

ORDINANCE NO. 70

AN ORDINANCE REGULATING MOBILE HOME AND TRAVEL TRAILER PARKS; CONTAINING CERTAIN DEFINITIONS; REQUIRING A LICENSE AND ESTABLISHING CERTAIN LICENSE FEES; ESTABLISHING CERTAIN PHYSICAL REQUIREMENTS FOR SAID PARKS; REGULATING THE LOCATION OF SAID PARKS; ESTABLISHING CERTAIN RULES AND REGULATIONS FOR THE OPERATION OF SAID PARKS; ESTABLISHING CERTAIN REQUIREMENTS FOR WATER, SEWER, AND ELECTRICAL FACILITIES; CONTAINING A PENALTY; CONTAINING A SAVINGS CLAUSE; ESTABLISHING AN EFFECTIVE DATE - 9-8-81:

BE IT ORDAINED BY THE CITY OF WALLIS, AUSTIN COUNTY, TEXAS:

ARTICLE 1

DEFINITIONS

Section 1.01. Park.

"Park" means mobile home and/or travel trailer park.

Section 1.02. Person.

"Person" means any natural individual, firm, trust, Partnership, association or Corporation.

Section 1.03. Mobile Home or Travel Trailer.

"Mobile Home or Travel Trailer" means any vehicle or similar portable structure having no foundation other than wheels, jacks, blocks or skirtings, and so designed or constructed as to permit occupancy for dwelling or sleeping purposes. Provided, however, that for purposes of determining the distance hereinafter specified in Section 3.01, subsection b of this Chapter, the term "Mobile Home and Travel Trailer" shall include any portable, prefabricated, temporary room, tip-out or expendable rooms that are attached or adjacent to such "Mobile Home".

Section 1.04. Independent Mobile Home or Travel Trailer.

"Independent mobile home or travel trailer" means a mobile home or travel trailer which has a flush toilet and a bath or shower.

Section 1.05. Dependent Mobile Home or Travel Trailer.

"Dependent mobile home or travel trailer" means a mobile home or travel trailer which does not have a flush toilet and a bath or shower.

Section 1.06. Mobile Home and/or Travel Trailer Park.

"Mobile home and/or travel trailer park" means any plot of ground upon which two or more mobile homes and/or travel trailers under common ownership or management occupied for dwelling or sleeping purposes, are located, regardless of whether or not a charge is made for such accommodations.

Section 1.07. Mobile Home and/or Travel Trailer Lot.

"Mobile home and/or travel lot" means a plot of ground within a mobile home and/or travel trailer park designed for the accomodation of one mobile home and/or travel trailer.

Section 1.08. Location of Mobile Homes Outside of Mobile Home Park.

A Mobile Home may be occupied for residential use outside a licensed mobile home park if the person is the sole owner of the lot; and the mobile home will be used for permanent living quarters by the owner, and as such shall conform to all the applicable requirements of the building, electrical and plumbing codes and all other applicable codes, building permits and ordinances of the City, and must obtain a building permit before the mobile home is located.

Section 1.09.

Mobile homes regulation shall be interpreted to mean where a person owns the land and the mobile home and rents it out is exempt from the annual license fee, but must conform to the other mobile home rules and regulations and is subject to the building permit ordinance.

ARTICLE 2

LICENSES

Section 2.01. License Required.

It shall be unlawful for any person to maintain or operate, within the limits of the City of Wallis, any mobile home park and/or travel trailer park unless such person shall first obtain a license therefore.

Section 2.02. License Fees.

The annual license fee for each mobile home and/or travel trailer park shall be \$25.00 per year or fraction thereof for the first two mobile homes and/or travel trailers stands and a \$5.00 fee for each additional mobile home and/or travel trailer stand. The fee for the transfer of such license, as provided for in this ordinance, shall be \$25.00.

Section 2.03. Application for License.

Applications for a mobile home and/or travel trailer park license shall be filed with the City Secretary, and upon approval by the City Council, the City Secretary shall issue the license. Applications shall be in writing, signed by the applicant, and shall contain the following:

- a. The name and address of the applicant and the name and address of the park and the number of spaces of the park.
- b. The location and legal description of the mobile home and/or travel trailer park.

- c. A complete plan of the park showing compliance with Section 3.01 of this ordinance.
- d. Plans and specifications of all buildings and other improvements constructed or to be constructed with the mobile home and/or travel trailer park.
- e. Mobile Home Park owner shall provide City Council with copy of proposed restrictions and park rules for City approval.
- f. Applicant will publish in the local newspaper at least 10 days prior to City Council meeting, a notice of the public meeting at which time City Council will review and act on application of mobile home park.
- g. Such further information as may be requested by the City Council to enable it to determine if the mobile home and/or travel trailer park will comply with the legal requirements.

The application and all accompanying plans and specifications shall be filed in duplicate. The Mayor and City Water/Sewer Superintendent shall investigate the applicant, and inspect the proposed plans and specifications. Each of them shall then make a report to the City Council concerning such applicant and include therein their recommendations relative to the issuance of a license. If the mobile home and/or travel trailer park will be in compliance with all provisions of this ordinance and all other applicable ordinances or statutes, the City Council may approve the application, and, in the case of proposed parks, make such approval contingent upon the completion of the park according to the plans and specifications submitted with the application. The City Secretary at the direction of the City Council shall issue the license.

#### Section 2.04. Revocation of License.

The City Council may revoke any license issued under this ordinance in case any of the provisions hereof are violated. However, before said license may be revoked, the City Council must give ten (10) days notice to the holder of said license and hold a hearing thereon. After said license has been revoked, the license holder must re-apply for a new license.

#### Section 2.05. Transfer and Duration.

Upon application for a transfer of the license, the City Council may issue a transfer upon payment or transfer fee. Such original license and transfer thereof, may be granted at any time during the year and shall expire at the end of the fiscal year of the City of Wallis, unless previously revoked or terminated.

Section 2.06. Posting of License.

The License certificate shall be conspicuously posted in the office of or on the premises of the mobile home and/or travel trailer park at all times.

ARTICLE 3

PHYSICAL REQUIREMENTS OF MOBILE HOME  
AND/OR TRAVEL TRAILER PARKS

Section 3.01. Mobile Home and/or Travel Trailer Park Plan.

The mobile home and/or travel trailer park shall conform to the following requirements:

- a. The park shall be located on a well drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.
- b. Mobile home and/or travel trailer lots shall consist of 3,500 square feet for each lot, which shall be at least (35) feet wide and clearly defined. Only one mobile home per lot shall be permitted. No mobile homes and/or appurtences shall occupy any more than 50% of the square footage of the plot. Mobile homes or travel trailers shall be so harbored on each lot that there shall be at least a twenty-one (21) foot clearance between mobile homes or travel trailers; provided, however, that with respect to mobile homes or travel trailers parked end to end. The end to end clearance between mobile homes or travel trailers may be less than twenty-five (25) feet, but not less than ten (10). No mobile home, travel trailer, or appurtences shall be located closer than ten (10) feet from any building within the park or from any property line bounding the park.
- c. All mobile home and/or travel trailer lots shall abut upon a driveway of not less than thirty (30) feet in width which shall have unobstructed access to a public street, alley or highway. All driveways shall be surfaced with gravel, iron ore, or other material acceptable to the City Council, shall be well marked in the daytime, and lighted at night.
- d. Each mobile home and/or travel trailer lot shall contain provision for two (2) off street parking spaces.
- e. Security lighting fixtures shall be provided along all streets within the Mobile Home Parks at all entrances, at all dead ends and cul-de-sacs and at intervals of 400 feet along such streets. Such lighting shall be at least 3200 lumens and shall be installed, maintained and operated at owners's expense.

- f. All areas within the Mobile Home Park not part of a space shall be maintained by the owner and kept free of noxious weeds, trash and debris.
- g. Streets within the Mobile Home Park shall be privately constructed, owned and maintained by park owner.

#### Section 3.02. Maintenance.

Every person owning or operating a mobile home and/or travel trailer park shall maintain such park, and any 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 3.03. Additional Construction.

It shall be unlawful for any person operating a mobile home and/or travel trailer park or occupying a mobile home or travel trailer to construct or permit to be constructed in such park, or in connection with such mobile home or travel trailer any additional structure, building or shelter in connection with or attached to a mobile home or travel trailer, except, however, awnings of canvas or metal, suitably constructed, may be attached to said mobile homes or travel trailers, as well as portable, pre-fabricated, temporary rooms, for the express purpose of increasing mobile home or travel trailer living area which meet the following requirements:

- a. Capable of being dismantled when moved;
- b. Such rooms shall be completely dismantled and removed from the site at the time the mobile home or travel trailer to which it is accessory is moved;
- c. Finish and appearance to be as near the same as possible to the mobile home or travel trailer to which it is accessory;
- d. The length must not exceed the length of the mobile home or travel trailer to which it is accessory;
- e. Building permit must be obtained for additional construction.
- f. Further additional construction in the form of well manufactured metal and plastic carports shall be allowed.

#### Section 3.04. Office.

Each mobile home and/or travel trailer park shall maintain an office which need not be on the premises in which shall be kept copies of all records pertaining to the management and supervision of the park, as well as all rules and regulations of the park, and

such records, rules and regulations to be available for inspection by law enforcement officer, public health officials, and other officials whose duties necessitate acquisition of the information contained therein.

Section 3.04a. Office not on Premises.

If the office is not maintained on the park premises, a sign shall be posted on the premises giving the name and address of the park owner and park office and the address and name of park. The sign must be a minimum size of two (2) feet by two (2) feet. Signs must be placed within 30 days from the effective date of this ordinance for existing parks and 30 days from the date of issuance of license for future parks.

Section 3.05. Occupancy of dependent mobile home or travel trailer.

No dependent mobile home or travel trailer, as the same is defined in Article 1.05 hereof, shall ever be occupied for residential purposes.

ARTICLE 4

PHYSICAL REQUIREMENTS OF MOBILE HOMES

Section 4.01. Tie Downs.

Tie Downs to comply with the Texas Manufacturer Housing and Standard Act. Tie Downs are required on all mobile homes in the City Limits.  
(Requirement clarified 11/10/81.)

Section 4.02. Construction of Mobile Homes.

All mobile homes placed in parks should have the HUD seal.

Section 4.03. Skirting.

Skirting on Mobile Homes shall be of weather resistant material and must be properly maintained. Skirting is required on all mobile homes in the City Limits. (Clarified 11/10/81--requirement).

ARTICLE 5

OPERATING OF MOBILE HOME AND/OR TRAVEL TRAILER PARKS

Section 5.01. Rules and Regulations for Park.

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. Copies of all such rules and regulations shall be furnished to the City Council. In addition thereto, it shall be the duty of the owner, his agent, representative or manager to comply with the following:

(Amendment to clarify that Tie Downs and Skirting are required on all mobile homes was passed and approved at 11/10/81 meeting.)

## Section 5.01. (cont.)

- a. Provide for regular inspection of the water and sanitary conveniences.
- b. Provide a location for the deposit of garbage on each mobile home parking space for collection and removal of garbage.
- c. Prohibit the placing or storage of unsightly material or vehicles of any kind.
- d. Pay to the City all garbage collection fees due, which such fees shall from time to time be established by resolutions of the City Council.

## ARTICLE 6

## FACILITIES AND SERVICES

Section 6.01. Water Supply and Sanitary Sewer.

All mobile homes to be properly connected, with at least a four inch sewer connections, to an approved water, sewer and electrical system. The electrical system shall provide not less than 120/240 volts, single phase, 100 amps minimum entrance capacity.

All sewer traps not in use shall be capped.

Section 6.02. Fuel.

Bottled gas for cooking purposes shall not be used at individual mobile homes or travel trailer lots unless the containers are properly connected by copper or other suitable metallic tubing. Bottled gas cylinders shall be securely fastened in place. No cylinder containing bottled gas shall be located in a mobile home or travel trailer or within five (5) feet of a door, thereof. State and local regulations applicable to the handling of bottled gas and fuel oil must be followed.

Section 6.03. Register and Directory.

Each mobile home and/or travel trailer park shall file at the Municipal Office as of the 1st day of January of each year and on or before the 10th day of January of each year, a register and directory of said mobile home and/or travel trailer park, showing the names of persons residing thereupon, as well as the plot of space occupied by the mobile home and/or travel trailer of each such person.

## ARTICLE 7

## PENALTY PROVISION

Section 7.01. 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 \$10.00 nor more than \$200.00 and each day that such violation continues shall be considered a separate offense and punishable accordingly.

## ARTICLE 8

## SEVERABILITY

Section 8.01. 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 of any other section or sections or part of a section or paragraph of this ordinance.



ARTICLE 9  
REPEALING CLAUSE

Section 9.01. Repealing Clause.

All ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

ARTICLE 10  
ESTABLISHING AN EFFECTIVE DATE

Section 10.01. Effective Date.

This ordinance shall be effective after its passage.

ARTICLE 11  
INTERPRETATION

Section 11.01. Interpretation.

Nothing in this ordinance shall be interpreted in such manner as to impose an illegal restriction on land use.

ARTICLE 12  
GRANDFATHER CLAUSE

Section 12.01. Grandfather Clause.

All provisions of this Ordinance will become applicable to existing mobile home and/or travel trailer parks and all existing parks shall have a period of six (6) months to initiate compliance and a period of twelve (12) months after the effective date hereof in which to fully comply with the provisions of this ordinance.

ARTICLE 13  
VARIATIONS AND MODIFICATIONS

Section 13.01. Variations and Modifications of Provisions.

Variations and modifications of the general requirements of mobile home and/or travel trailer parks will be made by the City Council when in its judgment, special or particular factors and conditions warrant such variations do not affect the general application or spirit of the rules and regulations, or the master plan of the City.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Wallis, Austin County, Texas on this the 8th day of September, A. D., 1981.

Frank B. Letter  
MAYOR

ATTEST:

Betty March  
City Secretary

AMENDED ORDINANCE #70(A)

AN AMENDMENT TO THE CITY OF WALLIS ORDINANCE #70  
CONCERNING THE SKIRTING REQUIREMENTS OF MOBILE HOMES AND  
THE DATE SUCH REQUIREMENTS MUST BE MET BY MOBILE HOME  
OWNERS AND OCCUPANTS

BE IT ORDAINED BY THE CITY OF WALLIS, AUSTIN COUNTY, TEXAS:

All of said Ordinance #70 is left in tact and shall remain effective and unchanged as stated therein except for Article IV, Section 4.03 Skirting; and said section is hereby deleted and hereafter non-effective and in lieu of said section the following substitute Article IV, Section 4.03 Skirting is enacted and henceforth shall be effective and included as an integral part of the original ordinance #70 by and through this Amended Ordinance 70(A); and said section shall now be enacted and read as follows:

ARTICLE IV

Section 4.03. Skirting.

Skirting shall be placed around the entire perimeter of each mobile home located in the city limits of Wallis, Texas. Such skirting must extend from the ground to the floor of the mobile home and must enclose and restrict access under the mobile home around the entire outside perimeter of the mobile home. The skirting must be constructed of weather resistance materials and must be maintained in a clean, neat and uniform manner to a standard of condition reasonable as to safety and appearance.

This skirting ordinance shall apply to all mobile homes located and remaining in the City of Wallis for any period beyond one year and such skirting requirement is the responsibility and obligation of the home owner. Mere removal of the mobile home out of the city limits for a short period of thirty (30) days or less solely to evade the requirement of this ordinance and then relocating the mobile home within the city limits either at the same site or at a different site will not waive the requirement on the owner to comply with this skirting requirement.

PASSED AND APPROVED at a regular meeting of the City Council of  
the City of Wallis, Austin County, Texas on this the 26th day of  
JULY, A. D., 1988.

ATTEST:

August D. Zurek  
AUGUST D. ZUREK Mayor

BY:

Betty Marek  
CITY SECRETARY