

ORDINANCE NO. 84

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PATTISON, TEXAS, ADOPTING REGULATIONS FOR SINGLE-FAMILY AND DUPLEX INDUSTRIALIZED HOUSING; REQUIRING SUCH HOUSING TO HAVE A VALUE EQUAL TO OR GREATER THAN THE MEDIAN TAXABLE VALUE OF EACH SINGLE-FAMILY DWELLING LOCATED WITHIN 500 FEET OF THE LOT ON WHICH THE INDUSTRIALIZED HOUSING IS PROPOSED TO BE LOCATED; REQUIRING EXTERIOR SIDING, ROOFING, ROOF PITCH, FOUNDATION FASCIA, AND FENESTRATION COMPATIBLE WITH THE SINGLE-FAMILY DWELLINGS LOCATED WITHIN 500 FEET; REQUIRING COMPLIANCE WITH MUNICIPAL AESTHETIC STANDARDS, BUILDING SETBACKS, SIDE AND REAR YARD OFFSETS, SUBDIVISION CONTROLS, ARCHITECTURAL LANDSCAPING, SQUARE FOOTAGE, AND OTHER SITE REQUIREMENTS APPLICABLE TO SINGLE-FAMILY DWELLINGS, AND REQUIRING THAT SAID HOUSING BE SECURELY FIXED TO A PERMANENT FOUNDATION; PROVIDING FEES; PROVIDING A PENALTY IN THE AMOUNT OF \$1,000 FOR VIOLATION OF ANY PROVISION OF THIS ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND CONTAINING A SEVERABILITY CLAUSE.

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WHEREAS the 78th Regular Texas Legislature adopted Senate Bill 1326 relating to the municipal regulation of single-family and duplex industrialized housing; and

WHEREAS the Governor signed Senate Bill 1326 making it effective June 18, 2003; and

WHEREAS the City Council of the City of Pattison, Texas, desires to regulate single-family and duplex industrialized housing to the extent permitted by state law; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PATTISON, TEXAS:

Section 1: Regulation of single-family and duplex industrialized housing.

- (a) Single-family or duplex industrialized housing must have all local permits and licenses that are applicable to other single-family or duplex dwellings.
- (b) For purposes of this section, single-family or duplex industrialized housing is real property.
- (c) Any industrialized housing shall:

(1) have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll for the County;

(2) have exterior siding, roofing, roof pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located;

(3) comply with City aesthetic standards, building setbacks, side and rear yard offsets, subdivision control, architectural landscaping, square footage, and other site requirements applicable to single-family dwellings; and

(4) be securely fixed to a permanent foundation.

(d) For purposes of subsection (c), "value" means the taxable value of the industrialized housing and lot after installation of the housing.

(e) Any owner or authorized agent who intends to construct, erect, install, or move any industrialized housing into the City shall first make application to the building official and obtain the required permits. In addition to any other information otherwise required for said permits, the application shall:

(1) identify each single-family dwelling located within 500 feet of the lot on which the industrialized housing is to be located, and show the taxable value for each such dwelling as determined by the most recent certified tax appraisal roll for the county;

(2) describe the exterior siding, roofing, roof pitch, foundation fascia, and fenestration for each single-family dwelling located with 500 feet of the lot on which the industrialized housing is to be located;

(3) describe the permanent foundation and method of attachment proposed for the industrialized housing;

(4) state the taxable value of the industrialized housing and the lot after installation of the industrialized housing; and

(5) indicate the deed restrictions otherwise applicable to the real property on which the industrialized housing is to be located.

(f) A person commits an offense if the person:

(1) fails to make an application for permit as required by this section; or

(2) constructs, erects, installs or moves any industrialized housing into the City which does not comply with this section.

(See generally Texas Occupation Code Chapter 1202, especially Section 1202.253).

II.

Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined not more than \$1,000.00 upon conviction of such violation; provided however if such person convicted of an offense under this ordinance which offense is also a violation of the penal laws of the State of Texas, such person shall be subject to the penal laws of the State of Texas for the offense.

III.

This Ordinance shall take effect from and after the date of its passage, and all Ordinance or portion of Ordinances heretofore passed in conflict with the terms hereof are specifically repealed.

IV.

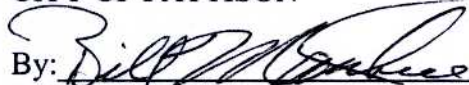
If any provision, section, subsection, sentence, clause, phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance or the application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion thereof or provision, or regulation contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof and all provisions of this Ordinance are declared to be severable for that purpose.

V.

The City Secretary is instructed to post and publish notice of this Ordinance as required by law, by publishing only the descriptive caption.

PASSED, APPROVED, AND ADOPTED this September 13, 2005

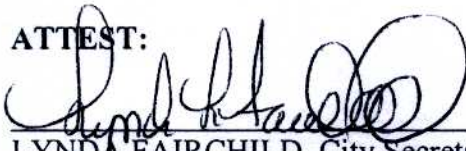
CITY OF PATTISON

By: 

BILL MATTHEWS

Mayor

ATTEST:



LYNDA FAIRCHILD, City Secretary

ALDERMEN VOTING:

KATHRYN WILSON	<u>Yes</u>
PAT BUFKIN	<u>Yes</u>
LARRY SABRSULA	<u>Yes</u>
ELAINE LUCAS	<u>Yes</u>
CARRI UDEMI	<u>Yes</u>