

ORDINANCE NO. 1-26-19

AN ORDINANCE OF THE CITY OF YORKTOWN, TEXAS, AMENDING CHAPTER 3, BUILDING REGULATION, ARTICLE 3.07 MOBILE HOMES AND MOBILE HOME PARKS OF THE CODE OF ORDINANCES OF THE CITY OF YORKTOWN, TEXAS; PROVIDING FOR COMPREHENSIVE REGULATIONS CONCERNING MOBILE HOMES, MANUFACTURED HOMES, AND MODULAR HOMES; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND MEETING.

WHEREAS, the City of Yorktown, Texas (“City”) is a General Law municipality incorporated and operating under the laws of the State of Texas; and

WHEREAS, pursuant to Texas Local Government Code § 51.001, the City Council of the City of Yorktown, Texas (“City Council”) has the authority to adopt, publish, amend or repeal an ordinance that is for the good government, peace or order of the City; and

WHEREAS, pursuant to Texas Occupations Code § 1201.008, the City Council has the authority to regulate the placement of mobile homes and manufactured homes in the city limits; and

WHEREAS, the City Council has adopted regulations in Article 3.07 of the City’s Code of Ordinances regulating manufactured homes and manufactured home parks; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace, and order of the City to amend Article 3.07;

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

I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

II. AMENDMENTS

Chapter 3 Building Regulations, Article 3.07 Mobile Homes and Mobile Home Parks of the Code of Ordinances, City of Yorktown, Texas is hereby amended in its entirety to read as follows:

**ARTICLE 3.07 MANUFACTURED HOMES, MODULAR HOMES, AND
MANUFACTURED HOME PARKS**

DIVISION 1. IN GENERAL

Sec. 3.07.001 Definitions.

The following terms, phrases and words, as used in this Article shall have the following respective definitions unless the context in which they are used clearly indicates a different meaning:

Accessory structure. Any structural addition to a manufactured home including, without limitation: awnings, cabanas, porches, armadas, storage cabinets and similar appurtenant structures.

Approved. An approval by the ordinance administrator which may be granted if the ordinance administrator finds that the item is suitable for its intended purpose and is not dangerous or detrimental to life, safety or welfare of people or property except as otherwise provided in this Article. Such finding shall be based on the results of investigation or tests conducted by him, accepted principles of safety, or the results of tests by reliable national or state authorities, or technical or scientific organizations.

Finalized. With respect to any permit, the term finalized shall mean that all work authorized by the permit has been completed in compliance with law and the ordinance administrator's copy of the permit has been so noted.

Health official. The duly designated health authority of the City of Yorktown or his representative.

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 (8) body feet or more in width or forty (40) body feet or more in length, or when erected on-site is three hundred 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 the 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. section 3282.8(g).

Manager. The person responsible for the control, direction, maintenance and supervision of a manufactured home park, whether an owner or otherwise. Executors, administrators, guardians, receivers or trustees may be regarded as owners/managers.

Manufactured home park. A contiguous development of land that has been planned and improved for the placement or replacement of manufactured homes on spaces for rental or lease.

Manufactured housing or manufactured home. A HUD-code manufactured home or a mobile home as herein defined. It is specifically understood that when the term is used herein, such term shall collectively mean and refer to both HUD-code manufactured homes and mobile homes.

Mobile home. A structure that was constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode is eight (8) body feet or more in width or forty (40) feet or more in length, or, when erected on-site is three hundred 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 the plumbing, heating, air conditioning and electrical systems.

Modular home. A residential structure that is: (1) designed for the occupancy of one or more families; (2) constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent site; and (3) 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. A modular home does not include: (1) a residential structure that exceeds four stories or 60 feet in height; (2) housing constructed of a sectional or panelized system that does not use a modular component; or (3) 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.

Occupied area. That area of an individual manufactured home space or lot that has been covered by a manufactured home and its accessory structures.

Ordinance administrator. The City Secretary of the City of Yorktown, or his representative, shall be responsible for the implementation and enforcement of the provisions of this Article.

Person. Includes both singular and plural and means any individual, firm, partnership, association, company, corporation, society or other group, however organized.

Replaced. Any relocation of a manufactured home whether upon the same lot or tract of land or from one lot or tract of land to another.

Sales lot. Any premises used by a retailer for showing manufactured homes to potential customers which is operated by the holder of a valid manufactured housing retailer's certificate issued pursuant to applicable state law, or any tract of land used for showing recreational vehicles to potential customers excepting premises used and owned by an individual showing a recreational vehicle which he owns and has used when such individual has not shown or sold more than two (2) recreational vehicles to potential customers in any twelve-month period.

Street. Includes the terms "interior street" or "interior streets" and means any street, alley, avenue, lane, boulevard or drive within the boundaries of the manufactured home park.

Sec. 3.07.002 Ordinance administrator's authority.

Except as otherwise specified in this Article, the ordinance administrator or his designee shall be the permit and license issuance officer for all permits and licenses required pursuant to this Article. He shall prescribe forms therefor including all information reasonably and necessarily required for his enforcement of the provisions of this Article. He shall also be authorized to perform all inspections necessary for the enforcement of this Article. He shall also have authority to establish reasonable and necessary administrative rules and regulations relating to the performance of his duties under this Article such as the place where license and permit applications will be received and the times when inspections will be made.

Sec. 3.07.003 Notices and orders.

The ordinance administrator shall have authority to issue all necessary notices or orders to remove or abate illegal or unsafe conditions and to ensure compliance with all the requirements of this Article for the safety, health and general welfare of the public.

Sec. 3.07.004 Penalty.

Any person violating any provision of this Article shall, upon conviction thereof, shall be fined an amount not exceeding five hundred dollars (\$500.00). Each day that a violation is permitted to exist shall constitute a separate offense.

Sec. 3.07.005 Deed restriction affidavit.

- (a) In addition to any other applicable requirements specified therefor, each person making application pursuant to this Article for a manufactured home park license or for a placement permit pertaining to a manufactured home which is to be situated outside the confines of a manufactured home park shall furnish to the ordinance administrator an affidavit setting forth that the applicant is familiar with the title to the real property to which the requested permit appertains and that the applicant's intended use thereof will not violate any valid and applicable deed restriction or covenant running with the land. The ordinance administrator may not issue the requested permit or license unless such affidavit has been duly submitted.
- (b) All permits, licenses and approvals for occupancy issued pursuant to this Article are hereby made expressly subject to applicable deed restrictions and covenants running with the land to which they pertain and no such permit, license or approvals for occupancy shall be construed as authorizing any violation thereof.

Sec. 3.07.006 Notices, hearings and orders.

- (a) Any person who has been refused or denied a permit or license required by this Article may request and shall be granted a hearing on the matter before the City

Council. Such person shall file with the ordinance administrator a written request for a hearing and shall give a brief statement of the grounds within ten (10) days after the date the permit or license was refused or denied. Upon receipt of such hearing request, the ordinance administrator shall set a time and place for the hearing and shall give the person written notice. At the hearing, the person shall be given an opportunity to show why the permit or license should be approved. The ordinance administrator may postpone the date of the hearing for a reasonable time when the person affected has requested it and has given sufficient reasons for postponement.

- (b) After the hearing, the City Council shall make findings and shall issue an order in writing sustaining, modifying or reversing the decision of the ordinance administrator.
- (c) The proceedings at a hearing, including the findings and order of the City Council, together with a copy of every notice and related order, shall be entered as a matter of public record in the office of the City Secretary. Any person aggrieved by the decision of the City Council may seek relief in a court of competent jurisdiction as provided by the laws of this state.

Sec. 3.07.007 Locations within City.

- (a) Subject to lawful compliance with this Article, no HUD-code manufactured home may be placed, replaced or permitted to remain within the City except as follows:
 - (1) A HUD-code manufactured home lawfully placed upon and occupying a site outside a manufactured home park on the effective date of this Article shall be allowed to remain.
 - (2) A HUD-code manufactured home occupying a space within a manufactured home park on the effective date of this Article shall be allowed to remain.
 - (3) A HUD-code manufactured home may be placed or replaced within a licensed manufactured home park pursuant to this Article.
 - (4) A mobile home or a recreational vehicle legally permitted and used or occupied as a residential dwelling on the effective date of this Article may be replaced with a HUD-code manufactured home.
 - (5) A HUD-code manufactured home legally permitted, used or occupied as a residential dwelling, and located outside a manufactured home park may be replaced once with another HUD-code manufactured home, provided that the replacement is newer and is at least as large in living space as the prior HUD-code manufactured home. A HUD-code manufactured home damaged beyond repair by fire or natural disaster is exempt from the requirements of this subsection and may be replaced.
 - (6) A HUD-code manufactured home may be placed in a manufactured home sales lot in accordance with Division IV of this Article.

- (b) From and after the effective date of this Article, no mobile home shall be permitted within the City and no permit shall be issued for placement or installation of a mobile home within the City. However, a permit shall be issued for a HUD-code manufactured home in accordance with the provisions of this Article.
- (c) A permit shall be issued for a modular home in accordance with the provisions of this Article in any location on which a site built single family dwelling may be constructed.
- (d) No manufactured home may be situated or permitted to remain in violation of any valid and applicable deed restriction or covenant running with the land.
- (e) It shall be unlawful for any person to park, use, occupy or connect utilities to a manufactured home at any location not authorized by this Article or to permit or suffer any manufactured home to remain within the City in any location not authorized by this Article.
- (f) It shall be unlawful for any person to park a manufactured home on any street, alley, highway, sidewalk or other public place within the City.
- (g) Utility connections shall not be approved and occupancy of the HUD-code manufactured home shall not be allowed until all requirements of this Article, and all other applicable ordinances and regulations, are complied with.

Sec. 3.07.008 Fees.

- (a) In addition to the fees set forth in this Article, all other applicable inspection and permit fees as set forth in this Article and in the building code must be tendered to the ordinance administrator with the application.
- (b) The following fees are hereby imposed pursuant to the provisions of this Article:

Original Manufactured Home Park license, per manufactured home space . . .	\$50.00 (\$500.00 minimum requirement)
Transfer of license for Manufactured Home Park . . .	\$500.00
Inspection of placement of manufactured home on single lot . . .	\$300.00
Reinspection of placement of manufactured home on single lot . . .	\$200.00
Reconnection inspection fee for utility service . . .	\$100.00
Authorization for connection of manufactured homes to electricity on a sales lot and each annual renewal . . .	\$200.00

Development permit fee . . . \$1,000.00

**DIVISION II. REQUIREMENTS CONCERNING MANUFACTURED HOMES
AND MODULAR HOMES ON SINGLE LOTS**

Sec. 3.07.009 Placement standards.

- (a) Placement of all HUD-code manufactured homes and modular homes on single lots shall be such that the home is not less than twenty-five (25) feet from any property boundary line abutting upon a public street or highway, not less than ten (10) feet from any private street, not less than five (5) feet from any other property boundary line and not less than ten (10) feet from any other structure. No more than one (1) HUD-code manufactured home or modular home shall be placed on each lot.
- (b) In addition to any other requirements specified in this Article, to qualify for placement of a HUD-code manufactured home on a single lot or tract in an authorized area identified in Sec. 3.07.007 or for a modular home on a single lot the following criteria must be met:
 - (1) The design of the HUD-code manufactured home or modular home must be compatible with other dwellings in the subdivision or area when compared to dwellings within a 500-foot radius measured from the corner of each lot/tract upon which the manufactured home or modular home will be placed. For purposes of this provision, a HUD-code manufactured home or modular home is deemed compatible if the materials that are used for its exterior roofing and exterior siding are similar to the materials used on one or more dwellings in the prescribed radius; provided, however, that a HUD-code manufactured home may still be deemed compatible even if these specific characteristics are not present.
 - (2) The HUD-code manufactured home or modular home shall have a minimum width of sixteen (16) feet and a minimum length of forty (40) feet; minimum square footage will be eight hundred ninety (890) square feet.
 - (3) The tires, wheels, and suspension components comprised of axles, shackles, springs and other protrusions beneath the frame must be removed.
 - (4) The HUD-code manufactured home or modular home must be permanently attached to a permanent foundation that conforms to the requirements of the Texas Department of Housing and Community Affairs or is sealed by a registered professional engineer.
 - (5) A drawn plan indicating the proposed setback and other requirements of this Article must be submitted to the City.

- (6) An all-weather surface driveway with a minimum of two (2) off-street parking places shall be required.
- (7) Handrails constructed to prevent the passage of a four-inch sphere shall be required for steps with more than three (3) risers.
- (8) Guardrails constructed to prevent the passage of a four-inch sphere shall be required for a porch that is more than thirty (30) inches above grade.
- (9) The front door shall face the lot frontage, except when lot width is too narrow.
- (10) The HUD-code manufactured home or modular home meets the skirting requirements set forth in Sec. 3.07.049 of this Article.

Sec. 3.07.010 Placement inspection for single lots.

- (a) Each HUD-code manufactured home or modular home placed or replaced on a single lot within the City shall be inspected by the ordinance administrator to determine that its placement is in accordance with the provisions of this Article. A fee for such placement inspection is hereby established and shall be collected in the amount specified in Sec. 3.07.008. In consideration of such fee the applicant shall be entitled to the original inspection of the placement of the manufactured home or modular home and one reinspection for deficiencies, if required. An additional fee, as specified in Sec. 3.07.008, is hereby imposed and shall be collected for the third and each subsequent reinspection due to deficiencies concerning the manufactured home or its placement.
- (b) The purpose of a placement permit under this Article is to ensure that the manufactured home or modular home has been situated in a location that complies with this Article, has been located so that it is in compliance with applicable setbacks and meets other municipal regulations that are enforceable by the City with respect to the use and occupancy of manufactured homes or modular homes. No provision of this Article shall be construed to require a City-imposed inspection of the "installation" of the manufactured home as that term is defined by Chapter 1201 Texas Occupations Code. The ordinance administrator may conduct installation inspections on behalf of the state if so authorized by the Texas Department of Housing and Community Affairs, but no City permit or fee shall be imposed for that service.

Sec. 3.07.011 Finalized placement permit required for occupancy.

It shall be unlawful for any person to use or occupy in whole or in part any manufactured home or modular home which has been placed or replaced on a single lot within the City until and unless the placement permit therefore has been issued and finalized.

Sec. 3.07.012 Finalized placement permit required prior to utility service.

Except as otherwise specifically provided in this Article, it shall be unlawful for any person to make use of any utility service, or to furnish any utility service to any manufactured home or modular home which has been placed or replaced within the City until and unless the placement permit therefore has been issued and finalized.

Sec. 3.07.013 Utility disconnection.

- (a) When any utility service to a manufactured home is discontinued it shall be the duty of the utility company to disconnect, lock, seal or otherwise prevent the unauthorized connection or reconnection of such utility service.
- (b) A manufactured home which has not been replaced but which has had any utility service disconnected thereto may be reconnected to such utility services; provided, that:
 - (1) A permit has been previously issued and finalized for such manufactured home at the site on which it is located; and
 - (2) A permit has been obtained for reconnection of any electrical utilities and the ordinance administrator has found, upon inspection that the exterior wiring service on the manufactured home is in such condition that it may be safely connected to the electrical utility services. The fee specified in this Article for a reconnection fee shall be imposed for the issuance of a permit under this section.

Sec. 3.07.014 Timely application.

- (a) For manufactured homes placed or replaced on a lot outside a manufactured home park an application for a placement permit must be made at least forty-five (45) days prior to the time of placement or replacement. Saturdays, Sundays and holidays observed by closure of City offices are excepted in calculating this period.
- (b) No manufactured home or modular home may be placed or replaced upon a site until and unless application for a placement permit has first been made therefore.
- (c) No application for a placement permit may be made for any manufactured home or modular home, which is to be connected to public water or sewer services until application has been made for such services and the availability thereof has been established.

Sec. 3.07.015 Application.

- (a) Any person desiring a placement permit for a manufactured home or modular home on a single lot shall make application therefore upon one or more forms prescribed by the ordinance administrator setting forth:
- (1) A description of the manufactured home or modular which shall include dimensions, manufacturer and serial or identification number, if applicable;
 - (2) The name and address of the person having title to the manufactured home;
 - (3) The date of manufacture of the manufactured home;
 - (4) The proposed location of the manufactured home or modular home by legal description, lot plan, diagram or other means which is adequate to advise the ordinance administrator of the exact placement location contemplated and its relationship to the property lines and other structures;
 - (5) The county clerk's recording information for the plat thereof if the manufactured home or modular home is to be placed in one of the areas authorized by this Article or if the manufactured home is being replaced on a lot outside a manufactured home park;
 - (6) The utilities to be provided to the manufactured home or modular home and the source and availability thereof;
 - (7) Any additional information the ordinance administrator requires may be added to the form to aid him in the enforcement of this Article or other laws applicable to the manufactured home or modular home.
- (b) The application shall be signed by the owner of the manufactured home or modular home or his agent and the owner of the land on which the home is to be located.
- (c) In any instance in which the application is for a permit relating to the placement of a new "HUD-code manufactured home," as that term is defined by Chapter 1201 Texas Occupations Code, then the ordinance administrator shall ensure that the application is acted on and the applicant is given written notice of the approval or denial within forty-five (45) days of the filing of the application, including notice of the grounds if the application is denied. If the foregoing action is not taken by the forty-fifth (45th) day following the filing of the application, then the permit is deemed granted. Notice is considered to be given when placed in the mail addressed to the address as stated on the application.

Sec. 3.07.016 Finalization of placement permits.

A placement permit shall be finalized by the ordinance administrator and occupancy of the manufactured home or modular home shall be authorized when:

- (1) The applicant has obtained all applicable permits and inspections under this Article;
- (2) The applicant has complied with all other applicable provisions of this Article;
- (3) The ordinance administrator has inspected the placement of the home and has found its placement is in accordance with this Article; and
- (4) The ordinance administrator has found that the home and its placement meet all applicable requirements of the City's ordinances and all state laws, which may be enforced by the City.

DIVISION III. MANUFACTURED HOME PARKS

Sec. 3.07.017

- (a) *Intent.* It is the intent of the City of Yorktown to allow manufactured home parks in accordance with provisions of this Article. Also, the purpose and intent of this Article is to provide for safe, sanitary and suitable methods of construction and operation of manufactured home parks and to provide for the public health, safety and welfare of the citizenry.
- (b) *Enforcement.* The person to whom a license for a manufactured home park has been issued shall be responsible for operation of said park in compliance with the provisions of this Article.

The manufactured home park owner, licensee or assigned representative shall cooperate with the ordinance administrator in the enforcement of the rules and regulations pertaining to manufactured home parks. The ordinance administrator will direct enforcement actions against a manufactured home owner for violations of this Article for which the home owner is responsible and will direct enforcement actions against a manufactured home installer and retailer for violations for which they are responsible; provided, however, that nothing in this Article shall preclude enforcement actions against the park owner/manager for his/her/its responsibilities under this Article.

Sec. 3.07.018 Permit required.

It shall be unlawful for any person to construct, alter, expand or enlarge any manufactured home park within the City without first having obtained a development permit from the ordinance administrator.

Sec. 3.07.019 Application and contents.

Any person planning to construct, alter, expand or enlarge a manufactured home park shall inform himself as to the requirements of this Article and other City ordinances and shall also comply with the following:

(a) *Submission of construction plans.* Plans for construction, alteration or extension of a manufactured home park shall be submitted under the same procedure as required for a residential subdivision under the Subdivision Ordinance with the following additional submissions: complete engineering plans and specifications of the proposed park, in accordance with the requirements of this Article, which show:

- (1) Area and dimensions of the tract of land by metes and bounds;
- (2) The number, locations and sizes of all manufactured home lots and stands;
- (3) The locations and widths of roadways, driveways and sidewalks;
- (4) The locations of service buildings and any other proposed structures of any type;
- (5) The locations of water and sewer lines and riser pipes;
- (6) Plans and specifications for the water supply, including fire plugs, and refuse and sewage disposal facilities;
- (7) Plans and specifications of all roadways, sidewalks and buildings constructed or to be constructed within the manufactured home park;
- (8) The locations and details of lighting and electrical systems;
- (9) The locations and sizes of recreations areas;
- (10) The surface drainage plan; and
- (11) Designations clearly showing:
 - (i) Each lot designed for recreational vehicles;
 - (ii) Each lot designed for dependent recreational vehicles;
 - (iii) Each lot designed for self-contained recreational vehicles not connected to the park's utilities; and
 - (iv) Each lot designed for manufactured homes, specifically not including recreational vehicles.

A lot may be designed for more than one of the above uses, but the plans must indicate each use that each lot is designed for.

(b) *Application fee.* Such plans shall be accompanied by a non-refundable application fee of five hundred dollars (\$500.00).

(c) *Necessary permits; conformity of construction; appeal from permit denial.* Upon approval of the plans, the manufactured home park developer/owner or approved licensed contractor shall obtain all necessary construction permits and shall pay all applicable fees prior to beginning construction of the manufactured home park. All construction shall be in conformity with the approved plans. Construction change orders shall be approved by the ordinance administrator and as-built drawings submitted upon completion of construction or prior to occupancy. Any person who has been denied a development permit may appeal such denial to the City Council. Denial of other required permits may be appealed to those boards with jurisdiction of such appeals.

Sec. 3.07.020 Fee to be paid.

All applications shall be accompanied by the deposit of the applicable fees as specified in this Article and other applicable ordinance provisions.

Sec. 3.07.021 Review and approval process.

Upon review of the applications, if the ordinance administrator or designee is satisfied that the proposed plan meets with the requirements of this Article and other applicable ordinances and any other applicable laws, rules and regulations, a permit will be issued. The issuance of the permit shall not excuse the permittee from obtaining any other permit required under any applicable City ordinance or building code for the construction of the manufactured home park or for subsequent repair or maintenance thereof.

Sec. 3.07.022 License required.

A license shall be required for any person to operate any manufactured home park within the limits of the City. Valid licenses issued by the ordinance administrator will be in the name of such person or company as set forth in the application, for the specific manufactured home park. All applications for licenses shall be made to the ordinance administrator. A license issued hereunder to operate a manufactured home park shall remain in effect until revoked or the site is abandoned as a manufactured home park. A license to operate the manufactured home park is deemed approved and granted and shall be issued unless the City denies or responds to the application in writing within forty-five (45) days from receipt of the application setting forth the reason for a delay or denial. The fee for the manufactured home park license shall be fifty dollars (\$50.00) per manufactured home space, with a minimum of five hundred dollars (\$500.00) and shall be accompanied by a list of occupants of all manufactured homes as of the date of the application. The licensee shall be required to comply with all provisions of this Article.

Sec. 3.07.023 Notice of disposition and transfer.

Both the seller and buyer of a manufactured home park shall give notice in writing to the ordinance administrator no later than thirty (30) days after having sold or purchased, as applicable, any manufactured home park. The seller's notice shall include the name and address of the person succeeding to the ownership, or control of, such manufactured home park. Upon application in writing for transfer of the license, by the buyer, and deposit of the fee as specified in Sec. 3.07.008, the license shall be transferred if the manufactured home park is in compliance with all applicable provisions of this Article.

Sec. 3.07.024 Licenses for operation of a manufactured home park.

- (a) *Applications for original licenses.* Applications for original licenses shall be in writing, signed by the applicant, certified as to the truth of the application and shall contain: The name and address of the applicant, the street address or location and legal description of the manufactured home park development, and any other reasonable information that may be required by the ordinance administrator. Such application shall be accompanied by the payment of an original application fee for each manufactured home lot in the amounts specified in Sec. 3.07.008.
- (b) *Lost and duplicate licenses.* The City of Yorktown shall maintain a record of licensed manufactured home park communities and shall reissue a copy or duplicate license for any licensed manufactured home park owner upon request in writing from such owner or designated representative. The fee shall be fifty dollars (\$50.00) and the City shall reissue a duplicate or copy of the license to the applicant upon payment of the fee.

Sec. 3.07.025 Issuance of manufactured home park license.

All existing manufactured home parks used or occupied with residential dwellings within the City shall apply for a license under this Article on or before the date of March 1, 2019. Upon application, the ordinance administrator shall issue licenses to manufactured home park owners for the operation of existing manufactured home parks. Manufactured home parks existing at the time of passage of this Article shall be granted a license to operate a manufactured home park upon submitting application to the ordinance administrator. No fees shall be charged for a license issued for an existing manufactured home park.

Sec. 3.07.026 Appeals.

Any applicant for a manufactured home park operator's license whose application has been denied may appeal such denial by written notice of appeal to the City Council.

Sec. 3.07.027 Correction of violations.

Whenever, upon inspection of any manufactured home park, the inspector finds that conditions or practices exist which are in violation of this Article or regulations issued hereunder, the ordinance administrator shall give notice in writing to the alleged violator and the manufactured home park owner and/or designated representative. The park owner and/or designated representative shall cooperate with the ordinance administrator and/or the inspector to correct the alleged violation. When a manufactured home park owner or designated representative can show that cooperation and reasonable attempts have been made to correct the alleged violation and the alleged violator fails to correct the conditions or practices cited by such officials, then in such a case the ordinance administrator or inspector shall pursue the alleged violator.

Sec. 3.07.028 Revocation and expiration of license.

- (a) A manufactured home park operator's license may be revoked if the licensee interferes with lawful inspection of the park or if there are uncorrected, repeated or serious violations of any applicable provision of the ordinances of the City or laws of the State of Texas.
- (b) Upon information that grounds for revocation may exist, the ordinance administrator may cause an investigation of the facts to be conducted. After said investigation and a written report compiled, the ordinance administrator will review the report with the mayor and manufactured home park owner or designated representative. If the problem has not been corrected within a reasonable time period and probability of grounds for revocation still exists, he shall schedule a hearing thereupon to be conducted before the City Council. Written notice of the date, time and place of the hearing shall be given to the licensee or his designated agent by certified United States mail, postage prepaid, return receipt requested, addressed to the address set forth in the application. Such notice shall be mailed at least ten (10) days prior to the date of the hearing, shall set forth the grounds upon which revocation will be sought in sufficient detail to advise the licensee thereof and shall advise the licensee of his right to be present in person and through counsel to present evidence and cross-examine witnesses appearing at such hearing.
- (c) The burden of proof at such hearing shall be upon the City. If the City Council determines that grounds for revocation exist, it shall have authority to order the manufactured home park operator's license revoked by written decision. Such decision shall be final, subject to judicial appeal.
- (d) After a manufactured home park operator's license has been revoked by the City Council, the City Council shall decide if notice will be given by the City to the occupants to vacate the premises within a reasonable time period, and to remove their manufactured homes therefrom. The Council may allow for reinstatement upon compliance with terms set forth by the Council.
- (e) Nothing contained in this section shall be construed to prevent the City from ordering the immediate evacuation or closure of any manufactured home park to

the extent permitted by law in the event of imminent or extreme hazard to human life or property.

Sec. 3.07.029 Inspection of manufactured home park development.

The City's ordinance administrator and public health officer and their respective authorized deputies, officers, inspectors and other representatives are hereby authorized to make such inspections as are necessary or desirable to determine satisfactory compliance with this Article and all other applicable ordinances and laws. Such named official shall present proper identification upon request.

Sec. 3.07.030 Hours of inspection and entry.

The persons designated in Sec. 3.07.029, under direction of the mayor, shall enforce the provisions of this Article. Such persons may enter and inspect the manufactured home park at any reasonable time, upon presentation of proper identification. In case of emergency where extreme hazards are known to exist which may involve imminent injury to persons, loss of life or severe property damage, such persons may enter the premises at any time.

Sec. 3.07.031 Register.

The licensee shall maintain or ensure that an agent maintains a register showing:

- (1) The names of all tenants, showing the manufactured home lot on which they are staying or residing.
- (2) The serial number of each manufactured home which is located in the park; whether the unit is a mobile home, a HUD-code manufactured home, or a modular home; the make, manufacturer, length and width of the home, and the lot on which each such home is located.
- (3) The date each manufactured home is placed in the park and the date it is moved from the park.

The register shall be available for inspection by the ordinance administrator or any person designated by the City to inspect such records in the course of their official duties.

A new register shall be initiated on January first of each year, and the old register shall be retired but shall be retained for at least three (3) years following the retirement. Registers shall be available for inspection at all reasonable times by any official of the City whose duties may necessitate access to the information contained therein.

Sec. 3.07.032 Resident repairs and compliance.

It shall be the duty of every resident of a manufactured home park to make such repairs or alterations as are necessary to comply with the provisions of this Article. It is also the duty of every resident to maintain the occupied space in a clean and safe manner.

Sec. 3.07.033 General and miscellaneous requirements.

- (a) *Location requirements.* No manufactured home park may be located at a site not served by at least a six-inch public water main, an eight-inch public sanitary sewer line, and either a state highway or a street, which has a pavement width of at least twenty-four (24) feet.
- (b) *Minimum size.* All manufactured home parks shall have a minimum size of three (3) acres. All individual lots located in a manufactured home park shall have a minimum size of four thousand (4,000) square feet with a minimum width of thirty-five (35) feet. The manufactured home shall be located at least ten (10) feet from end to end, and fifteen (15) feet from side to side from any other manufactured home, and at least five (5) feet from any adjoining property, and at least five (5) feet from the street, and not nearer the street than the building line established by valid City ordinances, or by other buildings on said street if the same be in excess of five (5) feet. Provided, manufactured home parks, which were already lawfully approved before this Article may continue to operate with existing lawful setbacks, so long as no actual hazard to health or safety is caused thereby; but if the park is redesigned, the setback requirements contained herein shall be complied with.
- (c) *Resident manager.* All manufactured home parks shall have a designated manager responsible for operation and maintenance of the park, for enforcing park rules and regulations, and for ensuring compliance with this Article and other applicable ordinances by both the manufactured home park and manufactured home owners or occupants.
- (d) *Maintenance standards.* All manufactured home parks shall maintain their grounds and improvements in a reasonable state of repair so as to ensure the health, safety and well being of residents and neighbors of the park. Specifically, electrical systems shall comply with electrical codes at all times; water and sanitary sewer systems shall be maintained free of leaks or infiltration; streets and parking areas shall be reasonably free of potholes and standing water; all park buildings shall comply with building codes and other ordinances and be maintained in an attractive appearance; refuse collection-sites shall be kept clean and sanitary; grass and shrubbery shall be mowed and trimmed; fences, skirting and screening shall be kept in a state of repair that ensures that they accomplish the intended purpose; grading and drainage of the park shall be maintained so as to have no standing water in the park; all recreation and public facilities shall be maintained and operated in compliance with applicable ordinances and in a manner that ensures the health, safety and well-being of those using the facilities; and the park shall be maintained reasonably free of litter and debris at all times.

- (e) *Meter loops.* All manufactured home parks shall ensure that no manufactured home is connected to electrical service through a meter loop of lower amperage rating than that designated for the manufactured home.
- (f) *Nonresidential use prohibited.* All manufactured home owners shall ensure that no part of any home is used for nonresidential purposes, except such uses that are required for the direct servicing and well being of park residents and for the management and maintenance of the park.

(g) *Responsibilities of park management:*

- (1) The person, entity, and/or designated representative issued a manufactured home park license shall operate the park in compliance with this Article and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.
- (2) Park management will maintain an as-built site plan showing space locations and numbers and utility locations.
- (3) Park management shall notify occupants of all applicable provisions of this Article and inform them of their duties and responsibilities under this Article and regulations issued hereunder.
- (4) Park management will require that only licensed installers shall be used. Installers must comply with the Texas Department of Housing and Community Affairs and the Manufactured Housing Division rules regarding the installation of manufactured homes within the City of Yorktown.
- (5) Park management shall notify the health authority and the City immediately of any suspected communicable or contagious disease within the park.

(h) *Responsibilities of park occupants:*

- (1) Park occupants shall comply with all applicable requirements of this Article and regulations issued hereunder and shall maintain manufactured homes, lots, facilities and equipment in good repair and in a clean and sanitary condition.
- (2) The park occupant shall be responsible for proper placement of the occupant's manufactured home on its manufactured home space and proper installation of all utility connections.
- (3) Each manufactured home owner is responsible for proper skirting and screening and manufactured home stands and tie-downs.

- (i) *Restrictions on occupancy.* A manufactured home shall not be occupied for dwelling purposes unless it is properly placed on a manufactured home space and connected to water, sewerage and electrical utilities and receives a permit from the City of Yorktown.

Sec. 3.07.034 Environmental requirements.

- (a) *Generally.* Conditions of soil, groundwater level, drainage and topography shall not create hazards to the property or to the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors or other adverse influences, and no portion, which is subject to unpredictable and/or sudden flooding, subsidence, or erosion shall be used for any purpose, which would expose persons or property to hazards.
- (b) *Ground cover requirements.* Exposed ground surface in all parts of every manufactured home park shall be graded and equipped to drain all surface water in a safe, efficient manner.

Sec. 3.07.035 Spacing.

- (a) *Separation requirements.* Manufactured homes shall be separated from each other by at least fifteen (15) feet. However, manufactured homes placed end-to-end may have a clearance of ten (10) feet if opposing rear walls are staggered.
- (b) *Setbacks, buffer strips and maximum density.* All manufactured homes shall be located at least twenty-five (25) feet from any park property boundary line abutting upon a street or highway and at least fifteen (15) feet from other park property boundary lines. There shall be a minimum distance of ten (10) feet between an individual manufactured home and adjoining pavement of a park street, or common parking area or other common areas. The maximum density in any manufactured home park under this Article shall be eight (8) manufactured home units per acre.

Sec. 3.07.036 Recreation areas.

- (a) In all parks designed to accommodate twenty-five (25) or more manufactured homes, there shall be one or more recreation areas, which shall be easily accessible to all park residents.
- (b) The size of the recreation area shall be not less than three (3) percent of the gross site area and shall be provided in a central location. In large developments, recreation facilities can be decentralized with each location being at least two-thirds of an acre. Recreation areas may include space for community buildings and community use facilities such as indoor recreation areas, swimming pools and service buildings.

Sec. 3.07.037 Fencing.

A masonry, wood, shrubbery or alternative material fence, of a material and design pre-approved by the ordinance administrator, shall be provided along any portion of the park boundary abutting public streets.

Sec. 3.07.038 Street system requirements.

- (a) *Generally.* All manufactured home parks shall provide safe and convenient vehicular access from abutting public streets to each manufactured home lot. Alignment and gradient shall be properly adapted to topography.
- (b) *Access.* Access to manufactured home parks shall be designed to minimize congestion and hazards at the entrance or exit and allow free movement of traffic on adjacent streets. All parks shall have separate entrance access and exit access roads or, in the case of a single entry/exit situation, shall design the road so as to form a “Y” branch and a connecting circular loop. Such branching of the road shall occur within one hundred (100) feet of the actual entrance to the manufactured home park.

The entrance road connecting the park streets with a public street or road shall have a minimum road pavement width of twenty-five (25) feet, and parking on either or both sides of any 25-foot access road is prohibited.

- (c) *Internal streets.* Surfaced roadways shall be of adequate width to accommodate anticipated traffic and, in any case, shall meet the following requirements:
 - (1) All streets, twenty-four (24) feet;
 - (2) Dead-end streets, limited in length to four hundred (400) feet and shall be provided at the closed end with a turnaround having an outside roadway diameter of at least sixty (60) feet.

For purposes of this section, pavement width shall be measured between the edges of the pavement or between the front of curbs if curbing and gutter is provided.

- (d) *Illumination of park street systems.* All parks shall be furnished with lighting units so spaced and equipped with luminaries placed at such mounting heights as will provide the following average maintained levels of illumination for the safe movement of pedestrians and vehicles at night:
 - (1) All parts of the park street systems: Six-tenths (0.6) foot-candle, with a minimum of one-tenth (0.1) foot-candle;
 - (2) Potentially hazardous locations, such as a major street intersection and steps or stepped ramps: Individually illuminated, with a minimum of three-tenths (0.3) foot-candle.

(e) *Street construction and design standards:*

- (1) *Subgrade, curb and gutter.* The minimum acceptable design criteria for these items are found in Chapter 10 Subdivision Regulation of the City's Code of Ordinances.
- (2) *Pavement.* All streets shall be provided with a smooth, hard and dense concrete or asphalt surface, which shall be durable and well drained under normal use and weather conditions. The surface shall be maintained free of cracks and holes and its edges shall be protected by suitable means to prevent traveling and shifting of the base.
- (3) *Material.* Minimum standards for paving streets are as follows:
 - a. Asphalt—Type "D", compacted to ninety-five (95) percent of maximum standard proctor. Asphalt thickness will be one and one-half (1½) inch. Asphalt streets must crown with a slope ¼ inch per foot from the center. Streets with a center swale (inverted V) are considered nonstandard and are unacceptable.
 - b. Base material—Crushed stone (limestone or concrete) compacted to ninety-five (95) percent maximum standard proctor; six-inch thickness for low-traffic streets, eight-inch thickness for high-traffic streets.
 - c. Subgrade—Lime treated subgrade, six-inches thick, compacted to ninety-five (95) percent maximum standard proctor. Soil P.I. 20 or below.
 - d. For concrete streets—Pavement five (5) inches in depth, which shall have a minimum compressive strength of three thousand (3,000) pounds per square inch at twenty-eight (28) days. The pavement may be poured in one or two (2) strips, with a steel key strip down the center, redwood expansion joints with integral dowels placed at sixty-foot centers, No. 3 reinforcing steel placed on two-foot centers and with diagonal corner bars placed at each expansion joint. All park expansion projects must satisfy the road improvement requirements as have been stated under this section.
- (4) *Grades.* Grades of all streets shall be sufficient to ensure adequate surface drainage, but shall be not more than eight (8) percent. Short runs with a minimum grade of twelve (12) percent may be permitted, provided traffic safety is assured by appropriate paving, adequate leveling areas and avoidance of lateral curves.

- (5) *Intersections.* Within one hundred (100) feet from an intersection, streets shall be at approximately right angles. A distance of at least one hundred fifty (150) feet shall be maintained between centerlines of offset intersecting streets. Intersections of more than two (2) streets at one point shall be avoided.
- (6) *Drainage requirements.* Drainage requirements for subdivisions, as defined in Chapter 10 Subdivision Regulation, shall apply to all manufactured home parks. A surface drainage plan in accordance with acceptable standards shall be approved for new construction, with such approval being granted by the City engineer.
- (f) *Street names and numbers.* All streets within a manufactured home park shall be named, but no street names shall be used which will duplicate or be confused with the names of existing streets. Street names shall be subject to the approval of City Council. All streets within a manufactured home park shall have standard street signs erected at appropriate points, such signs bearing the street name and number. Additionally, all individual manufactured home lots or spaces within a manufactured home park shall be sequentially numbered, and such numbers shall be displayed so as to be visible from the street.
- (g) *Off-street parking areas.* Off-street parking areas shall be provided in all manufactured home parks for the use of park occupants and guests. Such areas shall be furnished at the rate of at least two and one-quarter (2.25) car spaces for each manufactured home lot. Required car parking spaces shall be located to provide convenient access to the manufactured home, and two (2) of the spaces shall not exceed a distance of forty (40) feet from the manufactured home that they are intended to serve, and each of those two (2) spaces shall be accessible without moving another car.
- (h) *Common walkway system.* A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated (i.e. swimming pools, wash rooms, common park areas). Such common walks shall have a minimum width of three and one-half (3½) feet and shall be constructed of concrete. Sudden changes in alignment and gradient shall be avoided.
- (i) *Individual walkway system.* All manufactured home stands shall be connected to common walks, to paved streets, to paved driveways or parking spaces connecting to a paved street, and to all community facilities provided for park residents. Such individual walks shall have a minimum width of two (2) feet and shall be constructed of concrete. Sudden changes in alignment and gradient shall be avoided.

Sec. 3.07.039 Tie-downs and placement standards.

The area of the manufactured home space shall be improved to provide an adequate foundation for the placement and tie-down of the manufactured home, thereby securing the superstructure against uplift, sliding, rotation and overturning as required by the Texas Department of Housing and Community Affairs and the Manufactured Housing Division rules.

- (a) The manufactured home space shall be provided with adequate anchors and tie-downs to secure the stability of the manufactured home.
- (b) Manufactured home anchors and tie-downs shall conform to all specifications delineated in the regulations of the Texas Department of Housing and Community Affairs and the Manufactured Housing Division.
- (c) All manufactured home retailers, installers and owners shall ensure that a manufactured home is properly anchored or secured with tie-downs within twenty-four (24) hours after it is placed upon a manufactured home space.

Sec. 3.07.040 Water supply.

- (a) An accessible, adequate, safe and potable supply of water shall be provided in each manufactured home park. Because no manufactured home park may be located at a site not served by at least a six-inch public water main, connection shall be made thereto and its supply used exclusively.
- (b) Water systems shall be of sufficient size to furnish adequate water supply and fire protection to all lots and shall conform to the City of Yorktown water system, state health department, state insurance department regulations and applicable plumbing codes, and shall also conform to the following:
 - (1) Fire protection shall be provided and located so as to put the entirety of every lot within a radius of five hundred (500) feet of a fire hydrant.
 - (2) All fire hydrants shall have a valve opening of not less than five (5) inches and shall be placed on mains of not less than six (6) inches in diameter. Six-inch valves shall be placed on all fire hydrant leads. All connections shall conform to standards set forth in the City of Yorktown utility regulations and ordinances.
 - (3) No fire hydrants shall be located on a customer's metered service line. Fire protection must, therefore, be provided through one of the following methods:
 - a. Installation of a six-inch or larger diameter water main, complete with fire hydrant looped throughout the manufactured home park, accompanied by individual service meters for each lot; or

- b. Installation of a six-inch or larger diameter water main, complete with fire hydrants looped throughout the manufactured home park, accompanied by a separate water main of sufficient size to furnish adequate water supply for all proposed lots and metered by a master meter.

Sec. 3.07.041 Sanitary sewage disposal.

- (a) An adequate and safe sewerage system shall be provided in all manufactured home parks for conveying and disposing of all sewage. Such system shall be designed, constructed and maintained in accordance with state and local laws. Because no manufactured home park may be located at a site not served by at least an eight-inch public sanitary sewer line, connection shall be made thereto and used exclusively.
- (b) Sanitary sewer facilities shall be provided to adequately service the manufactured home park and shall conform to the City of Yorktown sewer system, state health department regulations, applicable plumbing codes, and other applicable codes and ordinances.

Sec. 3.07.042 Electrical distribution system.

- (a) *Electrical wiring system.* Every manufactured home park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances which shall be installed underground and maintained in accordance with applicable codes and regulations governing such systems. However, main utility company owned power lines may be located overhead within properly dedicated easements.
- (b) *Compliance with electrical regulations.* All electrical work, construction and repair shall be done in accordance with all applicable electrical regulations of the City of Yorktown.
- (c) *Power distribution lines:*
 - (1) All lot service lines shall be located underground and buried at least eighteen (18) inches below the ground surface, excepting power company electric utility lines, or variances in depth granted by the City Council.
 - (2) All direct burial conductors or cables shall be buried at least eighteen (18) inches below the ground surface and shall be insulated and specially designed for the purpose. Such conductors shall be located no less than one-foot radial distance from water, sewer, gas or communication lines.
- (d) *Individual electrical connections:*

- (1) Each manufactured home lot shall be provided with an approved disconnecting device and over current protective equipment. All manufactured home owners, installers, retailers, and/or licensed electricians shall ensure that no manufactured home is connected to electrical service through a meter loop of lower amperage rating than that designated for the manufactured home.
 - (2) Outlet receptacles at each manufactured home stand shall be located not more than twenty-five (25) feet from the over current protective devices in the manufactured home and a three-pole, four-wire grounding type shall be used. Receptacles shall be of weatherproof construction, and configurations shall be in accordance with American Standard Outlet Receptacle, C-73-1, as amended.
 - (3) The manufactured home shall be connected to an outlet receptacle by means of conductors or flexible cables, which shall be installed in an approved metallic or plastic conduit from the outlet receptacle to a point under the manufactured home. Said conduit shall be buried at least eighteen (18) inches below grade or at variances in depth approved by the ordinance administrator.
 - (4) The capacity of the conductors or flexible cables connecting the outlet receptacle to the manufactured home shall be sufficient for the electrical load expected in the manufactured home but in no case of lesser capacity than the service entrance equipment.
- (e) *Grounding.* All exposed noncurrent-carrying metal parts of manufactured homes and all other equipment shall be grounded by means of an approved grounding conductor with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for manufactured homes or other equipment.
- (f) *Individual meters.* Every manufactured home park shall ensure that each individual manufactured home therein shall be individually electrically metered, thereby prohibiting master metering systems within the park.

Sec. 3.07.043 Community service facilities and service buildings.

- (a) *Applicability.* The requirements of this section shall apply to service buildings, recreation buildings and other community service facilities such as:
- (1) Management offices, repair shops and storage areas;
 - (2) Sanitary facilities;
 - (3) Laundry facilities;

- (4) Indoor recreation areas;
- (5) Commercial uses, supplying essential goods or services for the exclusive use of park occupants.

(b) *Structural requirements for buildings:*

- (1) All portions of the structure shall be properly protected from damage by ordinary uses and by decay, corrosion, termites and other destructive elements. Exterior portions shall be of such materials and be so constructed and protected as to prevent entrance or penetration of moisture and weather.
- (2) All rooms containing sanitary or laundry facilities shall:
 - a. Have sound-resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions around showers, bathtubs, lavatories and other plumbing fixtures shall be constructed of dense, nonabsorbent, waterproof materials or covered with moisture resilient materials;
 - b. Have at least one window which can be easily opened, or a mechanical device which will adequately ventilate the room;
 - c. Have at least one window or skylight facing directly to the outdoors. The minimum aggregate gross area of windows for each required room shall be not less than ten (10) percent of the floor area served by them.
- (3) Toilets shall be located in separate compartments equipped with self-closing doors. Shower stalls shall be of the individual type. The rooms shall be screened to prevent direct view of the interior when the exterior doors are open.
- (4) Illumination levels shall be maintained as follows:
 - a. General seeing tasks: Five (5) foot-candles;
 - b. Laundry room work area: Forty (40) foot-candles;
 - c. Toilet, in front of mirrors: Forty (40) foot-candles.
- (5) Hot and cold water shall be furnished to every lavatory, sink, bathtub, shower and laundry fixture, and cold water shall be furnished to every water closet and urinal.

(6) All structures shall comply with the applicable ordinances of the City of Yorktown.

- (c) *Barbecue pits, outdoor fireplaces.* Cooking shelters, barbecue pits, outdoor fireplaces and the like shall be so located, constructed, maintained and used as to minimize fire hazards and smoke nuisance both on the property on which used and on neighboring property. No open fire shall be permitted except in facilities provided. No open fire shall be left unattended. No fuel shall be used and no material burned which emits dense smoke or objectionable odors.

Sec. 3.07.044 Refuse and garbage disposal.

- (a) The storage, collection and disposal of refuse in the manufactured home park shall be conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution.
- (b) All refuse shall be stored in flytight, watertight, rodent-proof containers. Plastic bags twist tied shall be acceptable, provided the bags are taken to and contained in commercial trash receptacles or approved by the ordinance administrator.
- (c) All commercial trash receptacles or collection containers shall be located within the manufactured home park itself and shall be placed so as to facilitate collection by service vehicles.
- (d) All refuse containing garbage shall be collected at least twice weekly. Where suitable collection service is not available from municipal or private agencies, the manufactured home park operators shall provide this service. All refuse shall be collected and transported in covered vehicles or covered containers.
- (e) No garbage or refuse shall be burned in or on any part of the manufactured home park and it shall be unlawful for anyone to empty, pour, drop, spill, throw or drain wastewater, excreta or other garbage or refuse on, over, or upon the surface of any manufactured home park.

Sec. 3.07.045 Insect and rodent control.

- (a) Grounds, buildings and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform to the requirements of the health authority.
- (b) Parks shall be maintained free of accumulations of debris, which may provide rodent harborage or breeding places for flies, mosquitoes and other pests.
- (c) Storage areas shall be so maintained as to prevent rodent harborage; lumber, pipe and other building material shall be stored at least one foot above the ground.

- (d) Where the potential for insect and rodent infestation exists, all exterior openings in or beneath any structure shall be appropriately screened with suitable materials.
- (e) The growth of brush and grass shall be controlled to prevent harborage of ticks, chiggers and other noxious insects. Parks shall be so maintained as to prevent the growth of ragweed, poison oak or ivy, poison sumac and other noxious weeds considered detrimental to health. Open areas shall be maintained free of heavy undergrowth of any description.

Sec. 3.07.046 Fuel supply and storage.

- (a) Natural gas piping systems shall be installed and maintained in accordance with applicable codes and regulations governing such systems.
- (b) Each manufactured home lot provided with piped gas shall have an approved manual shut-off valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.

Sec. 3.07.047 Fire protection requirements.

- (a) The manufactured home area shall be subject to the fire code and rules and regulations of the City of Yorktown fire prevention authority.
- (b) Manufactured home parks shall be kept free of litter, rubbish and other flammable materials.
- (c) Portable fire extinguishers of a type approved by the fire prevention authority shall be kept in service buildings and at all other locations designated by such fire prevention authority and shall be maintained in good operating condition.
- (d) Storage under a manufactured home, or an appurtenant or accessory structure attached thereto, is prohibited.

Sec. 3.07.048 Postal boxes and mail delivery containers.

All manufactured home parks shall construct, provide, or allow to be constructed or provided, centralized postal boxes or containers for mail delivery, which meet specifications of the United States Postal Service. Such postal boxes or containers shall be located within the physical confines of the manufactured home park itself and shall be placed so as to facilitate delivery by postal service vehicles.

Sec. 3.07.049 Skirting requirements.

All manufactured home retailers, installers and owners shall construct, provide or cause to be constructed or provided, adequate screening or skirting around the lower outer

perimeters of each manufactured home and attached structure or addition to each manufactured home. Such skirting shall be in place no later than sixty (60) days after occupancy of individual homes. The following requirements shall be met:

- (a) Skirting shall be constructed of materials deemed acceptable by the building inspector. Vinyl is acceptable. Plastic, cloth of any type and shrubbery or shrubbery hedges shall not be acceptable.
- (b) Skirting shall completely surround the outer perimeters of the manufactured home and attached structures or additions.
- (c) Skirting shall be constructed so as to be permanently affixed in place around the manufactured home.
- (d) Skirting shall extend downward to a height of not greater than three (3) inches above ground level.
- (e) Skirting may contain openings in the material used, but such openings shall not permit the passage of a sphere six-inch in diameter.

Sec. 3.07.050 Existing manufactured home parks.

A manufactured home park that was constructed prior to the effective date of this Article may continue to be used as a manufactured home park although it was not constructed in accordance with the provisions of this Article. Except as provided herein, an owner of an existing manufactured home park shall not be required to upgrade the park. Expansions to existing manufactured home parks that expand the number of spaces in the park must comply with all requirements of this Article. Expansions of existing parks shall be allowed if the expansion is contiguous to the existing park and will expand the park to a minimum size of three (3) acres, the expansion will utilize the street system of the park, the expansion complies with the provisions of this Article and the expansion is approved by the City Council. No minimum expansion size requirement shall apply to existing manufactured home parks that are three (3) acres or more in size. When additions, alterations or expansions to any existing park is made within any twelve-month period that adds sixty (60) percent or more to the space count of the park the entire park shall be made to conform to the requirements of this Article.

DIVISION IV. MANUFACTURED HOME SALES LOTS

Sec. 3.07.051 Residence prohibited.

No manufactured home shall be permitted to be occupied for residential use on a sales lot, unless the requirements for a manufactured home park are complied with and a license for the operation of such park has been issued by the City.

Sec. 3.07.052 Prohibited connection to utilities.

No manufactured home on a sales lot may be connected to any utilities except as authorized in this Article.

Sec. 3.07.053 When connections to electricity permitted.

A manufactured home located on a sales lot for display purposes only may be connected to electricity if:

- (1) It has been placed on a lot designated for use of manufactured homes connected to electricity pursuant to a plan submitted to and approved by the ordinance administrator;
- (2) The sales lot has a valid authorization for connection of electricity at all times the manufactured home is connected to electricity;
- (3) The connection of the manufactured home to electricity is in compliance with all applicable ordinances; provided, however, that subsection (4) below shall govern with respect to electrical wiring;
- (4) All electrical wiring in the manufactured home or recreational vehicle meets the requirements of:
 - a. The National Electrical Code that was in effect at the time the manufactured home was manufactured;
 - b. Any edition of the National Electrical Code that was issued after the date the manufactured home was manufactured; or
 - c. Federal or state or Texas laws regulating the installation of electrical wiring in manufactured homes at the time the manufactured home was manufactured if the structure is a manufactured home.

Sec. 3.07.054 Authorization.

- (a) To obtain authorization for connection of manufactured homes to electricity, the operator of the sales lot shall make application therefore on a form furnished by the City for such purpose. On the application, the operator shall set:
 - (1) His name and address
 - (2) The number of his state registration as a manufactured home dealer if any manufactured homes are to be located on the sales lot.

- (3) The street address and legal description of the property on which the sales lot is located.
- (4) Plans of the sales lot showing:
 - a. The number, locations and size of all spaces on which manufactured homes will be located that will be connected to electricity;
 - b. The location and details of all electrical systems on the sales lot;
 - c. The location of the manufactured homes sales office if one is located on the sales lot; and
 - d. Any other information requested by the ordinance administrator that would aid him in determining whether the sales lot meets the requirements of City ordinances.

The applicant for authorization for connection of manufactured homes to electricity shall submit with the application the annual fee for such authorization set forth in this Article and shall pay all applicable permit fees.

- (b) The ordinance administrator shall grant authorization to connect manufacture homes to electricity upon proper application therefore and payment of all applicable fees if the sales lot meets all applicable requirements of the ordinances of the City.

Sec. 3.07.055 Sales office permitted.

The operator of a manufactured home sales lot may apply for a placement permit for one manufactured home to be connected to utilities for use as an office and for demonstration purposes.

Sec. 3.07.056 Display units exempt.

A manufactured home, which is situated upon a sales lot and is not connected to any utilities other than electricity and is not being used for any purpose other than display for sale is exempt from the requirements of obtaining a placement permit.

Sec. 3.07.057 Dealers to provide purchasers certain information.

Each manufactured home dealer shall furnish each purchaser and each lessee of a manufactured home such information in writing as to the requirements of the ordinances relating to manufactured homes as the ordinance administrator shall direct including, but not limited to, information concerning the requirements for permits, requirements as to

where manufactured homes and recreational vehicles may be located, tie-down and blocking requirements for recreational vehicles. Such written information shall be on forms approved by the ordinance administrator.

Sec. 3.07.058 Dealers' responsibilities.

- (a) As to any sales lot operated by a holder of a manufactured housing retailer's certificate issued pursuant to Chapter 1201 Texas Occupations Code, as amended, the holder of such certificate shall ensure that all requirements of this Article are complied with.
- (b) As to any sales lot which is not operated by a holder of a manufactured housing retailer's certificate issued pursuant to Chapter 1201 Texas Occupations Code, as amended, the person who operates such lot shall ensure that all requirements of this Article are met.
- (c) No person shall show the interior of any manufactured home to any person if such manufactured home has been connected to any utilities unless the requirements of this Article have been met.

III. EFFECTIVE DATE

This Ordinance shall be and become effective immediately upon and after its passage and publication as may be required by governing law.

IV. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

V. SEVERABILITY

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

VI. PROPER NOTICE AND MEETING

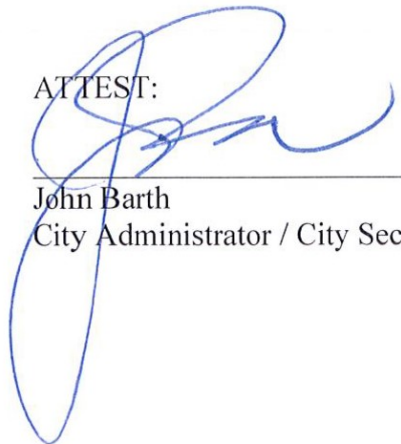
It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED THIS THE 30th DAY OF March, 2020.



Hon. Bill Baker, Mayor
City of Yorktown, Texas

ATTEST:



John Barth
City Administrator / City Secretary