

STATE OF TEXAS)(

COUNTY OF WALLER)(

TOWN OF PINE ISLAND)(

ORDINANCE NO. 98-002

AN ORDINANCE TO ADOPT STANDARDS RELATING TO PLACEMENT OF
HUD-CODE MANUFACTURED HOMES FOR INDIVIDUAL RESIDENTIAL
DWELLINGS IN THE TOWN OF PINE ISLAND AND ENFORCEMENT OF BUILDING
PROVISIONS.

NOW THEREFORE:

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PINE ISLAND,
TEXAS:

WHEREAS, it has come to the attention of the Town Council of the Town of Pine Island that unregulated Hud-Code Manufactured Homes can be dangerous and constitute a hazard to life and property; and

WHEREAS, it is in the best interest of the town that the health, safety and general welfare of the Town be promoted by preventing overcrowding of land through planned and orderly growth of the Town, and an undue concentration of the population be avoided; and

WHEREAS, the Town Council of the Town of Pine Island finds it to be in the best interest of the public safety, health and general welfare to regulate Hud-Code Manufactured Homes within the Town; therefore,

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PINE ISLAND:

Section 1. This Ordinance is hereby referenced as the Pine Island Hud-Code Manufactured Homes Ordinance.

Section 2. **DEFINITIONS** - For the purposes of this ordinance, certain terms, words and phrases shall have the meaning hereinafter ascribed thereto.

(A) **Building Official:** Designated inspection authority of the Town, or its authorized representative.

(B) **Town:** As used herein reference to the Town shall mean the Town of Pine Island, Waller County, Texas.

(C) **Town Council:** Town Council of the Town of Pine Island, Texas.

(D) **Common Access Route/Internal Street:** Private drive allowing principal means of access to individual Hud-Code Manufactured Mobil Home lots or auxiliary buildings.

(E) **Drive-Way:** Minor entrance way off the common access route into parking area serving one HUD-Code Manufactured Mobile Home.

(F) **Mobile Home:** A structure that was constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems. Mobile Homes shall not be allowed in the Town of Pine Island, Texas.

(G) **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 feet or more in width or 40 body feet in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning

and electrical systems. Anything less than the length and/or width specified in this paragraph shall not be allowed as a HUD-Code Manufactured Home.

(H) Person: Any natural individual, firm, trust, partnership, association or corporation.

(I) Plot Plan/Site Plan: Graphic presentation, drawn to scale, in a horizontal plane, delineating the outlines of the land included in the plan and all proposed use locations, accurately dimensioned, the dimensions also indicating the relation of each use to that adjoining and to the boundary of the property.

(J) Sewer Connection: Connection consisting of pipes, fittings 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 systems serving the HUD-Code Manufactured Home Park.

(K) Sewer Service Riser Pipe: That portion of sewer service which extends vertically to the ground elevation and terminates at a HUD-Code Manufactured Home space.

(L) Space: Plot of ground within a HUD-Code Manufactured Home Park designed for accommodation of one HUD-Code Manufactured Home, together with such open space as required by this Ordinance. Term includes "lot" and "site".

Section 3. INSPECTION.

Any duly authorized inspector of the Town shall be permitted to make reasonable inspections of any HUD-Code Manufactured Home to determine compliance with this Ordinance.

Section 4. NOTICES, HEARINGS AND ORDERS.

Notice of Violations; Requirements of Notice. Whenever it is brought to the attention of the Town Council that there has been a violation of any provisions of this Ordinance, the Town Council shall give notice of such alleged violation to the owner, as hereinafter provided. The 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 (1) 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 owner, provided that the notice or order shall be deemed to have been properly served upon the owner when a copy thereof has been sent by mail to the owner's last known address, or when the owner has been served with the 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 Town Council may issue any punishment provided in Section 7 hereof.

Section 5. MOBILE HOMES IN THE TOWN OF PINE ISLAND.

The installation of mobile homes for use or occupancy as a residential dwelling in the Town of Pine Island is prohibited. This provision is prospective and shall not apply to any mobile home used and occupied as residential dwellings in the Town of Pine Island on the effective date of this Ordinance.

Section 6. HUD-CODE MANUFACTURED HOME.

(A) Site Plan. The site plan shall be filed as required by this Ordinance and shall show the following:

- (1) The name, address, fee owner and record owner of the proposed or existing HUD-Code Manufactured Home.
- (2) Name of subdivision where the HUD-Code Manufactured Home is located.
- (3) Name of adjacent public streets and roads.
- (4) Contour lines at two foot (2') intervals.

- (5) Location and dimension of the HUD-Code Manufactured Mobile Home and utility easements.
- (6) Scale of plan (no smaller than 1" - 200') and complete dimensions.
- (7) Area and dimensions of site.
- (8) Sewer line locations, grades and sizes.
- (9) Water line locations, sizes and source of water supply.
- (10) Density - There shall be no more than one (1) HUD-Code Manufactured Home on a minimum of five (5) acres.
- (11) Minimum Requirements - HUD-Code Manufactured Homes should contain the following minimum requirements:
 - (a) Each unit must be a minimum width of fourteen feet (14') and contain a minimum of eight hundred (800) square feet of living area.
 - (b) Only units build after June 15, 1976, will be acceptable as HUD-Code Manufactured Homes.
 - (c) All units must be permanently affixed to a foundation system so that the Manufactured Home cannot be removed from the site and used at any other location and which meets or exceeds performance standards and the manufacturer's installation specifications for permanently affixing the unit as distinct from mobile home installation. The permanent foundation shall be constructed and the home affixed to meet the performance requirements of the One and Two Family Dwelling Code, (1979 Edition), Building Officials and Code Administrators International, Inc., Southern Building Code Congress International, or International Conference of Building Officials.
 - (d) The foundation must be designed and certified by a Registered Professional Engineer.

(e) The foundation must be designed for the soil characteristics and wind loads prevalent to the individual site.

(f) The foundation must be of poured concrete and consist of a retainer wall around the perimeter of the unit which would completely enclose the area beneath that unit, with exceptions of manways. These manways will have a door which can be kept closed when not in use.

(g) Provide a HUD-Code Manufactured Home pad which shall provide an adequate foundation for the placement and tie-down of one single-family HUD-Code Manufactured Home thereby securing the superstructure against uplift, sliding rotation and overturning. Said pad shall:

- (a) Be constructed of material which shall adequately support the weight of the HUD-Code Manufactured Home placed thereon and be durable and well drained under normal use and weather conditions.
- (b) Provide anchors and tie-downs such as cast-in-place concrete "dead men", eyelets embedded in concrete foundations or runway screw augers, arrowhead anchors or other devices which secure the stability of the HUD-Code Manufactured Home, and shall be placed at least at each corner of the HUD-Code Manufactured Home.
- (c) Cover an area of at least two hundred forty (240) square feet or at least one-third the area of the largest HUD-Code Manufactured Home which is to be placed on the HUD-Code

Manufactured Mobile Home Park space, whichever is greater. No surface provided for a purpose other than the foundation of HUD-Code Manufactured Home shall be considered a part of such HUD-Code Manufactured Home pad.

9. Drainage. The ground surface of every HUD-Code Manufactured Home and especially beneath HUD-Code Manufactured Home and other structures shall be graded and equipped to drain all surface water in a safe efficient manner so as not to permit water to stand or become stagnant.

The Town Council shall notify the owner in writing as to whether the plan was approved or disapproved, stating the reasons for disapproval and the modifications or conditions that must be made or met before approval can be obtained upon subsequent submission.

(B) Design and Location of Storage Facilities. Storage facilities with a minimum capacity of 200 cubic feet per HUD-Code Manufactured Home space, may be provided on the space, or in compounds located within 200 feet of space. Where provided, storage facilities shall be faced with a durable, fire resistant material. Storage outside the perimeter walls of the HUD-Code Manufactured Home shall be permitted only if in such facilities. No storage shall be permitted under the HUD-Code Manufactured Home. Storage facilities shall not be located within ten feet (10') of the boundary line of any HUD-Code Manufactured Home space boundary line.

(C) Location of HUD-Code Manufactured Homes and Accessory Structures. No HUD-Code Manufactured Home or accessory structure such as a refuse container, carport cabana, awning, fence or storage locker shall be permitted

within ten feet (10') of a private street or the boundary line of a HUD-Code Manufactured Home space boundary line.

(D) Setbacks and Screening.

- (1) No HUD-Code Manufactured Home shall be located within the yard setback area. The minimum setback area for each space is:

Front Yard - 150 feet

Back yard - 150 feet

Side Yard - 150 feet

(E) Fire Safety Standards:

- (1) The storage, handling and use of liquefied petroleum gases and flammable liquids shall be done in compliance with applicable state statutes.

(F) Water Supply:

- (1) All approved water well supply for domestic use and to meet the requirements of Waller County specifications.
- (2) All plumbing shall be in accordance with applicable plumbing codes.

(G) Sewage Disposal - From and after the effective date of this Ordinance, the following shall apply:

- (1) Waste from all toilets, lavatories, sinks and showers in HUD-Code Manufactured Home shall be discharged into a private disposal system approved by the Waller County Engineer.
- (2) All plumbing shall comply with applicable plumbing codes.

- (3) Each HUD-Code Manufactured Home pad shall have a sewer riser pipe of at least four inches (4") which shall be capped when not in use.

(H) Electrical. From and after the effective date of this Ordinance, the electrical shall comply with applicable electrical codes and other applicable laws of the State.

(I) Miscellaneous Requirements.

(1) Responsibilities of Occupants:

- (a) All responsibilities of occupants set out elsewhere in this Ordinance shall apply.
- (b) The occupant shall comply with all requirements of this Ordinance.
- (c) The occupant shall be responsible for proper placement of his HUD-Code Manufactured Home on its HUD-Code Manufactured Home pad and proper installation of all utility connections in accordance with all state and county codes.
- (d) The use of space immediately beneath a HUD-Code Manufactured Home for storage shall not be permitted. The space immediately beneath a HUD-Code Manufactured Home shall be skirted at all times.

Section 7. PENALTY PROVISIONS.

Any person, firm or corporation violating this Ordinance or any portion thereof shall, upon conviction be guilty of a misdemeanor and shall be fined not less than \$100.00 nor more than \$500.00 and each day that such violation continues shall be considered a separate offense and punishable accordingly.

Section 8. SEVERABILITY.

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 9. EFFECTIVE DATE.

This Ordinance shall be effective immediately upon its passage, approval and publication.

PASSED AND APPROVED this 5th day of May, 1998.

APPROVED: _____

RAY GARRETT, MAYOR
Town of Pine Island, Texas

ATTESTED:

LYNNA BERRY,
CITY SECRETARY
Town of Pine Island, Texas