



# City of Bevil Oaks

THE STATE OF TEXAS  
THE COUNTY OF JEFFERSON  
THE CITY OF BEVIL OAKS

## RESOLUTION

#2019-0221A

**RESOLUTION CONCERNING APPROVAL OF EXTENDING THE DEADLINE TO HOMEOWNERS LIVING IN TEMPORARY HOUSING UNITS (thus) PROVIDED BY FEMA AND THE TEXAS GENERAL LAND OFFICE (GLO) TO AUGUST 25, 2019.**

**WHEREAS**, the City of Bevil Oaks (the "City") desires to cooperate with its homeowners, and with FEMA and GLO, to allow homeowners to remain in their current THU through August 25, 2019;

**WHEREAS**, it is the understanding of the City that, to remain in their THU until August 25, 2019, a homeowner must have an active PHP (Permanent Housing Plan) in place and must pay rent;

**WHEREAS**, the City is prepared to provide a formal variance to Ordinance #241, allowing the THU to remain on the homeowner's property until August 25, 2019, provided the homeowner furnishes the City with evidence that he/she has an active PHP in place along with a rental agreement to pay rent to either FEMA or GLO that is current and in good standing.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Bevil Oaks that the resolution to extend the deadline to allow THUs to remain in the City until August 25, 2019 if approved this 21st day of February, 2019.

ATTEST:

Rebecca M. Ford, mayor

Michelle Nelson  
City Secretary

**Things to seriously consider when making your decision regarding the Resolution to approve the extension to allow Temporary Housing Units (THUs) to remain in the City until August 25, 2019:**

1. To do so, we allow those homeowners, who are seriously working on their properties in accordance with FEMA/GLO standards, another 6 months to hopefully complete projects that others have done in less than 1 ½ years regardless of reason.
2. Since January 30, 2019, the number of THU's has reduced from 67 to 39 (including RVs) and another one was moving out yesterday afternoon from Niagara. **As of this morning (2/19/2019) and according to AECOM, we have 12 THUs that are Category 410 which means that they have active Permanent Housing Plans (PHP) in place and will rent until PHP is complete. The other 27 are in various stages of moving out or preparing to move out. They have no desire to remain or to rent and their PHP has either been completed or terminated.**
3. At our last meeting, Councilwoman Nelson made a very good point. Our citizens need to comply with FEMA/GLO regulations and allow them to remove the THUs at no cost rather than have the City requiring them to move it later when it will cost literally thousands of dollars to move at the homeowner's expense not to consider the legal expense the City will incur.
4. As I drove our streets yesterday afternoon, personally counting and documenting the location of every THU in Bevil Oaks, I was stunned at the number of empty structures with absolutely no sign of any restoration going on. We are a long way from recovery and a long way from seeing homes sell at the pace we need to bring this community back to life. Fortunately, those that have sold were to families with children. We do not need to add to our code enforcement problems.
5. Last and most important, **WE REPRESENT THIS ENTIRE COMMUNITY!** Not just the small group that would have everyone believe that City government is corrupt, among other things, and that our goal in existing is simply to prevent them from buying their THU! Consider the investors who need to sell these pretty new homes and the homeowners who have struggled to bring their homes and lawns back to pre-flood condition. They are counting on this Council to protect their vested interests in this community as well. **They are the ones who have already shown that they are totally invested in our City and deserve our commitment to honoring the terms of Ordinance 241.**
6. We encourage you to do the right thing and help those who are helping themselves and approve this resolution.

ORDINANCE NO. 241

AN ORDINANCE AMENDING ORDINANCE NO. 191 OF THE CODE OF ORDINANCES OF THE CITY OF BEVIL OAKS, AND REGULATING MOBILE HOMES AND MANUFACTURED HOMES ON PUBLIC AND PRIVATE PROPERTY, DEFINING: AGENT, BUILDING OFFICIAL, CERTIFICATE OF OCCUPANCY, CITY COUNCIL, HEALTH OFFICER, CITY OFFICIAL, COMMON ACCESS ROUTE/INTERNAL STREET, DRIVE-WAY, FIRE CHIEF, LICENSE, LICENSEE, MOBIL HOME, MOBILE HOME PARK, MANUFACTURED HOME, MANUFACTURED HOME PARK, PARKING STREET, OFF-STREET PERMIT, PERSON, PLOT, PLAN/SITE PLAN, POLICE CHIEF, REPLACEMENT, SERVICE BUILDING, SEWER CONNECTION, SEWER SERVICE RISER PIPE, SPACE, MOBILE HOME PAD, WATER CONNECTION, WATER RISER PIPE; PROVIDING MINIMUM MOBILE HOME PARK AND MANUFACTURED HOME PARK STANDARDS; ESTABLISHING REQUIREMENTS FOR THE DESIGN, CONSTRUCTION, ALTERATION, EXTENSION AND MAINTENANCE OF MOBILE HOME AND MANUFACTURED HOME PARKS AND RELATED UTILITIES AND FACILITIES; AUTHORIZING THE ISSUANCE OF PERMITS FOR CONSTRUCTION, ALTERATION AND EXTENSION OF MOBILE HOME AND MANUFACTURED HOME PARKS; AUTHORIZING THE INSPECTION OF MOBILE HOME AND MANUFACTURED HOME PARKS; AND AUTHORIZING THE CITY SECRETARY TO PUBLISH A DESCRIPTIVE CAPTION OR TITLE; PROVIDING FOR A PENALTY, INCLUDING A FINE OF NOT LESS THAN \$1.00 NOR MORE THAN \$200.00 PER VIOLATION AND PROVIDING A SEVERABILITY CLAUSE.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEVIL OAKS:

That Ordinance No. 191 of the Code of Ordinances of the City of Bevil Oaks is hereby amended contain the following additional language:

WHEREAS, the City Council of the City of Bevil Oaks finds that the welfare and safety of the citizens of the City of Bevil Oaks, Texas, requires the City Council to regulate the location and placement of mobile home and manufactured homes within the City; and

WHEREAS, the City Council further finds that the existing Ordinance No 149 of the Code of Ordinances of the City of Bevil Oaks fails to adequately regulate the placement and location of mobile homes and mobile home parks, manufactured homes and manufactured home parks within the City of Bevil Oaks and that the same should be amended; and

WHEREAS, the City Council further finds that it is necessary to safeguard the health and safety of the Citizens of the City of Bevil Oaks, Texas to regulate the location and placement of recreational vehicles within the City;<sup>1</sup>

The City Council of the City of Bevil Oaks further finds that the health and welfare of the community of the City of Bevil Oaks requires that mobile home and manufactured homes be prohibited from being located within its city limits unless they are located in an authorized mobile home or manufactured home park that is regulated in accordance with this Ordinance; accordingly,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEVIL OAKS:

Section 1. Definitions - For the purpose of this Ordinance, certain terms, words and phrases shall have the meaning herein after ascribed thereto.

- A. Agent - Any person authorized by the licensee of a mobile home or manufactured home park to operate or maintain such park under the provisions of this Ordinance.

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<sup>1</sup> The foregoing passage (in bold lettering) was added by amendment through the passage of Ordinance 241.

- B. Building Official -- The Mayor of the City of Bevil Oaks or his duly authorized representative.
- C. Certificate of occupancy -- Certificate issued by the City Council for the use of a building, structure, and/or land, when it is determined by the Building Inspector that the building, structure, and/or land complies with the provisions of all applicable City codes, ordinances and regulations.
- D. City Council -- Governing body of the City of Bevil Oaks, Texas
- E. Health Officer -- Legally designated health inspector or his authorized representative.
- F. City Official -- Legally designated head of a City department or his authorized representative when acting in an official capacity.
- G. Common Access Route/Internal Street -- Private drive allowing principal means of access to individual mobile home or manufactured home lots or auxiliary buildings.
- H. Drive-Way -- Minor entranceway off the common access route within the park, into an off-street parking area serving one or more mobile homes or manufactured homes.
- I. Fire Chief -- Legally designated Chief of the Jefferson County Emergency Services District #1 Volunteer Fire Department or his authorized representative.
- J. License -- Written license issued by the City Council, or its authorized representative, permitting a person to operate and maintain a mobile home park or a manufactured home park under the provisions of this Ordinance.
- K. Licensee -- Any person licensed to operate and maintain a mobile home park or a manufactured home park under the provisions of this Ordinance.
- L. Mobile Home -- A structure that was constructed to be transported in one or more sections, which in the traveling mode is eight body feet or more in width and 40 body feet or more in length 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.
- M. Manufactured Home -- A HUD-Code Manufactured Home is a structure, constructed on or after June 15, 1975, 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 body feet or more in width, 40 body feet or more in length, or when erected on a site 320 or more square feet, and which is built on a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, electrical systems.
- N. Mobile or Manufactured Home Park -- Any plot of ground upon which two (2) or more mobile homes or manufactured homes are located and occupied for dwelling purposes whether or not a charge is made for such accommodations.
- O. Parking Street, Off-Street -- A minimum space nine (9') feet in width by eighteen (18') feet in length, located within the boundary of a mobile home or manufactured home space, or in the common parking and storage area having unobstructed access to an internal street.
- P. Permit -- Written permit/certification issued by the City Council permitting the construction, alteration, or extension of a mobile home or manufactured home park, under the provisions of this Ordinance and regulations issued hereunder.

- Q. Plot Plan/Site Plan – Graphic presentation, drawn to scale, in a horizontal plan, 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.
- R. Police Chief – Legally designated Marshal of the City, or his authorized representative.
- S. Replacement – Act of moving one mobile home or manufactured home from its existing stand and replacing it with another mobile home or manufactured home.
- T. Service Building – structure housing a toilet, lavatory, and such other facilities as may be required by this Ordinance.
- U. Sewer Connection – Connection consisting of pipes, fittings, and appurtenances from the drain outlet of a mobile home or manufactured home to the inlet of the corresponding sewer service riser pipe of the sewage system serving the mobile home or manufactured home park.
- V. Sewer Service Riser Pipe – That portion of sewer service which extends vertically to the ground elevation and terminates at a mobile home or manufactured home space.
- W. Space – Plot of ground within a mobile home or manufactured home park designed for accommodation of one mobile home or one manufactured home, together with such open space as required by this Ordinance. Term includes “lot”, “pad”, “site”, and “stand”.
- X. Mobile Home/Manufacture Home Pad – The rectangular area on which a mobile home or manufactured home is to be located.
- Y. Water Connection – Connection consisting of pipes, fittings, and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within mobile home or manufactured home.
- Z. Water Riser Pipe – That portion of the private water service system serving a mobile home or manufactured home park, which extends vertically to the ground elevation and terminates at a designated location at a mobile home or manufactured home space.
- AA. **Recreational Vehicle -- This means any of the following while in use as a residence.**
  - a. **Travel Trailer - Means a vehicular, portable structure built on a chassis, designed to be used as a temporary identified travel trailer by the manufacturer of the trailer, and when factory equipped for the road, it shall have a body width not exceeding eight feet and a body length not exceeding state maximum.**
  - b. **Motor Home - Means a motor vehicle equipped like a travel trailer and which is a portable, temporary dwelling to be used for travel, recreation and vacation.**
  - c. **Dependent Trailer- Means a Travel Trailer which is dependent upon a service building for toilet and lavatory facilities.**
  - d. **Self-Contained Trailer - Means a Travel Trailer which can operate independent of connections to sewer, water and electric systems. It contains a water-flushed toilet, lavatory, shower and kitchen, sink, all**

**of which are connected to water storage and sewage-holding tanks located within the trailer.<sup>2</sup>**

Section 2. Permit Required. It shall be unlawful for any person to locate or maintain any mobile home or manufactured home **or Recreational Vehicle<sup>3</sup>** in any place in the City other than a duly licensed and lawfully operated mobile home or manufactured home park. The City of Bevil Oaks reserves the right to grandfather present mobile homes and parks provided the owner secures a permit from the City Council. The City Council may refuse to grant any such permit unless the applicant shall first show to the satisfaction of the Council that the mobile home or manufacture home or park is in compliance with the terms of this ordinance including, but not limited to, location, water and sewer facilities, overall condition and habitability of the mobile home or manufactured home. It shall be unlawful for any person to maintain, locate, or live in any such mobile home or manufactured home without first obtaining such permit. No permit will be issued to locate a mobile home or manufactured home on a lot in a section of the City that is deed restricted.

- 1) A permit shall not be issued for the construction or occupancy of a permanent residential structure in any mobile home or manufactured home park with the following exception:
  - a) One existing residential structure may be retained or one new residential structure may be constructed for occupancy of owner/operator of the park.
  - b) An existing residence may be converted to a clubhouse, community center or service building for use by the residents of the mobile home or Manufactured Home Park.
  - c) No residential or other structure on the premises shall be permitted except as provided in this Ordinance.
- 2) Permit Required – It shall be unlawful for any person to construct, alter or extend any mobile home or manufactured home park within the limits of the City of Bevil Oaks unless he holds a valid permit issued by the Building Official in the name of such person for the specific construction, alteration or extension proposed.
- 3) Application Requirements – All applications for permits shall contain the following minimum information:
  - a) Name and address of the applicant.
  - b) Location and legal description of the mobile home or manufactured home park shown on a plat prepared by a registered surveyor
  - c) To this application shall be attached five (5) copies of a site plan, at a minimum scale of 1" -50' for sites of 30 acres or more, and a minimum scale of 1" – 25' for sites under 30 acres. The site plan shall include all data required under Section 6. One print of the plot plan is to be circulated by the Building Official to each of the departments designated in Section 7 of this ordinance for approval prior to issuing the permit. This plot plan does not replace or supersede the subdivision plot of the property required by State law to be recorded in the County Records of the County in which the property is located after review and approval of the City Council.

Section 3. Licenses.

A. License Required: It shall be unlawful for any person to operate any mobile home or Manufactured home park within the limits of the City of Bevil Oaks unless he holds a valid license issued annually by the City Council in the name of such person for the specific park. All applications for licenses shall be made, in writing on forms furnished to him by the City Council who shall issue a license upon compliance by the applicant with provisions of this Ordinance. The City Council shall not issue a license unless the applicant is a valid holder of a Certificate of Occupancy. At any time a Certificate of Occupancy is revoked, the license is automatically void.

<sup>2</sup> The foregoing passage (in bold lettering) was added by amendment through the passage of Ordinance 241.

<sup>3</sup> The foregoing phrase (in bold lettering) was added by amendment through the passage of Ordinance 241.

- B. Application for Original License: Application for original license shall be in writing signed by the applicant, accompanied by an affidavit of the applicant as to the truth of the application and by the deposit of the license fee hereinafter provided, and shall contain:
- 1) The name and address of applicant
  - 2) The location and legal description of the park
  - 3) A site plan of the park showing all mobile home or manufactured home spaces, structures, roads, walkways, and other service facilities.
  - 4) Before the original license is issued, the City Council shall obtain the approval of the Fire Chief on the fire fighting appliances, water supply access ways, or other applicable conditions as meeting fire safety requirements and from the Bevil Oaks Municipal Utility District concerning water and sewer facilities and health conditions.
  - 5) Such further information as may be requested by the City council to enable it to determine if the mobile home park or manufactured home park will comply with the legal requirements.
- C. Hearing Granted Applicants – Any person whose application for a license under this Ordinance has been denied may request and shall be granted a hearing on the matter before the City Council under the procedure provided in Section 6 of this Ordinance.
- D. Application for License Renewal – Application for renewal of a license shall be made in writing by the licensee on forms furnished by the City Council on or before December 15 of each year. Such application shall contain any change in the information occurring after the original license was issued or the latest renewal granted. Before the renewal license is issued, the City Council shall obtain the approval of the Fire Chief on the fire fighting appliances, water supply, access ways or other applicable safety requirement conditions and the approval of the Bevil Oaks Municipal Utility District concerning water and sewer facilities and other health conditions.
- E. License Fee – all original license applications or renewals hereof shall be accompanied by a fee of One Hundred (\$100.00). All renewal fees shall be due on December 31 of each year.
- F. Transfer of License – Every person holding a license shall give notice in writing to the City Council within thirty days after having sold, transferred, given away or otherwise disposed of interest in or control of any mobile home or manufactured home park. Application for transfer of license shall be made within five (5) calendar days after notification of change covered in sentence one of this paragraph. Within five (5) calendar days thereafter, the City shall act on the application for license transfer and it shall be approved if the park is in compliance with the provisions of this Ordinance.
- G. Transfer of License Fee – All applications for license transfer shall be accompanied by a fee of Fifty Dollars (\$50.00).
- H. Violations, Notice, Suspension of License – Whenever, upon inspection of any mobile home or manufactured home park, the Building Official, after consultation with the City Official/Officials he deems competent to judge, finds that conditions or practices exist which are in violation of any provision of this Ordinance applicable to such park, he shall give notice to the licensee or his agent that unless such conditions or practices are corrected within a reasonable period of time specified in such notice, the license shall be suspended. At the end of such period of time, the Building Official shall re-inspect such park, requesting assistance from other City departments as may be required, and if such conditions or practices have not been corrected, he shall suspend the license and give notice in writing of such suspension to the licensee or his agent. Upon receipt of notice of suspension, licensee shall cease operation of such park within ten (10) days after the notice is issued, except as provided in Section 6 hereof.

Section 4. Construction and Additions. Any additional structure, building or shelter constructed or permitted to be constructed by any person operating a mobile home or manufactured home park or occupying a mobile home or manufactured home shall be in conformance with the requirements of this Ordinance and with all other building, safety and health ordinances of the City of Bevil Oaks or any other governmental entity.

Section 5. Inspection.

- A. Inspection Required – The Building Official, the Health Officer, the fire Chief, and Police Chief are hereby authorized and directed to make such inspections as are necessary to determine compliance with this ordinance.
- B. Entry on Premises – The building Official, the Health Officer, the fire Chief, and Police Chief shall have the power to enter at reasonable times upon any private/public property for the purpose of inspecting and investigating conditions related to the enforcement of this Ordinance.
- C. Inspection of Register -- The building Official, the Health Officer, the fire Chief, and Police Chief shall have the power and authority in discharging their official duties to inspect the register containing a record of all residents of the mobile home or manufactured home park.
- D. Duty of Occupants – It shall be the duty of the occupant(s) of a mobile home or manufactured home park to give the licensee, his agent, or authorized employee access to any part of such park at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this Ordinance.

Section 6. Notices, Hearings and Orders.

- A. Notice of Violations, Requirements of Notice – Whenever it is determined that there are grounds to believe that there has been a violation of any provisions of this ordinance, the Building Official shall give notice of such alleged violation to the licensee or 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 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.
- B. Appeal from Denial of Permit by Building Official – Any person affected by the refusal of the Building Official to issue a permit under the provisions of this Ordinance as set out in Section 2 hereof, may request and shall be granted a hearing on the matter before the City Council provided that such person shall file within thirty (30) days after the day the permit was refused, in the office of the City Secretary a written petition requesting such hearing and setting forth a brief statement of the grounds thereof. Upon receipt of such petition, the Building Official and the City Secretary shall request the City Council to set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard and to show why such refusal should be modified or withdrawn.
- C. Appeal from Notice by Building Official – Any person affected by a notice which has been issued in connection with the enforcement of any provision of this Ordinance applicable to such park, by the Building Official may request and shall be granted a hearing on the matter before the City Council; provided that such person shall file within thirty (30) days after the date the notice was served, in the office of the City Secretary, a written petition requesting such hearing and setting forth a brief statement of grounds therefore. The filing of the request for a hearing shall operate as a stay of the notice of suspension, except in case of order issued under Section 6 of this Ordinance. Upon receipt



of such petition, the Building Official and City Secretary shall request the City Council to set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing, petitioner shall be given opportunity to be heard and to show why such notice should be modified or withdrawn.

- D. Hearing; Order – After such hearing, the City Council shall issue an order in writing sustaining, modifying or withdrawing the refusal, served as provided in Section 6 hereof. Upon failure to comply with City Council order sustaining or modifying decision thereof, the occupancy permit and the license of the park affected by the order shall be revoked.
- E. Order Without Notice – Whenever the Building Official finds that an emergency exists which requires immediate action to protect the public health or safety, he may without notice or hearing issue an order reciting the existence of such an emergency and requiring that action be taken as he may deem necessary to meet the emergency. Notwithstanding any other provisions of this Ordinance, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith in ten (10) days, and upon written petition to the City Council shall be afforded a hearing as soon as possible. The provisions of Section 6 of this Ordinance shall be applicable to such hearing and the Order issued thereafter.

#### Section 7. Mobile Home or Manufactured Home Parks.

- A. Site Plan – the Site Plan shall be filed as required by Section 2 of this Ordinance and shall show the following:
  - 1) Area and dimensions of the tract of land, with identification of location and boundaries;
  - 2) The number, location and size of all mobile home or manufactured home spaces;
  - 3) The location and specifications of water and sewer lines and riser pipes;
  - 4) The location, width and specifications of driveways, roadways, and walkways;
  - 5) The location of lighting, electrical and gas systems;
  - 6) The location and specifications of all buildings constructed or to be constructed within the park;
  - 7) Existing and proposed topography of the mobile home or manufactured home park;
  - 8) The location of fire mains, including size, the hydrants, and any other equipment which may be provided;
  - 9) Such other information as municipal reviewing officials may reasonably require.
  - 10) A print of the site or plot plan shall be circulated to the following city departments by the Building Official (police, fire, street and planning committee) and approval obtained from them prior to the issuance of a permit.
- B. Site Requirements – Any mobile home or manufactured home park constructed after adoption of this Ordinance, and any extension/addition to an existing park in the City shall be done in compliance with the following site requirements:
  - 1) Location – A mobile home or manufactured home park shall have no more than six (6) spaces per acre.
  - 2) Basic Mobile Home or Manufactured Home Minimum Site Requirements:
    - a. Height Regulations:
      - 1. The height limit for any structure intended for occupancy in the park shall be 35 feet.
      - 2. The average height of the mobile home or manufactured home frame above ground elevation, measured a 90° to the frame, shall not exceed four feet from the top of the pad
    - b. Spacing Regulations – mobile homes and manufactured homes shall not be located any closer than twenty (20) feet side to side and ten (20') feet front to rear.

- c. Fencing Regulations – All designated mobile home or manufactured home park playgrounds shall be surrounded by a chain link fence at least four (4') feet in height.
- d. Drainage – The ground surface in all parts of a park shall be graded and equipped to drain all surface water in a safe, efficient manner.
- e. Design and Location of Storage Facilities – Unless provided in current models, storage facilities with a minimum capacity of 200 cubic feet per mobile home or manufactured home may be provided on the space, or in compounds located within 100 feet of the space. Where provided, storage facilities shall be faced with a durable, fire resistant material. Storage outside the perimeter walls of the mobile home or manufactured home shall be permitted only if in such facilities.
- f. Mobile Home or Manufactured Home Pads – The area of pad or space shall provide adequate support and drainage for placement of the mobile home or manufactured home.
- g. Access to Public Road – Abut and/or have access to a public dedicated street for a minimum distance of 28 feet
- h. Foundation – prior to occupancy of any mobile home or manufactured home lot, it must be provided with a pad or foundation for the placement of a single family mobile home or manufactured home, said pad shall be:
  - 1) Asphalt, concrete, or other comparable and acceptable material which is impervious to plant material such as weeds, grass, and shrubs.
  - 2) Minimum shall be the same size as the mobile home or manufactured home to be placed on the lot. Said pad shall be provided by the Licensee.
- i. No Access from Public Street – No vehicular or pedestrian access to a mobile home or manufactured home lot is permitted from a public dedicated street not completely contained or located within the tract of land authorized as a mobile home or manufactured home park, provided further no access to a mobile home or manufactured home lot is permitted except when the lot directly across the public road is located in the mobile home or manufactured home park and designated as and complying with the standards for a mobile home or manufactured home lot as herein provided.
- j. Setbacks – All mobile home or manufactured home pads and attached mobile homes or manufactured homes and all other structures shall be located as follows:
  - 1) A minimum of fifteen (15') feet from any mobile home or manufactured home park property or boundary line adjacent to a public dedicated street not providing access to the mobile home or manufactured home lot, fences are excluded,
  - 2) A minimum of twenty (20') feet from the front lot line,
  - 3) A minimum of ten (10') feet from the rear lot line,
  - 4) A minimum of ten (10') feet from the side lot line.
- k. Each mobile home or manufactured home park shall be completely enclosed, except for access to a public street with a solid board fence constructed of treated lumber, cypress or cedar, which shall be a minimum of six feet (6') in height.

C. Access; Traffic Circulation; Parking:

- 1) Internal streets, no-parking signs, and street name signs shall be privately owned, built, and maintained. Street shall be designed for safe and convenient access to all spaces and facilities for common use of park residents. Internal streets shall be kept open and free of obstruction so police and fire vehicles may have access to any areas of the park. The Police shall be authorized to issue citations for violation of the provisions hereof and to remove and impound offending vehicles.
- 2) On all sections of the internal streets on which parking is prohibited under this Ordinance, the owner or agent shall erect signs prohibiting parking. The sign dimensions and location shall be approved by the Building Official prior to installation.

3) All internal streets shall be constructed to specifications set by the City Council and shall be maintained by the owner/agent free of cracks, holes, and other hazards. Internal streets shall be designed in accordance with good engineering design and shall be approved by the Building Official

4) Internal Street Dimensions; Parking;

- a. Internal street or common access route shall be provided to each mobile home or manufactured home space. Such street shall have a minimum width of 20 feet if off-street parking is provided with two (2) parking spaces for each mobile home or manufactured home space. On-street parking shall be limited to one side of the street. The internal streets shall be continuous and connect with other internal streets or with public streets, or shall be provided with a cul-de-sac having a minimum diameter of 76 feet or shall have adequate space to turn around garbage truck, fire truck and large vehicles.
- b. If no off-street parking is provided or is provided in a ratio of less than two spaces for each home site, the minimum street width shall be 28 feet. All other requirements remain the same as in paragraph (1) with the exception that parking will be permitted on both sides of the street.

5) If the park is constructed with internal streets having a width less than 28 feet, off-street parking shall be provided on each mobile home or manufactured home space in the ratio of two spaces for each home site. Each parking space shall have a suitable hard surface, located so as to eliminate interference with access to parking areas for other homes and for public parking in the park.

6) Internal streets shall permit unobstructed access to within at least 200 feet of any portion of each mobile home or manufactured home.

7) Within each mobile home or manufactured home park, streets shall be named, and trailer coaches numbered. Park signs and numbers shall be of standard size and placement to facilitate location by emergency vehicles.

8) Interior streets shall intersect adjoining public streets at approximately 90° and at locations which will eliminate or reduce interference with traffic on public streets.

D. Street Lighting – Street lighting within the mobile home or manufactured home park shall be provided by one lamp of at least 175 watts (mercury vapor) or 100 watts (high pressure sodium) per three-quarter acre of mobile home or manufactured home park area.

E. Fire Safety Standards:

1) Storage and Handling of Liquefied Petroleum Gases – In parks in which liquefied petroleum gases are stored and dispensed, their handling and storage shall comply with requirements of all applicable City and State codes and ordinances.

2) Storage and Handling of Flammable Liquids – In parks where gasoline, oil, or other flammable liquids are stored and/or dispensed, handling and storage shall comply with all applicable City and State codes and ordinances.

3) Access to Mobile Homes and Manufactured Homes for Fire Fighting – Approaches to all mobile home and manufactured homes shall be kept clear for fire fighting.

4) Water Supply Facilities for Fire Department Operations – Water supply for fire fighting operations shall be connected to the public water system unless a special exception is granted by City Council to use private water supply. If private supply is used for park service, the private supply must be adequate for domestic and fire fighting requirements established by the City. The adequacy of the supply for fire fighting shall be determined by the Fire Chief. Such fire hydrants shall be installed as are necessary for adequate fire protection. If the trailer coach park owner and agent use a private water supply, it shall have sufficient volume and pressure so that City supplies will not be required for fire fighting

5) The mobile home or manufactured home park licensee or agent shall provide an adequate system of collection and safe disposal of rubbish approved by the Fire Chief and Health Officer.

6) The mobile home or manufactured home park licensee or agent shall be responsible for assuring that the park area is free of fire hazards at all times.

F. Water Supply:

1) An accessible, adequate, safe and potable supply of water shall be provided in each mobile home or manufactured home park. Connection shall be made to the public supply unless a special exception is granted by City Council to use a private supply. If private supply is used for service to the park, it shall be adequate both for domestic requirements and fire fighting.

2) Water Distribution System – The water supply system of the park shall be connected by pipes to all mobile homes and manufactured homes, buildings, and other facilities requiring water. All water piping, fixtures, and other equipment shall be constructed and maintained in accordance with State and Water District regulations and requirements as well as City regulations.

3) Individual water riser pipes and connections shall be in accordance with all City and Water District regulations.

a. Sewage Disposal – From and after the effective date of this Ordinance, the following shall apply:

1) General Requirements – Adequate and safe sewerage service shall be provided in all mobile home and manufactured home parks for conveying and disposing of all sewage. The sewer system for a mobile home or manufactured home park shall be constructed in accordance with state health requirements and all city and water district regulations. All proposed sewage disposal facilities shall be approved by the health officer prior to installation. Effluents from sewage treatment facilities shall not be discharged into any waters of the State except with prior approval of the health officer and the appropriate State agency.

2) Mobile Home or manufactured home spaces shall be rented for a minimum of (6) months.

3) Sewer Lines – All sewer lines shall be constructed of materials in accordance with all City, Water District and State health requirements.

4) Individual Sewer Connections:

- a. Each space shall be provided with at least a four (4") in diameter sewer riser pipe.
- b. The sewer connection to the mobile home or manufactured home from the

- riser pipe and any other sewer connections shall be in accordance with all City, Water District and State Health requirements.
- c. All materials used for sewer connection shall be in accordance with all City, Water District, and State health requirements.
  - d. Provision shall be made for plugging the sewer riser pipe when the space is unoccupied.
- b. Electrical and Telephone Distribution Systems – From and after the effective date of this Ordinance, the following shall apply:
- i. Every park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances which shall be installed and maintained in accordance with applicable codes and regulations.
- c. Service Building and Other Community Service Facilities:
- i. General – The requirements of this section shall apply to service buildings, recreation and other service facilities such as:
    - 1. Management offices, repair shops and storage areas;
    - 2. Sanitary facilities;
    - 3. Laundry facilities;
    - 4. Indoor recreation areas; and
    - 5. Commercial uses supplying essential goods or services for the benefit and convenience of park occupants
  - ii. Structural Requirements for Buildings:
    - 1. All portions of the structure shall be of such materials and so constructed and as to comply with all applicable Bevil Oaks regulations.
    - 2. All rooms containing sanitary or laundry facilities shall:
      - a. 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 non-absorbent, waterproof materials or covered with moisture resistant materials.
      - b. Barbecue Pits, Fireplaces, Stoves and Incinerators – Cooking shelters, barbecue pits, fireplaces, and wood-burning stoves and incinerators shall be located, constructed, and maintained to minimize fire hazards and smoke nuisance both on the property on which used and on neighboring property. No open fire shall be permitted except in facilities provided. No fuel shall be used and no material burned which emits dense smoke or objectionable odors.
- c.
- d. Refuse and Garbage Handling:
- i. The storage, collection and disposal of refuse in the mobile home or manufactured home park shall be so conducted as to create no health hazard. One or both of the systems described in the following paragraphs (2) and (3) shall be used in each park.
  - ii. If refuse is gathered at the individual sites, it shall be stored in fly tight, watertight containers, which shall be located at each mobile home or manufactured home site. Containers for this use shall be provided in sufficient number and capacity to store properly all refuse.
  - iii. Centrally located refuse containers having a capacity of three cubic yards or larger may be provided. If provided, such containers shall be so designed as to prevent spillage, container deterioration and to facilitate cleaning around them.
  - iv. The licensee or agent shall insure that containers at mobile home or manufactured home spaces are emptied regularly and maintained in a usable, sanitary condition.

- e. Insect and Rodent Control – Grounds, buildings and structures shall be maintained free of insect and rodent infestation. Extermination methods and other measures to control insects and rodents shall conform to the requirements of the Health Officer.
  - i. Parks shall be maintained free of accumulation of debris which may provide rodent harborage or breeding places for flies, mosquitoes and other pests.
  - ii. The growth of brush, weeds and grass shall be controlled to prevent harborage of pests. Open areas shall be maintained free of heavy undergrowth of any description.
  
- f. Fuel Supply and Storage – From and after the effective date of this Ordinance, the following shall apply:
  - i. Natural Gas System:
    - 1. Natural gas piping systems shall be installed and maintained in accordance with all applicable codes and regulations governing same.
    - 2. Each mobile home or manufactured home space provided with pipe gas shall have a cap on the outlet when not in use to prevent gas discharge, and shall be in accordance with applicable codes and regulations governing same.
  - ii. Liquefied Petroleum Gas System – Liquefied Petroleum Gas Systems shall be installed only if an available natural gas system is more than 200 feet from the mobile home or manufactured home park. The liquefied gas systems shall be maintained in accordance with all applicable codes and regulations of the City and the Texas Railroad Commission governing same.
  
- g. Miscellaneous Requirements:
  - i. Responsibilities of the Park Management:
    - 1. All responsibilities set out elsewhere in this Ordinance shall apply.
    - 2. 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.
    - 3. 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.
  - 3) Register of Mobile Home or Manufactured Home Park Occupants.
    - 4. Requirement Information – It shall be the duty of a licensee hereunder to keep a register containing a record of all trailer coach owners and occupants located within the park. The Register shall contain the following information:
      - 1. Name and address of each occupant;
      - 2. Make, model and year of all automobiles and mobile homes;
      - 3. The license number and owner of each mobile home and automobile by which it is towed;
      - 4. The state issuing such license;
      - 5. The date of arrival and of departure of each mobile home
    - 5. Inspection of Register –. The park shall keep the register available at all times for inspection by law enforcement officers, public health officials, and other

officials whose duties necessitate acquisition of the information contained in the register.

6. Preservation of Register – The register records shall not be destroyed for a period of three (3) years following the date of registration

3) Enforcement of Rules and Regulations: It shall be the duty of the licensee or 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 all subsequent rules and regulations which may be adopted by the City Council for the management of such parks. Copies of all such rules and regulations must be furnished to the City Council. In addition thereto, it shall be the duty of the licensee, his agent, representative or manager to comply strictly with the following:

- a. Provide for regular inspection of water and sanitary conveniences;
- b. Provide for the collection and removal of garbage and other waste material;
- c. Prohibit the placing or storage of unsightly material or vehicles of any kind within the park;
- d. Provide for the regular cleaning, painting, repairing, and disinfecting of all permanent buildings and fences;
- e. Take such other measures as may be deemed by the City to be necessary to preserve the health, comfort, and safety of all persons residing in the park, and also those of the general public;
- f. Report to the city, within twenty-four (24) hours, all cases (or suspected cases) of communicable diseases affecting any guest or employee within the park;
- g. Report immediately to the Police Department all acts of disorderly conduct committed by any person or persons inside the park;
- h. See that copies of all rules and regulations are prepared and posted in conspicuous locations throughout the park.

4) Responsibilities of Park Occupants:

- a. All responsibilities of occupants set out elsewhere in this Ordinance shall apply.
- b. The park occupant shall comply with all requirements of this Ordinance.
- c. The park occupant shall be responsible for proper placement of his mobile home or manufactured home on its pad and proper installation of all utility connections in accordance with the instructions of the park management.
- d. The use of space immediately beneath a mobile home or manufactured home for storage shall be permitted only under the following conditions:
  - 1) The storage area shall be concrete or asphalt or other comparable and acceptable impervious material;
  - 2) Stored items shall not interfere with the underneath inspection of the mobile home or manufactured home;
  - 3) The storage area must be hidden from public view by skirting.

Section 8. BOND REQUIRED. Each licensee of a mobile home or manufactured home park shall be required to post a One Thousand (\$1000.00) Dollar bond. This bond shall indemnify the City against the loss of any amounts required to be collected by licensee under the provisions of this Ordinance and shall guarantee the performance by a mobile home or manufactured home owner or a mobile home or manufactured home park owner and operator of the requirements of this Ordinance.

Section 9: MAINTENANCE. Every person owning or operating a mobile home or manufactured home park shall maintain such parking facilities, fixtures, and permanent equipment in connection therewith in a clean and sanitary condition, and shall maintain said equipment in a state of good repair.


Section 10: MANAGEMENT. Each mobile home or manufactured home park shall be under the direct management of the owner, or an agent or representative, whose primary residence shall be on the premises, for whose acts the owner shall be fully responsible. The name of the person entrusted with the direct management of such park shall be filed for reference with the City Council. Such person must be of good reputation and character, and shall satisfy the City Council as to the experience and capacity to supervise, manage, regulate, and control such park and to maintain good sanitary conditions in and about the park.

Section 11: PUBLICATION The City Secretary is directed to publish or cause to be published a descriptive caption or title, stating in summary the purpose of this Ordinance and the penalty for violation thereof.

Section 13: PENALTY Any person, firm or corporation violating this Ordinance or any portion thereof shall upon conviction be guilty of a misdemeanor and shall be fined not less than \$1.00 nor more than \$200.00 and each day that such violation continues shall be considered a separate offense and punishable accordingly.

Section 14: SEVERABILITY If any Section or part of any section or paragraph of this Ordinance is declared invalid or unconstitutional for any reason, it shall not be held to invalidate or impair the validity, force or effect on any other section or sections or part of a section or paragraph of this Ordinance.

PASSED AND APPROVED this 21st day of AUGUST, 2014

  
BECKY FORD, MAYOR  
CITY OF BEVIL OAKS, TEXAS

ATTEST;

  
CITY OF BEVIL OAKS, TEXAS