

TOWN OF ANGUS, TEXAS

ORDINANCE NO. 14

AN ORDINANCE PROVIDING FOR THE LICENSING AND REGULATION OF MOBILE HOME PARKS WITHIN THE TOWN OF ANGUS, ITS EXTRATERRITORIAL JURISDICTION, AND PROVIDING FOR A PENALTY OF NOT TO EXCEED ONE HUNDRED DOLLARS (\$100.00) FOR VIOLATION

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ANGUS, TEXAS:

SECTION 1: DEFINITIONS

That the following words, when used in this ordinance, shall have the meaning respectively ascribed:

- (1) Building official means a person authorized by the town council to perform the duties prescribed in this ordinance.
- (2) Licensee means a person to whom a license for construction and/or operation and maintenance of a park has been issued.
- (3) Mobile home means a structure, transportable in one (1) or more sections, 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.
- (4) Mobile home space means the ground area allocated for occupancy by one (1) mobile home in the layout of a park.
- (5) Off-street parking space means an unobstructed area of minimum nine feet (9') by eighteen feet (18') dimensions, allocated for parking a vehicle in the layout of a park.
- (6) Park means a plot of ground under single person ownership, upon which two (2) or more mobile homes occupied as dwellings are located.
- (7) Permittee means a person to whom a nonconforming use permit for operation and maintenance of a park has been issued.
- (8) Person means any individual, corporation, or legal entity.
- (9) Town means the Town of Angus, Navarro County, Texas.

SECTION 2: LICENSE REQUIRED FOR PROPOSED MOBILE HOME PARK

That it shall be unlawful for any person to construct, maintain, or operate a park within the city limits without a license therefor. A fee of twenty-five dollars (\$25.00) shall be required for each mobile home park license. A license shall be issued by the town council subject to compliance with the terms and provisions of this ordinance. No utility service shall be provided until the permit or license herein provided for shall have been issued. Written application for a license, signed by the applicant and accompanied by the exhibits listed below shall be submitted to the town secretary. The application shall state the applicant's address and legal description of the land wherein construction of a park is proposed and shall be accompanied by the following exhibits:

- (1) A plot plan drawn to a scale of 1" = 100' showing the location and configuration of the proposed park, including the layout of its mobile home spaces, streets, parking spaces, walkways, and utility service lines. This plot

plan does not replace or supersede the subdivision plat of the property required by state law to be recorded in the county records of the county in which the property is located, after review and approval of the Town of Angus.

- (2) Plans and specifications for all buildings and service facilities.

Upon approval by the town council, the town secretary will issue a license.

SECTION 3: EXISTING MOBILE HOME PARKS

(1) Application for License

That every person operating a park within the city limits on the effective date of this ordinance shall, within sixty (60) days after that date, submit a written application for a license, accompanied by exhibits 2(1) and 2(2) above. The building official will review each license application and make recommendations thereon to the town council. In considering the disposal of any such application, the town council may take into account the character of the neighborhood, with respect to present and anticipated land use and development, wherein the park is located or is in operation. On approval of an application by the town council, the town secretary will issue a license.

(2) Nonconforming Use Permit

That if the town council denies a license to any applicant whose park was in operation on the effective date of this ordinance, the town secretary will issue to such applicant a nonconforming use permit that specifies the nonconformities with provisions of this ordinance responsible for denial of the license and authorize continued operation of the park, subject to permittee's compliance with all provisions of this ordinance pertaining to park operation and maintenance. However, the permit does not make lawful the extension or enlargement of a specified nonconformity, either within the present confines of a park or by expanding its boundaries. After the remedy or suspension of a nonconforming use such use shall not be restored or resumed; e.g. if a nonconforming mobile home space is vacated, it shall not be occupied again by a mobile home. The fee for issuance of a permit shall be twenty-five dollars (\$25.00).

SECTION 4: RENEWAL OR TRANSFER OF MOBILE HOME PARK LICENSE OR PERMIT

That for validity, a license or nonconforming use permit shall be renewed each year. Upon inspection by the building official and with his approval and payment of an annual fee of twenty-five dollars (\$25.00) by licensee or permittee, renewal will be effected by the town secretary. To transfer a license or permit, a written request to do so shall be submitted to the town secretary. Upon inspection of the park by the building official, and with his approval, the town secretary will issue a transfer, the fee therefor being twenty-five dollars (\$25.00). The building official shall refuse to issue a renewal or transfer if the mobile home park is in violation of any condition contained in the original license or permit or any regulation contained herein applicable to operation and maintenance of the mobile home park. In the event of denial by the building official, the applicant may appeal such denial to the town council by written notice to the town secretary within ten (10) days of such denial.

SECTION 5: REVOCATION OF MOBILE HOME PARK LICENSE OR PERMIT

That a license or permit may be revoked by the town council when the licensee or permittee is found to be in violation of any provision of this ordinance or the terms of a nonconforming use permit after a public hearing is held before the town council according to written notice given to licensee or permittee at least ten (10) days prior to such hearing.

SECTION 6: MOBILE HOME PARK DESIGN AND CONSTRUCTION STANDARDS

That after the effective date of this ordinance, all mobile home parks shall meet the following design and construction standards:

(1) Size of Park; Spacing and Clearances for Mobile Homes

The minimum size of a park shall be one-half ($\frac{1}{2}$) acre. A mobile home space shall be at least three (3) times larger than the mobile home to be placed thereon and no less than three thousand (3,000) square feet in area. Such spaces shall be clearly delineated on the ground in accordance with the layout plan submitted with the license application. A minimum clearance of thirty feet (30') between mobile homes shall be provided and a minimum clearance of ten feet (10') between any mobile home and a park boundary that does not abut upon public street. When a park boundary abuts upon a public street, no mobile home shall be closer thereto than twenty-five feet (25').

(2) Off-Street Parking Spaces

At least two (2) off-street parking spaces shall be provided for each mobile home space and one (1) such space, additional for each four (4) mobile home spaces for public parking. Each parking space shall be hard surfaced with all-weather material, and located to eliminate interference with access to parking areas provided for other mobile homes and for public parking in the park. Each parking space shall be maintained by the owner or agent free of cracks, holes, or other hazards.

(3) Streets and Walkways

Internal streets, no-parking area signs, and street name signs shall be privately owned, built, and maintained. Streets shall be designed for safe and convenient access to all spaces and to facilities for common use of park residents. Internal streets shall be kept open and free of obstruction in order that police and fire vehicles may have access to any areas of the mobile home park. The police department shall be authorized to issue citations for the violation of the provisions hereof and to remove and impound offending vehicles. All internal streets shall be paved and constructed to specifications established by the town council and shall be maintained by the owner or agent free of cracks, holes, and other hazards. Every mobile home park shall have direct access from a public street and each mobile home space shall have direct access to a public street or to an internal street. Where an internal street provides access, the same shall be dedicated to the public as an emergency access easement to allow for the rapid and safe movement of vehicles used for the purpose of providing emergency health or public safety purposes. Each emergency access easement shall have a clear unobstructed width of at least thirty feet (30') and shall connect at each end to a dedicated public street, or shall have a turnaround of minimum sixty feet (60') diameter. Internal streets shall be named, and mobile home spaces numbered to conform with block numbers on adjacent public streets. Street signs shall be of a color and size contrasting with

those on public streets so that there is no confusion regarding which are private and which are public streets. These signs and numbers shall be of standard size and placement to facilitate location by emergency vehicles. All parks shall provide concrete walkways of minimum thirty inches (30") in width for pedestrian access to each mobile home from a street constructed to specifications approved by the town council.

(4) Electrical and Telephone Service

All electrical wiring in the mobile home park shall be underground and installed in accordance with city electrical regulations. All telephone lines in the mobile home park shall be installed underground.

(5) Water Supply

An adequate supply of potable water shall be supplied through the public water supply system to each mobile home space through piping conforming with the city's plumbing regulations, and an outdoor hydrant shall be installed at each mobile home space, at least four inches (4") above the ground. All mobile homes shall be within five hundred feet (500') of a fire hydrant.

(6) Sewage Disposal

Each mobile home space shall be provided with a sewer riser pipe of minimum of four inches (4") diameter. The individual sewer connections and all other elements in the park sewer system shall conform with the town's plumbing regulations. Disposal shall be into the public sewer system.

(7) Drainage

The park shall be located and graded as to drain away all surface water in a safe and efficient manner. Accumulations of stagnant water will not be permitted. Culverts and drainage ditches shall be maintained free of dirt and debris by the owner or agent.

(8) Fire Protection

Service buildings (office, laundry facilities, repair shops, etc.) shall be provided with emergency fire extinguishing apparatus of such types and sizes as may be prescribed by the town council. Fire resistant skirting with the necessary vents, screens, and/or openings shall be installed on each mobile home within ten (10) days after its emplacement in the park. Each mobile home shall be equipped with an operable smoke detector. To insure compliance by the mobile home owner with these requirements, licensee shall make such compliance and conformation thereof a condition in the agreement for rental of a mobile home space.

(9) Fuel Supply

Gas piping systems shall be installed underground in accordance with town regulations. Gas outlets shall be capped when the mobile home spaces they serve are vacant. Natural gas shall be supplied except that a liquefied petroleum gas system may be installed if the nearest available natural gas supply is more than one thousand feet (1,000') from the park. LPG systems shall conform with applicable codes and regulations by the Texas Railroad Commission pertaining thereto.

(10) Extensions of Mobile Homes

No structural extension shall be attached to a mobile home in violation of the spacing and clearance requirements of this ordinance. An extension that does not violate those requirements may be installed if it meets the following requirements:

- (a) Constructed of metal, fire resistive, double wall panels with mechanically connected joints.
- (b) Length no greater than that of mobile home to which it is accessory.
- (c) To be dismantled on removal from the park of the mobile home to which it is accessory.

SECTION 7: OPERATION AND MAINTENANCE OF MOBILE HOME PARKS

That all mobile home parks shall comply with the following operation and maintenance regulations:

- (1) Licensee shall keep up to date and have available for inspection at the park, a register of park occupancy that shall contain the following information:
 - (a) Name and legal address of park residents.
 - (b) Mobile home registration data, including make, length, width, year of manufacture, and identification number.
 - (c) Location of each mobile home by street name and number.

A new register shall be initiated on January 1st each year and the old register retired but retained on the park premises for at least three (3) years thereafter.
- (2) The licensee shall be responsible for keeping the park in a clean, safe, and sanitary condition free of accumulations of rubbish and of rank growth of grass or weeds that might constitute a fire hazard or give harborage to noxious insects. Walks, streets, and parking spaces shall be maintained in a serviceable all-weather condition.
- (3) No open fires shall be permitted in the park except for outdoor cooking on camper type stoves or charcoal grills. No flammable liquids shall be stored beneath mobile homes. The fire resistant skirting specified in section 6(8) shall be maintained intact to prevent accumulations of flammable materials beneath mobile homes. Emergency fire extinguishing apparatus, if required, shall be inspected and tested at intervals of time suggested by the manufacturer.
- (4) The storage, collection, and disposal of refuse and garbage shall be so conducted as to create no health hazards, rodent harborage, insect breeding grounds, fire hazards, litter, or air pollution. Each mobile home space shall be provided with rodent proof garbage receptacles of sufficient number and size to store properly all refuse and garbage between collections.
- (5) Licensee shall provide that all mobile homes located in the park be installed and anchored in accordance with Texas Department of Labor and Standards rules and regulations.

SECTION 8: MOBILE HOME PARKS WITHIN EXTRATERRITORIAL JURISDICTION OF THE TOWN

That no person shall subdivide land within the extraterritorial jurisdiction of the city for the purpose of creating a mobile home park until a plat of the park has been approved by the town council. Such plat shall be submitted to the town council for approval, shall be accompanied by the information outlined in items (1) and (2) of section 2, and shall conform to the design requirements of section 6 hereof.

SECTION 9: LIABILITY OF TOWN UNDER ORDINANCE

That neither the town nor any authorized agent acting under the terms of this ordinance shall be liable or have any liability by reason of orders issued or work done in compliance with the terms of this ordinance.

SECTION 10: CONFLICTING ORDINANCES

That all ordinances and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict.

SECTION 11: PENALTY

That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and, upon conviction, shall be subject to a fine of not more than one hundred dollars (\$100.00). Provided, however, that no penalty shall be greater or less than the penalty provided for the same or similar offense under the laws of the state. Each transaction in violation of any of the provisions hereof shall be deemed a separate offense.

SECTION 12: SEVERABILITY

That it is hereby declared to be the intention of the town council that the sections, paragraphs, sentences, clauses, and phrases are separable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, since the same would have been enacted by the town council without the incorporation in this ordinance of unconstitutional or invalid phrases, clauses, sentences, paragraphs, or sections.

SECTION 13: EFFECTIVE DATE

That this ordinance shall take effect immediately from and after its passage and publication as the law in such cases provides.

PASSED AND APPROVED this 1 day of March, 1982.

ATTEST:

Betty Mc Cain
TOWN SECRETARY

Tom Keating
MAYOR

APPROVED AS TO FORM:

Jim [Signature]
TOWN ATTORNEY

STATE OF TEXAS
COUNTY OF NAVARRO
TOWN OF ANGUS

I, Betty Mc.Cain, Secretary of the Town Of Angus, Navarro County, Texas, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 14 passed and approved on the 1 day of March, 1982, at a Angus City Commission Meeting Held on the 1 day of March, 1982.

WITNESS MY HAND AND SEAL OF SAID TOWN, this the 1 day of March, 1982.

Betty Mc Cain
Betty Mc. Cain, Town Secretary
Town Of Angus