



City of Onalaska

P.O. Box 880 • Onalaska, Texas 77360

ORDINANCE NO. 469 CITY OF ONALASKA MANUFACTURED HOME/MODULAR HOME ORDINANCE

AN ORDINANCE TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE CITY OF ONALASKA, TEXAS (HEREIN REFERRED TO AS "CITY"), BY DEFINING THE REQUIREMENTS OF MOBILE HOMES, MANUFACTURED HOMES, MODULAR HOMES, TRAILER HOUSES, LOCATED OR PARKED WITHIN A MOBILE HOME, MANUFACTURED HOME, MODULAR HOME, OR TRAILER PARK WITHIN THE CORPORATE LIMITS OF THE CITY ALLOWING FOR EXCEPTIONS APPROVED BY THE CITY COUNCIL, AND BY PROVIDING FOR A SEVERABILITY CLAUSE, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, REMOVING PERSONAL LIABILITY FOR CITY OFFICIALS AND EMPLOYEES CHARGED WITH ENFORCEMENT OF THIS ORDINANCE AND SETTING AN EFFECTIVE DATE.

WHEREAS, it is deemed necessary by the City Council of the City of Onalaska, Texas (hereinafter referred to as "City") that this ordinance be passed and approved to protect the public health, safety and welfare of the City,

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

SECTION 1 - DEFINITIONS

SECTION 10 - NOTICE REQUIREMENTS

SECTION 2 - INSTALLATION REQUIREMENTS

SECTION 11 - VIOLATIONS

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SECTION 9 -HUD-CODE MANUFACTURED

HOME PARK OCCUPANT REQUIREMENTS

SECTION 1 - DEFINITION That the following definitions are hereby declared to be used for this ordinance:

- A. **BUILDING OFFICIAL** means a designated inspection authority of the City, or its authorized representative.
- B. **CITY** means the City of Onalaska, Texas.
- C. **COMMON ACCESS ROUTE/INTERNAL STREET** means a private drive allowing principal means of access to individual HUD-Code Manufactured/ Mobile Home lots or auxiliary buildings.
- D. **DRIVE WAY** means a minor entrance way off the common access route within the park, into an off-street parking area serving one or more HUD-Code Manufactured/ Mobile Homes.
- E. **HUD-CODE 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 (8) body feet or more in width, forty (40) body feet or more in length, or, when erected on site is three hundred and twenty (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 systems. The term does not include a recreational vehicle as that term is defined by 24 C.F.R. S 3282.8(9).
- F. **LICENSE** means a written license issued by the City, permitting a person to operate and maintain a HUD-Code Manufactured Home Park under the provisions of this Ordinance.
- G. **MANUFACTURED HOME STAND** means that part of a Manufactured Home Park which has been improved for the placement of the Manufactured Home, including all required appurtenances and having provision for available utility connections.
- H. **MANUFACTURED HOME** means a structure that was constructed before June 15, 1976, transportable in one or more sections, 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 plumbing, heating, air-conditioning, and electrical systems. The home must display a red certification tag on each transportable section
- I. **MOBILE/ MANUFACTURED** means a HUD-Code Manufactured Home, formerly known as a Mobile Home and collectively means and refers to both.
- J. **MOBILE/ MANUFACTURED HOME PARK, MOBILE HOME PARK, or HUD-CODE MANUFACTURED HOME PARK** means any lot, block, tract or parcel of contiguous lots, blocks, tracts or parcels of land, under common ownership, which contains two (2) or more Mobile/Manufactured Homes or Mobile/Manufactured Home lots available for lease or rent to the public and for the placement of Mobile Homes and/or Manufactured Homes for occupancy.
- K. **OCCUPANT** shall mean any person who legally resides in the Mobile/Manufactured Home, travel trailer or motor home.
- L. **PARK MANAGEMENT** shall mean the person who owns or has charge, care or control of the Manufactured/Mobile Home Park.

- M. **PARKING STREET, OFF-STREET** means a minimum space nine (9) feet in width by eighteen (18) feet in length, located within the boundary of a HUD-Code Manufactured Home space, or in common parking and storage area having unobstructed access to an internal street.
- N. **PERMIT** means written permit/certification issued by the City permitting the construction, alteration or extension of a HUD-Code Manufactured Home Park under the provisions of this Ordinance and regulations issued hereunder.
- O. **PERSON** means any natural individual, firm, trust, partnership, association or corporation.
- P. **PLOT PLAN/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 location accurately dimensioned, the dimensions also indicating the relation of each use to that adjoining and to the boundary of the property.
- Q. **SEWER CONNECTION** means a connection consisting of pipes, frames and appurtenances from the drain outlet of a HUD-Code Manufactured/ Mobile Home to the inlet of the corresponding sewer service riser pipe of the sewage system serving the HUD-Code Manufactured Home Park.
- R. **SKIRT** means concealment from view of the undercarriage on all sides of a Mobile/Manufactured Home.
- S. **SPACE** means a plot of ground within a HUD-Code Manufactured Home Park designated for accommodation of one HUD-Code Manufactured Home, together with such open space as required by this Ordinance. This term shall also include "lot" and "site"
- T. **RECREATIONAL VEHICLE, TRAVEL TRAILER or MOTOR HOME** shall mean a portable vehicle built on a chassis and designed as a temporary dwelling for travel, recreation and vacation use and which has been permanently identified and equipped and identified by the manufacturer for use on public streets and highways. The term "recreational vehicle" shall also be deemed to include any other portable contrivance used or intended to be used generally for living and sleeping quarters and which may be moved under its own power, towed or transported by another vehicle.

Sections 2-6; Manufactured Home Requirements

SECTION 2 - INSTALLATION REQUIREMENTS: That it shall be required that all Manufactured Homes placed In the corporate limits of the City after the adoption date of this ordinance must be installed in accordance with all standards, rules, regulations and administrative orders and requirements of the administrative code of the State of Texas Department of Housing and Community Affairs, (chapter 80, Manufactured Housing Rules) or its successor agency and it shall be unlawful for any person to locate or setup any HUD code manufactured home without having first secured an installation permit.

All Manufactured Homes shall be installed on a full concrete slab or a partial concrete slab (runners) and is a minimum of eighteen (18) inches in width. The slab is to be reinforced with three-eight (3/8) inch rebar on eighteen (18) inch centers and the concrete shall be a minimum of 3000 psi and a minimum of four (4) inches thick..

SECTION 3 - EXCEPTIONS:

- A. A Mobile/Manufactured Home provided by any governmental agency as temporary housing following any public disaster or public calamity, or a Mobile Home temporarily moved from any Mobile Home Park or subdivision by reason of any public disaster or public calamity.
- B. A Mobile/Manufactured Home that is located upon a site prior to annexation of the site by the city.
- C. The temporary parking of a Mobile/Manufactured Home, travel trailer, recreational vehicle or motor home for purposes of security at a temporary commercial facility.
- D. A situation of hardship, as determined by the City, for a period of time not to exceed one (1) year, said situation of hardship to be reviewed by the City after one year and exception granted therefore extended for no more than one year at a time.
- E. Mobile/Manufactured Homes parked may be parked for an extended period of time for purposes of sale to the public within a Mobile/Manufactured Home sales lot.

SECTION 4 – PERMIT REQUIREMENTS: That, after the effective date of this ordinance, it shall be unlawful for any person, firm or corporation to place on any lot, tract or parcel of land within the city limits of the City of Onalaska any Manufactured Home without first obtaining an building permit and otherwise complying with the terms of this ordinance and all applicable laws of the State of Texas. A separate permit shall be required for each Manufactured Home placement.

To obtain a Manufactured Home permit, the Applicant shall first file an application, in writing, on a form furnished by the City for that purpose. The application for permit shall be signed by the owner of the Manufactured Home or his agent, and if the Manufactured Home is to be placed outside a Manufactured Home Park, the owner of the land on which the Manufactured Home is to be located. The application shall set forth:

- A. A description of the Manufactured Home by dimensions, manufacturer and serial or identification number.
- B. The name and address of the person having title to the Manufactured Home.
- C. The date of manufacture of the Manufactured Home.
- D. Whether the Manufactured Home has affixed to it a seal, label or decal certifying its compliance with standards adopted by the Texas Department of Labor and Standards or a seal or label or decal issued by another state certifying its compliance with standards promulgated for Manufactured Homes by the United States Department of Housing and Urban Development.
- E. If the Manufactured Home has affixed to it a seal, label or decal as described in Paragraph D above, the applicant shall certify whether or not there have been any alterations to the Manufactured Home since the seal, label or decal was affixed.
- F. The proposed location of the Manufactured Home by legal description, plot plan, diagram or other means which is adequate to advise the Building Official of the exact placement and the relationship to property lines or other structures.
- G. The valuation of the Manufactured Home.
- H. Any information necessary to determine compliance with any applicable regulations pertaining to flood-prone areas.

- I. Any additional information the Building Official finds will aid him in the enforcement of this ordinance or other laws applicable to Manufactured Homes.

The application, plans and specifications and other data filed by an applicant for permit shall be reviewed by the City's Building Official and such other departments of the City as may be required to verify compliance with any applicable laws and ordinances.

The fee for each Manufactured Home permit shall be established by the City based on living area of the Manufactured Home.

SECTION 5 - SKIRTING REQUIREMENTS:

All Manufactured Homes shall have skirts installed before the Certificate of Occupancy is provided to the owner. The skirt shall:

1. Be completely around the structure from the base of the Manufactured Home to the ground level beneath;
2. Be of material with similar appearance to the Manufactured Home (or) masonry material;
3. Be decay, termite, weather and fire-resistant material for skirting and shall not be scrap metal or polyurethane scrap material;
4. Be skirted in such a way as not to allow access to the underside of the Manufactured Home for storage and/or trash accumulation but access only for repair purposes to the Manufactured Home;
5. Be approved at the same time the placement or installation permit is issued.

Any Mobile/Manufactured Home existing within the city on the effective date hereof will be required to have skirting installed within (30) days at any change of ownership or after becoming vacant for sixty (60) days. However, before being subject to a penalty for violation of this subsection, the City shall serve the owner or occupants of any Mobile Home without skirts with written notice of violation hereof requiring compliance within such time as designated therein.

Sections 6-9: MANUFACTURED HOME PARK:

SECTION 6 - HUD-CODE MANUFACTURED HOME PARK PERMIT AND LICENSE REQUIREMENTS:

EFFECTIVE THE DATE THIS ORDINANCE IS APPROVED, THE CREATION OF A NEW MANUFACTURED HOME PARK IS PROHIBITED IN THE CITY LIMITS OF ONALASKA WITHOUT FIRST APPLYING FOR ALL REQUIRED CONSTRUCTION PERMITS AND LICENSES AND RECEIVING APPROVAL FROM CITY COUNCIL. EXISTING MANUFACTURED HOME PARKS WILL OPERATE UNDER THE FOLLOWING RULES AND REGULATIONS.

That **PERMITS** shall be required for HUD-Code Manufactured Home Parks as follows:

- A. Permit Required - It shall be unlawful for any person to construct, alter, extend or expand any HUD-Code Manufactured Home Park within the limits of the City of Onalaska or its Extraterritorial Jurisdiction as defined by State law unless said person holds a valid permit issued by the City in the name of the person for the specific construction, alteration or extension proposed.
- B. Application Requirements- All applications for permits shall be made upon standard forms provided by the City and shall contain (1) the name and address of the applicant; and (2)

the location and legal description of the HUD-Code Manufactured Home Park. To this application shall be attached five (5) copies of a site plan, at a minimum scale of 1" = 200' for sites of thirty acres or more, and at a minimum of 1" = 100' for sites under thirty acres. The site plan shall include all data required under Section 7 of this Ordinance.

- C. Permit Fee - All applications to the Building Official shall be accompanied by a fee. (SEE FEE SCHEDULE)
- D. Issuance of Permit - When upon review of the application, the Building Official is satisfied that the proposed plan meets the requirements of law, a permit shall be issued.
- E. Denial of Permit/Hearing-Any person whose application for a permit under the ordinance has been denied, may request in writing a rehearing on the matter and offer additional evidence if desired.
- F. EXCEPTION: Any Mobile/Manufactured Home Park that is substantially complete prior to adoption of this ordinance.

That **LICENSES** shall be required for HUD-Code Manufactured Home Parks as follows:

- A. 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 that person any HUD-Code Manufactured Home Park within the limits of the City of Onalaska unless that person holds a valid license issued annually by the City. All applications for licenses shall be made in writing on forms furnished by the applicant to the City, which shall issue a license upon compliance by the applicant with the provisions of this Ordinance. Said license shall expire on December 31 of each year.
- B. 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 a license fee as hereinafter provided. The application shall also contain (1) the name and address of the applicant; (2) the location and legal description of the park; and (3) a site plan of the park.
- C. Hearing Granted Applicants - Any person whose application for a license under this Ordinance has been denied may request in writing and within ten (10) days a re-hearing which shall be granted by the City Council.
- D. Application for License Renewal – Application for renewal of a license shall be made in writing by the licensee on forms furnished by the City on or before December 1 of each year. Such application shall contain any change in the information occurring after the original license was issued or the latest renewal granted.
- E. License Fee – All original license applications or renewals hereof shall be accompanied by a fee (SEE FEE SCHEDULE). All renewal fees shall be due on the issuance of the license.
- F. Transfer of License – Every person holding a license shall give notice in writing to the City within fifteen (15) days after having sold, transferred, given away, or otherwise disposed of interest in or control of any HUD-Code Manufactured Home Park and the Mayor or his designate shall act thereon after the building official has conducted an inspection of the park for compliance with the requirements of this ordinance.
- G. Transfer of License Fee – All applications for license transfer shall be accompanied by a fee. (SEE FEE SCHEDULE).

- H. Violations, Notice, Suspension of License – Whenever the City finds that conditions or practices exist which are in violation of any provision of this ordinance it shall give notice in writing in accordance with Section 11 of this ordinance, to the Permittee or Licensee or his agent that unless such conditions or practices are corrected within a reasonable period of time (not less than thirty days or more than one year) as specified in said notice, the license or permit shall be suspended. At the end of said period of time, and if such conditions or practices have not been corrected, the City may suspend the license and give notice, in writing, of such suspension to the licensee or his agent at the address provided in the application. Upon receipt of notice of suspension, the licensee shall cease operation of such park within ten (10) days after the notice is issued.
- I. EXCEPTION: Any Mobile/Manufactured Home Park that is substantially complete prior to adoption of this ordinance.

SECTION 7 - HUD-CODE MANUFACTURED HOME PARK CONSTRUCTION REQUIREMENTS:

EFFECTIVE THE DATE THIS ORDINANCE IS APPROVED, THE CREATION OF A NEW MANUFACTURED HOME PARK IS PROHIBITED IN THE CITY. EXISTING MANUFACTURED HOME PARKS WILL OPERATE UNDER THE FOLLOWING RULES AND REGULATIONS.

SECTION 8 - HUD-CODE MANUFACTURED HOME PARK MANAGEMENT REQUIREMENTS:

The Licensee shall be responsible for all requirements of Manufactured Home Park operators set out elsewhere in this ordinance and shall be responsible for:

- A. Insuring that the Manufactured Home Park is operated and maintained in a safe and sanitary manner.
- B. Maintaining all streets, parking, storage areas, and recreational areas within the Manufactured Home Park.
- C. Maintaining the water distribution system, storm drainage and sewer system within the Manufactured Home Park.
- D. Insuring that all requirements of this ordinance are met and maintained. Any HUD-Code Manufactured Home Park issued an initial license after adoption of this ordinance that is found to be in violation of any provisions of this ordinance shall be notified in writing by the City Manager, in accordance with Section 12 and upon failure to comply said license shall be revoked.
- E. All responsibilities set out elsewhere in this ordinance, and the Licensee or his agent shall operate the park in compliance with this 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. The Licensee or agent shall notify park occupants of all applicable provisions of this ordinance and inform them of their duties and responsibilities under this ordinance.
- F. Allowing any duly-authorized inspector of the City to make reasonable inspections of the Manufactured Home Park to determine compliance with this ordinance.

SECTION 9 - HUD-CODE MANUFACTURED HOME PARK OCCUPANT REQUIREMENTS.

Park Occupants shall be responsible for all responsibilities of occupants set out elsewhere in this ordinance and shall be responsible for

- A. Proper placement of the Manufactured Home on the Manufactured Home Stand and proper installation of all utility connections in accordance with the instructions of the park management;
- B. Keeping the area under the Manufactured Home clear of flammable and combustible items and not using the space for storage;
- C. Maintaining those portions of the interior of a Manufactured Home under his or her control to be free from rubbish, garbage, and other substances that may encourage infestation by insects, rodents, or vermin and from all unsanitary conditions;
- D. Keeping all occupied areas and all plumbing equipment and facilities in a clean, sanitary condition at all times;
- E. Connecting plumbing fixtures and heating equipment that the occupant supplies and maintaining the connections in accordance with applicable codes of the City;
- F. Maintaining said Manufactured Home and its facilities without alteration creating nonconformity with this chapter or any other applicable law;
- G. Maintaining said Manufactured Home unit, plot, its facilities, equipment and accessory structures in good repair and in a clean and sanitary condition;
- H. Maintaining skirting, porches, awnings, and other additions to the Manufactured Home in good repair;

SECTION 10 - NOTICE REQUIREMENTS: That whenever it is brought to the attention of the City Council that there has been a violation of any provision of this ordinance, the City Council shall give notice of such alleged violation to the Permittee or Licensee or his agent, as hereinafter provided. Such notice shall (1) be in writing; (2) shall include a statement of the reasons for its issuance; (3) allow a reasonable time of not less than thirty (30) days nor more than one year, based upon the nature and severity of the violation and having due regard for the safety and protection of the community, for the performance of the act it requires; (4) be served upon the licensee or his agent; provided that such notice or order shall be deemed to have been properly served upon such licensee or his 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 sent by mail to his last known address, or when he has been served with such notice by any method authorized or required by the laws of this State; and (5) contain an outline of remedial action when if taken, will effect compliance with the provisions of this ordinance. If the violation is not remedied in accordance with the Notice, and a breach of the ordinance continues, then the Council may revoke any permits or licenses issued in addition to any punishment provided in this ordinance.

SECTION 11 - VIOLATIONS: A person violating a provision of this ordinance shall, upon conviction, be punished by a fine of not less than \$100.00 and not more than \$500.00. Each and every day's violation shall constitute a separate and distinct offense. Any Mobile or Manufactured

Home, travel trailer or motor home not in compliance with this ordinance shall not be provided City utility services directly from the City or indirectly from an established City utility customer.

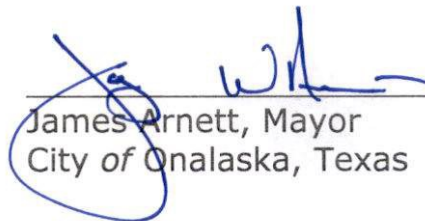
SECTION 12 - CONFLICTS: That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Onalaska, and this ordinance shall not operate to repeal or affect any such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such ordinance or ordinances are hereby repealed.

SECTION 13 - SEVERABILITY: That if any section or part of any section or paragraph of this ordinance is declared invalid or unconstitutional for any reason, it shall not be held to invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

SECTION 14 - LIABILITY: That all regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Onalaska in the discharge of his or her duties, shall not thereby render himself or herself personally liable, and he or she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of said duties.

SECTION 15 - EFFECTIVE DATE: That this ordinance shall be effective April 1, 2026.

PASSED AND APPROVED on this 10th day of March 2026.


James Arnett, Mayor
City of Onalaska, Texas

ATTEST:


Angela Stutts, City Administrator
City of Onalaska, Texas

