

ORDINANCE NO. 01172019

AN ORDINANCE OF THE CITY OF NORMANGEE PROVIDING RULES AND REGULATIONS GOVERNING THE INSTALLATION, OCCUPANCY, AND USE OF MANUFACTURED HOMES AND MOBILE HOMES; PROVIDING A FEE; PROVIDING FOR SEVERABILITY; AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT.

WHEREAS, the City Council of the City of Normangee, Texas (the “City) hereby finds and determines that the City shall implement the standards provided by the United States Department of Housing and Urban Development and the Texas Department of Community Affairs; and

WHEREAS, the City finds that it is in the best interest of the public safety, health and general welfare to regulate manufactured homes as described in this ordinance;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF NORMANGEE, TEXAS:

SECTION 1 - DEFINITIONS

1. **HUD-Code Manufactured Home** - 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 body feet or more in length, or when erected on site is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling, with or without, a permanent foundation when connected to the required utilities and includes plumbing, heating, air conditioning and electrical system. Manufactured home or manufactured housing means a HUD-Code manufactured home or mobile home. The term does not include a recreational vehicle as that term is defined by C.F.R. Section 3282.8(g).
2. **Mobile Home**- A structure constructed before 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 body feet or more in length, or, when erected on site is 320 or more square feet, and which is built on a permanent chassis and when connected to the required utilities and includes plumbing, heating, air conditioning and electrical systems.

SECTION 2 - MOBILE HOMES PROHIBITED

No Mobile Home shall be permitted within the City limits of the City of Normangee, Texas. Any Mobile Home located in the City legally, prior to the enactment of this ordinance and used and occupied as a residential dwelling shall be allowed to remain, but shall not be replaced with another Mobile Home under any circumstance.

SECTION 3 – PERMITTED HUD CODE MANUFACTURED HOUSING

1. No HUD CODE MANUFACTURED HOME shall be located in the City limits of the City of Normangee without first obtaining a PERMIT FOR USE OF A MANUFACTURED HOME AS A DWELLING.

2. Application for permit shall be obtained from, and shall be filed with, the City Secretary at Normangee City Hall. A fee to be determined by the City Council shall be submitted with application for permit. Such fee shall be submitted by check or money order. Following a site approval by a representative of the City, and review by the Mayor, the City Secretary shall issue such original permit. If the permit is rejected, the check or money order shall be returned to the applicant.
3. Application for permit shall require the following:
 - a. Name, phone number, and residence address of applicant.
 - b. Exact location and legal description of where the HUD CODE MANUFACTURED HOME will be located.
 - c. Year, serial number, and make of the HUD CODE MANUFACTURED HOME.
 - d. Size of the HUD CODE MANUFACTURED HOME.
 - e. Photographs of the HUD CODE MANUFACTURED HOME inside and out.
4. All HUD CODE MANUFACTURED HOMES shall meet the following requirements:
 - a. If over ten (10) years old: older homes may be placed after inspection by a representative of the city and approval by the City Council.
 - b. Must be at least 12 feet wide and 50 feet long.
 - c. Skirting - In addition to anchoring and blocking requirements, any HUD CODE MANUFACTURED HOME shall be properly skirted prior to being allowed to connect to the water and sewer in the City of Normangee, Texas. Skirting shall be required around the complete perimeter of said home.
 - d. The following materials, or their equivalent as approved by the appropriate city officials, are approved to be used as skirting:
 - i. Manufactured skirting with vent panel.
 - ii. Corrugated steel sheets without rust or holes.
 - iii. Galvanized steel sheets without rust or holes.
 - iv. Aluminum sheets without rust or holes.
 - v. Plywood sheets, with a 3/8 inch minimum thickness, rated for exterior use by the manufacturer.
 - vi. Oriented strand board, with a minimum 3/8 inch thickness, rated for exterior use by the manufacturer.
 - vii. Brick or concrete blocks.
 - viii. Treated lattice board, with a minimum 3/8 inch thickness, rated for exterior use by the manufacturer.
 - e. Screened vents are required to be used with all skirting to allow for air circulation.
 - f. Prior to being allowed to connect to the water and sewer in the City of Normangee, Texas, anchoring (tie-downs) must be installed conforming to the methods and standards of the state Department of Housing and Community Affairs.
 - g. Every such unit shall have its own water and sewer taps.
 - h. No more than one (1) residence, HUD CODE MANUFACTURED HOME or part thereof may be parked, erected, or situated on any lot within the city limits.
5. A HUD CODE MANUFACTURED HOME may be replaced with a newer HUD CODE MANUFACTURED HOME as necessary.

SECTION 4 – UNOCCUPIED OR UNSAFE MOBILE HOMES AND HUD CODE MANUFACTURED HOMES

1. Unoccupied or unsafe mobile homes and HUD CODE MANUFACTURED HOMES that are deemed to be dilapidated, unlivable, abandoned, or falling below minimum safety standards will be governed by the City of Normangee’s Dilapidated Building Ordinance.

SECTION 5 – NONLIABILITY

The City of Normangee and its officers, agents, and employees shall have no liability of any nature for any actions, omissions, or other matters in any way concerning the subject matter of this ordinance.

SECTION 6 – VIOLATIONS AND PENALTIES

Any person, firm, or corporation who commits any of the following shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more FIVE HUNDRED AND NO/100’S DOLLARS (\$500.00):

1. Any violation of this ordinance;
2. Providing false information to a City official regarding licensing or permitting under this ordinance or compliance with this ordinance.

Each day or portion of a day during which any violation occurs or continues will be a separate offense.

SECTION 7 – CONSTITUTIONALITY

If any part, section, clause, or phrase of this ordinance is for any reason held to be illegal or unconstitutional, such invalidity shall not affect the remaining portions of this ordinance.

This Ordinance shall be in full force and effect immediately upon its passage and approval.

PASSED, APPROVED, AND ADOPTED THIS 17th DAY OF JANUARY, 2019.