

CITY OF HUNTINGTON MOBILE & MANUFACTURED HOME ORDINANCE
Ordinance # 20200728 MH

AN ORDINANCE OF THE CITY OF HUNTINGTON DECLARING A PUBLIC PURPOSE AND NECESSITY TO REPLACE THE CITY OF HUNTINGTON MOBILE HOME ORDINANCE #MH-1008; MAKING IT UNLAWFUL TO PLACE MOBILE OR MANUFACTURED HOMES IN THE CITY OF HUNTINGTON OTHER THAN IN A PLATTED AND APPROVED MOBILE HOME PARK; PROVIDING FOR FINES NOT TO EXCEED SEVEN HUNDRED FIFTY (\$750.00) DOLLARS PER DAY FOR EACH VIOLATION OF THE ORDINANCE; AND SETTING AN EFFECTIVE DATE.

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1. DEFINITIONS

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates otherwise or requires a different meaning:

LABEL: A device or insignia issued by the State Department of Labor and Standards to indicate compliance with all applicable standards, rules and specifications. It shall be permanently affixed to each transportable section of the mobile or manufactured home and it shall contain the serial number of the vehicle.

LOT or SPACE: A plot of ground designed for the placement of one mobile or manufactured home.

MOBILE HOME: A structure constructed before June 15, 1976, transportable in one (1) or more sections which, in the traveling mode, is eight (8) body feet or more in width and 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.

HUD-CODE MANUFACTURED HOME: Shall mean 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 and 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 plumbing, heating, air conditioning and electrical systems.

2. PLACEMENT OF MOBILE/MANUFACTURED HOMES

- a) It shall hereafter be unlawful to locate a mobile or manufactured home as herein defined inside the city limits other than in a platted and approved mobile home park.
- b) Existing mobile/manufactured homes installed prior to the effective date of this ordinance and in compliance with City ordinances may remain in place and continue to be occupied.
- c) If an existing mobile/manufactured home in the corporate limits of the city is replaced by the owner, a newly completed permanent application as prescribed in this chapter must be obtained before another manufactured home can be placed on the site. All applications are subject to denial or acceptance.
- d) If an existing mobile/manufactured home in the corporate limits of the city is replaced by the owner, it must be replaced with a manufactured home built not more than three (3) years prior to the date of the application and be not less than ten (10) body feet in width and fifty (50) body feet in length and when erected on site provide at least five hundred (500) square feet of living space.
- e) The owner of any mobile/manufactured home used as rental property is responsible for adherence to all city, state and federal ordinances, laws, and regulations. Only those mobile/manufactured homes located inside mobile home parks are legal for rental property moving forward from this date.
- f) All mobile/manufactured homes within the city limits must be leveled, tied down with appropriate anchors and straps and skirted with fire-resistant materials and maintained in that manner.
- g) All mobile/manufactured homes moved within the city after the effective date of this ordinance must be occupied by the owner of the home. No mobile/manufactured homes shall be used as rental property unless the home is located in a platted and approved mobile home park.
- h) Mobile/manufactured homes located within the city at the time of the effective date of this ordinance that are currently being used as rental property shall be grandfathered and may continue to be used for that purpose.
- i) No mobile/manufactured home built prior to three (3) years before the date of application shall be permitted to be placed within the city limits except in a platted and approved mobile home park.

3. APPLICATION PROCEDURES

- a) A permanent permit will be issued only when all applicable ordinances have been met. The permanent application, a two-part process, shall include the following:

- All required inspections shall be completed and passed.
- Compliance checklist shall be completed and signed by the City's Code Enforcement Officer and the City Administrator.
- Written proof of ownership of the mobile/manufactured home shall be presented.
- Information containing the size, model, and year the home was built.
- Form signed by the applicant acknowledging an understanding of the requirements of the applicable ordinances.
- Submission of form signed by the applicant stating the mobile/manufactured home has proper tie-downs and is skirted with solid fire-resistant skirting which will remain intact to prevent accumulation of flammable materials beneath the home.
- Submission of form signed by the applicant acknowledging an understanding that any permanent permit issued is intended only for the person to whom it is issued, is not transferable, and expires upon the sale of the property and/or the mobile/manufactured home.
- If the property and/or the mobile/manufactured home is sold, the new owner must go through the application process.

All required documents can be obtained from the Code Enforcement Officer at City Hall.

No city utilities will be turned on until all paperwork is completed and submitted, inspections are completed and passed, and the home is found to be in full compliance with applicable ordinances.

4. REMOVAL

Any mobile/manufactured home located within the corporate limits of the city found to be in violation of any term or condition of this chapter is subject to removal by the city at the expense of the owner. If the owner fails to comply upon a city-directed order for removal, the city may access the property in question and take steps to have the mobile/manufactured home removed at the expense of the owner.

5. ABANDONMENT

Any existing mobile/manufactured home which is abandoned or not maintained for a period of forty-five (45) consecutive days shall lose its continuance status and be subject to removal. Abandonment and lack of maintenance may be evidenced by, but not limited to, termination of utility service, failure to maintain occupancy, change in type of use, or by any other legally reasonable means.

Any mobile/manufactured home which is subsequently considered abandoned or moved off property according to the definition contained in this ordinance shall be deemed to have lost its permanent permit, location privilege and status.

6. ENFORCEMENT PROCEDURES

- a) In addition to other penalties set out in this ordinance the city shall withhold public utilities and improvements, including street and ditch maintenance, from all mobile/manufactured homes which are not in compliance with all applicable portions of this ordinance.
- b) The city may revoke any permit following the issuance of a fifteen (15) day notice due to any violation of this ordinance. After such conviction, the permit may be reissued if there are acceptable extenuating circumstances.
- c) In addition to the enforcement procedures provided in this chapter, the City Attorney shall take such legal action, injunctive relief, or other actions as may be necessary to enforce the provisions of this ordinance.

7. PROHIBITED PARKING

It shall be unlawful for any person to park any mobile/manufactured home on any public street, alleyway, highway, or other public location within the city limits for any reason for more than twelve (12) hours.

8. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

9. PENALTY

Any person, firm, corporation, or other entity violating any provision of this chapter shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$250.00 and not more than \$750.00, plus court costs. Each day such violation continues unabated shall constitute a separate offense.

10. PASSAGE AND APPROVAL

This ordinance shall become effective upon the date passed and approved by the City Council of the City of Huntington.

PASSED, APPROVED, AND RE-ADOPTED by the City Council of the City of Huntington, Texas to be effective on this the 14th day of November, 2023.



Todd Ricks, Mayor

ATTEST:



Julie Davis, City Secretary



Manufactured Home Permit Application

Applicant(s): _____

Mailing Address: _____

Property Address: _____

E-mail Address: _____

Home #: _____ Cell #: _____ Work #: _____

Description of Home: _____

_____ I am requesting a permanent manufactured home permit for personal use at the above property address. The requirements of this application are complete and ready for authorization by City personnel.

_____ I have received copies of, have read, and I understand all applicable ordinances. I agree to keep my manufactured home and property in compliance with all pertinent ordinances of the City of Huntington.

_____ I understand this permit is for residential use and is not transferable. I further understand that the permit is intended for the person to whom it is issued and for the property issued and expires upon sale of the property and/or manufactured home.

_____ Approved

_____ Denied – home does not meet the requirements.

Reasons for denial: _____

City Administrator

Date

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Applicant Name(s): _____

Property Address: _____

The following must be initialed by the Utility Superintendent:

_____ Gas, sewer, and water utilities comply with City codes and are ready for hookup.

_____ The manufactured home is clear of all easements.

The following must be initialed by the Code Enforcement Officer:

_____ Page 1 of permit completed and attached.

_____ Proof of ownership of mobile home attached including appropriate date of manufacture.

_____ Home is appropriately tied town and skirted with solid, fire-resistant materials.

_____ Photos of completed installation attached.

I have inspected the above manufactured home application, property, and home. All requirements have been met. It is my opinion the above permit should be issued as designated.

Code Enforcement Officer

Date