

STATE OF TEXAS)

COUNTY OF ELLIS)

AFFIDAVIT AS TO ANY FACT

WE, the undersigned Commissioners of the Town of Bardwell, Ellis County, Texas, hereby state that Ordinance No. 85-1, entitled "Regulation of Mobile Homes", attached hereto as Exhibit "A", is in effect at the present time and will remain in force. Specifically Section D., entitled Permit Conditions, will be enforced and within said section it is stated that the size of the lots for the mobile homes shall be a minimum of 75' feet in width.

Also please be advised that in Blocks 39 and 42 of the Town of Bardwell, Ellis County, Texas, the size of the lot requirements will not be increased in the future.

As per City requirement and as per the Earnest Money Contract dated January 11, 1988, between GEORGE GRAMMER et ux MILDRED GRAMMER, as Sellers, and ROY VELDMAN and OBE VELDMAN, as Buyers, said Buyers will be required to install metal culverts at all drives, the size being 15" in diameter by 24 'long.

Dated this 12 day of January, 1988.

George Grammer
George Grammer, Mayor

Leo Venable
Leo Venable, Commissioner

A. B. Poarch
A. B. Poarch, Commissioner

CITY OF BARDWELL, TEXAS

ORDINANCE NO. 85-1

"REGULATION OF MOBILE HOMES"

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BARDWELL, TEXAS, REQUIRING MOBILE HOMES TO OBTAIN A CITY PERMIT; PROVIDING APPLICATION PROCEDURES AND APPLICATION FEE; ESTABLISHING PERMIT CONDITIONS; ALLOWING EXCEPTIONS; RELEASING CITY FROM LIABILITY; REPEALING CONFLICTING ORDINANCES; ESTABLISHING A PENALTY FOR VIOLATIONS NOT TO EXCEED ONE THOUSAND DOLLARS (\$1,000.00); PROVIDING A SERVABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BARDWELL, TEXAS, THAT:

A. DEFINITIONS

The following words, when used in this Ordinance, shall have the meaning respectively ascribed:

- (1) Code Enforcement Officer shall mean a person authorized by the city council to perform the duties described in this Ordinance.
- (2) Mobile home shall mean a structure, transportable in one (1) or more sections, 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.
- (3) Permittee shall mean a person for whom a permit has been issued to place or use a mobile home within the city limits of Bardwell, Texas.
- (4) Person shall mean any individual, corporation, or legal entity.
- (5) City means the City of Bardwell, Ellis County, Texas.

B. PERMIT REQUIRED

- (1) It shall hereafter be unlawful for any person to locate or maintain any mobile home in any place in the City of Bardwell until such person shall first secure a permit from the city council upon written application therefor filed with the city secretary giving the name and address of the applicant and a description of the property upon which said mobile home is to be located. The city council shall refuse to grant any such permit unless the applicant first shows to the satisfaction of the city council that there are adequate public water and sanitary sewer facilities available within reasonable distance of such mobile home location and that the applicant upon said premises shall provide or cause to be provided the same. It shall be unlawful for any person, firm, or corporation to maintain or live in any such mobile home without first obtaining such permit from the City of Bardwell. No permit shall be issued unless the applicant can demonstrate ability to comply with all the terms and provisions of this Ordinance.

C. APPLICATION FOR PERMIT AND FEE

An application for permit to locate a mobile home shall be submitted to the city secretary accompanied by a complete description of the mobile home and a plot plan showing the proposed location of the mobile home.

A non-refundable permit fee of fifteen dollars (\$15.00) shall be submitted with the application.

D. PERMIT CONDITIONS

The following use and maintenance regulations shall be applicable to mobile homes located within the City of Bardwell:

- (1) All mobile homes shall be installed and anchored in accordance with Texas Department of Labor and Standards rules and regulations.
- (2) All mobile homes occupied as living quarters shall contain operable smoke detectors.
- (3) All mobile homes shall have fire resistant skirting installed around the bottom of the mobile home.
- (4) All permits shall be issued subject to compliance with all other applicable codes and ordinances of the City of Bardwell, and with all applicable deed restrictions.

(5) The following set back rules and lot dimensions shall be applicable for every mobile home intended to be occupied as a residence in the city limits of Bardwell, Texas:

- (a) Each mobile home shall be set back from the street right of way at a distance of at least 30 feet;
- (b) Each lot intended to be occupied by a mobile home shall have a minimum width of 75 feet; and
- (c) Every mobile home shall be positioned so that it is located at least 30 feet from the nearest lot line.

E. LIABILITY OF CITY UNDER THIS ORDINANCE

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

ARTICLE II

All Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

ARTICLE III

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction, shall be subject to a fine of not more than one thousand dollars (\$1,000.00). Furthermore, each and every day any such violation of this Ordinance shall continue, following properly served notice, shall constitute a separate and punishable offense.

ARTICLE IV

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of the Ordinance hereby adopted are severable and, if any phrase, clause, sentence, paragraph, or section shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections, since the same would have been enacted by the City Council without the incorporation of any unconstitutional phrase, clause, sentence, paragraph, or section.

ARTICLE V

This Ordinance will take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

PASSED AND APPROVED this 8TH day of MAY, 1985,
by the City Council of the City of Bardwell, Texas.

APPROVED:

George Grammer
Mayor

ATTEST:

Mildred Grammer
City Secretary



LEGAL
City of Bardwell, Texas
Ordinance No. 85-1
"Regulation Of
Mobile Homes"

* An Ordinance of the City Council of
* the City of Bardwell, Texas, requir-
* ing mobile homes to obtain a city
* permit; providing application pro-
* cedures and application fee;
* establishing permit conditions;
* allowing exceptions; releasing city
* from liability; repealing conflicting
* ordinances; establishing a penalty
* for violations not to exceed one thou-
* sand dollars (\$1,000.00); providing a
* severability clause; and providing
* for an effective date.

* Any person violating any of the pro-
* visions of this Ordinance shall be
* deemed guilty of a misdemeanor,
* and upon conviction, shall be subject
* to a fine of not more than one thou-
* sand dollars (\$1,000.00). Further-
* more, each and every day any such
* violation of this Ordinance shall con-
* tinue, following properly served
* notice, shall constitute a separate
* and punishable offense.

* **PASSED AND APPROVED** this 8th
* day of May, 1985, by the City Council
* of the City of Bardwell, Texas.

APPROVED:

George Grammer, Mayor

ATTEST:

Mildred Grammer, city secretary

5/10,12,13,14,15,16,17,19,20,21