

ORDINANCE NO. 0-2022-05-09

AN ORDINANCE OF THE CITY OF NIXON AMENDING ORDINANCE ~~0-09-02~~ OF THE CITY OF NIXON AND REPEALING ALL LAWS OR ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; ESTABLISHING STANDARD RULES AND GUIDELINES FOR THE INSTALLATION, USE, PLACEMENT, AND LOCATION OF MOBILE HOMES, HUD CODE MANUFACTURED HOMES, MODULAR HOMES, AND PROVIDING FOR MANUFACTURED HOME PARKS, PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE OF AMENDED ORDINANCE

WHEREAS, the City of Nixon, Texas is a Type-A General Law Municipality, duly incorporated under the laws of the State of Texas; and

WHEREAS, the Texas Local Government Code, Section 51.001, authorizes the governing body of a municipality to adopt, publish, amend, or repeal an ordinance, rule, or police regulation that is for the good government, peace, or order of the municipality or for the trade and commerce of the municipality; and is necessary or proper for carrying out a power granted by law to the municipality or to an office or department of the municipality; and

WHEREAS, the Texas Occupations Code, Section 1201.008(a), and the Texas Manufactured Housing Standards Act, Section 4a, authorizes municipalities to prohibit the future installation of a mobile home for use or occupancy as a residential dwelling in the municipality; and

WHEREAS, the Texas Occupations Code, Section 1201.008(b), and the Texas Manufactured Housing Standards Act, Section 4b; authorizes municipalities to permit HUD-Code Manufactured Homes for use as a residential dwelling in areas determined appropriate by the municipality; and

WHEREAS, the Texas Occupations Code, Chapter 1202, Subchapter F, reserves the authority to municipalities to regulate land use and zoning requirements, building setback requirements, site planning and development and property line requirements, subdivision control, landscape architectural requirements; and regulate the on-site construction or installation of modular homes.

WHEREAS, the City Council of the City of Nixon has determined that it is in the best interest to prohibit the future installation of mobile homes, providing regulations for the installation of modular homes and HUD-Code Manufactured Homes in subdivisions, planned unit developments, single lots, and rental communities and parks as determined appropriate by the City Council.

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

The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

Article I. Definitions

Section 1.01

- (a) **Accessory** shall mean any structural addition to a mobile home/manufactured house including, without limitation, awnings, cabanas, decks, Florida rooms, porches, ramadas, storage cabinets and similar appurtenant structures.
- (b) **Building Official** shall mean the City Manager or a person(s) appointed by the City Manager and charged with the authority to administer and enforce this ordinance or code, or their duly authorized and designated representative. The person or department to whom the City Manager may delegate the BUILDING OFFICIAL duties including the physical inspection of property to ensure each major component meets zoning and building codes, foundation, plumbing, electrical wiring, roofing, and fire egress.
- (c) **Certificate of Occupancy** shall mean a document issued by the BUILDING OFFICIAL that authorizes a building or structure to be used or occupied by the proposed use upon

- being inspected and found to be in compliance with the requirements of all City ordinances.
- (d) **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 (1) 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 sites 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, and does not include a recreational vehicle as defined by 24 C.F.R. Section 3282.8(g). Tex. Occ. Code § 1201.003 (12). (A HUD CODE MANUFACTURED HOME displays a red certification label on the exterior of each section. This label serves as the manufacturer's certification that the section is built in accordance with Federal Housing and Urban Development standards.)
 - (e) **Installation** shall mean the permanent construction of the foundation system and the placement of a manufactured home or manufactured home component on the foundation. The term includes supporting, blocking, leveling, securing, anchoring, and properly connecting multiple or expandable sections or components and making minor adjustments.
 - (f) **Label** shall mean a device, decal or insignia issued to indicate compliance with the standards, rules, and regulations related to the types of dwellings, set forth as:
 - I. A "Red label" is affixed to each transportable section of each HUD-code manufactured home constructed after June 15, 1976, and serves as the manufacturer's certification that the home is built in accordance to the standards set by the United States Department of Housing and Urban Development.
 - II. A "Blue label" is affixed to modular homes signifying that the home is built to model code standards that comply with the International Residential Code and issued by the Texas Department of Licensing and Regulation.
 - (g) **Manufactured housing or manufactured home** shall mean a HUD-code manufactured home or a mobile home and collectively means and refers to both. Tex. Occ. Code § 1201.003 (18).
 - (h) **Mobile Home** shall mean a structure constructed *before June 15, 1976*, according to the rules of the United States Department of Housing and Urban Development, *built on a permanent chassis*, designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities, transportable in one or more sections, and in the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet. Tex. Occ. Code § 1201.003 (20).
 - (i) **Modular Home** shall mean a structure designed for the occupancy of one or more families, that is constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent site; and designed to be used as a permanent residential structure when the module or the modular component is transported to the permanent site and erected or installed on a permanent foundation system. Tex. Occ. Code § 1202.002. (A MODULAR HOME will have a blue decal issued by the Texas Department of Licensing and Regulation signifying that the home has been built to comply with the International Residential Code.)
 - (j) **Manufactured/Mobile Home Park** shall mean a contiguous development of land under single entity ownership which has been planned and improved for the placement of manufactured homes, upon which two or more manufactured homes are located.
 - (k) **Skirt** shall mean concealment from view of the under carriage on all sides of a manufactured home. Skirting must be accomplished with metal, vinyl or other material which matches the exterior of the manufactured home and approved by the City.

Article II. Mobile Home Prohibited

Section 2.01 NO MOBILE HOME (as defined in (h) above) shall be permitted within the City limits of the City of Nixon, Texas. Any MOBILE HOME located in the City legally, prior to the enactment of this ordinance and used and occupied as a residential dwelling shall be allowed to remain but shall not be replaced with another MOBILE HOME under any circumstance.

Section 2.02 Any mobile home legally located on a site and occupied as a residential dwelling in the City prior to the passage of this ordinance shall be allowed to remain on the site that it is currently located on, but shall not be moved to another site or replaced with another mobile home or manufactured home under any circumstance.

Section 2.03 This ordinance does not make unlawful any mobile home already in place and complying with all laws when this ordinance becomes effective. However, after the effective date of this ordinance, if any non-conforming mobile home is removed from its location, the following shall apply:

- (a) If it is a MOBILE HOME, it shall not be allowed to relocate within the city limits of the City of Nixon, Texas; and
- (b) If it is a HUD CODE MANUFACTURED HOME, all provisions of this ordinance shall apply.

Article IIA. Manufactured Home Prohibited

Section 2A.01 NO MANUFACTURED HOME (as defined in (d) and (g) above) shall be permitted within the City limits of the City of Nixon, Texas *unless* it is legally and properly located in a designated Manufactured Home/Mobile Home Park or Subdivision as approved by the city. Any MANUFACTURED HOME located in the City legally, prior to the enactment of this ordinance and used and occupied as a residential dwelling shall be allowed to remain but shall not be replaced with another MANUFACTURED HOME under any circumstance.

Section 2A.02 Any manufactured home legally and properly located on a site and occupied as a residential dwelling in the City prior to the passage of this ordinance shall be allowed to remain on the site that it is currently located on, but shall not be moved to another site or replaced with another manufactured home or mobile home under any circumstance.

Section 2A.03 This ordinance does not make unlawful any manufactured home already in place and complying with all laws when this ordinance becomes effective. However, after the effective date of this ordinance, if any non-conforming manufactured home is removed from its location, the following shall apply:

- (a) If it is a MANUFACTURED HOME, it shall not be allowed to relocate within the city limits of the City of Nixon, Texas; and
- (b) If it is a HUD CODE MANUFACTURED HOME, all provisions of this ordinance shall apply.

Article III. Building Official Authority, Notices, Compliance, and Penalty.

Section 3.01 Building Official Authority.

Except as otherwise specified in this chapter, the Building Official for the City of Nixon has power and authority to approve permits and licenses required pursuant to this ordinance. The Building Official shall also have the authority to establish reasonable and necessary administrative rules and regulations to enforce the requirements of this ordinance, such as the place where license and permit applications will be received and the times when inspections will be made.

Section 3.02 Notices and orders.

The City Building Official, or designee shall issue all necessary notices or orders to remove or abate illegal or unsafe conditions and to ensure compliance with all the requirements of this ordinance for the safety, health and general welfare of the public.

Section 3.03 Compliance.

When any person shall be notified by a written notice by the City that any condition may exist or work being done by him as owner, agent, or in any other capacity, is in violation of the provisions of this ordinance, it shall be his duty to abate the violation within the time specified in the written notice. Such time shall not exceed thirty (30) days. In the event legitimate circumstances exist preventing compliance within the specified thirty (30) day period, the building official may extend the compliance time for a period as may be reasonably determined by the building official. The City may provide for immediate compliance when a serious threat to life or substantial damage to property may exist.

Section 3.04 Penalty.

Any condition caused or permitted to exist in violation of any of the provisions of this ordinance shall be deemed a public nuisance and may be abated by the City as provided by law. In addition to the remedies as herein provided, the City may at any time seek such injunctive relief and use all legal remedies available to the City as shall be necessary to ensure compliance with the terms and provisions of this ordinance.

- (a) A violation of this ordinance is punishable by a fine not exceeding two thousand dollars (\$2,000.00) for violations of a rule, ordinance, or police regulation that governs fire safety, public safety, zoning, and public health and sanitation, including dumping of refuse.
- (b) All other violations shall be punished by a fine not exceeding five hundred dollars (\$500.00), but no penalty shall be more or less than the penalty provided by state law for the same offense.
- (c) Furthermore, each day that a violation continues after due notice has been served shall be deemed a separate offense.
- (d) In addition to the imposition of the penalties herein described, the Building Official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises
- (e) Any person, corporation, or partnership who permits, aids, assists or employs another person, corporation or partnership in doing any prohibited act or failing to do any act as shall be required in this ordinance shall be deemed in violation as if such person or corporation had actually committed such act or failed to actually perform such act as herein required. Such person, corporate or partnership, representative need not actually be present at the time of the violation; and a person, corporation or partnership may be deemed in violation whenever the act of permitting, aiding, assisting or employing occurs before or after the violation.

Article IV. Application for Placement in Certain Areas, Manufactured Home Requirements, Occupancy Requirements and Maintenance of Manufactured Home, and Finalization of placement permit.

Section 4.01 Application for a Placement.

It shall be unlawful for any person to use, occupy or re-occupy in whole or in part any mobile home or manufactured home which has been placed, replaced or re-occupied within the city limits until and unless the placement permit therefore has been issued and finalized by the Building Official to ensure that all city ordinances and building codes have been complied with for the existing placement. Any person desiring to place or re-occupy a manufactured home in a Manufactured/Mobile home park or within a Manufactured home subdivision, or is replacing or re-occupying a Manufactured home with a HUD-code manufactured home, shall first make application providing the following information to the City:

- (a) A description of the manufactured home by dimensions, manufacturer and serial number or identification number.
- (b) The name and address of the person having title to the manufactured home and a copy of the title or Texas Department of housing and Community Affairs (TDHCA) Statement of Ownership and Location Form (S.O.L.).
- (c) The date of manufacture of the manufactured home.
- (d) The manufactured home shall not be older the ten (10) years from the date of permit application.
- (e) Whether the manufactured home has affixed to it a seal, label, or decal certifying its compliance with standard adopted by State and Federal 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.
- (f) If the manufactured home has affixed to it a seal, label or decal as alterations to the manufactured home, the applicant shall certify whether or not there have been any alterations to the manufactured home since the seal, label or decal was affixed.
- (g) The proposed location of the manufactured home by legal description, plot plan, diagram or other means which is adequate to advise the City of the exact placement and its relationship to property lines, relationship to other structures, and its location in a mobile/manufactured home park or subdivision.

- (h) Any information necessary to determine compliance with any applicable regulations pertaining to flood-prone areas.
- (i) The utilities to be provided to the manufactured home and the source and availability thereof.
- (j) Any additional information the City finds will aid them in the enforcement of this ordinance or other laws applicable to manufactured homes.
- (k) The application shall be signed by the owner of the manufactured home or his agent, and the owner of the land on which the manufactured home is to be located, if applicable.
- (l) Fee. A non-refundable permit fee in the amount of \$150.00 shall be submitted with the application.

Section 4.02 Manufactured Home Requirements

- (a) **Setbacks.** No HUD CODE MANUFACTURED HOME may be placed on any lot or tract within the City of Nixon, Texas, in such manner that any part of the HUD MANUFACTURED HOME or any extension thereto is situated within 5 feet of any side lot or tract line. Is set back a minimum of 25 feet from the front STREET LINE. Is set back 10 feet from the rear lot tract line.
- (b) **Anchoring.** A HUD MANUFACTURED HOME must be anchored in accordance with the manufacturer's installation instructions and anchored, as well as supported and blocked, in accordance with the standards for HUD MANUFACTURED HOUSING established and or maintained by the Texas Department of Housing and Community Affairs and the International Residential Code.
- (c) **Porches.** A porch is required at each point of entry to the home. Each porch must be of sturdy construction. The minimum size requirement for any front porch shall be four foot by six foot (4' X 6') and all other porches shall have a minimum size requirement of four foot by four foot (4'X4'). Any porch with a finished tread surface higher than twelve (12) inches above the existing ground level must have handrails attached.
- (d) **Driveway.** Any HUD CODE MANUFACTURED HOME is required to have a concrete, gravel, or asphalt driveway and parking area for off-street parking for 2 vehicles. Where the driveway and parking area adjoin a curb along any paved street, a concrete apron extending five feet (5') from the curb shall be required. Driveways shall not be located within twenty feet (20') of any street intersection. All approaches and driveways shall connect to the city's street and be maintained by the property owner, including the installation of culverts to allow for adequate flow and drainage of storm water.
- (e) **Skirting.** In addition to the requirements specified above, any HUD CODE MANUFACTURED HOME shall be properly skirted. Skirting shall be required around the complete perimeter of said HUD MANUFACTURED HOME in accordance with the following minimum specifications:
 - I. Skirting shall be installed and maintained in such a manner that prevents animals from entering the crawl space.
 - II. The following material (or its equivalent as approved by the BUILDING OFFICIAL) is approved to be used for skirting.
 - a) manufactured vinyl skirting with vent panels.
 - b) factory painted steel sheets, with appropriate "J-Trim" installed where the skirting meets the home.
 - c) reinforced and painted Masonite, HardiPlank or other similar commercially produced hard board siding products.
 - d) reinforced and painted grooved plywood sheets commonly used as home siding, with a 3/8-inch minimum thickness, rated for exterior use by the manufacturer.
 - e) reinforced vinyl siding rated for exterior use by the manufacturer.
 - f) mortared brick, stone, or concrete blocks installed on a permanent footing.
 - g) Screened vents are required to be used with all skirting to allow for air circulation under the HUD MANUFACTURED HOME.
 - h) Used materials for skirting are strictly prohibited.
- (f) **Foundation.** All manufactured homes shall have adequate foundation for the placement and tie-down of one (1) single-family manufactured home to secure the superstructure against uplift, sliding rotation and overturning, which shall support the weight of the manufactured home. Minimum 2 reinforced poured concrete that is 24 inches wide x 12 inches deep and the length of the manufactured home is required. Placing of foundation width wise *will require engineered plans.*

(g) **Installation.**

- I. The installation of manufactured housing shall comply with the standards and requirements of the Texas Manufactured Housing Code.
- II. ONLY A LICENSED INSTALLER may install a manufactured home. The installer who installs the home must also provide a warranty.
- III. All manufactured housing must have adequate tie downs as required by federal, and state statute, and regulations pertaining to manufactured housing.
- IV. Manufactured housing shall be placed on piers and footings meeting the following requirements:
 - a) Piers and footings shall be installed directly under the mainframe or chassis of the mobile home. They shall be located under both frame rails. Piers shall be spaced according to federal and state regulations.
 - b) Piers shall be constructed of standard eight inch by eight-inch solid concrete type construction blocks. Treated wood blocks and shims used for leveling shall be no more than 4 inches in total overall thickness per pier, and wood blocks shall be at least seven and one fourth (7 1/4) inches wide and fifteen (15) inches long.
 - c) Piers similar to those described above such as adjustable screw anchor columns may be used if they are attached to both the frame rail and to a concrete pad at least four (4) inches thick.

Section 4.03 Occupancy Requirements and Maintenance of a Manufactured Home

- (a) All manufactured homes shall connect to all utilities, unless otherwise unavailable.
- (b) All manufactured homes shall be equipped with smoke detectors.
- (c) All manufactured homes shall have house numbers placed in the direction visible from the street and shall be in accordance to the International Fire Code.
- (d) All ground surfaces of the manufactured home structure, and beneath, shall be graded and equipped to drain all surface water in a safe and efficient manner as not to permit water to stand or become stagnant.
- (e) No manufactured home shall be erected, placed or installed that will alter, disallow, or transform any dedicated easements for poles, wires, conduits, storm sewers, water lines, open drains, gas line, or other utilities, and its purpose.
- (f) Use and occupancy is limited to single-family residential only and only in city approved mobile/manufactured home parks or subdivisions.
- (g) Manufactured housing is habitable only if there is no defect or deterioration in or damage to the home that creates a dangerous situation; the plumbing, heating, and electrical systems are in safe working order; the walls, floor, and roof are free from a substantial opening that was not designed, are structurally sound, and all exterior doors and windows are in place and operate properly.
- (h) Alterations and additions shall not be made to manufactured homes which are not approved by HUD and/or TDHCA Standards/Rules and no person shall repair or otherwise alter a used manufactured home or replace a component or system of a used manufactured home in a way that makes the home not habitable.
- (i) The areas under a manufactured home shall not be used for storage.
- (j) Grounds, buildings, and structures in and around manufactured homes shall be maintained free of accumulations of debris, over-growth of brush, weeds, and grass, and be free from breeding places for flies, mosquitoes, rodent harborage, and other pests.
- (k) All manufactured homes shall have and maintain adequate access upon and/or to a street or driveway.
- (l) All manufactured homes shall have and maintain adequate off-street parking.
- (m) A building permit application along with plan submittal is required for all structures to be constructed or placed in conjunction with a manufactured home. All structures outside the manufactured home shall be of the same color and design as the manufactured home.
- (n) Accessory structures may not be allowed outside the building lines.
- (o) Maintain safe and sanitary utility connections.
- (p) Electrical circuits supplying the accessory structure shall be independent of the circuit supplying the manufactured home.

- (q) All electrical installations and the connection of all manufactured homes, manufactured home equipment, and accessory buildings shall comply with the applicable provisions of the National Electrical Code, International Fire Code, the International Residential Code, and the International Building Code.
- (r) All plumbing and gas installations and the connection of all manufactured homes, manufactured home equipment, and accessory buildings shall comply with the applicable provisions of the International Plumbing Code, International Fire Code, the International Fuel Gas Code, the International Residential Code and the International Building Code.
- (s) Natural Gas, as provided by the Public or Private Utility Provider, shall be the required source of fuel for building services and appliances should the home be equipped with Natural Gas appliances. The use of fuel oil, liquid propane, liquefied petroleum gas, butane, or other alternative fuels shall not be allowed for use to serve or supply building systems or appliances equipped with Natural Gas appliances.
 - I. **Exception:** This shall not apply to listed portable devices normally used on the exterior of buildings. The Building/Fire Official shall have the authority to approve such use in cases so deemed necessary.

Section 4.04 Finalization of placement/ occupancy permit.

Except as otherwise specifically provided in this ordinance, it shall be unlawful for any person to make use of any utility service or to furnish any utility service to any manufactured home which has been placed or replaced within the city until and unless the placement permit therefor has been issued and finalized. A placement permit shall be finalized by the City Building Official or designee and occupancy of the manufactured home shall be authorized when:

- (a) The applicant has obtained all applicable permits and inspections under this ordinance and any building codes adopted by the City, or any applicable state codes.
- (b) The building official has found that the manufactured home and its placement meet all applicable requirements of the City's ordinances, International Code Council codes, and all state laws which may be enforced by the City of Nixon, Texas.

Article V. Manufactured home park standards, rules and regulations, and construction and installation.

Section 5.01 Manufactured home park standards.

- (a) Manufactured/Mobile Home Park shall comply with all of the City's applicable building and design regulations, codes and regulations for all utilities, roads, open space, water, and sewer, electrical and gas.
- (b) All manufactured homes erected, installed or placed in a Manufactured/Mobile Home Park shall comply with all requirements of this ordinance, unless specifically regulated within this Article of this ordinance.
- (c) The site is a contiguous development of land containing at least 2.0 acres of land and there shall be a maximum of eight (8) Manufactured homes per acre.
- (d) Manufactured homes shall not exceed the minimum age requirement of ten (10) years from the date of application.
- (e) Designations clearly showing:
 - I. Each lot designed for recreational vehicles;
 - II. Each lot designed for dependent recreational vehicles;
 - III. Each lot designed for self-contained recreational vehicles not connected to the park's utilities; and
 - IV. Each lot designed for manufactured homes, specifically not including recreational vehicles.
- (f) Manufactured Home Parks, when playground space is provided, must be so designated and must be protected from traffic, thoroughfares, and parking areas.

- (g) Common Walks areas.
 - I. All manufactured home parks shall be provided with safe, convenient, all-season pedestrian access of adequate width for intended use, durable and convenient to maintain. Sudden changes in alignment and gradient shall be avoided.
 - II. A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks shall have a minimum width of five (5) feet.
 - III. All manufactured home lots shall be connected to common walks, or to streets, or to driveways, or to parking spaces. Such individual walks shall have a minimum width of four (4) feet.
- (h) Have a minimum of two (2) off-street parking spaces per Manufactured home.
- (i) No valid and applicable deed restrictions or other land use restrictions prohibit the development or use of the site as a Manufactured home park.
- (j) Soil conditions, ground water level, drainage and topography do not constitute hazards to the residence health or safety.
- (k) It is unlawful for any person to construct, alter, or extend any Manufactured Home Park within the City without first obtaining a valid building permit issued by the building official.
- (l) Each space shall have its own separate utility connection for water, sewer, telephone, electricity, and gas, unless otherwise unavailable to site.
- (m) The park shall be located on a well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.
- (n) It shall be the responsibility of the manufactured homeowner to provide adequate tie-downs of the manufactured home. It shall be the responsibility of the manufactured home park owner or his agent to assure the lot shall not heave, shift, or settle unevenly, under the weight of the manufactured home due to inadequate design or drainage.
- (o) Each Manufactured home lot space shall:
 - I. Contain at least 4,000 square feet.
 - II. Be at least thirty-five (35) feet wide at the front lot line.
- (p) A Manufactured home shall be harbored on each lot so that:
 - I. There shall be a minimum clearance of twenty-five (25) feet from front of lot line.
 - II. There shall be minimum ten (10) feet side clearance between each manufactured home.
 - III. There shall be a minimum clearance often (10) feet from rear of lot line.
 - IV. There shall be at least thirty (30) feet clearance between manufactured home and any building within the park or from any property line bounding the park, except, storage building.
- (q) All manufactured home lots shall abut upon a street or driveway and shall meet the following requirements:
 - I. A minimum of 30 feet wide dedicated street right-of-way width with a fire lane.
 - II. Entrance and collector streets shall be at least thirty (30) feet wide, back of curb, to back of curb with a fire lane.
 - III. All other streets or driveways shall be at least thirty (30) feet wide, back of curb, to back of curb with fire lane.
 - IV. If fire lane cannot be provided, then the minimum road width shall be at least sixty (60) feet wide.
- (r) All streets or driveways shall be well marked and lighted at night with streetlights.
- (s) All manufactured homes shall be skirted with material and color that matches the exterior of the manufactured home.
- (t) Water Distribution system for Manufactured home parks and Manufactured home subdivisions.
 - I. Adequate, safe, and potable supply of water shall be provided from the public water supply system as approved by the City.
 - II. The distance between fire hydrants located along the private street shall not exceed three hundred (300) feet to ensure adequate fire protection.
 - III. Water mains, if installed parallel to sewer lines, shall be separated by at least ten feet horizontally from any sanitary sewer, storm sewer or sewer manhole, unless alternate methods of installation are approved.
 - IV. Individual water riser pipes shall be located within the area of the manufactured home lot and approximately 30 feet from the front of such lot.

- V. Water riser pipes shall extend at least four inches above ground elevation. The pipe diameter shall be at least $\frac{3}{4}$ inch and may not be plastic or PVC. The water outlet shall be securely capped when a manufactured home does not occupy the lot.
 - VI. Adequate provisions shall be made to protect piping from physical damage and to prevent freezing of service lines, valves, and riser pipes. Surface drainage shall be diverted from the location of the riser pipes.
 - VII. A shutoff valve located at a sufficient depth to prevent freezing or otherwise protected from freezing shall be provided for the water riser pipe on each manufactured home lot.
- (u) Individual sewer connections for manufactured home parks and manufactured home subdivisions.
- I. Sewer lines and connection must comply with the International Residential Code and the International Plumbing Code.
 - II. Each manufactured home lot shall be provided with a four-inch diameter sewer riser pipe. The sewer riser pipe shall be located within the area of the manufactured home lot.
 - III. All materials used for sewer connections shall be as prescribed and approved in the International Plumbing Code.
 - IV. Provisions shall be made for securely sealing the sewer riser pipe when a manufactured home does not occupy the site. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least four inches above ground elevation.
 - V. All sewer lines of the Manufactured Home Park and Manufactured Home Subdivision must be connected to a public sewer.
- (v) Accessory structures shall not be used as complete independent living units with permanent provisions for sleeping, cooking and sanitation.
- I. Accessory structures shall be erected, constructed, or occupied on a manufactured home park lot as directed by the management of the manufactured home park. International Code Council Codes requirements must be adhered to.
 - II. A building permit application along with plan submittal is required for all structures to be constructed or placed on a manufactured home park lot with approval of the City Building Official before the permit may be issued and construction or placement may proceed.
 - III. Accessory structures shall be designed in a manner that will enhance the appearance of the manufactured home park.
 - IV. Accessory structures shall not obstruct emergency or firefighting access.
 - V. Accessory structures may not be allowed outside the building lines.
 - VI. Accessory structures shall not obstruct required openings for light and ventilation of the manufactured home and shall not prevent inspection of manufactured home equipment and utility connections.
 - VII. Construction and electrical installations, unless otherwise specified shall comply with requirements provided for herein; and
 - VIII. Electrical circuits supplying the accessory structure shall be independent of the circuit supplying the manufactured home.
- (w) All electrical installations and the connection of all manufactured homes, manufactured home equipment, and accessory buildings in a manufactured home park and a manufactured home subdivision shall comply with the applicable provisions of the National Electrical Code, International Fire Code, and all other requirements set out by the electrical transmission company.
- I. The meter pole shall be installed such that it provides sufficient height for at least twelve (12) feet of clearance for the electrical drops, be securely buried at least four (4) feet deep, and have at least a five (5) inch diameter top. Poles shall be of material that adequately resists decay.
 - II. The meter-can shall be permanently labeled with the correct address of the lot.
 - III. The main electrical panel shall be properly sized to match the manufactured home currently in use or to be placed on the lot. If the power requirement of the manufactured home is not known a main electrical panel shall be sized to be at least 200-amp. There shall be a single main disconnect on the meter pole.

- (x) Natural Gas, as provided by the Public or Private Utility Provider, shall be the required source of fuel for building services and appliances should the manufactured home be equipped as such. The use of fuel oil, liquid propane, liquefied petroleum gas, butane, or other alternative fuels shall not be allowed for use to serve or supply building systems or appliances.
 - I. Exception: This shall not apply to listed portable devices normally used on the exterior of buildings or may be allowed in approved industrial applications. The Building Official shall have the authority to approve such use in cases so deemed necessary.
 - II. Gas equipment and installation within a Manufactured home park and a Manufactured home subdivision shall be designed and constructed in accordance with the International Plumbing and International Fuel Gas Codes, the appropriate provisions of the International Fire Code, and the standards adopted by reference in those codes.
 - III. A readily accessible and identified shutoff valve controlling the flow of the gas to the entire gas piping system shall be installed near to the point of connection to the service piping.
 - IV. Each manufactured home site shall have an approved gas shutoff valve installed upstream of the manufactured home site gas outlet and located on the outlet riser at a height of not less than four inches above grade. Such valve shall not be located under any manufactured home. Whenever the manufactured home site outlet is not in use, the outlet shall be equipped with an approved cap or plug to prevent accidental discharge of gas.
 - V. Each manufactured home shall be connected to the manufactured home site outlet by an approved ¾ inch manufactured home connector not more than six feet in length.
 - VI. All gas outlet risers, regulators, meters, valves, or other exposed equipment shall be protected from mechanical damage by vehicles or other causes.
 - VII. The manufactured home gas connection shall be installed at the edge of the manufactured home lot.
 - VIII. The meter shall be permanently labeled with the correct address of the lot.

Section 5.02 Rules and Regulations for Manufactured Home Park.

- (a) It shall be the duty of the owner, his agent, representative or manager to prescribe rules and regulations for the management of the park; to make adequate provisions for the enforcement of such rules; and to subscribe to any and all subsequent rules and regulations which may be adopted for the management of such park. In addition, thereto, it shall be the duty of the owner, his agent, representative or manager to comply strictly with the following:
 - I. Provide for regular inspection of all public and private utilities.
 - II. Provide for all collection and removal of garbage and other waste material.
 - III. Prohibit the placing or storage of unsightly material or vehicles of any kind.
 - IV. All sewer taps not in use shall be capped.
 - V. Provide and maintain safe and sanitary public and private utility connections to each Manufactured home lot.
 - VI. The Manufactured home park owner shall provide contact information that is accessible at all times to each resident, for emergencies and repairs to the park.
 - VII. Maintain a neat, clean, sanitary, and safe park.
 - VIII. Ensure that each manufactured home is so placed on the lot in such a manner that the full length of the frame can be firmly blocked to the concrete footings or concrete runners.
 - IX. Each manufactured home lot shall be assigned a number and this number shall be displayed on the street side of the Manufactured home where it must be easily and clearly seen from the center of the street.
 - X. Provide or demand that all manufactured homes have approved skirts within 3 days after being placed.
 - XI. Ensure that the areas under a manufactured home are not used for storage.

- (b) The licensee shall maintain or ensure that an agent maintains a register showing:
- I. The names of persons staying or residing in the park showing the manufactured home lot on which they are staying or residing.
 - II. The serial number of each manufactured home.
 - III. The date each manufactured home is placed in the park and the date it is removed from the park.
 - IV. The date each recreational vehicle is placed in the park and the date it is removed from the park.
- (c) The registers shall be available inside the park for inspection at all reasonable times, and at any time in the case of an emergency, to persons designated. Registers shall be retained for three years.

Article VI. Construction and installation

Section 6.01 Additional construction

- (a) It shall be unlawful for any person operating a mobile home park or occupying a manufactured home to construct or permit to be constructed any additional structure, building or shelter in connection with or attached to a manufactured home, except, however, awnings of canvas or metal, suitably constructed, may be attached to such manufactured home.

Article VII. Liability

Neither the City nor any authorized agent under the terms of this section shall be liable or have any liability by reason of orders issued or work done in compliance with the terms of this ordinance.

Article VIII. Severability Clause

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

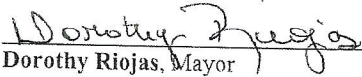
Article IX. Repealer Clause

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


Article X. Effective Date

This ordinance shall become effective immediately upon its passage and publication as provided by law.

PASSED, AND APPROVED by the City Council of the City of Nixon this 9 Day of MAY 2022.


Dorothy Riojas, Mayor
City of Nixon, Texas

ATTEST:


Tanya Torres, City Secretary
City of Nixon, Texas

ORDINANCE NO. O-09-07

**PLATTING AND DEVELOPING OF SUBDIVISION ORDINANCE
OF THE CITY OF NIXON, TEXAS
(Amendment #5-Mobile Homes)**

Age Restrictions on New Placement of Mobile/Manufactured Homes

AN AMENDMENT TO AN EXISTING ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NIXON, TEXAS ENACTING REGULATIONS FOR THE PLACEMENT AND AGE RESTRICTIONS OF MOBILE/MANUFACTURED HOMES WITHIN THE CITY AND ITS EXTRATERRITORIAL JURISDICTION AND PROVIDING FOR REPEAL OF ANY ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, it has come to the attention of the City Council of the City of Nixon, Texas that it is necessary and reasonable for the City to include an amendment to a previously ordained regulation pursuant to ordinance number O-09-07 concerning development regulations within the City and that the present and future uses of property are such that it is reasonably necessary for the existing regulations to be amended by including an amendment to said regulations in order to promote and preserve the health, safety, morals, and general welfare of the community; and

WHEREAS, regulations to meet the demands of Mobile/Manufactured Homes and Mobile/Manufactured Home Parks currently do not exist OR are outdated and in need of revision for the City of Nixon, Texas and said regulations are necessary to promote and preserve the health, safety, morals and general welfare of the community.

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

THAT the attached amendment #5 to Ordinance No. O-09-07 shall constitute as an amendment to current City of Nixon platting and subdivision development regulations as they relate specifically to Mobile Homes and Mobile Home Parks, subject to future amendment, and said amendment and the original Ordinance No. O-09-07 shall govern the uses of property within the City:

CITY OF NIXON
AMENDED AND REVISED
PLATTING AND DEVELOPING OF SUBDIVISION ORDINANCE

Amendment #5-Mobile Homes
(Section 2., paragraph a.):
Age Restrictions on New Placement of Mobile/Manufactured Homes

V. Now, Be It Ordained by the City Council of the City of Nixon, Texas:

2. Mobile/Manufactured Home Requirements.

a. For all mobile/manufactured homes, not already existing within the City limits as of the date of passage of this Amendment number 5, ALL mobile/manufactured homes to be installed and/or placed on any lot within the City Limits or on any property that the City maintains extra territorial jurisdiction, after the date of the passage of this ordinance, the registered year of construction, of said proposed mobile/manufactured home, must be 10 years from the date of manufacture, or newer. The date of manufacture shall be calculated pursuant to the mobile/manufactured home's certificate of title and the date of manufacture listed on said certificate of title.

VI. Ordinance Review and Update

The City of Nixon shall review and update this Ordinance including possible adjustments of fines, fees and costs, as appropriate or as any other new or updated information becomes available, but at a minimum of every five (5) years.

Amendment Applicability.

Any Section or subsection specifically described in this Amendment #5 shall take the place of any Ordinance provision in any prior version, amended or non-amended, in effect prior to the date of passage of this Amendment #5. Any section, subsection, provision or regulation not specifically addressed in this Amendment #5 shall remain in full force and effect as previously ordained. In addition, any and all amendments made pursuant to this Amendment #5 shall not apply to any existing and operational Mobile/Manufactured Home or Mobile/Manufactured Home Park. These amendments shall apply to any and all

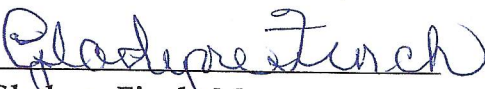
site development plans submitted to the City of Nixon, for approval, after the date of passage of this Amendment #5.

VII. Publication of Caption

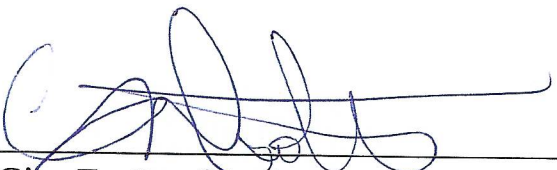
The provisions contained in this Amended Ordinance shall be effective from and after the date of publication of the caption of same in the official City newspaper, in accordance with Texas law.

PASSED AND APPROVED on this 12th day of December 2016.

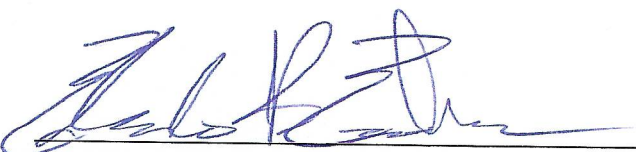
CITY OF NIXON, TEXAS

By: 
Gladyne Finch, Mayor

ATTEST:


Gina Trotter, City Secretary

APPROVED AS TO FORM:


Eduardo "Eddie" Escobar, City Attorney

ORDINANCE NO. O-09-07

PLATTING AND DEVELOPING OF SUBDIVISION ORDINANCE
OF THE CITY OF NIXON, TEXAS (Amendment #2-Mobile Homes)

AN AMENDMENT TO AN EXISTING ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NIXON, TEXAS ENACTING REGULATIONS FOR THE PLATTING AND DEVELOPING OF SUBDIVISIONS WITHIN THE CITY AND ITS EXTRATERRITORIAL JURISDICTION, PROVIDING FOR REPEAL OF ANY ORDINANCES IN CONFLICT THEREWITH AND PROVIDING FOR ENFORCEMENT OF THE PROVISIONS THEREOF.

WHEREAS, it has come to the attention of the City Council of the City of Nixon, Texas that it is necessary and reasonable for the City to include an amendment to a previously ordained regulation pursuant to ordinance number O-09-07 concerning platting and subdivision development regulations within the City and that the present and future uses of property are such that it is reasonably necessary for the existing regulations to be amended by including an amendment to said regulations in order to promote and preserve the health, safety, morals, and general welfare of the community; and

WHEREAS, regulations for the placement of mobile homes currently exist for the City of Nixon, Texas and said regulations are necessary to promote and preserve the health, safety, morals and general welfare of the community; and

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

THAT the attached amendment to Ordinance No. O-09-07 shall constitute as an amendment to current City of Nixon platting and subdivision development regulations, subject to future amendment, and said addendum and the original Ordinance No. O-09-07 shall govern the uses of property within the City: