

ORDINANCE NO. 7-2006

VILLAGE OF BONNEY

ORDINANCE GOVERNING MOBILE HOMES,  
MANUFACTURED HOMES, AND MOBILE HOME PARKS,  
AND MOBILE HOME SUBDIVISIONS

AN ORDINANCE TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE VILLAGE OF BONNEY (HEREIN REFERRED TO AS "VILLAGE"), BY DEFINING THE REQUIREMENTS OF MOBILE/ MANUFACTURED HOMES OR TRAILER HOUSES AND MOTOR HOMES LOCATED OR PARKED WITHIN A MOBILE/ MANUFACTURED HOME OR TRAILER PARK WITHIN THE CORPORATE LIMITS OF THE VILLAGE AND THAT AREA DEFINED BY STATE LAW AS THE VILLAGE'S EXTRATERRITORIAL JURISDICTION OUTSIDE THE CORPORATE LIMITS; ALLOWING FOR EXCEPTIONS APPROVED BY THE VILLAGE COUNCIL OR DULY APPOINTED DESIGNEE(S); AND BY PROVIDING FOR A SEVERABILITY CLAUSE, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, REMOVING PERSONAL LIABILITY FOR VILLAGE OFFICIALS AND EMPLOYEES CHARGED WITH ENFORCEMENT OF THIS ORDINANCE AND SETTING AN EFFECTIVE DATE.

1. **SECTION 1** - DEFINITIONS
2. **SECTION 2** - MOBILE HOME PROHIBITION
3. **SECTION 3** - INSTALLATION REQUIREMENTS
4. **SECTION 4** - SITING REQUIREMENTS
5. **SECTION 5** - INSTALLATION PERMIT REQUIREMENTS
6. **SECTION 6** - SKIRTING REQUIREMENTS
7. **SECTION 7** - HUD-CODE MANUFACTURED HOME PARK PERMIT AND LICENSE REQUIREMENTS
8. **SECTION 8** - HUD-CODE MANUFACTURED HOME PARK CONSTRUCTION REQUIREMENTS
9. **SECTION 9** - HUD-CODE MANUFACTURED HOME PARK MANAGEMENT REQUIREMENTS
10. **SECTION 10** - HUD-CODE MANUFACTURED HOME PARK OCCUPANT REQUIREMENTS
11. **SECTION 11** - NOTICE REQUIREMENTS
12. **SECTION 12** - VIOLATIONS
13. **SECTION 13** - CONFLICTS
14. **SECTION 14** - SEVERABILITY
15. **SECTION 15** - LIABILITY
16. **SECTION 16** - EFFECTIVE DATE

17. **SECTION 17** - EXCEPTION FOR STATE OWNED PROPERTY
18. **SECTION 18** - LOCATION OF MANUFACTURED HOMES OR MANUFACTURED HOME PARKS.

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

**NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF BONNEY, TEXAS:**

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

1. **BUILDING OFFICIAL** means a designated inspection authority of the Village, or its authorized representative.
2. **Village** means the Village of Bonney, Texas.
3. **COMMON ACCESS ROUTE/INTERNAL STREET** means a private drive allowing principal means of access to individual HUD-Code Manufactured/ Mobile Home lots or auxiliary buildings.
4. **DRIVE WAY** means a minor entrance way off the common access route within the park, into an off-street parking area serving one or more HUD-Code Manufactured/ Mobile Homes.
5. **HUD-CODE MANUFACTURED HOME** means a structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one or more sections which, in the traveling mode, is eight (8) body feet or more in width, forty (40) body feet or more in length, or, when erected on site is three hundred and twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes plumbing, heating, air-conditioning, and electrical systems. The term does not include a recreational vehicle as that term is defined by 24 C.F.R. S 3282.8(9).
6. **LICENSE** means a written license issued by the Village, permitting a person to operate and maintain a HUD-Code Manufactured Home Park under the provisions of this Ordinance.
7. **MANUFACTURED HOME STAND** means that part of a Manufactured Home Park which has been improved for the placement of the Manufactured Home, including all required appurtenances and having provision for available utility connections.
8. **MOBILE HOME** means 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) body feet or more in length, or, when erected on site is three hundred and twenty (320) feet 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 plumbing, heating, air-conditioning, and electrical systems.
9. **MOBILE/ MANUFACTURED** means a HUD-Code Manufactured Home or a Mobile Home and Collectively means and refers to both.

**10 MOBILE/ MANUFACTURED HOME PARK, MOBILE HOME PARK, or HUD-CODE MANUFACTURED HOME PARK** means any lot, block, tract or parcel of contiguous lots, blocks, tracts or parcels of land, under common ownership, which contains two (2) or more Mobile/Manufactured Homes or Mobile/Manufactured Home lots available for lease or rent to the public and for the placement of Mobile Homes and/or Manufactured Homes for occupancy.

11. **OCCUPANT** shall mean any person who legally resides in the Mobile/Manufactured Home, travel trailer or motor home.

12. **PARK MANAGEMENT** shall mean the person who owns or has charge, care or control of the Manufactured/Mobile Home Park.

13. **PARKING STREET, OFF-STREET** means a minimum space nine (9) feet in width by eighteen (18) feet in length, located within the boundary of a HUD-Code Manufactured Home space, or in common parking and storage area having unobstructed access to an internal street.

14 **PERMIT** means written permit/certification issued by the Village or by Brazoria County, Texas on behalf of the Village permitting the construction, alteration or extension of a HUD-Code Manufactured Home Park under the provisions of this Ordinance and regulations issued hereunder.

15. **PERSON** means any natural individual, firm, trust, partnership, association or corporation.

16. **PLOT PLAN/SITE PLAN** means a graphic presentation, drawn to scale in a horizontal plane, delineating the outlines of the land included in the plan and all proposed use location accurately dimensioned, the dimensions also indicating the relation of each use to that adjoining and to the boundary of the property.

17. **SEWER CONNECTION** means a connection consisting of pipes, frames and appurtenances from the drain outlet of a HUD-Code Manufactured/ Mobile Home to the inlet of the corresponding sewer service riser pipe of the sewage system serving the HUD-Code Manufactured Home Park.

18. **SKIRT** means concealment from view of the undercarriage on all sides of a Mobile/Manufactured Home.

19. **SPACE** means a plot of ground within a HUD-Code Manufactured Home Park designated for accommodation of one HUD-Code Manufactured Home, together with such open space as required by this Ordinance. This term shall also include "lot" and "site"

20 **TRAVEL TRAILER or MOTOR HOME** shall mean a portable vehicle built on a chassis and designed as a temporary dwelling for travel, recreation and vacation use and which has been permanently identified and equipped and identified by the manufacturer for use on public streets and highways. The term "**travel trailer**" shall also be deemed to include any other portable contrivance used or intended to be used generally for living and sleeping quarters and which may be moved under its own power, towed or transported by another vehicle but shall not mean any trailer designed in part for the purpose of and capable of carrying livestock.

**SECTION 2-MOBILE HOME PROHIBITION:** That the Installation of Mobile Homes for use or occupancy as residential dwellings in the Village of Bonney, Texas is prohibited other than as provided in this ordinance. This provision is prospective and shall not apply to any Mobile Home used and occupied as a residential dwelling in the Village of Bonney on the effective date of this ordinance. An existing Mobile Home located in the Village of Bonney, as of the date of this ordinance, will be allowed to remain on its existing site until it is removed from Village until the condition of the Mobile Home violates the codes of the Village. When the condition of the Mobile Home violates Village codes, the Village Council or its designee shall require the owner to move the Mobile Home out of the Village or demolish it. The Mobile Home may be repaired but may not be

replaced. Replacement will be any repair to a Mobile Home that has suffered 50% or more loss in value through damage beyond the value of the Mobile Home in an undamaged condition. Such damage will be considered the total damage resulting from one or more instances. An existing, but temporarily vacant, Mobile Home located in the Village of Bonney, as of the date of this ordinance, will be considered "occupied" for purposes of this provision if it has been in actual residential use within thirty (30) days prior to enactment of the ordinance, is vacant for purposes of refurbishment for future residential use at the time of enactment of the ordinance or subsequently becomes vacant for purposes of refurbishment for future residential use after enactment of this ordinance, and such vacancy is terminated by actual residential use of the Mobile Home within sixty (60) days of vacancy (or enactment of this ordinance, whichever occurs later, or maintenance therefor).

**SECTION 3 - INSTALLATION REQUIREMENTS:** That it shall be required that all Manufactured Homes placed In the corporate limits of the Village or the Village's Extraterritorial Jurisdiction (as defined by State law) after the adoption date of this ordinance must be installed in accordance with all standards, rules, regulations and administrative orders and requirements of the State of Texas Department of Housing and Community Affairs, or its successor agency.

**SECTION 4 - SITING REQUIREMENTS:** That, subject to the exceptions listed below, it shall be required that all Manufactured Homes, travel trailers, or motor homes placed in the corporate limits of the Village or the Village's Extraterritorial Jurisdiction (as defined by State Law) after the adoption date of this ordinance must be installed and located in a Manufactured Home, travel trailer, or motor home park.

**EXCEPTIONS:**

A. Any Mobile/Manufactured Home that was installed on the site prior to the adoption date of this ordinance, subject to the restrictions of Section 2 above.

B. A HUD-Code Manufactured Home installed on any parcel or tract of land that has no other residential or commercial structure on it and placed within a solid fascia or perimeter enclosure (whether load bearing or not) prior to having water, sewer or electrical service installed.

C. A Mobile/Manufactured Home provided by any governmental agency as temporary housing following any public disaster or public calamity, or a Mobile Home temporarily moved from any Mobile Home Park or subdivision by reason of any public disaster or public calamity.

D. A Mobile/Manufactured Home that is located upon a site prior to annexation of the site by the Village.

E. The temporary parking of an occupied, non-vacant travel trailer, recreational vehicle or motor home at any residence or commercial site for a period not exceeding thirty (30) cumulative days in any twelve (12) month period.

F. The storage parking of a vacant and unoccupied travel trailer, motor home, or recreational vehicle at any residence or commercial site.

G. The temporary parking of a Mobile/Manufactured Home, travel trailer, recreational vehicle or motor home for purposes of security at a temporary commercial facility for a period approved by the Village Council or their Designee.

H. A situation of hardship, as determined by the Village, for a period of time not to exceed one (1) year, said situation of hardship to be reviewed by the Village after one year and exception granted

therefore extended for no more than one year at a time.

I. Mobile/Manufactured Homes parked for purposes of sale to the public within a Mobile/Manufactured Home sales lot.

**SECTION 5 – INSTALLATION PERMIT REQUIREMENTS:** That, after the effective date of this ordinance, it shall be unlawful for any person, firm or corporation to install or place on any lot, tract or parcel of land within the Village limits of the Village Of Bonney any Manufactured Home without first obtaining an installation permit and otherwise complying with the terms of this ordinance and all applicable laws of the State of Texas. A separate permit shall be required for each Manufactured Home installation.

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

1. A description of the Manufactured Home by dimensions, manufacturer and serial or identification number.
2. The name and address of the person having title to the Manufactured Home.
3. The date of manufacture of the Manufactured Home.
4. Whether the Manufactured Home has affixed to it a seal, label or decal certifying its compliance with standards adopted by the Texas Department of Labor and Standards or a seal or label or decal issued by another state certifying its compliance with standards promulgated for Manufactured Homes by the United States Department of Housing and Urban Development. If the Manufactured Home has affixed to it a seal, label or decal as described in Paragraph D above, the applicant shall certify whether or not there have been any alterations to the Manufactured Home since the seal, label or decal was affixed.
5. The proposed location of the Manufactured Home by legal description, plot plan, diagram or other means which is adequate to advise the Building Official of the exact placement and the relationship to property lines or other structures.
6. The valuation of the Manufactured Home.
7. Any information necessary to determine compliance with any applicable regulations pertaining to flood-prone areas.
8. Any additional information the Building Official finds will aid him in the enforcement of this ordinance or other laws applicable to Manufactured Homes.
9. The application, plans and specifications and other data filed by an applicant for permit shall be reviewed by the Village's Building Official and such other departments of the Village as may be required to verify compliance with any applicable laws and ordinances.
10. The fee for each Manufactured Home installation permit shall be established by the Village based on valuation of the Manufactured Home.

## **SECTION 6 - SKIRTING REQUIREMENTS:**

All Manufactured Homes shall have skirts within thirty (30) days after being placed. The skirt shall:

1. Be completely around the structure from the base of the Manufactured Home to the ground level beneath;
2. Be of material with similar appearance to the Manufactured Home (or) masonry material;
3. Be weather resistant material for skirting and shall not be scrap metal or polyurethane scrap material;
4. Be skirted in such a way as not to allow access to the underside of the Manufactured Home for storage and/or trash accumulation but access only for repair purposes to the Manufactured Home;
5. Be approved at the same time the placement or installation permit is issued.
6. Any Mobile/Manufactured Home existing within the Village on the effective date hereof will be required to have skirts no later than 180 days from enactment of this ordinance. However, before being subject to a penalty for violation of this subsection, the Village shall serve the owner or occupants of any Mobile Home without skirts with written notice of violation hereof requiring compliance within such time as designated therein.

## **SECTION 7 - HUD-CODE MANUFACTURED HOME PARK PERMIT AND LICENSE REQUIREMENTS:**

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

1. Permit Required - It shall be unlawful for any person to construct, alter, extend or expand any HUD-Code Manufactured Home Park within the limits of the Village of Bonney (or its Extraterritorial Jurisdiction as defined by State law) unless said person holds a valid permit issued by the Village in the name of the person for the specific construction, alteration or extension proposed.
2. Application Requirements- All applications for permits shall be made upon standard forms provided by the Village and shall contain (1) the name and address of the applicant; and (2) the location and legal description of the HUD-Code Manufactured Home Park. To this application shall be attached five (5) copies of a site plan, at a minimum scale of 1" = 200' for sites of thirty acres or more, and at a minimum of 1" = 100' for sites under thirty acres. The site plan shall include all data required under Section 7 of this Ordinance.
3. Permit Fee - All applications to the Building Official shall be accompanied by a fee of One Hundred (\$100.00) Dollars.

4. Issuance of Permit - When upon review of the application, the Village Council is satisfied that the proposed plan meets the requirements of law, a permit shall be issued.
5. Denial of Permit/Hearing-Any person whose application for a permit under the ordinance has been denied, may request in writing a rehearing on the matter and offer additional evidence if desired.
6. EXCEPTION: Any Mobile/Manufactured Home Park that is substantially complete prior to adoption of this ordinance.

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

1. License Required - it shall be unlawful for any person to establish, operate, or maintain or permit to be established, operated or maintained upon any property owned or controlled by that person any HUD-Code Manufactured Home Park within the limits of the Village of Bonney (or its Extraterritorial Jurisdiction as defined by State law) unless that person holds a valid license issued annually by the Village. All applications for licenses shall be made in writing on forms furnished by the applicant to the Village, which shall issue a license upon compliance by the applicant with the provisions of this Ordinance. Said license shall expire on December 31 of each year.
2. Application for Original License – Application for original license shall be in writing, signed by the applicant, accompanied by an affidavit of the applicant as to the truth of the application and by the deposit of a license fee as hereinafter provided. The application shall also contain (1) the name and address of the applicant; (2) the location and legal description of the park; and (3) a site plan of the park.
3. Hearing Granted Applicants - Any person whose application for a license under this Ordinance has been denied may request in writing and within ten (10) days a re-hearing which shall be granted by the Village Council.
4. Application for License Renewal – Application for renewal of a license shall be made in writing by the licensee on forms furnished by the Village on or before December 1 of each year. Such application shall contain any change in the information occurring after the original license was issued or the latest renewal granted.
5. License Fee – All original license applications or renewals hereof shall be accompanied by a fee of Fifty (\$50.00) Dollars. All renewal fees shall be due on the issuance of the license.
6. Transfer of License – Every person holding a license shall give notice in writing to the Village within fifteen (15) days after having sold, transferred, given away, or otherwise disposed of interest in or control of any HUD-Code Manufactured Home Park and the Village Council shall act thereon at the next regularly scheduled meeting.
7. Transfer of License Fee – All applications for license transfer shall be accompanied by a fee

of Fifty (\$50.00) Dollars.

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

**SECTION 8 - HUD-CODE MANUFACTURED HOME PARK CONSTRUCTION REQUIREMENTS:**

That standards be set for HUD-Code Manufactured Home Parks as follows:

**Site Plan** -The site plan shall be filed and shall show the following:

1. The name, address, fee owner and record owner of the proposed HUD-Code Manufactured Home Park to be constructed or of the existing HUD-Code Manufactured Home Park to be altered, extended or expanded.
2. The name of the subdivision where the park is located.
3. The 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. Lots for one individual Manufactured Home specified with a minimum size of 1 ½ acre per lot.
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 (a) sewer line

- locations, grades and sizes; and (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.
  12. Plans must indicate provision for street lighting along internal streets of the park.
  13. A contiguous area of not less than five (5%) percent of the total park area shall be designated as a recreational area for the park's residents. Recreation areas shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located.

The Building Official shall notify the applicant in writing as to whether the site 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.

**HUD-Code Manufactured Home Park Standards** - Any HUD-Code Manufactured Home Park constructed after adoption of this ordinance and any extension/addition to an existing HUD-Code Manufactured Home Park in the Village shall be done in compliance with the following site requirements:

1. Density-A HUD-Code Manufactured Home Park shall have no more than one space per 1 ½ acre. Each HUD-Code Manufactured Home Park shall be planned for and shall provide a minimum of five (5) acres in area.
2. Basic HUD-Code Manufactured Home Minimum Site Requirements:
  - a. Height Regulations - The height limit for any structure intended for occupancy in the HUD-Code Manufactured Home Park shall be thirty-five (35) feet. The average height of the HUD-Code Manufactured Home frame above ground elevation, measured at 90 degrees to the frame, shall not exceed four (4) feet from the top of the pad.
  - b. Spacing Regulations-HUD-Code Manufactured Homes shall be located no closer than twenty (20) feet 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 a separate space which shall conform to the following standards:
    - 1) Be served with sanitary sewer, water, electrical power, telephone service and natural gas;
    - 2) Abut and/or have access to a private street for a minimum distance of twelve (12) feet;
    - 3) Provide a minimum area of three thousand, two hundred (3,200) square feet, said area to be determined by the boundary lines of the space;
    - 4) 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. Further, such pad shall a) be constructed of concrete 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; and c) cover an area of at least two hundred forty (240) square feet or at least one-third (1/3) the area of the largest HUD-Code Manufactured Home which is to be placed on the HUD-Code Manufactured Home 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.

5) Provide a minimum of two (2) off-street parking spaces which shall be constructed of hard-surface material.

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 to 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 ten (10) feet of any HUD-Code Manufactured Home space boundary line.

e. Location of HUD-Code Manufactured Home 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 any HUD-Code Manufactured Home space boundary line.

f. Setbacks and Screening shall be provided as follows:

1) All HUD-Code Manufactured Homes or structures in a HUD-Code Manufactured Home Park shall be located at least twenty-five feet (25) from any Manufactured Home park boundary line abutting upon a public/private street or highway and at least fifteen feet (15') from interior Manufactured Home park property boundary lines.

2) The following screening requirements shall be applicable: a landscaped strip, not less than ten (10) feet in width shall be located along all HUD-Code Manufactured Home Park boundary lines abutting upon a public dedicated street or abutting residential property. Such landscaped strip shall be continuously maintained and shall be devoted exclusively to the planting, cultivation, growing and maintenance of site- obscuring trees, shrubs and plants. 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.

- g. Access, traffic circulation, parking and lighting shall be provided as follows:
- 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 the Village Council and shall be maintained by the owner.

3) All private streets shall be constructed with water impermeable, hard-surface material and shall be durable and well drained under normal use and weather conditions. Such hard-surface material shall be a minimum of two (2) seal coats of asphalt or one (1) inch compacted hot or cold asphalt mix on base approved by the Village Council or their designee.

4) Internal streets shall be minimum pavement width of twenty four (24) 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.

5) Internal streets shall permit unobstructed access to within at least 200 feet of any portion of each HUD-Code Manufactured Home.

6) 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.

7) Private streets which may connect two (2) public street rights-of-way 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.

8) 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.

9) 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.

10) Streets shall be laid out to provide a minimum distance of two hundred forty (240) feet, center to center of parallel streets, between intersections.

11) The internal private streets, parking lots, walks and service areas shall be lighted at all times so the HUD-Code Manufactured Home Park shall be safe for occupants and visitors, provided further all entrances and exits shall be lighted. Street lighting shall be located at not more than two hundred foot (200') intervals along streets such as to maintain adequate levels of illumination for the safe movement of pedestrians and vehicles at night.

- h. The following fire-safety standards shall be observed:

- 1) The storage, handling and use of liquified petroleum gasses and flammable liquids shall be done in compliance with applicable Village ordinances and State statutes.

- 2) Approaches to all HUD-Code Manufactured Homes shall be kept clear for emergency vehicles.
  - 3) 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.
- i. A Manufactured Home Park shall require supply of water and sewer or septic in compliance with all requirements of the State of Texas and Brazoria County and any requirements which may exceed those of the State or County as may be required by the Village of Bonney. All plumbing shall be in accordance with applicable requirements of Brazoria County and the Village of Bonney. Individual water and electric meters to each unit shall be installed upon approval by the Village or its designee and dedication to the Village of any necessary infrastructure, coupled with individual garbage service and assessment of all applicable fees. Those water, sewer, electric, gas, telephone and cable television connections which are made available at each space shall be readily accessible by appropriate private company or County or Village technicians for maintenance, connection, and/or inspection as required for providing service. Maintenance of any water distribution system within the manufactured Home park shall be the responsibility of the park owner. Emergency repairs performed by the County or Village within the Manufactured Home Park shall be at the expense of the park owner.
  - j. From and after the effective date of this Ordinance, the following regulations for sewage disposal shall apply:
    - 1) A Manufactured Home Park shall be connected to a public or private disposal system duly licensed and permitted by the State of Texas, Brazoria County and the Village.
    - 2) Waste from all toilets, lavatories, sinks and showers in a HUD-Code Manufactured Home Park shall be discharged into a public sewer or a private disposal system approved by the Village.
    - 3) All plumbing shall comply with applicable plumbing codes.
    - 4) Each HUD-Code Manufactured Home pad shall have a sewer riser pipe of at least four inches which shall be capped when not in use.
    - 5) Maintenance of sewer lines within the Manufactured Home Park shall be the responsibility of the park owner.
  - k. From and after the effective date of this Ordinance, the electrical distribution system shall comply with applicable electrical codes and other applicable laws of the State.
  - l. All rooms containing bathrooms or laundry facilities shall have fire-resistant walls extending to the ceiling between male and female sanitary facilities. Walls and

partitions around showers, tubs, lavatories, and other plumbing fixtures shall be constructed of dense, nonabsorbent, waterproof materials or covered with moisture resistant materials.

- m. Solid waste shall be stored in fly-proof, water-proof containers, which shall be emptied regularly and maintained in a usable, sanitary condition and the collection and disposal of said refuse and garbage shall be so conducted as to create no health hazard. The Manufactured Home Park owner will be responsible for providing refuse pick-up and disposal.
- n. All Manufactured Homes located in Manufactured Home Parks shall have skirts within thirty (30) days after being placed, in accordance with skirting requirements in Section 6 of this ordinance.
- o. Mobile Homes shall not be permitted in a HUD-Code Manufactured Home Park. Only HUD-Code Manufactured Homes shall be permitted in a HUD- Code Manufactured Home Park.
- p. 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 Village of Bonney, including the building, plumbing, electrical and fire codes and all applicable laws of the State of Texas.

**SECTION 9 - HUD-CODE MANUFACTURED HOME PARK MANAGEMENT REQUIREMENTS:**

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

A. Insuring that the Manufactured Home Park is operated and maintained in a safe and sanitary manner.

B. Maintaining all streets, parking, storage areas, and recreational areas within the Manufactured Home Park.

C. Maintaining the water distribution system, storm drainage and sewer system within the Manufactured Home Park.

D. Insuring that all requirements of this ordinance are met and maintained. Any HUD-Code Manufactured Home Park issued an initial license after adoption of this ordinance that is found to be in violation of any provisions of this ordinance shall be notified in writing by the Village Manager, in accordance with Section 12 and upon failure to comply said license shall be revoked.

E. All responsibilities set out elsewhere in this ordinance, and the Licensee or his agent shall operate the park in compliance with this and other applicable ordinances and shall provide adequate supervision to maintain the park and all facilities in good repair, and in clean and sanitary condition. The Licensee or agent shall notify park occupants of all applicable provisions of this ordinance and inform them of their duties and responsibilities under this ordinance.

F. Allowing any duly-authorized inspector of the Village to make reasonable inspections of the

Manufactured Home Park to determine compliance with this ordinance.

**SECTION 10 - HUD-CODE MANUFACTURED HOME PARK OCCUPANT REQUIREMENTS.**

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

A. Proper placement of the Manufactured Home on the Manufactured Home Stand and proper installation of all utility connections in accordance with the instructions of the park management;

B. Keeping the area under the Manufactured Home clear of flammable and combustible items and not using the space for storage;

C. Maintaining those portions of the interior of a Manufactured Home under his or her control to be free from rubbish, garbage, and other substances that may encourage infestation by insects, rodents, or vermin and from all unsanitary conditions;

D. Keeping all occupied areas and all plumbing equipment and facilities in a clean, sanitary condition at all times;

E. Connecting plumbing fixtures and heating equipment that the occupant supplies and maintaining the connections in accordance with applicable codes of the Village;

F. Maintaining said Manufactured Home and its facilities without alteration creating nonconformity with this chapter or any other applicable law;

G. Maintaining said Manufactured Home unit, plot, its facilities, equipment and accessory structures in good repair and in a clean and sanitary condition;

H. Maintaining skirting, porches, awnings, and other additions to the Manufactured Home in good repair;

**SECTION 11 - NOTICE REQUIREMENTS:** That whenever it is brought to the attention of the Village Council that there has been a violation of any provision of this ordinance, the Village Council shall give notice of such alleged violation to the Permittee or Licensee or his agent, as hereinafter provided. Such notice shall (1) be in writing; (2) shall include a statement of the reasons for its issuance; (3) allow a reasonable time of not less than thirty (30) days nor more than one year, based upon the nature and severity of the violation and having due regard for the safety and protection of the community, for the performance of the act it requires; (4) be served upon the licensee or his agent; provided that such notice or order shall be deemed to have been properly served upon such licensee or agent when a copy thereof has been sent by mail to his last known address, or when he has been served with such notice by any method authorized or required by the laws of this State; and (5) contain an outline of remedial action when if taken, will effect compliance with the provisions of this ordinance. If the violation is not remedied in accordance with the Notice, and a breach of the ordinance continues, then the Council may revoke any permits or licenses issued in addition to any punishment provided in this ordinance.

**SECTION 12 - VIOLATIONS:** That a person violating a provision of this ordinance shall, upon conviction, be punished by a fine of not less than \$50.00 and not more than \$200.00 for a first conviction, and by not less than \$200.00 and not more than \$500.00 for each additional conviction. Each and every day's violation shall constitute a separate and distinct offense. Any Mobile or Manufactured Home, travel trailer or motor home not in compliance with this ordinance shall not be provided Village utility services directly from the Village or indirectly from an established utility authorized to provide such utilities within the Village.

**SECTION 13 - CONFLICTS:** That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the Village of Bonney, and this ordinance shall not operate to repeal or affect any such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such ordinance or ordinances are hereby repealed.

**SECTION 14 - SEVERABILITY:** That if any section or part of any section or paragraph of this ordinance is declared invalid or unconstitutional for any reason, it shall not be held to invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

**SECTION 15 - LIABILITY:** That all regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the Village Council or any Village official or employee charged with the enforcement of this ordinance, acting for the Village OF BONNEY in the discharge of his or her duties, shall not thereby render himself or herself personally liable, and he or she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of said duties.

**SECTION 16 - EFFECTIVE DATE:** That this ordinance shall be effective as of the date of adoption.

**SECTION 17 - EXCEPTION FOR STATE OWNED PROPERTY** This ordinance shall not apply to property owned or managed by the Texas Department of Criminal Justice.

**SECTION 18 - LOCATION OF MANUFACTURED HOMES OR MANUFACTURED HOME PARKS.** All Manufactured Homes or Manufactured Home Parks must be located west of the current State Highway FM 521. Persons may seek permits for a waiver from this location requirement by requesting approval of the Village Council at a regular or special meeting of the Council.

**APPROVED AND ADOPTED** this 21st day of August, 2006.

---

Raymond Cantu, Mayor

ATTEST:

---

Martha Henderson, City Secretary