

ORDINANCE NO. 188-1-2007
(Manufactured and Industrial Housing Regulations)

AN ORDINANCE OF THE TOWN OF SHADY SHORES, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF SHADY SHORES AS HERETOFORE AMENDED, BY ESTABLISHING AND PROVIDING REGULATIONS FOR MOBILE HOMES, MANUFACTURED HOUSING AND INDUSTRIALIZED HOUSING, AS SET FORTH HEREIN; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$2,000.00 FOR EACH OFFENSE; PROVIDING A PUBLICATION CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Shady Shores Planning and Zoning Commission and the governing body of the Town of Shady Shores, in compliance with the laws of the State of Texas and the ordinances of the Town of Shady Shores, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance of the Town of Shady Shores should be amended to zone the land described herein;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SHADY SHORES, TEXAS:

SECTION 1

A. The Comprehensive Zoning Ordinance of the Town of Shady Shores, Texas, Ordinance No. 124, as heretofore amended, be, and the same is hereby amended by adopting "Manufactured Housing" regulations set forth in Exhibit A, incorporated in this ordinance in their entirety.

B. The areas of Town which may have manufactured housing, with written approval of the Town, as shown by passage of a resolution or ordinance by the Town Council, are as follows:

1. An area of Town specifically zoned as a "Manufactured Housing" district.
2. A single lot or lots which are recognized by the Town as a lot, or lots, which have, under applicable law, a nonconforming use status. A nonconforming use is defined and regulated as follows:

NONCONFORMING USES

(a) Any lawful use of property existing on the date of the original adoption of the Comprehensive Zoning Ordinances of Shady Shores, which does not conform to the regulations prescribed herein, shall be deemed a nonconforming use and may be continued subject to such regulations as to the maintenance of premises and conditions of operations as may, in the judgment of the Town Council, be reasonably required for the protection of adjacent property. A nonconforming use may not be expanded within an existing building nor may the building be expanded or structurally altered to accommodate the nonconforming use. A nonconforming use of a building may be changed to another nonconforming use of the same or more restrictive classification; however once a change is made to a more restrictive use, the use shall not be changed back to the prior nonconforming use.

(b) A nonconforming use, if changed to a conforming use, may not thereafter be changed back to any nonconforming use. If a nonconforming use is discontinued for a period exceeding six months, such nonconforming use shall be deemed to have been abandoned and any future use thereof shall conform to the terms of this ordinance.

(c) If a structure occupied by a nonconforming use is destroyed by fire, the elements or other cause, it may not be rebuilt except to conform to the provisions of this ordinance. In the case of partial destruction of a nonconforming use not to exceed 50 percent of its reasonable value, reconstruction will be permitted but the size or function of the nonconforming use cannot be expanded or enlarged.

(d) At the discretion of the Town Council, incremental site improvements, including, but not limited to, landscaping or screening, may be made without meeting the minimum requirements of this ordinance where no building or circulation changes are proposed.

(e) The business known as Lakeside Manor, at 425 South Shady Shores Road, is a legal nonconforming use on residentially zoned property. As a nonconforming use, it is limited to not more than forty-three (43) manufactured housing units only, installed and provided in accordance with this ordinance, and applicable state law. Three buildings on the site are used as residences, and one is used as an office for the manufactured housing park. In the event the owners of the park tear down one or more of these four buildings, one new residential manufactured housing unit may replace each building removed, not to exceed four units.

3. Special use permit - An area subject to and operating as a manufactured housing area is subject to all requirements of these regulations, unless specifically modified by the Special Use Permit for the area.

SECTION 2 State Law and Regulations.

A. This ordinance is adopted, and subject to, applicable state laws. To the full extent applicable and legally authorized, the requirements and standards of chapters 1201 of the Texas Occupations Code, and chapter 80 of Title 10, Part 1 of the Texas Administrative Code are adopted, and incorporated herein in this ordinance. A violation of said state law, collectively the “State Requirements,” is also a violation of the health, safety and welfare requirements of this ordinance. Specifically excluded from Town enforcement is any provision of state law which falls exclusively to the jurisdiction of a state or federal agency, e.g., the Texas Department of Housing and Community Affairs, the Texas Attorney General, or the Denton County District Attorney.

B. The provisions in A. above shall also apply to Industrialized Housing, as regulated in chapter 1202 of the Texas Occupations Code, and related statutes.

C. Attached to this ordinance, for purposes of illustration of state regulations to be followed, are the following provisions:

- Rule §80.54 Requirements for the Installation of Manufactured Homes
- Rule §80.55 Generic Standards for Anchoring Systems
- Rule §80.64 Procedures for Alterations
- Rule §80.66 Rebuilding or Repairing a “Salvaged” Manufactured Home
- Rule §80.119 Installation Responsibilities
- Rule §80.123 License Requirements

D. Any person required by state law to be licensed under the State Requirements shall produce such license, licenses or state required permit on request by the Town. The failure to produce a license or permit required by the State Requirements on request by the Town is a violation of this ordinance.

State required licenses include, but are not limited to the following (TAC, Title 10, Part 1, Chapter 80, Subchapter E, Rule 80.123):

1. Manufacturer
2. Retailer
3. Broker
4. Rebuilder
5. Installer
6. Homeowner’s Temporary Installation
7. Salesperson

State required permits include, but are not limited to:

1. Statement of ownership and location (Section 1201.205, Texas Occupations Code)

SECTION 3 Industrialized Housing Regulations.

A. The Town adopts all the regulatory authority granted cities and towns by Section 1202 of the Texas Occupations Code. The standards applied to industrialized housing (as defined in the Occupations Code) shall conform to the Town's zoning classification of R-2000-1/2 to the full extent authorized by the Occupations Code. This includes the following, as applicable:

1. land use and zoning requirements;
2. building setback requirements;
3. side and rear yard requirements;
4. site planning and development and property line requirements;
5. subdivision control; and
6. landscape architectural requirements.

B. The Town does require the following for industrialized housing:

1. for compliance with mandatory building codes, a complete set of designs, plans, and specifications bearing the council's stamp of approval for each installation of industrialized housing or buildings in the municipality;

2. all applicable local permits and licenses be obtained before construction begins on a building site;

3. in accordance with applicable state rules, that all modules or modular components bear an approved decal or insignia indicating inspection by the state; and

4. the Mayor, in consultation with the Building Inspector, may establish procedures for the inspection of:

(a) the erection and installation of industrialized housing or buildings to be located in the municipality, to ensure compliance with mandatory building codes and commission rules; and

(b) all foundation and other on-site construction, to ensure compliance with approved designs, plans, and specifications.

5. The Procedures described by subsection B.4, above, may require:

(a) before occupancy, a final inspection or test in accordance with mandatory building codes; and

(b) correction of any deficiency identified by the test or discovered in the final inspection.

6. Permits and Related Requirements -

(a) Single-family industrialized housing must have all local permits and licenses that are applicable to other single-family or duplex dwellings.

(b) For purposes of this section, single-family or duplex industrialized housing is real property.

(c) Single-family industrialized housing is required to:

(1) have a value equal to or greater than the medial taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll for each county in which the properties are located;

(2) have exterior siding, roofing, roof pitch (or roofing pitch), foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located;

(3) comply with municipal aesthetic standards, building setbacks, side and rear yard offsets, subdivision control, architectural landscaping, square footage, and other site requirements applicable to single-family dwellings; and

(4) be securely fixed to a permanent foundation.

(d) For purposes of subsection B.6.(c), “value” means the taxable value of the industrialized housing and the lot after installation of the housing.

SECTION 4 Severability. That should any word, phrase, paragraph, section or portion of this ordinance be held to be illegal, invalid or unenforceable, the legality, validity and enforceability of the remaining portions of the ordinance shall not be affected thereby, and each such illegal, invalid or unenforceable word, phrase, paragraph, section or portion shall not affect the ordinance as a whole.

SECTION 5 Repealer. That all provisions of the ordinances of the Town of Shady Shores in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the Town of Shady Shores not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 6 Penalty. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the

Comprehensive Zoning Ordinance of the Town of Shady Shores, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of \$2,000.00 for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7 Publication. In accordance with Section 52.011 of the Local Government Code, the caption of this Ordinance shall be published either (a) in every issue of the official newspaper of the Town of Shady Shores for two days, or (b) one issue of the newspaper if the official newspaper is a weekly paper. An affidavit by the printer or the publisher of the official newspaper verifying the publication shall be filed in the office of the Town Secretary.

SECTION 8 Effective Date. This Ordinance shall take effect upon publication of the caption, as the law in such case provides.

ADOPTED this 8th day of January, 2007, by the Shady Shores Town Council.

APPROVED:

151

Olive Stephens, Mayor

ATTEST:

151

Angie Warner, Town Secretary

Exhibits:

A. Manufactured Housing regulations

EXHIBIT A

MANUFACTURED HOUSING

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Exhibit A

MANUFACTURED HOUSING

A. PURPOSE

1. A Manufactured Housing Permit area is designated in order to provide an adequately controlled area for the placement of Manufactured Homes, and to assure an environment suitable for family living. The terms "HUD-Code Manufactured Home", "Mobile Home", "Manufactured Housing" and "Recreational Vehicle" as used herein are as defined in applicable Texas state law, as amended.

(a) a "HUD code manufactured home" is defined as follows:

(A) means a structure:

(i) constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development;

(ii) built on a permanent chassis;

(iii) designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities;

(iv) transportable in one or more sections; and

(v) 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;

(B) includes the plumbing, heating, air conditioning, and electrical systems of the home; and

(C) does not include a recreational vehicle as defined by 24 C.F.R. Section 3282.8(g).

(b) a "Mobile home" is defined as follows:

(A) means a structure:

(i) constructed before June 15, 1976;

(ii) built on a permanent chassis;

(iii) designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities;

(iv) transportable in one or more sections; and

(v) 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; and

(B) includes the plumbing, heating, air conditioning, and electrical systems of the home.

2. Any violations of the provisions of any prior Ordinance or Permit regarding Manufactured Housing and/or Mobile Homes passed, which occurred prior to the date of any amendments to this Zoning Ordinance in effect on the date of any violation of this Ordinance shall be interpreted as still being in effect on the date any violation is prosecuted. Further, no amendments to this ordinance shall waive, accept, or approve any non-conforming use which existed immediately prior to the date this Ordinance is enacted.

B. PRINCIPAL PERMITTED USES

Rental lots for placement of Manufactured Homes with utilities.

C. GENERAL PROVISIONS

1. MOBILE HOMES (CONSTRUCTED PRIOR TO JUNE 15, 1976).

No mobile home may be installed for use or occupancy as a residential dwelling unit within the Town of Shady Shores, effective the date of this Ordinance. Any mobile home previously legally permitted and used or occupied as a residential dwelling unit within the Town is deemed a non-conforming use. A permit for such legal non-conforming use and occupancy shall be granted for a lawful non-conforming mobile home within the Town so long as a replacement is a HUD-Code Manufactured Home, and is located within the Permitted Areas of the Town.

2. HUD-CODE MANUFACTURED HOMES (CONSTRUCTED ON OR AFTER JUNE 15, 1976).

No HUD-Code Manufactured Homes (constructed on or after June 15, 1976) shall be permitted as a residential dwelling, or otherwise, unless the installation is within a manufactured housing permit district approved by the Town. An application to install a new HUD-Code manufactured home for use and occupancy as a residential dwelling is deemed approved and granted unless the Mayor denies the application in writing, within 45 days of the receipt of the application, setting forth the reason for denial. Denial reasons include, but are not limited to an unsafe or unsanitary condition of the manufactured housing.

3. RECREATIONAL VEHICLES.

No Recreational Vehicle may be installed, used, or occupied as a residential dwelling within the corporate limits of the Permit Area.

4. WASTEWATER REQUIREMENTS.

All wastewater connections, plumbing, and drainage requirements within the permitted areas shall meet the highest standards of federal, state and county regulations including those of Lake Cities Municipal Utility Authority ("LCMUA").

EXHIBIT A

MANUFACTURED HOUSING

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(ii) built on a permanent chassis;

(iii) designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities;

(iv) transportable in one or more sections; and

(v) 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;

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2. Any violations of the provisions of any prior Ordinance or Permit regarding Manufactured Housing and/or Mobile Homes passed, which occurred prior to the date of any amendments to this Zoning Ordinance in effect on the date of any violation of this Ordinance shall be interpreted as still being in effect on the date any violation is prosecuted. Further, no amendments to this ordinance shall waive, accept, or approve any non-conforming use which existed immediately prior to the date this Ordinance is enacted.

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Rental lots for placement of Manufactured Homes with utilities.

C. GENERAL PROVISIONS

1. MOBILE HOMES (CONSTRUCTED PRIOR TO JUNE 15, 1976).

No mobile home may be installed for use or occupancy as a residential dwelling unit within the Town of Shady Shores, effective the date of this Ordinance. Any mobile home previously legally permitted and used or occupied as a residential dwelling unit within the Town is deemed a non-conforming use. A permit for such legal non-conforming use and occupancy shall be granted for a lawful non-conforming mobile home within the Town so long as a replacement is a HUD-Code Manufactured Home, and is located within the Permitted Areas of the Town.

2. HUD-CODE MANUFACTURED HOMES (CONSTRUCTED ON OR AFTER JUNE 15, 1976).

No HUD-Code Manufactured Homes (constructed on or after June 15, 1976) shall be permitted as a residential dwelling, or otherwise, unless the installation is within a manufactured housing permit district approved by the Town. An application to install a new HUD-Code manufactured home for use and occupancy as a residential dwelling is deemed approved and granted unless the Mayor denies the application in writing, within 45 days of the receipt of the application, setting forth the reason for denial. Denial reasons include, but are not limited to an unsafe or unsanitary condition of the manufactured housing.

3. RECREATIONAL VEHICLES.

No Recreational Vehicle may be installed, used, or occupied as a residential dwelling within the corporate limits of the Permit Area.

4. WASTEWATER REQUIREMENTS.

All wastewater connections, plumbing, and drainage requirements within the permitted areas shall meet the highest standards of federal, state and county regulations including those of Lake Cities Municipal Utility Authority ("LCMUA").

5. MANUFACTURED HOME PARKS.

(a) **SITE PLAN REQUIRED.** A Manufactured Home Permit Area shall provide a site plan and construction plans (5 copies) drawn to scale, acceptable to the Town Engineer, complying with the requirements of the Subdivision Ordinance. A preliminary and final plat are required on all Manufactured Home Parks. The boundary survey shall be prepared by a Registered Professional Land Surveyor and layout and design shall be prepared by a Registered Professional Engineer. The Manufactured Home park shall comply with the design and construction requirements of the Town's subdivision ordinance regarding supporting data, drainage, paving, and utility facilities. The site plan and construction plans shall show:

- (i) The area and dimensions of the tract of land, with identification of location and boundaries
- (ii) The number, location and size of all Manufactured Home spaces
- (iii) The number and specifications of sewer lines and riser pipes
- (iv) The location and specifications of water lines and service connections
- (v) The location and details of lighting, electrical and gas systems
- (vi) The location and specifications of all Buildings constructed or to be constructed within the park
- (vii) Existing and proposed topography
- (viii) The location of fire mains, including the size, the hydrants, and any other equipment which may be provided
- (ix) Proposed pavement sections
- (x) Proposed storm drainage facilities, with calculations
- (xi) Proposed wastewater treatment facilities.

(b) **PARK AND LOT SIZE REQUIREMENTS.**

(i) **Minimum Park Size**

A site to be developed as a Manufactured Home Park shall have a minimum area of five (5) acres, unless permitted by the Town Council at a smaller size.

(ii) **Minimum Manufactured Home Lot Size**

Each Manufactured Home space shall have a minimum area of 2,400 square feet exclusive of any floodplain or easements;

however, no Manufactured Home space shall have dimensions less than 50 feet the narrow dimension nor 70 feet on the long dimension, not including off-street parking required.

(c) TEMPORARY HOOKUPS

No temporary hookups will be permitted. Power, water, and sewer service must be supplied to every lot.

(d) STREETS, PARKING AND TRAFFIC

(i) Streets

An internal street system (which shall also be drainage, utility, fire, and emergency access easement) shall provide access to each Manufactured Home space. Such internal street system shall comply with Subdivision Ordinance requirements regarding streets including construction requirements.

Driveways and Parking Areas are considered private. Maintenance of driveways and parking areas shall be a private responsibility. All other streets shall be dedicated as public, unless stated otherwise in the ordinance zoning the property.

(ii) Tenant Parking

Tenants shall be provided with at least two (2) off-street parking spaces for each Manufactured Home space. Each parking space shall be hard surfaced and located so as to eliminate interference with access to parking areas provided for either Manufactured Homes or public parking in the Manufactured Home Park.

(iii) Visitor and Supplemental Parking

In addition to parking spaces required for each Manufactured Home unit, there shall be provided for the Manufactured Home Park:

One visitor space for every four (4) Manufactured Home spaces, and

One supplemental parking or vehicle storage space for every two (2) Manufactured Home spaces for the parking or storage of boats, recreational vehicles, and similar vehicles or equipment.

These visitor and supplemental spaces may be located anywhere within the Manufactured Home community provided that no Manufactured Home space shall be

situated further than one hundred fifty (150) feet from a visitor space.

All supplemental parking areas shall be screened by fencing and/or landscaping.

(e) SIGNS

All signage will comply with the Ordinance zoning the Property, and shall comply with the Town Sign ordinance. Private streets shall indicate that they are private. A Manufactured Home Park shall have no more than one sign visible from a public street, which shall be no larger than three feet by four feet, and the top of which shall be no higher than five feet above grade.

(f) ACCESS

Every Manufactured Home Park of more than 10 units shall have at least two points of direct access to and from a public street and each Manufactured Home space shall have direct access to an internal public street. Where an internal street provides access, the same shall be used as an emergency access easement to allow for the rapid and safe movement of vehicles used for purposes of providing emergency health or public safety services.

Each emergency access easement shall have a clear, unobstructed width in compliance with Town ordinances on street and road design, shall connect to a dedicated public street, or shall have a turn-around radius with a minimum of at least forty (40) feet in radius of paving. Corners of intersecting streets shall have sufficient turning area to permit free movement of emergency vehicles.

(g) WALKWAYS

Designated, paved walkways will be provided on both sides of roadways or streets.

(h) ELECTRIC AND TELEPHONE SERVICE

All distribution and service lines of electrical, telephone, television, and other wire-carrier type utilities shall be underground, except that the system of supply lines for multiple subdivision service by utilities may be overhead. Transformers, amplifiers, or similar devices associated with the underground lines shall be located upon the ground or below the ground level. Where the underground installation of such facilities is not a standard practice of the utilities involved, the Subdivider,

Developer or Owner shall make all arrangements for payments associated with the nonstandard installation.

(i) DRAINAGE AND SOIL PROTECTION

The ground surface in all parts of a Manufactured Home Park shall be graded and equipped to drain all surface water in a safe, efficient manner. Each Manufactured Home space shall provide adequate drainage for placement of a Manufactured Home.

No portion of any Lot shall be located below the 100 year flood plain. Drainage facilities shall comply with the Town Subdivision Regulations.

(j) FIRE SAFETY

Storage and handling of flammable gasses and liquids:

Whenever liquefied petroleum gases are stored and/or dispensed, their handling and storage shall comply with requirements of the Town ordinances as applicable.

Wherever gasoline, fuel, oil, or other flammable liquids are stored and/or dispensed, their handling and storage shall comply with requirements of the Town ordinances and State regulations.

(k) WATER SUPPLY FACILITIES

Water supply facilities for fire protection service shall meet the minimum requirements of the Key Rate Schedule for a standard Town as last adopted by the State Board of Insurance of Texas and the minimum requirements of the Town.

(l) FIRE FIGHTING

(i) Approaches to all Manufactured Homes shall be kept clear for fire fighting.

(ii) The owner or agent of a Manufactured Home Park shall be responsible for the instruction of his/her staff in the use of the park fire protection equipment and in their specific duties in the event of a fire. The owner shall provide standard Town fire hydrants located within one hundred (100) feet of all Manufactured Home spaces, measured along the driveways or streets.

(iii) The owner or agent of a Manufactured Home Park shall be responsible for maintaining the entire area of the park free of dry brush, leaves and weeds.

- (iv) The owner or agent of a Manufactured Home Park shall provide an adequate system of collection and safe disposal of rubbish, approved by the Town.

(m) MANUFACTURED HOME SPACING STANDARDS

In order to provide adequate separation of Manufactured Homes and of other Buildings and Structures for the purposes of safety against the hazards of fire and explosion, and to promote structural safety in the placement of Manufactured Homes on their respective sites, the following spacing standards shall apply:

- (i) The minimum front yard setback shall be twenty (20) feet from the nearest corner of the Manufactured Home to the front line of the Manufactured Home space.
- (ii) No Manufactured Home shall be closer than thirty (30) feet to the outer perimeter property line. If the Manufactured Housing District is adjacent to a non Manufactured Housing District, the setback from the outer perimeter property line shall be at least the setback of the adjacent district, if the setback of the adjacent district is greater than thirty (30) feet.
- (iii) Other structures on each Manufactured Home space must be placed to the back of the Manufactured Home space and must be a minimum of ten (10) feet away from any line of the Manufactured Home space.
- (iv) The minimum distance between Manufactured Homes at any point shall be twenty-five (25) feet.
- (v) The average vertical clearance height of the Manufactured Home frame above the finished ground elevation shall not exceed three (3) feet.

(n) LANDSCAPING

The park will provide attractively and esthetically designed and installed screening (on public road) and landscaping to assure privacy and suitable environments for Manufactured Home occupants. The proposed screening and landscape plan shall be submitted for review and approval by the Town. Landscaping areas will be not less than five (5%) percent of the gross site area.

(o) COMMUNITY BUILDINGS AND SERVICE FACILITIES

- (i) **Structural and Other Requirements for Buildings**
Construction of all buildings shall comply with applicable ordinances of the Town. All portions of Structures shall be properly protected from damage by ordinary uses and by

decay, corrosion, termites, and other destructive elements. Exterior portions shall be of such materials and be so constructed and protected as to prevent entrance or penetration of moisture and weather.

All rooms containing sanitary or laundry facilities shall:

Have Sound-resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions around showers, lavatories, and other plumbing fixtures shall be constructed of dense, nonabsorbent, waterproof materials or covered with moisture resistant materials.

Have as least one window or skylight facing directly to the outdoors. The minimum aggregate gross area of windows for each required room shall not be less than ten (10%) percent of the floor area served by them.

Have at least one window which can be opened easily or have a mechanical device which will adequately ventilate the room.

(ii) Sanitary Facilities

Toilets shall be located in separate compartments equipped with self-closing doors. The rooms shall be screened to prevent direct view of the interior when the exterior doors are open.

Hot and cold water shall be furnished in every lavatory, sink, and laundry fixture; and cold water shall be furnished in every water closet and urinal.

(iii) Lighting

Illumination level shall be maintained as follows:

General seeing tasks: At least five (5) foot candles.

Laundry room work area: At least forty (40) foot candles.

Toilet room in front of mirrors: At least forty (40) foot candles.

Pedestrian walkways: At least five (5) foot candles.

Visitor and supplemental parking areas: At least five (5) foot candles.

Recreation Areas: At least five (5) foot candles.

(p) STORAGE FACILITIES

Storage facilities with a minimum size of 640 square feet per Manufactured Home space, shall be provided on the space, or in compounds located within one hundred (100) feet of each space. Wherever provided, storage facilities shall be faced with masonry, porcelanized enamel, baked enamel, steel, or other material equal in fire resistance, durability, and appearance. All storage facilities shall be anchored to a concrete slab.

(q) INCINERATORS

Incinerators will be specifically prohibited. Incineration of trash and garbage will be prohibited.

(r) RECREATIONAL AREAS

Every Manufactured Home Park shall have at least one (1) visibly identifiable recreation area for the benefit and use of its residents. Not less than five (5%) percent of the gross site area of the Manufactured Home Park shall be devoted to recreational facilities. Playground space shall be protected from traffic, thoroughfares, and parking areas. Such space shall be maintained in a sanitary condition and free of safety hazards. Lighting must be provided for all recreation areas.

(s) WATER SYSTEM

(i) Supply

An adequate, safe and potable supply of water shall be provided by the owner or agent. Connection shall be made to the LCMUA water system.

The Manufactured Home Park shall have a commercial water meter from LCMUA, regardless of the distribution of the water within the Manufactured Home Park.

(ii) Connections

The water supply system shall be connected by pipes to all Manufactured Homes, buildings, and other facilities requiring water. All water piping, fixtures, and other equipment shall be constructed and maintained in accordance with State and Town regulations and requirements.

All water line mains will be eight (8) inches or larger, or as approved by LCMUA, and the Fire Chief.

Individual water riser pipes and connections shall be constructed and maintained in accordance with the Town ordinances, as applicable.

(t) ELECTRICAL UTILITIES

The wiring, fixtures, equipment and appurtenances of every electrical wiring system shall be installed and maintained in accordance with applicable ordinances and regulations for such systems.

Power distribution lines shall be located underground. All power distribution lines, individual electrical connections and grounding of the Manufactured Homes and equipment shall comply with the Town ordinances, as applicable.

(u) SEWAGE OR WASTEWATER FACILITIES

(i) A connection to municipal sanitary sewage service shall be required at the landowners cost.

(ii) All requirements of the County, Town and the State of Texas as to sanitation, water quality preservation and pollution will be met. Where any such statutes or regulations are in conflict, the more restrictive statute or regulation shall apply, as determined by the Building Inspector of the Town, subject to the review and approval of the Mayor. Unless otherwise stated in such regulations, each residential unit within a Manufactured Housing District shall be connected to a sanitary sewer line.

(iii) Sewage or Wastewater Connections

All materials used for sewer connections shall be in accordance with the Town ordinances and/or LCMUA regulations, as applicable.

Each Manufactured Home stand shall be provided with at least four (4) inch diameter sewer riser pipe. The sewer riser pipe shall extend at least four (4) inches above the ground and shall be so located on each stand that the sewer connection to the Manufactured Home drain outlet will approximate a vertical position.

The sewer connection to the Manufactured Home from the sewer riser pipe and any other sewer connections shall be in accordance with the requirements of the Town ordinances, as applicable.

Provision shall be made for plugging the sewer riser pipe when no Manufactured Home occupies the space. Surface drainage shall be diverted away from the riser.

(v) FUEL AND SUPPLY STORAGE

- (i)** Natural gas piping systems shall be installed underground and maintained in accordance with applicable ordinances and regulations governing such systems. Each Manufactured Home space provided with piped gas shall have a cap on the outlet when not in use to prevent accidental discharge of gas and shall be in accordance with applicable Town ordinances.
- (ii)** Liquefied petroleum gas systems shall not be installed.

(w) REFUSE HANDLING AND COLLECTIONS

The storage, collection and disposal of refuse shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution.

(i) Storage Facilities

One or both of the following systems shall be used:

a) If refuse is gathered at the individual Manufactured Home spaces, it shall be stored in fly-tight, watertight, rodent-proof containers, which shall be located at each manufactured home site. Containers for this use shall be provided by the park in sufficient number and capacity to properly store all refuse.

b) In lieu of storage at individual sites, centrally located refuse containers, appropriately screened, and having a capacity of three (3) cubic yards or larger may be provided. Such containers shall be so designed as to prevent spillage or container deterioration, and to facilitate cleaning around them.

(ii) Removal

Refuse and garbage shall be removed from the park at least once each week. The licensee or agent shall insure that containers in the park are emptied regularly and are maintained in a usable, sanitary condition.

(x) INSECT AND RODENT CONTROL

Grounds, Buildings, and Structures shall be maintained free of insect and rodent harborage and infestation. Parks shall be maintained free of accumulation of debris which may provide rodent harborage or breeding places for flies, mosquitoes and other pests. The growth of brush, weeds and grass shall be controlled to prevent harborage of noxious insects or other pests. Parks shall be

maintained so as to prevent the growth of noxious weeds detrimental to health. Open areas shall be maintained free of heavy undergrowth.

(y) STRUCTURAL PROTECTION

Anchorage of Manufactured Homes: To insure against natural hazards such as tornadoes, high winds, and electrical storms, anchorage at each Manufactured Home shall be provided according to applicable state law for Wind Zone I areas.

(i) Permanent Structures

Park Buildings, Patio Awnings, and Cabana Roofs: All permanent park buildings, patio awnings, and cabana roofs hereafter constructed and all extensions to existing Structures shall comply with applicable ordinances of the Town.

(ii) General Application

These provisions for structural protection shall also apply to individual Manufactured Home Lots.

(z) RESPONSIBILITIES OF PARK MANAGEMENT

The licensee, or his agent, of every Manufactured Home Park located within the corporate limits of the Town shall operate and maintain the park in compliance with these regulations and with all other applicable ordinances of the Town. He shall provide adequate supervision to maintain the Park, its facilities, and equipment in good repair and in a clean and sanitary condition.

The licensee or agent shall notify park occupants of all applicable provisions of these and state regulations and inform them of their duties and responsibilities under the regulations. The licensee or agent shall bear final responsibility for any violations of the ordinances set forth for Manufactured Home parks, except as specifically outlined as the responsibility of park occupants.

(i) Registration

All Information Required: The licensee or agent shall maintain a register of park occupancy which shall contain the following information:

Statement of ownership and location for each unit;

Name and address of park residents;

Manufactured Home registration data including make, length, width, year of manufacture and identification number;

Location of each Manufactured Home within the park by space or lot number and street address;

Dates of arrival and departure.

(ii) Information to Tax Assessor-Collector

The licensee or agent shall furnish to the Tax Assessor-Collector for the Town, no later than January 10th and July 10th of each year, a list of all Manufactured Home residents in the park on the last day of the preceding month. The register shall provide information on the make, length, width, year of manufacture and identification number of the Manufactured Home; the address or location description of said Manufactured Home within the park; and information on Manufactured Homes which have moved out of the park since the last report including the foregoing data plus the departure dates of each Manufactured Home and, if known, its destination. Said lists shall be prepared using forms provided by the Tax Assessor-Collector for the Town.

(aa) RESPONSIBILITIES OF OWNER/AGENT

The Owner/Agent shall ensure that every occupant of a space in a Manufactured Home Park located within the corporate limits of the Town shall maintain their manufactured home space, its facilities and equipment in good repair and in a clean sanitary condition. He/she shall be responsible for proper placement of his/her manufactured home in its manufactured home space and proper installation of all utility connections in accordance with the instructions of the Park Management.

(i) Skirting and Additions

Fire resistant skirting with the necessary vents, screens and/or openings shall be required on all Manufactured Homes in Manufactured Home Parks and shall be installed within ten (10) days after emplacement of the Manufactured Home. Skirting, porches, awnings, and other additions, when installed, shall be maintained in good repair.

(ii) Prohibition of Storage Under Homes

The use of space immediately underneath a Manufactured Home for storage shall be prohibited.

(bb) INSPECTIONS

(i) Inspections by Public Officials

The mayor or his or her designee, and the Fire Chief or his designee, are hereby authorized and directed to make such inspections as are necessary to determine compliance with these regulations.

(ii) Authority to Inspect

The Mayor or the Mayor's designee, the Fire Marshal or his designee, the Tax Assessor-Collector, and the Water Superintendent shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting or investigating conditions relating to the enforcement of these regulations.

(iii) Access to Premises

It shall be the duty of every occupant of a Manufactured Home Park to give the Park Manager, his agent, or authorized employee access to any part of such park at reasonable times for the purpose of making repairs or alterations as are necessary to effect compliance with these regulations.

ORDINANCE NO. _____
(Manufactured and Industrial Housing Regulations)

Exhibit B

**Selected State Standards and
Requirements for Manufactured Housing**

This Exhibit is provided as an example of the state requirements for manufactured housing. Care should be taken by the reader to obtain the latest revisions to these and other relevant state requirements.

Texas Administrative Code

[Next Rule>>](#)

<u>TITLE 10</u>	COMMUNITY DEVELOPMENT
<u>PART 1</u>	TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
<u>CHAPTER 80</u>	MANUFACTURED HOUSING
<u>SUBCHAPTER D</u>	STANDARDS AND REQUIREMENTS
RULE §80.54	Requirements for the Installation of Manufactured Homes

(a) When they are installed, all manufactured homes shall be installed by a licensed installer to resist overturning and lateral movement of the home, and the installation must be completed in accordance with instructions appropriate for the Wind Zone where the home is to be installed as per one of the following:

- (1) the home manufacturer's DAPIA-approved installation instructions;
- (2) the state's generic standards set forth in §§80.55, 80.56, 80.57, and 80.58 of this title;
- (3) the instructions for a stabilization system registered with the Department in accordance with §80.62 of this title (relating to Registration of Stabilizing Components and Systems); or
- (4) the instructions for a special stabilization system which;

(A) may or may not be a permanent foundation;

(B) is for a particular manufactured home or an identified class of manufactured homes to be installed at a particular area with similar soil properties according to county soil survey or other geotechnical reports; and

(C) is either:

(i) a pre-existing foundation for which a professional engineer or architect licensed in Texas has issued written approval for the installation of a particular home, and the written approval shall be submitted to the Department with the installation report; or

(ii) installed in accordance with a custom designed stabilization system drawing that is stamped by a Texas licensed professional engineer or architect. A copy of the stabilization system drawing must be forwarded to the Department along with the installation report.

(b) When a home is installed on a stabilization system registered with the Department or a special stabilization system, the installer must follow the home manufacturer's DAPIA-approved installation instructions for any aspect of the installation that is not covered by the system's installation instructions or drawings.

(c) The installer must use stabilizing components that have the required capacity and install them according to the anchor or stabilizing component manufacturer's current installation instructions. All stabilizing components must be resistant to all effects of weathering including that encountered along the Texas gulf coast. Nonconcrete stabilizing components and systems for use within 1500 feet of the