

ORDINANCE NO. 177

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**AN ORDINANCE REGULATING THE MOVING OF HOUSES, HUD
CODE MANUFACTURED HOUSING, AND MOBILE HOMES, WITHIN
THE CITY LIMITS OF THE CITY OF PELICAN BAY, TEXAS,
ESTABLISHING PERMIT FEES; PROVIDING A SEVERABILITY
CLAUSE; PROVIDING A PENALTY; AND PROVIDING FOR
PUBLICATION.**

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WHEREAS, the moving of houses, mobile homes and HUD Code Manufactured Housing
within the City creates traffic hazards, confusion and general disruption, and the
moving of housing onto lots without locating property boundaries, water and
sewer lines, or septic lines and fields, has created health problems, as well as
confusion; **NOW, THEREFORE,**

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**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELICAN BAY,
TEXAS:**

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Section 1: THAT no house, mobile home, or HUD Code Manufactured Housing shall be
moved over any public street without a permit issued by the City Secretary.
Such permit shall not be issued unless and until a permit application form is
completed, required information confirmed, permit application fee paid, and, in
the case of a move onto any lot within the City, water and sewer tap fees due on
such property are paid.

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Section 2: A fee of One Hundred Dollars (\$100) shall be charged for any permit to move
a house, mobile home or HUD Code Manufactured Housing unit out of the City.
A fee of Two Hundred Fifty Dollar (\$250) shall be charged for a permit to move
a house, a double wide mobile home, or double-wide HUD Code Manufactured
Housing unit into the City. A fee of One Hundred Fifty Dollars (\$150) shall be
charged for single-wide move-ins. These fees shall be in addition to all other
fees charged for other services, such as inspections, and permits.

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Section 3: For all moves of any such housing into the City, the following shall be required:

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- a. Address where such housing is to be moved to.
 - b. Dimensions of housing.
 - c. Submit drawing showing property pins, property lines, and where the
home will sit on the lot.
 - d. Show on drawing where any old septic and drain fields are.
 - e. Expose surveyor's property pins at all property corners.
 - f. Stake out location of home, old septic and drain field.
 - g. Show distance from back and side property lines to site of home:
5' easement from side and back property line; and
25' setback from front property pins.

- h. Submit engineered specifications for foundation or underpinning. Every poured foundation must have a city inspection prior to the concrete being poured.
- i. All FHA homes must have a minimum 36" x 36" landing within 1" of front and back door thresholds.
- j. Home movers must contact the City 24 hours prior to bringing a home into the City, and must have already obtained a permit.
- k. No home may enter the City on weekends or holidays.

Section 4: No house, mobile home or HUD Code Manufactured Housing shall be moved on any public street without a police escort.

Section 5: No house, mobile home or HUD Code Manufactured Housing shall be moved on any public street between the hours of 6:00 p.m. and 9:00 a.m., or on holidays, or on weekends between 6:00 p.m. on Fridays, through 9:00 a.m. on the following Monday.

Section 6: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid phrase, clause, sentence, paragraph or section.

Section 7: Any person, firm or corporation violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon final conviction thereof fined in an amount not to exceed Five Hundred Dollars (\$500.00). Each day any such violation shall be allowed to continue shall constitute a separate violation punishable hereunder.

Section 8: The City Secretary is hereby authorized and directed to cause the publication of the descriptive caption and penalty clause of this ordinance as an alternative method of publication provided by law.

AND IT IS SO ORDAINED.

Passed by a vote of 5 to 0 on this 11th day of January, 2005.

CITY OF PELICAN BAY

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By: Marlyn Hawkins
Marlyn Hawkins, Mayor

ATTEST:

Nancy Nold
Nancy Nold, City Secretary

APPROVED AS TO FORM AND LEGALITY:

George A. Staples
George A. Staples, Attorney