(2) The person charged did not comply with the applicable provisions of this article within ten days of the date such person received notice pursuant to subsection (b)(1) hereof.

(c) Any person who fails to ensure that all numbers or, if applicable, directories required by this article are posted and maintained on property under his control after receiving notice as provided in subsection (b) shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than $100.00 nor more than $500.00 for each offense. Each day a number or, if applicable, directory, required to be posted under this article is not so posted shall constitute a separate offense.

(Code 1968, § 10-206; Ord. No. 82-902, § 3, 6-1-82; Ord. No. 92-1449, § 22, 11-4-92)

Charter reference—Penalty for ordinance violations, Art. II, § 12.

Cross references—Assessment of fines against corporations, § 16-76; payment of fines, § 16-78; credit against fine for incarceration, § 35-6 et seq.

Secs. 10-218—10-230. Reserved.

ARTICLE VI. MODULAR HOUSING*

DIVISION 1. GENERALLY

Sec. 10-231. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) *Alteration* means the replacement, installation, addition, modification or removal of any structural component or any equipment which may affect the construction, fire safety, occupancy, plumbing, heat-producing or electrical system. It includes any modification made in a modular home which may affect the compliance of the home with the standards, but it does not include the repair or replacement of a component or appliance requiring plug-in to an electrical receptacle where the replaced item is of the same configuration and rating as the one being replaced. It also does not include the addition of an appliance requiring "plug-in" to an electrical receptacle, which appliance was not provided with the modular home by the manufacturer, if the rating of the appliance does not exceed the rating of the circuit to which it is connected.

(2) *Factory lot* means any property on which modular homes are manufactured. No property that is not adjoining property on which modular homes are actually constructed shall be considered a factory lot or part of a factory lot.

(3) *Manufacturer* means a person licensed as a manufacturer by the state pursuant to Article 5221f, Vernon's Texas Civil Statutes.

(4) *Modular home* means a structure or building module that is manufactured at a location other than the location where it is installed and used as a residence by a consumer, transportable in one or more sections on a temporary chassis or other conveyance device, and designed to be used as a permanent dwelling when installed and placed upon a permanent foundation system. The term includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure. The term does not include a manufactured home as defined in Article 5221f, Vernon's Texas Civil Statutes, nor does it include building modules incorporating concrete or masonry as the primary structural component.

(5) *Owner* means the person holding title to the property and any person having control over the property.

(6) *Retailer* means a person licensed as a retailer by the state pursuant to Article 5221f, Vernon's Texas Civil Statutes.

(7) *Sales lot* means any tract of land used by a retailer for showing modular homes to potential customers.

(Code 1968, § 10-300; Ord. No. 80-875, § 1, 4-23-80; Ord. No. 94-1268, § 4, 11-22-94)

Sec. 10-232. Application and interpretation of other ordinances.

(a) All provisions of the ordinances of the city shall apply to the placement and the use of a mod-

*Cross reference—Manufactured homes, manufactured home parks, travel trailers, motor homes, etc., Ch. 29.

ular home on any property within the city on the same basis that such ordinances are applicable to the construction and the use of any other structure except to the extent such ordinances of the city are inconsistent with state law, or are in conflict with the provisions of this article.

(b) For purposes of all the ordinances of the city, the placement of a modular home shall be deemed the construction of a structure.
(Code 1968, § 10-301; Ord. No. 80-875, § 1, 4-23-80)

Sec. 10-233. Compliance with Construction Code.

No structure originally constructed as a modular home shall be used for any purposes other than as a dwelling or a residence, for demonstration purposes at a sales lot, or as an office of a licensed retailer at a sales lot, unless the structure meets all requirements of the Construction Code of the city.
(Code 1968, § 10-302; Ord. No. 80-875, § 1, 4-23-80; Ord. No. 02-399, § 33, 5-15-02)

Sec. 10-234. Setbacks.

No portion of any modular home may be less than three feet from any property line and may not be nearer to any property line than that distance specified in the Construction Code for structures of the same type of construction and occupancy. For purposes of this section, the term "property line" shall include an imaginary line midway between a modular home and any other structure on the same property, any easement line, and all lines falling within the usual and customary meaning of the term "property line."
(Code 1968, § 10-303; Ord. No. 80-875, § 1, 4-23-80; Ord. No. 02-399, § 33, 5-15-02)

Sec. 10-235. Location restrictions.

No person shall allow, cause, or suffer any modular home to be on any property owned by him or under his control within Fire Zones One and Two. This section shall not prohibit the transportation of modular homes through Fire Zones One and Two on the public streets when such transportation is accomplished in compliance with all other applicable statutes and ordinances.
(Code 1968, § 10-304; Ord. No. 80-875, § 1, 4-23-80)

Sec. 10-236. Permit prior to placement on lot—Required.

No person shall permit, allow, suffer or cause a modular home to be on any property owned by him or under his control unless a permit has been issued by the city pursuant to the provisions of this article; provided that the provisions of this section shall not apply if the property is a factory lot or if such home was permanently installed on the property prior to May 1, 1980.
(Code 1968, § 10-305; Ord. No. 80-875, § 1, 4-23-80)

Sec. 10-237. Same—Application.

(a) To obtain a permit to place a modular home on property within the city when it is intended that such modular home shall be used as a residence by the applicant or by another, the owner of such property shall file an application therefor on a form designated by the city. Such application shall include:

(1) The name and mailing address of the applicant;

(2) The legal description of the property on which such modular home is to be placed;

(3) The street address of the property on which the modular home is to be placed;

(4) The size of such modular home;

(5) The year in which the modular home was constructed;

(6) A full description of such modular home, and the name of the manufacturer;

(7) The serial number of each modular section of the home;

(8) A map or drawing of the property drawn to scale showing the location where the modular home will be placed, the location of all other structures on the property, all driveways on the property, and where off-street parking will be provided.

(b) The application shall state thereon: "If the placement or use of the modular home on the property described in this application violates any restriction contained in or incorporated by reference in a duly recorded plan, plat, replat or other instrument affecting the property, the city may file suit or become a party to a suit for the purpose of enjoining or abating the violation of the restriction."
(Code 1968, § 10-306; Ord. No. 80-875, § 1, 4-23-80)

Sec. 10-238. Same—Conditions for permit issuance.

Upon the filing of a proper application pursuant to section 10-237 and the payment of the permit fee, the building official shall issue a permit for the placement of a modular home on such property unless the building official finds that the placement of the modular home on such property would violate any provision of the ordinances of the city or laws of the state, or finds that adequate utilities are not available for residential use of such modular home at the location set out in the application.
(Code 1968, § 10-307; Ord. No. 80-875, § 1, 4-23-80; Ord. No. 90-635, § 34, 5-23-90)

Sec. 10-239. Same—Applicability of permit.

A permit granted pursuant to section 10-238 shall be valid only for the placement of the modular home described in the application therefor on the property designated in the application.
(Code 1968, § 10-308; Ord. No. 80-875, § 1, 4-23-80)

Sec. 10-240. Same—Permit fee.

The fee for a permit for the placement of a modular home that is intended to be used as a residence will be $25.00. This fee shall be in addition to all other applicable fees.
(Code 1968, § 10-309; Ord. No. 80-875, § 1, 4-23-80)

Sec. 10-241. Certificate of compliance—Required prior to habitation and utility connection.

No utility of any kind shall be connected to a modular home and no person shall occupy or allow or permit another to occupy a modular home as a residence unless a certificate of compliance has been issued for such modular home.
(Code 1968, § 10-310; Ord. No. 80-875, § 1, 4-23-80)

Sec. 10-242. Same—Information required prior to issuance of certificate of compliance.

To obtain a certificate of compliance for a modular home, the applicant shall give the building official the following information:

(1) The number of the permit issued under section 10-238 for placement of the modular home;

(2) The date the modular home was placed on the property; and

(3) The serial number of each modular section of the home placed on the property.

(Code 1968, § 10-311; Ord. No. 80-875, § 1, 4-23-80; Ord. No. 90-635, § 35, 5-23-90)

Sec. 10-243. Same—Conditions for issuance of certificate.

Upon receipt of a request for a certificate of compliance, inspectors of the city shall inspect the property on which the modular home is located to determine if the modular home meets all applicable requirements of the ordinances of the city. After such inspection a certificate of compliance shall be issued unless it is found that the requirements of this article or of other applicable ordinances have not been met.
(Code 1968, § 10-312; Ord. No. 80-875, § 1, 4-23-80)

Sec. 10-244. Same—Applicability of certificate of compliance.

A certificate of compliance for a modular home shall be valid only for the occupancy of that particular home for the location set out in the application.
(Code 1968, § 10-313; Ord. No. 80-875, § 1, 4-23-80)

Sec. 10-245. Seal, decal or label to be affixed to home used as residence.

No modular home shall be placed on any property within the city for use as a residence unless there is affixed thereto a seal, decal or label issued by the Texas Department of Labor and Standards pursuant to Article 5221f, Vernon's Texas Civil Statutes.
(Code 1968, § 10-314; Ord. No. 80-875, § 1, 4-23-80)

Sec. 10-246. Parking spaces required if used as residence.

No modular home may be placed on any property for use as a residence unless there are the minimum number of parking spaces for the modular home and for all other residential structures on the same property as required in chapter 26 of this Code.
(Code 1968, § 10-315; Ord. No. 80-875, § 1, 4-23-80; Ord. No. 02-399, § 34, 5-15-02)

Sec. 10-247. Use as model or sales office—Permit application.

To obtain a permit to place one or more modular homes on a sales lot to be used as models and/or an office, the owner or lessee of the property shall file an application therefor on a form designated by the city. Such application shall include:

(1) The name and mailing address of the applicant;

(2) The legal description of the property on which such modular homes are to be placed;

(3) The street address of the property on which the modular homes are to be placed;

(4) The name and state license number of the retailer who will use the sales lot;

(5) The maximum number of such modular homes to be placed on such property for use as an office and/or models;

(6) The maximum size of the modular homes to be placed on the property for use as an office and/or models;

(7) A map or drawing of the property, drawn to scale, showing where each modular home to be used as an office and/or model will be placed;

(8) A statement, sworn to under oath, that the use of such property as a sales lot will not violate any restriction contained in or incorporated by reference in a duly recorded plan, plat, replat, or other instrument affecting the property.

(Code 1968, § 10-316; Ord. No. 80-875, § 1, 4-23-80)

Sec. 10-248. Same—Review of application; issuance of permit.

Upon the filing of a proper application pursuant to section 10-247 and the payment of the permit fee, the building official shall review the application to determine if the proposed plans for use of the property as a sales lot meet the requirements of all applicable laws. After such review the building official shall issue a permit for the placement of modular homes as an office and/or models on the sales lot as requested in the application unless he finds that the placement of such modular homes on the property would violate any applicable laws or would violate any restriction contained in or incorporated by reference in a duly recorded plan, plat, replat, or other instrument affecting the property.
(Code 1968, § 10-317; Ord. No. 80-875, § 1, 4-23-80; Ord. No. 90-635, § 36, 5-23-90)

Sec. 10-249. Same—Permit fee.

The fee to place or allow modular homes on a sales lot for an office and/or models shall be $25.00 for each such sales lot. This fee shall be in addition to all other applicable fees.
(Code 1968, § 10-318; Ord. No. 80-875, § 1, 4-23-80)

Sec. 10-250. Same—Term of permit; violation of restrictions.

A permit to place modular homes on a sales lot shall be valid for one year from the date of issuance and may be renewed annually upon payment of a permit fee of $25.00.

Provided, however, a permit to place modular homes on a sales lot shall be null, void and of no effect if such use of the property violates any restrictions contained in or incorporated by reference in any plan, plat, replat or other instrument affecting the property.
(Code 1968, § 10-319; Ord. No. 80-875, § 1, 4-23-80)

Sec. 10-251. Same—Use as residence or dwelling prohibited.

No modular home located on a factory lot or a sales lot may be used as a residence or dwelling.
(Code 1968, § 10-320; Ord. No. 80-875, § 1, 4-23-80)

Sec. 10-252. Same—Number permitted.

No more than one modular home shall be used on any one sales lot as an office for a retailer of modular homes. If two or more sales lots are on adjoining property and such adjoining lots are used by the same retailer for the sale, exchange, and/or lease-purchase of modular homes, all such lots taken together shall be treated as one sales lot for purposes of this section.
(Code 1968, § 10-321; Ord. No. 80-875, § 1, 4-23-80)

Sec. 10-253. Penalty.

Any person who violates any provision of this article shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than $100.00 nor more than $500.00. Each day during which any violation of this article is continued or permitted shall be deemed a separate offense.
(Code 1968, § 10-322; Ord. No. 80-875, § 1, 4-23-80; Ord. No. 92-1449, § 23, 11-4-92)

Charter reference—Penalty for ordinance violation, Art. II, § 12.

Cross references—Assessment of fines against corporations, § 16-76; payment of fines, § 16-78; credit against fines for incarceration, § 35-6 et seq.

DIVISION 2. INDUSTRIALIZED HOUSING AND INDUSTRIALIZED BUILDINGS

Sec. 10-254. Definitions.

The following words and phrases shall have the following meanings in this division unless otherwise clearly indicated in the text. Words not defined shall be interpreted in their usual sense.

Industrialized building means a commercial structure that is constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent commercial site, and that is designed to be used as a commercial building when the modules or modular components are transported to the permanent commercial site and are erected or installed on a permanent foundation system. The term includes the plumbing, heating, air-conditioning, and electrical systems. The term does not include any commercial structure that is in excess of three stories or 49 feet in height as measured from the finished grade elevation at the building entrance to the peak of the roof.

Industrialized housing means a residential structure that is designed for the use and occupancy of one or more families, that is constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent residential site, and that is designed to be used as a permanent residential structure when the modules or modular components are transported to the permanent residential site and are erected or installed on a permanent foundation system. The term includes the plumbing, heating, air conditioning, and electrical systems. The term does not include any residential structure that is in excess of three stories or 49 feet in height as measured from the finished grade elevation at the building entrance to the peak of the roof. The term shall not mean nor apply to:

(1) Housing constructed of sectional or panelized systems not utilizing modular components; or

(2) Any ready-built home which is constructed so that the entire living area is contained in a single unit or section at a temporary location for the purpose of selling it and moving it to another location.

Modular component means a structural portion of any dwelling or building that is constructed at a location other than the homesite in such a manner that its construction cannot be

adequately inspected for code compliance at a homesite without damage or without removal of a part thereof and reconstruction.
(Ord. No. 85-2215, § 1, 12-26-85)

Sec. 10-255. Application of ordinances of the city to industrialized structures.

All provisions of the ordinances of the city shall apply to the construction, placement and the use of any industrialized building or industrialized housing on any property within the city on the same basis as such ordinances are applicable to the construction and the use of any other structure except to the extent such ordinances of the city are inconsistent with state law, or are in conflict with the provisions of this article. For purposes of all ordinances of the city, the placement of an industrialized building or industrialized housing shall be deemed the construction of a structure.
(Ord. No. 85-2215, § 1, 12-26-85)

Sec. 10-256. Conformance to uniform codes.

Any industrialized building or industrialized housing erected or installed in the city shall be constructed in accordance with the requirements and standards of the Uniform Building Code, the Uniform Plumbing Code and the Uniform Mechanical Code, as published by the International Conference of Building Officials and the International Association of Plumbing and Mechanical Officials and as those codes existed on January 1, 1985; provided, however, this provision shall only be applicable to the extent that the Construction Code is not enforceable in regard to the construction of such structures due to the provisions of Article 5221f-1, Texas Revised Civil Statutes.
(Ord. No. 85-2215, § 1, 12-26-85; Ord. No. 02-399, § 35, 5-15-02)

Sec. 10-257. Submission of plans and specifications.

Prior to the issuance of any permit for the installation of any industrialized building or industrialized housing in the city, the applicant shall submit to the building official a complete set of design plans and specifications bearing the stamp of the Texas Industrialized Building Code Council for the structure.
(Ord. No. 85-2215, § 1, 12-26-85; Ord. No. 90-635, § 37, 5-23-90)

Sec. 10-258. Decal or insignia required.

No industrialized building or industrialized housing shall be installed in the city unless it bears an approved decal or insignia pursuant to the rules of the Texas Department of Labor and Standards reflecting that the structure has been inspected at the manufacturing plant or facility.
(Ord. No. 85-2215, § 1, 12-26-85)

Secs. 10-259—10-270. Reserved.

ARTICLE VII. LOCATION OF ABATTOIRS AND RENDERING PLANTS

Sec. 10-271. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section unless the context requires otherwise:

(1) *Abattoir* or *slaughterhouse* means any establishment within the city within which cattle, sheep, swine, goats or any such animals are slaughtered for meat for human consumption. The term shall include stockyards and all other operations and facilities necessary, useful or incidental to such abattoir or slaughterhouse.

(2) *Rendering plant* means any establishment at which any animal or parts thereof, or the proteins and fats from animals, poultry, fish or any other waste organic material, in whole or in part, is processed for commercial use. The term "rendering plant" shall include related industry or other operations and facilities necessary, useful or incidental to such rendering plant.

(Code 1968, § 10-323; Ord. No. 81-1458, § 3, 8-4-81)