

ORDINANCE NO: 617

AN ORDINANCE FOR THE CITY OF WEST COLUMBIA, TEXAS, AMENDING, REVISING, RENAMING AND REPLACING CHAPTER 11 OF THE CODE THE ORDINANCES OF THE CITY OF WEST COLUMBIA, TEXAS, ESTABLISHING UNIFORM DEFINITIONS AND PROCEDURES WITH REGARD TO PARKS FOR MANUFACTURED HOMES, MOBILE HOMES, AND RECREATIONAL VEHICLES (COLLECTIVELY REFERRED TO AS REGULATED VEHICLES) WITHIN THE CITY AND ITS EXTRATERRITORIAL JURISDICTION; PROVIDING FOR PERMITS, LICENSES, AND INSPECTIONS WITH REGARD TO REGULATED VEHICLES; ESTABLISHING RULES, REGULATIONS AND RESTRICTIONS REGARDING THE PLACEMENT, USE AND OCCUPANCY OF REGULATED VEHICLES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES, RESOLUTIONS, OR INFORMAL POLICIES OF THE CITY WHICH ARE IN ANY MANNER INCONSISTENT OR IN CONFLICT WITH THIS ORDINANCE; CONTAINING A SEVERABILITY CLAUSE; PROVIDING THAT THE VIOLATION OF THIS ORDINANCE SHALL CONSTITUTE AN OFFENSE PUNISHABLE BY A FINE OF NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00); AND PROVIDING AN EFFECTIVE DATE.

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

Section One

Chapter 11 of the Code of Ordinances of the City of West Columbia, Texas, including its title, shall be and is hereby amended, revised, renamed and replaced to read, in its entirety, as follows:

Chapter 11

**REGULATED VEHICLES; MANUFACTURED HOUSING,
MOBILE HOMES, AND RECREATIONAL VEHICLES;
LICENSING, REGULATION, AND PARKS**

ARTICLE I. IN GENERAL

Section 11-1. Purpose.

The City Council finds and declares that the placement, use and occupancy of manufactured housing or homes, mobile homes, and recreational vehicles and the creation, operation and maintenance of parks for any such regulated vehicles should, in the interest of the safety and health of the residents of the City and its extraterritorial jurisdiction, and in the interest of the responsible and orderly development of the City, be governed by appropriate standards, licensing, regulations, and inspections.

Section 11-2. Application

This Chapter is intended to provide rules , regulations and requirements pertaining to regulated vehicles and parks for regulated vehicles as defined below. Except as expressly provided to the contrary, provisions of this Chapter apply uniformly to all categories of regulated vehicles. The provisions of any Article which, by title, refers to only one category of regulated vehicles and/or parks for one category of regulated vehicles shall not apply to any other category of regulated vehicles .

Section 11-3 through 11-14. Reserved.

ARTICLE II. DEFINITIONS

Section 11-15. The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) **Accessory Structure** shall mean any structural improvements and/or accessory building to a regulated vehicle and/or its site, including awnings, cabanas, carports, garages, porches, storage cabinets, storage sheds, and similar appurtenant structures.

(2) **Annual parking permit** shall mean a permit required for any regulated vehicle which is occupying a stand in regulated vehicle park or on a mobile home or manufactured home lot and which permit is valid for the period from January first through December thirty-first of the year of issuance.

(3) **Biodegradable** shall mean capable of being decomposed by biological agents, especially bacteria.

(4) **Building official** shall mean the official of the City responsible for the inspection of building, electrical, mechanical and plumbing associated with a property.

(5) **Cash** shall mean United States currency or coin or a cashier's certified check or a postal money order.

(6) **Construction permit** shall mean the permit required for the construction, alteration or extension of any park for a regulated vehicle in the City or its extraterritorial jurisdiction.

(7) **Construction permittee** shall mean the person to whom a construction permit has been issued.

(8) **Controlling interest or majority owner** shall mean a person or developer who controls at least fifty-one percent (51%) of ownership.

(9) **Current parking permit** shall mean a valid, unexpired, annual, semi-annual or temporary parking permit.

(10) **Expandable room** shall mean an enclosed or semi-enclosed room or roofed portion which expands outward from a regulated vehicle by means of rollers, hinges or other devices or arrangements but which is designed as a structural portion of the regulated vehicle and which is carried on, or within, the regulated vehicle while traveling or otherwise being transported.

(11) **Full-time employee** shall mean a person who is responsible for maintenance of a regulated vehicle park for a minimum of 40 hours a week. This person may or may not be the owner of the regulated vehicle park.

(12) **HUD-code manufactured home** shall mean a structure,

constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, 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, air-conditioning, and electrical systems. The term does not include a recreational vehicle as that term is defined by 24 CFR section 3282.8(g).

(13) **Label** shall mean a metal inspection label or plate which has been permanently affixed by the manufacturer or by an approved testing agency to a regulated vehicle or to equipment used in connection therewith and which contains a serial number, if required, the specifications of the regulated vehicle or the equipment to which it is attached and which refers to any standards that have been met in the construction of such regulated vehicle or equipment.

(14) **License** shall mean a regulated vehicle park operator's license.

(15) **Licensee or agent** shall mean a person who may or may not own the regulated vehicle park but is the person responsible for the day-to-day management and operations including records and license of the park.

(16) **Manufactured housing or manufactured home** shall mean a HUD-code manufactured home or a mobile home and collectively means and refers to both.

(17) **Manufacturer** shall mean the manufacturer of a manufactured home, mobile home, travel trailer, or recreational vehicle.

(18) **Mobile home** shall mean a structure that was constructed before June 15, 1976, transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square

feet, 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, air-conditioning, and electrical systems.

(19) **Mobile home or manufactured home lot** shall mean a parcel or tract of land for the placement of a single mobile home and the exclusive use of its occupants. This is to be distinguished from a regulated vehicle stand and site located within a regulated vehicle park.

(20) **Occupant** shall mean the person who occupies a regulated vehicle in a regulated vehicle park , or on a manufactured home or mobile home lot.

(21) **Overnight parking** shall mean the use of a regulated vehicle park or mobile home or manufactured home lot for a period not to exceed seven (7) days by a regulated vehicle, provided that if such use exceeds seven (7) days, a valid annual, semi-annual or temporary parking permit is required and the beginning date shall be the initial date of occupancy of the regulated vehicle park or lot. No permit or fee shall be required by the City for the temporary use of a regulated vehicle park or lot for a period of seven (7) days or less.

(22) **Owner** shall mean the owner or lessee, whether one (1) or more, of the premises on which a regulated vehicle park or a mobile home or manufactured home lot is operated when such person is not a licensee.

(23) **Parking permit** shall mean an annual, semi-annual or temporary parking permit.

(24) **Recreational area** shall mean recreational areas include space for community buildings and community use facilities such as but not limited to restroom and shower facilities, adult recreation (basketball or tennis courts) and playgrounds for children and swimming pools, but not include vehicle parking, site pads, and maintenance and utility areas.

(25) **Recreational vehicle** shall mean any licensed camp trailer, travel trailer, motor home or fifth wheel designed to provide temporary living quarters for recreational camping or travel use, constructed with integral wheels to make it mobile and/or towable by a motor vehicle, not exceeding twelve (12) feet in width, less side pullouts.

(26) **Regulated vehicle park** shall mean a tract or parcel of land used for rental occupancy by two (2) or more regulated vehicles.

(27) **Regulated vehicle park** shall mean any lot, tract, or parcel of land upon which accommodation is provided for two or more regulated vehicles used as living or sleeping quarters by the day, week, or month, whether a charge is or is not made. A regulated vehicle park is a unified development of spaces provided for regulated vehicle use, with or without community facilities and permitted permanent buildings.

(28) **Regulated vehicle sales lot** shall mean a parcel or tract of land which is used by a dealer for the sale, lease or renting of regulated vehicles.

(29) **Regulated vehicle site** shall mean that part of a lot or area in a regulated vehicle park that has been improved for the placement of a regulated vehicle, including all the required appurtenant structures, and having provision for available utility connections.

(30) **RV Park** shall mean a regulated vehicle park to be used exclusively for recreational vehicles , and not for any other regulated vehicle.

(31) **Semi-annual parking permit** shall mean a permit required for any regulated vehicle which has been placed upon a site in a regulated vehicle park or on a manufactured home or mobile home lot and which is valid for the period from January first through June thirtieth or for the period from July first through December thirty-first of the year of issuance.

(32) **Service building** shall mean a structure housing toilet facilities, lavatories, bathing facilities, and such other facilities as may be required or permitted under the provisions of this Chapter and which is used in connection

with the operation of a regulated vehicle park.

(33) **Sewer connections** shall mean the connections consisting of the pipes, fittings and appurtenances from the drain outlet of the regulated vehicle to the inlet of the corresponding sewer riser pipe of the sewerage system serving the regulated vehicle park.

(34) **Sewer riser** shall mean that portion of the pipe of the sewer lateral which extends vertically to the ground elevation and terminates at each regulated vehicle site.

(35) **Temporary parking permit** shall mean a permit which may be used in lieu of an annual or a semi-annual parking permit and which is valid for thirty (30) days from the date of issuance.

(36) **Travel trailer** shall mean a portable vehicle built on a chassis and designed as a temporary dwelling for travel, recreation and vacation use and which has been permanently identified by the manufacturer. When such a vehicle has been equipped by the manufacturer for use on public streets and highways, the body of such vehicle shall not exceed eight (8) feet in width, but may be of any length, provided its gross weight does not exceed four thousand five hundred (4,500) pounds, or a travel trailer may be of any height, provided it does not exceed four thousand five hundred (4,500) pounds. The term "travel trailer" shall also be deemed to include all other portable contrivances other than mobile homes used or intended to be used generally for living and sleeping quarters and which may be moved under its own power, towed or transported by another vehicle.

(37) **Utilities** shall mean the water, sewage, gas or electrical distribution system which are available for connection to regulated vehicles in a regulated vehicle park.

(38) **Utility connection** shall mean the connection of available utilities in a regulated vehicle park or on a mobile home lot to a regulated vehicle site in a regulated vehicle park, or on a manufactured home or mobile home lot.

(39) **Vehicle** shall mean a manufactured home, mobile home or recreational vehicle , unless the context in which the word is used clearly indicates that another meaning is intended.

(40) **Water connection** shall mean the connection of the pipes, fittings and appurtenances from the water riser pipe to the water inlet pipe for the water distribution system of a regulated vehicle .

Section 11-16 through 11-24. Reserved.

ARTICLE III. RECREATIONAL VEHICLES

Section 11-25. It shall be unlawful for any person to occupy a recreational vehicle within the City or its extraterritorial jurisdiction except within an RV Park or as otherwise licensed and permitted under this Chapter.

Section 11-26. It shall be unlawful for any person to own or operate a RV park within the City or its extraterritorial jurisdiction without a valid license for such park, issued by the City. Written application for such license shall be on a form provided by the City, with the issuance of any such license to be subject to compliance by the applicant of all provisions and requirements under this Chapter. The application must include, address and comply with the following:

(1) Site development plan

A site development plan must be prepared and submitted to staff and must include the requirements for site plans contained herein.

(2) Location

RV parks shall be located in an area adjacent or across from single family residences shall be subject to the Residential Protection Ordinance requiring adjoining property owner permission and public hearing.

(3) Size and density

Each RV Park must have a minimum size of two (2) acres. The maximum site density for RV parks shall be twenty (20) sites per acre. Only

one (1) recreational vehicle is permitted per recreational vehicle site.

(4) Size of individual sites; pad requirements; landscaping

A. Each recreational vehicle site within the RV park shall have a minimum area of seventeen hundred fifty (1,750) square feet and shall be at least twenty-five (25) feet in width. Each RV site shall have a permanent site marker or sign clearly identifying the site number. Each site marker or sign shall be easily visible from the adjacent RV park roadway during both daytime and nighttime.

B. Each RV park site shall include a RV parking pad consisting of concrete, asphalt or similar material of a minimum size of ten (10) feet wide and fifteen (15) feet in depth. Each recreational vehicle shall be parked on the provided parking pad of each RV site. The remaining ground area of the RV site must comply with number 7 below.

(5) Street access; street lighting

Each recreational vehicle site within the RV park shall have access to an internal private roadway, which shall have access to a public street. The entrance of the internal roadway shall have a pavement width of at least thirty (30) feet with an adequate curb radius. The major thoroughfare shall have a pavement width (concrete or asphalt) of twenty-four (24) feet in accordance with City standards. No RV site shall have direct access to a public street.

(6) Required facilities land use

A. All RV parks shall have a least one (1) recreational area, located as to be free of traffic hazards, easily accessible to all park residents and centrally located where topography permits. Not less than eight (8) percent of the gross park area, excluding roads, drives, site pads or mechanical areas, shall be devoted to common areas.

B. Each RV Park is required to provide the following permanent facilities:

- a. An office for the manager of the RV Park;

- b. One bathroom and one shower facility for each sex; and
- c. Laundry facilities

All building improvements and facilities must meet all applicable federal, state and local codes and shall be well lit inside and out during the night hours.

(7) Soil and ground cover

Exposed ground surfaces in all parts of the RV Park shall be paved, covered with stone, rock or protected with vegetative cover that is capable of preventing soil erosion and eliminating dust.

(8) Area designated for vehicle parking

A. Each recreational vehicle site within the RV park shall have a minimum of one off street parking space provided.

B. Each RV park shall provide one common guest parking space for every five recreational vehicle sites.

(9) Drainage

The ground surface in all parts of the RV park shall be graded and designed to drain all storm water, surface water in a safe, efficient manner. Drainage analysis shall be performed by a licensed, professional engineer and easements for the conveyance of surface water off-site shall be obtained, if necessary.

(10) Water supply

Each site within an RV park shall be provided with a connection to the City water supply. The City must approve all proposed water facility plans prior to construction. The water distribution system shall be installed as follows:

A. The water supply system, fixtures and other equipment must be installed in accordance with applicable codes adopted by the City.

B. A master water meter, including shut-off valves on both sides

of the meter, shall be installed to serve the RV Park. Sub-metering or re-metering for private purposes by the owner/operation of the RV Park is permitted.

C. A reduced pressure principal backflow preventer is required at the property line on the discharge side of the master meter. In addition, one (1) must be placed at each of the connections for each RV site and located on the left side of the site.

D. Water riser service branch lines shall extend at least twelve (12) inches above ground elevation. The branch line shall be at least 3/4 inch.

E. The City has no maintenance responsibility for service lines within the RV Park. The responsibility of the City stops at the master meter.

(11) Wastewater facilities

Each site within the RV park shall be provided with a connection for wastewater. All proposed wastewater service lines shall be connected to the City wastewater system.

The City must approve all proposed wastewater facility plans prior to construction. The wastewater distribution system shall be installed as follows:

A. The wastewater system and materials must be installed in accordance with applicable codes adopted by the City.

B. Each site shall be provided with a four (4) inch diameter wastewater riser and shall extend above grade four (4) to six (6) inches. The wastewater riser pipe shall be so located on each stand so the wastewater connection to the RV drain outlet will approximate a vertical position. Each inlet shall be provided with a gastight seal when connected to a recreational vehicle or have a gastight seal plug when not in service. The plug shall be that of a spring-loaded device.

C. The wastewater connection to each site shall consist of a single four (4) inch service line without any branch lines, fittings, or connections. All joints shall be water tight.

D. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least four (4) to six (6) inches above the ground elevation.

E. The owner/operator shall have complete maintenance responsibility for the wastewater system or lateral lines within the RV Park. The responsibility of the City stops at the wastewater tap.

(12) Electrical service

Each site within the RV park shall be provided with electrical service. All electrical service shall be underground and installed in accordance with the National Electrical Code. The electrical service shall be installed as follows:

A. The master electric meter shall be installed to serve the RV Park.

B. The location of all underground lines shall be clearly marked by surface signs at approved intervals.

C. Power supply to each site shall be a minimum of one (1) 20-amp, one (1) 30-amp and one (1) 50-amp power supply.

D. Outlets (receptacles or pressure connectors) shall be housed in an Underwriters' Laboratories, Inc., approved weatherproof outlet box.

E. A watertight seal shall be provided for underground conduit in floodplain installations and a riser extending a minimum of two (2) feet above the floodplain elevation shall be provided.

(13) Sanitary facilities

A. Each RV park providing sanitary facilities such as restrooms and/or shower facilities:

a. All toilets and shower facilities shall be placed in property constructed buildings and located not more than two hundred (200) feet from any recreational vehicle site.

b. Buildings shall be well lit at all times, day or night, well ventilated with screened openings, and constructed of moisture proof material to permit rapid and satisfactory cleaning, scouring and washing.

c. The floors shall be of concrete or other impervious material, elevated not less than four (4) inches above grade, and each room shall be provided with floor drains.

B. Toilet and bathing facilities shall be in separate rooms or each toilet provided in a community toilet house shall be partitioned apart from any other toilet in the same room. The floor surface around the commode shall not drain into the shower floor.

C. Toilet floors and walls shall be of impervious material, painted white or a light color, and kept clean at all times. Shower floors and walls or pre-made stalls shall be of tile, plaster, cement or some other impervious material and shall be kept clean at all times.

(14) Storage, collection and disposal of refuse and garbage

Each RV park shall be provided with safe and adequate facilities for the collection and removal of waste and garbage. Storage, collection, and handling shall be conducted so as to create no health hazards, rodent harborage, insect breeding areas, or fire hazards. Every site shall be located within two hundred (200) feet of a refuse facility measured along the RV park internal roadway. Trash dumpsters shall be screened on three (3) sides and easily accessible by large garbage trucks.

(15) Accessory structures

The individual sites within the RV park are not allowed to have accessory structures as defined herein.

Section 11-27. Hearing on denial. Any person whose application for a license under this article has been denied may request, and shall be granted, a hearing on this matter before the City Council for approval or disapproval.

Section 11-28. Application for renewal. Application for renewal of a license shall be made in writing by the licensee on forms furnished by the City on or

before October 31 of each year. Such application shall contain any changes in the information occurring after the original license was issued or the latest renewal granted.

Section 11-29. Fee.

All applications shall be accompanied by a fee as provided for in the fee schedule found on the schedule filed and maintained in the office of the City Secretary. Fees are not prorated.

Section 11-30. Suspension.

Whenever, upon inspection of any RV park, the City finds that conditions or practices exist which are in violation of any provisions of this Chapter applicable to such park, the City shall give notice in writing to the owner and/or manager of the park, and if such conditions or practices have not been corrected in the time frame set forth in the notice, the City will suspend the license and give notice of such suspension. Upon suspension of the license, the licensee shall cease operation of such park.

The suspension of the license may be appealed to the City Council as set forth in subsection 11-32.

Section 11-31. Inspections

A. Authorized. The building official and code official are hereby authorized to make such inspections as are necessary to determine compliance with this Chapter.

B. Entry on premises. The building official and code official shall have the power to enter at reasonable times upon any private or public property within the purpose of inspecting and investigating conditions relating to the enforcement of this Chapter.

Section 11-32. Notices, hearings and orders

A. Notice of violation. Whenever it is determined that there are grounds to believe that there has been a violation of any provision of this Chapter, the City shall give notice of such alleged violation to the licensee or agent ,as provided below . Such notice shall:

- a. Be in writing.
- b. Include a statement of the reasons for its issuance.
- c. Allow ten (10) days for compliance.
- d. Be served upon the licensee or his agent; provided that such notice or order shall be deemed to have been properly served upon such licensee or agent when a copy thereof has been served in person or sent by certified mail to his/her last known address.
- e. Contain an outline of remedial action that, if taken, will effect compliance with the provisions of this Chapter.

B. Issuance of citation- Sufficiency of notice After all procedures outlined above are exhausted citations may be issued. If the City mails a notice to a property owner in accordance with Section 11-32 A and the United States Postal Service returns the notice as "refused" or "unclaimed", the validity of the notice is not affected, and the notice is considered as delivered.

C. Appeal from notice. Any person affected by any notice that has been issued in connection with the enforcement of any provision of this Chapter applicable to such park may request a hearing before the City Council; provided that such person shall file within ten (10) days after the day the notice was served, the City Secretary's office, with a copy to the office of the code official, a written request for such hearing and set forth a brief statement of the grounds thereof. The filing of the request for a hearing shall operate as a stay of the notice and of the suspension, except in the case of an order issued under subsection E of this section.

D. Issuance of order. After such hearing, the City Council shall issue an order in writing sustaining, modifying, or withdrawing the notice of violation, which order shall be served by certified mail upon the requestor. Any failure to comply with an order sustaining or modifying the finding of a violation shall constitute grounds for immediate revocation of the license of the park affected by the order.

E. Order without notice. Whenever the City finds that an emergency exists which requires immediate action to protect the public health or safety, the

designated official may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring the action to be taken as deemed necessary to meet the emergency. Notwithstanding any other provisions of this section, such order shall be effective immediately, but upon written request to the City shall be afforded a hearing as soon as possible. The provisions of subsection D of this section shall be applicable to such hearing and the order issued thereafter.

Section 11-33. Licensing displayed on individual and recreation vehicles

A. Any vehicle or recreation vehicle must display current state vehicle license and inspection tags.

B. Any vehicle or recreation vehicle not displaying proper state issued licenses and inspection tags are subject to any and all applicable City ordinances.

Section 11-34 Registration of guests

Each person renting a site within a RV park shall provide the following information to the owner, manager, operator or person in charge of the RV park:

A. Name

B. Full address of permanent residence

C. Automobile and recreational vehicle license plate number, the state in which each is registered and expiration dates

D. Driver's license number of the owner and its expiration date

E. The number or letter of the site being rented

F. Date of arrival and departure

G. Cell Phone Number for emergencies.

Section 11-35. Sex Offenders Prohibited

It shall be unlawful for a sex offender to reside within an RV Park.

Section 11-36 Control of insects, rodents and other pests

Grounds, buildings and structures in the RV park shall be maintained free of the accumulation of high grass and weeds and debris to prevent rodent and snake harborage or the breeding of flies, mosquitoes or other pests.

Section 11-37 Fire safety standards; fire hydrants

A. Open fires shall be allowed only in a manner and within a container approved by the fire marshall.

B. A fire hydrant shall be installed at the city's discretion on the city's line adjacent to the RV Park at the park owner or developer's expense.

Section 11-38 Natural disaster or emergency.

The City reserves the right to modify or suspend the provisions of this Article in the event of a natural disaster or related incidents. In such event, the City may(but is not required to and does not assume the responsibility for) direct the removal of all recreational vehicles that may be subject to dangerous or inclement weather. The final decision for the removal of all recreational vehicles, as defined herein, shall be at the sole discretion of the owner/operator of the RV park.

Sections 11-39 through 11-49 Reserved

ARTICLE IV. MANUFACTURED HOMES

Sec. 11-50. Moving, replacement, substitution of occupied or connected manufactured or mobile homes restricted.

It shall be unlawful to bring into, locate, own, possess, keep, situate, maintain, or move into the city any manufactured home or mobile home which is either (a) to be occupied or (b) to be connected to the available utilities, except under any one of the following circumstances:

(1) The manufactured home or mobile home is located within a duly licensed and operated mobile home park in compliance with the provisions

of this Chapter;

(2) The manufactured home or mobile home in question was situated within the City on December 31, 1977, provided, however, that any exemption under this section shall terminate in the event the manufactured home and/or mobile home is moved, relocated, abandoned or vacated subsequent to such date;

(3) The City Council has authorized a variance for the manufactured home or mobile home in question in accordance with Section 11-51 of the Code, provided, however, that a manufactured home, or mobile home located within the City under such a variance is nevertheless subject to termination of that variance as provided in Section 11-51(c);

(4) The manufactured home, or mobile home is situated within the boundaries of Lots 7, 13, 14, 16, 17, 18, 20, 21, 22, 23, 24, 25, and 26 in the Mooney Hall Subdivision;

(5) If the manufactured home, or mobile home being moved, replaced or substituted for has been either damaged or destroyed by fire, storm or other natural catastrophe, then such home or trailer may be moved, replaced or substituted for in the same location as that which was previously occupied by the damaged or destroyed home; or

(6) If the manufactured home or mobile home is replaced by its owners with a manufactured home, or mobile home which is of a condition, grade, quality and size such that the new home and/or trailer constitutes an improvement over the home so replaced, provided that all such replacements or substitutions must be completed within thirty (30) days from the date the home replaced or substituted for is removed from its original location.

(Code 1977, § 10-13.1; Ord. No. 399, § 1(a), 12-10-90; Ord. No. 474, §2, 2/8/99, section substantially changed)

Sec. 11-51. Location of manufactured and mobile homes.

(a) No manufactured home or mobile home shall be parked in violation of any enforceable deed restriction or covenant.

(b) Where otherwise permitted, a manufactured home or mobile home may be parked on a vacant lot, or plot outside a mobile home park, provided that the lot or plot has five thousand (5,000) square feet of land. The manufactured home or mobile home shall be set back a minimum of twenty-five (25) feet from any public street right-of-way line and five (5) feet from any side or back lot line.

(c) Not more than one (1) manufactured home or mobile home shall be parked on a vacant lot or plot without first obtaining a manufactured home or mobile home park license. Such lot or plot shall contain a minimum of five thousand (5,000) square feet. Any manufactured home or mobile home placed on such a lot or plot shall meet the minimum standards for plumbing, fuel and electrical systems outlined or referred to in this article.

(d) A manufactured home or mobile home may be parked adjacent to a residence or place of business, provided a spacing of ten (10) feet from the nearest building, on the same property, is maintained and five (5) feet from any interior property lines, or not less than twenty-five (25) feet setback from a street. Not more than one (1) manufactured home or mobile home shall be parked on the same lot or plot with a residence or commercial building, without first obtaining a manufactured home or mobile home park license. No manufactured home or mobile home shall be parked adjacent to a residence or place of business where such placement would create a hazard to life, safety or health.

(e) All manufactured homes or mobile homes located outside a manufactured home or mobile home park or manufactured home or mobile home sales park for more than forty-eight (48) hours shall be connected to all required utilities, and permits shall be obtained from the building official for a foundation, driveway, plumbing and electricity.

(f) Any manufactured home or mobile home located outside manufactured home or mobile home parks will be connected by separate and individual water and sewer taps to city services where such services are available.

(g) Parking permit fees for a single manufactured home or mobile home located outside manufactured home or mobile home parks shall be the same as fees for manufactured homes or mobile homes inside manufactured home or mobile home parks, except that a license fee will not be required.

(h) The building official may permit the temporary parking of a manufactured home or mobile home in a location outside an approved and licensed manufactured home or mobile home park for a period in excess of forty-eight (48) hours, provided such manufactured home or mobile home shall not be occupied.

(i) All manufactured homes or mobile homes located outside a manufactured home or mobile home park must be underskirted with materials designed for such purposes.

(j) Any additions built to a manufactured home or mobile home including, but not limited to, porches, garages, carports and additional rooms, must be constructed of all new materials and must conform to building codes.

(k) All manufactured homes or mobile homes, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by this chapter and other regulations, pamphlets or data made a part hereof when installed, repaired or altered, shall be maintained in good working order. The owner or occupant shall be responsible for the maintenance of the manufactured home or mobile home.

(Code 1977, § 10-50; Ord. No. 399, L 39 \f "WP TypographicSymbols" \s 12 1(c), 12-10-90)

Cross reference(s)--Stopping, standing and parking regulations, § 18-151 et seq.

Sec. 11-52. Variances.

(a) The City Council may authorize a variance from the requirements, provisions and prohibitions set forth in of sections 11-59 through 11-62, and section 11-144 of the Code of Ordinances, when in its opinion undue hardship will result from requiring strict compliance. In granting a variance, the

City Council shall prescribe only conditions that it deems necessary or desirable to the public interest. In making the finding hereinbelow required, the City Council shall take into account the nature of the proposed use of the manufactured home, mobile home or travel trailer location involved; and existing uses of land in the vicinity; the number of persons who will reside in the proposed manufactured home, mobile home or travel trailer; and the probable effect of such variance upon the public health, safety, convenience and welfare in the vicinity. No variance shall be granted unless the City Council finds:

- (1) That there are special circumstances or conditions affecting the situation involved, such that the strict application of such sections would work a hardship upon the applicant;
- (2) That the granting of the variance will not be detrimental to the public health, safety, welfare, or injurious to other property in the area;
- (3) That the granting of the variance will not have the effect of preventing the orderly use of other land in the area in accordance with the provisions of this article and chapter of this Code; and
- (4) That the applicant has obtained the written consent to the variance from the owners of each tract abutting on the property where the mobile home, manufactured home or travel trailer is to be placed. For the purpose of this provision, the property shall be deemed to include the centerline of any streets, highways, or public rights-of-way on which it abuts.

(b) Such findings of the council, together with the specified facts upon which such findings are based, shall be incorporated into the official minutes of the City Council. Such variance shall be granted for an indefinite period of time for only the mobile home, manufactured home or travel trailer in question.

(c) Any variance granted under this section shall automatically terminate and require the granting of an additional variance in the event of either (1) any substitution or replacement of the manufactured home, mobile home or travel trailer with respect to which the original variance was granted or (2) any change in ownership of the manufactured home, mobile home or travel trailer with respect to which the original variance was granted.

(Code 1977, § 10-13.4; Ord. No. 359, BOL 39 \f "WP TypographicSymbols" \s 12 1, 7-14-86; Ord. No. 474, §1, 2/8/99, language added)

Sec. 11-53. Restrictions on occupancy.

A manufactured home or mobile home shall not be occupied for dwelling purposes unless it is properly placed on a recreational vehicle site and connected to water, sewerage and electrical utilities, and other services where required for health, welfare and safety of the occupants.

(Code 1977, § 10-49)

Secs. 11-54--11-59. Reserved.

ARTICLE V. MANUFACTURED AND/OR MOBILE HOME PARKS

DIVISION 1. PERMITS*

***Cross reference(s)**--Building permits and miscellaneous fees, § 4-86 et seq.

Sec. 11-60. Construction permit--Required.

It shall be unlawful for any person to construct, alter or extend any manufactured home or mobile home park within the city unless he shall first have obtained a manufactured home or mobile home park construction permit therefor from the city.

(Code 1977, § 10-2)

Sec. 11-61. Same--Application.

Application for a construction permit for a manufactured home or mobile home park shall be made to the City Secretary. The following information and items shall be furnished.

- (a) Name and address of applicant.
- (b) Interest of the applicant in the manufactured home or mobile home park.
- (c) Location and legal description of the park.
- (d) Complete engineering plans and specifications for the proposed park showing:
 - (1) The area and dimensions of the tract of land.
 - (2) A plat or map of the proposed park showing the number, locations and size of all mobile home sites, stands, locations and widths of roadways and walkways, service buildings and other proposed structures.
 - (3) The location of water and sewer lines and riser pipes.
 - (4) Plans and specifications for the water supply and refuse and sewage disposal facilities.
 - (5) Plans and specifications for all buildings to be constructed within the mobile home park.
 - (6) The location and details of lighting and electrical systems.

(Code 1977, § 10-3)

Cross reference(s)--Subdivisions, ch. 17.

Sec. 11-62. Other construction related permits.

A separate permit shall be required for the building, electrical, plumbing, driveway, sidewalk and other permits when required.

(Code 1977, § 10-4)

Cross reference(s)--Building and building related permits, § 4-86 et seq.

Sec. 11-63. Parking permit--Prerequisite to occupancy.

It shall be unlawful for any person to occupy a manufactured home or a mobile home in a manufactured home or mobile home park or lot without first securing a parking permit.

(Code 1977, § 10-9)

Cross reference(s)--Stopping, standing and parking regulations, § 18-151 et seq.

Sec. 11-64. Same--Prerequisite to utilities connection.

It shall be unlawful for the occupant of a manufactured home or mobile home to connect or permit such vehicle to be connected to the available utilities in a manufactured home or mobile home park or lot or for such vehicle to remain so connected, without first securing a parking permit.

(Code 1977, § 10-10)

Cross reference(s)--Utilities, ch. 19.

Sec. 11-65. Same--Period; application; fee.

An annual parking permit shall be valid for the period beginning January first and ending December thirty-first of the year of issuance. Such permit may be issued only by the City and may not be issued by licensees or mobile home dealers. Application for the annual parking permit must be made to the City secretary. A fee which is on file in the city secretary's office shall be paid for the annual permit, which fee will be prorated by allowing a credit for each lapsed month in the period of issuance. Applications may be made by mail to the city secretary. Expressly exempted from the requirements for an annual parking

permit are all manufactured homes and/or mobile homes on which the owner of such manufactured home and/or mobile home and/or has paid ad valorem taxes to the City for the year in question.

(Code 1977, § 10-11)

Sec. 11-66. Special permit fee; renewal.

Notwithstanding any provisions in this article to the contrary, a manufactured home or mobile home may be occupied and/or connected to available utilities within the City at a location other than in a manufactured home or mobile home park, for a period not to exceed two (2) weeks, by obtaining a special permit for same from the city secretary. The permit shall be issued only upon the payment, in advance, of a cash permit fee in the amount which is on file in the city secretary's office for the two-week period. This special permit shall be renewable upon the expiration of the initial two-week period for successive periods not to exceed one (1) week each in length, upon the payment, in advance, of a cash permit renewal fee, in the amount which is on file in the city secretary's office per week. The permit renewals shall be applied at the office of the city secretary.

(Code 1977, § 10-13.3)

Secs. 11-67--11-85. Reserved.

DIVISION 2. LICENSES*

***Cross reference(s)**– Licenses, permits and business regulations, ch. 10.

Sec. 11-86. Required.

It shall be unlawful to establish, maintain or operate a manufactured home or mobile home park without securing a manufactured home or mobile home park operator's license therefor.

(Code 1977, § 10-5)

Sec. 11-87. Occupying unlicensed park prohibited.

It shall be unlawful for any manufactured home or mobile home park occupant to continue occupying a manufactured home, or a mobile home located in such park which has not been duly licensed by the city. A ten-day notice of such failure of the owner or operator of an existing manufactured home or mobile home park shall be given to the occupants of such park and failure, refusal or neglect of such occupant to remove his manufactured home, or mobile home therefrom, or to cease occupying such manufactured home, or mobile home within such ten-day period shall constitute an offense.

(Code 1977, § 10-6)

Sec. 11-88. Period; fees.

Licenses issued under this division shall be valid for a period of one (1) year beginning January first of each year and shall be renewable annually during the month of December. A nonrefundable license application investigation fee which is on file in the city secretary's office shall accompany each application for a license, provided such investigation fee will be allowed as a credit upon the license if it is granted. The license fee and annual license renewal fee shall be on file in the city secretary's office.

(Code 1977, § 10-7)

Sec. 11-89. Appeal of denial.

Any person whose application for a license required by this division has been denied by the building official shall have the right to appeal such decision to the City Council.

(Code 1977, § 10-8)

Sec. 11-90. Revocation or suspension of license, disconnection of utilities--Grounds.

The building official shall have authority to suspend or revoke any license issued under this division, or to order utility disconnections, for violations of the provisions of this article as follows:

(1) A license may be suspended for any period of time up to six (6) months for a violation affecting the health, safety or welfare of occupants of a manufactured home or mobile home or of other persons or property.

(2) A license may be revoked for a violation which is dangerous to life.

(3) For a violation of the provisions of this division deemed to require a license suspension or revocation, the utility connection servicing any stand may be disconnected, provided, a utility disconnection may be ordered in connection with a license suspension or revocation as to all or any part of a manufactured home or mobile home park if necessary to protect life or property.

(Code 1977, § 10-17)

Cross reference(s)--Building official, § 4-66 et seq.; utilities, ch. 19.

Sec. 11-91. Same--Reinstatement of suspended license.

After the period of suspension, a suspended manufactured home or mobile home park license will be reinstated by the building official upon a showing of ability and willingness by the licensee to comply with the provisions of this article.

(Code 1977, § 10-18)

Sec. 11-92. Same--New license to original licensee after revocation.

A person whose license which was issued under this division has been revoked may apply for a new license six (6) months after such revocation by making a new application and paying the required fee therefor. Before granting such new license, the building official shall require the applicant to show ability and willingness to comply with the provisions of this article.

(Code 1977, § 10-19)

Sec. 11-93. Same--New license to third party after suspension or revocation.

(a) No sale, transfer or assignment of a revoked license or of a license during the period of suspension will be recognized by the city; however, a person whose license has been suspended or revoked may sell, transfer or assign his interest in the premises, if any, to another person who may then make application for a license to operate the manufactured home or mobile home park. If it is shown by the applicant that he has had no responsible connection with the park, he will be eligible for the granting of a new license and if a new license is granted, the new licensee may commence to operate the park upon issuance of the license.

(b) Where a person whose license has been suspended or revoked has no interest in the premises other than by agreement with the owner of the premises, such person may advise the city, in writing, of his withdrawal from any further connection with the manufactured home or mobile home park. If it be shown that the owner has no responsible connection with the actual operation and maintenance of the park, a new application may be made by any person other than the person whose license was revoked and if the new license is granted, the new licensee may commence to operate the park upon issuance of the license.

(Code 1977, § 10-20)

Sec. 11-94. Appeals generally.

Any revocation or suspension of a license issued under this division, or any order for a utility disconnection, or any decision, order or action taken by the building official may be appealed by any person affected by the decision.

(Code 1977, § 10-21)

Sec. 11-95. Responsibilities of the manufactured home or mobile home park licensee.

(a) The person to whom a license for a manufactured home or mobile home park has been issued shall be responsible for operation of such park in compliance with the provisions of this article, and he shall provide adequate supervision to maintain such park, its facilities and equipment in good

repair and in a clean and sanitary condition.

(b) The licensee shall be responsible for notifying park occupants of the applicable provisions of this Chapter.

(c) The licensee shall be responsible for supervising the placement of manufactured homes or mobile homes on manufactured home or mobile home stands within the manufactured home or mobile home park. The licensee shall be responsible for maintaining a register containing the names of all park occupants. Such register shall be available to any authorized person inspecting the park for the enforcement of this article or any other provisions in the Code of the City.

(Code 1977, § 10-47)

Sec. 11-96. Responsibilities of park occupants.

(a) Manufactured home or mobile home park occupants shall comply with all applicable provisions of this Chapter, and such occupant shall maintain his manufactured home or mobile home, manufactured home or mobile home stand, manufactured home or mobile home site and appurtenances and equipment in good repair and in a clean and sanitary condition.

(b) The manufactured home or mobile home park occupant shall be responsible for the proper placement of his mobile home on the manufactured home or mobile home stand and for proper installation of all utility connections.

(Code 1977, § 10-48)

Secs. 11-97--11-115. Reserved.

DIVISION 3. INSPECTION

Sec. 11-116. Required.

The inspecting authority shall make such inspections as are necessary to insure compliance with the provisions of this article.

(Code 1977, § 10-14)

Sec. 11-117. Authority granted by acceptance of license.

By the acceptance of the license issued under this article, the licensee shall be deemed to authorize the inspection of a manufactured home or mobile home park at all reasonable hours. Such hours shall usually be during normal working hours and failure to permit such inspection shall be a ground for suspension or revocation of the license. Where there is reason to believe a violation may exist before or after the hours of normal inspection, the building official may authorize special inspections at any time; however, nothing herein shall prohibit inspection for valid parking permits at any time.

(Code 1977, § 10-15)

Sec. 11-118. Obstructing inspector or licensee; appeal by occupant authorized.

Failure or refusal of a manufactured home or mobile home park occupant to permit inspection by the inspecting authority, or to permit the licensee to make necessary repairs or alterations in compliance with the requirements of the inspecting authority, shall constitute a ground for disconnection of the utilities serving such manufactured home or mobile home. The manufactured home or mobile home occupant shall have the right to appeal any decision, order or action of the building official or the inspecting authority by following the same procedure provided for appeals from license denials, suspensions or revocations by the building official.

(Code 1977, § 10-16)

Secs. 11-119--11-140. Reserved.

DIVISION 4. REQUIREMENTS*

*State law reference(s)--Uniform Standards for mobile homes, Vernon's Ann. Civ. St. art. 5221f.

Sec. 11-141. Density restrictions.

No more than ten (10) manufactured home or mobile home stands shall be situated per acre of unimproved land. By unimproved land is meant land upon which no roadways or sidewalks have been constructed as well as other types of improvements. In addition to this requirement, all space and distance requirements as elsewhere herein set out shall be observed and complied with so that in the enforcement of this density requirement the more restrictive of the two (2) standards shall be applied in any situation to determine compliance with this section.

(Code 1977, § 10-46)

Sec. 11-142. Utilities connections--Required of occupants.

It shall be unlawful for any person to occupy a manufactured home, or mobile home in a manufactured home or mobile home park or lot unless such vehicle has first been connected to the utilities available in such park or lot.

(Code 1977, § 10-12)

Cross reference(s)--Utilities, ch. 19.

Sec. 11-143. Same--Operator's duty.

It shall be the responsibility of the manufactured home or mobile home park licensee and lot owner, his agents or employees, to notify the office of the building official when any manufactured home, or mobile home is to be connected to the available utilities in the park or lot operated by the licensee. Failure to perform such notification shall constitute an offense.

(Code 1977, § 10-13)

Sec. 11-144. Environmental, open space and access requirements generally.

Condition of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable adverse influences, and no portion subject to unpredictable and/or sudden flooding, subsidence or erosion shall be used for any purpose which would expose persons or property to hazards.

(Code 1977, § 10-22)

Sec. 11-145. Soil and ground cover requirements.

Exposed ground surfaces in all parts of every manufactured home or mobile home park shall be paved, or covered with stone screenings, or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust.

(Code 1977, § 10-23)

Sec. 11-146. Site drainage requirements.

The ground surface in all parts of every manufactured home or mobile home park shall be graded and equipped to drain all surface water in a safe, efficient manner.

(Code 1977, § 10-24)

Cross reference(s)--Drainage commission, § 2-111 et seq.; flood prevention and protection, ch. 8.

Sec. 11-147. Required separation between homes and other structures in parks.

(a) Manufactured homes or mobile homes shall be separated from each other and from buildings and structures by at least ten (10) feet on the sides and end-to-end clearance of ten (10) feet.

(b) An accessory structure which has a horizontal area exceeding twenty-five (25) square feet is attached to a manufactured home or mobile home or located within ten (10) feet of its window, and has an opaque top or roof that is higher than the nearest window, shall, for purposes of all

separation requirements, be considered to be part of the manufactured home or mobile home.

(Code 1977, § 10-25)

Sec. 11-148. Required recreation areas.

(a) In all parks accommodating or designed to accommodate twenty-five (25) or more manufactured homes or mobile homes, there shall be not less than one (1) recreation area which shall be easily accessible to all park residents.

(b) The size of such recreation areas shall be based upon a minimum of one hundred (100) square feet for each manufactured home or mobile home stand. No outdoor recreation area shall contain less than two thousand five hundred (2,500) square feet.

(c) Recreation areas shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located, and all pool areas shall be fenced with metal restraining fences.

(Code 1977, § 10-26)

Sec. 11-149. Required setbacks, buffer strips and screening in parks.

(a) All manufactured homes or mobile homes shall be located at least twenty-five (25) feet from any property boundary line abutting upon a public street or highway and at least five (5) feet from interior property boundary lines.

(b) There shall be a minimum distance of ten (10) feet between individual manufactured homes or mobile homes and four (4) feet from adjoining pavement of a park street or common parking area or other common areas.

(c) All manufactured home or mobile home parks located adjacent to industrial, commercial or residential land uses shall be provided with screening such as fences or natural growth along the property boundary lines separating the park and such adjacent nonresidential uses.

(Code 1977, § 10-27)

Sec. 11-150. Street system.

(a) *General requirements.* All manufactured home or mobile home parks shall be provided with safe and convenient vehicular access from abutting public streets or roads to the internal parking area or manufactured home or mobile home stand. Alignment and gradient shall be properly adapted to topography.

(b) *Access.* Access to manufactured home or mobile home parks shall be designed to minimize congestion and hazards at the entrance or exit and allow free movement of traffic on adjacent streets. The entrance road connecting the park streets with a public street or road shall have a minimum road pavement width of thirty-four (34) feet where parking is permitted on both sides, or a minimum road pavement width of twenty-seven (27) feet where parking is limited to one side. Where the primary entrance road is more than one hundred (100) feet long and does not provide access to abutting mobile home lots within such distance, the minimum road pavement width may be twenty-four (24) feet, provided parking is prohibited at both sides.

(c) *Internal streets.* Surfaced roadways shall be of adequate width to accommodate anticipated traffic, and in any case shall meet the following minimum requirements:

- (1) All streets, except minor streets, shall be not less than twenty-four (24) feet in width.
- (2) Minor streets, when parking is prohibited, shall not be less than twenty (20) feet in width. Such a street will be acceptable only if it is less than five hundred (500) feet long and serves fewer than twenty-five (25) mobile homes, provided, such street may exceed five hundred (500) feet if it is a one-way street and provides access to abutting mobile home sites on one side only.
- (3) Dead-end streets shall not exceed one thousand

(1,000) feet in length. Such street shall be provided with a turnaround at the closed end and having an outside roadway diameter of at least sixty (60) feet.

(d) *Required illumination.* All manufactured home or mobile home parks shall be furnished with lighting units so spaced and equipped with luminaries placed at such mounting heights as will provide the following average maintained levels of illumination for the safe movement of pedestrians and vehicles at night:

- (1) All parts of the park street system shall average six-tenths (0.6) footcandles and no part shall have less than one-tenth (0.1) footcandle.
- (2) Potentially hazardous locations, such as major street intersections and steps or stepped ramps shall be individually illuminated and shall have a minimum of three-tenths footcandle.

(Code 1977, § 10-28)

Cross reference(s)--Streets and sidewalks, ch. 16.

Sec. 11-151. Street construction and design standards.

(a) *Pavement.* All streets shall be provided with a smooth, hard and dense surface which shall be durable and well drained under normal use and weather conditions. Pavement edges shall be protected to prevent raveling of the wearing surface and shifting of the pavement base. Street surfaces shall be maintained free of dust, cracks, holes and other hazards.

(b) *Grades.* Grades of all streets shall be sufficient to insure adequate surface drainage, but shall be not more than eight (8) percent. Short runs with a maximum grade of twelve (12) percent may be permitted, provided traffic safety is assured by appropriate paving, adequate leveling areas and avoidance of lateral curves.

(c) *Intersections.* Within one hundred (100) feet of an intersection, streets shall be approximately at right angles. A distance of at least

one hundred fifty (150) feet shall be maintained between center lines of offset intersecting streets. Intersections of more than two (2) streets at one (1) point shall be avoided.

(Code 1977, § 10-29)

Sec. 11-152. Required off-street parking areas.

(a) Off-street parking areas shall be provided in all manufactured home or mobile home parks for the use of park occupants and guests. Such areas shall be furnished at the rate of not less than two (2) spaces for each stand, each space to be accessible without moving another car.

(b) Required car parking spaces shall be so located as to provide convenient access to the manufactured home or mobile home, but shall not exceed a distance of two hundred (200) feet from the home that it is intended to serve.

(Code 1977, § 10-30)

Sec. 11-153. Sites; tie-downs.

(a) The area of the manufactured home or mobile home site shall be improved to provide an adequate foundation for the placement and tie-down of the home, thereby securing the superstructure against uplift, sliding, rotation and overturning.

(b) The manufactured home or mobile home site shall not heave, shift or settle unevenly under the weight of the home due to inadequate drainage, vibration or other forces acting on the superstructure.

(c) The manufactured home or mobile home shall be tied down in accordance with minimum tie-down requirements adopted by the state commissioner of licensing and regulation pursuant to applicable state law .

(Code 1977, § 10-31)

Sec. 11-154. Water supply.

An accessible, adequate, safe and potable supply of water shall

be provided in each manufactured home or mobile home park. Where a public supply of water of satisfactory quantity, quality and pressure is available, connection shall be made thereto and its supply used exclusively. When a satisfactory public water supply is not available, a private water supply system may be developed and used as approved by the health authority.

Section Two

Any rules, ordinances, police regulations, resolutions, and/or policies of the City of West Columbia, whether written, or otherwise, which are in any manner in conflict with or inconsistent with this ordinance, shall be and are hereby repealed to the extent of such conflict and/or inconsistency.

Section Three

It is hereby declared to be the intention of the City Council that the several provisions of this article are severable, and if any court of competent jurisdiction enters a final order which holds that any section, sub-section, sentence, clause, phrase, or other portion of this article is invalid, illegal, or otherwise unenforceable, then any such portion shall be deemed a separate, distinct and independent provision, and any such ruling shall not affect any other provisions of this article which are not specifically designated as being illegal, invalid or unenforceable.

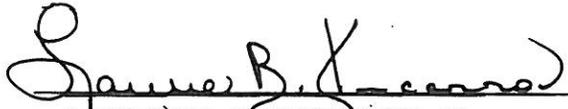
Section Four

Any person who violates this ordinance shall be guilty of a misdemeanor punishable by a fine of not to exceed Five Hundred and No/100 Dollars (\$500.00).

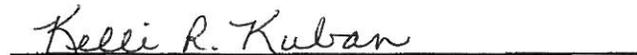
Section Five

This ordinance shall be effective from and after the date of its passage and approval and the publication of its caption as provided by law.

PASSED AND APPROVED this the 10th day of June, 2013.


LAURIE B. KINCANNON, Mayor

ATTEST:


KELLI R. KUBAN,
City Secretary/Treasurer