

CORYELL COUNTY ORDINANCE - 2009-2

CORYELL COUNTY
INFRASTRUCTURE REQUIREMENTS
FOR MANUFACTURED HOME RENTAL
COMMUNITIES

*Approved and Adopted
by the
Coryell County Commissioners' Court*

 APRIL 20 , 2009

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APR 20 2009

Debra Johnson
COUNTY CLERK, CORYELL CO TEXAS

**CORYELL COUNTY
INFRASTRUCTURE REQUIREMENTS
FOR MANUFACTURED HOME RENTAL COMMUNITIES**

1. **DEFINITIONS:**

- a. Manufactured Home - Means a structure falling within the definition of manufactured housing in Tex. Occ. Code § 1201.003.
- b. Manufactured Home Rental Community - Means a plot or tract of land in which two or more spaces or lots are rented, leased, or offered for rent or lease for a term of less than 60 months without a purchase option, for the installation of manufactured homes as use and occupancy as residences.

2. **MANUFACTURED HOME RENTAL COMMUNITIES:**

- a. The owner of land located in Coryell County outside the limits of a municipality who intends to use the land for a Manufactured Home Rental Community must have an infrastructure development plan prepared that complies with the minimum infrastructure standards that are set out below in Section 3.
- b. Prior to beginning any construction, the owner must submit the plan to the Coryell County Engineer for approval. Construction may not begin before the plan is approved.
- c. Not later than the 60th day after the date the plan is submitted; the County Engineer shall approve or reject the plan in writing. If the plan is approved, construction may begin immediately. If the plan is rejected, the written rejection shall specify the reasons for the rejection and the actions required for approval of the plan. The failure to reject a plan within the period prescribed by this subsection constitutes approval of the plan.
- d. The County Engineer, as well as any other person designated by either the County Engineer or the Commissioners' Court, may inspect the infrastructure at any reasonable time during construction, and the owner and his agents shall not hinder such inspections.
- e. On completion of construction, the owner shall confirm in writing to the County Engineer that the infrastructure is complete, and a final inspection must be completed not later than the second business day after the notice is received by the County's inspector. If the inspector determines that the infrastructure does not fully comply with the plan, the owner shall be given an opportunity to cure the defects. On completion of curative construction, the owner should request another inspection.

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- f. When the inspector determines that the infrastructure complies with the plan, the Commissioners' Court shall issue a Certificate of Compliance not later than the fifth business day after the final inspection is completed.
- g. A utility may not provide utility services, including water, sewer, gas, and electric services, to a Manufactured Home Rental Community or to a manufactured home in the community unless the owner provides the utility with a copy of the Certificate of Compliance.

3. **INFRASTRUCTURE REQUIREMENTS;**

The infrastructure development plan for a Manufactured Home Rental Community must include each of the following:

- a. A survey identifying the proposed community's boundaries and any significant feature of the community, including the proposed location of lots or spaces, utility easements, and dedication of rights-of-way. The survey may also contain features to help provide the additional information required by this order.
- b. Reasonably specified plans to provide adequate drainage in accordance with standard engineering practices, including specifying necessary drainage culverts and identifying areas included in the 100-year flood plain. The placement of any structure within the Regulatory Floodplain is governed by the current Coryell County Floodplain Regulations (as amended from time to time).
- c. Reasonably specified plans to provide an adequate public or community water supply, including specifying the location of supply lines, in accordance with Subchapter C, Chapter 341, Health and Safety Code. If water is to be provided by a utility, a certification by the utility that water is available for each of the planned spaces or lots must be attached to the plan.
- d. Certification that adequate groundwater is available for the development. If groundwater is the source of water supply for the development, the developer is required to obtain certification, by a licensed professional engineer (or other professionals designated by State law) registered to practice in Texas, that adequate groundwater is available for the development, according to the certification form and content as promulgated by the Texas Commission on Environmental Quality. (Lack of certification that suitable and adequate groundwater is available is grounds for denial of approval, if groundwater is the proposed source of water). The certification document shall be recorded as part of the

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dedication instrument and a note shall be placed on the plan that groundwater is to be the source of water.

e. Either

- (1) Reasonably specified plans to provide access to sanitary sewer lines, including specifying the location of sanitary sewer lines. If sewage treatment is to be provided by a utility, a certification by the utility that service for each of the planned spaces or lots is available must be attached to the plan. If the sewage is to be treated in some other way, approval by the relevant government agency that is to license or inspect the treatment facilities must be attached; or
- (2) Reasonably specified plans for providing on-site sewage facilities in accordance with Chapter 366, Texas Health and Safety Code if estimated sewage flow does not exceed 5,000 gallons per day (gpd). These plans must meet minimum standards established under Chapter 285 of the OSSF rules and Coryell County Regulations, including lot size limitations. Approval by the Coryell County Designated Representative must be attached to the plan.
- (3) Reasonably specified plans for providing sewage treatment and disposal under Chapter 26 of the Texas Water Code if estimated flow exceeds 5,000 gpd. Approval by the Texas Commission on Environmental Quality must be attached to the plan.

f. Reasonably specified plans for streets or roads in the Manufactured Home Rental Community to provide ingress and egress for fire and emergency vehicles.

- (1) The Commissioners' Court finds that it is reasonably necessary that streets in these communities should be built to the same standards (but to no more stringent standard) than the requirements adopted by the Court for subdivisions.
- (2) The road design and construction standards contained in the Coryell County Subdivision Regulations, as amended from time to time, are therefore incorporated by reference into this order as fully and completely as if set out verbatim herein. The street or road specifications in the infrastructure development plan must comply with those standards to the maximum degree practicable.
- (3) Building Set Backs shall be as specified in the Coryell County Subdivision Regulations.

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- (4) Drainage design for the development shall comply with the Coryell County Subdivision Regulations.
- (5) Commissioners' Court (but not the County Engineer) may grant a variance when strict application of these standards would work an unusual hardship.
- g. The road specifications must include adequate provision for roadway maintenance to guarantee future ingress and egress by fire and emergency vehicles. It may meet this requirement by providing an adequate mechanism for private maintenance. The plan must contain a covenant that every future lease or rental agreement will inform the tenants that the County will never maintain any road or street in the community under any circumstances.

4. OTHER REGULATIONS:

Persons developing Manufactured Home Communities should be aware that this order is not the exclusive law or regulation controlling development in Coryell County. The following is only a partial list of regulations that may apply.

- a. Manufactured Home Subdivisions are subject to Coryell County Subdivision Regulations. All subdivisions within the Extra Territorial Jurisdiction (E.T.J.) of an incorporated city may also be subject to city subdivision regulations, or as per any mutually (County-City) agreed upon regulations as approved and accepted under an interlocal cooperation agreement.
- b. All Manufactured Home Rental Communities are subject to regulations of general applicability, including public health nuisances under Chapter 341 and 343 of the Texas Health and Safety Code. The developer must address solid waste disposal, rodent/insect harboring, fly breeding and improper water disposal in accordance with these Chapters.
- c. Other agencies with regulatory authority that may apply to a Manufactured Home Community include, but are not limited to, several Emergency Services Districts, the Texas Commission on Environmental Quality, the Public Utilities Commission, the United States Parks and Wildlife Service, the Environmental Protection Agency and the U.S. Army Corp. of Engineers.

Issuance of a Certificate of Compliance under this order does not indicate compliance with any of these

5. FEES:

A filing fee of \$131.00 (\$125 filing fee + \$5 Records Preservation Fee + \$1 County Security

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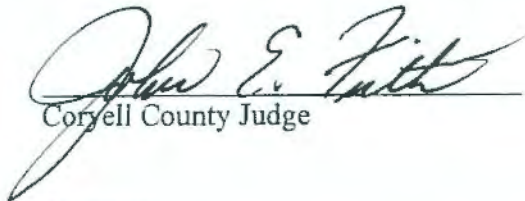
Fee) plus \$5.00 per lot shall be paid to the County Clerk at the time of submission of the Infrastructure Development Plan presented for approval under this ordinance.

Upon approval of the Infrastructure Development Plan by the Coryell County Commissioners' Court, an original of the plan shall be filed in the public record, and all costs associated with filing in the public record will be paid to the County Clerk.

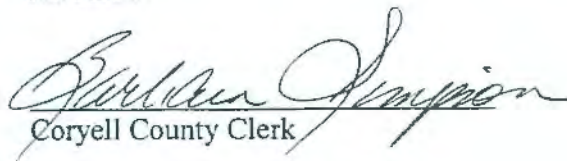
6. **PENALTIES:**

- a. Violations of this order will result in the denial of utility services.
- b. The requirements of this order have been established by and adopted by the Coryell County Commissioners' Court under Chapter 232 of the Texas Local Government Code, and all the civil and criminal penalties applicable under that chapter shall apply to violations of this order.

Approved by the Coryell County Commissioners' Court on APRIL 20, 2009, to be effective immediately.


Coryell County Judge

ATTEST:


Coryell County Clerk



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