



ORDINANCE NO. 178

AN ORDINANCE OF THE CITY OF UHLAND, TEXAS, REGARDING MODULAR HOMES, AMENDING SECTION 4.5.3 WITH THE ADDITION OF SECTION 4.5.3A OF ORDINANCE #135, IN WHICH AMENDED SECTION 4.4 OF ORDINANCE #90, PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE, PROVIDING A SEVERABILITY CLAUSE, AND PROVIDING FOR PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Umland, Texas (“City Council”) seeks to recoup certain administrative, professional and infrastructure costs related to providing certain services and approvals; and

WHEREAS, the City Council finds that there is no mention in the attached ordinance for Modular Homes; and

WHEREAS, the City has an increased interest in placing Modular Homes within the City limits; and

WHEREAS, the City finds that is necessary and proper for the good government, peace or order of the City of Umland to amend the permit fee schedule.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Umland

Section 4.5.3

Manufactured Home.

No permit or inspection fee shall be imposed with respect to the installation of a manufactured home within the City by a registered retailer or installer as defined in Chapter 1201 of the Texas Occupations code (the Code). A two hundred fifty dollars (\$250.00) permit fee plus forty dollars (\$40.00) per required inspection shall be charged for each mobile home as defined in the Code, or manufactured home not installed by a registered retailer or installer, set up within the City.

4.5.3a

Modular Home Move-in Permit Fee: Modular home-factory built house, built and installed per the current version of the International Residential Code for one and two family dwellings. Modular homes are deemed by Texas State Law comparable to site built homes, as they are both built per the same code. Modular homes are regulated by the IHB (Industrialized Housing and Buildings) division

of the TDLR (Texas Department of Licensing and Regulation). The TDLR requires that a Modular Home undergoes three inspections by a third party inspector, Professional Engineer, or Registered Architect. The TDLR also requires that a Modular Home has an engineered foundation plan which includes the foundation supporting the home, the anchoring has an engineered foundation plan which includes the foundation supporting the home, the anchoring system, the skirting, any decks, porches and steps, and anything else attached to the home. The TDLR requires that anyone installing a Modular Home, its utilities, and its air conditioner must be licensed.

1. REPEALER

All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this ordinance shall be and remain controlling as to the matters regulated.

2. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections of parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

3. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication.

4. PROPER NOTICE AND MEETING


It is hereby officially found and determined that the meeting at which this Ordinance was passed 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, Texas Government Code, and Section 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED THIS 6th day of July, 2016 by a vote of

5 Ayes, 0 Nays, and 0 Abstentions.


Bryan Geiger, Mayor

ATTEST


Karen Gallaher, City Administrator

