

CITY OF HUNTINGTON
MOBILE, MODULAR, AND HUD-CODED
MANUFACTURED HOME ORDINANCE
Ordinance # MH-1008
Revised October 18, 2021

AN ORDINANCE OF THE CITY OF HUNTINGTON DECLARING A PUBLIC PURPOSE AND NECESSITY TO REPEAL MOBILE HOME ORDINANCE 20200728 MH; THEREBY MAKING IT LAWFUL TO PLACE MOBILE HOMES IN THE CITY OF HUNTINGTON WITH RESTRICTIONS AND AN APPROVED PERMIT. PROVIDING FOR FINES NOT TO EXCEED SEVEN HUNDRED FIFTY AND NO/100 DOLLARS (\$750.00) PER DAY FOR EACH VIOLATION OF THE ORDINANCE.

WHEREAS, the City of Huntington's City Council wishes to protect the health, safety, and welfare of all area citizens and to preserve and protect real estate values within the community for all property owners; and

WHEREAS, the protection of the health, safety, and general welfare of the citizens of the City of Huntington and the protection of real estate values are valid public police powers; and

WHEREAS, the City Council wishes to repeal and replace the City of Huntington's Mobile and Manufactured Home Ordinance # 20200728 MH;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUNTINGTON, TEXAS AS FOLLOWS:

SECTION 1

Definitions – The following definitions shall apply unless the context clearly indicates or requires a different meaning.

Decal/Label – A device or insignia issued by the State Department of Labor and Standards that is permanently affixed to each transportable section of a modular home to indicate compliance with the standards, rules, and regulations established by the Department.

HUD-Code Manufactured Home – A structure constructed on or after June 15, 1976 according to the rules of the U. S. Department of Housing and Urban Development, transportable in one or more sections which, in the traveling mode, is eight (8) body feet or more in width and forty (40) body feet or more in length or, when erected on site, is three hundred twenty (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 which includes plumbing, heating, air conditioning, and electrical systems.

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Installation – The connection of the foundation system, whether temporary or permanent, and the placement of a manufactured home on such system including supports, blocking, leveling, securing, anchoring, and connection of multiple or expandable units, and minor adjustments.

Lot/Space – A plot of ground designed for the placement of one manufactured home, with such home situated a minimum of ten (10) feet off all property lines.

Manufactured Home or Modular Housing – A HUD-Code manufactured home is to be used for residential purposes.

Mobile Home – A structure transportable in one or more sections which, in the traveling mode, is eight (8) body feet or more in width and forty (40) body feet or more in length or, when erected on site, is three hundred twenty (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 which includes plumbing, heating, air conditioning, and electrical systems.

Modular Home – A structure that is manufactured in two or more modules at a location other than the installation site and which is designed to be used for human occupancy when the modules are transported to the installation site and joined together and installed on a permanent foundation system. The term includes the plumbing, heating, air conditioning, and electrical systems contained in the structure.

SECTION 2

Rental Mobile, HUD-Code Manufactured, or Modular Homes – It shall hereafter be unlawful to locate a mobile, manufactured, or modular home as herein defined in the City of Huntington for rental purpose outside a duly licensed mobile home park or a duly licensed mobile, manufactured, or modular home subdivision. Modular home subdivision shall be defined as meeting the requirements of a mobile home park for the purposes of this ordinance. **A mobile home park ordinance exists independent of this ordinance.**

SECTION 3

Mobile Home Restrictions on Main Street / Highway 69 Inside City Limits – The governing body of the City of Huntington and the Huntington Economic Development Board of Directors feel it to be to the economic benefit of the citizens and businesses of the City to make it unlawful to allow mobile homes on the Main Street and/or US Highway 69 inside the corporate limits of the City of Huntington.

SECTION 4

Placement of Mobile, HUD-Code Manufactured, or Modular Housing Outside a Mobile Home Park or Subdivision –

- a) Mobile, HUD-code manufactured, or modular homes shall be permitted to be located within the limits of the city upon any space, lot, or tract of land with the exception of Main Street and/or US Hwy 69 as noted in Section 3 of this ordinance, and with the approval of the City Administrator.
- b) Any mobile, HUD-code manufactured, or modular home legally in existence at any location in the City limits as of October 18, 2021 shall have a grandfather permit issued to the current owner. The grandfather permit is not transferrable.

SECTION 5

Temporary Permit – The following steps must be completed prior to the issuance of a temporary permit:

- a) A temporary application shall be completed, signed, and turned into the City Administrator with all required information provided. The temporary permit shall be for sixty (60) days, allowing ample time for placement of the home and to meet all compliance issues. If the owner requires more time due to unforeseen circumstances, they must request such extension from the City Administrator.
- b) There will be a \$150 permit fee due and payable at the time of application. This fee is non-refundable regardless of whether or not a permit is actually issued.
- c) Submission of a plat showing the legal description of the proposed property location, a drawing which details the proposed placement of the home on the property, and where the utility lines will be laid.
- d) Proof of ownership of both the property and the mobile home. A permit will not be issued to anyone not able to provide acceptable proof of ownership of the home and property.
- e) Information relating to the manufacturer, model, size, and date of manufacture of the home. No permit will be issued to a home more than five (5) years old at the date of installation.
- f) Submission of a signed statement from the owner saying that he/she has received a copy of ordinance 1008 MH as revised on October 18, 2021, and that he/she understands the requirements of this ordinance.
- g) Submission of a signed statement from the owner saying that the home will have tie-downs and will be skirted with fire-resistant skirting which shall be maintained intact to prevent the accumulation of flammable materials beneath the home.
- h) Submission of a signed statement from the owner that the property will be used as a residential dwelling for the home's owner only, and not for rental purposes.

SECTION 6

Permanent Permit – No City utilities will be turned on until all paperwork has been submitted, inspections completed and passed, and the home found to be in full compliance with applicable ordinances. The following steps must be completed prior to the issuance of a permanent permit:

- a) Permanent permit application completed and submitted to City Administrator.
- b) Compliance checklist completed and signed by both the Code Enforcement Officer and the City Administrator.
- c) Submission of photographs of all four (4) sides of the home which shall match the description of such home as provided in the temporary permit and showing that the home has been tied down and skirted per this ordinance's requirements.
- d) Submission of a signed statement that the owner understands the permit is intended only for the person to whom it is issued and is not transferrable to any subsequent owner. If the property is sold the new owners must go through the application process.

SECTION 7

Abandonment – An existing mobile home or manufactured home as defined which continues to be used for any purpose subsequent to the continuance provisions of this ordinance and which is abandoned and not maintained for a continuous period of forty-five (45) calendar days, shall lose its continuance status and shall be subject to the application process. Abandonment and lack of maintenance may be evidenced by, but is not limited to, termination of utility service, failure to maintain occupancy, change of type of use, or by any other reasonable means.

Any mobile, HUD-code manufactured, or modular home which is subsequently abandoned or moved off property according to the definition contained in this ordinance shall be deemed to have lost its permanent permit and location privilege and status, along with the site status on which the structure had been located.

SECTION 8

Removal – Any mobile, HUD-code manufactured, or modular home located within the corporate limits of the city found to be in violation of any term or condition of this ordinance shall be subject to removal from the city at the expense of the owner. If, upon a city directed order for removal, the owner fails to comply, the city may enter the property in question and take steps to have the home removed at the expense of the owner.

SECTION 9

Enforcement Procedures –

- a) In addition to other penalties set out herein, the city shall withhold public utilities and improvements of whatever nature, including the maintenance of streets, to homes defined in this ordinance which are not in compliance with all applicable provisions of the ordinance.
- b) In addition to the enforcement procedures provided in this chapter, the City Attorney shall take such other legal action, injunctive relief, or otherwise as may be necessary to enforce the provisions of the ordinance.
- c) Any home not in compliance with this city ordinance shall be guilty of a misdemeanor and, upon conviction, shall be fined no less than \$250.00 nor greater than \$750.00 plus court costs. Each day that such violation continues unabated shall constitute a separate offense.
- d) The city may revoke any permit after written notice of fifteen (15) days due to any violation of this ordinance at the City Administrator's discretion. After such conviction the permit may be reissued if the circumstances leading to the revocation have been remedied and the property is in full compliance.

SECTION 10

Prohibited Parking – It shall be unlawful for any person to park any mobile, HUD-code manufactured, or modular home, or any recreational vehicle on any public street, alley, highway, or other public place within the limits of the city for any reason.

SECTION 11

Severability – If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 12

Passage and Approval –

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Huntington, Texas on this the 18th day of October, 2021.

ATTEST:



Julie Davis, City Secretary





Frank Harris, Mayor

Temporary Manufactured Home Permit

Applicant: _____

Address: _____

Property Address: _____

Home #: _____ Cell #: _____ Work #: _____

E-Mail: _____

Description of Manufactured Home:

Make: _____ Model: _____

Date of Manufacture: _____ Size: _____

Serial Number(s): _____

Plat Attached

Proof of ownership

Ordinance acknowledgement

Skirting statement

Residential dwelling statement

\$150 permit fee paid

I understand that a temporary permit is being issued on this the _____ day of _____, 20____.

This permit expires in sixty (60) days from this date and is being issued to allow the placement of the above described manufactured home. It allows sixty (60) days to be in compliance with the City's manufactured home ordinance or to move the home out at your expense. It gives the City of Huntington permission to inspect the property and manufactured home prior to issuing a permanent permit.

I have read the manufactured home ordinance and will comply with the application process for a permanent permit.

Owner / Applicant

Approved by:

City Administrator or Code Enforcement Officer

Date

**Manufactured Home Temporary Permit
Acknowledgement Form**

In accordance with the provisions of the City of Huntington's mobile/manufactured home ordinance, I affirm the following statements:

- I have received a copy of the current mobile/manufactured home ordinance and agree to make myself familiar with and to comply with all the provisions provided therein.
- The home will have tie-downs and will be skirted with fire-resistant skirting which shall be maintained intact to prevent the accumulation of flammable materials beneath the home.
- The home will be used as a permanent residential dwelling for myself and/or my family and will NOT be used for rental property in any instance.

Applicant/Owner's Signature

Date

Application For Permanent Mobile Home Permit

Name: _____ Telephone: _____

Address: _____ Cell/Work #: _____

Property Address: _____

Description of Mobile Home: _____ Make: _____

Year Built: _____ Size: _____ Model: _____

The following must be signed off on by the Code Enforcement Officer:

- a. Photographs of mobile home – all four sides _____
- b. Proof of paid taxes on property _____
- c. Mobile home is skirted with fire resistant skirting _____
- d. Mobile home is properly tied down and blocked _____

The following must be signed off on by the Public Works Director

- a. Gas, sewer, water utilities (all in compliance and ready for hook up) _____
- b. Mobile home is the one represented in attached photographs _____
- c. Mobile home is clear of all easements _____

The following must be signed off on by the City Administrator

- a. Applications are complete and properly executed _____
- b. Property and home have been inspected and in compliance _____

It is my opinion that the above final and permanent permit should be issued. _____

City Administrator

Issued to Code Enforcement Officer for permanent permit on _____
(date)

DENIED – Does not meet requirements. Reason: _____

City Administrator

Date