

## Ordinance #85

AN ORDINANCE REGULATING THE PLACEMENT OF MANUFACTURED HOMES & MOBILE HOMES WITHIN THE CITY LIMITS OF THE CITY OF TUSCOLA; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PENALTIES FOR VIOLATIONS.

WHEREAS the City Council of the City of TUSCOLA is concerned about the health, safety and welfare of its citizens; and

WHEREAS it has become apparent that unless properly regulated so as to control density of population, parking, open-space and fire hazards the improper placement and location of Manufactured Homes and Mobile Homes within the city limits of the City of TUSCOLA may interfere with the health, safety and welfare of the citizens of TUSCOLA;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of TUSCOLA, Texas:

### Section 1. Definitions

Manufactured Home. Shall mean a HUD-Code manufactured home- A STRUCTURE CONSTRUCTED ON OR AFTER JUNE 15, 1976, ACCORDING TO THE RULES OF THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, BUILT ON A PERMANENT CHASSIS, DESIGNED FOR USE AS A DWELLING WITH OR WITHOUT A PERMANENT FOUNDATION WHEN THE STRUCTURE IS CONNECTED TO THE REQUIRED UTILITIES, TRANSPORTABLE IN ONE OR MORE SECTIONS, AND IN THE TRAVELING MODE, AT LEAST EIGHT BODY FEET IN WIDTH OR AT LEAST 40 BODY FEET IN LENGTH OR, WHEN ERECTED ON SITE, AT LEAST 320 SQUARE FEET.

Mobile Home- STRUCTURE THAT WAS CONTRUCTED BEFORE JUNE 15, 1976 , BUILT ON A PERMANENT CHASSIS, DESIGNED FOR USE AS A DWELLING WITH OR WITHOUT A PERMANENT FOUNDATION WHEN THE STRUCTURE IS CONNECTED TO THE REQUIRED UTILITIES, TRANSPORTABLE IN ONE OR MORE SECTIONS, AND IN THE TRAVELING MODE, AT LEAST EIGHT BODY FEET IN WIDTH OR AT LEAST 40 BODY FEET IN LENGTH OR, WHEN ERECTED ON SITE, AT LEAST 320 SQUARE FEET.

Recreational Vehicle. Shall mean a vehicular-type portable structure without a permanent foundation that can be towed, hauled or driven which is designed as a temporary living accommodation for the recreational, camping, and travel use, and which includes but is not limited to travel trailers, truck campers, camping trailers, and self propelled motor homes.

Skirt. Shall mean a device for the concealment of the undercarriage of a manufactured home or mobile home from view, which shall be constructed of durable material.

Storage. Shall mean the placement or maintenance of a vacant manufactured home or mobile home within the city, whether in a manufactured home park or not, without lawfully connecting or subscribing to city water, sewer or solid waste disposal services.

Tie Downs. Shall mean metal bands or other sufficient material, attached to a manufactured home or mobile home and to the ground for the purpose of holding the structure down, which must be in compliance with state and federal laws and regulations.

## Section 2. Storage Prohibited.

It shall be unlawful for any person to store a manufactured home or mobile home within the city limits of the City of TUSCOLA. Manufactured homes and mobile homes existing prior to the adoptions of this article are not exempt from this article.

## Section 3. Occupancy Requirements.

(a) It shall be unlawful for any person to occupy a recreational vehicle inside the city limits of the City of TUSCOLA, and outside of a RV park, for more than 30 days unless said occupancy is in conjunction with a related city sponsored event.

(b) It shall be unlawful for any person to place, occupy, or connect to city utilities, a manufactured home or mobile home without conforming with the following provisions:

1. Application. An application must be submitted to the City Council containing the following information:

(A) The name and address of the applicant.

(B) The location and legal description of the property on which the manufactured home or mobile home will be located.

(C) An affidavit by the applicant regarding the type of dwelling.

(D) The requisite information to insure that the installations and maintenance of the manufactured home or mobile home will be in accordance with the rules and regulations required by this chapter.

2. Requirements for the Installation of Manufactured Homes or Mobile Homes on Individual Lots. The installation of manufactured homes or mobile homes on individual lots shall comply with the following standards:

(A) The frame shall be tied to a permanent anchoring system meeting the current requirements of the Texas Manufactured Housing Standards Act as ministered by the Texas Department of Housing and Community Affairs, Manufactured Housing Divisions, or successor agency and must otherwise comply with all federal and state laws concerning manufactured housing.

(B) The frame of the manufactured home shall be no less than 18 inches above the average adjacent ground level at the foundation on all sides visible from an abutting street or from a lot containing a site built single family dwelling.

(C) A stoop, porch, patio, or deck must be provided at each entrance to the structure.

(D) The space between the ground level and the floor level of the structure shall be skirted with non-degradable materials compatible in color, style, and texture with the exterior of the home if the concrete foundation does not already enclose that space.

(E) Site-built attached additions, and detached structures in the front or side yards, must be compatible in color, style, and materials with the exterior of the manufactured structure. Detached structures that are not compatible in color, style and materials must be located in the rear yard.

(F) No manufactured home shall be closer than twenty-five (25) feet from any other dwelling or six (6) feet from any property line or fifteen (15) feet from state, county and city right of ways.

(G) All rules and regulations of the City of TUSCOLA regarding the water and sewer service and the installation and maintenance thereof shall be complied with.

(H) The owner/occupier shall also subscribe to the city water, sewer and solid waste collection service, if available.

(I) Manufactured homes that do not meet current county, state and federal safety standards will not be allowed. Mobil Homes by definition built before 1976 and not certified as HUD compliant will not be allowed

(J) No more than one dwelling per city lot; being a minimum of 7500 sq ft.

(3) Review of the Application by the City Council. The City

Council shall review the application to insure that all City of TUSCOLA regulations are complied with, including, but not limited to, Ordinance No.85, Subdivisions, of the City of TUSCOLA Ordinances. The City Council, or their designee, shall also insure that all utilities are readily available. In the event that the application does not comply with provisions of this code, the city secretary shall cause a written notice to issue to the applicant indicating the deficiencies and requirements for curing same. The applicant shall have a period of thirty (30) days in which to cure the deficiencies noted. Otherwise, a new application will be required. If the application does meet all City of TUSCOLA regulations, the permit shall be issued to allow placement of the manufactured home.

#### Section 4. Existing Structures.

Manufactured homes and mobile homes that are presently inside the city limits and in compliance with previous regulations of the city shall not be required to comply with the provisions of Section 3.

#### Section 5. Utility Connections

No city utilities shall be connected to property containing a manufactured home or mobile home which has not received a permit pursuant to the provisions of this code.

#### Section 6. Violations and Penalty

Violation of this Ordinance shall be punishable by a fine not to exceed five hundred (\$500) dollars. Each day that a violation continues shall be deemed a separate violation.

#### Section 7. Severability Clause

If any provision or provisions of this Agreement shall held to be invalid, illegal, unenforceable or in conflict with the law of any jurisdiction, the validity, legality and enforceability of the remaining provisions shall not in any way be affected.

#### Section 8. Effective Date

This ordinance shall become effective after passage by the City Council and publication as required by law.