

# *City of Dawson*

Dawson, Texas

## ORDINANCE NO. 1999-9A

AN ORDINANCE REQUIRING COMPLIANCE WITH DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT STANDARDS WITHIN THE CITY OF DAWSON: 1) PROVIDING INSPECTION OF MOBILE HOMES AND HUD-CODE MANUFACTURED HOMES BY THE BUILDING OFFICIAL 2) REQUIRING TIE DOWNS PRIOR TO OCCUPANCY 3) REQUIRING UNDERPINNING AND SKIRTING OF MOBILE HOME DWELLINGS AND HUD-CODE MANUFACTURED HOMES WITHIN THIRTY (30) DAYS OF OCCUPANCY, 4)REQUIRING COMPLIANCE WITH ALL OTHER LAWS AND REGULATIONS PROMULGATED BY THE STATE OF TEXAS AS TO MOBILE HOME OR MOBILE HOME DWELLINGS, 5) DEFINESHUD-CODE MANUFACTURED HOMES AND MODULAR HOMES, 6) PROVIDES DEFINITIONS FOR NONCONFORMING HUD-CODE MANUFACTURED HOUSING, 7) CONTAINS PENALTIES FOR THE VIOLATIONS OF THIS ORDINANCE AND 8) CONTAINS A SEVERABILITY CLAUSE.

WHEREAS, it has come to the attention of the City Council of the City of Dawson that unregulated manufactured housing consisting-of mobile homes, modular homes, and dwellings can be dangerous and constitute a hazard to life and property; and

WHEREAS, the City Council of the City of Dawson finds it to be in the best interests of the public safety, health and general welfare to regulate manufactured housing and mobile home dwellings within the City, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAWSON

Section 1. This Dawson Manufactured Housing Ordinance is hereby referenced only as the "Ordinance"

Section 2. Definitions. Certain terms, words and phrases shall have the meaning here in after ascribed thereto.

- A. **Building Official:** Designated inspection authority of the City or its authorized representative.
- B. **Certificate of Occupancy:** Certificate issued by the City Council for the use of a building, Structure and/or land, when it is determined by it that the building, structure and/or land Complies with the provisions of all applicable City codes, ordinances and regulations.
- C. **City:** As used herein reference to the City shall mean the City of Dawson, Navarro County, Texas, and its extraterritorial jurisdiction.
- D. **City Council:** City Council of the City of Dawson, Texas.
- E. **Dawson Acceptable HUD-CODE Manufactured Homes:** Means a structure constructed according to the rules of the United States Department of Housing and Urban Development, transportable in more than one section, which in the traveling mode, each section is ten (10) feet or more in width or forty-two (42) feet in length, or, when erected on sight, is 840 or more square feet of livable

space, 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 includes the plumbing, heating and air-conditioning, and electrical systems.

- F. **Mobile Home:** A structure that was constructed before June 15, 1976, transportable in more than one more sections, which, in the traveling mode, is eight (8) feet or more in width of forty (40) feet or more in length or when erected on sight, is less than 840 square feet, and with chassis designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and including the plumbing, heating, air-conditioning, and electrical systems.
- G. **Dawson Acceptable Mobile Home Dwelling:** A building manufactured off-site in accordance with the standards of the American National Standards Institute and/or the United States Department of Housing and Urban Development, subsequently transported to a site complete or in sections where it is to be used as a residential dwelling unit and connected to necessary utilities. This dwelling should be no less the 840 square feet of livable space.
- H. **Dawson Acceptable Modular Home:** A building manufactured off-site and/or assembled on site, in accordance with the standards of the American National Standards Institute and/or the United States Department of Housing and Urban Development, subsequently transported to a site complete or in sections where it is to be used as a residential dwelling unit and connected to necessary utilities. This dwelling should be no less the 840 square feet of livable space.
- I. **Person:** Any natural individual, firm, trust, partnership, association, corporation, or other legal entity.
- J. **Owner Occupied:** At least one person occupying the residence covered under this ordinance must be the person whose name is on the title of the property. Any For-Sale-By-Owner properties must provide a transfer of title of the property with the occupants name and shall be presented to the City at time of submitting permit application.

### Section 3. Standards for HUD-Code Manufactured Homes and Mobile Homes.

- A. All manufactured housing design and construction shall comply with the construction and safety standards and rules of the United States Department of Housing and Urban Development pursuant to the requirements of the National Mobile Home Safety Standards Act of 1974.
- B. Prior to installation of any manufactured home (HUD-Code Manufactured Home) or mobile home dwelling by a Person, such Person shall apply for a Permit consisting of a written Permit/ Certificate issued by the Building Official for the use and habitation of such manufactured housing or mobile home dwelling certifying that such manufactured housing complies with the provisions of all applicable City codes, ordinances and regulations.
- C. All manufactured housing or mobile home dwellings will be subject to

- inspection by the Building Official.
- D. Tie-downs will be required and will be secured on manufactured housing prior to the issuance of a Certificate of Occupancy.
  - E. All manufactured housing shall have underpinning and skirting which shall be installed within thirty (30) days from the date of the issuance of a Certificate of Occupancy.

Section 4. ONLY Dawson Acceptable Manufactured Homes, Dawson Acceptable Mobile Home Dwellings and Dawson Acceptable Modular Homes will be allowed on or after the date of this Ordinance and must have the following traits, in addition to the definition of said structures in the Definition section of this Ordinance:

- A. The permit will only be allowed for newly occupied Manufactured Homes purchased directly from the dealer.
- B. The permit will only be allowed for newly manufactured Mobile Home Dwellings where the owner is the first occupant.
- C. The permit will only be allowed for newly manufactured Modular Homes where the owner is the first occupant.

Section 5. Mobile Homes are prohibited in the City of Dawson. The installation of Mobile Homes, as defined herein, for use or occupancy as a residential dwelling in the City of Dawson, Texas, is prohibited. This provision is prospective and shall not apply to any Mobile home used and occupied as an Owner-occupied residential dwelling in the City prior to the Effective Date of the Ordinance.

- A. Mobile Homes as defined herein, shall not be allowed to be located or installed in the City from and After the Effective Date of the Ordinance.
- B. Only Double or Triple Wide Manufactured Homes shall be allowed to be located or installed in the city from and after the Effective Date of the Ordinance.
- C. All Mobile Homes, Manufactured Housing, Modular Homes, and Mobile Home Dwellings located in the City shall comply at all times with all laws, rules, and regulations promulgated by The State of Texas or any of its agencies.
- D. It is hereby declared to be unlawful for any person, firm, Corporation or other entity to rent or lease a mobile home in the City. All mobile homes inside the City, must be owner-occupied as described by the definition of "Owner-Occupied" in the Definition section of this Ordinance. Any For-Sale-By-Owner properties must provide a transfer of title of the property with the occupant's name as the owner subject to the debt. This legal document shall be presented to the City at time of submitting permit application

Section 5. Penalty Provisions: Any Person as defined herein, violating this Ordinance or any portion hereof shall, upon conviction, be guilty of a misdemeanor and shall be fined not less than \$200 nor more than \$500 per day and each day that such violation continues shall be considered a separate offense and punishable accordingly.

Section 6. 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 sections or part of a section

or paragraph of the Ordinance.

Section 7. Effective Date. This Ordinance shall be effective immediately upon its passage, approval and Publication.

**PASSED AND APPROVED this 7<sup>th</sup> day of July, 2020**

---

Stephen Sanders, Mayor, City of Dawson

ATTEST:

---

Ronda Franks, City Secretary, City of Dawson