

## ORDINANCE 474

AN ORDINANCE OF THE CITY OF WEST ORANGE, TEXAS ESTABLISHING REQUIREMENTS FOR THE CONSTRUCTION OF, ADDITION TO, OR EXTENSION OF, A HUD-CODE MANUFACTURED HOME PARK (*FORMERLY CALLED A MOBILE HOME PARK*) AND REQUIRING A LICENSE TO OPERATE A HUD CODE MANUFACTURED HOME PARK AND SETTING FORTH THE SITE REQUIREMENTS, HUD CODE MANUFACTURED HOME PARK STANDARDS AND OTHER PREREQUISITES TO THE ISSUANCE OF A PERMIT AND/OR LICENSE, PROVIDING DEFINITIONS, AND PRESCRIBING REGULATIONS FOR MANAGEMENT OF HUD-CODE MANUFACTURED HOME PARKS, AND PROVIDING FOR NONCONFORMING HUD CODE MANUFACTURED HOME PARKS AND PROVIDING FEES, AND CONTAINING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND CONTAINING A SEVERABILITY CLAUSE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST ORANGE, TEXAS:

**Purpose:** To provide a uniform and comprehensive set of standards for the development, modification, and operation of HUD Code Manufactured Home Parks

**Section 1. DEFINITIONS** - For the purpose of this ordinance, certain terms, words, and phrases shall have the meaning hereinafter ascribed thereto.

- (A) **Building Official:** Designated inspection authority of the City, or its authorized representative.
- (B) **City Council:** City Council of the City of West Orange, Texas.
- (C) **City Official:** Designated City employee with authority to enforce and interpret ordinances as well as execute documents to conduct business for the city.
- (D) **Coach:** Any vehicle which is intended to be used as sleeping and/or living quarters, mounted on wheels, and which is or may be propelled either by its own power or by another power-driven vehicle to which it is or can be attached. This definition does not include HUD-Code Manufactured Homes.
- (E) **Code Enforcement Official:** Designated code enforcement authority of the City, or its authorized representative.
- (F) **Common Access Route/Internal Street:** Private drive allowing principal means of access to individual HUD-Code manufactured home lots or auxiliary buildings.
- (G) **Driveway:** Minor entranceway off the common access route within the park, into an off-street parking area serving one or more HUD-Code Manufactured homes.
- (H) **Eligible Lot:** A parcel of land individually identified on the Orange County Appraisal District Records.
- (I) **HUD-Code Manufactured Home (formerly called a Mobile 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 ten body feet or more in width or 50 body feet in length, or, when erected on site, is 500 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 in a HUD-Code Manufactured Home Park.
- (J) **License:** Written license issued by the City Secretary, permitting a person to operate and maintain a HUD-Code Manufactured Home Park under the provisions of this Ordinance.

- (K) **Mobile Home**: A structure that was constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is ten body feet or more in width or 50 body feet or more in length, or, when erected on site, is 500 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 a HUD-Code Manufactured Home Park.
- (L) **HUD-Code Manufactured Home Park (formerly called Mobile Home Park)**: A parcel of land under single entity ownership, which has been placed and improved for the placement of HUD-Code Manufactured Homes, accessory uses, and service facilities, meeting all requirements of this Ordinance and any applicable deed restrictions and state laws.
- (M) **Parking Street, Off-Street**: A minimum space nine feet (9') in width by 22 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**: Any document 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**: Any natural individual, firm, trust, partnership, association, or corporation.
- (P) **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.
- (Q) **Sewer Connection**: Connection consisting of pipes, fittings, and appurtenances from the drain outlet of a HUD-Code manufactured home to the inlet of the corresponding sewer service riser pipe of the sewage system serving the HUD-Code Manufactured Home Park.
- (R) **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.
- (S) **Space**: 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. Term includes "lot" and "site".

## **Section 2. PERMITS**

- (A) **Permit Required** - It shall be unlawful for any person to do the following unless he / she holds a valid permit issued by the City Official in the name of such person for the specific transportation, installation, construction, alteration, or extension proposed:
1. Transport or install a HUD-Code Manufactured Home.
  2. Construct a HUD-Code Manufactured Home Park.
  3. Alter HUD-Code Manufactured Home Park.
  4. Extend or expand any HUD-Code Manufactured Home Park within the limits of the City of West Orange.
  5. Remove or cause to be removed a mobile home (pre-1976 dated mobile home) or a HUD-Code Manufactured Home from any piece of property or HUD-Code Manufactured Home Park within the City of West Orange.
- (B) **Application Requirements** - All applications for permits shall be made upon standard forms provided by the City and shall contain the following:
1. Name and address of the applicant.
  2. Location and Legal description of the lot and proposed location of the HUD-Code Manufactured Home Park or plot of land.
  3. To this application shall be attached five (5) copies of a site plan, at a minimum scale of 1" = 200' for sites of 30 acres or more, and at a minimum scale of 1" = 100' for sites under 30 acres. The site plan shall include all data required under Section 6.
  4. Notarized written permission from all property owners, having property within one thousand (1000) feet of the nearest property line, giving their permission for the

installation of the HUD-Code Manufactured Home Park. If a property owner cannot be located or identified, the City Council shall have the option to waive a specified piece of property. Such written permission shall be presented at the time the permit application is presented for consideration by the City.

- (C) Permit Fee - All applications to the City Secretary shall be accompanied by a non-refundable fee of one hundred fifty dollars (\$150.00).
- (D) Issuance of Permit for HUD-Code Manufactured Home Park - When upon review of the application, the City Council is satisfied by affirmative vote 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 hearing on the matter before the City Council and offer additional evidence, if desired.

### **Section 3. LICENSES.**

- (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 him any HUD-Code Manufactured Home Park within the limits of the City of West Orange unless he / she holds a valid license issued annually by the City Secretary. All applications for licenses shall be made in writing on forms furnished by him, to the City Secretary, who shall issue a license upon compliance by the applicant with provisions of this Ordinance. The City Secretary shall not issue a license unless the applicant is in compliance with all applicable ordinances and laws. Said license shall expire on 31<sup>st</sup> day of December 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 the license fee hereinafter provided, and shall contain:
  1. The name and address of the applicant.
  2. The location and legal description of the park.
  3. A site plan of the park prepared in accordance with Section 8 hereof.
- (C) Hearing Granted Applicants - Any person whose application for a license under this Ordinance has been denied, may request in writing within ten (10) days of issuance of denial, a hearing before the City Council.
- (D) Application for License Renewal - Prior to the renewal of its annual license, the City's Code Enforcement Official or Building Official will inspect each HUD-Code Manufactured Home Park. Upon passage of this annual inspection, the City Secretary will send license renewal notices/invoices to each park owner, with the renewal fee being due no later than December 31<sup>st</sup> of each year. HUD-Code Manufactured Home Park licenses are valid for a period of one calendar year – January 1<sup>st</sup> through December 31<sup>st</sup>. All licenses expire at midnight on December 31<sup>st</sup> of each year. *(Should Park not pass inspection, City Official will contact park owner with further information.)*
- (E) License Fee - All original license applications or renewals hereof shall be accompanied by a fee of:
  1. 1-10 HUD Code Manufactured Home Spaces = \$ 500.00
  2. 11-20 HUD Code Manufactured Home Spaces = \$ 1,000.00
  3. 21 and above HUD Code Manufactured Home Spaces = \$ 1,500.00 plus \$ 50.00 for each space above 30
- (F) Transfer of License - Every person holding a license shall give notice in writing to the City Secretary 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. Application for transfer of license shall be made not later than fifteen (15) days after the date of the sale, transfer, or gift, or other disposition of interest in or control of HUD-Code Manufactured Home Park.
- (G) Transfer of License Fee - All applications for license transfers shall be accompanied by a fee of One Hundred Dollars (\$100.00).

- (H) Violations, Notice, Suspension of License - Whenever, the City Official finds that conditions or practices exist which are in violation of any provisions of this Ordinance it shall give notice in writing in accordance with Section 5A 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, as deemed by the City Official, 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 Council 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, licensee shall cease operation of such park within ten (10) days after the notice is issued.

#### **Section 4. INSPECTION.**

Any duly authorized City Official shall be permitted to make reasonable inspections of any HUD-Code Manufactured Home Park to determine compliance with this Ordinance. All rental HUD-Code Manufactured Home and Mobile Home presently located in non-conforming areas are subject to yearly inspection at owner's expense.

#### **Section 5. NOTICES, HEARINGS, AND ORDERS.**

Notice of Violations; Requirements of Notice - Whenever it is brought to the attention of the City that there has been a violation of any provisions of this Ordinance, the City Official shall give notice of such alleged violation to the Permittee or Licensee or Agent, as hereinafter provided. Such notice shall

- (A) Be in writing.
- (B) Shall include a statement of the reasons for its issuance.
- (C) Allow a reasonable time of not less than ten (10) days nor more than thirty (30) days, 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.
- (D) 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 / she has been served with such notice by any method authorized or required by the laws of this State; and
- (E) Contain an outline of remedial action when if taken, will affect 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 Section 9 hereof.

#### **Section 6. HUD-CODE MANUFACTURED HOME PARK**

- (A) Site Plan - The site plan shall be filed as required by Section 3(B) of 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 Park
  2. Name of subdivision where the park is located.
  3. Names of adjacent public streets and roads.
  4. Contour lines at two-foot (2') intervals.
  5. Locations and dimensions of all HUD-Code manufactured home spaces, utility easements, drives, recreation areas, streets, and sidewalks. Each HUD-Code manufactured home space shall be numbered.
  6. Scale of plan (no smaller than 1" = 200') and complete dimensions.
  7. Density in units per gross acre.
  8. Area and dimensions of site.
  9. Areas defined for waste containers and method of disposal of garbage and refuse.

10. **Water and Sewer Plans:** Water and sewer plans must be submitted showing the following:
  - a. Sewer line locations, grades, and sizes.
  - b. Water line locations and sizes and source of water supply.
11. **Paving and Drainage Plans:** Paving and drainage plans must show the directions and calculated quantities of runoff and the proposed specifications for streets. The responsible city employee shall notify the applicant 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) HUD-Code Manufactured Home Park Standards - Any HUD-Code Manufactured Home Park constructed, and any extension/addition to an existing HUD-Code Manufactured Home Park in the City shall be done in compliance with the following site requirements:**

1. **Density** - A HUD-Code Manufactured Home Park shall have no more than 10 spaces per acre.
2. **Park Area.** Each HUD- Code Manufactured Home Park shall be planned for and shall provide a minimum of five (5) acres in area.
3. **Basic HUD-Code manufactured home Minimum Site Requirements:**
  - a. **Height Regulations:**
    - 1) The height limit for any structure intended for occupancy in the HUD -Code Manufactured Home Park shall be 20 feet.
    - 2) The average height of the HUD-Code manufactured home frame above ground elevation, measured at 90 degrees to the frame, shall not exceed four feet from the top of the pad.
  - b. **Spacing Regulations** - HUD-Code Manufactured Homes shall be located no closer than twenty feet (20') from any exterior wall to the closest exterior wall of the nearest HUD-Code Manufactured Home.

**(C) HUD-Code Manufactured Home Space.** Each and every HUD-Code Manufactured Home shall be located on separate space which shall conform to the following standards:

1. Be served with sanitary sewer, water, electrical power, and natural gas.
2. Provide a minimum average width of forty (40) feet and a minimum average depth of eighty (80) feet (3,200 square feet).
3. Abut and/or have access to a private street for a minimum distance of twelve (12) feet.
4. Provide a HUD-Code Manufactured Home pad that 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 concrete that 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. Concrete foundation shall be a minimum depth of 4" and reinforced with rebar or wire mesh. Fence material will not be allowed for reinforcement.
  - b. Provide anchors and tie-downs such as cast-in-place concrete with 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 that is to be placed on the HUD-Code Manufactured home space, whichever is greater. Length shall be no less than the length of the HUD Code Manufactured Home. 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.
5. Provide a minimum of two (2) off-street parking spaces that shall be constructed of concrete.
6. Double street frontage of HUD-Code Manufactured Home spaces shall be avoided.

7. No vehicular access to a HUD-Code Manufactured Home space is permitted from a public dedicated street.
8. Drainage. The ground surface in all parts of every HUD -Code Manufactured Home Park and especially beneath HUD-Code Manufactured Homes 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.

(D) 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 a HUD-Code Manufactured Home. Storage facilities shall not be located within five (5) feet of the boundary line of any HUD-Code Manufactured Home Space boundary line.

(E) 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 (10) feet of a private street or within five (5) feet of the boundary line of a HUD-Code Manufactured Home space boundary line. Provided further that two (2) HUD-Code Manufactured Homes shall not be placed less than twenty (20) feet apart.

(F) Setbacks and Screening.

1. No HUD-Code Manufactured Home or structure in a HUD-Code Manufactured Home Park shall be located within the yard setback area. The minimum setback area for each space is:
  - a. No part of the front of HUD-Code Manufactured Home shall be closer than ten feet (10') to the paved surface of the private street.
  - b. No part of any HUD-Code Manufactured Home shall be located less than twenty-five feet (25') from any dedicated public street.
  - c. No part of any HUD-Code Manufactured Home shall be located less than fifteen feet (15') from manufactured home park perimeter property line.
2. The following screening requirements shall be applicable:
  - a. A landscaped strip, not less than ten (10) feet in width or a screening device as defined herein shall be located along all HUD-Code Manufactured Home Park boundary lines abutting upon a public dedicated street or abutting residential property.
  - b. Such landscaped strip shall be continuously maintained and shall be devoted exclusively to the planting, cultivation, growing, and maintenance of site obscuring trees, shrubs, plant life, as described below. Trees, shrubs, cane, and/or other vegetation shall be planted, cultivated, and maintained as a sight and noise obscuring buffer that will effectively achieve sight and noise obstruction within approximately five (5) years.
  - c. At least one row of trees with a minimum initial trunk diameter of one inch and minimum initial height of five (5) feet shall be planted on twenty-five-foot (25) centers. Also, two (2) rows of cane, non-deciduous shrubs and/or other suitable screening plants shall be planted on ten-foot (10) centers.
  - d. The buffer strips are intended to provide seventy-five (75) percent or more opaque screen when viewed horizontally between (2) and ten (10) feet above the natural ground at the end of the growing period of five (5) years from the date of planting. Additional planting, cultivation, and maintenance may be required by the City officials during the use period of the buffer strip to achieve and maintain this effect.

(G) Access; Traffic Circulation; Parking:

1. Internal streets shall be privately owned, built, and maintained. Streets shall be designed for safe and convenient access to all spaces and facilities for common use of park residents.
2. All internal streets shall be constructed to specifications set by City Officials and shall be maintained by the owner.
3. All private streets shall be constructed with asphalt or concrete and shall be durable and well drained under normal use and weather conditions.

#### 4. Internal Street Dimensions; Parking:

- a. Internal streets shall be minimum pavement width of 20 feet. Parking shall not be allowed on the minimum street width. An additional lane of nine (9) feet minimum width may be added to one or both sides for off street parking.
- b. Internal streets shall permit unobstructed access to within at least 200 feet of any portion of each HUD-Code Manufactured Home.
- c. Within each HUD-Code Manufactured Home Park, streets shall be named, and HUD-Code Manufactured Homes numbered. Park signs and numbers shall be of standard size and placement to facilitate location by emergency vehicles.
- d. Private streets which may connect two (2) public street right-of-way(s) shall, by the use of curves, off-sets, location, and/or the use of two (2) or more streets be located so as to discourage through traffic.
- e. Private street intersections shall generally be at right angle, offsets at intersections of less than 125 feet (centerline to centerline) shall be avoided; intersection of more than two streets at one point shall be avoided.
- f. Dead-end private streets shall be limited to a maximum length of one thousand (1,000) feet and shall be provided with a vehicular turning space, with a turning circle of eighty (80) feet in diameter.
- g. Layout streets and Blocks. Streets shall be laid out to provide a minimum distance of two hundred and forty (240) feet, center to center of parallel streets, between intersections.
- h. Lighting. The private streets, parking lots, walks, and service areas shall be lighted from dusk until dawn so the HUD -Code Manufactured Home Park shall be safe for occupants and visitors, provided further all entrances and exits shall be lighted.

#### (H) Fire Safety Standards:

1. The storage, handling, and use of liquefied petroleum gases and flammable liquids shall be done in compliance with applicable city ordinances and state statutes.
2. Access to HUD-Code Manufactured Home for Fire Fighting - Approaches to all HUD-Code Manufactured Homes shall be kept clear for emergency vehicles.
3. Fire Protection. Water lines and fire hydrants shall be provided and suitably located for adequate fire protection as determined by the Fire Marshal but in no case shall the park provide less than a system of standard hydrants located not more than five hundred (500) feet from each HUD-Code Manufactured Home space and served by water lines not less than six (6) inches in diameter installed in a looped system.
4. The HUD-Code Manufactured Home Park licensee or agent shall provide an adequate system of collection and safe disposal of rubbish. Commercial containers shall be in the quantity and size to accommodate the entire park.

#### (I) Water Supply:

1. All approved water supply for domestic use and fire protection purposes shall be supplied to meet the requirements of the HUD-Code Manufactured Home Park
2. All plumbing shall be in accordance with applicable state statutes and the ordinances of the City of West Orange.

#### (J) 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 Park shall be discharged into a public sewer or a private disposal system approved by the Code Enforcement Official.
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.

#### (K) Utility Distribution Systems - From and after the effective date of this Ordinance, the electrical distribution system shall comply with applicable laws of the State.

#### (L) Refuse and Garbage - Enrollment in a valid garbage service for a HUD-Code Manufactured Home Park and its residents, shall be in accordance with the sanitation ordinance. A refuse pickup easement shall be granted by the owner of the HUD-Code Manufactured Home Park to the City of West Orange if these facilities are located so as

to require the entrance of a refuse vehicle into the park.

- (M) **Maintenance of Park.** The owner of the park shall be responsible to ensure that it is maintained in a manner that will not attract or aid the propagation of insects or rodents or create a hazard. Growth of plant materials such as weeds and grass, especially beneath HUD-Code Manufactured Homes and other structures shall be continuously controlled. All streets, parking and storage areas shall be maintained to provide a fully paved surface.
- (N) **Conform to Codes:** All HUD-Code Manufactured Home Park facilities and HUD-Code Manufactured Homes contained therein shall conform without limitation to the codes and ordinances of the City of West Orange, including the Building, Plumbing, Electrical, and Fire Codes and all applicable laws of the State of Texas.
- (O) **Office:** Every HUD-Code Manufactured Home Park shall have an office, which shall be accessible to City Official, in which a copy of the park permit, or license shall be posted, and the park register shall be in such office. It shall be the duty of the licensee to keep a register of park occupancy which shall contain the following information:
1. Name and address of owner and occupant.
  2. The make, model, serial number, year, and dimensions of all HUD-Code Manufactured Homes.
  3. The date of arrival and departure of each HUD-Code Manufactured Home.
  4. The park operator shall make park register available to any authorized city official upon reasonable request. Upon gaining knowledge of a departure of any HUD-Code Manufactured Home, the park operator shall notify the City Official and be able to produce the applicable permit for such departure. Failure to do so shall place the operator in violation of this ordinance.
- (P) **Ordinance Compliance.** It shall be the responsibility of the licensee to ensure 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 Official in accordance with Section 5 and upon failure to comply said license shall be revoked.
- (Q) **Nonconforming HUD-Code Manufactured Home Park**
1. Any HUD-Code manufactured home park in use and/or in existence on the effective date of this article, and not complying with all applicable provisions of this article shall be considered a "non-conforming" park. Such non-conforming parks shall be made to conform to all provisions of this ordinance no later than December 5, 2027, except for Section 6 (B)(2) (Park Area) requiring a five (5) acre area for every manufactured home park. A non-conforming park may be made more conforming but shall not be made less conforming. Notwithstanding, all manufactured home parks shall comply with Section 6(L) of this ordinance concerning refuse and garbage collection.
  2. Any land area added to a nonconforming HUD-Code Manufactured Home Park shall conform to all requirements of this ordinance.
- (R) **Miscellaneous Requirements:**
1. Responsibilities of the Park Management:
    - a) All responsibilities set out elsewhere in this Ordinance shall apply.
    - b) 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.
    - c) 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.
  2. Responsibilities of Park Occupants:
    - a) All responsibilities of occupants set out elsewhere in this Ordinance shall apply.
    - b) The park occupant shall comply with all requirements of this Ordinance.
    - c) The park occupant shall be responsible for proper placement of his HUD-Code Manufactured Home in its HUD-Code Manufactured Home pad and proper installation of all utility connections in accordance with the instructions of the park management.

- d) The use of space immediately beneath a HUD-Code Manufactured Home for storage shall not be permitted.
- 3. Mobile Homes shall not be permitted in a HUD-Code Manufactured Home Park.
- 4. Only HUD-Code Manufactured Homes shall be permitted in a HUD-Code Manufactured Home Park.

**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 \$1.00 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 and approval.

**PASSED AND APPROVED** this, the 14th day of November 2022.

  
 \_\_\_\_\_  
 Randy Branch, Mayor

ATTEST:

  
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 Theresa Van Meter, City Secretary

APPROVED:   
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 Christopher D. Leavins, City Attorney

