

IN THE STATE OF §

CITY OF OLD RIVER-WINFREE §

CHAMBERS & LIBERTY COUNTY §

CITY OF OLD RIVER-WINFREE, TEXAS

ORDINANCE NO. 2016-004

AN ORDINANCE THAT AMENDS ORDINANCE NO. 2008-004 OF THE CITY OF OLD RIVER-WINFREE, TEXAS BY AMENDING SECTION 1. DEFINITIONS; SUBPARTS B, F AND G, AND SECTION 2: PERMITS; SUBPART (A) AND REPEALING SUBPART (D) 1 CONTAINING A SAVINGS CLAUSE AND PROVIDING FOR THE PUBLICATION AND EFFECTIVE DATE THEREOF:

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OLD RIVER-WINFREE, TEXAS:

SECTION 1 THAT SECTION 1. B., F, AND G OF ORDINANCE NO. 2008-004 IS HEREBY AMENDED TO READ AS FOLLOWS:

Section 1. Definitions - for the purpose of this ordinance, certain terms, words, phrases shall have the meaning hereinafter ascribed thereto.

(B) Certificate of Habitability: Certificate of Habitability issued by the City Inspector for the use of a building, structure, and/or land, when it is determined by the Building Official to meet the following requirements:

- (1) there is no defect or deterioration in or damage to the home that creates a dangerous situation;
- (2) the plumbing, heating and electrical systems are in safe working order;
- (3) the walls, floor, and roof are: (A) free from a substantial opening that was not designed; and (B) structurally sound; and
- (4) all exterior doors and windows are in place and operate properly

(F) **Mobile Home:** any vehicle or structure so designed and constructed to permit occupancy thereof for sleeping and for living quarters for one or more persons or for conducting any business or profession, occupation or trade (or used as a selling or advertising device) and so designed that it is for may be mounted on wheels and used for conveyance on highways or city streets, propelled or drawn by other motive power, excepting a device used exclusively upon stationary rails or tracks. The Mobile home may include one or more units which may be telescoped or joined into one (1) unit. This definition shall relate any mobile home constructed Pre 1976.

(G) **Manufactured Home:** any structure so designed and constructed to permit occupancy thereof as sleeping and for living quarters for one or more persons or the conduct of any business or profession, occupation or trade (or use as a selling or advertising device), and so designated that it is or may be mounted on wheels and used as a conveyance on highways or city streets, propelled or drawn by other motive power, excepting a device used exclusively upon stationary rails or tracks. Manufactured home may include one or more units which may be telescoped or joined into (1) unit said definition shall include any manufactured home constructed post 1976.

Section 2 That Section 2.A of Ordinance number 2008-004 is hereby amended to read as follows:

(A) Permit Required

(1) It shall be unlawful to locate any mobile home or manufactured home within the Chambers County section of the City of Old River-Winfree, Texas that does not meet Wind Zone 2 or better specifications.

(2) It shall further be unlawful to locate or relocate any mobile home or manufactured home within the Liberty County sections of the City of Old River-Winfree, Texas that does not meet Wind Zone 1 or better specifications.

(3) It shall further be unlawful for any person to locate or relocate any manufactured home or mobile home in the city of Old River-Winfree, Texas specifically, regarding sections (a)(1) and (a)(2) above unless that person holds a valid permit issued by the city, in the name of such person and for the specific locations proposed.

That Section 2(D). (1) entitled Express Electrical Permit be hereby repealed in its entirety.

Severability – If any section or part of any section or paragraph of this Ordinance is declared invalid or unconstitutional for any reason, it shall not be held to invalidate or impair the validity force or effect or paragraph of this Ordinance.

EFFECTIVE DATE – This Ordinance shall be effective immediately upon its passage, approval and publication.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF OLD RIVER-WINFREE,
CHAMBERS AND LIBERTY COUNTY, TEXAS ON THE 14TH DAY OF March, A.D.. 2016.**

APPROVED:


MAYOR JOE LANDRY

ATTEST:


LINDA J. MURPHY, CITY SECRETARY