

ORDINANCE NO. 2019 - 4

AN ORDINANCE OF THE CITY OF BEASLEY, TEXAS, REGULATING THE INSTALLATION OF MOBILE HOMES AND HUD-CODE MANUFACTURED HOMES WITHIN THE CITY LIMITS; AMENDING ORDINANCE NO. 2004-8.

Recitals:

- 1) On August 17, 2004, the City of Beasley passed and adopted Ordinance No. 2004-8, prohibiting the installation of Mobile Homes and Manufactured Homes within the City Limits;
- 2) On January 17, 2012, the City of Beasley passed and adopted Ordinance No. 2012-1, repealing Sections B (Hardship Permits) and C (Appeal and Revocation) of Ordinance No. 2004-8 in their entirety;
- 3) It is now the intention to further amend Ordinance No. 2004-8 pertaining to the replacement of any existing Manufactured Home, as Manufactured Home is defined in Ordinance No. 2004-8.

Be it ordained by the City Council of the City of Beasley:

Section 1 Definitions

- (a) Replacement Manufactured Home: is defined as the replacement home of any Manufactured Home that is currently legally permitted and used or occupied as a residential dwelling within the City that the owner of the underlying land wishes to replace for any reason.
- (b) New Manufactured Home: is defined as a newer manufactured home that is at least as large in living space as the prior manufactured home.

Section 2 Amendment

- (a) Ordinance No. 2004-8 is hereby amended to allow only New Manufactured Homes as Replacement Manufactured Homes.
- (b) All other provisions of Ordinance No. 2004-8 will remain intact, except as amended by Ordinance No. 2012-1.

Section 3 Conflict

If there is a conflict between a requirement of this Ordinance and any other ordinance or requirement of the City, the most stringent requirement shall apply. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall apply.

Section 4 Repeal

This ordinance is intended to be cumulative and shall not repeal any previous ordinance except to the extent that any provision of such ordinance is inconsistent and cannot be reconciled with any provision contained herein.

Section 5 Severability

In the event any section, clause, sentence, paragraph, or portion of this ordinance shall be, for any reason, adjudged by any Court of competent jurisdiction to be invalid, such invalidity shall not effect, invalidate or impair the remainder of this ordinance.


Section 6 Effective date

This ordinance shall be in full force and effect from and after its passage and its publication as provided by law.

PASSED, APPROVED AND ADOPTED this the 19th day of February, 2019.



ATTEST:


Kenneth Reid, Mayor


G.B. Michulka, City Secretary