

ARTICLE 3.06 MANUFACTURED HOMES AND MOBILE HOMES***Division 1. Generally****Sec. 3.06.001 Definitions**

HUD-code manufactured home. A structure, constructed on or after June 15, 1976, meeting the National Manufactured Home Construction and Safety Standards Act as administered by the United States Department of Housing and Urban Development, transportable in one or more sections, which in the traveling mode is eight body feet or more in width or forty body feet or more in length, or when erected on-site is 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. The term does not include mobile homes or recreational vehicles as defined in this section.

Manufactured home. A HUD-code manufactured home.

Manufactured home park. A tract of land not less than five acres in size under single ownership, which is designed and improved to contain two or more spaces available for long-term lease or rent to the public for the placement of manufactured homes, and which may include private streets, buildings, and other facilities and services for common use by the residents, in conformance with the applicable provisions of this code.

Manufactured home subdivision. A division of land not less than five acres in size for the purpose of sale of two or more lots intended to be developed with residential units including manufactured homes, and having all necessary public utilities, streets, and other facilities as required by chapter 10 of this code.

Mobile home. A structure that was constructed before June 15, 1976, transportable in one or more sections, which in the traveling mode is eight body feet or more in width or forty body feet or more in length, or when erected on-site is 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. The term does not include recreational vehicles as defined in this article.

Modular home. A prefabricated home assembled on a permanent foundation that is not a manufactured home, and that has been constructed and inspected so that it complies with the building code as currently adopted by the city.

Natural or artificial barrier. Any river, pond, canal, railroad, levee, embankment, fence or hedge or road or alley.

Owner occupied. A mobile home or HUD-code manufactured home that is occupied by the lawful owner of the mobile home and the lot or land upon which it is placed.

* **State law references**—Sanitation and health standards, V.T.C.A., Health and Safety Code, ch. 341; Manufactured Housing Standards Act, V.T.C.A., Occupations Code, ch. 1201; authority to prohibit installation of mobile homes used for residences, V.T.C.A., Occupations Code, sec. 1201.008.

Recreational vehicle. 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 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. A device for the concealment of the undercarriage of a HUD-code manufactured home or mobile home from view, which shall be constructed of either prefabricated metal or wood siding.

Storage. The placement or maintenance of a vacant HUD-code manufactured home or mobile home within the city, whether in a manufactured home park or not, without lawfully connecting or subscribing to city electric, water, sewer or garbage services.

Tie-downs. Metal bands or other sufficient material, attached to the HUD-code 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.

(2001 Code, sec. 3.701)

Sec. 3.06.002 Penalty

Any person, firm, or corporation violating this article or any portion thereof shall upon conviction be guilty of a misdemeanor and shall be fined as provided for in section 1.01.009 of this code. Each day that such violation continues shall be considered a separate offense and punished accordingly. (2001 Code, sec. 3.710)

Sec. 3.06.003 Storage prohibited

It shall be unlawful for any person to store a HUD-code manufactured home or mobile home within the city limits. HUD-code manufactured homes and mobile homes existing prior to the adoption of this article are not exempt from this article. (2001 Code, sec. 3.702)

Sec. 3.06.004 Occupancy of recreational vehicles

It shall be unlawful for any person to occupy a recreational vehicle outside a manufactured home park for more than 72 hours unless said occupancy is in conjunction with a related city-sponsored event. (2001 Code, sec. 3.703(a))

Sec. 3.06.005 Manufactured homes or mobile homes outside manufactured home park

It shall be unlawful for any person to place, occupy, or connect to city utilities a HUD-code manufactured home or a mobile home outside a manufactured home park without conforming with the following provisions:

- (1) **Application requirements.** An application must be submitted to the city manager containing the following information:
 - (A) The name and address of the applicant.
 - (B) The location and legal description of the property on which the HUD-code manufactured home or mobile home will be located.

- (C) An affidavit by the applicant regarding the type of dwelling (whether HUD-code manufactured home or mobile home) applied for and averring that the structure will be owner occupied.
- (D) The requisite information to insure that the installation and maintenance of the HUD-code manufactured home or mobile home will be in accordance with the rules and regulations required by this chapter.

The application shall be accompanied by the application fee provided for in appendix A of this code.

- (2) Installation requirements. The installation of HUD-code manufactured homes or mobile homes on individual residential lots not within a manufactured home park shall comply with the following standards:
 - (A) Prior to placement, the structure shall be inspected by the building official or his designee to ensure the structure is habitable and complies with title 24, Code of Federal Regulations, part 3280, Manufactured Home Construction and Safety Standards.
 - (B) The minimum horizontal dimension of the main structure after installation on the site shall not be less than 24 feet.
 - (C) Except where limited by the width of the lot and the lot dimensions, the widest horizontal dimension of the structure must face the street.
 - (D) The frame shall be supported by and tied to a permanent concrete foundation and anchoring system meeting the current requirements of the Texas Manufactured Housing Standards Act administered by the state department of housing and community affairs, manufactured housing division, or successor agency, and must otherwise comply with all federal and state laws concerning manufactured housing.
 - (E) Axle and hitch assemblies shall be removed at the time of placement on the foundation.
 - (F) The floor of the manufactured home shall be no more 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.
 - (G) A stoop, porch, patio, or deck must be provided at each entrance to the structure.
 - (H) 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.
 - (I) The roof of the main structure shall have a pitch equal to or greater than 2:12, and shall overhang the exterior walls at least six inches.

- (J) 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.
 - (K) Electrical power service shall be obtained through a city-approved meter installed on the exterior of the manufactured home, if the meter base was preinstalled by the home manufacturer.
 - (L) The owner shall cancel the personal property title on the manufactured home so that it can be rendered as real property for the purpose of ownership, taxes, insurance, and financing.
 - (M) The land and structure shall be under the same ownership.
 - (N) All of the lot area requirements and building setback requirements for residential housing within the city shall be complied with.
 - (O) All rules and regulations of the city regarding the water and sewer service and the installation and maintenance thereof shall be complied with.
 - (P) The owner/occupier shall also subscribe to the city garbage collection service.
- (3) Review of application; issuance of license. The city manager or his designee shall review the application to insure that all city regulations are complied with, including, but not limited to, chapter 10, Subdivisions, of the city Code of Ordinances. The city manager or his designee shall also insure that all utilities are readily available. In the event that the application does not comply with the provisions of this code, the city manager or his designee 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 days in which to cure the deficiencies noted. Otherwise, a new application and application fee will be required. If the application does meet all city regulations, the license shall be issued to allow placement of the manufactured home.
- (4) Issuance of certificate of occupancy. No person shall occupy a manufactured home and no utility services shall be provided to a manufactured home until the building official issues a certificate of occupancy. No certificate of occupancy shall be issued until the manufactured home complies with all placement requirements contained in this section and with all other applicable requirements in the city code.
- (5) Transfer of license. A mobile home license may be transferred by its owner along with a conveyance of the lot upon which it is situated by the owner. A copy of the document transferring the license shall be filed with the city manager.
- (6) Occupancy. Although no application for the establishment of a mobile home or manufactured home to be located outside of a mobile home park shall be granted if the intent is to rent or lease the mobile home or manufactured home, a moratorium shall exist for presently existing mobile homes or manufactured homes for rental purposes, which shall begin upon the passage of the ordinance amending this article to so provide and shall end sixty (60) days from such date. Within such 60-day period, the owner of a mobile home or manufactured home which is presently located

within the city which is intended to be used for rental purposes shall be entitled to apply for a license for such mobile home or manufactured home. After the expiration of such 60-day period, no applications shall be considered for mobile homes or manufactured homes that are intended to be rented or leased. It shall also be unlawful for any mobile home or manufactured home to be occupied by more than a single family, and all mobile homes or manufactured homes located inside or outside of mobile home parks shall be limited to single-family occupancy. Except for those mobile homes or manufactured homes that are rented or leased and have obtained licenses pursuant to the moratorium set forth herein, it shall also be unlawful for any mobile home or manufactured home to be occupied by anyone other than its owner or members of the owner's immediate family. In the event that any existing licensed mobile home or manufactured home changes occupancy in a manner that makes the occupancy of same a violation of the terms of this Code of Ordinances, such occupancy shall constitute grounds for the cancellation of the license previously issued and, after a written notice of ten days to cease the violation, the city manager shall have the authority to cancel the license and order the mobile home or manufactured home to be vacated.

- (7) **Rental.** The importation of manufactured homes for placement within the city for rental purposes is prohibited. Manufactured homes which are already in existence within the city as of January 1, 2003, which have obtained a certificate of occupancy pursuant to the provisions of this code, may be rented by the owner thereof only in accordance with the terms of this section. The owner of a manufactured home shall be required to file an application for a license for rental of the manufactured home. The license shall be renewable annually. In order to obtain such license or renewal, the applicant must pay an application and inspection fee, as provided for in the fee schedule in appendix A of this code, and provide such information as the city manager may require in the application, but at a minimum the application must furnish such information as will enable the building official to inspect the manufactured home to certify that all code requirements, including the building code, the property code and any other provisions in this Code of Ordinances for the maintenance of such manufactured home within the city, have been met. The rental of manufactured homes shall be limited to rentals to single families. It shall be unlawful to rent mobile homes.

(2001 Code, sec. 3.703(n))

Sec. 3.06.006 Existing structures

HUD-code manufactured homes and mobile homes that are presently being occupied in compliance with previous regulations of the city shall not be required to comply with the provisions of section 3.06.005, but if an existing structure is moved or substantially rebuilt or if its occupancy or ownership or the ownership of the land upon which it is situated is changed, the license procedure must be followed prior to its occupancy. (2001 Code, sec. 3.704)

Sec. 3.06.007 Utility service required

All structures licensed under this article shall be connected to city electric, water and sewer and subscribe to city garbage services. (2001 Code, sec. 3.708)

Sec. 3.06.008 Bottled gas and fuel oil

Bottled gas for cooking purposes shall not be used at individual manufactured homes or recreational vehicle lots unless the containers are properly connected by copper or suitable metallic tubing. Bottled gas cylinders shall be securely fastened in place. No cylinder containing bottled gas shall be located in a manufactured home or recreational vehicle within five feet (5) of a door thereof. State and local regulations applicable to the handling of bottled gas and fuel oil must be followed. The maximum number of gallons of bottled gas per manufactured home or recreational vehicle shall be no more than one five (5) gallon and one fifteen (15) gallon container. The maximum amount of fuel oil per manufactured home or recreational vehicle shall not be more than fifty-five (55) gallons. (2001 Code, sec. 3.709)

Sec. 3.06.009 License required for connection to utilities

No city utilities shall be connected to property containing a manufactured home or mobile home which has not received a license pursuant to the provisions of this code. If any utility connections have been made to property containing a manufactured home or mobile home which has not received a license, then the owner of such property shall have a period of sixty days from the date such owner receives written notice from the city in which to fully comply with the Code of Ordinances of the city and obtain an appropriate license for the manufactured home or mobile home. If such owner has not complied with the Code of Ordinances and obtained a license within such period of time, then all utilities to the property shall be disconnected and shall remain disconnected until a license has been acquired in conformance with this code. The notice to be given hereunder shall be given in writing by the building official or city manager and shall be personally delivered to the property address or delivered by certified mail, return receipt requested, addressed to the owner of the property at the address of the owner as shown by the city records. (2001 Code, sec. 3.711)

Sec. 3.06.010 Mobile homes imported into city or removed from manufactured home park

It shall be unlawful to import any additional mobile homes for placement within the city. It shall be unlawful to remove any mobile home from a manufactured home park for the purpose of placing it on property within the city that is not within a manufactured home park. (2001 Code, sec. 3.712)

Secs. 3.06.011–3.06.050 Reserved