lot there shall be provided a storage building of a minimum of one hundred fifty (150) square cubic feet.
- (g) All public and private utilities shall be installed underground.

Section 114. Duties of owner generally.

- (a) It shall be the duty of the owner, his agent, representative or manager to prescribe rules and regulations for the management of the park and to make adequate provisions for the enforcement of the rules and regulations. Copies of all such rules and regulations shall be furnished to the mayor. In addition, thereto, it shall be the duty of the owner, his agent, representative or manger to comply strictly with the following:
- (1) Provide for regular inspection of all public and private utilities.
 - (2) Provide for the collection and removal of garbage and other waste materials.
 - (3) Prohibit the placing or storage of unsightly material or vehicles of any kind.
 - (4) All sewer taps not in use shall be capped.
 - (5) Provide and maintain safe and sanitary public and private utility connections to each home lot.
 - (6) Maintain a neat, clean, sanitary and safe park.
 - (7) Insure that each home is to placed on the stand in such a manner that the full length of the frame can be firmly blocked to the concrete footings or concrete runners.
 - (8) Each home stand shall be assigned a number and this number shall be displayed on the street side of the manufactured home.
 - (9) Provide on demand that all homes have skirts within thirty (30) days of being placed.
- (b) The licensee shall notify the mayor immediately of any suspected communicable or contagious disease within the licensed park.

Section 115. Water, sanitary sewer, electrical and gas supply.

All manufactured homes are to be properly connected to an approved water, sanitary sewer, gas and electrical system that terminates within the manufactured home stand.

Section 116. Fuel regulation.

Bottled gas shall not be used at license parks by recreational vehicle owners unless the containers are properly connected by copper or other suitable metal tubing. Bottled gas cylinders shall be securely fastened in place. No cylinders containing gas shall be located in a recreational vehicles or within five (5) feet of a door thereof. State and local regulations applicable to handling of bottled gas and fuel oil must be followed. The maximum number of gallons of bottled gas per recreational vehicle shall be no more than one five-gallon and one fifteen gallon container. The maximum amount of fuel oil per recreational vehicle shall be not more than fifty-five gallons.

Section 117. Specific regulations applicable to recreational vehicles in parks.

For all recreational vehicles the licensee shall maintain or ensure that and agent maintains a register showing:

- (a) The names of persons staying or residing in the park specifically designating the recreational vehicle lot on which they are staying or residing.
- (b) The serial number, make, model and description of each recreational vehicle parked within the park at a place designed and segregated for recreational vehicles.
- (c) The date each recreational vehicle is placed in the park and the date it is removed from the park.

Section 118. Additional construction.

It shall be unlawful for any person operating a manufactured home park or occupying a manufactured home to construct or permit to be constructed and additional structure, building or shelter in connection with or attached to a manufactured home without first obtaining a building permit issued under the applicable provisions of the Code.

Section 119. Tiedown and foundation blocking standards.

- (a) The installation of manufactured housing shall comply with the standards and requirements of the Texas Manufactured Housing Code.
- (b) All manufactured housing must have adequate tiedowns pursuant to Vernon's Ann. Civ. St. art. 5221f or as may be subsequently amended and as provided thereafter.
- (c) Manufactured housing shall be placed on piers and footing meeting the following requirements:
 - (1) Piers and footings shall be installed directly under the main frame or chassis of the manufactured home. They shall be located under both frame rails. Piers shall be spaced so that the center of no pier is farther than ten (10) feet from the center of the next one.
 - (2) All footings shall be solid concrete-type construction, at least sixteen (16) inches in length, sixteen (16) inches in width, and four (4) inches in height. All grass and organic material shall be removed from beneath the footing, and the pier footing shall be placed on stable soil.
 - (3) Piers shall be constructed of standard eight-inch solid concrete type construction blocks. Treated wood blocks and shims used for leveling shall be no more than four (4) inches in overall thickness per pier, and blocks shall be at least seven and one-fourth (7 ¼) inches wide and fifteen (15) inches thick.
 - (4) Piers similar to those described above such as adjustable screw anchor columns may be used if they are attached to both the frame rail and to a concrete pad at least four (4) inches thick.
 - (5) The following may be substituted for footings as described in subsection (2) above:

- a. Two runners each thirty-six (36) inches wide and as long as the manufactured home to be harbored upon such stand.
- b. Runners to be four (4) inches thick reinforced concrete with four (4) Number 4 bars over the full length of the runner and tied twelve (12) inches on center with Number 4 bar.
- c. Reinforcing steel shall be supported on chars no less than every three feet.

Section 120. Community maintenance standards.

- (a) The person to whom a license for a manufactured home park is issued shall provide adequate supervision to maintain the park in compliance with this ordinance and to keep its facilities and equipment in good repair and in clean sanitary condition.
- (b) The licensee or his agent shall notify the community residents of all applicable provisions of this ordinance and inform them of their duties and responsibilities under this ordinance.
- (c) The licensee or his agent shall supervise the placement of each manufactured home on its stand, which includes securing its stability and installing all utility connections. Where permits are required, the licensee or his agent shall refuse to allow connections unless all requirements of city ordinances have been met and all applicable permit fees have been paid.

Section 121. Responsibility of resident.

- (a) The resident shall at all times comply with all applicable requirements of his ordinance and shall maintain his home site, its facilities and equipment in good working repair and in clean sanitary condition.
- (b) The resident shall be responsible for proper placement of their home on its stand and proper installation of all utility connections in accordance with the instructions of management. The resident shall obtain all city licenses and permits where required.

Section 122. Insect and rodent control.

- (a) Grounds and premises, buildings and structures shall be maintained free from insect and rodent harborage and infestation.
- (b) The park and area where the manufactured home is placed shall be maintained free of accumulations of debris that may provide rodent harborage or breeding places for flies, mosquitoes and other pests.
- (c) Storage areas shall be so maintained as to prevent rodent harborage; lumber, pipe or other building material shall be stored at least one foot above the ground.

- (d) The growth of brush, weeds and grass shall be controlled to prevent harborage of ticks, chiggers and other noxious insects. Open areas shall be maintained free of heavy undergrowth of any description.

Section 123. Special provisions applicable to existing nonconforming parks.

- (a) A manufactured home park constructed prior to the effective date hereof, or prior to annexation of land on which the park is located, may continue to be used as a manufactured home park although not constructed in accordance with the provisions of this ordinance if:
 - (1) The park meets all other requirements of law that were applicable at the time of its construction as a manufactured home park.
 - (2) The park contains no conditions that constitute a threat to the health and safety of its residents or the public in general.
 - (3) The park meets all other applicable requirements of law and is not deemed to be a hazard to the health, safety and well being of citizens, residents and inhabitants of the city.
- (b) Any additions, alterations and repairs to existing nonconforming parks are required to meet the requirements of this ordinance unless otherwise directed by the mayor.
- (c) Notwithstanding the provisions of subsection (a) above, a manufactured home park that was constructed before the effective date, hereof, or before annexation by the city, may not be enlarged so as to expand the number of stands therein unless the enlargement is constructed in full compliance with the current requirements of this ordinance.

Sections 124 and 125. Reserved.

ARTICLE IV. MANUFACTURED HOME SUBDIVISIONS

Section 126. Plat approval.

Manufactured home subdivisions will be considered and approved for recordation in the same manner and subject to the same provisions of the Subdivision Ordinance as are applicable to residential subdivisions, provided that no such manufactured home subdivision will be approved by the city unless the following additional requirements are complied with:

- (a) It shall contain a minimum of ten (10) acres of land and not less than fifty (50) lots; and
- (b) It shall be restricted by deed restrictions to manufactured housing used as places of permanent residency. Deed restrictions shall be single ownership only and the same cannot be rented or leased for temporary residency by the owner(s) of the unit. The term temporary residency as used herein shall be understood to mean period of six (6) months or less.

(c) No lot in a permitted subdivision shall be rented or leased for occupancy by transient owners of manufactured homes.

Section 2. That the City Secretary shall give notice of the enactment of this Ordinance by publishing it or its descriptive caption and penalty at least one time within ten (10) days after final passage in the official newspaper of the city; the ordinance to take effect upon publication.

Section 3. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby expressly repealed.

PASSED AND APPROVED by a vote of 4 "ayes" in favor and 0 "no's" against on this first and final reading on this, the 16th day of September 2003.

ATTEST:

CITY SECRETARY

G. B. Nicholas

APPROVED:

MAYOR

Trace Smith

APPROVED AS TO FORM:

CITY ATTORNEY

98809 Chy. [Signature]