

ORDINANCE 97-6

AN ORDINANCE OF THE CITY OF BEACH CITY, CHAMBERS COUNTY, TEXAS, PROVIDING FOR COUNCIL'S REVIEW AND CONDITIONAL APPROVAL OF PLATS AND PLANS FOR THE ESTABLISHMENT OF TRAILER PARKS WITHIN THE CITY'S CORPORATE BOUNDARIES, ESTABLISHING STANDARDS FOR SUCH PLATS AND PLANS, ESTABLISHING PROCEDURES FOR REVIEW AND DOCUMENT RETENTION, VALIDATING EXISTING TRAILER PARK INSTALLATIONS, EXEMPTING PLACEMENT OF A HOUSE TRAILER FOR THE PURPOSE OF REMOVING AN EXISTING HOUSE TRAILER, REPEALING PRIOR ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, ESTABLISHING AN EFFECTIVE DATE AND TERM HEREOF, AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City Council of Beach City (Council) desires to protect the health, safety, and general welfare of the residents of the City; and

WHEREAS, Council deems it in the best interest of the residents of the City for Council to review and conditionally approve all proposed plats and plans for the establishment of trailer parks within the corporate limits of the City; and

WHEREAS, Council desires to establish certain standards and procedures for said approvals,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEACH CITY, CHAMBERS COUNTY, TEXAS:

1 SECTION 1, ESTABLISHING CERTAIN DEFINITIONS

1.1 For the purposes of this ordinance, the following terms shall have the meanings ascribed to them

1.1.1 "Trailer park" shall mean any single lot or parcel of land as recorded in the deed records of Chambers County regardless of the size of said lot or parcel of land, or any portion thereof, that is designated or set aside for the installation or placement of more than one house trailer or upon which more than one house trailer is placed.

1.1.2 "House trailer" shall mean any structure suitable or intended for human habitation which is, or has been, or is intended to

be, or is suitable to be, moved from place to place upon one or more wheeled axles attached to said structure.

1.1.3 "Trailer plot" shall mean any portion of a trailer park which is, or is intended to be, or is advertised or offered to be, leased, rented, or otherwise assigned and set aside for the placement of a single house trailer and the use of the inhabitants thereof.

2 SECTION 2, REQUIRING COUNCIL APPROVAL OF PLATS AND PLANS FOR THE ESTABLISHMENT OF TRAILER PARKS WITHIN THE CORPORATE BOUNDARIES OF THE CITY

2.1 All proposed plats and plans for the establishment of a trailer park within the City's corporate limits shall be reviewed and approved by Council before the placement of a second house trailer upon any single lot or parcel of land as recorded in the deed records of Chambers County.

3 SECTION 3, ESTABLISHING STANDARDS

3.1 If the plat map includes or is accompanied by proof that the party initiating and responsible for the proposed establishment of a trailer park (hereinafter "Developer") will provide both a common public water supply system meeting State standards and serving all trailer plots and a common sewage treatment system meeting State standards and serving all trailer plots, and that all users of individual trailer plots will be legally and permanently constrained from drilling individual water wells or installing on-site sewage treatment or disposal facilities, then the minimum trailer plot size shall be sixty (60) feet minimum width and one hundred ten (110) feet minimum depth.

3.2 If the plat map includes or is accompanied by proof that the Developer will provide either a common public water system meeting State standards and permanently serving all trailer plots or a common sewage treatment system meeting State standards and serving all trailer plots, but not both, then the minimum trailer plot size shall be one-half acre (21,780 square feet), which area shall be exclusive of any easements upon or within which the Developer or trailer plot user is constrained from constructing buildings, wells, or on-site sewage treatment facilities or parts thereof if on-site sewage treatment facilities are to be used.

- 3.3 If neither a common public water system meeting State standards and serving all trailer plots nor a common sewage treatment system meeting State standards and serving all trailer plots is to be provided, then the minimum trailer plot size shall be one acre (43,560 square feet) exclusive of any easements upon or within which the Developer or trailer plot user is constrained from constructing buildings, wells, or on-site sewage treatment facilities or parts thereof.
- 3.4 Notwithstanding compliance with the above trailer plot size standards, if individual on-site sewerage facilities are to be used for any one or more trailer plots the Developer shall be responsible to demonstrate to Council that on-site sewerage facilities complying with State of Texas standards can be constructed on each and every such trailer plot.
- 3.5 All trailer plots shall have direct access to a contiguous public or private street, roadway, or highway, and developer shall be responsible to demonstrate to Council's satisfaction that any privately owned street or roadway is safe and suitable for all-weather use.
- 3.6 All trailer plots shall have a minimum setback line of at least twenty-five (25) feet from any public or private street, roadway, or highway.
- 3.7 If the trailer park is designated to include five or more trailer plots, the Developer will provide a reservoir to maintain at least 1000 gallons of water suitable to be used for firefighting, or other suitable water supply acceptable to Council, and will furnish to Council a certification from an officer of the Beach City Volunteer Fire Department that the design of said reservoir will permit the equipment of said Fire Department to gain access to said reservoir and to withdraw water therefrom, and will further furnish to Council a copy of binding and durable permission for said Fire Department to access said reservoir for the purpose of firefighting. If the proposed trailer constitutes a new section or expansion of a previous trailer park, the aggregate number of trailer plots in all sections to date shall be considered in determining the applicability of this subsection.
- 3.8 The standards for a drainage plan established by the "County of Chambers Subdivision Rules and Regulations, §1.02" are incorporated herein by reference, with the additional requirement that if new outfall channels shall cross any other private or public

property the Developer shall furnish to Council proof of binding and durable permission and easement from the owner of said other property for such crossing, and further provided that if such outfall channels shall tie into any existing drainage easement the Developer shall furnish to Council proof of binding and durable permission from the grantee of said easement for the permanent use thereof.

- 3.9 The standards established by the "Construction Standards for On-site Sewerage Facilities", Texas Natural Resource Conservation Commission (TNRCC), effective February 5, 1997, or such subsequent rules as the TNRCC or its successors may promulgate, are incorporated herein by reference and shall apply except where standards established herein or other standards established by the City of Beach City or the County of Chambers are or shall be more stringent. In the event that any provision herein shall be found to be less stringent than current State of Texas standards, then the Texas standards shall govern.
- 3.10 Submissions of the Developer to Council shall specifically include the following, provided however that the inclusion of said items shall not excuse Developer from providing other evidence as required above: an overall site plan showing the 100-year flood plain, a topographic map and drainage plan, the results of a soil survey conducted in accordance with TNRCC standards, the location of existing wells and any additional wells necessary for future house trailers or other habitations or other planned constructions within the trailer park if on-site sewerage facilities are to be used, and types of on-site sewerage facilities to be used.
- 3.11 The Developer shall also furnish to Council certification acceptable to Council that all applicable State, County, and City requirements are met by the proposed trailer park.

4 SECTION 4, ESTABLISHING PROCEDURES

- 4.1 At least seventy-two (72) hours before scheduled consideration by Council, the Developer shall furnish to the City Secretary for Council's review at least three (3) originals or true and correct copies of the proposed plat and supporting documentation as described under Section 3.
- 4.2 After approval by the affirmative vote of a majority of Alderman present, a quorum being present at a regular or special called

meeting of Council, the dated signature of the Mayor, or in the Mayor's absence the presiding officer at said meeting, upon the plat map shall affirm the Council's approval to all interested parties.

- 4.3 Only the originals or copies provided seventy-two (72) hours before scheduled consideration by Council shall be signed, and shall represent the plat approved by Council. If the Developer shall subsequently propose any amendments whatsoever, the amended plat will be scheduled for Council's consideration at a later date.
- 4.4 The City Secretary shall retain one of the signed originals or copies of the plat and one original or copy of each supporting document for the City's files, from and after the time of approval in accordance with the City's Document Retention Schedule.
- 4.5 Nothing in this ordinance shall be construed as waiving any requirement that the Chambers County Commissioners Court has or might establish for review and approval by said Court. In the event such approval is required, then after approval by said Commissioners Court, the Developer shall provide to the City Secretary a second original or copy of the plat, signed by the County Judge or other designated officer of Commissioners Court.

5 SECTION 5, VALIDATING EXISTING TRAILER PARKS

- 5.1 All trailer parks existing within the City of Beach City upon the effective date of this ordinance shall be considered approved by Council; provided however that
 - 5.1.1 Any future expansion or designation of additional trailer plots shall be treated and must be approved as a new trailer park.
 - 5.1.2 Nothing in this ordinance shall be construed as exempting said existing trailer parks from any other applicable ordinance or law.

6 SECTION 6, CONDITIONALLY EXEMPTING PLACEMENT OF A HOUSE TRAILER FOR THE PURPOSE OF REMOVING AN EXISTING HOUSE TRAILER

- 6.1 Any owner, renter, or lessee of a lot or parcel of land who desires to move a second house trailer upon said land for the purpose of replacing an existing house trailer, shall be exempted from the provisions of this ordinance if and only if one of the two house

trailers is removed from said land within thirty (30) days from the time of placement of the second house trailer.

7 SECTION 7, REPEALING OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH

7.1 All ordinances and parts of ordinances in conflict herewith are hereby repealed.

8 SECTION 8, PROVIDING FOR EFFECTIVE DATE AND TERM HEREOF

8.1 This Ordinance shall be effective from and after the date and time of passage by Council.

9 SECTION 9, PROVIDING FOR SEVERABILITY

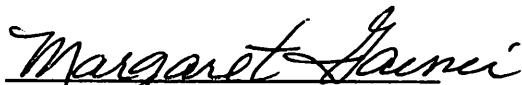
9.1 If any provision, section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional, void, or invalid, or for any reason unenforceable, the validity of the remaining portions of this Ordinance shall not be affected thereby.

INTRODUCED, READ, AND PASSED by the affirmative vote of a majority of Aldermen of Beach City present, a quorum being present at a duly posted meeting of the City Council, on this 26th day of August, 1997.



J.E. Standridge, Mayor
City of Beach City, Texas

ATTEST:



Margaret Gainer, City Secretary
City of Beach City, Texas