

ORDINANCE NO. 147

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WALLIS, TEXAS CREATING A MOBILE HOME/HUD-CODE MANUFACTURED HOME AND SUBDIVISION ORDINANCES COMMITTEE, MAKING CERTAIN FINDINGS OF FACT AS TO AN OVERRIDING COMMUNITY OBJECTIVE OF MODERNIZING THE EXISTING MOBILE HOME ORDINANCE AND SUBDIVISION ORDINANCE, AND PRESCRIBING A MORATORIUM FOR A PERIOD OF ONE HUNDRED AND TWENTY (120) DAYS.

WHEREAS, the City Council of the City of Wallis finds and determines that intensive review and revision of the present mobile home regulations as generally contained in Ordinance No. 70 of the City of Wallis, adopted on July 26, 1988, including all amendments thereof, is desirable and necessary to bring the regulations into compliance with current federal and state law; and

WHEREAS, the City Council of the City of Wallis further finds and determines that intensive review and revision of the present subdivision regulations as generally contained in Ordinance No. 103 of the City of Wallis, adopted on June 9, 1987, including all amendments thereof, is also desirable; and

WHEREAS, the City Council of the City of Wallis finds and determines that adoption of a new mobile home/HUD-code manufactured home ordinance and a new subdivision ordinance will provide for the orderly growth and development of the City and ensure sewage and water facilities are adequate and sufficient to prevent a shortage of such essential services, and to ensure the health, safety, and welfare of the residents, citizens and inhabitants of the City; and

WHEREAS, the City Council finds and determines that it is important for regulations which might be implemented to be studied and reviewed and that during the time of study and review, the status quo should be maintained;

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

Section 1. That there is hereby created a committee which shall be known as the City of Wallis Mobile Home/HUD-code Manufactured Home and Subdivision Ordinances Review Committee, whose members shall be appointed by separate action of the City Council of the City of Wallis and shall be charged with the obligation of promptly and immediately beginning a detailed study of the terms and provisions of the present mobile home ordinance and the subdivision ordinance of the City of Wallis and making such recommendations to the City Council as shall be determined to be necessary in order to ensure that the amended mobile home/HUD-code manufactured home ordinance and amended subdivision ordinance of the City of Wallis directly and specifically meet the needs of the residents in the City of Wallis, as well as other interests attempting to ensure the sufficiency of water and sewage facilities to accommodate growth and development within the City.

Section 2. That the City Council does hereby impose a moratorium on the issuance of any additional mobile home/HUD-code manufactured home placement permits for a period of one hundred and twenty (120) days thereafter, said days to be computed from the date of the passage of this ordinance, as evidenced by the signature of the Honorable Mayor of the City of Wallis affixed hereto and attested to by the City Secretary, for a period of one hundred and twenty (120) days thereafter,

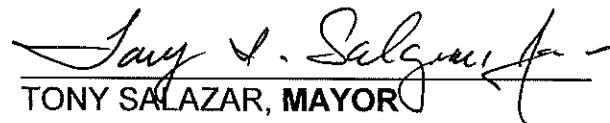
said days to be computed with the first day being the day after adoption and the last day being one hundred and twenty (120) days subsequent thereto. During said period of moratorium, no mobile home/HUD-code manufactured home placement permits shall be issued by the City of Wallis for any mobile homes and/or HUD-code manufactured homes otherwise requiring a permit and covered under the provisions of Ordinance No. 70 of the City of Wallis, adopted on July 26, 1988, including all amendments thereof; furthermore, during the period of moratorium no mobile home or HUD-code manufactured home shall be placed on any lot of the type, design and configuration that would otherwise require a permit under the provisions of Ordinance No. 70 of the City of Wallis, adopted on July 26, 1988, including all amendments thereof.

Section 3. That the City of Wallis further finds and determines that there may be circumstances and conditions where, because of unusual hardship or unanticipated problems involving circumstances and conditions which are unrelated to economic hardship or potential economic loss, an exception to this moratorium would be just, proper and appropriate. In this regard, the City Council does hereby establish a process for a variance to the moratorium as herein imposed by providing that any person seeking to be excepted from the terms and provisions of the moratorium as herein provided may seek a variance to the moratorium as herein imposed by filing an application with the City Council of the City of Wallis which shall be placed on the next agenda of the City Council of the City of Wallis. In an application for variance, the applicant shall state in a concise manner the specific needs and circumstances that exist which require the placement of a mobile home

or HUD-code manufactured home during the term of this moratorium. Such application shall specifically identify the unusual circumstances, conditions, needs and hardship requiring a variance.

Section 4. That it shall be unlawful for any persons to violate the terms and provisions of the moratorium as herein provided, and any person so violating the same shall, upon conviction, be fined not more than the maximum amount as allowed under the laws of the State of Texas, and each day's violation shall constitute a separate violation.

PASSED AND APPROVED by the City Council of the City of Wallis, Austin County, Texas on this, the 27 day of March, 2003.


TONY SALAZAR, MAYOR

ATTEST:


D.J. Sommers, CITY SECRETARY