

ORDINANCE NO. 02-05-19

AN ORDINANCE OF THE CITY OF COOPER, TEXAS, AMENDING ORDINANCE NO. 1503 REGULATING MOBILE HOMES TO CLARIFY THE DEFINITION OF MOBILE HOME; TO CLARIFY PROVISIONS REGARDING ISSUANCE OF PERMITS FOR MOBILE HOMES LOCATED OUTSIDE MOBILE HOME PARKS; PROVIDING FOR REQUIREMENT FOR CONVERSION FROM MOBILE HOME TO PERMANENT STRUCTURE AND ELECTION AS REAL PROPERTY WITH TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS; AND SETTING AN EFFECTIVE DATE.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COOPER, TEXAS:

SECTION 1. That Subsection (d) of Section I of Ordinance No. 1503 of the City of Cooper adopted by the City Council on September 14, 1971, and amended on April 13, 1987, and November 8, 2004, be and the same is hereby amended as follows:

(d) "Mobile Home" means any vehicle or similar portable structure in excess of eight feet in width having no foundation other than wheels, jacks, blocks, or shirtings, and so designed or constructed as to permit occupancy for dwelling or sleeping purposes. For purposes of this Ordinance and any amendments thereto, the term "mobile home" shall also include travel trailers and HUD-code Manufactured Homes which are subject to the issuance of a Statement of Ownership and Location by the Texas Department of Housing and Community Affairs.

SECTION 2. That Subsection (d) of Section II of Ordinance No. 1503 of the City of Cooper adopted by the City Council on September 14, 1971, and amended on April 13, 1987, and November 8, 2004, be and the same is hereby amended as follows:

(d) A permit shall be obtained by the mobile home occupant for any location outside of a mobile home park from the City Clerk of the City of Cooper. The fee will be \$50.00 for each mobile home, provided that where applicable the permit fee shall be reduced by all previous payments under this ordinance. The permit shall be granted only upon the written consent of all property owners within 200 feet of the property where the mobile home is to be located. No permits shall be granted to single-wide structures.

The measurement of the distance between the mobile home requesting a permit and the property owner whose permission is required

shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections.

In the event that a property owner within such distance is not able to be located, or in the event that any one property owner within such distance refuses to consent to the issuance of a permit or placement of a mobile home on the subject tract, the person(s) requesting the permit shall have the right to appeal the issue to the City Council of the City of Cooper, Texas.

A mobile home permit shall be valid and transferable only from one individual to another individual upon the original property for which the permit was obtained. A permit shall not be transferable from one location to another. A permit shall not be issued for any mobile home more than one year from date of manufacture.

SECTION 3. That Section II of Ordinance No. 1503 of the City of Cooper adopted by the City Council on September 14, 1971, and amended on April 13, 1987, and November 8, 2004, be and the same is hereby amended to add the following paragraph (g):

(g) Converting mobile home into permanent structure. Permittees shall be required to convert the mobile home into a permanent structure on the property by installing on said mobile home smart panel siding and a sturdy underpinning and by placing said mobile home on a permanent foundation. Permanent foundation shall be in conformity with the requirements and specs as listed in the Permanent Foundations Guide for Manufactured Housing (4930.3G) issued by the U.S. Dept. of Housing and Urban Development. Upon such placement on a permanent foundation and conversion into permanent structure, the owner shall notify the City of Cooper, and within a reasonable time thereafter, the Mayor of the City of Cooper, Texas shall complete an inspection of the property and foundation. After such inspection has been completed, the property owner shall file with the Texas Department of Housing and Community Affairs an application for the issuance of a Statement of Ownership and Location to elect the mobile home as real property and shall perfect said election as required by the Texas Department of Housing and Community Affairs.

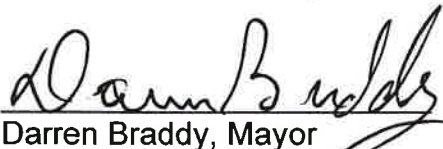
SECTION 4. That if any section, provision, subsection, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid by any court of competent jurisdiction, such holdings shall not affect the validity of the remaining portions of this Ordinance, and the City Council of the

City of Cooper, Texas hereby declares it would have enacted such remaining portions, despite such invalidity.

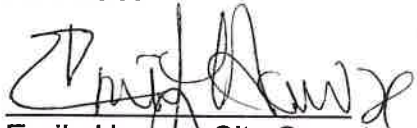
SECTION 5. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby expressly repealed.

SECTION 6. This Ordinance shall be in full force and effect immediately.


PASSED AND APPROVED, this the 13 day of May, 2019.


Darren Braddy, Mayor

ATTEST:


Emily Howse, City Secretary

APPROVED AS TO FORM:


Edgar J. Garrett, Jr., City Attorney