

ORDINANCE NO. 22-701-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BROOKSHIRE TEXAS, REPEALING AND REPLACING CHAPTER 24 “MANUFACTURED HOUSING, INDUSTRIALIZED HOUSING, AND RECREATIONAL VEHICLE PARKS” OF THE CODE OF ORDINANCES, CITY OF BROOKSHIRE, TEXAS TO REFLECT REORGANIZED AND MODERNIZED DEVELOPMENT STANDARDS; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) PER DAY; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND, PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the City Council (the “Council”) of the City of Brookshire, Texas (the “City”) desires to protect the health, safety, and welfare of the general public by providing certain regulations related to development standards within the City; and

WHEREAS, the Council finds that it is reasonable, necessary, and proper for the health, safety, and welfare of the general public to ensure that all proposed development projects adhere to certain development standards within the City; and,

WHEREAS, the Council finds it necessary to repeal the existing Chapter 24 of the Code of Ordinances of the City of Brookshire and replace it with the language provided herein, with such changes being shown in a redlined version attached to this Ordinance as “Exhibit A”; and **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BROOKSHIRE:

SECTION 1. THAT Chapter 24 “Manufactured Housing, Industrialized Housing, and Recreational Vehicle Parks” of the Code of Ordinances, City of Brookshire, Texas, is hereby amended by repealing the existing language and replacing the language with the language provided below, with such language to read as follows:

“CHAPTER 24 – MANUFACTURED HOUSING, INDUSTRIALIZED HOUSING AND RECREATIONAL VEHICLE PARKS.

ARTICLE I. - IN GENERAL

Secs. 24-1—24-18. - Reserved.

ARTICLE II. - MANUFACTURED HOUSING

DIVISION 1. - GENERALLY

Sec. 24-19. - Definitions.

The following words, terms, and phrases, when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. The words, terms, and phrases, when used in this article and not listed below shall have meanings ascribed in other section of the Code of Ordinances.

Building official means a designated inspection authority of the city or its authorized representative.

Certificate of occupancy means a certificate issued by the city council for the use of a building, structure, or land, when it is determined that the building structure or land complies with the provisions of all applicable city codes, ordinances, and regulations.

Common access route/internal street means a street providing the principal means of access to individual manufactured home lots or auxiliary buildings.

District means the city municipal water district.

Driveway means a minor entrance off the common access route within the park, into an off-street parking area serving one (1) or more manufactured homes.

License means a written license issued by the city council, permitting a person to operate and maintain a manufactured home park under the provisions of this article.

Lot, in addition to the meaning ascribed to it under the city’s subdivision ordinance, means a plot of ground or space within a manufactured home park or manufactured home subdivision designated for accommodation of one (1) manufactured home, together with such open space as required by this chapter. The term “lot” also includes the term “site”.

Manufactured 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 (1) or more sections, which, in the traveling mode, is eight feet (8’) or more in width or forty feet (40’) or more in length, or when erected on site, is three hundred twenty square feet (320 sqft) or more, 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 or width specified in this section shall not be allowed for placement in a manufactured home park or a manufactured home subdivision.

Manufactured home park means a parcel of land under single entity ownership which has been platted and approved by the city and where lots are planned to be leased for the placement of manufactured homes, accessory uses and service facilities, meeting all requirements of this article, Chapter 48, subdivisions, and any applicable deed restrictions and state laws.

Manufactured home subdivision means a parcel of land which has been platted and approved by the city and where lots are planned to be sold for the placement of

manufactured homes, accessory uses, and service facilities, meeting all requirements of this article, Chapter 48, subdivisions, and any applicable deed restrictions and state laws.

Masonry means material that includes brick, stone brick veneer, custom treated tilt wall, decorative or textured concrete block, split face block, and stucco. EIFS (exterior insulation and finish systems) shall be included within this definition only for the purposes of masonry trim.

Mobile home means a structure that was constructed before June 15, 1976, transportable in one (1) or more sections, which, in the traveling mode, is eight feet (8') or more in width or forty feet (40') or more in length, or when erected on site, is three hundred twenty square feet (320 sqft) or more, and which is built on a permanent chassis 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. Mobile homes shall not be allowed in manufactured home parks or manufactured home subdivisions.

Parking, off-street, means a paved surface, a minimum of ten feet (10') in width by twenty (20') feet in length, located within the boundary of a manufactured home lot, or in common parking and storage areas, having unobstructed access to an internal street.

Permit means a written certification issued by the city council or building official permitting the construction, alteration, or extension of a manufactured home park or manufactured home subdivision under the provisions of this article and regulations issued hereunder.

Person means any natural individual, firm, trust, partnership, association, or corporation.

Site plan means a graphic presentation, drawn to scale, in a horizontal plane, delineating the outlines of the land included in the plan and all proposed use locations, accurately dimensioned; the dimensions also indicating the relation of each use to that adjoining it and to the boundary of the property. Scale shall be at least one-inch (1") to one hundred feet (100') for sites under thirty (30) acres, and at least one-inch (1") to two hundred feet (200') for sites greater than thirty (30) acres.

Sec. 24-20. - Location.

(a) It shall be unlawful for any person to locate, maintain, or occupy a manufactured home in any place within the city other than in an approved manufactured home park or manufactured home subdivision, or in accordance with Section 24-139, use of manufactured homes for nonresidential purposes.

(b) It shall be unlawful for any person to install, locate, relocate, or change occupancy in a mobile home in any place within the city limits.

(c) Mobile homes lawfully existing and occupied within the city limits prior to the date of the ordinance from which this article was derived shall be allowed to continue and be maintained. No expansion or enlargement of mobile homes shall be allowed. Provided, however, that

mobile homes or manufactured homes heretofore installed in compliance with city ordinances, being properly permitted thereunder, utilized continuously as a residence, and being connected to all utilities, may be replaced with newer model manufactured homes, subject to the permitting and licensing requirements contained herein. In the event of such a replacement, additional documentation as to the use and connection to utilities must be provided to the city, and the old unit must be removed and the new unit must be installed within two (2) weeks of each another, weather permitting.

(d) Notwithstanding any prohibition on the location of a manufactured home for residential purposes within the city limits in this chapter, one (1) manufactured home is allowed within the boundaries of a municipal utility district located within the city limits for a period not to exceed twelve (12) months in connection with the holding of an election to confirm the creation of such municipal utility district. A manufactured home allowed under this subsection shall be subject to all applicable permit requirements in this chapter unless the city council grants a variance to such requirements according to this chapter.

Secs. 24-21—24-40. - Reserved.

DIVISION 2. - PERMITS

Sec. 24-41. - Permit required.

It shall be unlawful for any person to install, construct, alter, extend, or expand any manufactured home, manufactured home park, or manufactured home subdivision within the limits of the city without a valid permit issued by the city council in the name of such person for the specific placement, construction, alteration or extension proposed. No application shall be considered complete nor shall be accepted by the city for processing until all requirements of this article are complied with. Prior to issuance of a permit, a public hearing will be scheduled before the city council. The city council will review the complete application and all plans and shall notify the applicant in writing of his approval, disapproval, or conditions or modifications necessary before approval on subsequent permit application, as per Sec. 24-100.

Sec. 24-42. - Application requirements.

(a) All applications for permits shall be made upon standard forms provided by the city secretary and shall contain all the items listed in the application checklist including the following:

- (1) Name and address of the applicant.
- (2) Location and legal description of the manufactured home, manufactured home park, or manufactured home subdivision.
- (3) A site plan accurately depicting the layout of the manufactured home park or manufactured home subdivision. The site plan shall include all data required under Section 6 of this article and be in the scale specified herein.

(4) A certified copy of the filed subdivision plat, or a copy of the final plat being submitted for simultaneous review by the city.

(b) Provided, however, that in the case of individual manufactured homes being placed on lots in manufactured home parks which have previously been approved by the city council and filed of record, the information in Subsections (a)(3) and (4) of this section shall not be required, and the building official is hereby authorized to approve such permits under the terms provided in Section 24-44.

Sec. 24-43. - Permit fee.

All applications to the building official shall be accompanied by the appropriate fee to be maintained in a schedule of fees and to be amended by the city council from time to time.

Sec. 24-44. - Issuance of permit.

In considering the application, the city council may consider the proposed location of the manufactured home park or manufactured home subdivision in relation to the present and future anticipated land use and development of adjacent and nearby land. The city council expressly reserves the right to deny development and to impose additional reasonable conditions as it deems necessary. After the application is reviewed and is determined to be in compliance with this article and other applicable requirements, laws, codes, and regulations, the permit shall be issued. In cases where the building official is authorized to approve such permits, he shall issue the permit following his review and determination that the individual manufactured home lot and park are in full compliance with all requirements of this article and other applicable requirements, laws, codes, and regulations.

Sec. 24-45. - Denial of permit; hearing.

Any person whose application for a permit under this article has been denied may request in writing a rehearing on the matter and offer additional evidence. Such hearing must be requested within thirty (30) days from the date of the action denying the permit. If a hearing is not required within thirty (30) days from the date of the action denying the permit, a new complete application must be submitted and shall contain all the items listed in the application checklist.

Secs. 24-46—24-65. - Reserved.

DIVISION 3. - MANUFACTURED HOME PARK LICENSES

Sec. 24-66. - License required.

It shall be unlawful for any person to establish, operate, or maintain or permit to be established, operated, or maintained upon any property owned or controlled by such person any manufactured home park within the city unless such person holds a valid license issued annually by the city council. All applications for licenses shall be made in writing to the city council, which shall issue a license upon compliance by the applicant with the provisions of this article. The city council shall not issue a license unless the applicant is in compliance with all other applicable ordinances and laws. At any time, the applicant is in violation of applicable laws and ordinances, the license may be cancelled. Licenses issued shall expire on December 31 of each year.

Sec. 24-67. - Application for original license.

Application for original license 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 the license fee hereinafter provided, and shall contain:

- (1) The name and address of the applicant;
- (2) A copy of a valid certificate of occupancy;
- (3) The location and legal description of the park; and
- (4) A site plan of the park prepared in accordance with Section 24-98.

Sec. 24-68. - Hearing granted applicants.

Any person whose application for a license under this article has been denied may request in writing within ten (10) days a rehearing which shall be granted by the city council.

Sec. 24-69. - Application for license renewal.

Application for renewal of a license shall be made in writing by the licensee on forms furnished by the city council on or before December 1 of each year. The application shall contain any change in the information occurring after the original license was issued or the latest renewal granted and be accompanied by the manufactured home park register as required in Section 24-138.

Sec. 24-70. - License fee.

All original license applications or renewals thereof shall be accompanied by the appropriate fee which shall be maintained in a schedule of fees which is on file in the city secretary's office as amended by the city council from time to time.

Sec. 24-71. - Transfer of license.

(a) *Application.* Every person holding a license shall give notice in writing to the city council within fifteen (15) days after having sold, transferred, given away, or otherwise disposed of interest in or control of any manufactured home park. Application for transfer of license shall be made to the city council not later than fifteen (15) days after the date of the sale, transfer, or gift, or other disposition of interest in or control of a manufactured home park. The city council shall have the authority to deny such transfer of license within a reasonable time, not to exceed sixty (60) days, if such manufactured home park is not in compliance with the terms of this article.

(b) *Fee.* All applications for license transfers shall be accompanied by a fee to be maintained in a schedule of fees and to be amended by the city council from time to time

Sec. 24-72. - Violations, notice, suspension of license.

Whenever the city council finds that conditions or practices exist which are in violation of any provision of this article, it shall give notice in writing in accordance with Section 24-187, to

the permittee or licensee or the permittee's or licensee's agent that unless conditions or practices in violation of this article are corrected within a reasonable period of time of not less than thirty (30) days or more than one (1) year, as specified in such notice, the license or permit shall be suspended. At the end of the period of time granted for correction, if the conditions or practices have not been corrected, the city council may suspend the license and give notice in writing of the suspension to the licensee or the licensee's agent at the address provided in the application. Upon receipt of notice of suspension, the licensee shall cease operations of the manufactured home park, as set forth in the notice, within ten (10) days after the notice is issued.

Secs. 24-73—24-96. - Reserved.

DIVISION 4. - REQUIREMENTS FOR MANUFACTURED HOME SUBDIVISIONS AND MANUFACTURED HOME PARKS

Subdivision I. - General Requirements

Sec. 24-97. - In General.

The following requirements shall be applicable to both manufactured home subdivisions and manufactured home parks.

Sec. 24-98. - Site plan.

The site plan shall be prepared as required by this section, shall be a part of the application, and shall show the following information:

- (1) The name, address, fee owner and record owner of the proposed or existing manufactured home subdivision or manufactured home park;
- (2) Name as shown on the subdivision plat where the manufactured home subdivision or manufactured home park is to be located;
- (3) Names of adjacent public or private streets and roads, adjacent subdivisions or property owners of unplanted land;
- (4) Contour lines at two-foot (2') intervals;
- (5) Locations and dimensions of all manufactured home spaces, points of ingress and egress, utility easements, drives, recreation areas, fencing and landscaping, signage, streets, and sidewalks; with each manufactured home lot and common facility area being sequentially numbered;
- (6) Scale of plan and complete dimensions for each lot, street, and open area;
- (7) Density in units per gross acre;
- (8) Area and dimensions of entire site;

(9) Areas defined for waste containers and method of disposal;

(10) Dimension, description, and location of common facilities;

(11) Water and sewer plans must be submitted, on separate sheets if necessary, and must show sewer line locations, grades and sizes, and water line locations, sizes and source of water supply; with the submittal of water and sewer plans able to be submitted at the time of the permit;

(12) Paving and drainage plans must be submitted, on a separate sheet if necessary, and must show the directions and calculated quantities of runoff and the proposed specifications for streets in accordance with the city's ordinances; and

(13) Other items as required by the application submittal checklist prepared by the city.

Sec. 24-99. - Conform to codes.

All facilities or improvements in manufactured home parks or subdivisions, other than manufactured homes contained therein, shall conform to all applicable city ordinances and state laws.

Sec. 24-100. - Review of plans.

When the application and plans are complete, a public hearing will be scheduled before the city council. The city council will review the complete application and all plans and shall notify the applicant in writing of his approval, disapproval, or conditions or modifications necessary before approval on subsequent submission.

Sec. 24-101. - Location of manufactured homes and accessory structures.

No manufactured home or accessory structure such as a refuse container, carport cabana, awning, fence, or storage locker shall be permitted within twenty-five feet (25') of a private or public street or the boundary line all manufactured home subdivisions and manufactured home park.

Sec. 24-102. - Screening requirements.

The following screening requirements shall be applicable for all manufactured home subdivisions and manufactured home parks:

(1) *Landscaping.* A landscaped strip of not less than twenty-five feet (25') in width, and fencing as hereinafter provided, shall be located along all boundary lines of manufactured home subdivisions and manufactured home parks. Such landscaped strip shall be continuously maintained and shall be devoted exclusively to the planting, cultivation, growing, and maintenance of site obscuring trees, shrubs, and plant life as described below. Trees, shrubs, cane, or other vegetation shall be planted, cultivated, and maintained as a sight and noise obscuring buffer that will effectively achieve sight and noise obstruction within approximately five (5) years. The buffer strips are intended to provide a seventy-five percent (75%) or more opaque screen when viewed horizontally between two feet (2') and ten feet (10') above the natural ground at the end of the growing period of five (5)

years from the date of planting. At a minimum, the landscaping shall contain shrubs (with a minimum five (5) gallon container) planted every three feet (3') and five feet (5') at planting and minimum two-inch (2") caliper trees planted every twenty feet (20'). *Refer to Chapter 44 for a list for approved trees and shrubs.* Additional planting, cultivation, and maintenance may be required by the city during the use period of the buffer strip to achieve and maintain this effect.

(2) *Fencing.* A solid masonry fence, at least six feet (6') in height shall be constructed and maintained along all boundaries of the mobile home subdivision or mobile home park. The fence materials must be, brick, stone, stucco, decorative concrete block, or other similar materials included in the definition of masonry in Sec. 24-19. In no instance will plain concrete block, concrete panels, fiberglass, or metal sheeting be allowed.

(3) *Skirting.* Each manufactured home shall have permanent skirting around its perimeter to screen its wheels and undercarriage from view. Skirting should be made of masonry materials and be compatible with the rest of the structure.

Sec. 24-103. - Fire safety standards.

(a) *Gases and flammable liquids.* The storage, handling, and use of liquefied petroleum gases and flammable liquids shall be done in compliance with applicable city ordinances and state laws.

(b) *Access to manufactured home for firefighting.* Approaches to all manufactured homes shall be kept clear for emergency vehicles.

(c) *Fire protection.* Water lines and fire hydrants shall be provided and suitably located for adequate fire protection as determined by the fire chief or the city council, but in no case shall the development provide less than a system of standard hydrants located not more than five hundred feet (500') from each manufactured home space and served by water lines not less than six inches (6") in diameter installed in a looped system.

Sec. 24-104. - Recreational areas.

Recreational areas for all manufactured home subdivisions and manufactured home parks shall include **not** less than fifteen percent (15%) of the gross site area of the entire development devoted to recreational facilities, generally provided in a central location. In large developments, recreation facilities can be decentralized with each location being a minimum area of two-thirds (2/3) of an acre. Recreation areas may include space for community buildings and outdoor community use facilities, such as indoor recreation areas, swimming pools, trails, club houses, and tennis and basketball courts. Playground areas designed for children shall be so designated and must be protected from traffic, thoroughfares, and parking areas. No recreation area shall contain less than five thousand square feet (5,000 sqft), with a minimum dimension of fifty feet (50'). Required setbacks and buffers shall not be included in the recreational area calculations. Where compliance with this provision results in undue hardship or individual site areas are substantially above minimum standards and provide for sufficient outdoor recreation, an exemption may be granted. Application for such an exemption shall be made to the city council at the time of the filing of an application under this article.

Sec. 24-105. - Height requirements.

(a) The height limit for any structure, including a manufactured home or accessory buildings, intended for any use or occupancy shall be thirty-five feet (35’).

(b) The average height of the manufactured home frame above ground elevation, measured at ninety degrees (90°) to the frame, shall not exceed four feet (4’) from the top of the pad.

Sec. 24-106. - Spacing regulations.

Manufactured homes shall be located no closer than twenty-five feet (25’) from any exterior boundary wall.

Sec. 24-107. - Manufactured home lot.

For all manufactured home subdivisions and manufactured home parks, each and every manufactured home shall be located on a separate lot which shall conform to the following standards:

- (1) Be served with sanitary sewer, water, electrical power, telephone service, and natural gas.
- (2) Provide a manufactured home pad constructed of concrete or asphalt which shall provide an adequate foundation for the placement and tie-down of one (1) single-family manufactured home, thereby securing the superstructure against uplift, sliding rotation, and overturning. Said pad shall:
 - a. Be constructed of material which shall adequately support the weight of the manufactured home;
 - b. Provide anchors and tie-downs such as cast-in-place concrete “dead men,” eyelets embedded in concrete foundations or runway screw augers, arrowhead anchors, or other devices which secure the stability of the manufactured home, and shall be placed at least at each corner of the manufactured home;
 - c. Cover an area of at least two hundred forty square feet (240 sqft) or at least one-third (1/3) the area of the largest manufactured home which is to be placed on the manufactured home park lot, whichever is greater. No surface provided for a purpose other than the foundation of a manufactured home shall be considered a part of such manufactured home pad.
- (3) Provide a minimum of two (2) off-street parking spaces which shall be constructed of concrete or asphalt, with access from aisles and driveways constructed of concrete or asphalt.
- (4) Double street frontage of manufactured home lot shall be prohibited.

(5) Drainage. The ground surface in all parts of every development, and especially beneath manufactured homes and other structures, shall be graded and equipped to drain all surface water in a safe and efficient manner so as not to permit water to stand or become stagnant.

Sec. 24-108. - Design and location of storage facilities.

Storage facilities with a minimum capacity of two hundred cubic feet (200 cuft) per manufactured home lot may be provided on the lot or in compounds located within two hundred feet (200') of the lot. Where provided, storage facilities shall be faced with a durable, fire-resistant material. Storage outside the perimeter walls of the manufactured home shall be permitted only if in such facilities. No storage shall be permitted under a manufactured home. Storage facilities shall not be located within ten feet (10') of the boundary line of any manufactured home lot or within twenty-five feet (25') of the boundary of the manufacture home park and shall not exceed twenty-five feet (25') in height.

Sec. 24-109. - Water supply.

(a) All approved water supply for domestic use and fire protection purposes shall be supplied to meet the requirements of the development and the applicable laws, codes, and ordinances of the city. Certification of compliance from the district shall be required prior to the issuance of any certificate of occupancy for any manufactured home or other structure.

(b) All plumbing improvements to any manufactured home lot shall be made in accordance with applicable ordinances of the city.

Sec. 24-110. - Sewage disposal.

From and after the effective date of the ordinance from which this article is derived, the following shall apply:

(1) Waste from all toilets, lavatories, sinks, and showers shall be discharged into a public sewer system approved by the district. Certification of compliance from the district shall be required prior to the issuance of any certificate of occupancy for any manufactured home or other structure.

(2) All plumbing improvements to any manufactured home lot shall be made in accordance with applicable ordinances of the city.

(3) Each manufactured home lot shall have a sewer riser pipe of at least four inches, or in accordance with the applicable ordinances and codes, which shall be capped when not in use.

Sec. 24-111. - Electrical distribution system.

From and after the effective date of the ordinance from which this article is derived, the electrical distribution system shall comply with applicable electrical codes and other applicable laws of the state.

Sec. 24-112. - Common facilities.

All buildings or rooms containing bathroom, laundry, or other common facilities shall have fire-resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions around showers, tubs, lavatories, and other plumbing fixtures shall be constructed of dense, non-absorbent, waterproof materials, or covered with moisture-resistant materials.

Sec. 24-113. - Refuse and garbage.

Solid waste shall be stored in a fly-proof, waterproof container, which shall be emptied regularly and maintained in a usable, sanitary condition and the collection and disposal of said refuse and garbage shall be so conducted as to create no health hazard. A refuse pickup easement shall be granted by the owner of a manufactured home park or subdivision to the city, if necessary, for garbage collection. All such containers shall be screened by a masonry fencing taller than the height of the dumpster.

Sec. 24-114. - Signage.

Each manufactured home subdivision or manufactured home park shall have a sign at its entrances, bearing its name. The signs shall be of a monument style, not to exceed five feet (5') in height, and not to exceed forty square feet (40 sqft) in area. The signs shall not be electrical, provided, however, that one (1) light from the base of the sign shall be allowed. Illumination shall not cause glare or other nuisance on any adjacent property.

Secs. 24-115—24-136. - Reserved.

Subdivision II. - Additional Requirements

Sec. 24-137. - Manufactured home subdivisions.

The following requirements shall apply, in addition to the general requirements of subdivision I of this division 4, to manufactured home subdivisions:

(1) *Lot size.* Each lot for a manufactured home shall be a minimum of fifty feet (50') in width, and a minimum of one hundred feet (100') in depth. Lots for common facilities shall be of such a size to meet the minimum setback areas below, and such that no more than fifty percent (50%) of such lot is covered by building area, exclusive of parking.

(2) *Setbacks.*

a. The minimum setback area for each lot is:

1. Front yard: twenty-five feet (25').
2. Rear yard: twenty-five feet (25').
3. Side yard: ten feet (10').

b. No manufactured home or primary or accessory structure (excluding storage as per Sec. 24-108 above) in a manufactured home subdivision shall be located within the yard setback area.

(3) Landscaping requirements. For each lot, the following shall be required:

a. Two (2) trees shall be planted on each lot, in the front yard. Trees shall have a minimum two-inch (2") caliper measured five feet (5') above the ground. An existing street tree may count toward the requirement of the required tree.

b. Ten (10) shrubs (minimum five (5) gallon container) shall be provided for each lot. Shrubs and berms shall be planted at a height of no less than thirty-six inches (36") as measured from the surrounding soil line.

c. Refer to Chapter 44 for an approved of trees, shrubs, and other vegetation.

(4) Parking requirements. In addition to providing for two (2) off-street parking spaces per manufactured home lot, areas designed for common facilities shall provide a minimum of one (1) parking space per one hundred square feet (100 sqft) of gross floor area. One (1) additional parking space shall be provided for each manufactured home lot shown on the site plan. A maximum of six (6) of the additional parking spaces may be grouped together at various locations throughout the manufactured home park.

Sec. 24-138. - Manufactured home parks.

The following requirements shall apply in addition to the general requirements of subdivision I of this division 4, to manufactured home parks:

(1) Lot size. Each lot for a manufactured home shall be a minimum of forty-five feet (45') in width, and a minimum of eighty feet (80') in depth, and shall contain a minimum of three thousand six hundred square feet (3,600 sqft). Lots for common facilities shall be of such a size to meet the minimum setback areas below, and such that no more than fifty percent (50%) of such lot is covered by building area, exclusive of parking.

(2) Setbacks.

a. The minimum setback area for each lot is:

1. Front yard: twenty-five feet (25').

2. Rear yard: twenty-five feet (25').

3. Side yard: ten feet (10').

b. No manufactured home or primary or accessory structure (excluding storage as per Sec. 24-108 above) in a manufactured home park shall be located within the yard setback area.

(3) Landscaping requirements. For each lot, the following shall be required:

a. Two (2) trees shall be planted on each lot, with at least one (1) of the trees in the front yard. Trees shall have a minimum two-inch (2") caliper measured five feet (5') above the ground. An existing street tree may count toward the requirement of the required tree.

b. Ten (10) shrubs (minimum five (5) gallon container) shall be provided for each lot. Shrubs and berms shall be planted at a height of no less than thirty-six inches (36") as measured from the surrounding soil line.

c. Refer to Chapter 44 for an approved of trees, shrubs, and other vegetation.

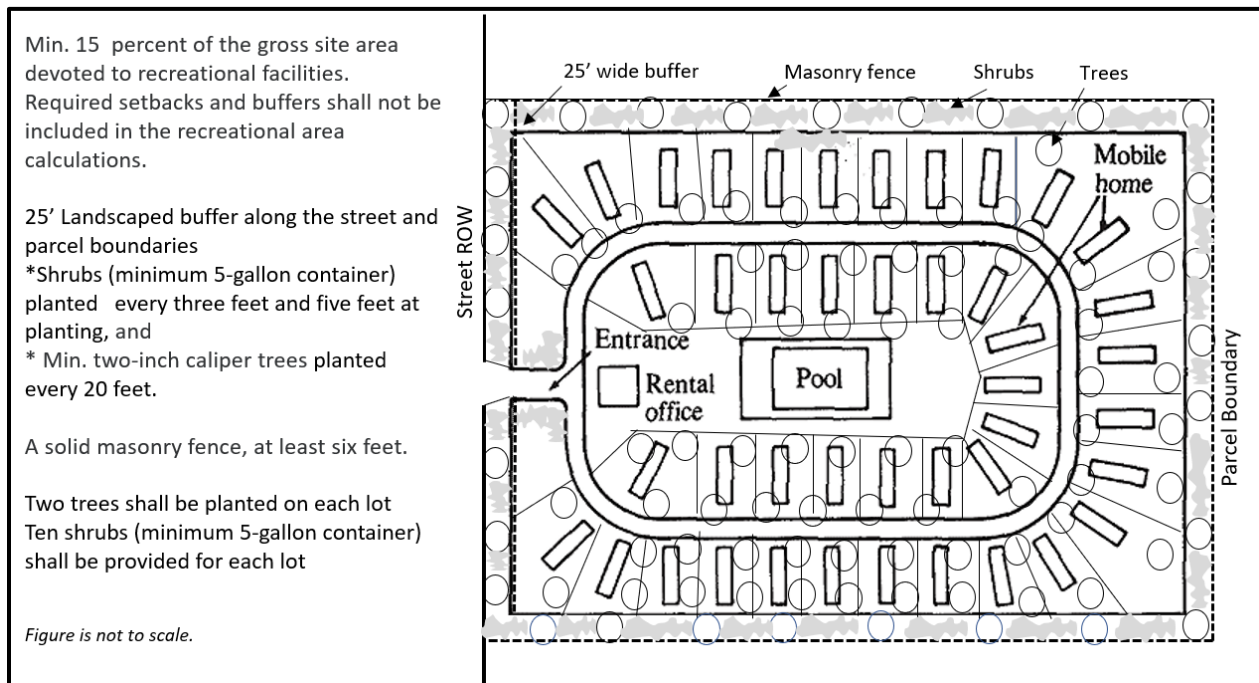


Figure 1: - Manufactured Home Parks - Site Layout

(4) Parking requirements. In addition to providing for two (2) off-street parking spaces per manufactured home lot, areas designed for common facilities shall provide a minimum of one (1) parking space per one hundred square feet (100 sqft) of gross floor area. One (1) additional parking space shall be provided for each manufactured home lot shown on the site plan. A maximum of six (6) of the additional parking spaces may be grouped together at various locations throughout the manufactured home park.

(5) Responsibilities of park licensee.

a. Operation. The licensee or licensee's agent shall operate the park in compliance with this article and other applicable ordinances and shall provide adequate supervision to maintain the park and all facilities in good repair, and in clean and sanitary condition.

b. Notification of occupant responsibility. The licensee or agent shall notify park occupants of all applicable provisions of this article and inform them of their duties and responsibilities under this article.

c. Maintenance of park. The owner of the park shall be responsible to ensure that it is maintained in a manner which will not attract or aid the propagation of insects or rodents or create a hazard. Growth of plant material such as weeds and grass, especially beneath manufactured homes and other structures shall be continuously controlled. All streets, parking and storage areas shall be maintained to provide a fully paved surface.

d. Office; park register.

1. Every manufactured home park shall have an office in which a copy of the park license shall be posted and the park register shall be in such office. It shall be the duty of the licensee to keep a register of park occupancy which shall contain the following information:

(i) Name and address of owner and occupant;

(ii) The make, model, serial number, year, and dimensions of all manufactured homes; and

(iii) The date of arrival and departure of each manufactured home.

2. The park operator shall submit the park register to the city council each year upon requesting license renewal and shall make said register available to any authorized city official upon reasonable request. Upon gaining knowledge of a departure of any manufactured home, the park operator shall notify the city tax assessor. Failure to do so shall place the operator in violation of this article.

e. Compliance. It shall be the responsibility of the licensee to ensure that all requirements of this article are met and maintained. Any manufactured home park issued an initial license after adoption of the ordinance from which this article is derived that is found to be in violation of any provisions of this article shall be notified in writing by the city council in accordance with Section 24-187 and, upon failure to comply, said license shall be revoked.

(6) Responsibilities of manufactured home occupants.

a. The manufactured home occupant shall comply with all requirements of this article.

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

c. The use of space immediately beneath a manufactured home for storage shall not be permitted.

(7) Only manufactured homes shall be permitted in a manufactured home park. No mobile homes shall be permitted in a manufactured home park, except as provided in Section 24-20(c).

(8) Access; traffic circulation; parking.

a. Internal streets. Internal streets shall be privately owned, built, and maintained. Streets shall be designed for safe and convenient access to all spaces and facilities for the common use of park residents.

b. Street construction. All internal streets shall be constructed to the standards and specifications in the city's subdivision ordinance.

c. Driveway construction. All driveways shall be constructed of concrete and shall be durable and well drained under normal use and weather conditions.

d. Street signs and numbers. Internal streets shall be named, and each individual lot for use for a manufactured home or common facilities shall be numbered. Street signs and numbers shall be of standard size and placement to facilitate location by emergency vehicles.

e. Lighting. The internal streets, parking lots, walks, and service areas shall be lighted at all times so the development shall be safe for occupants and visitors; provided, further, all entrances and exits shall be lighted.

f. Ingress and egress. Each development shall have a minimum of two (2) points of ingress and egress for access by emergency equipment. A single entrance way, if it is composed of a divided roadway, having two (2) lanes separated by a landscaped median, will meet this requirement.

Sec. 24-139. - Use of manufactured homes for nonresidential purposes.

(a) Manufactured homes may be used only for the following nonresidential purpose. Temporary construction offices. Manufactured homes may be parked at a construction site for use as a field office after issuance of a building permit and during the period of construction. The manufactured home must be removed within thirty (30) days after the construction at the site is completed. Manufactured homes may not be utilized for commercial establishments on a temporary or permanent basis. When a permit is issued under division 2 of this article for a manufactured home to be occupied as specified below, no residential use of any portion of that same lot shall be permitted.

(b) Parking requirements. Manufactured homes being used for temporary construction offices shall provide a minimum of two (2) parking spaces per one hundred square feet (100 sqft) of gross floor area of the manufactured home.

(c) Site plan. A site plan showing the location of the temporary construction offices shall be prepared as part of the application, and shall show the following information:

(1) The name, address, fee owner, and record owner of the proposed or existing establishment;

(2) Name as shown on the subdivision plat where the manufactured home is to be located;

(3) Names of adjacent public or private streets and roads, adjacent subdivisions or property owners of unplatted land;

(4) Contour lines at two-foot (2') intervals;

(5) Locations and dimensions of all points of ingress and egress, utility easements, drives, recreation areas, fencing and landscaping, signage, streets, and sidewalks;

(6) Scale of plan and complete dimensions for each lot, street, and open area;

(7) Area and dimensions of entire site;

(8) Areas defined for waste containers and method of disposal;

(9) Water and sewer plans must be submitted, on separate sheets if necessary, and must show sewer line locations, grades and sizes, and water line locations, sizes and source of water supply;

(10) Paving and drainage plans must be submitted, on a separate sheet if necessary, and must show the directions and calculated quantities of runoff and the proposed specifications for streets in accordance with the city's ordinances.

(d) Conform to codes. All manufactured homes to be used for nonresidential purposes shall conform without limitation to the codes and ordinances of the city, and all applicable laws of the state.

(e) Review of plans. When the application and plans are complete, a public hearing will be scheduled before the city council. The city council will review the complete applications and all plans, and shall notify the applicant in writing of the approval, disapproval, or conditions or modifications necessary before approval on subsequent submission.

(f) Location of manufactured homes and accessory structures. No manufactured home or accessory structure such as a refuse container, carport cabana, awning, fence, or storage locker

shall be permitted within the required building setbacks or buffers, or ten feet (10') of a private or public street or the boundary line of a manufactured home lot or tract upon which it is located, whichever is greater.

(g) Height requirements.

(1) The height limit for any manufactured home structure intended for commercial or business occupancy shall be thirty-five feet (35').

(2) The average height of the manufactured home frame above ground elevation, measured at ninety degrees (90°) to the frame, shall not exceed four feet (4') from the top of the pad.

Sec. 24-140. - Nonconforming manufactured home parks and manufactured home subdivisions.

(a) Any manufactured home subdivision or manufactured home park which is more than fifty percent (50%) constructed and occupied on the effective date of the ordinance from which this article is derived, and which does not comply with all applicable provisions of this article shall be considered a nonconforming manufactured home subdivision or park. Nonconforming parks shall comply with the requirements of division 3 of this article, licenses.

(b) Any addition of land to a nonconforming manufactured home subdivision or manufactured home park must conform to all requirements of this article.

(c) Any manufactured home subdivision or manufactured home park which is not than fifty percent (50%) constructed and occupied on the effective date of the ordinance from which this article is derived, shall comply with all provisions of this article, with the exception of lot size. The placement of a manufactured home on any lot shown on a previously approved and filed plat, whether such plat be for a manufactured home subdivision or a manufactured home park, which is vacant as of the date of adoption of this article, and for which a permit is subsequently requested, shall comply with all requirements of this article. A replat of the manufactured home subdivision or manufactured home park may be required by the city council to show reservation of land for parking and recreational areas, or other requirements. Recreational areas may also be reserved by separate instrument, filed of record with the county clerk.

Secs. 24-141—24-158. - Reserved.

DIVISION 5. - VARIANCES

Sec. 24-159. - Purpose.

Where the city council finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations when applied to a modification or expansion of a preexisting nonconforming manufactured home park or subdivision, or that the purposes of these regulations may, in such circumstances, be served to a greater extent by an alternative proposal, it may approve a variance to these manufactured home park and subdivision regulations, so that substantial justice may be done and the public interest served. Such a

finding by the city council shall not have the effect of nullifying the intent and purpose of these regulations.

Sec. 24-160. - Conditions for approval.

(a) The city council shall not approve a variance unless it shall make findings based upon the evidence presented in each specific case that:

(1) The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;

(2) The relief sought will not in any manner vary the provisions of any other city ordinance or regulation;

(3) The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property; and

(4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.

(b) Any variance granted by the city council shall be based upon the specifics of the particular application and request before them and shall have no precedent setting effect to other applications or development proposals.

(c) In approving a variance, the city council may require such conditions as will, in its judgment, secure substantially the purposes described in this division.

Sec. 24-161. - Procedure.

(a) A request for a variance pursuant to this section shall be submitted in writing. The request shall state fully the grounds for the variance request and all of the facts relied upon by the applicant.

(b) All applicable fees must be paid at the time of submission of a request for variance, including fees required for park or plat review, and the fee for manufactured home park and subdivision ordinance variance, at the amounts established by the city council from time to time. No request for a variance will be considered complete until all fees have been paid to the city.

(c) All applications shall be reviewed and acted following a hearing before the city council.

Secs. 24-162—24-185. - Reserved.

DIVISION 6. - ADMINISTRATION AND ENFORCEMENT

Sec. 24-186. - Inspection.

Any duly authorized inspector of the city shall be permitted to make reasonable inspections of any manufactured home subdivision or manufactured home park to determine compliance with this article.

Sec. 24-187. - Notice; hearing.

Whenever it is brought to the attention of the city council that there has been a violation of any provisions of this article, the city council shall, prior to a hearing on revocation of a permit, give notice of such alleged violation to the permittee, licensee, or agent.

(1) *Notice.* The notice shall:

- a. Be in writing;
- b. Include a statement of the reasons for its issuance;
- c. Provide requirements, based upon the nature and severity of the violation and having due regard for the safety and protection of the community, for actions to correct the violation;
- d. Be served upon the proper party, as evidenced by the records; provided, however, the notice shall be deemed to have been properly served when a copy thereof has been sent by regular mail to the last known address; and
- e. Contain an outline of remedial action, which will correct the deficiency or defect.

(2) *Hearing.* If the violation is not remedied in accordance with the notice, and a violation of the ordinance continues, then the city council may, following a hearing before the city council, revoke any permits or licenses issued in addition to all remedies available to it at law or equity. This hearing procedure will not be necessary to enforce the provisions of Section 24-188.

Sec. 24-188. - Penalty.

Any person who shall violate any provision of this article shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished as provided in Section 1-13. Each day of violation shall constitute a separate offense.

Secs. 24-189—24-209. - Reserved.

ARTICLE III. - INDUSTRIALIZED HOUSING

Sec. 24-210. - Definitions.

Industrialized housing means a residential structure that is: Designed for the occupancy of one (1) or more families; Constructed in one (1) or more modules or constructed using one (1) or more modular components built at a location other than the permanent site; and, Designed to be used as a permanent residential structure when the module or the modular component is transported to the permanent site and erected or installed on a permanent foundation system.

The term “industrialized housing” includes the structure’s plumbing, heating, air conditioning, and electrical systems, but does not include: A residential structure that exceeds three (3) stories or forty-nine feet (49’) in height as measured from the finished grade elevation at the building entrance to the peak of the roof; Housing constructed of a sectional or panelized system that does not use a modular component; or A ready-built home constructed in a manner in which the entire living area is contained in a single unit or section at a temporary location for the purpose of selling and moving the home to another location.

Sec. 24-211. - Regulation of single-family and duplex industrialized housing.

(a) Single-family or duplex industrialized housing must have all local permits and licenses that are applicable to other single-family or duplex dwellings.

(b) For the purposes of this section, single-family or duplex industrialized housing is real property.

(c) Any industrialized housing shall:

(1) Have a value equal to or greater than the median taxable value for each single-family dwelling located within five hundred feet (500’) of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll for the county;

(2) Have exterior siding, roofing, roof pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within five hundred feet (500’) of the lot on which the industrialized housing is proposed to be located;

(3) Comply with city aesthetic standards, building setbacks, side and rear yard offsets, subdivision control, architectural landscaping, square footage, and other side requirements applicable to single-family dwellings; and

(4) Be securely fixed to a permanent foundation.

(d) For the purposes of subsection (c) of this section, the term “value” means the taxable value of the industrialized housing and the lot after installation of the housing.

(e) Any owner or authorized agent who intends to construct, erect, install, or move any industrialized housing into the city shall first make application to the building official and obtain the required permits. In addition to any other information otherwise required for said permits, the application shall:

(1) Identify each single-family dwelling located within five hundred feet (500’) of the lot on which the industrialized housing is to be located, and show the taxable value for each such dwelling as determined by the most recent certified tax appraisal roll for the county;

(2) Describe the exterior siding, roofing, roof pitch, foundation, fascia, and fenestration for each single-family dwelling located within five hundred feet (500') of the lot on which the industrialized housing is to be located; and

(3) Describe the permanent foundation and method of attachment proposed for the industrialized housing.

Sec. 24-212. - Violation and penalty.

A person commits an offense if the person intentionally, knowingly, recklessly, or with criminal negligence fails to make an application for permit as required by this article; or constructs, erects, installs, or moves any industrialized housing into the city which does not comply with this article. Any person who violates any provision of this article shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed two thousand dollars (\$2,000.00). Each day of violation shall constitute a separate offense.

Secs. 24-213—24-232. - Reserved.

ARTICLE IV. - RECREATIONAL VEHICLE PARKS

Sec. 24-233. - Purpose.

(a) The city council finds that properly planned and operated recreational vehicle communities (i.e., recreational vehicle (RV) parks):

(1) Promote the safety and health of the residents of such communities and of other nearby communities;

(2) Encourage economical and orderly development of such communities and of other nearby communities.

(b) It is, therefore, declared to be the policy of the city to eliminate and prevent health and safety hazards and to promote the economical and orderly development and utilization of land by providing for planned and supervised recreational vehicle communities by providing for the standards and regulations necessary to accomplish these purposes. This article is enacted in order to achieve orderly development of recreational vehicle parks, to promote and develop the use of land to minimize possible negative impacts, and to promote the health, safety and general welfare of the public.

Sec. 24-234. - Applicability.

This article shall apply to any recreational vehicle park to be located within the city limits.

Sec. 24-235. - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory structure means any structural addition to the recreational vehicle or site, including awnings, cabanas, carports, garages, porches, storage cabinets, storage sheds, and similar appurtenant structures.

Biodegradable means capable of being decomposed by biological agents, especially bacteria.

Code official means the official of the city responsible for the inspection of electrical, mechanical, and plumbing associated with a property.

Controlling interest means a person or developer who controls at least fifty-one percent (51%) of ownership.

Dry hydrant means an unpressurized, permanently installed pipe that has an end below the water level of a lake, pond, or container.

Full-time employee means a person who is responsible for maintenance of the recreational vehicle park seven (7) days per week. This person may or may not be the owner of the recreational vehicle park.

Inspection sample well means a well located at the property line near where the recreational vehicle park's sewer pipe and the public sewer pipe connect that serves as an inspection sample well and is at least thirty inches (30") in diameter and as further described in the order regulating the introduction of wastewater into the sanitary sewer system of the municipal water district.

Licensee or agent means a person who may or may not own the recreational vehicle park but is the person responsible for the day-to-day operations including records and license of the park.

Opaque fence means a fence made of solid materials designed to shield from public view the recreational vehicle park (i.e., it is difficult to see through or perceive).

Public use phone means a phone used by registrants of the recreational vehicle park for emergency purposes.

Recreational vehicle means any currently state licensed or registered camp trailer, travel trailer, motor home, or fifth wheel designed to provide temporary living quarters for recreational camping or travel use, constructed with integral wheels to make it mobile or towable by motor vehicle.

Recreational vehicle park means any lot, tract, or parcel of land upon which accommodation is provided for two (2) or more recreational vehicles used as living or sleeping quarters by the day, week, or month, whether a charge is or is not made. A recreational vehicle park is a unified development of recreational vehicle spaces provided for recreational vehicle use with or without community facilities and permitted permanent buildings.

Recreational vehicle site means that part of a lot or area in a recreational vehicle park that has been reserved for the placement of one (1) recreational vehicle.

Sec. 24-236. - License.

(a) *Required.* It shall be unlawful for any person to operate any recreational vehicle park within the city limits unless he holds a valid license issued annually by the city in the name of such person for the specific park. The applicant shall make all applications for the license on forms furnished by the city, which shall issue a license upon compliance with the provisions of this article.

(b) *Application for renewal.* Application for renewal of a license shall be made in writing by the licensee on forms furnished by the city upon request on or before December 31 of each year. Such application shall contain any changes in the information occurring after the original license was issued or the latest renewal granted.

(c) *Fee.* All applications shall be accompanied by a fee as provided for in the city fee schedule found in the city secretary's office.

(d) *Approval of transfer.* Every person holding a license shall give notice in writing to the city within ten (10) days after having sold, transferred, given away, or otherwise disposed of interest in or control of any recreational vehicle park. Application for transfer of a license shall be made within ten (10) calendar days after notification of change covered in this subsection. Within thirty (30) calendar days thereafter, the city shall act on the application for license transfer and it shall be approved if the recreational vehicle park is in compliance with the provisions of this article.

(e) *Transfer fee.* All applications for license transfer shall be accompanied by a fee as provided for in the city fee schedule found in the city secretary's office.

(f) *Suspension.*

(1) Whenever, upon inspection of any recreational vehicle park, the city finds that conditions or practices exist which are in violation of any provisions of this article applicable to such park, the city shall give notice in writing to the owner or manager of the park, and if such conditions or practices have not been corrected in the timeframe set forth in the notice, the city will suspend the license and give notice of such suspension. Upon suspension of the license, the licensee shall cease operation of such park.

(2) The suspension of the license may be appealed to the city council as set forth in this article.

Sec. 24-237. - Inspections.

(a) *Authorized.* The city is authorized to make such inspections as are necessary to determine compliance with this article.

(b) *Entry on-premises.* The code official shall have the power to enter at reasonable times upon any private or public property within the purpose of inspecting and investigating conditions relating to the enforcement of this article.

Sec. 24-238. - Notices, hearings and orders.

(a) *Notice of violation.*

(1) Whenever it is determined that there are grounds to believe that there has been a violation of any provision of this article and such grounds are proposed to form the basis to denying, revoking or refusing to renew or transfer a license, the city shall give notice of such alleged violation to the licensee or agent, as hereinafter provided. Such notice shall:

a. Be in writing.

b. Include a statement of the reasons for its issuance.

c. Allow ten (10) days for compliance.

d. Be served upon the owner or licensee or their respective agent; provided that such notice or order shall be deemed to have been properly served upon such licensee or agent when a copy thereof has been served in person or sent by certified mail to his last known address.

e. Contain an outline of remedial action that, if taken, will effect compliance with the provisions of this article.

(2) If the city mails a notice to a property owner in accordance with this section and the United States Postal Service returns the notice as “refused” or “unclaimed,” the validity of the notice is not affected, and the notice is considered as delivered.

(b) *Appeal from notice.* Any person affected by any notice that has been issued in connection with the enforcement of any provision of this article affecting the status of their license may appeal this matter in writing to the city council within ten (10) days of such notice; the mayor will then make a recommendation to the city council for approval or disapproval. The appeal process shall operate as a stay of the notice and of the suspension, except in the case of an order issued under subsection (c) of this section.

(c) *Order without notice.* Whenever the city finds that an emergency exists which requires immediate action to protect the public health or safety, the designated city official may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring the action to be taken as deemed necessary to meet the emergency. Notwithstanding any other provisions of this section, such order shall be effective immediately, but upon written petition to the city, the applicant or licensee shall be afforded an opportunity to appeal to the city council as set forth in this section.

Sec. 24-239. - Site development plan.

A site development plan must be prepared and submitted to the city and must include the requirements for site plans contained herein and Sec. 24-98. Prior to issuance of a permit, a public hearing will be scheduled before the city council. The city council will review the complete application and all plans, including site plans and building elevations and shall notify the applicant in writing of his approval, disapproval, or conditions or modifications necessary before approval on subsequent permit application, as per Sec. 24-100.

Sec. 24-240. - Location and screening.

(a) Recreational vehicle parks shall be located in an area regulated by Section 24-241.

(b) Screening of the recreational vehicle park is required on any side or rear not fronting a public roadway.

(1) Screening shall consist of an opaque masonry fence masonry (as defined in Sec. 50-19) at least six feet (6') in height placed on the property line along the side and rear.

(2) In addition to the opaque masonry fence screening will be required along the street frontage and shall be afforded through the use of natural buffers such as trees or shrubs. The landscaped buffer shall include a twenty-five feet (25') wide landscaped area consisting of shrubs (minimum five (5) gallon container) planted three feet (3') on center and five feet (5') at planting, two inch (2") caliper trees (DBA) planted at a spacing of thirty feet (30'). Refer to Chapter 44 for an approved of trees, shrubs, and other vegetation.



Example of vegetative screening buffer | Source: hoggatllp.com

(3) Screening design will be reviewed with the recreational vehicle park application and site plans and is subject to the approval of the city's building official. No screening barrier or accessory building shall be allowed to obstruct a driver's line of vision for a reasonable distance from any street intersection inside or at an entrance or exit from the recreational vehicle park. Opaque fencing must consist of masonry (as defined in Sec. 50-19) powdered coated decorative metal, approved by the city's building official. No wood or other fences shall be allowed.

Sec. 24-241. - Size and density.

Each recreational vehicle park must have a minimum size of two (2) acres, with a maximum of five (5) acres per point of public access to the property. The maximum site density for recreational vehicle parks shall be twelve (12) sites per acre. Only one (1) recreational vehicle is permitted per recreational vehicle site.

Sec. 24-242. - Size of individual sites; pad requirements; landscaping.

(a) Each recreational vehicle site within the recreational vehicle park shall have a minimum area of one thousand nine hundred twenty-five square feet (1,925 sqft), and shall be at least thirty-five feet (35') wide and fifty-five feet (55') in depth. The sites shall be designed as pull-through for ease of entering and leaving the site. A roadway is therefore required to the front and rear. In addition, the space shall be clearly marked identifying the space number.

(b) All surfaces accessible by vehicles shall be concrete or asphalt.

(c) Each recreational vehicle site shall have at least one (1) two-inch (2") (DBH) caliper tree.

(d) In addition to the tree requirement above, a landscaped strip of not less than twenty-five feet (25') wide landscaped strip along all boundary lines along the street. Such landscaped strip shall be continuously maintained and shall be devoted exclusively to the planting, cultivation, growing, and maintenance of trees, shrubs, and plant life as described below. The landscaping strip shall consist of shrubs (minimum five (5) gallon container) planted three feet (3') on center and five feet (5') at planting, two-inch (2") caliper trees (DBA) planted at a spacing of thirty feet (30'). Refer to Chapter 44 for an approved of trees, shrubs, and other vegetation. Additional planting, cultivation, and maintenance may be required by the city council during the use period of the buffer strip to achieve and maintain this effect.

(2) Fencing. A solid masonry fence, at least six feet (6') in height shall be constructed and maintained along all boundaries of the recreational vehicle parks. The fence materials shall be, brick, stone, stucco, decorative concrete block, or other similar materials included in the definition of masonry in Sec. 24-19.

Sec. 24-243. - Street access; street lighting.

(a) Each recreational vehicle site within the recreational vehicle park shall have access to an internal private roadway, which shall have access to a public street. The entrance of the internal roadway shall have a pavement width of at least thirty feet (30') with an adequate curb radius. All circulation streets and driveways within the recreational vehicle park shall have a pavement width (concrete or asphalt) of twenty-four feet (24') in accordance with city standards. The roadway may be fifteen feet (15') wide if the recreational vehicle park is designed for one-way roads. Each emergency access lane shall have a clear unobstructed width of twenty-four feet (24') (fifteen feet (15') if one-way), and shall have a turning area and radii with a minimum of sixty feet (60') to permit free movement of emergency vehicles. Dead-end streets are not allowed.

(b) Metal signs shall be placed along the emergency access lane, by the owner or agent of the recreational vehicle park stating that parking is prohibited. The sign type, size, height, and location shall be approved by the city.

(c) An intended street lighting plan showing location and lumens for the recreational vehicle park shall be approved by the city as part of the site plan.

Sec. 24-244. - Required facilities.

(a) Each recreational vehicle park must have an office for the manager of the recreational vehicle park, and a bathroom and shower facilities, as well as laundry facilities. All facilities used by those staying at the recreational vehicle park must be well lit inside and out during the night hours. All facilities must meet applicable codes adopted by the city. Each recreational vehicle site must have reasonable access to the bathroom, laundry, and shower facilities by not being further than four hundred feet (400') away.

(b) All recreational vehicle parks shall have at least one (1) recreation area, located as to be free of traffic hazards, easily accessible to all those staying at the recreational vehicle park and centrally located where topography permits. Not less than ten percent (10%) of the gross park area shall be devoted to recreational facilities. Recreation areas include space for community buildings and community use facilities such as restroom and shower facilities, adult recreation (basketball court or tennis court) and playgrounds for children, and swimming pools, but not including vehicle parking, maintenance and utility areas.

Sec. 24-245. - Soil and ground cover.

Exposed ground surfaces in all of parts of the recreational vehicle parks shall be paved, covered with stone, rock, or other similar solid material, or protected with vegetative cover that is capable of preventing soil erosion and eliminating dust. All surfacing shall be maintained and kept in good repair.

Sec. 24-246. - Prohibited placement of recreational vehicle, permanent occupancy prohibited.

(a) The placement of a recreational vehicle for occupancy longer than fourteen (14) days shall not be permitted except in an approved recreational vehicle park. A recreational vehicle may be placed at an owner's residence, on a parking area paved with all-weather surface, as long as the recreational vehicle is placed in the side or rear yard area and not used for occupancy longer than fourteen (14) days in a twelve (12) month period.

(b) No recreational vehicle park or recreational vehicle therein shall be used as a permanent residence for any period of time, except for permanent full-time employees of the recreational vehicle park. No more than two (2) spaces shall be allowed for use as a permanent residence for full-time employees. Occupancy or parking of a recreational vehicle within the recreational vehicle park extending beyond six (6) consecutive months in any twelve (12) month period shall be presumed permanent occupancy and is hereby prohibited.

(c) A recreational vehicle may not return for a period of sixty (60) days following six (6) months consecutively.

(d) The city reserves the right to modify or change this section for the purpose of a natural disaster or related incidents, including the requirement of removal of all recreational vehicles that may be subject to dangerous or inclement weather. However, the final decision for the removal of all recreational vehicles, as defined herein, shall be at the sole discretion of the owner or operator of the recreational vehicle park.

Sec. 24-247. - Drainage.

The ground surface in all parts of the recreational vehicle park shall be graded and designed to drain all stormwater and surface water in a safe, efficient manner. Drainage analysis shall be performed by a licensed professional engineer and easements for the conveyance of surface water off-site shall be obtained, if necessary.

Sec. 24-248. - Water supply.

Each site within the recreational vehicle park shall be provided with a connection to the public water supply. The proposed water facility plans must be approved prior to construction by the city and by the municipal water district, and any other entities responsible for the regulation of and provision of public water services. The water distribution system shall be installed as follows:

- (1) The water supply system, fixtures and other equipment must be installed in accordance with applicable codes and laws.
- (2) A master water meter shall be installed to serve the recreational vehicle park. Sub-metering or re-metering of recreational vehicle sites is not permitted.
- (3) A reduced pressure principal backflow preventer will be required to be placed at the property line on the discharge side of the master meter. In addition, one (1) reduced pressure principal backflow preventer must be placed at each of the connections for each recreational vehicle site and located on the left side of the site.
- (4) Water riser service branch lines shall extend at least four inches (4") above ground elevation. The branch line shall be at least three-fourths of an inch ($\frac{3}{4}$ ").
- (5) Adequate provisions shall be made to prevent freezing of service lines, valves, and riser pipes. Surface drainage shall be diverted from the location of utility connections at each site.
- (6) A shut off valve below the frost line shall be provided near each water riser pipe.
- (7) The owner or operator shall have complete maintenance responsibility for the water system within the recreational vehicle park.

Sec. 24-249. - Wastewater facilities.

Each site within the recreational vehicle park shall be provided with a connection for wastewater. All proposed wastewater service lines shall be connected to the public wastewater

system at a single point consisting of a manhole and nearby inspection sample well. All proposed wastewater facility plans must be approved prior to construction by the city and by the municipal water district and any other entities responsible for the regulation of and provision of public wastewater treatment services. The wastewater distribution system shall be installed as follows:

- (1) The wastewater system and materials must be installed in accordance with applicable codes and statutes.
- (2) Each site shall be provided with a four-inch (4") diameter wastewater riser and shall extend above grade four inches (4") to six inches (6"). The wastewater riser pipe shall be so located on each stand so that the wastewater connection to the recreational vehicle drain outlet will approximate a vertical position. Each inlet shall be provided with a gastight seal when connected to a recreational vehicle or have a gastight seal plug when not in service. The plug shall be that of a spring-loaded device.
- (3) The wastewater connection to each site shall consist of a single four-inch (4") service line without any branch lines, fittings, or connections. All joints shall be watertight.
- (4) Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least four inches (4") to six inches (6") above the ground elevation.
- (5) The owner or operator shall have complete maintenance responsibility for the wastewater system within the recreational vehicle park.

Sec. 24-250. - Electrical service.

Each site within the recreational vehicle park shall be provided with electrical service. All electrical service shall be underground and installed in accordance with the national electrical code. The electrical service shall be installed as follows:

- (1) A master electric meter shall be installed to serve the recreational vehicle park. Sub-metering or re-metering of recreational vehicle sites is not permitted.
- (2) The location of all underground lines shall be clearly marked by surface signs at approved intervals.
- (3) Power supply to each site shall be in accordance with the adopted National Electrical Code.
- (4) Outlets (receptacles or pressure connectors) shall be housed in an Underwriters' Laboratories, Inc. approved weatherproof outlet box.
- (5) A watertight seal shall be provided for underground conduit in floodplain installations and a riser extending a minimum of two feet (2') above the floodplain elevation shall be provided.

Sec. 24-251. - Sanitary facilities.

(a) Each recreational vehicle park shall provide the following sanitary facilities as listed below:

(1) One (1) toilet or stool for the female sex for every twenty (20) sites or fraction thereof (minimum of one (1) is required) for the first one hundred twenty (120) sites, and one (1) per forty (40) sites thereafter.

(2) One (1) toilet or stool and one (1) urinal stall for the male sex for every twenty (20) sites or fraction thereof (minimum of one (1) is required) for the first one hundred twenty (120) sites, and one (1) per forty (40) sites thereafter.

(3) One (1) washbasin shall be provided within the toilet room for every two (2) toilets or fraction thereof (a minimum of one (1) is required).

(4) One (1) shower shall be provided for each sex for each twenty (20) sites or fraction thereof (minimum of one (1) is required for each sex) for the first one hundred twenty (120) sites, and one (1) per forty (40) sites thereafter.

(5) Buildings shall be well lit at all times, day or night, be well ventilated with screened openings, and constructed of moisture-proof material to permit rapid and satisfactory cleaning, scouring and washing.

(6) The floors shall be of concrete or other impervious material, elevated not less than four inches (4") above grade, and each room shall be provided with floor drains.

(7) A slop sink or basin with water supply shall be in each restroom (male and female) and at least one (1) in the laundry facility, and shall be constructed in accordance with design, size, and materials approved by the code official.

(b) Toilet and bathing facilities shall be in separate rooms or partitioned apart in any manner as to provide privacy and promote cleanliness. Each toilet provided in a community toilet house shall be partitioned apart from any other toilet in the same room. The floor surface around the commode shall not drain into the shower floor. Individual, lockable bathrooms which shall include a toilet, sink, countertop, bench, and shower are permitted also. Each such individual bathroom shall have no less than sixty square feet (60 sqft) of floor area.

(c) Toilet floors and walls shall be of impervious material, painted white or a light color, and kept clean at all times. Shower stalls shall be of tile, plaster, cement, or some other impervious material and shall be kept clean at all times. If a shower stall is of some impervious material other than tile, cement, or plaster, it shall be white or some light color and kept clean at all times. The floor of any bathroom, other than the shower stall, shall be of some impervious material, and the walls of the bathroom, other than the shower stall, shall be papered with canvas and wallpaper, or an equivalent washable surface kept clean at all times.

Sec. 24-252. - Storage, collection and disposal of refuse and garbage.

Each recreational vehicle park shall be provided with safe and adequate facilities for the collection and removal of waste and garbage. Storage, collection, and handling shall be conducted so as to create no health hazards, rodent harborage, insect breeding areas, or fire hazards. Every site shall be located within two hundred feet (200') of a refuse facility measured along the recreational vehicle park internal roadway. Trash dumpsters shall be screened on three (3) sides by masonry fencing taller than the height of the dumpster.

Sec. 24-253. - Accessory structures.

The individual sites within the recreational vehicle park are not allowed to have accessory structures as defined herein.

Sec. 24-254. - Registration of guests.

Each person renting a site within a recreational vehicle park shall provide the following information to the owners, managers, operators or persons in charge of the recreational vehicle park and shall be able to access such information on site seven (7) days a week twenty-four (24) hours a day:

- (1) Name;
- (2) Full address of permanent residence;
- (3) Automobile and recreational vehicle license plate number and the state in which each is registered;
- (4) Driver's license number of the owner;
- (5) The number or letter of the site being rented; and
- (6) Date of arrival and departure.

Sec. 24-255. - Control of insects, rodents and other pests.

(a) Grounds, buildings, and structures in the recreational vehicle park shall be maintained free of the accumulation of high grass and weeds and debris so as to prevent rodent and snake harborage or the breeding of flies, mosquitoes or other pests.

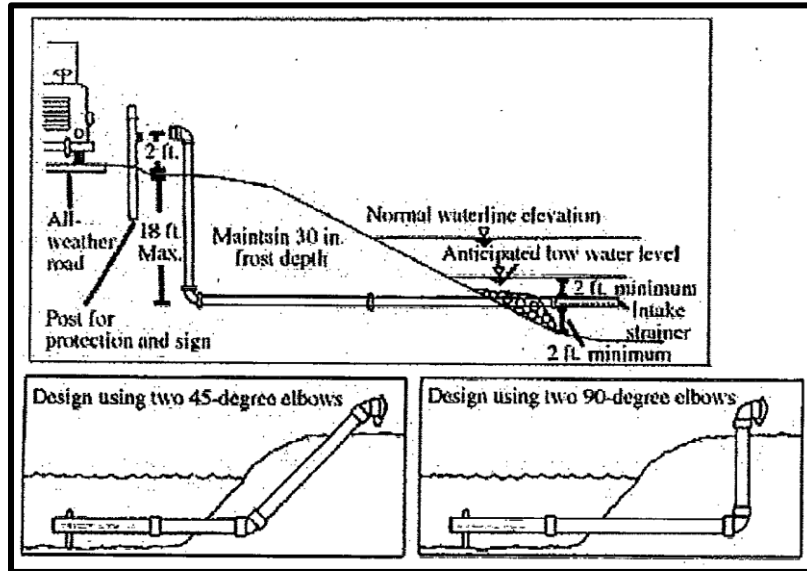
(b) The recreational vehicle park owner or manager shall be responsible for maintaining the entire area of the park free of dry brush, leaves, limbs and weeds.

Sec. 24-256. - Fire safety standards; fire hydrants.

(a) Open fires shall be allowed only in a manner and within a container approved by the fire chief.

(b) A fire hydrant must be placed such that each recreational vehicle site is no further than six hundred feet (600') from said hydrant.

(c) If a recreational vehicle park is to be placed in an area where public water is not available, the recreational vehicle park owner must have a pond located on the property filled at all times with a minimum capacity of twenty thousand (20,000) gallons with a dry hydrant installed. A container capable of holding a minimum of twenty thousand (20,000) gallons with a dry hydrant installed shall also be allowed or substituted for a pond. The dry hydrant outlet shall be of standard size or four inches (4"). Please see diagram of a dry hydrant below.



Sec. 24-257. - Change of ownership or expansion of a grandfathered recreational vehicle park.

Upon change of controlling interest of a grandfathered recreational vehicle park, or expansion of an existing recreational vehicle park the new owner or current shall immediately bring the existing recreational vehicle park to meet the requirements of this article.

Sec. 24-258. - Existing manufactured mobile home parks.

Existing manufactured mobile home parks that have spaces for recreational vehicles existing prior to the adoption of the ordinance from which this article is derived shall be permitted to occupy the space with a recreational vehicle. However, in no instance shall a new manufactured mobile home park to be located within the city limits allow recreational vehicles or spaces for recreational vehicles. Only recreational vehicles shall be allowed in a recreational vehicle park. No manufactured mobile home shall be permitted in a recreational vehicle park.

Sec. 24-259. - Penalty provision.

(a) Whenever in this article an act is prohibited or the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision shall be punished as provided in Section 1-13.

(b) Whenever in this article the provision does not expressly require proof of a culpable mental state, proof of a culpable mental state is not required for conviction of such offense, it being the intent of the city council to dispense with the requirement of any culpable mental state in prosecutions filed under such provisions of this article; provided, however, that if such offense is punishable by a fine exceeding the amount authorized by V.T.C.A., Penal Code § 12.23, a

person does not commit such offense unless he is shown to have recklessly engaged in such conduct as the definition of the offense requires.

(c) Proof of a higher degree of culpability than that charged constitutes proof of the culpability charged.”

SECTION 2. THAT a violation of any provision of this Ordinance shall be deemed a misdemeanor punishable by fine not to exceed two thousand dollars (\$2,000.00) as provided in Article 1-13 of the Code of Ordinances, City of Brookshire, Texas.

SECTION 3. THAT should any paragraph, section, sentence, phrase, clause, or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected thereby.

SECTION 4. THAT the City Secretary of the City of Brookshire is hereby authorized and directed to cause publication of the descriptive caption of this Ordinance as may be required by law.

SECTION 5. THAT this Ordinance shall become effective, except as may otherwise be provided herein, from and after its publication as provided by law.

PASSED, APPROVED, AND ORDAINED this _____ day of _____, 2022.

FOR THE CITY:

ATTEST:

DARRELL BRANCH, MAYOR

NAME [SIGNATURE]

NAME [PRINTED]

EXHIBIT A – REDLINED VERSION OF CHANGES TO CHAPTER 24

Chapter 24 - MANUFACTURED HOUSING, INDUSTRIALIZED HOUSING AND RECREATIONAL VEHICLE PARKS^[1]

Footnotes:

--- (1) ---

State Law reference— Manufactured housing, V.T.C.A., Occupations Code § 1201.001 et seq.; industrialized housing, V.T.C.A., Occupations Code § 1201.001 et seq.; municipal regulation of industrialized housing, V.T.C.A., Occupations Code § 1202.253.

ARTICLE I. - IN GENERAL

Secs. 24-1—24-18. - Reserved.

ARTICLE II. - MANUFACTURED HOUSING^[2]

Footnotes:

--- (2) ---

State Law reference— Manufactured housing, V.T.C.A., Occupations Code § 1201.001 et seq.

DIVISION 1. - GENERALLY

Sec. 24-19. - Definitions.

The following words, terms and phrases, when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. [The words, terms and phrases, when used in this article and not listed below shall have meanings ascribed in other section of the Code of Ordinances.](#)

:

Building official means a designated inspection authority of the city or its authorized representative.

Certificate of occupancy means a certificate issued by the city council for the use of a building, structure, or land, when it is determined that the building structure or land complies with the provisions of all applicable city codes, ordinances, and regulations.

Common access route/internal street means a street providing the principal means of access to individual manufactured home lots or auxiliary buildings.

District means the city municipal water district.

Driveway means a minor entrance off the common access route within the park, into an off-street parking area serving one or more manufactured homes.

License means a written license issued by the city council, permitting a person to operate and maintain a manufactured home park under the provisions of this article.

Lot, in addition to the meaning ascribed to it under the city's subdivision ordinance, means a plot of ground or space within a manufactured home park or manufactured home subdivision designated for accommodation of one manufactured home, together with such open space as required by this chapter. The term "lot" also includes the term "site."

Manufactured 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 eight feet or more in width or 40 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. Anything less than the length or width specified in this section shall not be allowed for placement in a manufactured home park or a manufactured home subdivision.

Manufactured home park means a parcel of land under single entity ownership which has been platted and approved by the city and where lots are planned to be leased for the placement of manufactured homes, accessory uses and service facilities, meeting all requirements of this article, [chapter-Chapter 48](#), subdivisions, and any applicable deed restrictions and state laws.

Manufactured home subdivision means a parcel of land which has been platted and approved by the city and where lots are planned to be sold for the placement of manufactured homes, accessory uses and service facilities, meeting all requirements of this article, [chapter-Chapter 48](#), subdivisions, and any applicable deed restrictions and state laws.

Masonry – Masonry materials include brick, stone brick veneer, custom treated tilt wall, decorative or textured concrete block, split face block and stucco. EIFS (exterior insulation and finish systems) shall be included within this definition only for the purposes of masonry trim.

Mobile home means a structure that was constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight feet or more in width or 40 feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis 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. Mobile homes shall not be allowed in manufactured home parks or manufactured home subdivisions.

Parking, off-street, means a paved surface, a minimum of ten feet in width by 20 feet in length, located within the boundary of a manufactured home lot, or in common parking and storage areas, having unobstructed access to an internal street.

Permit means a written certification issued by the city council or building official permitting the construction, alteration or extension of a manufactured home park or manufactured home subdivision under the provisions of this article and regulations issued hereunder.

Person means any natural individual, firm, trust, partnership, association or corporation.

Site plan means a graphic presentation, drawn to scale, in a horizontal plane, delineating the outlines of the land included in the plan and all proposed use locations, accurately dimensioned; the dimensions also indicating the relation of each use to that adjoining it and to the boundary of the property. Scale shall be at least one inch to 100 feet for sites under 30 acres, and at least one inch to 200 feet for sites greater than 30 acres.

(Ord. No. 98-314-7, § 2, 2-24-1998, [xx-xx-2022](#))

Sec. 24-20. - Location.

- (a) It shall be unlawful for any person to locate, maintain, or occupy a manufactured home in any place within the city other than in an approved manufactured home park or manufactured home subdivision, or in accordance with [sectionSection 24-139](#), use of manufactured homes for nonresidential purposes.

- (b) It shall be unlawful for any person to install, locate, relocate, or change occupancy in a mobile home in any place within the city limits.
- (c) Mobile homes lawfully existing and occupied within the city limits prior to the date of the ordinance from which this article was derived shall be allowed to continue and be maintained. No expansion or enlargement of mobile homes shall be allowed. Provided, however, that mobile homes or manufactured homes heretofore installed in compliance with city ordinances, being properly permitted thereunder, utilized continuously as a residence, and being connected to all utilities, may be replaced with newer model manufactured homes, subject to the permitting and licensing requirements contained herein. In the event of such a replacement, additional documentation as to the use and connection to utilities must be provided to the city, and the old unit must be removed and the new unit must be installed within two weeks of one another, weather permitting.
- (d) Notwithstanding any prohibition on the location of a manufactured home for residential purposes within the city limits in this chapter, one manufactured home is allowed within the boundaries of a municipal utility district located within the city limits for a period not to exceed 12 months in connection with the holding of an election to confirm the creation of such municipal utility district. A manufactured home allowed under this subsection shall be subject to all applicable permit requirements in this chapter unless the city council grants a variance to such requirements according to this chapter.

(Ord. No. 98-314-7, § 3, 2-24-1998; [Ord. No. 19-666-14](#), § 1, 11-7-2019, [xx-xx-2022](#))

Secs. 24-21—24-40. - Reserved.

DIVISION 2. - PERMITS

Sec. 24-41. - Permit required.

It shall be unlawful for any person to install, construct, alter, extend or expand any manufactured home, manufactured home park, or manufactured home subdivision within the limits of the city without a valid permit issued by the city council in the name of such person for the specific placement, construction, alteration or extension proposed. No application shall be considered complete nor shall be accepted by the city for processing until all requirements of this article are complied with.

[Prior to issuance of a permit, a public hearing will be scheduled before the city council. The city council will review the complete application and all plans, and shall notify the applicant in writing of his approval, disapproval, or conditions or modifications necessary before approval on subsequent permit application, as per Sec. 24-100.](#)

Commented [LK1]: Clarify – Site plans, elevations

(Ord. No. 98-314-7, § 4(A), 2-24-1998, [xx-xx-2022](#))

Sec. 24-42. - Application requirements.

- (a) All applications for permits shall be made upon standard forms provided by the city secretary and shall contain [all the items listed in the application checklist including](#) the following:
- (1) Name and address of the applicant.
 - (2) Location and legal description of the manufactured home, manufactured home park, or manufactured home subdivision.
 - (3) ~~Five copies of a~~ site plan accurately depicting the layout of the manufactured home park or manufactured home subdivision. The site plan shall include all data required under ~~section~~[Section](#) 6 of this article, and be in the scale specified herein.
 - (4) A certified copy of the filed subdivision plat, or a copy of the final plat being submitted for simultaneous review by the city.
- (b) Provided, however, that in the case of individual manufactured homes being placed on lots in manufactured home parks which have previously been approved by the city council and filed of record, the information in ~~s~~[Subsection](#)[section](#)s (a)(3) and (4) of this ~~section~~[section](#) shall not be required, and the building official is hereby authorized to approve such permits under the terms provided in [section](#)[Section 24-44](#).

(Ord. No. 98-314-7, § 4(B), 2-24-1998, [xx-xx-2022](#))

Sec. 24-43. - Permit fee.

All applications to the building official shall be accompanied by the appropriate fee to be maintained in a schedule of fees and to be amended by the city council from time to time.

(Ord. No. 98-314-7, § 4(C), 2-24-1998)

Sec. 24-44. - Issuance of permit.

In considering the application, the city council may consider the proposed location of the manufactured home park or manufactured home subdivision in relation to the present and future anticipated land use and development of adjacent and nearby land. The city council expressly reserves the right to deny development and to impose additional reasonable conditions as it deems necessary. After the application is reviewed and is determined to be in

compliance with this article and other applicable requirements, laws, codes and regulations, the permit shall be issued. In cases where the building official is authorized to approve such permits, he shall issue the permit following his review and determination that the individual manufactured home lot and park are in full compliance with all requirements of this article and other applicable requirements, laws, codes and regulations.

(Ord. No. 98-314-7, § 4(D), 2-24-1998)

Sec. 24-45. - Denial of permit; hearing.

Any person whose application for a permit under this article has been denied may request in writing a rehearing on the matter and offer additional evidence. Such hearing must be requested within 30 days from the date of the action denying the permit. [If a hearing is not required within 30 days from the date of the action denying the permit, a new complete application must be submitted and shall contain all the items listed in the application checklist.](#)

(Ord. No. 98-314-7, § 4(E), 2-24-1998), [xx-xx-2022](#)

Secs. 24-46—24-65. - Reserved.

DIVISION 3. - MANUFACTURED HOME PARK LICENSES

Sec. 24-66. - License required.

It shall be unlawful for any person to establish, operate or maintain or permit to be established, operated, or maintained upon any property owned or controlled by such person any manufactured home park within the city unless such person holds a valid license issued annually by the city council. All applications for licenses shall be made in writing to the city council, which shall issue a license upon compliance by the applicant with the provisions of this article. The city council shall not issue a license unless the applicant is in compliance with all other applicable ordinances and laws. At any time, the applicant is in violation of applicable laws and ordinances, the license may be cancelled. Licenses issued shall expire on December 31 of each year.

(Ord. No. 98-314-7, § 5(A), 2-24-1998)

Sec. 24-67. - Application for original license.

Application for original license 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 the license fee hereinafter provided, and shall contain:

- (1) The name and address of the applicant;
- (2) A copy of a valid certificate of occupancy;
- (3) The location and legal description of the park; and
- (4) A site plan of the park prepared in accordance with [sectionSection 24-98](#).

(Ord. No. 98-314-7, § 5(B), 2-24-1998, [xx-xx-2022](#))

Sec. 24-68. - Hearing granted applicants.

Any person whose application for a license under this article has been denied may request in writing within ten days a rehearing which shall be granted by the city council.

(Ord. No. 98-314-7, § 5(C), 2-24-1998)

Sec. 24-69. - Application for license renewal.

Application for renewal of a license shall be made in writing by the licensee on forms furnished by the city council on or before December 1 of each year. The application shall contain any change in the information occurring after the original license was issued or the latest renewal granted and be accompanied by the manufactured home park register as required in [sectionSection 24-138](#).

(Ord. No. 98-314-7, § 5(D), 2-24-1998, [xx-xx-2022](#))

Sec. 24-70. - License fee.

All original license applications or renewals thereof shall be accompanied by the appropriate fee which shall be maintained in a schedule of fees which is on file in the city secretary's office as amended by the city council from time to time.

(Ord. No. 98-314-7, § 5(E), 2-24-1998)

Sec. 24-71. - Transfer of license.

- (a) *Application.* Every person holding a license shall give notice in writing to the city council within 15 days after having sold, transferred, given away, or otherwise disposed of interest in or control of any manufactured home park. Application for transfer of license shall be made to the city council not later than 15 days after the date of the sale, transfer, or gift, or other disposition of interest in or control of a manufactured home park. The city council shall have the authority to deny such transfer of license within a reasonable time, not to exceed 60

days, if such manufactured home park is not in compliance with the terms of this article.

- (b) *Fee.* All applications for license transfers shall be accompanied by a fee to be maintained in a schedule of fees and to be amended by the city council from time to time

(Ord. No. 98-314-7, § 5(F), (G), 2-24-1998)

Sec. 24-72. - Violations, notice, suspension of license.

Whenever the city council finds that conditions or practices exist which are in violation of any provision of this article, it shall give notice in writing in accordance with ~~section~~[Section 24-187](#), to the permittee or licensee or the permittee's or licensee's agent that unless conditions or practices in violation of this article are corrected within a reasonable period of time of not less than 30 days or more than one year, as specified in such notice, the license or permit shall be suspended. At the end of the period of time granted for correction, if the conditions or practices have not been corrected, the city council may suspend the license and give notice in writing of the suspension to the licensee or the licensee's agent at the address provided in the application. Upon receipt of notice of suspension, the licensee shall cease operations of the manufactured home park, as set forth in the notice, within ten days after the notice is issued.

(Ord. No. 98-314-7, § 5(H), 2-24-1998, [xx-xx-2022](#))

Secs. 24-73—~~24-9796~~. - Reserved.

DIVISION 4. - REQUIREMENTS FOR MANUFACTURED HOME SUBDIVISIONS AND MANUFACTURED HOME PARKS

~~Subdivision~~[Sec. 24-97](#). - **In General – The following requirements shall be applicable to both manufactured home subdivisions and manufactured home parks.**

Sec. 24-98. - Site plan.

The site plan shall be prepared as required by this ~~section~~[section](#), shall be a part of the application, and shall show the following information:

- (1) The name, address, fee owner and record owner of the proposed or existing manufactured home subdivision or manufactured home park;

- (2) Name as shown on the subdivision plat where the manufactured home subdivision or manufactured home park is to be located;
- (3) Names of adjacent public or private streets and roads, adjacent subdivisions or property owners of unplanted land;
- (4) Contour lines at two-foot intervals;
- (5) Locations and dimensions of all manufactured home spaces, points of ingress and egress, utility easements, drives, recreation areas, fencing and landscaping, signage, streets, and sidewalks. Each manufactured home lot and common facility area shall be sequentially numbered;
- (6) Scale of plan and complete dimensions for each lot, street and open area;
- (7) Density in units per gross acre;
- (8) Area and dimensions of entire site;
- (9) Areas defined for waste containers and method of disposal;
- (10) Dimension, description, and location of common facilities;
- (11) Water and sewer plans must be submitted, on separate sheets if necessary, and must show sewer line locations, grades and sizes, and water line locations, sizes and source of water supply. [Submittal of water and sewer plans may be submitted at the time of the permit;](#)
- (12) Paving and drainage plans must be submitted, on a separate sheet if necessary, and must show the directions and calculated quantities of runoff and the proposed specifications for streets in accordance with the city's [ordinances](#).
- (13) [Other items as required by the application submittal checklist prepared by the city.](#)

(Ord. No. 98-314-7, § 6(A), 2-24-1998), [xx-xx-2022](#)

Sec. 24-99. - Conform to codes.

All facilities or improvements in manufactured home parks or subdivisions, other than manufactured homes contained therein, shall conform to all applicable city ordinances and state laws.

(Ord. No. 98-314-7, § 6(B), 2-24-1998)

Sec. 24-100. - Review of plans.

Commented [LK2]: Require this after the approval for a permit.

When the application and plans are complete, a public hearing will be scheduled before the city council. The city council will review the complete application and all plans, and shall notify the applicant in writing of his approval, disapproval, or conditions or modifications necessary before approval on subsequent submission.

(Ord. No. 98-314-7, § 6(C), 2-24-1998)

Sec. 24-101. - Location of manufactured homes and accessory structures.

No manufactured home or accessory structure such as a refuse container, carport cabana, awning, fence, or storage locker shall be permitted within ~~25 ten~~ feet of a private or public street or the boundary line [all manufactured home subdivisions and manufactured home park of a manufactured home lot.](#)

(Ord. No. 98-314-7, § 6(D), 2-24-1998, [xx-xx-2022](#))

Sec. 24-102. - Screening requirements.

The following screening requirements shall be applicable [for all manufactured home subdivisions and manufactured home parks:](#)

- (1) *Landscaping.* A landscaped strip of not less than ~~ten~~ 25 feet in width, ~~or and~~ fencing as hereinafter provided, shall be located along all ~~boundary lines of~~ boundary lines of manufactured home subdivisions and manufactured home parks ~~boundary lines. Provided, however, such landscaping strip or fencing shall not be required by the city where the manufactured home subdivision or manufactured home park abuts another manufactured home subdivision or manufactured home park, or commercial or industrial development.~~ Such landscaped strip shall be continuously maintained and shall be devoted exclusively to the planting, cultivation, growing, and maintenance of site obscuring trees, shrubs, and plant life as described below. Trees, shrubs, cane, and/or other vegetation shall be planted, cultivated, and maintained as a sight and noise obscuring buffer that will effectively achieve sight and noise obstruction within approximately five years. The buffer strips are intended to provide a 75 percent or more opaque screen when viewed horizontally between two and ten feet above the natural ground at the end of the growing period of five years from the date of planting. The landscaping shall contain a minimum of shrubs (minimum 5 gallon container) planted every three feet and five feet at planting and minimum two inch caliper trees planted every 20 feet. Refer to Chapter 44 for a list for approved trees and shrubs. Additional planting, cultivation, and maintenance may be required by the city officials during the use period of the buffer strip to achieve and maintain this effect.

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(2) *Fencing.* A solid [masonry](#) fence, at least six feet in height ~~may~~[shall](#) be constructed and maintained along all boundaries of the mobile home subdivision or mobile home park. The fence materials must be ~~wood~~, brick, stone, stucco, [decorative](#) concrete block, or other similar materials [included in the definition of masonry in Sec. 24-19. - Definitions.](#)

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~~In~~ no instance will plain concrete block, concrete panels, fiberglass, or metal sheeting be allowed.

(3) *Skirting.* Each manufactured home shall have permanent skirting around its perimeter to screen its wheels and undercarriage from view. [Skirting should be made of masonry materials and be compatible with the rest of the structure.](#)

(Ord. No. 98-314-7, § 6(E), 2-24-1998, [x-x-2022](#))

Sec. 24-103. - Fire safety standards.

- (a) *Gases and flammable liquids.* The storage, handling, and use of liquefied petroleum gases and flammable liquids shall be done in compliance with applicable city ordinances and state laws.
- (b) *Access to manufactured home for firefighting.* Approaches to all manufactured homes shall be kept clear for emergency vehicles.
- (c) *Fire protection.* Water lines and fire hydrants shall be provided and suitably located for adequate fire protection as determined by the fire chief or the city council, but in no case shall the development provide less than a system of standard hydrants located not more than 500 feet from each manufactured home space and served by water lines not less than six inches in diameter installed in a looped system.

(Ord. No. 98-314-7, § 6(F), 2-24-1998)

Sec. 24-104. - Recreational areas [for all manufactured home subdivisions and manufactured home park.](#)

Not less than ~~eight~~[15](#) percent of the gross site area [of the entire development](#) shall be devoted to recreational facilities, generally provided in a central location. In large developments, recreation facilities can be decentralized with each location [with a minimum area at least of](#) two-thirds of an acre. Recreation areas may include space for community buildings and ~~outdoor~~ community use facilities, such as indoor recreation areas, swimming pools, ~~trails, club houses, and tennis and basketball courts hobby and repair shops, and service buildings.~~ Playground areas designed for children shall be so designated and must be protected from traffic, thoroughfares and parking areas. No recreation area shall contain less than 5,000 square feet, [with a minimum dimension of 50 feet. Required setbacks and buffers](#)

~~shall not be included in the recreational area calculations.~~—Where compliance with this provision results in undue hardship or individual site areas are substantially above minimum standards and provide for sufficient outdoor recreation, an exemption may be granted. Application for such an exemption shall be made to the city council at the time of the filing of an application under this article.

(Ord. No. 98-314-7, § 6(G), 2-24-1998, ~~xx-xx-2022~~)

Sec. 24-105. - Height requirements.

(a) The height limit for any structure, including a manufactured home ~~or accessory buildingse~~, intended for any use or occupancy shall be 35 feet.

(b) The average height of the manufactured home frame above ground elevation, measured at 90 degrees to the frame, shall not exceed four feet from the top of the pad.

(Ord. No. 98-314-7, § 6(H), 2-24-1998)

Sec. 24-106. - Spacing regulations.

Manufactured homes shall be located no closer than ~~20-25~~ feet from any exterior ~~boundary wall to the closest exterior wall of the nearest manufactured home.~~

(Ord. No. 98-314-7, § 6(I), 2-24-1998, ~~xx-xx-2022~~)

Sec. 24-107. - Manufactured home lot ~~for all manufactured home subdivisions and manufactured home park.~~

Each and every manufactured home shall be located on a separate lot which shall conform to the following standards:

- (1) Be served with sanitary sewer, water, electrical power, telephone service, and natural gas.
- (2) Provide a manufactured home pad ~~constructed of concrete or asphalt~~ which shall provide an adequate foundation for the placement and tie-down of one single-family manufactured home, thereby securing the superstructure against uplift, sliding rotation, and overturning. Said pad shall:
 - a. Be constructed of material which shall adequately support the weight of the manufactured home;
 - b. Provide anchors and tie-downs such as cast-in-place concrete "dead men," eyelets embedded in concrete foundations or runway screw augers, arrowhead anchors or other devices which secure the stability

of the manufactured home, and shall be placed at least at each corner of the manufactured home;

- c. Cover an area of at least 240 square feet or at least one-third the area of the largest manufactured home which is to be placed on the manufactured home park lot, whichever is greater. No surface provided for a purpose other than the foundation of a manufactured home shall be considered a part of such manufactured home pad.
- (3) Provide a minimum of two off-street parking spaces which shall be constructed of concrete or asphalt, [with access from aisles and driveways constructed of concrete or asphalt.](#)
 - (4) Double street frontage of manufactured home lot shall be prohibited.
 - (5) Drainage. The ground surface in all parts of every development, and especially beneath manufactured homes and other structures, shall be graded and equipped to drain all surface water in a safe and efficient manner so as not to permit water to stand or become stagnant.

(Ord. No. 98-314-7, § 6(J), 2-24-1998, [xx-xx-2022](#))

Sec. 24-108. - Design and location of storage facilities.

Storage facilities with a minimum capacity of 200 cubic feet per manufactured home lot may be provided on the lot or in compounds located within 200 feet of the lot. Where provided, storage facilities shall be faced with a durable, fire-resistant material. Storage outside the perimeter walls of the manufactured home shall be permitted only if in such facilities. No storage shall be permitted under a manufactured home. Storage facilities shall not be located within ten feet of the boundary line of any manufactured home lot [or within 25' of the boundary of the manufacture home park, and shall not exceed 25 feet in height.](#)

(Ord. No. 98-314-7, § 6(K), 2-24-1998, [xx-xx-2022](#))

Sec. 24-109. - Water supply.

- (a) All approved water supply for domestic use and fire protection purposes shall be supplied to meet the requirements of the development and the applicable laws, codes, and ordinances of the city. Certification of compliance from the district shall be required prior to the issuance of any certificate of occupancy for any manufactured home or other structure.
- (b) All plumbing improvements to any manufactured home lot shall be made in accordance with applicable ordinances of the city.

(Ord. No. 98-314-7, § 6(L), 2-24-1998)

Sec. 24-110. - Sewage disposal.

From and after the effective date of the ordinance from which this article is derived, the following shall apply:

- (1) Waste from all toilets, lavatories, sinks, and showers shall be discharged into a public sewer system approved by the district. Certification of compliance from the district shall be required prior to the issuance of any certificate of occupancy for any manufactured home or other structure.
- (2) All plumbing improvements to any manufactured home lot shall be made in accordance with applicable ordinances of the city.
- (3) Each manufactured home lot shall have a sewer riser pipe of at least four inches, [or in accordance with the applicable ordinances and codes](#), which shall be capped when not in use.

(Ord. No. 98-314-7, § 6(M), 2-24-1998, [xx-xx-2022](#))

Sec. 24-111. - Electrical distribution system.

From and after the effective date of the ordinance from which this article is derived, the electrical distribution system shall comply with applicable electrical codes and other applicable laws of the state.

(Ord. No. 98-314-7, § 6(N), 2-24-1998)

Sec. 24-112. - Common facilities.

All buildings or rooms containing bathroom, laundry, or other common facilities shall have fire-resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions around showers, tubs, lavatories, and other plumbing fixtures shall be constructed of dense, non-absorbent, waterproof materials, or covered with moisture-resistant materials.

(Ord. No. 98-314-7, § 6(O), 2-24-1998)

Sec. 24-113. - Refuse and garbage.

Solid waste shall be stored in a fly-proof, waterproof container, which shall be emptied regularly and maintained in a usable, sanitary condition and the collection and disposal of said refuse and garbage shall be so conducted as to create no health hazard. A refuse pickup easement shall be granted by the owner of a manufactured home park or subdivision to the

city, if necessary, for garbage collection. [All such containers shall be screened by a masonry fencing taller than the height of the dumpster.](#)

(Ord. No. 98-314-7, § 6(P), 2-24-1998)

Sec. 24-114. - Signage.

Each manufactured home subdivision or manufactured home park shall have a sign at its entrances, bearing its name. The signs shall be of a monument style, not to exceed five feet in height, and not to exceed 40 square feet [in area](#). The signs shall not be electrical, provided, however, that one light from the base of the sign shall be allowed. Illumination shall not cause glare or other nuisance on any adjacent property.

(Ord. No. 98-314-7, § 6(Q), 2-24-1998, [xx-xx-2022](#))

Secs. 24-115—24-136. - Reserved.

Subdivision II. - Additional Requirements

Sec. 24-137. - Manufactured home subdivisions.

The following requirements shall apply, in addition to the general requirements of subdivision I of this division 4, to manufactured home subdivisions:

- (1) *Lot size.* Each lot for a manufactured home shall be a minimum of 50 feet in width, and a minimum of 100 feet in depth. Lots for common facilities shall be of such a size to meet the minimum setback areas below, and such that no more than 50 percent of such lot is covered by building area, exclusive of parking.
- (2) *Setbacks.*
 - a. The minimum setback area for each lot is:
 1. Front yard: 25 feet.
 2. Rear yard: [15-25](#) feet.
 3. Side yard: Ten feet.
 - b. No manufactured home or [primary or accessory](#) structure [\(excluding storage as per Sec. 24-108 above\)](#) in a manufactured home subdivision shall be located within the yard setback area.

(3) [Landscaping requirements](#)

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For each lot, the following shall be required:

- a. Two trees shall be planted on each lot, in the front yard. Trees listed in Section 4.2.3.9 (e) with a minimum two inch (2") caliper measured five feet (5') above the ground. Existing street tree may count toward the requirement of the required tree.
- b. Ten (minimum 5 gallon container) shall be provided for each lot. Shrubs and berms shall be planted at a height of no less than thirty-six inches (36") as measured from the surrounding soil line.
- c. Refer to Chapter 44 for an approved of trees, shrubs, and other vegetation.

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(34) Parking requirements. In addition to providing for two off-street parking spaces per manufactured home lot, areas designed for common facilities shall provide a minimum of one parking space per 100 square feet of gross floor area. One additional parking space shall be provided for each manufactured home lot shown on the site plan. A maximum of six of the additional parking spaces may be grouped together at various locations throughout the manufactured home park.

In addition to providing for two off-street parking spaces per manufactured home lot, areas designed for common facilities shall provide a minimum of one parking space per 100 square feet of gross floor area.

(Ord. No. 98-314-7, § 7, 2-24-1998, xx-xx-2022)

Sec. 24-138. - Manufactured home parks.

The following requirements shall apply in addition to the general requirements of subdivision I of this division 4, to manufactured home parks:

- (1) *Lot size.* Each lot for a manufactured home shall be a minimum of 45 feet in width, and a minimum of 80 feet in depth, and shall contain a minimum of 3,600 square feet. Lots for common facilities shall be of such a size to meet the minimum setback areas below, and such that no more than 50 percent of such lot is covered by building area, exclusive of parking.
- (2) *Setbacks.*
 - a. The minimum setback area for each space is:
 - 1. Front yard: 45-25 feet.
 - 2. Rear yard: Five-25 feet.

3. Side yard: Ten feet.

- b. No manufactured home or primary or accessory structure (excluding storage as per Sec. 24-108 above) in a manufactured home park shall be located within the yard setback area. No manufactured home or structure in a manufactured home subdivision shall be located within the yard setback area.

(3) Landscaping requirements

For each lot, the following shall be required:

- a. Two trees shall be planted on each lot, with at least one of the two trees in the front yard. Trees with a minimum two inch (2") caliper measured five feet (5') above the ground. Existing street tree may count toward the requirement of the required tree.
- b. Ten shrubs (minimum 5 gallon container) shall be provided for each lot. Shrubs and berms shall be planted at a height of no less than thirty-six inches (36") as measured from the surrounding soil line.
- c. Refer to Chapter 44 for an approved of trees, shrubs, and other vegetation

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Min. 15 percent of the gross site area devoted to recreational facilities. Required setbacks and buffers shall not be included in the recreational area calculations.

25' Landscaped buffer along the street and parcel boundaries
*Shrubs (minimum 5-gallon container) planted every three feet and five feet at planting, and
* Min. two-inch caliper trees planted every 20 feet.

A solid masonry fence, at least six feet.

Two trees shall be planted on each lot
Ten shrubs (minimum 5-gallon container) shall be provided for each lot

Figure is not to scale.

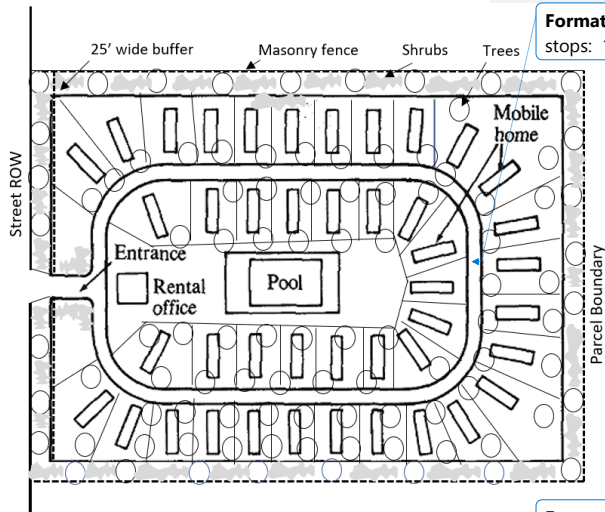


Figure 1: - Manufactured Home Parks - Site Layout

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(4) *Parking requirements.* In addition to providing for two off-street parking spaces per manufactured home lot, areas designed for common facilities shall provide a minimum of one parking space per 100 square feet of gross floor area. One additional parking space shall be provided for each manufactured home lot shown on the site plan. A maximum of six of the additional parking spaces may be grouped together at various locations throughout the manufactured home park.

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(45) *Responsibilities of park licensee.*

- a. *Operation.* The licensee or licensee's agent shall operate the park in compliance with this article and other applicable ordinances and shall provide adequate supervision to maintain the park and all facilities in good repair, and in clean and sanitary condition.
- b. *Notification of occupant responsibility.* The licensee or agent shall notify park occupants of all applicable provisions of this article and inform them of their duties and responsibilities under this article.
- c. *Maintenance of park.* The owner of the park shall be responsible to ensure that it is maintained in a manner which will not attract or aid the propagation of insects or rodents or create a hazard. Growth of plant material such as weeds and grass, especially beneath manufactured homes and other structures shall be continuously controlled. All streets, parking and storage areas shall be maintained to provide a fully paved surface.
- d. *Office; park register.*
 1. Every manufactured home park shall have an office in which a copy of the park license shall be posted and the park register shall be in such office. It shall be the duty of the licensee to keep a register of park occupancy which shall contain the following information:
 - (i) Name and address of owner and occupant;
 - (ii) The make, model, serial number, year, and dimensions of all manufactured homes; and
 - (iii) The date of arrival and departure of each manufactured home.
 2. The park operator shall submit the park register to the city council each year upon requesting license renewal and shall make said register available to any authorized city official upon reasonable request. Upon gaining knowledge of a departure of any manufactured home, the park operator shall notify the city

tax assessor. Failure to do so shall place the operator in violation of this article.

- e. *Compliance.* It shall be the responsibility of the licensee to ensure that all requirements of this article are met and maintained. Any manufactured home park issued an initial license after adoption of the ordinance from which this article is derived that is found to be in violation of any provisions of this article shall be notified in writing by the city council in accordance with [sectionSection 24-187](#) and, upon failure to comply, said license shall be revoked.

(56) *Responsibilities of manufactured home occupants.*

- a. The manufactured home occupant shall comply with all requirements of this article.
- b. The manufactured home occupant shall be responsible for proper placement of his manufactured home on its manufactured home pad and proper installation of all utility connections in accordance with the instruments of the park management.
- c. The use of space immediately beneath a manufactured home for storage shall not be permitted.

(67) *Only manufactured homes shall be permitted in a manufactured home park.* No mobile homes shall be permitted in a manufactured home park, except as provided in [sectionSection 24-20](#)(c).

(78) *Access; traffic circulation; parking.*

- a. *Internal streets.* Internal streets shall be privately owned, built, and maintained. Streets shall be designed for safe and convenient access to all spaces and facilities for the common use of park residents.
- b. *Street construction.* All internal streets shall be constructed to the standards and specifications in the city's subdivision ordinance.
- c. *Driveway construction.* All driveways shall be constructed of concrete and shall be durable and well drained under normal use and weather conditions.
- d. *Street signs and numbers.* Internal streets shall be named, and each individual lot for use for a manufactured home or common facilities shall be numbered. Street signs and numbers shall be of standard size and placement to facilitate location by emergency vehicles.
- e. *Lighting.* The internal streets, parking lots, walks, and service areas shall be lighted at all times so the development shall be safe for occupants and visitors; provided, further, all entrances and exits shall be lighted.

- f. *Ingress and egress.* Each development shall have a minimum of two points of ingress and egress for access by emergency equipment. A single entrance way, if it is composed of a divided roadway, having two lanes separated by a landscaped median, will meet this requirement.

(Ord. No. 98-314-7, § 8, 2-24-1998, [xx-xx-2022](#))

Sec. 24-139. - Use of manufactured homes for nonresidential purposes.

Manufactured homes may be used for the following nonresidential purposes. When a permit is issued under division 2 of this article for a manufactured home to be occupied as [one of the following uses specified below](#), no residential use of any portion of that same lot shall be permitted:

- (1) *Temporary construction offices.* Manufactured homes may be parked at a construction site for use as a field office [after issuance of a building permit and](#) during the period of construction. The manufactured home must be removed within 30 days after the construction at the site is completed.
- (2) *Commercial uses.* Manufactured homes may [not](#) be utilized for commercial establishments on a temporary or permanent basis, ~~provided that the following conditions are met:~~
 - a. ~~Lot size.~~ Each lot for a manufactured home shall be a minimum of 50 feet in width, and a minimum of 100 feet in depth. ~~Lots for common facilities shall be of such a size to meet the minimum setback areas below, and such that no more than 50 percent of such lot is covered by building area, exclusive of parking.~~
 - b. ~~Setbacks.~~
 - 1. ~~The minimum setback area for each lot is:~~
 - (i) ~~Front yard: 25 feet.~~
 - (ii) ~~Rear yard: 15 feet.~~
 - (iii) ~~Side yard: Ten feet.~~
 - 2. ~~No manufactured home or structure shall be located within the yard setback area.~~
 - c. *Parking requirements.* Manufactured homes being used for [temporary construction offices](#) ~~commercial uses~~ shall provide a minimum of [three two](#) parking spaces per 100 square feet of gross floor area of the manufactured home.

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- d. ~~Landscaping and screening.~~ Each manufactured home intended for use as a business or commercial establishment shall have skirting around its perimeter to screen its wheels and undercarriage from view. Further, the front and sides of the manufactured home shall have a landscaped area of a minimum of five feet in width where bushes, flowers, and other plantings shall be placed to further screen the base of the manufactured home.
- e. ~~Site plan.~~ A site plan [showing the location of the temporary construction offices](#) shall be prepared as part of the application, and shall show the following information:
1. The name, address, fee owner and record owner of the proposed or existing establishment;
 2. Name as shown on the subdivision plat where the manufactured home is to be located;
 3. Names of adjacent public or private streets and roads, adjacent subdivisions or property owners of unplatted land;
 4. Contour lines at two-foot intervals;
 5. Locations and dimensions of all points of ingress and egress, utility easements, drives, recreation areas, fencing and landscaping, signage, streets, and sidewalks;
 6. Scale of plan and complete dimensions for each lot, street and open area;
 7. Area and dimensions of entire site;
 8. Areas defined for waste containers and method of disposal;
 9. Water and sewer plans must be submitted, on separate sheets if necessary, and must show sewer line locations, grades and sizes, and water line locations, sizes and source of water supply;
 10. Paving and drainage plans must be submitted, on a separate sheet if necessary, and must show the directions and calculated quantities of runoff and the proposed specifications for streets in accordance with the city's ordinances.
- (3) *Conform to codes.* All manufactured homes to be used for nonresidential purposes shall conform without limitation to the codes and ordinances of the city, and all applicable laws of the state.
- (4) *Review of plans.* When the application and plans are complete, a public hearing will be scheduled before the city council. The city council will

review the complete applications and all plans, and shall notify the applicant in writing of the approval, disapproval, or conditions or modifications necessary before approval on subsequent submission.

- (5) *Location of manufactured homes and accessory structures.* No manufactured home or accessory structure such as a refuse container, carport cabana, awning, fence, or storage locker shall be permitted within the required building setbacks or buffers, or ten feet of a private or public street or the boundary line of a manufactured home lot or tract upon which it is located, whichever is greater.
- (6) *Height requirements.*
 - a. The height limit for any manufactured home structure intended for commercial or business occupancy shall be 35 feet.
 - b. The average height of the manufactured home frame above ground elevation, measured at 90 degrees to the frame, shall not exceed four feet from the top of the pad.

(Ord. No. 98-314-7, § 9, 2-24-1998, xx-xx-2022)

Sec. 24-140. - Nonconforming manufactured home parks and manufactured home subdivisions.

- (a) Any manufactured home subdivision or manufactured home park which is more than 50 percent constructed and occupied on the effective date of the ordinance from which this article is derived, and which does not comply with all applicable provisions of this article shall be considered a nonconforming manufactured home subdivision or park. Nonconforming parks shall comply with the requirements of division 3 of this article, licenses.
- (b) Any addition of land to a nonconforming manufactured home subdivision or manufactured home park must conform to all requirements of this article.
- (c) Any manufactured home subdivision or manufactured home park which is not than 50 percent constructed and occupied on the effective date of the ordinance from which this article is derived, shall comply with all provisions of this article, with the exception of lot size. The placement of a manufactured home on any lot shown on a previously approved and filed plat, whether such plat be for a manufactured home subdivision or a manufactured home park, which is vacant as of the date of adoption of this article, and for which a permit is subsequently requested, shall comply with all requirements of this article. A replat of the manufactured home subdivision or manufactured home park may be

required by the city council to show reservation of land for parking and recreational areas, or other requirements. Recreational areas may also be reserved by separate instrument, filed of record with the county clerk.

(Ord. No. 98-314-7, § 10, 2-24-1998)

Secs. 24-141—24-158. - Reserved.

DIVISION 5. - VARIANCES

Sec. 24-159. - Purpose.

Where the city council finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations when applied to a modification or expansion of a preexisting nonconforming manufactured home park or subdivision, or that the purposes of these regulations may, in such circumstances, be served to a greater extent by an alternative proposal, it may approve a variance to these manufactured home park and subdivision regulations, so that substantial justice may be done and the public interest served. Such a finding by the city council shall not have the effect of nullifying the intent and purpose of these regulations.

(Ord. No. 99-328-7, § 1(A), 8-19-1999)

Sec. 24-160. - Conditions for approval.

- (a) The city council shall not approve a variance unless it shall make findings based upon the evidence presented in each specific case that:
 - (1) The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;
 - (2) The relief sought will not in any manner vary the provisions of any other city ordinance or regulation;
 - (3) The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property; and
 - (4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.

- (b) Any variance granted by the city council shall be based upon the specifics of the particular application and request before them and shall have no precedent setting effect to other applications or development proposals.
- (c) In approving a variance, the city council may require such conditions as will, in its judgment, secure substantially the purposes described in this division.

(Ord. No. 99-328-7, § 1(B)—(D), 8-19-1999)

Sec. 24-161. - Procedure.

- (a) A request for a variance pursuant to this ~~section~~ shall be submitted in writing. The request shall state fully the grounds for the variance request and all of the facts relied upon by the applicant.
- (b) All applicable fees must be paid at the time of submission of a request for variance, including fees required for park or plat review, and the fee for manufactured home park and subdivision ordinance variance, at the amounts established by the city council from time to time. No request for a variance will be considered complete until all fees have been paid to the city.

© [All applications shall be reviewed and acted following a hearing before the city council.](#)

(Ord. No. 99-328-7, § 1(E), 8-19-1999, [xx-xx-2022](#))

Secs. 24-162—24-185. - Reserved.

DIVISION 6. - ADMINISTRATION AND ENFORCEMENT

Sec. 24-186. - Inspection.

Any duly authorized inspector of the city shall be permitted to make reasonable inspections of any manufactured home subdivision or manufactured home park to determine compliance with this article.

(Ord. No. 98-314-7, § 11, 2-24-1998)

Sec. 24-187. - Notice; hearing.

Whenever it is brought to the attention of the city council that there has been a violation of any provisions of this article, the city council shall, prior to a hearing on revocation of a permit, give notice of such alleged violation to the permittee, licensee, or agent.

- (1) *Notice.* The notice shall:

- a. Be in writing;
 - b. Include a statement of the reasons for its issuance;
 - c. Provide requirements, based upon the nature and severity of the violation and having due regard for the safety and protection of the community, for actions to correct the violation;
 - d. Be served upon the proper party, as evidenced by the records; provided, however, the notice shall be deemed to have been properly served when a copy thereof has been sent by regular mail to the last known address; and
 - e. Contain an outline of remedial action, which will correct the deficiency or defect.
- (2) *Hearing.* If the violation is not remedied in accordance with the notice, and a violation of the ordinance continues, then the city council may, following a hearing before the city council, revoke any permits or licenses issued in addition to all remedies available to it at law or equity. This hearing procedure will not be necessary to enforce the provisions of [sectionSection 24-188](#).

(Ord. No. 98-314-7, § 12, 2-24-1998, [xx-xx-2022](#))

Sec. 24-188. - Penalty.

Any person who shall violate any provision of this article shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished as provided in [sectionSection 1-13](#). Each day of violation shall constitute a separate offense.

(Ord. No. 98-314-7, § 13, 2-24-1998, [xx-xx-2022](#))

Secs. 24-189—24-209. - Reserved.

ARTICLE III. - INDUSTRIALIZED HOUSING^[3]

Footnotes:

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State Law reference— Industrialized housing and buildings, V.T.C.A., Occupations Code § 1202.001 et seq.

Sec. 24-210. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Industrialized housing.

- (1) The term "industrialized housing" means a residential structure that is:
 - a. Designed for the occupancy of one or more families;
 - b. Constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent site; and
 - c. Designed to be used as a permanent residential structure when the module or the modular component is transported to the permanent site and erected or installed on a permanent foundation system.
- (2) The term "industrialized housing" includes the structure's plumbing, heating, air conditioning, and electrical systems, but does not include:
 - a. A residential structure that exceeds three stories or 49 feet in height as measured from the finished grade elevation at the building entrance to the peak of the roof;
 - b. Housing constructed of a sectional or panelized system that does not use a modular component; or
 - c. A ready-built home constructed in a manner in which the entire living area is contained in a single unit or section at a temporary location for the purpose of selling and moving the home to another location.

(Ord. No. 06-476-9, § 1, 1-17-2006)

Sec. 24-211. - Regulation of single-family and duplex industrialized housing.

- (a) Single-family or duplex industrialized housing must have all local permits and licenses that are applicable to other single-family or duplex dwellings.
- (b) For the purposes of this section, single-family or duplex industrialized housing is real property.
- (c) Any industrialized housing shall:
 - (1) Have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the

industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll for the county;

- (2) Have exterior siding, roofing, roof pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located;
 - (3) Comply with city aesthetic standards, building setbacks, side and rear yard offsets, subdivision control, architectural landscaping, square footage, and other side requirements applicable to single-family dwellings; and
 - (4) Be securely fixed to a permanent foundation.
- (d) For the purposes of subsection (c) of this section, the term "value" means the taxable value of the industrialized housing and the lot after installation of the housing.
- (e) Any owner or authorized agent who intends to construct, erect, install, or move any industrialized housing into the city shall first make application to the building official and obtain the required permits. In addition to any other information otherwise required for said permits, the application shall:
- (1) Identify each single-family dwelling located within 500 feet of the lot on which the industrialized housing is to be located, and show the taxable value for each such dwelling as determined by the most recent certified tax appraisal roll for the county;
 - (2) Describe the exterior siding, roofing, roof pitch, foundation, fascia, and fenestration for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is to be located; and
 - (3) Describe the permanent foundation and method of attachment proposed for the industrialized housing.

(Ord. No. 06-476-9, § 2, 1-17-2006)

Sec. 24-212. - Violation and penalty.

A person commits an offense if the person intentionally, knowingly, recklessly, or with criminal negligence fails to make an application for permit as required by this article; or constructs, erects, installs, or moves any industrialized housing into the city which does not comply with this article. Any person who violates any provision of this article shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

(Ord. No. 06-476-9, § 3, 1-17-2006)

Secs. 24-213—24-232. - Reserved.

ARTICLE IV. - RECREATIONAL VEHICLE PARKS

Sec. 24-233. - Purpose.

- (a) The city council finds that properly planned and operated recreational vehicle communities (i.e., recreational vehicle (RV) parks):
 - (1) Promote the safety and health of the residents of such communities and of other nearby communities;
 - (2) Encourage economical and orderly development of such communities and of other nearby communities.
- (b) It is, therefore, declared to be the policy of the city to eliminate and prevent health and safety hazards and to promote the economical and orderly development and utilization of land by providing for planned and supervised recreational vehicle communities by providing for the standards and regulations necessary to accomplish these purposes. This article is enacted in order to achieve orderly development of recreational vehicle parks, to promote and develop the use of land to minimize possible negative impacts, and to promote the health, safety and general welfare of the public.

(Ord. No. 14-586-12, § 1, 11-6-2014)

Sec. 24-234. - Applicability.

This article shall apply to any recreational vehicle park to be located within the city limits.

(Ord. No. 14-586-12, § 1.1, 11-6-2014)

Sec. 24-235. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory structure means any structural addition to the recreational vehicle or site, including awnings, cabanas, carports, garages, porches, storage cabinets, storage sheds, and similar appurtenant structures.

Biodegradable means capable of being decomposed by biological agents, especially bacteria.

Code official means the official of the city responsible for the inspection of electrical, mechanical, and plumbing associated with a property.

Controlling interest means a person or developer who controls at least 51 percent of ownership.

Dry hydrant means an unpressurized, permanently installed pipe that has one end below the water level of a lake, pond or container.

Full-time employee means a person who is responsible for maintenance of the recreational vehicle (RV) park seven days per week. This person may or may not be the owner of the recreational vehicle park.

Inspection sample well means a well located at the property line near where the recreational vehicle park's sewer pipe and the public sewer pipe connect that serves as an inspection sample well and is at least 30 inches in diameter and as further described in the order regulating the introduction of wastewater into the sanitary sewer system of the municipal water district.

Licensee or agent means a person who may or may not own the recreational vehicle park but is the person responsible for the day-to-day operations including records and license of the park.

Opaque fence means a fence made of solid materials designed to shield from public view the recreational vehicle park (i.e., it is difficult to see through or perceive).

Public use phone means a phone used by registrants of the recreational vehicle park for emergency purposes.

Recreational vehicle (RV) means any currently state licensed or registered camp trailer, travel trailer, motor home or fifth wheel designed to provide temporary living quarters for recreational camping or travel use, constructed with integral wheels to make it mobile and/or towable by motor vehicle.

Recreational vehicle (RV) park means any lot, tract, or parcel of land upon which accommodation is provided for two or more recreational vehicles used as living or sleeping quarters by the day, week, or month, whether a charge is or is not made. A recreational vehicle park is a unified development of recreational vehicle spaces provided for recreational vehicle use with or without community facilities and permitted permanent buildings.

Recreational vehicle (RV) site means that part of a lot or area in a recreational vehicle park or recreational vehicle park that has been reserved for the placement of one recreational vehicle or recreational vehicle.

(Ord. No. 14-586-12, § 2, 11-6-2014)

Sec. 24-236. - License.

- (a) *Required.* It shall be unlawful for any person to operate any recreational vehicle (RV) park within the city limits unless he holds a valid license issued annually by the city in the name of such person for the specific park. The applicant shall make all applications for the license on forms furnished by the city, which shall issue a license upon compliance with the provisions of this article.
- (b) *Application for renewal.* Application for renewal of a license shall be made in writing by the licensee on forms furnished by the city upon request on or before December 31 of each year. Such application shall contain any changes in the information occurring after the original license was issued or the latest renewal granted.
- (c) *Fee.* All applications shall be accompanied by a fee as provided for in the city fee schedule found in the city secretary's office.
- (d) *Approval of transfer.* Every person holding a license shall give notice in writing to the city within ten days after having sold, transferred, given away, or otherwise disposed of interest in or control of any recreational vehicle park. Application for transfer of a license shall be made within ten calendar days after notification of change covered in this subsection. Within 30 calendar days thereafter, the city shall act on the application for license transfer and it shall be approved if the recreational vehicle park is in compliance with the provisions of this article.
- (e) *Transfer fee.* All applications for license transfer shall be accompanied by a fee as provided for in the city fee schedule found in the city secretary's office.
- (f) *Suspension.*
 - (1) Whenever, upon inspection of any recreational vehicle park, the city finds that conditions or practices exist which are in violation of any provisions of this article applicable to such park, the city shall give notice in writing to the owner and/or manager of the park, and if such conditions or practices have not been corrected in the timeframe set forth in the notice, the city will suspend the license and give notice of such suspension. Upon suspension of the license, the licensee shall cease operation of such park.

- (2) The suspension of the license may be appealed to the city council as set forth in this article.

(Ord. No. 14-586-12, § 3, 11-6-2014)

Sec. 24-237. - Inspections.

- (a) *Authorized.* The city is authorized to make such inspections as are necessary to determine compliance with this article.
- (b) *Entry on-premises.* The code official shall have the power to enter at reasonable times upon any private or public property within the purpose of inspecting and investigating conditions relating to the enforcement of this article.

(Ord. No. 14-586-12, § 3.1, 11-6-2014)

Sec. 24-238. - Notices, hearings and orders.

- (a) *Notice of violation.*
 - (1) Whenever it is determined that there are grounds to believe that there as been a violation of any provision of this article and such grounds are proposed to form the basis to denying, revoking or refusing to renew or transfer a license, the city shall give notice of such alleged violation to the licensee or agent, as hereinafter provided. Such notice shall:
 - a. Be in writing.
 - b. Include a statement of the reasons for its issuance.
 - c. Allow ten days for compliance.
 - d. Be served upon the owner or licensee or their respective agent; provided that such notice or order shall be deemed to have been properly served upon such licensee or agent when a copy thereof has been served in person or sent by certified mail to his last known address.
 - e. Contain an outline of remedial action that, if taken, will effect compliance with the provisions of this article.
 - (2) If the city mails a notice to a property owner in accordance with this section and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered as delivered.

- (b) *Appeal from notice.* Any person affected by any notice that has been issued in connection with the enforcement of any provision of this article affecting the status of their license may appeal this matter in writing to the city council within ten days of such notice; the mayor will then make a recommendation to the city council for approval or disapproval. The appeal process shall operate as a stay of the notice and of the suspension, except in the case of an order issued under subsection (c) of this section.
- (c) *Order without notice.* Whenever the city finds that an emergency exists which requires immediate action to protect the public health or safety, the designated city official may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring the action to be taken as deemed necessary to meet the emergency. Notwithstanding any other provisions of this section, such order shall be effective immediately, but upon written petition to the city, the applicant or licensee shall be afforded an opportunity to appeal to the city council as set forth in this section.

(Ord. No. 14-586-12, § 3.2, 11-6-2014)

Sec. 24-239. - Site development plan.

A site development plan must be prepared and submitted to the city and must include the requirements for site plans contained herein [and Sec. 24-98. - Site plan.](#)

Prior to issuance of a permit, a public hearing will be scheduled before the city council. The city council will review the complete application and all plans, including site plans and building elevations and shall notify the applicant in writing of his approval, disapproval, or conditions or modifications necessary before approval on subsequent permit application, as per Sec. 24-100.

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(Ord. No. 14-586-12, § 4, 11-6-2014)

Sec. 24-240. - Location and screening.

- (a) Recreational vehicle (RV) parks shall be located in an area regulated by ~~section~~[Section 24-241.](#)
- (b) Screening of the recreational vehicle park is required on any side or rear not fronting a public roadway.
 - (1) Screening shall consist of an opaque [masonry](#) fence [masonry \(as defined in Sec. 50-19. - Definitions\)](#) at least six feet in height placed on the property line along the side and rear.

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(2) ~~In addition to the opaque masonry fence s~~Screening will be required along the street frontage and shall be afforded through the use of natural ~~barriers-buffers~~ such as trees or shrubs-. ~~The landscaped buffer shall include a 25' wide landscaped area consisting of shrubs (minimum 5 gallon container) planted three feet on center and five feet at planting, two inch caliper trees (DBA) planted at a spacing of 30 feet, where possible, either naturally in place or planted specifically for screening. Where natural barriers are not feasible, an opaque privacy type fence shall be constructed. In either case, the barrier must be a minimum of six feet tall, measured from ground level. Refer to Chapter 44 for an approved of trees, shrubs, and other vegetation.~~

(3) Screening design will be reviewed with the recreational vehicle park application and site plans, and is subject to the approval of the city's building official. No screening barrier or accessory building shall be allowed to obstruct a driver's line of vision for a reasonable distance from any street intersection inside or at an entrance or exit from the recreational vehicle park. Opaque fencing must consist of ~~masonry (as defined in Sec. 50-19. - Definitions) powdered coated decorative metal, metal or galvanized materials, or brick and mortar or other durable material~~ approved by the city's building official. No wood ~~or other~~ fences ~~shall be are~~ allowed.

(Ord. No. 14-586-12, § 4.1, 11-6-2014, ~~xx-xx-2022~~)

Sec. 24-241. - Size and density.

Each recreational vehicle (RV) park must have a minimum size of two acres, with a maximum of five acres per point of public access to the property. The maximum site density for recreational vehicle parks shall be 12 sites per acre. Only one recreational vehicle is permitted per recreational vehicle site.

(Ord. No. 14-586-12, § 4.2, 11-6-2014; Ord. No. 17-629-13, § 4.2, 6-1-2017)

Sec. 24-242. - Size of individual sites; pad requirements; landscaping.

(a) Each recreational vehicle site within the recreational vehicle (RV) park shall have a minimum area of 1,950 square feet and shall be at least 40 feet wide and 80 feet in depth. The sites shall be designed as pull-through for ease of entering and leaving the site. A roadway is therefore required to the front and rear. In addition, the space shall be clearly marked identifying the space number.

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(b) ~~The middle one-third lengthwise strip of each site must be~~All surfaces accessible by vehicles shall be concrete or asphalt. ~~The driver-side strip must be hard, compacted gravel, concrete, asphalt. The passenger side strip must be grass and landscaped with a concrete patio area.~~

© ~~Each recreational vehicle site shall have at least one two inch (DBH) caliper trees.~~

(d) ~~In addition to the tree requirement above, a landscaped strip of not less than 25 feet in width, shall be located along all boundary lines along the street. Such landscaped strip shall be continuously maintained and shall be devoted exclusively to the planting, cultivation, growing, and maintenance of trees, shrubs, and plant life as described below. The landscaping shall contain a minimum of (minimum 5 gallon container) planted every three feet and five feet at planting and minimum two inch caliper trees planted every 20 feet. Additional planting, cultivation, and maintenance may be required by the city officials during the use period of the buffer strip to achieve and maintain this effect.~~

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(2) ~~Fencing. A solid masonry fence, at least six feet in height shall be constructed and maintained along all boundaries of the recreational vehicle (RV) parks. The fence materials shall be, brick, stone, stucco, decorative concrete block, or other similar materials included in the definition of masonry in Sec. 24-19. - Definitions.~~

(Ord. No. 14-586-12, § 4.3, 11-6-2014; Ord. No. 17-629-13, § 4.3, 6-1-2017, [xx-xx-2022](#))

Sec. 24-243. - Street access; street lighting.

(a) Each recreational vehicle site within the recreational vehicle (RV) park shall have access to an internal private roadway, which shall have access to a public street. The entrance of the internal roadway shall have a pavement width of at least 30 feet with an adequate curb radius. ~~The All major thoroughfare circulation streets and driveways within the recreational vehicle (RV) park~~ shall have a pavement width (concrete or asphalt) of 24 feet in accordance with city standards. The roadway may be 15 feet wide if the recreational vehicle park is designed for one-way roads. Each emergency access lane shall have a clear unobstructed width of 24 feet (15 feet if one-way), and shall have a turning area and radii with a minimum of 60 feet to permit free movement of emergency vehicles. Dead-end streets are not allowed. ~~The internal streets off the major thoroughfare may be constructed with crushed rock materials or similar material with the objective to prohibit dust.~~

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- (b) Metal signs shall be placed along the emergency access lane, by the owner or agent of the recreational vehicle park stating that parking is prohibited. The sign type, size, height and location shall be approved by the city.
- (c) An intended street lighting plan showing location and lumens for the recreational vehicle park shall be approved by the city as part of the site plan.

(Ord. No. 14-586-12, § 4.4, 11-6-2014, [xx-xx-2022](#))

Sec. 24-244. - Required facilities.

- (a) Each recreational vehicle (RV) park must have an office for the manager of the recreational vehicle park, and a bathroom and shower facilities, as well as laundry facilities. All facilities used by those staying at the recreational vehicle park must be well lit inside and out during the night hours. All facilities must meet applicable codes adopted by the city. Each recreational vehicle site must have reasonable access to the bathroom, laundry, and shower facilities by [not](#) being further than 400 feet away.
- (b) All recreational vehicle parks shall have at least one recreation area, located as to be free of traffic hazards, easily accessible to all those staying at the recreational vehicle park and centrally located where topography permits. Not less than [eight-ten](#) percent of the gross park area shall be devoted to recreational facilities. Recreation areas include space for community buildings and community use facilities such as restroom and shower facilities, adult recreation (basketball court or tennis court) and playgrounds for children, and swimming pools, but not including vehicle parking, maintenance and utility areas.

(Ord. No. 14-586-12, § 4.5, 11-6-2014; Ord. No. 17-629-13, § 4.5, 6-1-2017)

Sec. 24-245. - Soil and ground cover.

Exposed ground surfaces in all of parts of the recreational vehicle (RV) parks shall be paved, covered with stone, rock, or other similar solid material, or protected with vegetative cover that is capable of preventing soil erosion and eliminating dust. Note: All surfacing shall be maintained and kept in good repair.

(Ord. No. 14-586-12, § 4.6, 11-6-2014)

Sec. 24-246. - Prohibited placement of recreational vehicle/permanent occupancy prohibited.

- (a) The placement of a recreational vehicle for occupancy longer than 14 days shall not be permitted except in an approved recreational vehicle park. A recreational vehicle may be placed at an owner's residence, [on a parking area paved with all-weather surface](#), as long as the recreational vehicle (RV) is placed in the side or rear yard area and not used for occupancy longer than 14 days in a 12-month period.
- (b) No recreational vehicle park or recreational vehicle therein shall be used as a permanent residence for any period of time, except for permanent full-time employees of the recreational vehicle park. No more than two spaces shall be allowed for use as a permanent residence for full-time employees. Occupancy or parking of a recreational vehicle within the recreational vehicle park extending beyond six consecutive months in any 12-month period shall be presumed permanent occupancy and is hereby prohibited.
- (c) A recreational vehicle may not return for a period of 60 days following six months consecutively.

Note: The city reserves the right to modify or change this section for the purpose of a natural disaster or related incidents, including the requirement of removal of all recreational vehicles that may be subject to dangerous or inclement weather. However, the final decision for the removal of all recreational vehicles, as defined herein, shall be at the sole discretion of the owner/operator of the recreational vehicle park. The city assumes no liability.

(Ord. No. 14-586-12, § 4.7, 11-6-2014; Ord. No. 17-629-13, § 4.7, 6-1-2017)

Sec. 24-247. - Drainage.

The ground surface in all parts of the recreational vehicle (RV) park shall be graded and designed to drain all stormwater and surface water in a safe, efficient manner. Drainage analysis shall be performed by a licensed professional engineer and easements for the conveyance of surface water off-site shall be obtained, if necessary.

(Ord. No. 14-586-12, § 5, 11-6-2014)

Sec. 24-248. - Water supply.

Each site within the recreational vehicle (RV) park shall be provided with a connection to the public water supply. The proposed water facility plans must be approved prior to construction by the city and by the municipal water district, and any other entities responsible for the regulation of and provision of public water services. The water distribution system shall be installed as follows:

- (1) The water supply system, fixtures and other equipment must be installed in accordance with applicable codes and laws.
- (2) A master water meter shall be installed to serve the recreational vehicle (RV) park. Sub-metering or re-metering of recreational vehicle sites is not permitted.
- (3) A reduced pressure principal backflow preventer will be required to be placed at the property line on the discharge side of the master meter. In addition, one must be placed at each of the connections for each recreational vehicle site and located on the left side of the site.
- (4) Water riser service branch lines shall extend at least four inches above ground elevation. The branch line shall be at least three-fourths inch.
- (5) Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipes. Surface drainage shall be diverted from the location of utility connections at each site.
- (6) A shut off valve below the frost line shall be provided near each water riser pipe.
- (7) The owner/operator shall have complete maintenance responsibility for the water system within the recreational vehicle park.

(Ord. No. 14-586-12, § 6, 11-6-2014)

Sec. 24-249. - Wastewater facilities.

Each site within the recreational vehicle (RV) park shall be provided with a connection for wastewater. All proposed wastewater service lines shall be connected to the public wastewater system at a single point consisting of a manhole and nearby inspection sample well. All proposed wastewater facility plans must be approved prior to construction by the city and by the municipal water district and any other entities responsible for the regulation of and provision of public wastewater treatment services. The wastewater distribution system shall be installed as follows:

- (1) The wastewater system and materials must be installed in accordance with applicable codes and statutes.
- (2) Each site shall be provided with a four-inch diameter wastewater riser and shall extend above grade four to six inches. The wastewater riser pipe shall be so located on each stand so that the wastewater connection to the recreational vehicle drain outlet will approximate a vertical position. Each inlet shall be provided with a gastight seal when connected to a recreational vehicle or have a gastight seal plug when not in service. The plug shall be that of a spring loaded device.

- (3) The wastewater connection to each site shall consist of a single four-inch service line without any branch lines, fittings, or connections. All joints shall be watertight.
- (4) Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least four to six inches above the ground elevation.
- (5) The owner/operator shall have complete maintenance responsibility for the wastewater system within the recreational vehicle park.

(Ord. No. 14-586-12, § 7, 11-6-2014; Ord. No. 17-629-13, § 7, 6-1-2017)

Sec. 24-250. - Electrical service.

Each site within the recreational vehicle (RV) park shall be provided with electrical service. All electrical service shall be underground and installed in accordance with the national electrical code. The electrical service shall be installed as follows:

- (1) A master electric meter shall be installed to serve the recreational vehicle park. Sub-metering or re-metering of recreational vehicle sites is not permitted.
- (2) The location of all underground lines shall be clearly marked by surface signs at approved intervals.
- (3) Power supply to each site shall be in accordance with the [adopted](#) National Electrical Code.
- (4) Outlets (receptacles or pressure connectors) shall be housed in an Underwriters' Laboratories, Inc. approved weatherproof outlet box.
- (5) A watertight seal shall be provided for underground conduit in floodplain installations and a riser extending a minimum of two feet above the floodplain elevation shall be provided.

(Ord. No. 14-586-12, § 8, 11-6-2014; Ord. No. 17-629-13, § 8, 6-1-2017)

Sec. 24-251. - Sanitary facilities.

- (a) Each recreational vehicle (RV) park shall provide the following sanitary facilities as listed below:
 - (1) One toilet or stool for the female sex for every 20 sites or fraction thereof (minimum of one is required) for the first 120 sites, and one per 40 sites thereafter.

- (2) One toilet or stool and one urinal stall for the male sex for every 20 sites or fraction thereof (minimum of one is required) for the first 120 sites, and one per 40 sites thereafter.
 - (3) One washbasin shall be provided within the toilet room for every two toilets or fraction thereof (a minimum of one is required).
 - (4) One shower shall be provided for each sex for each 20 sites or fraction thereof (minimum of one is required for each sex) for the first 120 sites, and one per 40 sites thereafter.
 - (5) Buildings shall be well lit at all times, day or night, be well ventilated with screened openings, and constructed of moisture-proof material to permit rapid and satisfactory cleaning, scouring and washing.
 - (6) The floors shall be of concrete or other impervious material, elevated not less than four inches above grade, and each room shall be provided with floor drains.
 - (7) A slop sink or basin with water supply shall be in each restroom (male and female) and at least one in the laundry facility, and shall be constructed in accordance with design, size and materials approved by the code official.
- (b) Toilet and bathing facilities shall be in separate rooms or partitioned apart in any manner as to provide privacy and promote cleanliness. Each toilet provided in a community toilet house shall be partitioned apart from any other toilet in the same room. The floor surface around the commode shall not drain into the shower floor. Individual, lockable bathrooms which shall include a toilet, sink, countertop, bench, and shower are permitted also. Each such individual bathroom shall have no less than 60 square feet of floor area.
- (c) Toilet floors and walls shall be of impervious material, painted white or a light color, and kept clean at all times. Shower stalls shall be of tile, plaster, cement or some other impervious material and shall be kept clean at all times. If a shower stall is of some impervious material other than tile, cement or plaster, it shall be white or some light color and kept clean at all times. The floor of any bathroom, other than the shower stall, shall be of some impervious material, and the walls of the bathroom, other than the shower stall, shall be papered with canvas and wallpaper, or an equivalent washable surface kept clean at all times.

(Ord. No. 14-586-12, § 9, 11-6-2014; Ord. No. 17-629-13, § 9, 6-1-2017)

Sec. 24-252. - Storage, collection and disposal of refuse and garbage.

Each recreational vehicle (RV) park shall be provided with safe and adequate facilities for the collection and removal of waste and garbage. Storage, collection, and handling shall be conducted so as to create no health hazards, rodent harborage, insect breeding areas, or fire hazards. Every site shall be located within 200 feet of a refuse facility measured along the recreational vehicle park internal roadway. Trash dumpsters shall be screened on three sides [by masonry fencing taller than the height of the dumpster.](#)

(Ord. No. 14-586-12, § 10, 11-6-2014)

Sec. 24-253. - Accessory structures.

The individual sites within the recreational vehicle (RV) park are not allowed to have accessory structures as defined herein.

(Ord. No. 14-586-12, § 10.2, 11-6-2014)

Sec. 24-254. - Registration of guests.

Each person renting a site within a recreational vehicle (RV) park shall provide the following information to the owners, managers, operators or persons in charge of the recreational vehicle park and shall be able to access such information on site seven days a week 24 hours a day:

- (1) Name;
- (2) Full address of permanent residence;
- (3) Automobile and recreational vehicle license plate number and the state in which each is registered;
- (4) Driver's license number of the owner;
- (5) The number or letter of the site being rented; and
- (6) Date of arrival and departure.

(Ord. No. 14-586-12, § 10.3, 11-6-2014)

Sec. 24-255. - Control of insects, rodents and other pests.

- (a) Grounds, buildings and structures in the recreational vehicle (RV) park shall be maintained free of the accumulation of high grass and weeds and debris so as to prevent rodent and snake harborage or the breeding of flies, mosquitoes or other pests.

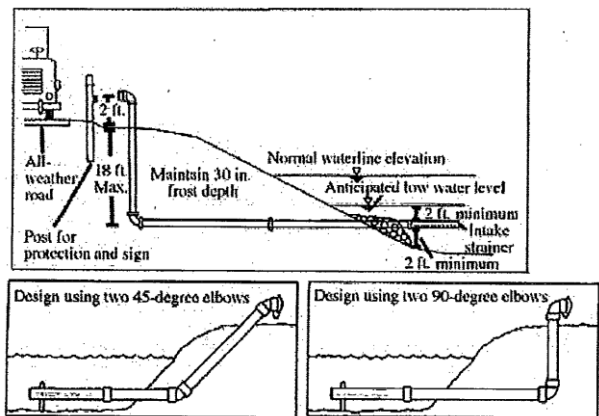
- (b) The recreational vehicle park owner or manager shall be responsible for maintaining the entire area of the park free of dry brush, leaves, limbs and weeds.

(Ord. No. 14-586-12, § 10.4, 11-6-2014)

Sec. 24-256. - Fire safety standards; fire hydrants.

- (a) Open fires shall be allowed only in a manner and within a container approved by the fire chief.
- (b) A fire hydrant must be placed such that each recreational vehicle site is no further than 600 feet from said hydrant.
- (c) If a recreational vehicle (RV) park is to be placed in an area where public water is not available, the recreational vehicle park owner must have a pond located on the property filled at all times with a minimum capacity of 20,000 gallons with a dry hydrant installed. A container capable of holding a minimum of 20,000 gallons with a dry hydrant installed shall also be allowed and/or substituted for a pond. The dry hydrant outlet shall be of standard size or four inches.

Note. Please see diagram of a dry hydrant below.



(Ord. No. 14-586-12, § 10.5, 11-6-2014)

Sec. 24-257. - Change of ownership or expansion of a grandfathered recreational vehicle park.

Upon change of controlling interest of a grandfathered recreational vehicle (RV) park, [or expansion of an existing recreational vehicle park](#) the new owner [or current](#) shall immediately bring the existing recreational vehicle park to meet the requirements of this article.

(Ord. No. 14-586-12, § 11, 11-6-2014, [xx-xx-2022](#))

Sec. 24-258. - Existing manufactured mobile home parks.

Existing manufactured mobile home parks that have spaces for recreational vehicles existing prior to the adoption of the ordinance from which this article is derived shall be permitted to occupy the space with a recreational vehicle. However, in no instance shall a new manufactured mobile home park to be located within the city limits allow recreational vehicles or spaces for recreational vehicles. Only recreational vehicles shall be allowed in a recreational vehicle park. No manufactured mobile home shall be permitted in a recreational vehicle park.

(Ord. No. 14-586-12, § 11.1, 11-6-2014)

Sec. 24-259. - Penalty provision.

- (a) Whenever in this article an act is prohibited or the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision shall be punished as provided in [sectionSection 1-13](#).
- (b) Whenever in this article the provision does not expressly require proof of a culpable mental state, proof of a culpable mental state is not required for conviction of such offense, it being the intent of the city council to dispense with the requirement of any culpable mental state in prosecutions filed under such provisions of this article; provided, however, that if such offense is punishable by a fine exceeding the amount authorized by V.T.C.A., Penal Code § 12.23, a person does not commit such offense unless he is shown to have recklessly engaged in such conduct as the definition of the offense requires.
- (c) Proof of a higher degree of culpability than that charged constitutes proof of the culpability charged.

(Ord. No. 14-586-12, § 13, 11-6-2014)

Sec. 24-260. - Fees.

The license and transfer fees for recreation vehicle parks shall be as in the city fee schedule on file in the city secretary's office.

(Ord. No. 14-586-12, app. A, 11-6-2014)

