

ORDINANCE NO. 05-11-04

AN ORDINANCE OF THE CITY OF COOPER, TEXAS, AMENDING ORDINANCE NO. 1503 REGULATING MOBILE HOMES TO ALLOW TIME FOR BUILDING OF RESIDENCE, AND TO INCREASE THE PENALTY FOR VIOLATION OF SAME; AND SETTING AN EFFECTIVE DATE.

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

SECTION 1. That Section II of Ordinance No. 1503 of the City of Cooper adopted by the City Council on September 14, 1971, be and the same is hereby amended to add the following paragraph (g):

(g) A person shall be permitted to occupy or use as a temporary residence a travel trailer on the property on which that person's permanent residence is being constructed, for a period not to exceed six (6) months during the construction of said residence. A permit therefor must first be obtained from the City of Cooper, said permit fee to be in the amount of \$50.00.

SECTION 2. That Section XXV "Penalty" of Ordinance No. 1503 of the City of Cooper adopted by the City Council on September 14, 1971, be and the same is hereby amended to read as follows:

SECTION XXV PENALTY: Any person violating this ordinance shall be fined not more than Five Hundred Dollars (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 3. 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 4. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby expressly repealed.

SECTION 5. This Ordinance shall be in full force and effect from and after its publication in the official newspaper of the City of Cooper.

AN ORDINANCE PROVIDING FOR THE REGULATION OF MOBILE HOME PARK; DEFINING TERMS; PROVIDING FOR REVOCATION; PROVIDING FOR FEES; PROHIBITING THE USE OF MOBILE HOMES WITHOUT A PERMIT; PROVIDING FOR A FINE NOT TO EXCEED \$200.00; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE OF SEPT. 14, 1971.

BE IT ORDAINED BY THE CITY COUNCIL OF THE City of Cooper, COOPER, TEXAS:

SECTION 1. – DEFINITIONS: as used in this ordinance;

- (a) "Natural or artificial barrier" means any river, pond, canal, railroad, levee, embankment, fence or hedge.
- (b) "Park" means Mobile Home Park.
- (c) "Person" means any natural individual, firm, trust, partnership, association or corporation.
- (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 shirting's, and so designed or constructed as to permit occupancy for dwelling or sleeping purposes.
- (e) "Independent mobile home" means a mobile home which has a flush toilet and a bath or shower.
- (f) "Dependent mobile home" means a mobile home which does not have a flush toilet and a bath or shower.
- (g) "Travel trailer" means any vehicle or similar portable structure 8 feet wide or less having no foundation other than wheels, jacks, blocks or shirting's and so designed or constructed as to permit occupancy for dwelling or sleeping purposes.
- (h) "Mobile home Park" means any plot of ground which one or more mobile homes, occupied for dwelling or sleeping purposes are located regardless or whether or not a charge is made for such accommodation.
- (i) "Mobile home space" means any plot of ground within a mobile home park designed for the accommodation of one mobile home.

SECTION II. PERMIT FOR PARKING OUTSIDE OF MOBILE HOME PARK.

- (a) It shall be unlawful within the corporated limits of the City of Cooper, Texas, for any person to park any mobile home of any kind on any street, alley, highway or other public place in the corporate limits of the City of Cooper, Texas.
- (b) No mobile home shall be parked, used or occupied on any tract of ground within the corporate limits of the City of Cooper, Texas, except as provided in this ordinance.
- (c) No person shall occupy or use as a residence any mobile home or travel trailer for more than forty-eight hours on the premised of any occupied dwelling, nor for more than twenty-four hours on any lot which is not a part of the premised of any occupied dwelling, unless a permit therefore shall have been first obtained, nor

shall any person permit such parking use or occupancy unless the occupancy of the mobile home shall first have obtained a permit therefore.

- (d) A permit shall be obtained by the mobile home occupant for any location outside of a mobile home park from the City Clerk at a fee of \$3.00. The permit shall be granted only upon the written consent of the owner, legal agent of the owner, or the leasee of the location for which the permit is issued.
- (e) Application for the permit shall contain the street and number of the occupied dwelling and his permission to locate; a statement of the nature and location of sanitary facilities and the permission of the occupant of the dwelling house for their sinks shall be emptied into a proper sewer connected fixture. Application for permit to locate on a vacant lot shall contain the street with the name and approximate distance from the nearest intersection; a statement of the nature and location of sanitary facilities; and a statement that all waste water from the mobile home shall be emptied into a proper connected fixture.
- (f) The use of built-in mobile home closets or chemical toilets is prohibited with the City of Cooper.

The use of other mobile home plumbing fixtures is prohibited unless such fixtures are connected to the City Sewer.

SECTION III. LICENSE: It shall be unlawful for any person to maintain or operate, within the limits of the City, any mobile home park unless such person shall first obtain a license therefore, all mobile home parks in exist upon the effective date of this ordinance shall within ninety (90) days thereafter obtain such license and in all other respects comply fully with the requirements of this ordinance.

SECTION IV – LICENSE FEES: The annual license fee for each mobile home park shall be \$100.00. The fee for the transfer of such license as provided for in this ordinance shall be no charge.

SECTION V APPLICATION FOR LICENSE: Applications for a mobile home park license shall be filed with the City Council, and upon approval by the City Council, the City Clerk shall issue the license. Application 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 park,
- (c) A complete plan of the park showing compliance with Section VI of the ordinance.
- (d) Plans and specifications of all buildings and other improvements constructed, or to be constructed with the mobile home park.
- (e) Such further information as may be requested by the City Council to enable it to determine if the mobile home park will comply with legal requirements.

The application and all accompanying plans and specifications shall be filed in triplicate.

AN ORDINANCE AMENDING ORDINANCE NO. 1503, REGULATING MOBILE HOMES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COOPER:

SECTION 1. Amend Section 11, Subsection (d) of Ordinance No. 1503 to read 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. 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."

SECTION 2. This ordinance shall become effective on ^{April} ~~March~~ 1987.

READ AND ADOPTED this 13th day of April 19 87.

Richard C. Huie
Richard C. Huie, Mayor

ATTEST:

Daphne Blevins
Daphne Blevins, City Clerk