

ORDINANCE NO. 20150520

AN ORDINANCE REGULATING THE INSTALLATION OF MANUFACTURED HOUSING AND MANUFACTURED HOMES, MOBILE HOMES, AND TRAVEL TRAILERS WITHIN THE CITY OF THRALL, TEXAS; REQUIRING A PERMIT FOR MANUFACTURED HOUSING AND MANUFACTURED HOMES; PRESCRIBING OTHER PREREQUISITES TO THE ISSUANCE OF A PERMIT OR LICENSE; PROVIDING DEFINITIONS; PROHIBITING MOBILE HOMES WITHIN THE CITY PROHIBITING PERMANENT OCCUPANCY OF TRAVEL TRAILERS IN THE CITY OF THRALL; PRESCRIBING REGULATIONS FOR MANUFACTURED HOUSING AND MANUFACTURED HOMES; PRESCRIBING REGULATIONS FOR TRAVEL TRAILERS; CONTAINING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; CONTAINING A REPEALING CLAUSE; AND CONTAINING A SEVERABILITY CLAUSE.

WHEREAS, it is deemed in the best interest of the City of Thrall for the health, safety and welfare of its citizens the provisions that an Ordinance be established to regulate manufactured housing and manufactured homes and travel trailers within the City of Thrall, Texas, and that mobile homes be prohibited; and

WHEREAS, this Ordinance shall be known and cited as the "Manufactured Housing, Mobile Home and Travel Trailer Ordinance" of the City of Thrall, Texas. The provisions of this Ordinance shall apply to manufactured housing and manufactured homes.

NOW THEREFORE, Be it ordained by The City Council of The City of Thrall, Texas, that:

ARTICLE 1. GENERAL

SECTION 1.01

The Preamble above is incorporated by reference into this Ordinance.

SECTION 1.02 DEFINITIONS

For the purpose of this Ordinance only, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CITY COUNCIL – The legally designated inspection authority of the City, would be the City Council.

CITY OFFICIAL- The legally designated head of a City department or his/her authorized representative when acting in an official capacity.

EMERGENCY- Sudden occurrence demanding quick action.

FIRE CHIEF-The legally designated chief of the Fire Department of the City, or his/her authorized representative.

MANUFACTURED HOUSING or MANUFACTURED HOME- A structure constructed on or after June 15, 1976, according to the rules of the U.S. Department of Housing and Urban Development, transportable in one or more sections, which in 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 including the plumbing, heating, air conditioning, and electrical systems. This term does not include a recreational vehicle.

MOBILE HOME- A structure that was constructed before June 15, 1976, transportable in one or more sections, which, in 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 with or without a permanent foundation when connected to the required utilities, and including the plumbing, heating, air conditioning and electrical systems.

PERSON- Any natural individual, firm, trust, partnership, association or corporation.

PIER- The portion of the anchorage system between the (pier) foundation and the manufactured home.

PIER FOUNDATION-The portion of the anchorage system that transmits loads directly to the soil.

PLOT PLAN- Graphic representation, drawn to scale, in a horizontal plane, delineating the outlines of the land included in the plan and all proposed use locations, accurately dimensioned, the dimensions also indicating the relation of each use to that adjoining and to the boundary of the property.

POLICE CHIEF- The legally designated Chief of the Police Department of the City, or his/her authorized representative.

REPLACEMENT- The act of moving one manufactured home from its existing stand and replacing it with another manufactured home.

SEWER SERVICE RISER PIPE- The portion of a sewer service which extends vertically to the ground elevation and terminates at a manufactured home space.

SITE PLAN- Same as PLOT PLAN.

TRAVEL TRAILER- A mobile structure used for living quarters while traveling.

WATER CONNECTION- The connection consisting of all pipes, fittings, and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within a manufactured home.

WATER RISER PIPE- The portion of the private water service system serving a manufactured home, which extends vertically to the ground elevation and terminates at a designated point at a manufactured home.

SECTION 1.03 PERMITS

- A. Mobile Homes – No permit shall be issued for the placement of a mobile home inside the City and mobile homes are prohibited within the City.

B. Manufactured Home Permits- All applications for permits shall be made upon standard forms provided by the City Council and shall contain the following:

1. Name the address of the applicant.
2. Location and legal description of lot for manufactured housing placement.
3. To the application shall be attached a copy of a site plan showing the location and orientation of the manufactured home, the required setbacks, and any other information specifically required herein or in Chapter 2 of the Land Development Code of the City of Thrall.
4. A copy of a receipt issued by the City of Thrall Water Department stating water connection fees have been paid.
5. A copy of a receipt issued by the City of Thrall Wastewater Department stating wastewater connection fees have been paid.

C. Permit Fee- All applications to the City Council shall be accomplished by a fee, which shall be based upon the same parameters as new construction for single family structures. The fee shall be based upon square footage and shall be:

.06/ square foot (structure) + \$20.00 (yard)

The fee may be amended from time to time as the fee structure for single family new construction changes and this ordinance shall be so amended.

D. Issuance of Permit- When upon review of the application, the City Council is satisfied that the proposed plan meets the requirements of this Ordinance, a permit shall be issued.

E. Denial of Permit; Hearing- Any person whose application for a permit under this Ordinance has been denied, may request a hearing on the matter under the procedure provided by Section 1.05.

SECTION 1.04 INSPECTION

- A. Inspections Required- The City Council, the Fire Chief, and the Police Chief, are hereby authorized and directed to make such inspections as are necessary to determine compliance with this Ordinance.
- B. Entry on Premises- The City Council, the Fire Chief, and the Police Chief, shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this Ordinance.

SECTION 1.05 NOTICES, HEARINGS, AND ORDERS

- A. Notice of Violations; Requirements of Notice.
1. Whenever it is determined that there are grounds to believe that there has been a violation of any provision of this Ordinance, the City Council shall give notice of such alleged violation to the owner, as hereinafter provided.
 2. Such notice shall be:
 - a. In writing;
 - b. Include a statement of the reasons for its issuance;
 - c. Allow a reasonable time for the performance of the act it requires;

- d. Be served upon the owner, provided that the notice of order shall be deemed to have been properly served upon such owner when a copy thereof has been sent by certified mail to his last known address, or when he has been served with the notice by any method authorized or required by the laws of this state; and
 - e. Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Ordinance and the time necessary to effect compliance.
- B. Appeal from Denial of Permit by the City Council- Any person affected by the refusal of the City Council to issue a permit under the provisions of this Ordinance as set out in Section 1.03 hereof, may request and shall be granted a hearing on the matter before the City Council, provided that such person shall file within thirty (30) days after the permit was refunded, in the office of the City Council , a written petition requesting the hearing and setting forth a brief statement of the grounds thereof. Upon receipt of the petition, the City Council shall forward it to the City Secretary, who shall request the City Council to set a time and place for the hearing and shall give the petitioner written notice thereof. At the hearing the petitioner shall be given an opportunity to be heard and to show why such refusal should be modified or withdrawn.
- C. Hearing Order- After an appeal hearing before the City Council, the City Council shall issue an order in writing sustaining, modifying, or withdrawing the refusal, which order shall be served as provided in Section 1.05 (2) (d). Upon failure to comply with an order by the City Council sustaining or modifying a decision thereof, the occupancy affected by the order shall be revoked. The City shall then be entitled to seek all remedies provided by law to remedy the violation.
- D. Order Without Notice-Whenever the City Council finds that an emergency exists which requires immediate action to protect the public health or safety, he may without notice or hearing issue an order reciting the existence of such an emergency and requiring that action be taken as Council may deem necessary to meet the emergency. Notwithstanding any other provisions of this Ordinance, the order shall be effective immediately. Any person to whom an order is directed shall comply therewith immediately, but upon written petition to the City Council shall be afforded a hearing as soon as possible.

ARTICLE 2. SPECIFICATIONS

SECTION 2.01 SITE PLAN/ REQUIREMENTS

- A. The site plan shall be filed as required by Section 1.03 (B) (3) and shall show the following:
1. The area and dimensions of the tract of land, with identifications of location and boundaries;
 2. The location and specifications of water and sewer lines and riser pipes;
 3. The location and details of lighting, electrical, and gas systems;
 4. Other information the City reviewing officials may require.
 5. In no event shall a Site Plan be approved if:
 - a. more than one manufactured home is located on the lot; or
 - b. the manufactured home is located on a lot upon which another dwelling occupied or which could be occupied for residency is located; or
 - c. the sides and rear lot lines are less than ten feet (10) and the front lot line is less than twenty-five feet (25) from the manufactured home.

- B. The site shall be of adequate size to insure the main entry of the manufactured home will allow off-street parking on the lot.
- C. The site shall be of adequate size to insure the main entry of the manufactured home fronts the street with the assigned address.

SECTION 2.02 WATER SUPPLY

- A. Requirements- Connection shall be made to the public supply of water. The public supply shall be adequate for both domestic and fire-fighting requirements established by the City.
- B. Riser Pipes and Connections-Individual water riser pipes and connections shall be in accordance with the requirements of the Thrall Plumbing Code.

SECTION 2.03 SEWAGE DISPOSAL

- A. Requirement- An adequate and safe sewage system shall be provided to all manufactured housing for conveying and disposing of all sewage.
- B. Sewer Lines- All sewer lines shall be constructed of materials in accordance with the City of Thrall Plumbing Code.
- C. Individual Sewer Connection
 - 1. Each manufactured home stand shall be provided with at least a three-inch diameter sewer riser pipe. The sewer riser pipe shall be so located on each stand so that the sewer connection to the manufactured home drain outlet will approximate a vertical position.
 - 2. 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 City of Thrall Plumbing Code.
 - 3. All materials used for sewer connections shall be in accordance with the City of Thrall Plumbing Code.
 - 4. Provisions 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.

SECTION 2.04 ELECTRICAL AND TELEPHONE DISTRIBUTION SYSTEMS

- A. Electrical and Telephone Wiring- All electrical and telephone wiring in the manufactured home shall be installed in accordance with the Thrall Electrical Code.
- B. Power Distribution Lines, Individual Electrical Connections and Grounding- All power distribution lines, individual electrical connections, and grounding of the manufactured housing and equipment shall comply with the City of Thrall Electrical Code.

SECTION 2.05 ANCHORAGE REQUIREMENTS

1. Over-the-roof devices shall be located within two (2) feet of the ends of the manufactured home and at intervals not to exceed fifteen (15) feet, and shall be as follows:
 - a. No less than 3/16-inch diameter steel aircraft cables; or
 - b. Corrosion-resistant chromium-nickel steel, AISI Types 201, 202, 301, 302, 304 and 316, straps having a cross-section area of not less than 0.185 square inches; or
 - c. Where over-the-roof devices are used and the horizontal members at the intersection of the walls and the roof are not adequate to transfer forces to the cables or straps, auxiliary horizontal members, adequate in size to resist a bending moment of 7200 inch-pounds, shall be used.

2. Anchors
 - a. There shall be an anchor for each tie and each anchor shall be installed so that the rod is in line with the tie.
 - b. Integral eye screw anchors eight (8) inches in diameter having a rod of one (1) inch in diameter shall be used. Plate anchors not less than six (6) inches by twenty-seven (27) inches with a rod of 5/8inch diameter, six (6) feet in length, may be used for ties from the frame.
 - c. Anchors shall be installed to a depth of five (5) feet or to a depth approved by the enforcing official.

ARTICLE 3. MISCELLANEOUS REQUIREMENTS

SECTION 3.01 MANUFACTURED HOUSING REQUIREMENTS

- A. All requirements of the zone in which application is made shall be adhered to, including but not limited to, lot-size, yard requirements, height limitations, parking standards, and impervious cover unless otherwise required herein.
- B. Each manufactured home shall be required to install view obstruction fire-resistant skirting with the necessary vents, screens, and/or openings around the base before occupied.
- C. The occupant shall comply with all requirements of this Ordinance and shall maintain his/her manufactured home, its facilities, and its equipment in good repair and in a clean and sanitary condition.
- D. The occupant shall be responsible for proper placement of his/her manufactured home in its stand and proper installation of all utility connections in accordance with this Ordinance and Ordinances and regulations pertaining thereto and the appropriate City officials.
- E. Skirting, porches, awnings and other additions, when installed, shall be maintained in good repair. The use of space immediately underneath a manufactured housing for storage shall be permitted only under the following conditions:
 1. The storage area shall have a base of impervious material.
 2. Stored items shall not interfere with the underneath inspection of the manufactured home.

- F. All manufactured housing located on lots in the City of Thrall shall be at least ten feet (10) away from the sides and rear lot lines and at least twenty-five (25) away from the front lot line. A front lot line shall be deemed the lot line located on a public corner lot, the front lot line shall be the lot line facing the primary entrance of the manufactured home.

- G. All manufactured housing and all manufactured homes, if unoccupied or if utility services to them are disconnected for six (6) months or more, shall require City inspection to determine compliance with City Code and City ordinances before occupation or utility restoration.

ARTICLE 4 TRAVEL TRAILERS

SECTION 4.01

Travel trailers shall not be occupied as permanent residencies in the City of Thrall. Permanent residencies for travel trailers shall be defined as any occupancy of a travel trailer that exceeds ten (10) days in any one calendar year commencing from the first day of occupancy.

ARTICLE 5 MISCELLANEOUS PROVISIONS

SECTION 5.01 PENALTIES

- A. A person who violates any provision of this Ordinance, or who fails to perform an act required by this Ordinance commits an offense. A person commits a separate offense each day or portion of a day during which a violation is committed, permitted or continued.

- B. An offense under this Ordinance is punishable by a fine not to exceed :
 - 1. \$500.00;
 - 2. \$2000.00, if the provision violated governs public health or sanitation; or
 - 3. The amount fixed by state law if the violation is one for which the state has fixed a fine.
 - 4. The City has the right to cut off water services within 10 days.

SECTION 5.02 REPEALING CLAUSE

All ordinances or parts of ordinances of this City and amendments thereto are hereby repealed as of the effective date of this Ordinance and all other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent of such inconsistency, and in all other respects this ordinance shall be cumulative of other ordinances regulated and governing the subject matter covered by this Ordinance.

SECTION 5.03 SEVERABILITY CLAUSE

If any provisions, section, subsection, paragraph, sentence, clause or phase of this Ordinance is declared unconstitutional for any reason, it shall not be held to invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this Ordinance.

PASSED AND APPROVED on first reading this 20 day of May, 2015, by a vote of 3 "Ayes" and _____ "Noes" with 3 members of Council present and voting.



Troy Marx
Mayor



Jill Prater
City Secretary

CERTIFICATE

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

I, Jill Prater, being the current City Secretary of the City of Thrall, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 20150520, passed and approved by the City Council of the City of Thrall, Texas, on the 20 day of May, 2015, and such Ordinance was duly adopted at a meeting open to the public and notice of said meeting, giving the date, place and subject thereof, was posted as prescribed by Government Code 551.043.

Witness my hand and seal of office this 20 day of May, 2015.



City Secretary