

ORDINANCE

MOBILE HOME LICENSE  
Regulation  
100-...  
07/01

AN ORDINANCE REGULATING MOBILE HOME AND TRAVEL TRAILER PARKS; OR MOBILE HOME SUBDIVISION; 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.

BE IT ORDAINED BY THE CITY OF MERCEDES, TEXAS

ARTICLE I

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.

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 one or more mobile homes or travel trailers, 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 Trailer lot" means a plot of ground within a mobile home an/or travel trailer park designed for the accommodations of one mobile home or travel trailer.

Section 1.08. Mobile Home or Trailer Subdivision.

"Mobile home or trailer subdivision" means a subdivision designed and intended for residential use, where residence is permitted in mobile homes or trailer houses, each mobile home being located on a separate lot. Such subdivision could retain a central management and could be operated as a condominium, retaining ownership of streets and common open spaces.

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 Mercedes, any mobile home and/or travel trailer park unless such person shall first obtain a license therefor.

Section 2.02. License Fees.

The annual license fee for each mobile home an/or travel trailer park shall be \$25.00 per year or fraction thereof. The fee for the transfer for such license, as provided for in this ordinance, shall be \$5.00.

Section 2.03. Application for License.

Applications for a mobile home and/or travel trailer park license shall be filed with the City Commission and upon approval by the City Commission, the City Clerk 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.
- 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. Such further information as may be requested by the City Commission 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 triplicate. The City Manager, City Health Officer, and City Planning and Zoning Commission shall investigate the applicant, and inspect the proposed plans and specifications. Each of them shall then make a report to the City Commission concerning such applicant and include therein their recommendations relative to the issuance of 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 Commission 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 Clerk, at the direction of the City Commission, shall issue the license

#### Section 2.04. Mobile Home and/or Travel Trailers Outside Licensed Parks.

It shall be unlawful for any person to locate or maintain any such mobile home or travel trailer in any place in the City of Mercedes other than a duly licensed and lawful mobile home and/or travel trailer park or mobile home subdivision, except those mobile home and/or trailer already located prior to enactment of this ordinance.

#### Section 2.05. Revocation of License.

The City Commission 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 Commission 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 may be re-issued if the reasons for said revocation have been duly corrected.

#### Section 2.06. Transfer and Duration.

Upon application for a transfer of the license, the City Commission may issue a transfer upon payment of 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 Mercedes, unless previously revoked or terminated.

#### Section 2.07. 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. The minimum width and/or depth of the mobile home park or subdivision shall be three hundred (300) feet; and the minimum total area shall be four (4) acres, including one-half (1/2) the width of bordering streets.
- c. There shall be no minimum lot area for a mobile home or trailer site in a mobile home or trailer park, except that mobile homes or travel trailers shall be so harbored on each space that there shall be at least a twenty (20) foot unobstructed 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 may be more than twenty (20) feet, but shall not be less than twelve (12) feet. No part of a mobile or travel trailer shall be located closer than twelve (12) feet to any building with in the park or closer than ten (10) feet to any property line, nor closer than five (5) feet to an access drive.

- d. 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 public street, alley or highway. All driveways shall be hard surfaced, well marked in the daytime, and lighted at night. The minimum quality of such driveway surfacing shall be a two-course hot top surface.
- e. Walkways not less than two (2) feet wide shall be provide from the mobile home and/or travel trailer lots to the service buildings. The walkway shall be hard surfaced, as that term is defined in the preceding paragraph, well marked in the daytime and lighted at night. Walkways, when clearly designated, may be contiguous with access drives.

### Section 3.02. Location.

- a. Mobile home parks, travel trailer parks and/or mobile home subdivisions shall not be located in districts RA-1, RA-2 or B1.
- b. Mobile home and/or trailer parks may be located only in conformity with the comprehensive zoning ordinance of the City, and in addition to the requirements contained therein, each boundary of the park must be at least one hundred (100) feet from any permanent residential building located outside the park unless a majority of the property owners according to area within said one hundred (100) feet, consent in writing to the establishment of the park, provide, however, that the provisions of this section shall not apply to mobile home and/or travel trailer parks already in existence and operation at the time of the passage of this ordinance, and such existing and operating parks shall be treated as a non-conforming use insofar as the requirements of this section are concerned.

### Section 3.03. Mobile Home Subdivision.

The minimum lot area in a mobile home subdivision shall be 3,800 square feet 40x 95. All corners of each mobile home lot in a subdivision shall be visibly marked by a permanent marker. Side yard variancy shall comply with the provisions of Zoning Ordinance No. 295 for use district RB2.

### Section 3.04 Access and Exit.

- A. Access to the mobile home or trailer park shall be from an arterial highway or secondary thoroughfare. The number and location of access drives shall be controlled for traffic safety and protection of surrounding properties, and no mobile home or trailer space shall be designated for direct access to a street outside the boundaries of the mobile home or trailer park, and the interior access drives shall be at least twenty-five feet in width. In a mobile home subdivision the streets shall meet all City requirements as to with, curbs, and gutters as set forth in the Platting Ordinance.
- B. The mobile home park shall be surrounded by a landscaped strip of open space ten (10) feet wide along the street frontage with an arterial highway and ten (10) feet wide along all other lot lines or street frontage.
- C. Off-street parking spaces in mobile homes or trailer parks shall be paved in concrete or two course asphalt and shall be provided in the ration of one (1) space per trailer in locations convenient to individual trailers or groups of trailers. In mobile home subdivisions there shall be at least one (1) parking space per lot.
- D. Proper provision shall be made for public water supply, sanitary sewers, fire protection, refuse collection, laundry, toilet and bathing facilities; and all such provisions shall be in full compliance with the Department of Public Works and the City-County Health Department.
- E. A mobile home park may be converted to a mobile home subdivision provided it is replatted and that all conditons pertaining to mobile home subdivisions are met.
- F. Single-family detached dwellings shall be permitted on lots within a mobile home subdivision provided the lot size is a minimum of 5,000 square feet.

- G. Outside lighting shall be erected in such a manner that it not be detrimental to or project onto adjacent properties.
- H. Outdoor advertising shall be restricted by the zoning district in which the park or subdivision is situated.
- I. The provisions of this section shall not apply to mobile home or trailer parks in existence and operation in compliance with existing ordinances and laws at the time of the passage of this amendment; they shall be treated as nonconforming uses insofar as the requirements of this section are concerned.

Section 3.06. 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 3.07. 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 addition 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, prefabricated, temporary room, for the express purpose of increasing mobile home or travel trailer living area, commonly called "cabana", which meet the following requirements:

- a. Of metal only, fire resistive, double wall, mechanical joint panels (no welded joints between panels permitted);
- b. Strength of materials and structure to meet minimum standards of the City Building Code;
- c. Capable of being dismantled when moved;
- d. 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;
- e. Finish and appearance to be as near the same as possible to the mobile home or travel trailer to which it is accessory;
- f. The length must not exceed the length of the mobile home or travel trailer to which it is accessory; and
- g. Only one such room per mobile home or travel trailer shall be permitted.

Section 3.08. Office Building.

Each mobile home and/or travel trailer park shall be provided with a building to be known as the office 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 officers, public health officials, and other officials whose duties necessitate acquisition of the information contained therein.

ARTICLE 4

OPERATING OF MOBILE HOME AND/OR TRAVEL TRAILER PARKS

Section 4.01. Rules and Regulation 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 Commission. In addition thereto, it shall be the duty of the owner, his agent, representative or manager to comply strictly with the following:

- a. Provide for regular inspection of the water and sanitary conveniences.
- b. Provide for the collection and removal of garbage and other waste material.
- c. Prohibit the placing or storage of unsightly material or vehicles of any kind.

ARTICLE 5

FACILITIES AND SERVICES

Section 5.01. Water Supply and Sanitary Sewer.

All mobile homes to be properly connected to an approved water, sewer, and electrical systems.

Section 5.02. Fuel-Mobile Home and Trailer Park.

Bottled gas for cooking purposes shall not be used at individual mobile home 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 feet of a door thereof. State and local regulations applicable to the handling of bottled gas and fuel oil must be followed.

Bottled gas cannot be used in a mobile home subdivision. Bottles to be removed from trailer if natural gas is available.

ARTICLE 6

PENALTY PROVISION

Section 6.01. 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 7

SEVERABILITY

Section 7.01. 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 section or part of a section or paragraph of this Ordinance.

ARTICLE 8

REPEALING CLAUSE

Section 8.01. Repealing Clause.

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

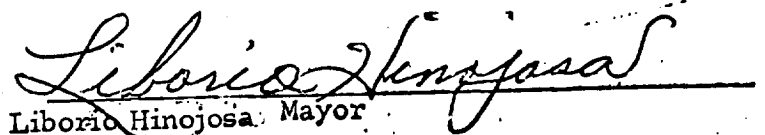
ARTICLE 9

ESTABLISHING AN EFFECTIVE DATE


Section 9.01. Effective Date.

This Ordinance shall be effective after its passage and publication according to law.

PASSED AND APPROVED at a regular meeting of the City Commission of the City of Mercedes at which meeting a quorum was present, on the 12th DAY OF June 1972.

  
Liborio Hinojosa, Mayor

ATTEST:

  
City Secretary, Elia Jenkins