

ORDINANCE NO. 2017-

AN ORDINANCE REPEALING CHAPTER 66 OF THE CODE OF ORDINANCES OF THE CITY OF LEAGUE CITY ENTITLED “MANUFACTURED HOMES AND TRAILERS” AND ADOPTING A NEW CHAPTER 66 TO BE ENTITLED “MANUFACTURED HOMES AND RECREATIONAL VEHICLES” TO CLARIFY REQUIREMENTS FOR PLACEMENT AND OCCUPANCY OF MANUFACTURED HOMES AND RECREATIONAL VEHICLES; PROVIDING FOR CODIFICATION, PUBLICATION, AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. That the Code of Ordinances is hereby amended to REPEAL Chapter 66, entitled *Manufactured Homes and Trailers*, in its entirety.

Section 2. That the Code of Ordinances is hereby amended to ADOPT a new Chapter 66, entitled *Manufactured Homes and Recreational Vehicles*, to read as follows:

**Sec. 66-1. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Camper trailer* means a towable recreational vehicle that contains fewer than four life support systems.

*House trailer* means a trailer or semitrailer, other than a towable recreational vehicle, that:

- (i) is transportable on a highway in one or more sections;
- (ii) is less than 40 feet in length, excluding tow bar, while in the traveling mode or less than 320 square feet when erected onsite;
- (iii) is built on a permanent chassis;
- (iv) is designed to be used as a dwelling or for commercial purposes if connected to required utilities; and
- (v) includes plumbing, heating, air-conditioning, and electrical systems.

*HUD-code manufactured home* means a structure that:

- (i) was constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development;
- (ii) is built on a permanent chassis;
- (iii) is designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities;
- (iv) is transportable in one or more sections; and
- (v) is at least eight body feet in width or at least 40 body feet in length, in the traveling mode, or when erected on site, at least 320 square feet;
- (vi) includes the plumbing, heating, air conditioning, and electrical systems of the home; and
- (vii) does not include a recreational vehicle.

*Life support system* means one of the following systems that is permanently installed and designed to be removed only for repair or replacement and that meet the standards of the American National Standards Institute, Standards for Recreational Vehicles:

- (i) a cooking facility with an on-board fuel source;
- (ii) a gas or electric refrigerator;
- (iii) a toilet with exterior evacuation;
- (iv) a heating or air-conditioning system with an on-board power or fuel source separate from the vehicle engine;
- (v) a potable water supply system that includes at least a sink, a faucet, and a water tank with an exterior service supply connection; or
- (vi) a 110-125 volt electric power supply.

*Manufactured home* means a HUD-code manufactured home or a mobile home.

*Manufactured home park* means a tract or parcel of land at least five acres in size used for lease or rental occupancy by manufactured homes.

*Manufactured home subdivision* means a residential subdivision at least five acres in size where the residences are all manufactured homes.

*Mobile home* means a structure:

- (i) constructed before June 15, 1976;
- (ii) built on a permanent chassis;
- (iii) designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities;
- (iv) transportable in one or more sections; and
- (v) in the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet; and
- (vi) includes the plumbing, heating, air conditioning, and electrical systems of the home.

*Motor home* means a self-propelled recreational vehicle that is built on a motor vehicle chassis as an integral part of or a permanent attachment to the chassis and that contains at least four life support systems.

*Recreational vehicle* means a vehicle, whether self-propelled, permanently towable, or carried, primarily designed for use not as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. The term includes a travel trailer, camping trailer, truck camper, and motor home.

*Recreational vehicle park* means a commercial property:

- (i) that is designed primarily for recreational vehicle transient guest use; and
- (ii) for which fees for site service connections for recreational vehicles are paid daily, weekly, or monthly.

*Towable recreation vehicle* means a recreational vehicle that:

- (i) has a hitch permanently installed to allow towing by a motor vehicle;
- (ii) is less than eight feet six inches in width or 45 feet in length, exclusive of the hitch installed on the vehicle;

- (iii) is permanently built on a single chassis; and
- (iv) contains at least one life support system.

*Travel trailer* means a towable recreational vehicle that contains at least four life support systems.

*Truck camper* means a recreational vehicle built with no wheels or drivetrain and designed to be carried in the bed of a pickup truck.

*Utility service* means one or more of the following:

- (i) electrical supply, whether by generator or connection to an electrical utility service line;
- (ii) water supply, whether by private well or connection to a water utility service line; and
- (iii) sewer disposal service, whether by septic system or connection to a sanitary sewer service line.

**Sec. 66-2. Mobile homes prohibited.**

- (a) No mobile home may be installed, placed, or connected to utility service for use as a dwelling on any property in the city.
- (b) The prohibition in (a) shall not apply to a mobile home previously legally permitted by and used as a dwelling in the city.

**Sec. 66-3. House trailers restricted.**

- (a) No house trailer may be installed, placed, or connected to utility service for use as a dwelling on any property in the city.
- (b) The temporary use of a house trailer for business or commercial purposes shall comply with all applicable city ordinances.

**Sec. 66-4. Permit required for manufactured homes.**

No HUD-code manufactured home may be installed, placed, or connected to utility service for use as a dwelling on any property in the city unless a permit is approved for such installation, placement, or connection.

**Sec. 66-5. Permit criteria.**

- (a) No permit may be issued for the installation, placement, or connection to utilities of a HUD-code manufactured home unless at least one of the following conditions applies:
  - (1) a specific use permit is obtained for the property to allow the HUD-code manufactured home to be installed, placed, or connected to utilities thereon;
  - (2) the HUD-code manufactured home being installed, placed, or connected to utility service in a manufactured home park or a manufactured home

subdivision for which a specific use permit has already been granted to allow HUD-code manufactured homes;

- (3) the HUD-code manufactured home being installed, placed, or connected to utility service on a property to replace a mobile home already existing on such property;
  - (4) the HUD-code manufactured home being installed, placed, or connected to utility service on a property to replace a HUD-code manufactured home already existing on such property that was damaged or destroyed by a fire or natural disaster; or
  - (5) the HUD-code manufactured home being installed, placed, or connected to utility service on a property to replace a HUD-code manufactured home already existing on such property that is not newer and not larger than the HUD-code manufactured home for which the permit is sought.
- (b) A property owner is limited to only one permit that is authorized by the condition in (a) (5).
- (c) An applicant for a permit to install, place, or connect to utility service an unused HUD-code manufactured home in the city shall be provided a written determination on his application not later than the 45<sup>th</sup> day after the date the application was received.

**Sec. 66-6. Use of recreational vehicles, generally.**

- (a) Except as provided in Section 66-7, no recreational vehicle may be occupied or used for habitation upon any property in the city except in a recreational vehicle park or manufactured home park.
- (b) Except as provided in Section 66-7, no recreational vehicle may be parked or placed upon any property in the city and connected to water service except temporarily to fill an onboard water storage tank.
- (c) Except as provided in Section 66-7, a recreational vehicle may not be parked at a residential property and connected to electricity for longer than forty-eight (48) hours immediately prior to the use of the vehicle elsewhere for recreational purposes.

**Sec. 66-7. Temporary occupancy after a disaster.**

Notwithstanding any city ordinance to the contrary, a temporary certificate of occupancy may be issued by the building official to permit a house trailer or recreational vehicle to be parked upon and connected to utility service at property within the city for temporary use as a habitation, provided the following conditions are met:

- (1) the property is within a disaster area declared by the mayor or city council;
- (2) the property has a residence thereon that has been damaged or destroyed by fire or natural disaster;
- (3) only the former occupants of the damaged or destroyed residence may use the house trailer or recreational vehicle as a habitation;

- (4) the house trailer or recreational vehicle is parked on the driveway or other improved parking space constructed in accordance with the city's ordinances applicable to parking at single family residential property;
- (5) any connection to the city's sanitary sewer is done in a manner to reasonably prevent rainwater from entering the sanitary sewer line;
- (6) if electrical service is provided via generator, the noise from the generator(s) shall not exceed 60 decibels measured at the property line during the hours of 10:00PM to 7:00AM daily; and
- (7) the temporary certificate of occupancy shall expire not later than six (6) months after the disaster declaration, which expiration date may be extended twice by the building official, for periods of three (3) months per extension, upon a showing that reasonable progress is being made on the repairs to the residence on the property, and provided that in no event shall the temporary certificate of occupancy be valid for a total period exceeding one calendar year.

Section 2. Savings. All rights and remedies which have accrued in favor of the City under this Ordinance and amendments thereto shall be and are preserved for the benefit of the City.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Repealer. All ordinances and parts of ordinances in conflict herewith are hereby repealed but only to the extent of such conflict.

Section 5. Codification. It is the intent of the City Council of the City of League City, Texas, that the provisions of this Ordinance shall be codified in the City's official Code of Ordinances as provided hereinabove.

Section 6. Publication and Effective Date. The City Secretary shall cause this Ordinance, or its caption, to be published in the official newspaper of the City of League City, upon passage of such Ordinance. The Ordinance shall become effective immediately upon passage.

PASSED first reading the \_\_\_\_ day of \_\_\_\_\_, 2017.

PASSED second reading the \_\_\_\_ day of \_\_\_\_\_, 2017.

PASSED AND ADOPTED the \_\_\_\_ day of \_\_\_\_\_, 2017.

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PAT HALLISEY  
Mayor

ATTEST:

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DIANA M. STAPP  
City Secretary

APPROVED AS TO FORM:

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NGHIEM V. DOAN  
City Attorney