



## NOTICE OF A REGULAR MEETING

Notice is hereby given that a Regular Meeting of the Governing Body of the City of Ranger, Texas, will be held on **Monday, October 25, 2021 at 5:30 p.m.** in City Hall, 400 West Main Street Ranger, Texas. The following subjects will be discussed, to wit:

**Agenda Item 01: Call to Order-** Mayor Casey

Roll Call/Quorum Check

Invocation of Prayer

Pledge of Allegiance to the United States Flag

Pledge of Allegiance to the Texas Flag

**Agenda Item 02: Citizen's Presentation-**At this time, anyone on the list will be allowed to speak on any matter other than personnel matters or matters under litigation, for a length of time not to exceed THREE minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.

**Agenda Item 03: Announcements from City Council or Staff-**Comments may be made by council or staff, **BUT NO ACTION TAKEN** on the following topics without specific notice. Those items include: Expressions of Thanks, Congratulations or Condolence; Information on Holiday schedules; Recognition of public officials, employees or citizens other than employees or officials whose status may be affected by the council through action; Reminders of community events or announcements involving an imminent threat to the public health and safety of the people of the municipality.

**Agenda Item 04: Discuss/Consider:** approval of the city council meeting minutes for the regular meeting on October 12, 2021. - Savannah Fortenberry, City Secretary

**Agenda Item 05: Discuss/Consider:** approval of the annual renewal for the Eastland County-City of Ranger Cooperative Dispatch Interlocal Agreement. – Gerald Gunstanson, City Manager

**Agenda Item 06: Discuss/Consider:** Updates on ECWSD proposed cost of water increase to the City of Ranger and the ECWSD request for financial assistance for emergency generators using City of Ranger ARPA funds. – Robert Butler, Commissioner Place 2

**Agenda Item 07: Discuss/Consider:** FINAL DISCUSSION OF THE DRAFT ORDINANCE REGULATING THE PLACEMENT AND INSTALLATION OF HUD-CODE MANUFACTURED HOMES, MOBILE HOMES, AND MODULAR HOMES IN THE CITY; IDENTIFICATION OF AREAS ELIGIBLE FOR THE INSTALLATION OF HUD-CODE MANUFACTURED OR MODULAR HOMES; PROVIDING FOR MANUFACTURED HOME COMMUNITIES; DEFINITIONS, INSTALLATION REQUIREMENTS; PROVIDING FOR NON-COMFORMING USE; ABANDONMENT; OTHER REGULATIONS FOR MODULAR AND MANUFACTURED HOMES TO INCLUDE EXCEPTIONS; REPEAL PREVIOUS ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A PENALTY CLAUSE; PROVIDING SEVERABILITY CLAUSE; EFFECTIVE DATE AND OPEN MEETING CLAUSES; AND PROVIDING FOR RELATED MATTERS. – Kevan Moize, Commissioner Place 3 and Robert Butler, Commissioner Place 2

**Agenda Item 08: Discuss/Consider:** Convene in Executive Session Pursuant to Texas Government Code § Section 551.072. **Deliberations about Real Property:** A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

1. Ranger Municipal Airport

**Agenda Item 09: Discuss/Consider:** Reconvene into Open Session and take action from Executive Session – John Casey, Mayor

**Agenda Item 10: Discuss/Consider: Adjournment**

I, the undersigned authority, do hereby certify that the above notice of meeting of the Governing Body of the City of Ranger is a true and correct copy of said notice on the bulletin board at the City Hall of the City of Ranger, a place convenient and readily available to the general public at all times, and notice was posted by 5:30 p.m., October 22, 2021 and remained posted for 72 hours preceding the scheduled time of the meeting.

*Savannah Fortenberry*

Savannah Fortenberry, Ranger City Secretary

The City council reserves the right to convene into Executive Session concerning any of the items listed on this agenda under the authority of the Mayor, whenever it is considered necessary and legally justified under the Open Meetings Act.

NOTICE OF ASSISTANCE

Ranger City Hall and Council Chambers are wheelchair accessible and accessible parking spaces are available. Request for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact City Secretary's office at (254) 647-3522 for information or assistance.

This Notice was removed from the outside bulletin board on \_\_\_\_\_ by \_\_\_\_\_.



## REGULAR MEETING MINUTES

A Regular Meeting of the Governing Body of the City of Ranger, Texas, was held on **Tuesday, October 12, 2021 at 5:30 p.m.** in City Hall, 400 West Main Street Ranger, Texas. The following subjects were discussed, to wit:

### **COUNCIL MEMBERS AND CITY STAFF PRESENT:**

Honorable John Casey	Mayor- <b>Absent</b>
Commissioner Larry Monroe	Place 1
Commissioner Robert Butler	Place 2
Commissioner Kevan Moize	Place 3
Commissioner Bittni Boykin	Place 4
City Manager Gerald Gunstanson	<b>Absent</b>
City Secretary Savannah Fortenberry	
Public Works Director Robert Alvarez	
Honorable Tammy S. Archer	

**Agenda Item 01: Call to Order-** Mayor Pro-Tem Robert Butler  
Roll Call/Quorum Check- Savannah Fortenberry  
Invocation of Prayer- Mayor Pro-Tem Robert Butler  
Pledge of Allegiance to United States Flag- Mayor Pro-Tem Robert Butler  
Pledge of Allegiance to Texas Flag- Mayor Pro-Tem Robert Butler

**Agenda Item 02: Citizen's Presentation: 1.** Maggie Stennent spoke regarding the water rates. She stated she was against water rates being raised. Ms. Stennent stated the water has problems and the people can barely make it as it is. **2.** Jimmy White spoke regarding the water. Mr. White stated last summer the meters were replaced, but his meter box has not been replaced. He questioned what happened with the grant the City received to replace the meter boxes and meters.

**Agenda Item 03: Announcements from City Council or Staff-** **1.** Commissioner Monroe announced the Woodbridge Church was hosting their annual Pumpkin Smash at the Vietnam Veteran Park on October 23 from 3pm-5pm and all are welcome. **2.** Commissioner Butler reminded everyone to be considerate where you park at the Vietnam Veteran Park with the rain in the forecast. **3.** Commissioner Moize announced Officer Wristen's husband memorial would be held on Saturday, October 16 at the Woodbridge Church starting at 1pm. **4.** Commissioner Butler asked that Officer Wristen be kept in our thoughts and prayers. He stated she is a tremendous asset to our City. **5.** Commissioner Butler reminded the public that Day of Champions would be held on Saturday, October 16, from 8am-Noon. **6.** Commissioner Butler asked that any citizens interested in volunteering come to the Ranger Economic Development A-Board. The meetings are held on the first Monday of the month.

**Agenda Item 04: Discuss/Consider:** The City Council will now conduct a Closed Executive Session at 5:48pm Pursuant to and in accordance with the Texas Government Code Section 551.071, Advice of Counsel and 1.05 Texas Disciplinary Rules of Professional Conduct, the Council shall meet and discuss the following:

- Advise concerning ECWSD and its proposed water rate increase

**Agenda Item 05: Discuss/Consider:** Reconvene into Open Session at 6:24pm and pursuant to the provisions of Chapter 551 Texas Government Code take action from Executive Session – John Casey, Mayor

\*Motion made by Commissioner Moize at the advice of the attorney to take no action until a joint meeting with EWSD and the City of Eastland is held and Commissioner Monroe 2<sup>nd</sup> the motion. **All Ayes and Motion Passed.**

**Agenda Item 06: Discuss/Consider:** approval of the city council meeting minutes for the regular meeting on September 27, 2021. - Savannah Fortenberry, City Secretary

\*Motion made by Commissioner Monroe to approve the city council meeting minutes for the regular meeting on September 27, 2021 and 2<sup>nd</sup> by Commissioner Moize. **All Ayes and Motion Passed.**

**Agenda Item 07: Discuss/Consider:** ECWSD request for financial assistance from the City of Ranger's ARPA (American Rescue Plan Act) Funds that were received by the City of Ranger to help the ECWSD purchase new backup generators. – Steve Gerdes, ECWSD President

\*Motion made by Commissioner Moize to table agenda item 7 until a future meeting after a joint meeting is held with ECWSD and the City of Ranger and Commissioner Monroe 2<sup>nd</sup> the motion. **All Ayes and Motion Passed.**

**Agenda Item 08: Discuss/Consider:** the ECWSD proposed budget and cost of water increase to the City of Ranger. – Steve Gerdes, ECWSD President

\*Motion made by Commissioner Moize to table agenda item 8 until a combined meeting with Eastland and ECWSD and 2<sup>nd</sup> by Commissioner Boykin. **All Ayes and Motion Passed.**

**Agenda Item 09: Discuss/Consider:** approval of the annual renewal for the Eastland County-City of Ranger Cooperative Ambulance Service Contract. – Gerald Gunstanson, City Manager

\*Motion made by Commissioner Monroe to approve the annual renewal for the Eastland County- City of Ranger Cooperative Ambulance Service Contract and Commissioner Boykin 2<sup>nd</sup> the motion. **All Ayes and Motion Passed.**

**Agenda Item 10: Discuss/Consider:** approval of the 2022 City of Ranger Holiday Schedule. – John Casey, Mayor

\*Motion made by Commissioner Boykin to approve the 2022 City of Ranger Holiday Schedule and Commissioner Moize 2<sup>nd</sup> the motion. **All Ayes and Motion Passed.**

**Agenda Item 11: Discuss/Consider:** clean up incentives within the City of Ranger. –Kevan Moize, Commissioner Place 3

\*Motion made by Commissioner Moize to table Agenda Item 11 until a future meeting and Commissioner Boykin 2<sup>nd</sup> the motion. **All Ayes and Motion Passed.**

**Agenda Item 12: Discuss/Consider:** RESOLUTION NO. 2021-10-12-P: A RESOLUTION RECOGNIZING THE IMPORTANCE OF MUNICIPAL COURTS, THE RULE OF LAW, AND THE FAIR AND IMPARTIAL ADMINISTRATION OF JUSTICE. – Tammy Archer, Judge

\*Motion made by Commissioner Boykin to approve Resolution No. 2021-10-12-P and Commissioner Moize 2<sup>nd</sup> the motion. **All Ayes and Motion Passed.**

**Agenda Item 13: Discuss/Consider:** INITIAL DISCUSSION OF A DRAFT ORDINANCE REGULATING THE PLACEMENT AND INSTALLATION OF HUD-CODE MANUFACTURED HOMES, MOBILE HOMES, AND MODULAR HOMES IN THE CITY; IDENTIFICATION OF AREAS ELIGIBLE FOR THE INSTALLATION OF HUD-CODE MANUFACTURED OR MODULAR HOMES; PROVIDING FOR MANUFACTURED HOME COMMUNITIES; DEFINITIONS, INSTALLATION REQUIREMENTS; PROVIDING FOR NON-COMFORMING USE; ABANDONMENT; OTHER REGULATIONS FOR MODULAR AND MANUFACTURED HOMES TO INCLUDE EXCEPTIONS; REPEAL PREVIOUS ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A PENALTY CLAUSE; PROVIDING SEVERABILITY CLAUSE; EFFECTIVE DATE AND OPEN MEETING CLAUSES; AND PROVIDING FOR RELATED MATTERS. – Kevan Moize, Commissioner Place 3 and Robert Butler, Commissioner Place 2

\*Motion made by Commissioner Moize regarding the initial discussion of the draft ordinance to take no action and Commissioner Boykin 2<sup>nd</sup> the motion. **All Ayes and Motion Passed.**

**Agenda Item 14: Discuss/Consider:** Extension of approval of a ‘no fees’ policy at the collection station for residential customers with an active utility bill through December 2021. – Robert Butler, Commissioner Place 2

\*Motion made by Commissioner Moize to approve a ‘no fees’ policy at the collection station for residential customers with an active utility bill through December 2021 and Commissioner Boykin 2<sup>nd</sup> the motion. **All Ayes and Motion Passed.**

**Agenda Item 15: Discuss/Consider:** Eastland County Water Supply District rate increase proposals and ARPA (American Rescue Plan Act) request. – Robert Butler, Commissioner Place 2

\*Motion made by Commissioner Moize to take no action regarding the Eastland County Water Supply District rate increase proposals and ARPA (American Rescue Plan Act) request and Commissioner Boykin 2<sup>nd</sup> the motion. **All Ayes and Motion Passed.**

**Agenda Item 16: Discuss/Consider:** approval to advertise Request for Proposals (RFP) for administration and/or planning services for programs and/or projects financed by the Coronavirus Local Fiscal Recovery Fund of the American Rescue Plan Act of 2021. –Savannah Fortenberry, City Secretary

\*Motion made by Commissioner Boykin to advertise Request for Proposals (RFP) for administration and/or planning services for programs and/or projects financed by the Coronavirus Local Fiscal Recovery Fund of the American Rescue Plan Act of 2021 and Commissioner Moize 2<sup>nd</sup> the motion. **All Ayes and Motion Passed.**

**Agenda Item 17: Discuss/Consider: Consent Items; the Approval of Monthly Department Reports:**

- **Finance Report-** Director Savannah Fortenberry
- **Library Report-** Librarian Diana McCullough
- **REDC 4A Report-** President Robert Butler
- **REDC 4B Report-** President Steve Gerdes
- **Municipal Court Report-** Judge Tammy Archer
- **Fire/EMS Report-** Chief Darrel Fox
- **Police Department-** Chief Moran
- **Animal Control/Code Enforcement-** G. Gunstanson
- **Public Works Report-** Director Robert Alvarez

\*Motion made by Commissioner Moize for the approval of all the Consent Items; Monthly Department Reports, Commissioner Boykin 2<sup>nd</sup> the motion. **All Ayes and Motion Passed.**

**Agenda Item 16: Discuss/Consider: Adjournment- 8:13pm**

\*Motioned by Commissioner Monroe to adjourn and Commissioner Boykin 2<sup>nd</sup> the motion. **All Ayes and Motion Passed.**

*These minutes were approved on the 25<sup>th</sup> day of October, 2021*

**CITY OF RANGER, TEXAS**

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**John Casey, Mayor**

**ATTEST:**

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**Savannah Fortenberry, City Secretary**



**EASTLAND COUNTY COOPERATIVE DISPATCH  
INTERLOCAL AGREEMENT**

**COUNTY OF EASTLAND, CITIES OF CISCO, EASTLAND, RANGER,  
GORMAN AND RISING STAR, EASTLAND MEMORIAL HOSPITAL  
AND CISCO COLLEGE**

**The State of Texas  
County of Eastland**

THIS AGREEMENT, made and entered into this 27 day of SEPT, 2021 by and between the County of Eastland, City of Cisco, City of Eastland, City of Ranger, City of Gorman, City of Rising Star, the Eastland Memorial Hospital District and Cisco College each acting herein by and through its respective governing body, hereunto duly authorized by resolution, in compliance with the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code,

**1. PURPOSE**

The purpose of this agreement is to operate a central dispatching facility, hereinafter called EASTLAND COUNTY COOPERATIVE DISPATCH, by the County of Eastland and for the County of Eastland, the Cities of Cisco, Eastland, Ranger, Gorman, Rising Star, the Eastland Memorial Hospital District and Cisco College in order to provide emergency response communications throughout the area served by the dispatching facility.

**2. SCOPE**

This agreement hereby gives responsibility of operations of EASTLAND COUNTY COOPERATIVE DISPATCH to the County of Eastland.

**3. DUTIES AND OBLIGATIONS**

- (a) This agreement acknowledges that the County of Eastland will have full authority and responsibility for the operation of Eastland County Cooperative Dispatch.
- (b) The Eastland County Cooperative Dispatch, as a separate department of the County of Eastland, will be subject to the budgetary and audit controls of the Eastland County Commissioners' Court.
- (c) An additional two percent of total operating expenditures for the fiscal year will be included in the annual support to allow for unplanned emergency expenditures.
- (d) The percentage paid by each governmental entity is based upon 2010 Census population and is subject to change in proportion with changes in the census.

(e) The participating entities will be assessed an annual fee in the following manner:

Eastland Memorial Hospital.....	\$22,000.00
Cisco College.....	\$ 4,000.00

Support for governmental entities will be the dollar amount resulting from the calculated population percentages shown below times operating budget plus allowable two percent less total annual support from Eastland Memorial Hospital and Cisco College:

County of Eastland.....	60.28%
City of Cisco.....	12.65%
City of Eastland.....	12.85%
City of Ranger.....	8.01%
City of Gorman.....	3.51%
City of Rising Star.....	2.70%

One-twelfth (1/12) of annual payment is due at the beginning of each month beginning October 1, 2021. The County of Eastland will mail annual support statements to each of the participating entities in September 2021.

- (f) Any entity that defaults on payment of the monthly assessment shall forfeit all rights to the usage of Eastland County Cooperative Dispatch until said assessments are paid in full.
- (g) The County of Eastland will provide to each participating entity a proposed budget for the upcoming fiscal year no later than July 1st of each year.

**4. GENERAL USAGE**

- (a) The County of Eastland may add members to the Cooperative.
- (b) Services shall be prioritized with primary emphasis on public safety.
- (c) Eastland County Cooperative Dispatch will be the primary Public Service Answering Point (PSAP) for 9-1-1 and Eastland Police Department will be the secondary PSAP for 9-1-1.
- (d) Eastland County Cooperative Dispatch will provide communications services to the Texas Department of Public Safety and other non-contributing law enforcement agencies as necessary.

**5. EFFECTIVE DATE AND DURATION OF AGREEMENT**

- (a) The effective date of this Agreement shall be October 1, 2021.
- (b) This agreement shall be for one year.



This instrument is prepared for counterpart execution. Executed in eight originals, this \_\_\_\_ day of September, 2021.

COUNTY OF EASTLAND

\_\_\_\_\_  
Rex Fields, County Judge

ATTEST:

\_\_\_\_\_  
Cathy Jentho, County Clerk

CITY OF CISCO

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

CITY OF EASTLAND

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

CITY OF GORMAN

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

CITY OF RANGER

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

CITY OF RISING STAR

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

EASTLAND MEMORIAL HOSPITAL

\_\_\_\_\_  
Administrator

ATTEST:

\_\_\_\_\_  
EMH Board Secretary

CISCO COLLEGE

\_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
College Board Secretary

ACCOUNT #	ACCOUNT NAME	2021 BUDGET	ACTUAL	2022 BUDGET	2023 BUDGET
2022 039-562-108	PART-TIME	16,538.56	14,788.95	16,538.56	.00
2022 039-562-122	DISPATCH ADMINISTRATOR	15,635.01	13,770.91	15,635.01	.00
2022 039-562-123	DISPATCHER/TAC	34,985.60	31,912.32	34,985.60	.00
2022 039-562-124	DISPATCHERS	165,162.00	154,529.77	165,152.00	.00
2022 039-562-126	SHIFT LEADERS	68,057.60	61,058.53	68,057.60	.00
2022 039-562-150	HOLIDAY PAY	16,441.60	14,217.72	17,378.40	.00
2022 039-562-151	CELL PHONE ALLOWANCES	.00	.00	5.00	.00
2022 039-562-152	LONGEVITY PAY	10,080.00	7,920.00	5,904.00	.00
2022 039-562-154	OVERTIME PAY	.00	.00	.00	.00
2022 039-562-200	ACCRUED BENEFITS EXPENSE	.00	.00	.00	.00
2022 039-562-201	SOCIAL SECURITY	20,267.82	18,001.83	20,066.37	.00
2022 039-562-202	GROUP HEALTH	73,065.26	65,013.14	93,942.72	.00
2022 039-562-203	RETIREMENT	42,072.08	38,264.95	45,829.01	.00
2022 039-562-204	WORKERS COMP	1,217.68	931.96	1,100.41	.00
2022 039-562-206	UNEMPLOYMENT INSURANCE	228.83	171.49	161.83	.00
2022 039-562-207	MEDICARE	4,740.06	4,210.12	4,692.94	.00
2022 039-562-208	HSA CONTRIBUTION	1,000.00	.00	5.00	.00
2022 039-562-297	PERSONNEL EXPENSES	469,492.10	424,791.69	489,454.45	.00
2022 039-562-310	OFFICE SUPPLIES	1,500.00	784.76	1,500.00	.00
2022 039-562-311	POSTAL EXPENSE	106.16	38.22	106.16	.00
2022 039-562-312	PRINTING	1,630.85	460.25	1,200.00	.00
2022 039-562-331	COPIER SUPPLIES	1,000.00	72.27	1,000.00	.00
2022 039-562-332	JANITORIAL SUPPLIES	1,500.00	553.15	1,500.00	.00
2022 039-562-338	COMPUTER SUPPLIES	1,400.00	736.98	1,400.00	.00
2022 039-562-351	GENERATOR SERVICE	1,100.00	172.37	1,100.00	.00
2022 039-562-356	COMPUTER EQUIPMENT	5,473.00	722.48	5,473.00	.00
2022 039-562-360	PEST CONTROL	500.00	200.36	500.00	.00
2022 039-562-361	BUILDING/TOWER MAINTENANCE	11,229.40	11,229.40	11,200.00	.00
2022 039-562-401	AUDIT	1,000.00	1,000.00	1,000.00	.00
2022 039-562-405	PRE-EMPLOYMENT EXPENSE	1,100.00	900.42	1,100.00	.00
2022 039-562-420	TELEPHONE	3,500.00	2,984.20	3,500.00	.00
2022 039-562-423	INTERNET SERVICES	1,800.00	549.45	1,800.00	.00
2022 039-562-424	CELLULAR PHONES	1,100.00	888.48	1,095.00	.00
2022 039-562-426	TRAVEL EXPENSE	4,478.23	1,778.23	4,478.23	.00
2022 039-562-427	CONF/SEMINARS	2,010.28	1,699.67	1,785.28	.00
2022 039-562-430	ADVERTISING	100.00	36.60	100.00	.00
2022 039-562-440	UTILITIES-ELECTRIC	5,400.00	2,651.22	5,400.00	.00
2022 039-562-441	PROPANE	1,000.00	880.66	1,000.00	.00
2022 039-562-442	UTILITIES-WATER/TRASH	1,500.00	732.51	1,500.00	.00
2022 039-562-443	UTILITIES-TRASH	.00	.00	.00	.00
2022 039-562-456	RADIO REPAIR	5,000.00	3,949.00	5,079.64	.00
2022 039-562-458	COMPUTER REPAIR	5,000.00	2,868.97	5,000.00	.00
2022 039-562-462	COPIER LEASE	1,102.00	810.30	972.36	.00
2022 039-562-463	TOWER LEASE	6,180.00	6,180.00	6,180.00	.00
2021 039-562-480	GENERAL LIABILITY	.00	.00	.00	.00
2022 039-562-481	LICENSES AND PERMITS	630.00	630.00	630.00	.00
2022 039-562-482	INSURANCE (BUILDING&ETC)	700.00	640.75	750.00	.00
2022 039-562-490	RADIO EQUIPMENT	2,000.00	.00	2,000.00	.00
2022 039-562-575	FURNITURE	500.00	.00	500.00	.00
2022 039-562-998	COOP DISPATCH EXPENSES	539,032.02	468,942.39	558,304.12	.00

ACCOUNT #	ACCOUNT NAME	2021 BUDGET	ACTUAL	2022 BUDGET	2023 BUDGET
2022 039-333-100	WCTCOG GRANT	3,721.76	3,721.76	.00	.00
2022 039-342-100	EASTLAND MEMORIAL HOSPITAL	22,000.00	20,163.71	22,000.00	.00
2022 039-342-150	CISCO COLLEGE	4,000.00	.00	4,000.00	.00
2022 039-342-300	EASTLAND COUNTY	329,258.50	329,258.50	366,426.76	.00
2022 039-342-400	CITY OF CISCO	56,672.00	47,226.70	56,672.00	.00
2022 039-342-500	CITY OF EASTLAND	57,568.00	52,770.74	57,568.00	.00
2022 039-342-600	CITY OF RANGER	35,884.80	35,884.80	35,884.80	.00
2022 039-342-700	CITY OF GORMAN	15,724.80	.00	15,724.80	.00
2022 039-342-800	CITY OF RISING STAR	12,096.00	11,088.00	12,096.00	.00
2022 039-360-100	INTEREST	6,500.00	198.18	300.00	.00
2022 039-380-100	REFUNDS, REIMBURSEMENTS...	6.16	6.16	.00	.00
2022 039-380-107	INSURANCE CLAIM RECEIPTS	.00	.00	.00	.00
2022 039-380-109	OVERDUE CKS LGC 116.116(C)	.00	.00	.00	.00
2022 039-380-775	CARRYOVER FROM PRIOR YEAR	.00	.00	.00	.00
2022 039-399-999	TOTAL REVENUE	543,432.02	500,318.55	570,672.36	.00

## **ORDINANCE NO. 2021-XX-XX**

**AN ORDINANCE OF THE CITY OF RANGER, TEXAS REGULATING THE PLACEMENT AND INSTALLATION OF HUD-CODE MANUFACTURED HOMES, MOBILE HOMES, AND MODULAR HOMES IN THE CITY; IDENTIFICATION OF AREAS ELIGIBLE FOR THE INSTALLATION OF HUD-CODE MANUFACTURED OR MODULAR HOMES; PROVIDING FOR MANUFACTURED HOME COMMUNITIES; DEFINITIONS, INSTALLATION REQUIREMENTS; PROVIDING FOR NON-COMFORMING USE; ABANDONMENT; OTHER REGULATIONS FOR MODULAR AND MANUFACTURED HOMES TO INCLUDE EXCEPTIONS; REPEAL PREVIOUS ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A PENALTY CLAUSE; PROVIDING SEVERABILITY CLAUSE; EFFECTIVE DATE AND OPEN MEETING CLAUSES; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the City Commission of the City of Ranger, Texas (the "City Commission") the City Commission has determined that it is in the best interest of the general public to prohibit the future installation of mobile homes, provide regulations for the installation of modular homes and HUD-code manufactured homes in approved city lots or tracks of land, and manufactured home rental communities, as determined appropriate by the City Commission; and

**WHEREAS**, the Texas Occupations Code Section 1201.008(b) and the Texas Manufactured Housing Standards Act Section 4b authorizes municipalities to permit HUD-code manufactured homes for use as a residential dwelling in areas determined appropriate by the City; and

**WHEREAS**, the City Commission determines that this ordinance is important to the public health, safety, and general welfare of the City of Ranger; and

**WHEREAS**, provisions should be made for the review and approval for variances requested, installation instructions, and procedures related to non-conforming use, and abandonment as related to mobile homes and HUD-Code manufactured homes; and

**WHEREAS**, through the passage of this ordinance, City Commission finds that such regulations are in the public interest and necessary and proper for the good governance of the City of Ranger.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF RANGER, TEXAS THAT:**

### **SECTION 1. GENERAL**

The City of Ranger does permit the installation of a HUD-code manufactured homes that are no greater than ten years of age at installation for use as a dwelling within the city limits of Ranger except for those areas that have been prohibited within the context of this ordinance. Modular homes are allowed within the City of Ranger.

### **SECTION 2. DEFINITIONS**

“Code” refers to the Texas Manufactured Housing Standards Code.

“HUD-code manufactured home” also referred to as “manufactured home” means a structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development; built on a permanent chassis; designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities; transportable in one or more sections; and in the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet. The term includes the plumbing, heating, air conditioning, and electrical systems of the home; and does not include a recreational vehicle as defined by 24 C.F.R. Section 3282.8(g). The terms “single-wide” and “double-wide” are often used to describe the type of structure which is defined as: (i) A “single-wide home” square footage ranges from six hundred square feet up to 1,330 square feet. The width of a single-wide is eighteen feet or less and the length is ninety feet or less. Single-wide homes are shipped as one unit on one semi-trailer; (ii) A “double-wide home” square footage ranges from 1,067 square feet and up to 2,300 square feet. Double-wide homes have a width of twenty feet or more and their length is ninety feet or less. Double-wide homes are shipped as two separate units that are later joined together seamlessly to make a completed doublewide home.

“Label” means a device, decal or insignia issued to indicate compliance with the standards, rules, and regulations related to the types of dwellings, set forth as: (i) A “Red label” is affixed to each transportable section of each HUD-code manufactured home constructed after June 15, 1976, and serves as the manufacturer’s certification that the home is built in accordance to the standards set by the United States Department of Housing and Urban Development; (ii) A “Blue label” is affixed to modular homes signifying that the home is built to model code standards that comply with the International Residential Code and issued by the Texas Department of Licensing and Regulation.

“Mobile home” means a structure constructed before June 15, 1976; built on a permanent chassis; designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities; transportable in one or more sections; and in the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet; and includes the plumbing, heating, air conditioning, and electrical systems of the home.

“Modular homes” also referred to as “industrialized homes” are structures designed for the occupancy of one or more families, that is constructed in one or more modular components built at a location other than the permanent site; and designed to be used as a permanent residential structure when the components are transported to the permanent site and erected or installed on a permanent foundations system.

**SECTION 3. RESTRICTED OR PROHIBITED AREAS.** Areas within the City of Ranger that are prohibited or restricted from the location of mobile homes or HUD-Manufactured homes includes:

- 1) Lots or tracts of land fronting West Main Street



2) Lots or tracts of land fronting Highway Loop 254 (extending from the intersection of College Circle and West Loop 254 to Tiffin Road and East Loop 254)

Mobile homes and HUD-Code manufactured homes are not permitted in the areas identified in this section, nor shall any private or public utilities be connected or extended, except in the circumstance that the HUD-code manufactured home or mobile home was legally in existence at such location as of the effective date of this section, in which case the home shall be considered to be grandfathered and shall be permitted to be used at such place and in such manner.

This exception does not extend to those mobile homes or HUD-code manufactured homes that are determined to fall under the definitions of abandonment or determined to be a threat to public health or welfare as outlined in Section 6 of this ordinance.

If a grandfathered HUD-code manufactured home or mobile home is abandoned or removed for any reason other than a one-time replacement as authorized in this ordinance, another HUD-code manufactured home is not authorized on sites that are not permitted in the areas identified in this section.

**SECTION 4. PROVISIONS OF INSTALLATION.** Regulations related to the installation of mobile homes, HUD-manufactured homes and modular homes within the City Limits of Ranger, Texas.

The construction of mobile homes is not regulated by a state agency. Therefore, as of the date of this ordinance, the City of Ranger prohibits them completely.

1) The prohibition of the installation of a mobile home for use as a dwelling in the City or Ranger is prospective and may not apply to a mobile home previously legally permitted by and used as a dwelling in the municipality. If a mobile home is replaced by a HUD-code manufactured home in the municipality, the municipality shall grant a permit for use of the manufactured home as a dwelling in the municipality.

2) HUD-code manufactured homes are regulated by the Manufactured Housing Division of the Texas Department of Housing and Community Affairs. These manufactured homes are provided with a (red) label certifying the structure meets the standards specified by the Texas Department of Housing and Community Affairs.

The installation of a HUD-code manufactured home may be approved on a single municipal lot, tract of land, or a manufactured housing community (or park). An application to install a new HUD-code manufactured home for use as a dwelling is considered to be granted unless the municipality in writing denies the application and states the reason for the denial not later than the 45th day after the date the application is received. However, this does not affect the validity of an otherwise valid deed restriction.

In the event that a manufactured home occupies a lot in a municipality, the owner of the manufactured home may remove the manufactured home from its location and place another manufactured home on the same property, provided that the replacement is a newer manufactured home and is at least as large in living

space as the prior manufactured home. An owner's ability to replace the home as a result of a fire or natural disaster cannot be restricted. Other than in the case of a fire or natural disaster, an owner to a single replacement of the home.

The owner of a manufactured home may move the manufactured home from its current location to another location within the city that meets the requirements outlined in this ordinance. This relocation does not authorize the owner to bring in a second manufactured home to the original location under the single replacement option in the paragraph above.

3) Modular Homes (Industrialized homes) are regulated by the Texas Department of Licensing and Regulation. This agency provides a modular home with the blue decal signifying that the home has been built to the model code standards required. Modular homes are designated as real property. Modular homes may be located within the city limits of Ranger, Texas.

(4) Permit required. A person must apply for a permit from the city for the installation of a HUD-manufactured home on a single municipal lot or tract of land. The applicant will be charged a nonrefundable fee, in accordance with the City of Ranger Fee Schedule, in order to submit an application for a permit. Applications shall be in writing, and signed by the applicant.

#### **SECTION 5. PARKING ON STREET OR OTHER PUBLIC PLACE.**

It shall be unlawful for any person to park any HUD-code manufactured home, mobile home or recreational vehicle on any public street, alley, highway, or other public place within the limits of the city for any of the following purposes:

- 1) Human occupancy at any time;
- 2) Storage for more than 24 hours; or
- 3) Any other purpose for more than 48 hours.

#### **SECTION 6. UNOCCUPIED AND UNSAFE MOBILE HOME AND MANUFACTURED HOMES.**

The City of Ranger has the authority to regulate unoccupied and unsafe manufactured homes. If a city decides that a mobile home or HUD-Code manufactured home poses a threat to public health and welfare, the city is within its power to regulate the homes as a public nuisance.

The disuse of a mobile home for a period of one hundred eighty days will constitute abandonment of the nonconforming use and the unit must be removed within 30 days. For a mobile home to be considered under the rules of abandonment, the dwelling must not have been connected to or have maintained active utility accounts for the dwelling during that period of time.

Abandonment includes the intent to abandon; and the overt act or failure to act which carries the implication of abandonment.

(a) The owner of real property on which a manufactured home owned by another is located may declare the home abandoned as provided by this section if:

- 1) the home has been continuously unoccupied for at least four months; and
- 2) any indebtedness secured by the home or related to a lease agreement between the owner of the real property and the owner of the home is considered delinquent.

(b) Before declaring a manufactured home abandoned, the owner of real property on which the home is located must send a notice of intent to declare the home abandoned to the record owner of the home, all lienholders at the addresses listed on the home's statement of ownership on file with the department, the tax collector for each taxing unit that imposes ad valorem taxes on the real property where the home is located, and any intervening owners of liens or equitable interests. The notice must include the address where the home is currently located. If the person giving such notice knows that a person to whom the notice is given no longer resides and is no longer receiving mail at a known address, a reasonable effort shall be made to locate the person and give the person notice at an address where the person is receiving mail. Mailing of the notice by certified mail, return receipt requested, postage prepaid, to the persons required to be notified by this subsection constitutes conclusive proof of compliance with this subsection.

(c) On receipt of a notice of intent to declare a manufactured home abandoned, the record owner of the home, a lienholder, a tax assessor-collector for a taxing unit that imposes ad valorem taxes on the real property on which the home is located, or an intervening owner of a lien or equitable interest may enter the real property on which the home is located to remove the home. The real property owner must disclose to the record owner, lienholder, tax assessor-collector, or intervening owner seeking to remove the home the location of the home and grant the person reasonable access to the home. A person removing a home is responsible to the real property owner for any damage to the real property resulting from the removal of the home.

(d) If the manufactured home remains on the real property for at least 45 days after the date the notice is postmarked:

- 1) all liens on the home are extinguished; and
- 2) the real property owner may declare the home abandoned and may apply to the department for a statement of ownership listing the real property owner as the owner of the manufactured home.
- 3) When applying for a statement of ownership under this section, the real property owner shall include with the application an affidavit stating that:
  - (A) the person owns the real property where the manufactured home is located; and
  - (B) the name of the person to whom title to the home will be transferred under this section is the same name that is listed in the real property or tax records indicating the current ownership of the real property.

(e) A new statement of ownership issued by the department under this section transfers, free of any liens, if there is evidence of United States Postal Service return receipt from all lienholders, title to the manufactured home to the real property owner.

(f) This section does not apply if the person who owns the real property on which the manufactured home is located and who is declaring that the home is abandoned, or any person who is related to or affiliated with that person, has now, or has ever owned, an interest in the manufactured home.

(g) Notwithstanding Subsection (f), an owner of real property on which a manufactured home has been abandoned may apply for a new statement of ownership with respect to a home that was previously declared abandoned and then resold and abandoned again.

## **SECTION 7. VARIANCES OR EXCEPTIONS.**

(a) Application. An application for a variance to this ordinance shall be submitted to the city secretary for consideration by the City Commission after a public hearing and with proper notice to all appropriate parties as identified within this ordinance. The city manager or city secretary will provide the applicant with a checklist that outlines requirements and timelines associated with granting variances or exceptions. The application shall include:

- 1) The name and address of the applicant.
- 2) Size, model, year of manufacture, original cost, and photograph of the HUD-code manufactured home and label.
- 3) Legal description of the property upon which it is proposed to place the HUD-code manufactured home and name and address of the property owner. The person who intends to occupy such HUD-code manufactured home must submit a copy of a duly recorded deed or lease in a form acceptable to the city manager or city secretary showing that the intended occupant owns or is leasing the lot upon which the HUD-code manufactured home is to be located. No other structure designed or to be used for human occupancy shall be located on such lot, tract, or ownership parcel and the lot shall meet all applicable codes and ordinances for the intended use.
- 4) Drawing or site plan showing size of lot, location of lot, boundaries, existing drainage ways and natural features, location of driveways and off-street parking, and how the HUD-code manufactured home is to be placed on the lot in order to conform to the city ordinance.
- 5) Form signed by the applicant stating that he or she understands the requirements any property restrictions for the area in which the HUD-code manufactured home will be placed.
- 6) Form signed by the applicant stating the HUD-code manufactured home will have tie-downs and will be skirted with fire-resistant skirting and shall be maintained intact to prevent accumulations of flammable materials beneath the manufactured home.
- (7) A manufactured home inspection report must be completed by the Code Enforcement Officer or other person designated by the mayor for reference by the City Commission.

(b) Hearing required.

1) A variance to the provisions of this section shall only be granted pursuant to a public hearing before the City Commission. The public hearing shall be published in the official, local newspaper not more than 45 days prior or less than ten days prior to the hearing date.

2) The property owner must submit adequate proof to the city manager that the aforementioned and other ordinance requirements have been met before a hearing will be scheduled.

3) A written notice of the application shall be sent by the US Postal Service to the property owners and/or occupants within five hundred feet of any portion of the property on which the variance is sought at least fifteen days prior to the hearing.

4) The public hearing and property owner notification calendar utilized by the city shall be based on the statutory provisions of the laws of the state.

5) All advertising and notification costs shall be borne by the applicant for the variance.

(c) Granting. If a mobile home is being replaced by a HUD-code manufactured home, the variance is required to be granted. After the public hearing, the City Commission shall deny, approve, or approve with conditions. In exercising its power to grant a variance in accordance with this section, the City Commission shall make findings and show in its minutes that:

1) There are special circumstances existing on the property on which the application is made related to size, shape, area, topography, surrounding conditions and location that do not apply generally to other property in the same area and that justify the use of the property for HUD-code manufactured home purposes.

2) A variance is necessary to permit the applicant the same rights in the use of this property that are presently enjoyed, under this section, by other properties in the vicinity, but which rights are denied to the property on which the application is made.

3) The granting of the variance on the specific property will not adversely affect the land use pattern as outlined by a comprehensive plan or any area plan and will not adversely affect any other feature of a comprehensive plan or any area plan of the city. While variance may be granted by the City Commission final approval upon proof that the dwelling will have adequate utilities, access roads, drainage, completed inspections for electrical, water, sewage, and/or gas lines as outlined in this ordinance.

4) The HUD-code manufactured home should be determined as compatible with the single-family dwellings located within five hundred feet of the lot.

5) The variance, if granted, will be of no material detriment to the public welfare or injury to the use, enjoyment, or value of property in the vicinity. This means that the HUD-code manufactured home has a value equal to or greater than the median taxable value for each single-family dwelling located within five hundred feet of the lot, as determined by the most recent ad valorem tax appraisal roll.

6) The City Commission must find that it is in the public interest to grant such a variance and that it does not violate the intent of this section or its amendments.

(7) A variance will not be approved for the purpose of the installation of HUD-code manufactured homes that are greater than ten years of age at installation for use as a dwelling that does not meet the parameters of a single replacement for an existing HUD-code home within the city.

## **SECTION 8. HUD-CODE MANUFACTURED HOME REQUIREMENTS.**

**Applicability.** All HUD-code manufactured homes must comply with the standards in this section or as required by State regulations which includes those identified by the Manufactured Housing Division (MHD) of the Texas Department of Housing and Community Affairs administers the Texas Manufactured Housing Standards Act. Final approval for the installation or location of a HUD-Code Manufacture Home is not complete until the requirements of this Section have been met.

(a) **Tie-Downs.** For units built on or after September 1, 1997, the unit installation must follow the State guidance that outlines directions on manufactured homes and for the Wind Zone in which it is to be installed and must follow all applicable installation instructions for that Wind Zone.

### **1) Material Specifications:**

(A) Strapping shall be Type 1, Finish B, Grade 1 steel strapping, 1.25 inches wide and 0.035 inches in thickness, certified by a licensed professional engineer or architect as conforming with the American Society for Testing and Materials (ASTM) Standard Specification D3953 91, Standard Specification for Strapping, Flat Steel, and Seals. Strapping shall be marked at least every five feet, or as applicable, described by the certifying engineer or architect.

(B) Tie materials shall be capable of resisting an allowable working load of 3,150 pounds with no more than 2% elongation and shall withstand a 50% overload (4,725 pounds total). Ties shall have a resistance to weather deterioration at least equivalent to that provided by coating of zinc on steel of not less than 0.30 ounces per square foot on each side of the surface coated (0.0005 inches thick), as determined by ASTM Standards Methods of Test for Weight of Coating on Zinc-coated (galvanized) Iron or Steel Articles (ASTM A 90-81). Slit or cut edges of zinc-coated steel strapping are not required to be zinc coated. Ties shall be designed and installed to prevent self-disconnection when the ties are slack.

(b) **Drainage.** Drainage prevents water build-up under the home. Water build-up may cause shifting or settling of the foundation, dampness in the home, damage to siding and bottom board, buckling of walls and floors, delamination of floor decking and problems with the operation of windows and doors. The owner is responsible for proper site drainage where a used manufactured home is to be installed unless the home is installed in a rental community. The Installer is responsible for proper site drainage where a new manufactured home is to be installed.

(c) Standards for Moisture and Ground Vapor Controls. If a used manufactured home is installed according to the state's generic standards and the space under the home is to be enclosed with skirting and/or other materials provided by the retailer and/or installer, the enclosure must meet the following requirements:

- 1) At least one access opening that does not require the use of tools to gain access shall not be less than 18 inches in any dimension and not less than three square feet in area shall be provided by the installer. The access opening shall be located so as to enable, to the extent reasonably possible, the visual inspection of water supply and sewer drain connections.
- 2) If a clothes dryer exhaust duct, air conditioning condensation drain, or combustion air inlet is present, the installer must pass it through the skirting to the outside. All air conditioning condensation lines must be installed in such manner that prevents ponding within five feet of the foundation.
- 3) Crawl space ventilation must be provided at the rate of minimum one square foot of net free area, for each one hundred fifty square feet of floor area.
- 4) At least six openings shall be provided, one at each end of the home and two on each side of the home. There must be a ventilation within three feet of each corner. The openings shall be screened or otherwise covered to prevent entrance of rodents (note: screening will reduce net free area). For example, a 16'x76' single section home has 1216 square feet of floor area. This 1216 square feet divided by 150 equals 8.1 square feet or 1166 square inches of net free area crawl space ventilation.

All manufactured homes shall be totally skirted with masonry, pressure-treated wood, or other nondegradable, fire resistant material which is compatible with the design and exterior material of the primary structure. Skirting shall include the necessary vents, screens and/or openings, shall be installed within thirty days after the placement of the manufactured home, and shall be maintained in good repair.

The generic ground vapor control measure shall consist of a ground vapor retarder that is minimum six mil polyethylene sheeting or its equivalent, installed so that the area under the home is covered with sheeting and overlapped twelve inches at all joints. Any tear larger than eighteen inches long or wide must be taped using a material appropriate for the sheeting used. The laps should be weighted down to prevent movement. Any small tears and/or voids around construction (footings, anchor heads, etc.) are acceptable.

(d) Standards for Footers and Piers. Proper sizing of footings depends on the load carrying capacity of both the piers and the soil. To determine the load bearing capacity of the soil, the installer may use any of the following methods: Using a pocket penetrometer or Soil surveys from the U.S. Department of Agriculture. The footing must be placed on firm, undisturbed soil, or fill compacted to at least 90% of its maximum relative density is required and must be verified every 6"– 8" vertically on the build-up. Installation on loose, noncompacted fill may result in settlement/movement of the home. Guidance on standards for footing types and requirements based on soil type are available in State guidance.



(e) Electrical testing.

1) At the time of installation, the following tests must be performed on all new manufactured homes:

(A) All site installed or shipped loose fixtures shall be subjected to a polarity test to determine that the connections have been properly made;

(B) All grounding and bonding conductors installed or connected during the home installation shall be tested for continuity; and

(C) All electrical lights, equipment, ground fault circuit interrupters and appliances shall be subjected to an operational test to demonstrate that all equipment is connected and functioning properly.

2) When installing a manufactured home, the completion of a continuity test, a polarity test, and an operational test is required. This This applies to both new and used homes.

3) The electrical testing does not have to be completed by a licensed electrician but must be completed once the electricity is activated or by using a generator. The home cannot be occupied until all installation requirements have been met and the installation is complete.

(f) Fuel Gas Piping Systems:

1) Crossover Connections: All underfloor fuel gas pipe crossover connections shall be accessible and be made with the connectors supplied by the home manufacturer, or, if not available, with flexible connectors listed for exterior use and a listed quick disconnect, or a shut-off valve. When a shut-off valve is used, it must be installed on the supply side of the gas piping system. The crossover connector must have a capacity rating (BTUH) of at least the total BTUH's of all appliances it serves.

2) Testing: The fuel gas piping system shall be subjected to an air pressure test of no less than 6 ounces and no more than eight ounces. While the gas piping system is pressurized with air, the appliance and crossover connections shall be tested for leakage with soapy water or bubble solution. This test is required of the person connecting the gas supply to the home but may also be performed by the gas utility or supply company.

3) The gas system must be inspected and tested for leaks after completion at the site.

**SECTION 9. MANUFACTURED HOUSING COMMUNITIES.**

(a) Permit required. If a person wants to improve or subdivide a lot for the purpose of creating a manufactured housing community, the person must apply for a permit from the city.

(b) Application for permit. Applications for a manufactured housing community permit can be obtained from and shall be filed with the city secretary. The applicant will be charged a nonrefundable fee, in accordance with the City of Ranger Fee Schedule, in

order to submit an application for a permit. Applications shall be in writing, and signed by the applicant, and shall be accompanied by the following:

- 1) The name and address of the applicant.
- 2) The location and legal description of the manufactured housing community.
- 3) The required fee.
- 4) A manufactured housing community plan as required by this section.
- 5) Plans and specifications of all buildings and other improvements to be constructed within the manufactured housing community in accordance with all existing applicable state laws and city ordinances.
- 6) Such further information as may be requested by the city to determine if the manufactured housing community will comply with the legal requirements.

(c) Design standards and/or community plan. The manufactured housing community shall be constructed in accordance with a community plan that conforms to the following requirements:

- 1) The community shall be located on a well-drained site, properly graded to ensure rapid drainage and freedom from stagnant pools of water. The City of Ranger has the option to establish zoning guidelines for the manufactured housing community.
- 2) Spaces for HUD-code manufactured homes shall be provided consisting of a minimum of 1,000 square feet for each space, which shall be at least twenty-five feet wide and clearly defined. HUD-code manufactured homes shall be placed on each space so that there shall be at least twenty feet clearance between homes; provided, however, that in respect to HUD-code manufactured homes parked end to end, clearance between homes may be less than 20 feet but shall not be less than 15 feet from any building within the community or from any property line bounding the community.
- 3) The community plan must be submitted to the city prior to the installation of any HUD-code manufactured homes and shall comply with the city's subdivision ordinance, where applicable. The community plan shall provide a legal description and map clearly setting out the following information:
  - (A) Identification of areas to be used for all residents of the community;
  - (B) Identification of driveways at entrances, exits, roadways, and walkways;
  - (C) Location of sites for HUD-code manufactured homes;
  - (D) Location and number of proposed sanitary conveniences, including proposed toilets, washrooms, laundries, laundry drying space and utility rooms;
  - (E) Method and plan of sewage disposal;
  - (F) Method and plan of garbage removal;

- (G) Plan of water supply;
- (H) Plan of electric lighting, and electric service to HUD-code manufactured home sites;
- (I) Plan of parking requirements; and
- (J) Such further information as may be requested by the city.

4) Every manufactured housing community shall have city water connections furnishing an ample and adequate supply of water, shall have connection to electricity, and shall either be connected with the sanitary sewer or to a septic system in accordance with the community plan required above.

(d) Issuance of permit. If the applicant and the application are in compliance with all provisions of this section and all other applicable ordinances or statutes, the city secretary shall issue the permit after the application has been approved by the city manager and/or the City Commission, as applicable. The permit can be made contingent upon completion of the community according to the plans and specifications submitted with the application.

(e) Revocation of Permit. The city may revoke a permit to construct a manufactured housing community, and may issue a stop work order, for any violation of this section. After such revocation and order, the permit may be reissued if the city manager determines that the circumstances leading to the revocation have been remedied and the community is being constructed in full compliance with the law and the provisions of this section.

(f) Applicability. This only applies to the development or creation of new manufactured home communities.

**SECTION 10. PENALTY.** Any person who violates or causes, allows, or permits another to violate any provision of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or, in the case of a violation of a provision of this ordinance that governs fire safety or public health and sanitation a fine of not more than Two Thousand Dollars (\$2,000.00). Each occurrence of any such violation of this ordinance shall constitute a separate offense. Each day on which any such violation of this ordinance occurs shall constitute a separate offense.

**SECTION 11. REPEAL.** All ordinances or parts of ordinances in conflict herewith shall be and are hereby repealed to the extent of such conflict.

**SECTION 12. SEVERABILITY.** The provisions of this Ordinance are declared to be severable. If any section, sentence, clause, or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect notwithstanding the validity of any part.

**SECTION 13. PROPER NOTICE AND OPEN MEETINGS ACT.** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that the public notice of the time, place, and purpose of said

meeting was given as required and that public notice, place, and purpose of said meeting was given as required by the open meetings act, chapter 551, Texas Government Code.

**SECTION 14. EFFECTIVE DATE.** This Ordinance shall be in full force and take effect upon its passage and publication as provided by law, and it is so ordained.

**FIRST READING PASSED AN APPROVED,** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**SECOND READING PASSED AN ADOPTED,** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

DRAFT