

**ORDINANCE NO. 2022-09**

**AN ORDINANCE OF THE CITY OF SNOOK, TEXAS, AMENDING ORDINANCE NO. 03-01-A AS AMENDED; PROVIDING FOR REGULATIONS CONCERNING LOCATION AND REPLACEMENT OF MANUFACTURED HOMES; REPEAL; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING.**

**WHEREAS**, the City of Snook, Texas (“City”) is a General Law municipality incorporated and operating under the Laws of the State of Texas; and

**WHEREAS**, pursuant to Texas Local Government Code § 51.001, the City Council of the City of Snook, Texas (“City Council”) has the authority to adopt, publish, amend or repeal an ordinance that is for the good government, peace or order of the City; and

**WHEREAS**, pursuant to Texas Occupations Code § 1201.008, the City Council has the authority to regulate the placement of mobile homes and manufactured homes in the city limits; and

**WHEREAS**, the City Council adopted Ordinance No. 03-01-A on April 17, 2001 regulating manufactured homes and manufactured home parks; and

**WHEREAS**, the City Council finds that it is necessary and proper for the good government, peace, and order of the City to amend Ordinance No. 03-01-A;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SNOOK, TEXAS THAT:**

**I. FINDINGS OF FACT**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**II. AMENDMENTS**

That Sec. 1.8 of Ordinance No. 03-01-A as amended is hereby amended to read as follows:

**Sec. 1.8. Location within City.**

(a) The installation of mobile homes for use or occupancy as residential dwellings in the City is prohibited. This provision is prospective and shall not apply to any mobile homes used and occupied as residential dwellings in the City on April 17, 2001.

(b) Unless approved by the City Council pursuant to Sec. 1.10 of this Ordinance, HUD-code manufactured homes may only be installed in the City for use or occupancy as residential dwellings in validly existing manufactured home parks or within the area outlined in red:



The installation of a HUD-code manufactured home for use or occupancy as a residential dwelling outside of these specific areas is prohibited.

(c) Mobile homes which on April 17, 2001 are located within the City shall become legal nonconforming. Replacement of legal nonconforming mobile homes shall be permitted only if the replacement home is a HUD-code manufactured home.

(d) HUD-code manufactured homes which on April 17, 2001 are located within the City, but outside of a valid manufactured home park shall become legal nonconforming. Replacement of a legal nonconforming HUD-code manufactured home shall be permitted only once and the replacement HUD-code manufactured home must be newer than the HUD-code manufactured home being replaced and must be at least as large in living space as the HUD-code manufactured home being replaced.

(e) Notwithstanding Subsection (d) an owner's ability to replace a HUD-code manufactured home as a result of fire or a natural disaster is not restricted.

(f) A HUD-code manufactured home may be placed in a manufactured home sales lot in accordance with Article IV of this Ordinance.

(g) No manufactured home may be situated or permitted to remain in violation of any valid and applicable deed restriction or covenant running with the land.

(h) It shall be unlawful for any person to park, use, occupy or connect utilities to a manufactured home at any location not authorized by this Ordinance or to permit any manufactured home to remain within the City in any location not authorized by this Ordinance.

(i) It shall be unlawful for any person to park a manufactured home on any street, alley, highway, sidewalk or other public place within the City.

(j) Utility connections shall not be approved and occupancy of a HUD-code manufactured home shall not be allowed until all requirements of this Ordinance and all other applicable ordinances and regulations are complied with.

### **III. EFFECTIVE DATE**

This Ordinance shall be and become effective immediately upon and after its passage and publication as may be required by governing law.

### **IV. REPEALER**

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

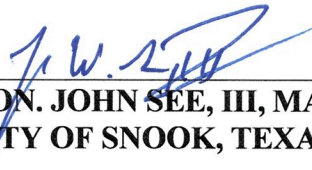
### **V. SEVERABILITY**

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

### **VI. PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED THIS THE 19<sup>TH</sup> DAY OF DECEMBER, 2022.

  
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HON. JOHN SEE, III, MAYOR  
CITY OF SNOOK, TEXAS

ATTEST:

  
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DAVID JUNEK, CITY ADMINISTRATOR/CITY SECRETARY  
CITY OF SNOOK, TEXAS