

TOWN OF ANGUS, TEXAS

ORDINANCE NO. 15

AN ORDINANCE REQUIRING A PERMIT FOR MOBILE HOMES LOCATED OUTSIDE LICENSED MOBILE HOME PARKS; REGULATING THE LOCATION, USE, AND MAINTENANCE OF SUCH MOBILE HOMES; 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 described in this ordinance.
- (2) 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.
- (3) Permittee means a person for whom a permit has been issued to place or use a mobile home outside a licensed mobile home park.
- (4) Person means any individual, corporation, or legal entity.
- (5) Town means the Town of Angus, Navarro County, Texas.

SECTION 2: PERMIT REQUIRED

That it shall hereafter be unlawful for any person to locate or maintain any mobile home in any place in the Town of Angus other than a duly licensed and lawful mobile home park, unless such person shall first secure a permit from the town council upon written application therefor filed with the town secretary giving the name and address of the applicant and a description of the property upon which said mobile home is to be located. The town council shall refuse to grant any such permit unless the applicant shall first show to the satisfaction of the town council that there are adequate water and sanitary facilities available within reasonable distance of such mobile home location, or that the applicant upon locating upon said premises, shall provide or cause to be provided the same. It shall be unlawful for any person, firm, or corporation to maintain or live in any such mobile home without first obtaining such permit from the Town of Angus. No permit shall be issued by the town council unless the applicant can demonstrate ability to comply with all the terms and provisions of this ordinance.

SECTION 3: APPLICATION AND FEE

That an application for a permit to locate a mobile home outside a licensed mobile home park shall be submitted to the town secretary accompanied by a complete description of the mobile home and a plot plan showing the proposed location of the mobile home. A nonrefundable permit fee of ten dollars (\$10.00) shall be submitted with the application. All permits issued shall be subject to annual renewal except as otherwise provided for herein. The permit renewal fee shall be five dollars (\$5.00).

SECTION 4: EXISTING MOBILE HOMES

(1) Application for Permit

That every person maintaining a mobile home in the Town of Angus outside a licensed mobile home park on the effective date of this ordinance, shall within sixty (60) days after that date, submit a written application for a permit. Provided, however, that the sixty (60) day period shall be extended for an additional sixty (60) days if the mobile home is located in a mobile home park for which an application for a license to operate such park has been submitted to the town secretary. The building official will review each permit 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 mobile home is located. On approval of an application by the town council, the town secretary will issue a permit.

(2) Nonconforming Use Permit

That if the town council denies a permit to any applicant whose mobile home was in place 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 permit and authorizes continued use of the mobile home, subject to permittee's compliance with all provisions of this ordinance pertaining to mobile home use and maintenance. However, the permit does not make lawful the extension or enlargement of a specified nonconformity. After the remedy or suspension of a nonconforming use such use shall not be restored or resumed. The fee for issuance of a nonconforming use permit shall be ten dollars (\$10.00).

- (3) That for validity, such permits shall be renewed each year. Upon inspection by the building official and with his approval and payment of an annual fee of five dollars (\$5.00) by permittee, renewal will be effected by the town secretary. To transfer a permit, a written request to do so shall be submitted to the town secretary. Upon inspection of the mobile home by the building official, and with his approval, the town secretary will issue a transfer, the fee therefor being five dollars (\$5.00). The building official shall refuse to issue a renewal or transfer if the mobile home is in violation of any condition contained in the original permit or any regulation contained herein applicable to use or maintenance of the mobile home. 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: PERMIT CONDITIONS

That the following use and maintenance regulations shall be applicable to mobile homes located outside mobile home parks.

- (1) All mobile homes shall be installed and anchored in accordance with Texas Department of Labor and Standards rules and regulations.
- (2) All mobile homes occupied as living quarters shall contain operable smoke detectors.
- (3) No mobile home manufactured prior to June 15, 1976 shall be occupied as living quarters within the city.
- (4) All mobile homes occupied as living quarters shall be located in residential areas and placed on separate lots with the front door facing the street in the same manner

as other residential structures in the block. A front building setback line of at least twenty-five feet (25') shall be maintained. A side yard of at least ten feet (10') shall be maintained on each side of the lot on which the mobile home is placed.

- (5) The temporary parking of only one (1) mobile home belonging to the owner or tenant of the dwelling upon the lot on which the mobile home is placed may be permitted behind the front building setback line of the lot provided no living quarters shall be maintained in such mobile home while such mobile home is parked or stored. The mobile home so stored shall not be closer than twenty feet (20') to an occupied residential structure. Removal of wheels and skirting requirements shall not be applicable to such temporarily stored, unoccupied, mobile homes.
- (6) All mobile homes located outside mobile home parks shall have the wheels removed, and be mounted upon a permanent type foundation or have fire resistant skirting installed around the bottom of the mobile home. Annual permit renewal is not required if such mobile home is mounted upon a permanent type foundation.
- (7) All permits shall be issued subject to compliance with all other applicable codes and ordinances of the Town of Angus, and with all applicable deed restrictions.
- (8) No driveway shall be permitted in the front yard of any mobile home occupied as living quarters except along either side of the lot at a right angle to the street.

SECTION 6: EXCEPTIONS

That no permit shall be required and the provisions of this ordinance shall not be applicable to unoccupied mobile homes displayed for sale on mobile home sales lots and mobile homes in storage on mobile home manufacturing plant premises.

SECTION 7: 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 8: CONFLICTING ORDINANCES

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

SECTION 9: 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 10: 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 11: 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.

Tom Keating
MAYOR

ATTEST:

Betty McCain
TOWN SECRETARY

APPROVED AS TO FORM:

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. 15 passed and approved on the 1 day of March 1982. at a Angus City Commission Meeting held on the 1 day of 19 March, 1982.

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

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