

STATE OF TEXAS )(

COUNTY OF WALLER )(

TOWN OF PINE ISLAND )(

ORDINANCE NO. 98-001

AN ORDINANCE REQUIRING A PERMIT FOR THE CONSTRUCTION OF, ADDITION TO OR EXTENSION OF A HUD CODE MANUFACTURED HOME PARK WITHIN THE INCORPORATED BOUNDARIES OF THE TOWN OF PINE ISLAND, AND REQUIRING A LICENSE TO OPERATE A HUD CODE MANUFACTURED HOME PARK AND SETTING FORTH THE SITE REQUIREMENTS, HUD CODE MANUFACTURED HOME PARK STANDARDS AND OTHER PREREQUISITES TO THE ISSUANCE OF A PERMIT OR LICENSE, PROVIDING DEFINITIONS, AND PRESCRIBING REGULATIONS FOR MANAGEMENT OF HUD CODE MANUFACTURED HOME PARKS, AND PROVIDING FOR NONCONFORMING HUD CODE MANUFACTURED HOME PARKS AND PROVIDING FEES, AND CONTAINING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND CONTAINING A SEVERABILITY CLAUSE.

---

NOW THEREFORE:

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PINE ISLAND,  
TEXAS:

WHEREAS, it has come to the attention of the Town Council of the Town of Pine Island that unregulated Hud-Code Manufactured Home Parks can be dangerous and constitute a hazard to life and property; and

WHEREAS, it is in the best interest of the town that the health, safety and general welfare of the Town be promoted by preventing overcrowding of land through

planned and orderly growth of the Town, and an undue concentration of the population be avoided; and

WHEREAS, the Town Council of the Town of Pine Island finds it to be in the best interest of the public safety, health and general welfare to regulate Hud-Code Manufactured Home Parks within the Town; therefore,

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PINE ISLAND:

Section 1. This Ordinance is hereby referenced as the Pine Island Hud-Code Manufactured Home Parks Ordinance.

Section 2. DEFINITIONS - For the purposes of this ordinance, certain terms, words and phrases shall have the meaning hereinafter ascribed thereto.

(A) Building Official: Designated inspection authority of the Town, or its authorized representative.

(B) Certificate of Occupancy: Certificate issued by the Town Council for the use of a building, structure and/or land, when it is determined by it that the building, structure and/or land complies with the provisions of all applicable Town ordinances and regulations.

(C) Town: As used herein reference to the Town shall mean the Town of Pine Island, Waller County, Texas.

(D) Town Council: Town Council of the Town of Pine Island, Texas.

(E) Common Access Route/Internal Street: Private drive allowing principal means of access to individual Hud-Code Manufactured Mobil Home lots or auxiliary buildings.

(F) Drive-Way: Minor entrance way off the common access route within the park, into an off-street parking area serving one or more HUD-Code Manufactured Mobile Home.

(G) HUD-Code Manufactured Home: Means 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 or more sections, which, in the traveling mode, is eight feet or more in width or 40 body feet in length, or, when erected on site, is 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. Anything less than the length and/or width specified in this paragraph shall not be allowed in a HUD-Code Manufactured Home Park.

(H) License: Written license issued by the Town Council, permitting a person to operate and maintain a HUD-Code Manufactured Home Park under the provisions of this Ordinance.

(I) Mobile Home: A structure that was constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis 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. Mobile Homes shall not be allowed in a HUD-Code Manufactured Home Park.

(J) HUD-Code Manufactured Home Park: A parcel of land under single entity ownership which has been placed and improved for the placement of HUD-Code Manufactured Homes, accessory uses and service facilities, meeting all requirements of this Ordinance and any applicable deed restrictions and state laws.

(K) Parking Street, Off-Street: A minimum space ten feet (10') in width by 20 feet (20') in length, located within the boundary of a HUD-Code Manufactured Home space, or in common parking and storage area having unobstructed access to an internal street.

(L) Permit: Written permit issued by the Town Council permitting the construction, alteration or extension of a HUD-Code Manufactured Home Park under the provisions of this Ordinance and regulations issued hereunder.

(M) Person: Any natural individual, firm, trust, partnership, association or corporation.

(N) Plot Plan/Site Plan: Graphic presentation, drawn to scale, in a horizontal plane, delineating the outlines of the land included in the plan and all proposed use locations, accurately dimensioned, the dimensions also indicating the relation of each use to that adjoining and to the boundary of the property.

(O) Sewer Connection: Connection consisting of pipes, fittings and appurtenances from the drain outlet of a HUD-Code Manufactured Mobile Home to the inlet of the corresponding sewer service riser pipe of the sewage systems serving the HUD-Code Manufactured Home Park.

(P) Sewer Service Riser Pipe: That portion of sewer service which extends vertically to the ground elevation and terminates at a HUD-Code Manufactured Home space.

(Q) Space: Plot of ground within a HUD-Code Manufactured Home Park designed for accommodation of one HUD-Code Manufactured Home, together with such open space as required by this Ordinance. Term includes "lot" and "site".

### Section 3. PERMITS.

(A) Permit Required. It shall be unlawful for any person to construct, alter, extend or expand any HUD-Code Manufactured Home Park within the limits of the Town of Pine Island without a valid permit issued by the Town Council in the name of such person for the specific construction, alteration or extension proposed.

(B) Application; issuance; renewal; transfer; revocation; posting

(1) Application for initial license. Application for initial mobile home park license shall be filed with the Town

Council. The application shall be in writing signed by the applicant, and shall include the following:

- (a) The name and address of the applicant:
- (b) The location and legal description of the mobile home park;
- (c) A complete plan of the park in conformity with the requirements of this Ordinance.
- (d) Plans and specifications of all buildings, improvements and facilities constructed or to be constructed within the mobile home park.
- (e) Such further information as may be requested by the designated official to enable him to determine if the proposed park will comply with legal requirement. This application and all accompanying plans and specifications shall be filed in triplicate. The designated official shall investigate the applicant and inspect the application and the proposed plans and specifications. If the applicant is of good moral character, and the proposed mobile home park will, when constructed or altered in accordance with such plan and specifications, be in compliance with all provisions of this ordinance and all other applicable ordinances and statutes, the designated official shall approve the application, and upon completion of the park according to the plans shall issue the license.

(2) Renewal License. Upon application in writing by a licensee for renewal of a permit and upon payment of the annual fee, the designated official

shall issue a certificate renewing such permit for another year.

(3) Transfer of License. Upon application in writing for transfer of a permit and payment of the transfer fee, the designated official shall issue a transfer if the transferee is of good moral character and upon payment of a \$25.00 transfer fee.

(4) Revocation: Reissue. The officer as designated by the Town Council may revoke any license to maintain and operate a mobile home park when the licensee has been found guilty by a court of competent jurisdiction of violating any provision of this ordinance. After such conviction, the license may be reissued if the circumstances leading to conviction have been remedied and the park is being or will be maintained and operated in full compliance with law.

(5) Posting. The license certificate shall be conspicuously posted in the office of or on the premises of a mobile home park at all times.

(C) Park Location. No mobile home park shall be located within the corporate limits of the Town of Pine Island except as herein provided for. No such park shall be established at any location within the Town of Pine Island unless such location first be approved by the Town Council of the Town of Pine Island.

(D) Permit Fee. All applications to the Building Official shall be accompanied by a fee of One Hundred Dollars (\$100.00).

(E) Issuance of Permit. In considering the application, the Town Council may take into account the proposed location of the HUD-Code Manufactured

Home Park in relation to the present and anticipated land use and development. After review of the application and determining the application and the proposed park complies with this Ordinance and other applicable laws, codes and regulations, the permit shall be issued.

(F) Denial of Permit/Hearing. Any person whose application for a permit under the Ordinance has been denied, may request in writing a rehearing on the matter and offer additional evidence if desired.

Section 4. LICENSES.

(A) License Required. It shall be unlawful for any person to establish, operate or maintain or permit to be established, operated or maintained upon any property owned or controlled by such person any HUD-Code Manufactured Home Park within the limits of the Town of Pine Island unless such person holds a valid license issued annually by the Town Council. All applications for licenses shall be made in writing to the Town Council, who shall issue a license upon compliance by the applicant with provisions of this Ordinance. The Town Council shall not issue a license unless the applicant is a valid holder of a Certificate of Occupancy which shall be issued by the Town Council upon compliance with applicable ordinances and laws. At any time a Certificate of Occupancy is revoked, the license shall be cancelled. Licenses issued shall expire on December 31 of each year.

(B) Application of 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 the applicant;
2. A copy of a valid Certificate of Occupancy;
3. The location and legal description of the Park;

4. A site plan of the park prepared in accordance with Section 8 hereof.

(C) Hearing Granted Applicants. Any person whose application for a license under this Ordinance has been denied may request in writing and within ten (10) days, a rehearing which shall be granted by the Town Council.

(D) Application for License Renewal. Application for renewal of a license shall be made in writing by the licensee on forms furnished by the Town Council on or before December 1 of each year. The application shall contain any change in the information occurring after the original licensee was issued or the latest renewal granted and be accompanied by the HUD-Code Manufactured Home Park register as hereinafter provided.

(E) License Fee. All original license applications or renewals hereof shall be accompanied by a fee of Fifty Dollars (\$50.00). All renewal fees shall be due on the issuance of the license.

(F) Transfer of License. Every person holding a license shall give notice in writing to the Town Council within fifteen (15) days after having sold, transferred, given away or otherwise disposed of interest in or control of any HUD-Code Manufactured Home Park. Application for transfer of license shall be made not later than fifteen (15) days after the date of sale, transfer, or gift, or other disposition of interest in or control of HUD-Code Manufactured Home Park and the Town Council shall act thereon at the next regularly scheduled meeting.

(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 the Town Council finds that conditions or practices exist which are in violation of any provisions of this Ordinance, it shall give notice in writing in accordance with Section 6 of this Ordinance, to the Permittee or Licensee or the Permittee's or Licensee's agent, that

unless conditions or practices in violation of this Ordinance are corrected within a reasonable period of time of not less than thirty (30) days nor more than one (1) year as specified in such notice, the license or permit shall be suspended. At the end of the period of time granted for correction if the conditions or practices have not been corrected, the Town Council may suspend the license and give notice in writing of the suspension to the licensee or the licensee's agent at the address provided in the application. Upon receipt of notice of suspension, the licensee shall cease operation of the HUD-Code Manufactured Home Park within ten (10) days after the notice is issued.

Section 5. INSPECTION.

Any duly authorized inspector of the Town shall be permitted to make reasonable inspections of any HUD-Code Manufactured Home Park to determine compliance with this Ordinance.

Section 6. NOTICES, HEARINGS AND ORDERS.

Notice of Violations; Requirements of Notice. Whenever it is brought to the attention of the Town Council that there has been a violation of any provisions of this Ordinance, the Town Council shall give notice of such alleged violation to the Permittee or Licensee or Agent, as hereinafter provided. The notice shall (1) be in writing; (2) shall include a statement of the reasons for its issuance; (3) allow a reasonable time of not less than thirty (30) days nor more than one(1) year, based upon the nature and severity of the violation and having due regard for the safety and protection of the community, for the performance of the act it requires; (4) be served upon the licensee or the licensee's agent; provided that the notice or order shall be deemed to have been properly served upon the licensee or agent when a copy thereof has been sent by mail to the licensee's or agent's last known address, or when the licensee or agent has been served with the 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. If the violation is not remedied in accordance

with the Notice, and a breach of the Ordinance continues, then the Town Council may revoke any permits or licenses issued in addition to any punishment provided in Section 9 hereof.

Section 7.    **MOBILE HOMES IN THE TOWN OF PINE ISLAND.**

The installation of mobile homes for use or occupancy as a residential dwelling in the Town of Pine Island is prohibited. This provision is prospective and shall not apply to any mobile home used and occupied as residential dwellings in the Town of Pine Island on the effective date of this Ordinance.

Section 8.    **HUD-CODE MANUFACTURED HOME PARK.**

(A) Site Plan. The site plan shall be filed as required by Section 3(B) of this Ordinance and shall show the following:

- (1) The name, address, fee owner and record owner of the proposed or existing HUD-Code Manufactured Home Park.
- (2) Name of subdivision where the park is located.
- (3) Name of adjacent public streets and roads.
- (4) Contour lines at two foot (2') intervals.
- (5) Locations and dimensions of all HUD-Code Manufactured Mobil Home spaces, utility easements, drives, recreation areas, streets and sidewalks. Each HUD-Code Manufactured Home space shall be numbered.
- (6) Scale of plan (no smaller than 1" - 200') and complete dimensions.
- (7) Density in units per gross acreage.
- (8) Area and dimensions of site.
- (9) Areas defined for waste containers and method of disposal of garbage and refuse.
- (10) Location of shower and toilet facilities.

(11) **Water and Sewer Plans:** Water and sewer plans must be submitted showing the following:

- (a) Sewer line locations, grades and sizes.
- (b) Water line locations, sizes and source of water supply.

(12) **Paving and Drainage Plans:** Paving and drainage plans must show the directions and calculated quantities of runoff and the proposed specifications for streets.

The Town Council shall notify the applicant in writing as to whether the plan was approved or disapproved, stating the reasons for disapproval and the modifications or conditions that must be made or met before approval can be obtained upon subsequent submission.

(B) HUD-Code Manufactured Home Park. Any HUD-Code Manufactured Home Park constructed after adoption of this Ordinance, and any extension/addition to an existing HUD-Code Manufactured Home park in the Town of Pine Island shall be done in compliance with the following site requirements:

(1) **Density -** A HUD-Code Manufactured Home Park shall have no more than two (2) spaces per one (1) acre.

(a) **Park Areas.** Each HUD-Code Manufactured Home Park shall be planned for and shall provide a minimum of five (5) acres in area.

(2) **Basic HUD-Code Manufactured Mobile Home**

**Minimum Site Requirements:**

(a) **Height Requirements:**

(1) The height limit for any structure intended for occupancy in the HUD-Code Manufactured Home Park shall be 35 feet (35').

- (2) The average height of the HUD-Code Manufactured Mobil Home frame above ground elevation, measured at 90 degrees to the frame, shall not exceed four feet from the top of the pad.

(b) Spacing Regulations. HUD-Code Manufactured Homes shall be located no closer than twenty feet (20') from any exterior wall to the closest exterior wall of the nearest HUD-Code Manufactured Home.

(c) HUD-Code Manufactured Home Space. Each and every HUD-Code Manufactured Home shall be located on separate space which shall conform to the following standards:

- (1) Be served with sanitary sewer, water, electrical power, telephone service and natural gas.
- (2) Provide a minimum average width of forty feet (40') and a minimum average depth of eighty feet (80').
- (3) Abut and/or have access to a private street for a minimum distance of twelve feet (12').
- (4) Provide a minimum area of two thousand two hundred (2,200) square feet, said area to be determined by the boundary lines of the space.
- (5) Provide a HUD-Code Manufactured Home pad which shall provide an adequate foundation for the placement and tie-down of one single-family HUD-Code Manufactured Home thereby securing the superstructure against uplift,

sliding rotation and overturning. Said pad shall:

- (a) Be constructed of material which shall adequately support the weight of the HUD-Code Manufactured Home placed thereon and be durable and well drained under normal use and weather conditions.
- (b) Provide anchors and tie-downs such as cast-in-place concrete "dead men", eyelets embedded in concrete foundations or runway screw augers, arrowhead anchors or other devices which secure the stability of the HUD-Code Manufactured Home, and shall be placed at least at each corner of the HUD-Code Manufactured Home.
- (c) Cover an area of at least two hundred forty (240) square feet or at least one-third the area of the largest HUD-Code Manufactured Home which is to be placed on the HUD-Code Manufactured Mobile Home Park space, whichever is greater. No surface provided for a purpose other than the foundation of HUD-Code Manufactured Home shall be considered a part of

such HUD-Code Manufactured Home  
pad.

6. Provide a minimum of two (2) off-street parking spaces which shall be constructed of concrete.
7. Double street frontage of HUD-Code Manufactured Home spaces shall be avoided.
8. No vehicular access to a HUD-Code Manufactured Home space is permitted from a public dedicated street.
9. Drainage. The ground surface in all parts of every HUD-Code Manufactured Home Park and especially beneath HUD-Code Manufactured Homes and other structures shall be graded and equipped to drain all surface water in a safe efficient manner so as not to permit water to stand or become stagnant.

(C) Design and Location of Storage Facilities. Storage facilities with a minimum capacity of 200 cubic feet per HUD-Code Manufactured Home space, may be proved on the space, or in compounds located within 200 feet of space. Where provided, storage facilities shall be faced with a durable, fire resistant material. Storage outside the perimeter walls of the HUD-Code Manufactured Home shall be permitted only if in such facilities. No storage shall be permitted under the HUD-Code Manufactured Home. Storage facilities shall not be located within ten feet (10') of the boundary line of any HUD-Code Manufactured Home space boundary line.

(D) Location of HUD-Code Manufactured Homes and Accessory Structures. No HUD-Code Manufactured Home or accessory structure such as a

refuse container, carport cabana, awning, fence or storage locker shall be permitted within ten feet (10') of a private street or the boundary line of a HUD-Code Manufactured Home space boundary line.

(E) Setbacks and Screening.

- (1) No HUD-Code Manufactured Home or structure in a HUD-Code Manufactured Home Park shall be located within the yard setback area. The minimum setback area for each space is:

Front Yard - 50 feet

Back yard - 25 feet

Side Yard - 20 feet

- (2) The following screening requirements shall be applicable:
- (a) A landscaped strip, not less than ten feet (10') in width or a screening device as defined herein shall be located along all HUD-Code Manufacture Home Park boundary lines abutting upon a public dedicated street or abutting residential property. The landscaped strip shall be continuously maintained and shall be devoted exclusively to the planting, cultivation, growing and maintenance of site obscuring trees, shrubs, plant life, as described below. Trees, shrubs, cane, and/or other vegetation shall be planted, cultivated and maintained as a sight and noise obscuring buffer that will effectively achieve sight and noise obstruction within approximately five (5) years. At least one row of trees with a minimum initial trunk diameter of one

inch and minimum initial height of five feet (5') shall be planted on twenty-five foot centers. Also, two (2) rows of cane, non-deciduous shrubs and/or other suitable screening plants shall be planted on ten-foot centers. The buffer strips are intended to provide a seventy-five percent (75%) or more opaque screen when viewed horizontally between two and ten feet (2' and 10') above the natural ground at the end of the growing period of five (5) years from the date of planting. Additional planting, cultivation and maintenance may be required by the Town Council during the use period of the buffer strip to achieve and maintain this effect.

(F) Access; Traffic Circulation; Parking.

- (1) Internal Streets shall be privately owned, built and maintained. Streets shall be designed for safe and convenient access to all spaces and facilities for common use of park residents.
- (2) All internal streets shall be constructed to specifications set by the Town Council and shall be maintained by the owner.
- (3) All private streets shall be constructed with concrete and shall be durable and well drained under normal use and weather conditions.
- (4) Internal Street Dimensions; Parking:
  - (a) Internal streets shall be minimum pavement width of twenty feet (20'). Parking shall not be allowed on the minimum street width. An additional lane of nine feet

- (9') minimum width may be added to one or both sides for off street parking.
- (b) Internal streets shall permit unobstructed access to within at least 200 feet (200') of any portion of each HUD-Code Manufactured Home.
  - (c) Within each HUD-Code Manufactured Home Park, streets shall be named, and HUD-Code Manufactured Homes numbered. Park signs and numbers shall be standard size and placement shall be of standard size and placement to facilitate location by emergency vehicles.
  - (d) Private streets which may connect two (2) public street right-of-way(s) shall, by the use of curves, off-sets, location and/or the use of two (2) or more streets be located so as to discourage through traffic.
  - (e) Private street intersections shall generally be at right angel, offsets at intersections of less than 125 feet (125') (centerline to centerline) shall be avoided, intersection of more than two streets at one point shall be avoided.
  - (f) Dead-end private streets shall be limited to a maximum length of one thousand feet (1000') and shall be provided with a vehicular turning space, with a turning circle of eighty feet (80') in diameter.
  - (g) Layout Streets and Blocks. Streets shall be laid out to provide a minimum distance of two hundred and

forty feet (240'), center to center of parallel streets, between intersections.

- (h) Lighting. The private streets, parking lots, walks and service areas shall be lighted at all times so the HUD-Code Manufactured Home Park shall be safe for occupants and visitors, provided further all entrances and exists shall be lighted.

(G) Fire Safety Standards:

- (1) The storage, handling and use of liquefied petroleum gases and flammable liquids shall be done in compliance with applicable state statutes.
- (2) Access to HUD-Code Manufactured Homes for Fire Fighting - Approaches to all HUD-Code manufactured Homes shall be kept clear for emergency vehicles.
- (3) The HUD-Code Manufactured Home Park licensee or agent shall provide an adequate system of collection and safe disposal of rubbish.

(H) Water Supply:

- (1) All approved water supply for domestic use and to meet the requirements of the HUD-Code Manufactured Home Park.
- (2) All plumbing shall be in accordance with applicable plumbing codes.

(I) Sewage Disposal - From and after the effective date of this Ordinance, the following shall apply:

- (1) Waste from all toilets, lavatories, sinks and showers in HUD-Code Manufactured Home Park shall be discharged

into a private disposal system approved by the Waller County Engineer.

- (2) All plumbing shall comply with applicable plumbing codes.
- (3) Each HUD-Code Manufactured Home pad shall have a sewer riser pipe of at least four inches (4") which shall be capped when not in use.

(J) Electrical and Telephone Distribution Systems. From and after the effective date of this Ordinance, the electrical distribution system shall comply with applicable electrical codes and other applicable laws of the State.

(K) All Rooms Containing Bathroom or Laundry Facilities Shall: Have fire-resistant walls extending to the ceiling between male and female facilities. Walls and partitions around showers, tubs, lavatories and other plumbing fixtures shall be constructed of dense, nonabsorbent, waterproof materials or covered with moisture resistant materials.

(L) Refuse and Garbage. Solid waste shall be stored in fly proof, water proof containers, which shall be emptied regularly and maintained in a usable, sanitary condition and the collection and disposal of said refuse and garbage shall be so conducted as to create no health hazard.

(M) Maintenance of Park. The owner of the park shall be responsible to insure that it is maintained in a manner which will not attract or aid the propagation of insects or rodents or create a hazard. Growth of plant material such as weeds and grass, especially beneath HUD-Code Manufactured Homes and other structures shall be continuously controlled. All streets, parking and storage areas shall be maintained to provide a fully paved surface.

(N) Conform to Codes. All Hud-Code Manufactured Home Park facilities and HUD-Code Manufactured Homes contained therein shall conform without

limitation to the codes, including the building, plumbing, electrical and fire codes and all applicable laws of the County of Waller and the State of Texas.

(O) Office - Every HUD-Code manufactured Home Park shall have an office in which a copy of the park permit or license shall be posted and the park register shall be in such office. It shall be the duty of the licensee to keep a register of park occupancy which shall contain the following information:

- (1) Name and address of owner or occupant.
- (2) The make, model, serial number, year and dimensions of all HUD-Code Manufactured Homes.
- (3) The date of arrival and departure of each HUD-Code Manufactured Home.

The park operation shall submit the park register to the Town Council each year upon requesting license renewal and shall make said register available to any authorized Town official upon reasonable request. Upon gaining knowledge of a departure of any HUD-Code Manufactured Home, the park operator shall notify the Waller County Tax Assessor. Failure to do so shall place the operator in violation of this Ordinance.

(P) Ordinance Compliance. It shall be the responsibility of the licensee to insure that all requirements of this Ordinance are met and maintained. Any HUD-Code Manufactured Home Park issued an initial license after adoption of this Ordinance that is found to be in violation of any provisions of this Ordinance shall be notified in writing by the Town Council in accordance with Section 6 and upon failure to comply, said license shall be revoked.

(Q) Nonconforming HUD-Code Manufactured Home Park.

- (1) Any HUD-Code Manufactured Home Park in use and/or existence on the effective date of this Ordinance, and not complying with all applicable provisions of this Ordinance

shall be considered a nonconforming HUD-Code  
Manufactured Home Park. Nonconforming parks shall  
comply with the requirements of Section 4 (D), (E), (F), (G),  
and (H) hereof.

- (2) Any land area added to a nonconforming HUD-Code  
Manufactured Home Park shall conform to all requirements  
of this Ordinance.

(R) Miscellaneous Requirements.

(1) Responsibilities of Park Management:

- (a) All responsibilities set out elsewhere in this  
Ordinance shall apply.
- (b) The licensee or licensee's 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.
- (c) 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.

(2) 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 HUD-Code Manufactured Home in

its HUD-Code Manufactured Home pad and proper installation of all utility connections in accordance with the instruments of the park management.

- (d) The use of space immediately beneath a HUD-Code Manufactured Home for storage shall not be permitted. The space immediately beneath a HUD-Code Manufactured Home shall be skirted at all times.
- (3) Mobile Homes shall not be permitted in a HUD-Code Manufactured Home Park.
- (4) Only HUD-Code Manufactured Homes shall be permitted in a HUD-Code Manufactured Home Park.

**Section 9. PENALTY PROVISIONS.**

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 \$100.00 nor more than \$500.00 and each day that such violation continues shall be considered a separate offense and punishable accordingly.

**Section 10. 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.

Section 11. EFFECTIVE DATE.

This Ordinance shall be effective immediately upon its passage, approval and publication.

PASSED AND APPROVED this 5th day of May, 1998.

APPROVED: Ray Garrett  
RAY GARRETT, MAYOR  
Town of Pine Island, Texas

ATTESTED:

Lynna Berry  
LYNNA BERRY,  
CITY SECRETARY  
Town of Pine Island, Texas