

CITY OF MATHIS

ORDINANCE NO. 22-10-01

AN ORDINANCE AMENDING CHAPTER 107 OF THE CODE OF ORDINANCES OF THE CITY OF MATHIS, TEXAS; BY SUPPLEMENTING AND ADDING NEW DEFINITIONS TO SECTION 107-2; DEFINING NEW MANUFACTURED HOMES AND DEFINING USED MANUFACTURED HOMES; AND REPEALING SECTION 107-3 PARKING MANUFACTURED HOMES OUTSIDE MANUFACTURED HOME PARKS AND ADOPTING A NEW SECTION 107-3 REGULATING PLACEMENT OF NEW MANUFACTURED HOMES UNDER SPECIFIED CONDITIONS OUTSIDE MANUFACTURED HOME PARKS; AND PROVIDING FOR A SAVINGS AND SEPARABILITY CLAUSE, CONFLICTS, PENALTIES AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATHIS TEXAS, THAT:

Section 1. The City Council of the City of Mathis adopts the following ordinance, which amends the Code of Ordinances of the City of Mathis as follows:

1. Section 107-1. Definitions of Chapter 107 of the City of Mathis Code of Ordinances is amended by supplementing the Definitions with the adoption of the following new definitions as follows:

Section 107-1. Definitions

New Manufactured Home means a manufactured home that is not a used manufactured home, regardless of its age.

Used Manufactured Home means a manufactured home which has been occupied for any use of for which a statement of ownership has been issued.

The term of Used Manufactured Home does not include:

- A. *A manufactured home that was used as a sales model at a licensed retail location; or*
- B. *A manufactured home that:*
 - a. *Was sold as a new manufactured home and installed, but never occupied;*
 - b. *Had a statement of ownership;*

- B. The City may allow a new manufactured home to be used or occupied on certain tracts of land if the manufactured home complies with the requirements of A. 1, 4, and 6 above and if less than fifty percent (50%) of the property owners located within three hundred (300) feet of the lot or property upon which the manufactured home is to be placed protest against allowing the manufactured home on such property.*

Section 2. Interpretation, Purpose and Conflict

In interpreting and applying the provisions of this ordinance, such provisions shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, morals and prosperity and general welfare. It is not intended by this ordinance to interfere with or abrogate or annul any ordinance, rules, regulations or permits previously adopted or issued and not in conflict with any of the provisions of the ordinance, or which shall be adopted or issued pursuant to law relating to the use of buildings or premises and likewise not in conflict with this ordinance; nor is it intended by this ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties, provided, however, that where this ordinance imposes a greater restriction upon the use of building or premises upon height of buildings or requires larger open spaces or larger lot areas than are imposed or required by such ordinance, agreements or covenants, the provisions of this ordinance shall control.

Section 3. Violation and Penalty

- A. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of any of the provisions of this ordinance shall, upon convictions, be fined not more than Two Hundred and no/100 Dollars (\$200.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.
- B. In case any mobile home, manufactured home or structure is erected, constructed, altered, repaired, converted or maintained, or is used in violation of this ordinance, the City of Mathis, in addition to other remedies allowed under applicable law, may institute any proper action or proceedings in the name of the City of Mathis to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use of such mobile home or manufactured home or structure in violation of this Ordinance and to prevent the occupancy of said mobile home, manufactured home or structure or use thereof.

Section 4. Validity

Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of

the ordinance as a whole or any part thereof other than the part so declared to be invalid.

Section 5. Repeal of Conflicting Ordinances

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. Date of Effect

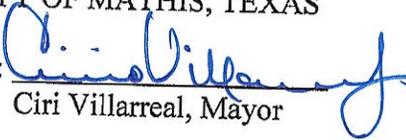
This ordinance shall be in full force and effect from and after its passage, approval and due publication.

FIRST READING PASSED AND APPROVED this 8th day of November, 2021.

SECOND READING PASSED AND APPROVED this 13 day of December, 2021.

CITY OF MATHIS, TEXAS

By:


Ciri Villarreal, Mayor

Attest:


Mary Gonzales, City Secretary