

**MEETING OF THE CITY COUNCIL**

ALAMODOME
ARTS & CULTURAL AFFAIRS
ASSET MANAGEMENT
AVIATION
BUDGET & MANAGEMENT ANALYSIS
BUILDING INSPECTIONS
HOUSE NUMBERING
CITY ATTORNEY
<i>1</i> MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
CITY MANAGER
SPECIAL PROJECTS - FRANCES GONZALES
CITY PUBLIC SERVICE - GENERAL MANAGER
CITY PUBLIC SERVICE - MAPS AND RECORDS
CODE COMPLIANCE
<i>1</i> COMMERCIAL RECORDER
COMMUNITY INITIATIVES
COMMUNITY RELATIONS
PUBLIC INFORMATION
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
ECONOMIC DEVELOPMENT
FINANCE - DIRECTOR
FINANCE - ASSESSOR
FINANCE - CONTROLLER
FINANCE - GRANTS
FINANCE - RISK MANAGEMENT
FINANCE - TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERGOVERNMENTAL RELATIONS
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
<i>1</i> METROPOLITAN HEALTH DISTRICT
<i>1</i> MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
PARKS AND RECREATION
MARKET SQUARE
PLANNING DEPARTMENT
DISABILITY ACCESS OFFICE
LAND DEVELOPMENT SERVICES
<i>1</i> POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
SOLID WASTE
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VIA
YOUTH INITIATIVES

AGENDA ITEM NUMBER:

21  
FEB 13 1997

DATE:

MOTION:

*Herrera*

2ND:

*Ross*  
**85609**

ORDINANCE NUMBER:

RESOLUTION NUMBER:

ZONING CASE NUMBER:

TRAVEL AUTHORIZATION:

NAME	ROLL	AYE	NAY
ROGER FLORES, II District 1		<i>absent</i>	
DOLORES M. LOTT District 2		<input checked="" type="checkbox"/>	
LYNDA BILLA BURKE District 3		<input checked="" type="checkbox"/>	
HENRY AVILA District 4		<i>absent</i>	
ROBERT A. HERRERA District 6		<input checked="" type="checkbox"/>	
BOB ROSS District 7		<input checked="" type="checkbox"/>	
ROBERT MARBUT District 8		<input checked="" type="checkbox"/>	
HOWARD W. PEAK District 9		<input checked="" type="checkbox"/>	
JEFF S. WEBSTER District 10		<input checked="" type="checkbox"/>	
WILLIAM E. THORNTON Mayor		<i>absent</i>	

AMENDS ORD. NO. ~~3888~~ OF *9370*

**FILE "CHAPTER 18"**

**97-06**

# ORDINANCE 85609

AMENDING ORDINANCE NO. 38888 REGULATING MOBILE HOME PARK OPERATIONS, CODIFIED AS CITY CODE CHAPTER 18; RENAMING CITY CODE CHAPTER 18 AS "MOBILE LIVING PARKS" AND CHANGING OTHER TERMINOLOGY; ESTABLISHING AN ADMINISTRATIVE LICENSING APPEAL BOARD; APPROVING A LATE APPLICATION PROCESSING CHARGE; DELETING LICENSE FEE ON UNUSEABLE SITES; ELIMINATING 200 FEET DISTANCE REQUIREMENT BETWEEN MOBILE LIVING UNIT SITES AND COMFORT STATIONS; UPGRADING SANITATION REQUIREMENTS FOR COMFORT STATIONS; REQUIRING PARK OWNER TO REGISTER MANAGER/OPERATOR; AND MAKING THE VIOLATION OF THIS ORDINANCE A MISDEMEANOR CRIME PUNISHABLE UPON CONVICTION BY A FINE OF NOT MORE THAN \$500.00.

\* \* \* \* \*

**WHEREAS**, the current body of mobile home park regulation, codified as Chapter 18 of the City Code, needs updating of terminology, clarification, some changes in operation requirements; and

**WHEREAS**, the proposed park license fee revenues are unchanged, and are sufficient to cover the expense of park monitoring, auditing, and inspecting the park generally for health and safety related code violations, especially those related to water line and sewer line connections; and

**WHEREAS**, under this amended ordinance, a license fee will not be charged for those sites identified by the City Auditor or Health Inspector as unuseable for any type of mobile living unit during the city's licensing year; giving park owners the flexibility of changing the size of their park as needed from year to year; and

**WHEREAS**, no new health and safety related violations are created by this ordinance, and new requirements in park record keeping are minimal; and

**WHEREAS**, an administrative appeal process is established to ensure due process of law before a license is revoked or denied, or the use of any disputed mobile living unit site is denied; and

**WHEREAS**, Chapter 18 of the City Code, and this ordinance, has the narrow purpose of regulating the licensing of park operators, and does not regulate the physical structure of the mobile living unit, or the storage or temporary street parking of any mobile motorized living structure outside a mobile living park; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Ordinance No. 38888, passed on September 3, 1970, which regulates mobile home parks and which is codified as Chapter 18 of the City Code, is hereby amended by deleting the language therein in its entirety and reading instead as follows:

## Chapter 18

### MOBILE LIVING PARKS

#### ARTICLE I. IN GENERAL

##### **Sec. 18-1. Compliance.**

No person shall create or operate or allow the creation or operation of any mobile living park within the city except in conformance with the provisions of this chapter.

##### **Sec. 18-2. Short title.**

This City Code Chapter 18 shall be known and captioned as: "Mobile Living Parks."

##### **Sec. 18-3. Interpretation and purpose.**

In their interpretation and application, the provisions of this chapter shall be deemed to be minimal in nature, and whenever the principles, standards or requirements of any other applicable provision of the City Code are higher or more restrictive, the latter shall control. The mobile living parks have all of the potential environmental, sanitation, and safety problems of a small, compact, permanent residential subdivision, while existing on the private property of the park owner, who is responsible for the upkeep of the private streets, roads, utilities, and common facilities throughout the park. The purpose of these regulations are to assure the park community residents an environment in accord with the City Code of San Antonio, and to protect and promote the health, safety and general welfare of park residents and those living near the parks. The definitions herein apply only to this ordinance regulating park operations; and are related to the environmental, sanitation, and safety of its residents, with particular attention to water supply hookups and sewer line hookups, and are not to be used interchangeably with definitions in other ordinances in the Unified Development Code, or in statutes of the State of Texas or the federal government.

##### **Sec. 18-4. Definitions.**

For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the following meanings:

*Camping trailer* shall mean a portable unit mounted on wheels and constructed of collapsible partial side walls which fold for towing by another vehicle and unfold to provide living quarters.

*Dependent mobile living unit* shall mean a mobile living unit (1) without its own sewer and/or water connections to accommodate a flush water closet, or (2) without a tub and/or shower, or (3) without a lavatory

and/or sink within the unit, making the mobile living unit “dependent” upon outside facilities for these comforts.

*Director of Health* shall mean the Director of Health of the city or his authorized representative.

*Health department* is the public health department of the City of San Antonio.

*Hud-code manufactured home* means a structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred and twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

*Licensee* shall mean any person or other legal entity licensed to operate and maintain a mobile living unit park under the requirements and provisions of this chapter.

*Mobile Home* means a structure that was constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred and twenty (320) or more square feet, and which is built on a permanent chassis designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

*Mobile living unit* shall mean a Hud-code manufactured home, mobile home, camping trailer, dependent mobile living unit, motor home, recreational vehicle, self-contained mobile living unit, travel trailer, truck camper, and collectively means and refers to all.

*Mobile living park* means a contiguous development of land that has been separated into two (2) or more mobile living home sites which may or may not be contiguous, which are platted or designed for the accommodation or placement of mobile living units, and which are rented or offered for rent by the site owner.

*Mobile living park operator* is the park owner, manager, agent, or employee who is in charge of the day to day operations or maintenance of the park facilities and utilities.

*Mobile Living Park License Board* shall mean the three member administrative due process hearing panel of city staff members consisting of the Fire Chief, the Building Inspections Director, and the Code Compliance Director, or their authorized representative from their respective city departments, the purpose of which is to make final administrative determination of 1) any appeal of the Health Department’s denial of an annual park license, and 2) any appeal of a park license revocation issued by the Health Department.

*Mobile living home site* is a plot of ground within a mobile living park which is apparently designed for and designated as the location for only one (1) mobile living unit and not apparently designed to be used for accommodating any other purpose other than the customary accessory structures.

*Motor home* shall mean a mobile living unit that is a vehicular unit apparently designed to provide living quarters for recreational, camping or travel use, built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van which is an integral part of the vehicle.

*Recreational vehicle* shall mean a type of mobile living unit that is a vehicle (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projections; (3) self-propelled or permanently towable by a car or light duty truck; and (4) apparently designed primarily for recreational, camping, travel, or seasonal use.

*Self-contained mobile living unit* shall mean a mobile living unit having a water-flush toilet, lavatory, tub or shower, and kitchen sink, all of which are connected to water storage and sewage holding tanks located within the unit and which facilities are also capable of being connected to outside utilities. A mobile living unit shall not be considered self-contained unless all plumbing fixtures and electrical outlets are both capable of being operated independent of outside utilities and capable of being connected to outside utilities.

*Travel trailer* shall mean a type of mobile living unit that is a vehicular portable structure built on a permanent chassis, apparently designed by the manufacturer to be towed by another vehicle and used as a dwelling, and which:

- (1) In the traveling mode does not require a special highway permit;
- (2) Is less than eight feet in width; and
- (3) Is less than 40 feet in length exclusive of pulling or towing equipment;

*Truck camper* shall mean a mobile living unit apparently constructed to provide living quarters for recreation travel, or camping use, consisting of a roof, floor, and sides apparently designed to fit onto the bed of a truck. Such units are, for the purpose of this ordinance, considered a dependent type of mobile living unit because they do not have a water supply line hookup or a sewer hookup.

**Sec. 18-5. General Prohibition against mobile living unit being parked outside licensed parks.**

It shall be unlawful for a Mobile Living Park owner, operator, or licensee to cause or allow to be parked, a mobile living unit in violation of the zoning requirements of the Unified Development Code of the City, and other applicable regulations in Chapter 19 of the City Code.

**Sec. 18-6. Nonconforming uses.**

Any mobile living unit park in violation of the provisions of this chapter constitutes a public nuisance, and the City Attorney is hereby authorized to institute litigation to restrain the operation of the park until the cessation of the public nuisance. Licensees of mobile living parks existing prior to September 3, 1970 shall bring the mobile living park into conformance with respect to the public health and safety provisions of this ordinance not later than October 1, 1997. Any suit seeking a court order for the cessation of park operations shall also seek termination of all utilities after reasonable notice to all residents by posting a letter of notice in a prominent place at all entrances, and at one or more places of gathering or at a comfort station in the park.

**Sec. 18-7. Registration of park owner/manager/agent required.**

Each mobile living park shall be under the direct, day to day management of the owner or his designated agent operator, or an employee manager. The full name, address and date of birth of the owner, and designated agent operator or employee manager shall be registered with the Director of Health by the park owner, and any change of ownership or management or operator shall be reported to update said registration within thirty days of any change. Failure by the park owner to register the name and address of said owner, and the name and address of the park manager or agent operator shall constitute good cause for the revocation of the mobile living park license on the tenth day after notice is deposited with the United States Postal Service by certified mail to the park owner at the park owner's registered address or last known address. Automatic revocation shall occur on the tenth (10) day, unless a hearing is requested by the park owner in writing, and the park owner shall thereafter be in violation of this ordinance, a misdemeanor crime subject to prosecution for each day such park operation continues without a license, and upon each conviction shall be subject to a fine of not more than \$500.00.

**Sec. 18-8. Records required.**

Copies of all records generated by the daily operation, management, supervision, repair, and maintenance of the mobile living park and other records related to the protection of health or safety shall be available for inspection by the Director of Health during normal business hours. These records shall also include a listing of sites being used at any time during the licensing period. The original records or complete copies thereof shall be maintained by the registered park manager or registered park owner, in the park's business office or where rents are paid in the park. Failure of the park manager or operator to maintain auditable records is hereby declared to be a separate and distinct misdemeanor crime subject to a fine of not more than \$500.00 upon conviction.

**Sec. 18-9. Rules of conduct for mobile living park.**

It shall be the duty of the owner of a mobile living park to prescribe rules and regulations for residents, consistent with this chapter, and to make adequate contract provisions for the enforcement of such rules.

**Sec. 18-10. Duties of owner regarding health and safety.**

It shall be the duty of both the 1) owner and 2) the operator or manager or agent in charge of the day to day operation of a mobile living park, to comply strictly with the following requirements:

- (1) To take such emergency measures as deemed necessary by the Director of Health to preserve the immediate health and safety of all persons residing in the mobile living park;
- (2) To report to the Director of Health all known cases of communicable disease affecting any resident, guest or employee of the mobile living park; and
- (3) To facilitate City Code inspections and audits requested by the Director of Health to determine compliance with this chapter.

(4) To comply with all City Code requirements and standards which relate to public health and safety, to assist and cooperate with any city official in the investigation of alleged violations of any city ordinances within the park, and to facilitate the officials' ingress into the park to the alleged violation site.

**Sec. 18-11. Presumption of Rental Consideration and Site Rentability.**

(a) *Rental consideration.* If the owner of the mobile living park site is not the owner or occupant of the mobile living unit thereon; the presumption shall be that a rental consideration is being paid for use of the site, unless a signed and sworn statement to the contrary is given by the site owner to the Director of Health and confirmed by the city's auditor or health inspector.

(b) *Unuseable sites.* If an identifiable site has not been reported by the owner to be unuseable by sworn statement to the Director of Health prior to the beginning of the licensing year, the site shall be presumed to be in useable and rentable condition for the purpose of determining the annual mobile living park license fees.

(c) *Disputes.* Any disputed claim by the park licensee of a site's condition or rental status shall be determined by the Mobile Living Park License Board after an administrative hearing and consideration of evidence.

**ARTICLE II. LICENSES AND INSPECTIONS**

**Sec. 18-12. Licenses required.**

It shall be unlawful for any person to establish, maintain or operate within the city a mobile living park by the day, week, month, or for a longer period of time, for compensation, unless there has been obtained by the owner or operator of the mobile living park a license issued by the Director of Health.

**Sec. 18-13. Application for license; plans required; late charge.**

After the subdivision plans have been approved as specified under the Unified Development Code, ARTICLE IV, Division 8, any person desiring to establish and operate a mobile living park shall make application in writing to the Director of Health, upon forms prescribed and furnished by said Director for a license to operate a mobile living park within the jurisdictional limits of the city. Any license fee payment submitted later than October 31st shall incur a Late Payment Penalty of 1% to be added thereto on the 1st day of November and each month thereafter; and the late payment shall be first applied to the penalty and then to the license fee.

**Sec. 18-14. License fee.**

In order to defray a part of the expense necessary to provide surveillance and supervision of mobile living parks under the provisions of this chapter, and other applicable ordinances of the city, there is hereby established a license fee of twenty dollars (\$20.00) per annum for each useable mobile living park site, occupied or unoccupied. The license fee shall be payable by the park owner. The license fee shall be collected by the public health department before a license or any renewal thereof is issued to operate such mobile living park. The license fee shall be based upon the number of useable sites as of October 1st, which is the first day of each licensing year, plus any additional sites that are made useable on any day of the license year, and shall be

payable annually, in advance, not later than the last day of October of the new licensing year or upon making the site useable. The public health department shall issue a receipt therefor on a form to be prepared for that purpose. No sites may be made useable during the licensing year which are not licensed on October 1st without first paying the twenty dollar (\$ 20.00 ) annual license fee. If one structure or combination of structures on one site overlaps onto a second site, regardless of the non-use of the second site's utility hookups, the second site shall incur the license fee. If the park owner also owns the structure on a site, the leasing of the structure constitutes leasing of the site on which it is situated for purposes of this ordinance.

**Sec. 18-15. Issuance or denial of license.**

Following the receipt of an application for a license required by this article together with the list of identified usable sites and the payment of the prescribed annual license fee based upon the number of usable sites, the Director of Health shall conduct such investigation as he deems necessary to determine whether the applicant's mobile living park and the sites therein meet the minimum requirements of this chapter, and shall issue or deny a license to operate the mobile living park or any of the site(s) therein within ten (10) working days. Failure to issue a denial of a license for the park or denial of the right to use any mobile living park sites therein within the ten (10) day time limit shall constitute license approval of the subject park or approval of the subject sites.

**Sec. 18-16. Inspections.**

The Director of Health and each inspector of the city acting under his authority, for the purpose of protecting the public health, safety, and general welfare, is hereby authorized and directed at any or all reasonable times to make inspections of mobile living park and each mobile living park site therein to determine compliance with this ordinance and all other applicable ordinances of the city.

**Sec. 18-17. Suspension and revocation of license.**

(a) *Suspension.* Any license to operate a mobile living park issued under the provisions of this article may be suspended by the Director of Health, or his designated representative, for the violation of any of the provisions of this article which constitutes an immediate health or safety hazard. Such suspension notice, hand delivered or mailed by certified mail, "return receipt requested", shall take effect immediately upon said written notice being delivered to the owner, registered manager, or registered employee, or any agent of the owner. The suspension of the license may be lifted by the Director of Health as soon as he deems the park to be in compliance with this ordinance, with or without reinspection. In the event of suspension by the Director, the licensee shall have the right to appeal to the Mobile Living Park License Board by written notice to the Director of Health if done within (10) ten working days. The Board shall make a recommendation to the Director to continue with the suspension or to drop the suspension pending final determination on the issue of revocation, based upon evidence presented at the administrative hearing.

(b) *Revocation.* For failure to comply with the terms of this Ordinance, codified as Chapter 18 of the City Code, the Director of Health, or his designated representative, may revoke any license issued under provisions of this article after an administrative due process hearing before the above mentioned administrative Board, at which the license holder shall be given an opportunity to be heard and present evidence relevant to the issue in question.

(c) *Notice.* If after the administrative hearing, the Director of Health makes the determination to permanently revoke or temporarily suspend the mobile living park license, the Director of Health shall post a public notice in a conspicuous place at each entrance to the mobile living park, which notice shall state: "Public Health Notice: This is an unlicensed park, and is not available for new occupancy by order of the Director of Health." The removal or destruction of this notice shall constitute a misdemeanor crime, punishable by a fine of not more than \$ 500.00 dollars upon conviction.

**Sec. 18-18. Comfort Stations.**

(a) Each mobile living park that provides accommodations for dependent mobile living units shall provide one or more comfort stations in the park.

(b) Each comfort station shall have separate facilities for male and female residents which contain not less than:

- (1) One (1) flush toilet each sex.
- (2) One (1) lavatory for each sex, supplied with hot and cold running water under pressure.
- (3) One (1) shower for each sex, supplied with hot and cold running water under pressure.
- (4) One (1) laundry sink or washing machine supplied with hot and cold running water under pressure.
- (5) One (1) mop sink, at least fourteen (14) by fourteen (14) inches square and fourteen (14) inches deep supplied with hot and cold running water under pressure.
- (6) Plumbing fixtures shall be maintained in working order and proper repair, and in full compliance with Appendix E of the Uniform Plumbing Code.

(c) The plumbing fixtures listed in this subsection (b) will accommodate up to twelve (12) dependent mobile living units. For each additional ten (10) dependent mobile living units or fraction thereof, one (1) flush toilet, one (1) shower and one (1) lavatory shall be provided for each sex, with laundry facilities as described in subsection (b)(4).

(d) If the mobile living park does not accept any dependent mobile living units, then the requirements of subsection (b) shall be waived.

(e) Comfort stations shall meet the following requirements prior to license issuance or renewal:

- (1) The interior shall be lighted with a minimum of forty (40) foot candles of illumination at lavatories and laundry facilities, if applicable.
- (2) The interior finish shall be of moisture resistant material which shall withstand frequent washing and cleaning. Floors shall be constructed of concrete or other equally impervious, easily cleanable material.
- (3) Water heaters shall be of adequate size to supply a minimum of three (3) gallons of water per hour per useable mobile living park site.
- (4) All rooms shall be well ventilated with all openings effectively screened with size sixteen (16) mesh screen.
- (5) Comfort stations, dressing rooms, toilets, showers stalls, plumbing fixtures, and surrounding areas shall at all times be kept clean, sanitized, well drained, and in useable working condition.

**Sec. 18-19. Mobile Living Park License Board created; function.**

The Mobile Living Park License Board, as defined in Sec. 18-4 herein, is hereby established. It shall be chaired by the Director of Building Inspections or his representative, and shall hear any appeal by a registered park owner who has been denied a license or whose current park license has been revoked, or suspended pending corrective action, or suspended pending a hearing on the question of permanent revocation of the license because of an alleged health and safety related violation. The Health Department shall give prior notice of any hearing, and notice of the Board's determination, as due process requires.

**Sec. 18-20. Violations punished.**

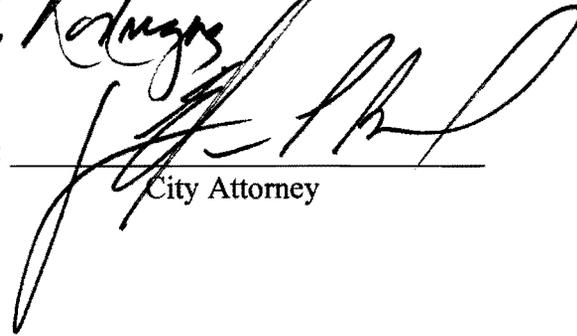
A violation of any provision of this ordinance shall constitute a misdemeanor crime, and upon conviction, shall be punishable by a fine of not more than \$500.00. Each day in which a violation occurs shall constitute a separate violation.

**SECTION 2.** This ordinance shall become effective on the tenth (10th) day after passage.

PASSED AND APPROVED this 13th day of February, 1997.

  
M A Y O R

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
City Attorney

## CITY OF SAN ANTONIO

## SAN ANTONIO METROPOLITAN HEALTH DISTRICT

## INTERDEPARTMENTAL CORRESPONDENCE SHEET

**TO:** Mayor and City Council

**FROM:** Dr. Fernando A. Guerra, Director, Health Department

**COPIES TO:** Legal; Finance; Budget and Management Analysis; Building Inspections; Code Compliance; Planning; Fire; project; file

**SUBJECT:** ORDINANCE REVISING MOBILE HOME PARK REGULATIONS

**DATE:** January 28, 1997

**SUMMARY AND RECOMMENDATIONS**

All mobile home parks in San Antonio, including those designed for recreational vehicles, are inspected by sanitarians from the Health Department. These visits are made at least annually to ensure compliance with Mobile Home Park regulations (Chapter 18 of the City Code), especially those which protect the health of the park inhabitants. Mobile home park owners in San Antonio pay an annual fee of \$20.00 per useable mobile home site to defray the cost of these inspections.

Chapter 18 of the City Code was last revised in 1987. Since that time a number of changes have occurred which have substantially impacted the mobile home industry. Even the designation "mobile home" has been dropped by the Unified Development Code in favor of the term "manufactured home". These changes have been significant enough to permit some owners of mobile/manufactured home parks to legally challenge the current ordinance and resist payment of license fees.

The proposed ordinance is a comprehensive revision of mobile home park regulations. Major features in the new code may be summarized as follows:

- Changes the name of Chapter 18 from "Mobile Home Parks" to "Manufactured Home Parks",
- Specifically includes recreational vehicle parks in the ordinance,
- Provides for a late charge to be assessed park owners when license fee payments are submitted later than October 31<sup>st</sup>,
- Deletes licensing fees for unusable sites,
- Eliminates the requirement for locating comfort stations at least 200 feet from manufactured home sites,
- Upgrades requirements for comfort stations, and

- Makes violations of the ordinance a misdemeanor crime that is punishable upon conviction by a fine of not more than \$500.00.
- Establishes an Administrative Licensing Appeal Board to hear any appeal by a park owner regarding alleged health or safety violations.

Staff recommends passage of this ordinance amending Chapter 18, Mobile Home Parks, of the City Code.

### **POLICY ANALYSIS**

This ordinance follows past City policy of maintaining updated, enforceable City Codes that appropriately address the needs of the community.

### **FINANCIAL IMPACT**

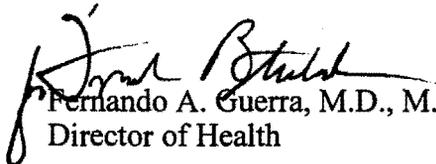
This ordinance maintains the current license fee for mobile/manufactured home parks at \$20 per site. The estimated revenues from this source will remain at \$118,000 for FY 96/97.

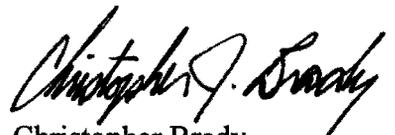
### **COORDINATION**

The Legal, Building Inspections, Code Compliance, Fire, and Planning Departments have collaborated to develop this ordinance.

### **SUPPLEMENTAL COMMENTS**

This ordinance does not request funding for any contractual services requiring disclosure under the City Code of Ethics.

  
Fernando A. Guerra, M.D., M.P.H.  
Director of Health

  
Christopher Brady  
Assistant to the City Manager

APPROVED:

  
Alexander E. Briseño  
City Manager

2/13/97

# Affidavit of Publisher

STATE OF TEXAS,

COUNTY OF BEXAR

CITY OF SAN ANTONIO

Before me, the undersigned authority, on this appeared Helen I. Lutz, who being by me duly sworn, she is Publisher of the Commercial Recorder, a newspaper in circulation in the City of San Antonio, in the State of Texas aforesaid, and that the Public Notice-An Ordinance attached has been published in every issue of said newspaper on the following days, to-wit: February 20, 1997.

**AMENDING ORDINANCE**  
NO. 38888 REGULATING MOBILE HOME PARK OPERATIONS, CODIFIED AS CITY CODE CHAPTER 18; RENAMING CITY CODE CHAPTER 18 AS "MOBILE LIVING PARKS" AND CHANGING OTHER TERMINOLOGY; ESTABLISHING AN ADMINISTRATIVE LICENSING APPEAL BOARD; APPROVING A LATE APPLICATION PROCESSING CHARGE; DELETING LICENSE FEE ON UNUSEABLE SITES; ELIMINATING 200 FEET DISTANCE REQUIREMENT BETWEEN MOBILE LIVING UNIT SITES AND COMFORT STATIONS; UPGRADING SANITATION REQUIREMENTS FOR COMFORT STATIONS; REQUIRING PARK OWNERS TO BE LICENSED MANAGER/OPERATOR; AND MAKING THE VIOLATION OF THIS ORDINANCE A MISDEMEANOR CRIME PUNISHABLE UPON CONVICTION BY A FINE OF NOT MORE THAN \$500.00.

PASSED AND APPROVED  
this 13th day of February, 1997  
/s/ WILLIAM E. THORNTON  
Mayor

ATTEST:  
/s/ NORMA S. RODRIGUEZ  
City Clerk  
2/20

Helen I. Lutz

Sworn to and subscribed before me this 20th day of February, 1997.

Estella M. Vasquez  
Notary Public in and for Bexar County, Texas

