

ORDINANCE 2021- 0614-P

AN ORDINANCE GOVERNING MANUFACTURED HOMES PARKS; PROVIDING A PENALTY; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Section 1 – Definitions

- A. *Administrator* means the Mayor or a City employee designated by the Mayor to administer this ordinance or his authorized representative.
- B. *Governing body* means the City Council.
- C. *License* means a written license issued by the Administrator allowing a person to operate and maintain a manufactured home park under the provisions of this ordinance and any rules or regulations issued hereunder.
- D. *HUD-Code Manufactured Home (formerly called a Mobile Home)*: Means a structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one or more sections, which, in the traveling mode, is ten (10) body feet or more in width or fifty (50) body feet in length, or, when erected on site, is five hundred (500) 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. Anything less than the length and/or width specified in this paragraph shall not be allowed in a HUD-Code Manufactured Home Park.
- E. *Manufactured home lot* means a parcel of land for the placement of a single manufactured home and dedicated or restricted to the exclusive use of its occupants and shall have a minimum street frontage of fifty (50.0') feet and a minimum size of 5,000.00 square feet, including M/H park lots.
- F. *Manufactured home park* means a single parcel of land or contiguous lots owned by the same individual, family, entity, or non-related entities, or which were previously owned by the same individual or entity and transferred, assigned, reassigned, conveyed, or re-conveyed, within the last five (5) years, that shall provide a minimum of five (5) acres in area under a single ownership (as compared to a subdivision), or under control or joint control of one or more individuals, which has been planned and improved for the placement of two (2) or more manufactured homes for non-transient use.
- G. *Manufactured home stand* means that part of an individual lot which has been reserved for the placement of the manufactured home, appurtenant structures or additions.
- H. *Permit* means a written permit issued by the Administrator permitting the location, construction or alteration of a manufactured home park or the location or alteration of a manufactured home on a subdivided lot, under the provisions of this ordinance and the rules and regulations issued hereunder.
- I. *Person* means any owner or owners of a manufactured home or manufactured home park regardless whether such owner or owners is an individual, family members, firm, trust, partnership, public or private association or corporation or combination thereof.
- J. *Service building* means a structure housing toilet, lavatory and such other facilities as may be required by this ordinance.
- K. *Sewer connection* means the connection consisting of all pipes, fittings and appurtenances from the drain outlet of the manufactured home to the inlet of the corresponding sewer riser pipe of the sewer system.

- L. *Sewer riser pipe* means that portion of the sewer lateral which extends vertically to the ground elevation and terminates at each manufactured home lot.
- M. *Water connection* means the connection consisting of all pipes, fittings and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within the manufactured home.
- N. *Water riser pipe* means that portion of the water supply system serving the manufactured home park which extends vertically to the ground elevation and terminates at a designated point at each manufactured home lot.
- O. *Manufactured housing or manufactured home* means a HUD-Code manufactured home or a mobile home and collectively means and refers to both.
- P. *Travel trailer* means a portable vehicle built on a chassis and designed as a temporary dwelling for travel, recreation and vacation use, which does not exceed eight (8.0') feet in width and twenty-nine (29.0') feet in length, exclusive of tongue. The term travel trailer shall also include all portable structures which may be moved under their own power, towed or transported by another vehicle, and shall include other types of vehicles such as, but not limited to, trucks, vans and buses that have been converted to temporary dwellings for travel, recreation and vacation use, regardless of size.
- Q. *Skirting* means a SOLID material (wood, plastic, vinyl, masonry or metal) that is used for the placement around the exterior base of the manufactured home that clearly encloses the undercarriage of said manufactured home. The skirting may allow for proper venting while hiding the undercarriage from public view.
- R. *Replacement multi-section HUD code manufactured home* means a structure, manufactured and transported in two or more sections, which when placed on a site is a minimum of twenty-four feet in width, when measured at a right angle to the length, and is designed to be used as a dwelling when connected to the required utilities and including but not limited to plumbing, heating, air conditioning, and electrical systems contained therein. For purposes of this article, the home must be no more than three model years of age older than the current model year.

Section 2 - Permits for Location, Alteration, and Extension

2.1 Except as provided by Section 2.1.1, mobile home parks are prohibited from being located within the city limits of the City of Hardin and it shall be unlawful for any person to locate, alter or extend any mobile home park within the city limits of HARDIN, TEXAS. This prohibition does not apply to mobile home parks which are legally permitted and used or occupied as a residential dwellings in the City on January 17, 2005. It shall be unlawful for any person to locate, alter or extend any manufactured home park within the limits of Hardin, Texas, unless he holds a valid permit issued by the City in the name of such person for the specific location, parking, alteration or extension proposed.

2.2.1 A person may locate, alter, or extend any manufactured home park within the limits of Hardin, Texas if he holds a valid permit issued by the City in the name of such person for the specific location, alteration, or extension proposed.

2.2.1 All applications for permits shall be made to the Administrator and shall contain the following:

2.2.1 Name and address of applicant.

2.1.1 Interest of the applicant in the manufactured home park.

2.1.2 Location and legal description of the manufactured home park.

2.1.3 A Site Plan as provided for in Section IV.

2.1.4 All applications, permits and licenses shall be accompanied by the deposit of a fee, established by the governing body, for manufactured home parks.

2.1.5 If an application under this ordinance meets the requirements of this ordinance and regulations issued hereunder, a permit shall be issued by the Administrator.

2.1.6 Not be more than ten (10) years of age if requesting a permit for placement within the City.

Section 3 - License for Operation and Maintenance/Suspension of License or Permit

3.1 Existing manufactured homes in manufactured home parks are grandfathered, except that whenever a manufactured home is removed, prior to placing another manufactured home on the lot, the setback, spacing, off-street parking, skirting and other requirements of this ordinance shall be required. Upon change of ownership of a grandfathered manufactured home park, all manufactured homes in the park must be spaced no less than fifteen (15.0') feet apart and be skirted within a period of two (2) years.

3.2 It shall be unlawful for any person to operate any manufactured home park within the city limits unless that person holds a valid license issued annually by the City in the name of such person for the specific manufactured home park. All applications for licenses shall be made to the Administrator, who shall issue a license upon compliance by the applicant with provisions of this ordinance and regulations issued hereunder and of other applicable legal requirements.

3.3 Every person holding a license shall give notice in writing to the Administrator within twenty-four (24) hours after having sold transferred, given away or otherwise disposed of an interest in or control of any manufactured home park. Such notice shall include the name and address of the person succeeding to the ownership or control of any manufactured home park. Upon application in writing for transfer of the license and deposit (set by resolution of the City Council), the license shall be transferred if the manufactured home park is in compliance with all applicable provisions of this ordinance and regulations issued hereunder.

3.4 Application for original licenses shall be in writing, signed by the applicant, accompanied by an affidavit of the applicant as to the truth of the application and by the deposit of a fee (set by resolution of the City Council), and shall contain the name and address of the applicant; the location and legal description of the manufactured home park; and a site plan of the manufactured home park showing all manufactured home lots, structures, roads, walkways and other service facilities (see Section IV).

3.5 Applications for renewals for licenses shall be made in writing by the holders of the licenses, shall be accompanied by a fee (set by resolution of the City Council) and shall contain any change in the information submitted since the original license was issued or the latest renewal granted.

3.6 A temporary license, upon written request therefore, shall be issued by the Administrator, for every manufactured home park in existence upon the effective date of this ordinance, permitting the manufactured home park to be operated during the period ending one hundred eighty (180) days after the effective date of this ordinance in accordance with such conditions as the Administrator may require.

3.7 The term of the temporary license shall be extended, upon written request, for not to exceed one additional period of one hundred eighty (180) days if:

3.7.1 The licensee shall have filed application for a license in conformity with Section 3.3 of this ordinance within ninety (90) days after the effective date of this ordinance; and

3.7.2 The plans and specifications accompanying the application for license comply with all provisions of this ordinance and all other applicable ordinances and statutes; and

3.7.3 The licensee shall have diligently endeavored to make the existing manufactured home park conform fully to the plans and specifications submitted with the application; and

3.7.4 Failure to make the existing manufactured home park conform fully to such plans and specifications shall have been due to causes beyond the control of the licensee.

3.8 Whenever, upon inspection of any manufactured home park, the Administrator finds the conditions or practices exist which are in violation of any provision of this ordinance or regulations issued hereunder, the Administrator shall give notice, in writing, in accordance with Section 6.1 to the person to whom the license or permit was issued that, unless such conditions or practices are corrected within thirty (30) days, the license or permit shall be suspended, the Administrator, upon good cause shown, may extend such thirty (30) day period. At the end of such period or any authorized extension thereof, the Administrator shall reinspect such manufactured home park and, if such conditions or practices have not been corrected, he shall suspend the license or permit and give notice in writing of such suspension to the person to whom the license or permit is issued. Upon receipt of notice of such suspension, such person shall cease operation of such manufactured home park except as provided in Section 6.2.

3.9 Any person whose license or permit has been suspended, or who has received notice from the Administrator that his license or permit will be suspended unless certain conditions or practices at the manufactured home park are corrected, may request and shall be granted a hearing on the matter under the procedure provided by Section VI of this ordinance; provided that when no petition for such hearing shall have been filed within ten (10) days following the day on which notice of suspension was served, such license or permit shall be deemed to have been automatically revoked at the expiration of such ten (10) day period.

Section 4 - Preparation, Submittal and Approval of Site Plans

4.1 General Requirements:

4.1.1 Manufactured Home Parks - No manufactured home park permit or license shall be issued for any manufactured home park established after the effective date of this ordinance unless the provisions of this section and other applicable sections of this ordinance are complied with.

4.2 Site Plan Required - Consistent with the provisions of Section 4.1, a site plan shall be submitted prior to obtaining a permit under this ordinance.

4.3 Site Plan Requirements - the Site Plan shall show:

4.3.1 Name and address of applicant.

4.3.2 Location and legal description of property.

4.3.3 Complete plot plan, which shall be prepared, signed, and sealed by a registered professional engineer, at a scale of 1"=40' or larger, and showing the following:

4.3.3.1 All existing structures and facilities.

4.3.3.2 Parcel boundaries and dimensions.

4.3.3.3 A topographic map showing existing and proposed grades with contour intervals established in the City's subdivision regulations.

4.3.3.4 Locations, size and number of proposed manufactured home lots.

4.3.3.5 Location, width and surface of all existing and proposed roads and walkways.

4.3.3.6 Location and size of all existing and proposed storm drainage facilities, sanitary sewers and disposal facilities and water lines, certified by a licensed

professional engineer to be adequate.

4.3.3.7 Profiles of all existing and proposed roads, storm drainage facilities, sanitary sewers and water lines at a vertical scale of 1"=4".

4.3.3.8 Location and plans for any buildings to be constructed in the park.

4.3.3.9 Location of all buildings, roads and property lines on adjacent tracts within one hundred (100.0') feet of proposed park.

4.3.3.10 All building setback lines, front, side and rear (Reference: Sections 8.5 and 8.7).

4.3.4 Information as such to be necessary to coordinate the enforcement of this ordinance and the City's subdivision regulations.

4.3.5 Other information as City reviewing officials may reasonably require.

4.4 Site Plan Submittal, Review and Approval - The Site Plan for a manufactured home park shall be submitted, reviewed and approved per the same procedure as established for the submittal, review and approval of a preliminary plat in the City's subdivision regulations. Comparable information required for plat approval may be required for manufactured home sites plan approval. The Administrator shall approve site plans for individual lots.

Section 5 - Inspection of Manufactured Home Parks

5.1 The Administrator is hereby authorized and directed to make such inspections as are necessary and as permitted by law or contract to determine satisfactory compliance with this ordinance and regulations issued hereunder.

5.2 The Administrator 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 and regulations issued hereunder.

5.3 The Administrator shall have the power to inspect the register containing a record of all residents of the manufactured home park only for the purpose of determining compliance with this ordinance.

5.4 Inspections

5.4.1 It shall be the duty of the owners of manufactured home parks or of the person in charge thereof, to give the Administrator free access to such manufactured home park premises at reasonable times for the purpose of inspection.

5.4.2 Upon the receipt of an application of a permit for a manufactured home, the City may have authorized personnel confirm compliance with this and other ordinances through inspection before such permit is issued.

5.5 It shall be the duty of every occupant of a manufactured home park to give the owner thereof his agent or employee access to any part of such manufactured home park or its premises at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this ordinance and regulations issued hereunder, or with any lawful order issued pursuant to the provisions of this ordinance.

Section 6 - Notices, Hearings and Orders

6.1 Whenever the Administrator determines that there are reasonable grounds to believe that there has been a violation of any provision of this ordinance, or rules or regulations issued hereunder, the Administrator shall give notice of such alleged violation to the person to whom the permit or license was issued, as hereinafter provided. Such notice shall:

6.1.1 Be in writing; and

6.1.2 Include a statement of the reasons for its issuance; and

6.1.3 Be served upon the owner or his agent as the case may require provided that such notice or order shall be deemed to have been properly served either upon such owner or agent when a copy thereof has been sent by registered mail to his last known address, or when he has been served with such notice by any method authorized or required by the laws of this State; and

6.1.4 Contain an outline of remedial action which, if taken will effect compliance with the provisions of this ordinance and regulations issued hereunder; and

6.1.5 Notify the recipient of the rights of appeal provided for in Section VI of this ordinance.

6.2 Any person affected by any notice which has been issued in connection with the enforcement of any provision of this ordinance, or regulation issued hereunder, may request and shall be granted a hearing on the matter before the City Council, provided that such person shall file in the office of the Administrator a written petition requiring such hearing and setting forth a brief statement of the grounds therefore within ten (10) days after the day the notice was served. The filing of the request for a hearing shall operate as a stay of the notice and of the suspension except in the case of an order issued under Section 6.5. Upon receipt of such petition, the petition shall be entered on the agenda of the next regular meeting of the City Council and the Administrator shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn.

Upon application of the petitioner, the date of the hearing may be postponed for a reasonable time beyond the next regular meeting of the City Council when the petitioner has submitted good and sufficient reasons for such postponement.

6.3 After such hearing, there shall be made findings as to compliance with the provisions of this ordinance and regulations issued hereunder and an order issued in writing sustaining, modifying or withdrawing the notice which shall be served as provided in Section 6.1.3. Upon failure to comply with any order sustaining or modifying a notice, the license of the manufactured home park affected by the order shall be revoked.

6.4 The proceedings at such a hearing, including the findings and decision of the Administrator and City Council together with a copy of every notice and order related thereto, shall be entered as a matter of public record in the office of the Administrator, but the transcript of the proceedings need not be transcribed unless judicial review of the decision is sought as provided by this section. Any person aggrieved by the decision of the City Council may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of this state.

6.5 Whenever the Administrator finds that an emergency exists which requires immediate action to protect the public health, he may without notice or hearing issue an order reciting the existence of such an emergency and requiring that such action be taken as he may deem necessary to meet the emergency, including the suspension of the permit or license. Notwithstanding any other provisions of this ordinance, such order shall be effective immediately.

Any person to whom such an order is directed shall comply therewith immediately, but upon petition to the Administrator shall be afforded a hearing as soon as possible. The provisions of Section 6.3 and 6.4 shall be applicable to such hearing and the order resulting from the hearing issued thereafter.

Section 7 - Adoption of Regulations

7.1 The City Council is hereby authorized to make and have made and, after public hearing, to adopt such written regulations as may be necessary for the proper enforcement of the provisions of this ordinance. Such regulations shall have the same force and effect as the provision of this ordinance, and the penalty for violation of the provisions of this ordinance, as hereinafter provided.

Section 8 - Environmental, Open Space and Access Requirements for All Manufactured Homes

8.1 General Requirements:

8.1.1 The condition of soil, ground water level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors or other adverse influences, and no portion subject to unpredictable and/or sudden flooding, subsidence or erosion shall be used for any purpose which would expose persons or property to hazards.

8.1.2 A mobile home park shall have a density no greater than eight (8) lots per acre.

8.1.3 Each mobile home lot shall contain a minimum of five thousand (5,000) square feet and have a minimum width of fifty (50') feet.

8.2 Soil and Ground Cover Requirements - Exposed ground surfaces in all parts of every manufactured home park shall be paved, or covered with stone screenings, or other solid material, or protected with vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust.

8.3 Site Drainage Requirements - The ground surface in all parts of every manufactured home park shall be graded and equipped to drain all surface water in a safe, efficient manner.

8.4 Sale of Manufactured Homes - Nothing contained in this section shall be deemed as prohibiting the sale of a manufactured home located on a manufactured home stand in a manufactured home park and connected to the pertinent utilities. However, such sale must be in compliance with the requirements of the Texas Manufactured Housing Standards Act. Such manufactured homes connected or reconnected to utility services shall be habitable as that term is defined by the Texas Manufactured Housing Standards Act and shall reasonably comply with all other location requirements, including skirting, parking, sidewalks and utilities.

8.5 Required Separation Between Manufactured Homes - Manufactured homes shall be separated from each other and from other buildings and structures by at least fifteen (15.0') feet; or at least seven and one-half (7.5') feet from any lot or manufactured home space line; provided that manufactured homes placed end-to-end may have a clearance of ten (10.0') feet where opposing rear walls are staggered.

8.6 Required Recreation Areas

8.6.1 In all parks accommodating or designed to accommodate twenty-five (25) or more manufactured homes, there shall be one or more recreation areas which shall be easily accessible to all park residents.

8.6.2 The size of such recreation areas shall be based upon a minimum of one hundred (100.0) square feet for each lot. No outdoor recreation area shall contain less than 2,500.0 square feet.

8.6.3 Recreation areas shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located.

8.7 Required Setbacks, Buffer Strip and Screening

8.7.1 All manufactured homes shall be located at least twenty-five (25.0') feet from any manufactured home park property boundary line abutting upon a public street or highway and at least fifteen (15.0') feet from interior manufactured home park property boundary lines.

8.7.2 There shall be minimum distance of ten (10.0') feet between an individual manufactured home and adjoining pavement or a park street, or common parking area or other common areas.

8.7.3 All manufactured home parks located adjacent to industrial or commercial land uses shall be provided with screening such as fences or natural growth along the boundary line separating the manufactured home residential use and such adjacent non-residential uses.

8.8 Park Street System

8.8.1 All manufactured home parks shall be provided with safe and convenient vehicle access from abutting public streets or roads to each manufactured home lot. Alignment and gradient shall be properly adapted to topography.

8.8.2 Access to manufactured homes or manufactured home parks shall be designed to minimize congestion and hazards at the entrance or exit and allow free movement of traffic on adjacent streets.

The entrance road connecting the park streets with a public street or road shall have minimum road pavement width of thirty-four (34.0') feet where parking is permitted on both sides, or a minimum road pavement width of twenty-seven (27.0') feet where parking is limited to one side. Where the primary entrance road is more than one hundred (100.0') feet long and does not provide access to abutting manufactured home lots within such distance, the minimum road pavement width may be twenty-four (24.0') feet, provided parking is prohibited on both sides.

8.8.3 Surfaced roadways shall be of adequate width to accommodate anticipated traffic and, in any case, shall meet the following minimum requirements:

8.8.3.1 All streets, except minor streets - twenty-four (24.0') feet.

8.8.3.2 Minor streets, no parking - eighteen (18.0') feet. (Acceptable only if less than five hundred (500.0') feet long and serving less than twenty-five (25.0') manufactured homes or of any length if one-way and providing access to abutting manufactured home lots on one side only)

8.8.3.3 Dead-end streets shall be limited in length to one thousand (1,000.0') feet and shall be provided at the closed end with a roadway diameter of at least sixty (60.0') feet.

8.8.4 REQUIRED ILLUMINATION OF PARK STREET SYSTEMS. All parks shall be furnished with streetlights at intersections and at not more than five hundred (500.0') foot intervals along streets such as to maintain adequate levels of illumination for the safe movement of pedestrians and vehicles at night.

8.8.5 Street Construction and Design Standards

8.8.5.1 Pavements - All streets shall be provided with a hot mix asphalt concrete (hot or cold laid) or hot asphalt sealcoat with coverstone over six (6.0") inches compacted limestone base or six (6.0") inch reinforced concrete which shall be durable and well drained under normal use and weather conditions. Pavement edges shall be protected to prevent raveling of the wearing surface and shifting of the pavement base. Street surfaces shall be maintained by the park owner or owners free of cracks, holes and other hazards.

8.8.5.2 Grades - Grades of all streets shall be sufficient to insure adequate surface drainage, but shall be not more than eight (8) percent. Short runs with a maximum grade of twelve (12) percent may be permitted, provided traffic safety is assured by appropriate paving, adequate leveling areas and avoidance of lateral curves.

8.8.5.3 Street Layout and Intersections - Street layout and intersections shall comply with subdivision regulations standards.

8.9 Required Off-Street Parking Areas

8.9.1 Off-street parking areas shall be provided on all manufactured home sites or in manufactured home parks for the use of manufactured home occupants and guests. Such areas shall be furnished at the rate of at least two (2) car spaces for each manufactured home lot and shall be a paved surface, i.e., gravel, rock, concrete and/or asphalt.

8.9.2 Required car parking spaces shall be so located as to provide convenient access to the manufactured home but shall not exceed two hundred (200.0) feet from the manufactured home that it is intended to serve.

8.10 Walks

8.10.1 All manufactured home parks shall be provided with safe, convenient, all-season pedestrian access of adequate width for intended use, durable and convenient to maintain, between individual manufactured homes, the park streets and all community facilities provided for park residents. Sudden changes in alignment and gradient shall be avoided.

8.10.2 A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks shall have a minimum width as called for in the City's subdivision regulations and shall be required on only one side of the street.

8.10.3 All manufactured home stands shall be connected to common walks, to paved streets or to paved driveways or parking spaces connection to a paved street. Such individual walks shall have a minimum width of two (2.0) feet.

8.11 Mobile Home Stands - All manufactured homes must be installed in compliance with the requirements of the Texas Manufactured Housing Standards Act (Texas Civil Statutes, Article 5221(f)), the Administrative Rules of the Texas Department of Housing and Community Affairs and the Administrative Orders of its Director.

Section 9 - Water Supply

9.1 An accessible, adequate, safe and potable supply of water shall be provided in each manufactured home park. Where a public supply of water of satisfactory quantity, quality and pressure is available, connection shall be made thereto and its supply used exclusively. When a satisfactory public water supply is not available, a private water supply system may be developed and used as approved by the City and State.

9.2 Source of Supply

9.2.1 The water supply shall be capable of supplying a minimum of one hundred fifty (150) gallons per day per manufactured home.

9.2.2 Every well or suction line of the water supply system shall be located and constructed in such a manner that neither underground nor surface contamination will reach the water supply from any source. The following minimum distances between wells and various sources of contamination shall be required:

| <u>Contamination Sources</u> | <u>Well or Suction Line</u> |
|------------------------------|-----------------------------|
| Building Sewer | 50 feet |
| Septic Tank | 50 feet |
| Disposal Field | 100 feet |
| Seepage Field | 150 feet |
| Dry Well | 50 feet |
| Cesspool | 150 feet |

9.2.3 No well casing, pumping machinery or suction pipes shall be placed in any pit, room or space extending below ground level nor in any room or space above ground which is walled in or otherwise enclosed, unless such rooms, whether above or below ground, have free drainage by gravity to the surface of the ground.

9.2.4 The treatment of a private water supply shall be in accordance with applicable laws and regulations.

9.3 Water Storage Facilities - All water storage reservoirs shall be covered, watertight and constructed of impervious material. Overflows and vents of such reservoirs shall be effectively screened. Manholes shall be constructed with overlapping covers so as to prevent the entrance of contaminated material. Reservoir overflow pipes shall discharge through an acceptable air gap.

9.4 Water Distribution System

9.4.1 The water supply system of the manufactured home park shall be connected by pipes to all manufactured homes, buildings and other facilities requiring water.

9.4.2 All water piping, fixtures and other equipment shall be constructed and maintained in accordance with state and local regulations and requirements and shall be of a type and in locations approved by the City and State.

9.4.3 The water piping system shall not be connected with non-potable or questionable water supplies and shall be protected against the hazards of backflow or back siphonage.

9.4.4 The system shall be so designed and maintained as to provide a pressure of not less than twenty (20.0) pounds per square inch, under normal operating conditions at service buildings and other locations requiring potable water supply.

9.5 Individual Water-Riser Pipes and Connections

9.5.1 Individual water rise pipes shall be located within the confirmed area of the manufactured home stand at a point where the water connection will approximate a vertical position.

9.5.2 Water riser pipes shall extend at least four (4.0) inches above ground elevation. The pipe shall be at least three-quarter (3/4) inch. The water outlet shall be capped when a manufactured home does not occupy the lot.

9.5.3 Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipes and to protect risers from heaving and thawing actions of ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipes.

9.5.4 A shut off valve below the frost line shall be provided near the water riser pipe on each manufactured home lot.

9.5.5 Underground stop and waste valves shall not be installed on any water service.

Section 10 - Sewage Disposal

10.1 An adequate and safe system shall be provided for all manufactured home parks for conveying and disposing of all sewage. Such system shall be designed, constructed and maintained in accordance with state and local laws and engineering standards.

10.2 All sewer lines shall be located in trenches of sufficient depth to be free of breakage from traffic or other movements and shall be separated from the park water supply system at a safe distance. Sewers shall be at a grade which will insure a velocity of two (2.0') feet per second when flowing full. All sewer lines shall be constructed of materials approved by the City, shall be adequately vented, and shall have watertight joints.

10.3 Individual Sewer Connections

10.3.1 Each manufactured home stand shall be provided with at least a four (4.0") inch diameter sewer rise pipe. The sewer rise pipe shall be so located on each stand that the sewer connection to the manufactured home drain outlet will approximate a vertical position.

10.3.2 The sewer connection (see definition) shall have a nominal inside diameter of at least three (3.0") inches, and the slope of any portion thereof shall be at least one-fourth (1/4") inch per foot. The sewer connection shall consist of one pipe line only without any branch fittings. All joints shall be watertight.

10.3.3 All materials used for sewer connections shall be semi-rigid, corrosive resistant, non-absorbent and durable. The inner surface shall be smooth.

10.3.4 Provision shall be made for plugging the sewer rise pipe when a manufactured home does not occupy the lot. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least four (4.0") inches above the ground elevation.

10.4 Where the sewer lines of the manufactured home or manufactured home park are not connected to a public sewer, all proposed sewage disposal facilities shall be approved by the City prior to construction. Effluents from sewage treatment facilities shall not be discharged into any water of the State except with prior approval of the City, State and the United States Environmental Protection Agency.

Section 11 - Electrical Distribution System

11.1 Every manufactured home park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances which shall be installed and maintained in accordance with applicable codes and regulations governing such systems.

11.2 Power Distribution Lines

11.2.1 Main power lines not located underground shall be suspended at least fourteen (14.0') feet above the ground. There shall be a minimum horizontal clearance of three (3.0") feet between overhead wiring and any manufactured home, service building or other surface.

11.2.2 All direct burial conductors or cable shall be buried at least thirty (30.0") inches below the ground surface and shall be insulated and specially designed for the purpose. Such conductors shall be located not less than one (1.0) foot radial distance from water, sewer, gas or communication lines.

11.3 Individual Electrical Connections

11.3.1 Each manufactured home lot shall be provided with an approved disconnecting device and over-current protective equipment. The minimum service per outlet shall be 120/240 volts AC, 200 amperes.

11.3.2 Outlet receptacles at each manufactured home stand shall be located not more than twenty-five (25.0') feet from the over-current protective devices in the manufactured home and a three (3) pole, four (4) wire grounding type shall be used. Receptacles shall be of weather-proof construction and configurations shall be in accordance with American Standard Outlet Receptacle C-73.1.

11.3.3 The manufactured home shall be connected to the outlet receptacle according to the requirements of the Texas Manufactured Housing Standards Act ("Act") and the Administrative Rules ("Rules") of the Texas Department of Housing and Community Affairs, 10 Texas Administrative Code, Chapter 8 (September 1, 1995, as amended) and if such Act and/or Rules do not apply, then by an approved type of flexible cable with connectors and a male attachment plug.

11.3.4 Where the calculated load of the manufactured home is more than 50 amps, then, when not inconsistent with the provisions of the Texas Manufactured Housing Standards Act and the Administrative Rules ("Rules") of the Texas Department of Housing and Community Affairs, 10 Texas Administrative Code, Chapter 8 (September 1, 1995, as amended), either a second outlet receptacle shall be installed or electrical service shall be provided by means of permanently installed conductors.

11.4 Required Grounding. All exposed non-current carrying metal parts of manufactured homes and all other equipment shall be grounded according to the provisions of the Texas Manufactured Housing Standards Act and the Administrative Rules ("Rules") of the Texas Department of Housing and Community Affairs, 10 Texas Administrative Code, Chapter 8 (September 1, 1995, as amended) or, if same do not apply, by means of an approved grounding conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for manufactured homes or other equipment.

Section 12 - Service Building and Other Community Service Facilities

12.1 The requirements of this section shall apply to service buildings, recreations buildings and other community service facilities such as:

12.1.1 Management office, repair shops and storage areas;

12.1.2 Sanitary facilities;

12.1.3 Laundry facilities

12.1.4 Indoor recreation areas;

12.1.5 Commercial uses supplying essential goods or services for the exclusive use of park occupants.

12.2 Every park shall be provided with the following emergency sanitary facilities: For each one hundred (100) manufactured home lots, or fractional part thereof, there shall be one (1) flush toiled and one lavatory for each sex. The building containing such emergency sanitary facilities shall be accessible to all manufactures homes.

12.3 Structural Requirements for Buildings.

12.3.1 All portions of the structure 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.

12.3.2 All rooms containing sanitary or laundry facilities shall:

12.3.2.1 Have sound resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions around showers, bathtubs, lavatories and other plumbing fixtures shall be constructed of dense, non-absorbent, waterproof material or covered with moisture resistant material.

12.3.2.2 Have at least one (1) window or skylight facing directly to the outdoors. The minimum aggregate gross area of windows for each required room shall be not less than ten (10%) of the floor space served by them.

12.3.2.3 Have at least one (1) window which can be easily opened, or a mechanical device which will adequately ventilate the room.

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

12.3.4 Illumination levels shall be maintained as follows:

12.3.4.1 General seeing tasks-five (5) foot candles;

12.3.4.2 Laundry room work area-forty (40) foot candles;

12.3.4.3 Toilet room, in front of mirrors-forty (40) foot candles.

12.3.5 Hot and cold water shall be furnished to every lavatory, sink, bathtub, shower and laundry fixtures, and cold water shall be furnished to every water closet and urinal.

12.4 Cooking shelters, barbecue pits, fireplaces, wood-burning stoves and incinerators shall be so located, constructed, maintained and used as to minimize fire hazards and smoke nuisance both on the property on which used and on neighboring property. No open fire shall be permitted except in facilities provided. No open fire shall be left unattended. No fuel shall be used and no material burned which emits dense smoke or objectionable odors.

Section 13 - Refuse Handling

13.1 The storage, collection and disposal of refuse in the manufactured home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire

hazard or air pollution.

13.2 All refuse shall be stored in fly tight, watertight, rodent-proof containers, which shall be located not more than one hundred fifty (150.0') feet from any manufactured home lot. Containers shall be provided in sufficient number and capacity to properly store all refuse.

13.3 Refuse collection stands shall be provided for all refuse containers. Such container stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration and to facilitate cleaning around them.

13.4 All refuse containing garbage shall be collected in accordance with CITY schedule.

Section 14 - Insect and Rodent Control

14.1 Grounds, buildings and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform to the requirements of the health authority.

14.2 Parks shall be maintained free of accumulations of debris which may provide rodent harborage or breeding places for flies, mosquitoes and other pests.

14.3 Storage areas shall be so maintained as to prevent rodent harborage, lumber, pipe and other building material shall be stored at least one (1.0') foot above the ground.

14.4 Where the potential for insect and rodent infestation exists, all exterior openings in or beneath any structure shall be appropriately screened with suitable skirting materials.

14.5 The growth of brush, weeds and grass shall be controlled to prevent harborage of ticks, chiggers and other noxious insects. Parks shall be so maintained as to prevent the growth of ragweed, poison ivy, poison oak, poison sumac and other noxious weeds considered detrimental to health. Open areas shall be maintained free of heavy undergrowth of any description.

Section 15 - Fuel Supply and Storage

15.1 Natural Gas System

15.1.1 Natural gas piping systems shall be installed and maintained in accordance with applicable codes and regulations governing such systems.

15.1.2 Each manufactured home lot provided with piped gas shall have an approved manual shut off valve installed upstream of the gas outlet. The outlet shall be equipped with an approved manual shut off valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.

15.2 Liquefied Petroleum Gas Systems

15.2.1 Liquefied petroleum gas systems shall be installed and maintained in accordance with applicable codes and regulations governing such systems.

15.2.2 Systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.

15.2.3 Systems shall have at least one accessible means for shutting off gas. Such means shall be located outside the manufactured home and shall be maintained in effective operating condition.

15.2.4 All LPG piping outside of the manufactured homes shall be well supported and protected against mechanical injury. Undiluted liquefied petroleum gas in liquid form shall not be conveyed through piping equipment and systems in manufactured homes.

15.2.5 Such containers shall not be less than twelve (12) nor more than sixty (60) U.S. gallons gross capacity.

15.2.6 No liquefied petroleum gas vessel shall be stores or located inside or beneath any storage cabinet, carport, manufactured home, or any other structure, unless such installations are approved by the CITY.

15.3 Fuel Oil Supply Systems

15.3.1 All fuel oil supply systems shall be installed and maintained in accordance with applicable codes and regulations governing such systems.

15.3.2 All piping from outside fuel storage tanks or cylinders to manufactured homes shall be permanently installed and securely fastened in place.

15.3.3 All fuel oil storage tanks or cylinders shall be securely fastened in place and shall not be located inside of beneath any manufactured home or less than five (5.0') feet from any manufactured home exit.

15.3.4 Storage tanks located in areas subject to traffic shall be protected against physical damage.

Section 16 - Fire Protection

16.1 The manufactured home area shall be subject to the rules and regulations of the CITY OF HARDIN fire prevention authority.

16.2 Manufactured home parks shall be kept free of litter, rubbish and other flammable materials.

16.3 Portable fire extinguishers of a type approved by the fire prevention authority shall be kept in service buildings and at all other locations designated by such fire prevention authority and shall be maintained in good operating condition.

16.4 Fires shall be made only in stoves, incinerators and other equipment intended for such purposes.

16.5 Fire Hydrants

16.5.1 Fire hydrants shall be installed to the standards set by the CITY.

16.5.2 Fire hydrants, if provided, shall be located within five hundred (500') feet of any manufactured home, service building or other structure in the park.

Section 17 - Miscellaneous Requirements

17.1 17.1.1 A minimum parking area (in M.H. parks) of 162.0 square feet per manufactured home space shall be provided in common area for the storage of boats or vehicles and to accommodate visitors' vehicles.

17.1.2 All manufactured homes located within the city limits shall be properly skirted.

17.2 Responsibilities of the Park Management.

17.2.1 The person to whom a license for a manufactured home park is issued shall operate the park in compliance with this ordinance and regulations issued hereunder and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.

17.2.2 The park management shall notify park occupants of all applicable provisions of this ordinance and inform them of their duties and responsibilities under the ordinance and regulations issued hereunder.

17.2.3 The park management shall require the placement of each manufactured home on its stand according to the provisions of the Texas Manufactured Housing Standards Act and the Administrative Rules ("Rules") of the Texas Department of Housing and Community Affairs,

10 Texas Administrative Code, Chapter 8 (September 1, 1995, as amended), and all applicable ordinances of the CITY.

17.2.4 The park management shall maintain a register containing the names of all park occupants. Such register shall be available for inspection at any reasonable time by all authorized CITY employees.

17.2.5 The park management shall notify the local health authority immediately of any suspected communicable or contagious disease within the park.

17.2.6 The park management shall notify in writing each tenant that this ordinance prohibits the sale of any lot, portion or segment of such park to a third person or persons. The park management shall obtain a written acknowledgment of the receipt of the notice and such acknowledgment shall be permanently kept in a permanent file open to CITY inspection.

17.3 Responsibilities of the Manufactured Home Park Occupants.

17.3.1 The park occupant shall comply with all applicable requirements of this ordinance and regulations issued hereunder and shall maintain his manufactured home lot, its facilities and equipment in good repair and in a clean and sanitary condition.

17.3.2 The park occupant shall be responsible for proper placement of his manufactured home on its manufactured home stand and proper installation of all utility connections in accordance with the instructions of the park management.

17.3.3 No owner or person in charge of a dog, cat or other pet shall permit it to run at large or to commit any nuisance within the limits of any manufactured home lot.

17.4. A manufactured home shall not be occupied for dwelling purposes unless it is installed according to the provisions of the Texas Manufactured Housing Standards Act and the Administrative Rules (“Rules”) of the Texas Department of Housing and Community Affairs, 10 Texas Administrative Code, Chapter 8 (September 1, 1995, as amended) and connected to water, sewage and electrical utilities.

Section 18- Removed

Section 19 - Penalties

Any person who violates any provision of this ordinance shall upon conviction be punished by a fine of not less than TEN AND NO/100 (\$10.00) DOLLARS nor more than FIVE HUNDRED AND NO/100 (\$500.00) DOLLARS. Each day that a violation continues of any such provision shall constitute a separate offense.

Section 20 - Cumulative Clause

The provisions of this Ordinance are to be cumulative of all other ordinances or parts of ordinances, currently in force or hereafter enacted, governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

Section 21 - Severability Clause

It is the intent of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the City Council would have enacted them without the invalid portion.

Section 22 - Effective Date

This ordinance shall be in full force and effect immediately upon adoption by the City Council.

PASSED AND ADOPTED by a vote of the City Council of the City of Hardin, Texas, on June 14th, 2021

Original Signature on File
Harry Johnson, Mayor

ATTEST:

Original Signature on File
Heather Tanner, City Secretary

