

City of Magnolia, Texas

Ordinance No. 2009-152

AN ORDINANCE AMENDING CITY OF MAGNOLIA, TEXAS, ORDINANCE NO. 222, AS AMENDED, ORIGINALLY PASSED AND APPROVED THE 5TH DAY OF MARCH, 1996, AND BEING AN ORDINANCE REGULATING MOBILE HOMES, MANUFACTURED HOMES, AND MANUFACTURED HOME PARKS WITHIN THE CITY, BY DELETING PARAGRAPH 2 FROM SECTION 7 AND SUBSTITUTING A NEW PARAGRAPH 2 AND BY ADDING A NEW PARAGRAPH 7 TO SECTION 14.

WHEREAS, the City Council of the City of Magnolia, Texas has heretofore adopted an ordinance providing for the regulation of mobile home and manufactured being Ordinance Number 222 passed and adopted on the 5th day of March 1996;

WHEREAS, said Ordinance Number 222 was amended by Ordinance 317 passed and adopted on the 11th day of March 2003;

WHEREAS, said Ordinance Number 222 was further amended by Ordinance 321 passed and adopted on the 25th day of June 2003;

WHEREAS, the City Council has determined that the actions of replacing paragraph 2 of Section 7 with a new paragraph 2 and by adding a paragraph 7 to Section 14 will help promote efficiency and uniform standards and assist the residents of the City of Magnolia who wish to have or use manufactured homes; and

WHEREAS, notice of the agenda for this meeting, was given in accordance with law by posting the same at the place reserved and designated for notices of public meetings and public activities and prior to the adoption of this ordinance;

AND NOW THEREFORE, BE IT ADOPTED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS:

1. The City Council of the City of Magnolia having reviewed the findings of fact and conclusions as herein set out and adopts the same for inclusion in this ordinance if the same had been repeated verbatim herein.
2. Ordinance Number 222 of the City of Magnolia, Texas is hereby amended by replacing Paragraph 2 of Section 7 with a new Paragraph 2 which shall provide as follows:

Section 7. Manufactured Home Park Plan.

“2. Set-backs. The placement on a lot of any mobile home or manufactured home, or any portion thereof, shall be done in accordance with and conform to the set-back provisions in the City of Magnolia Subdivision Ordinance No. 2007-106, as amended.”

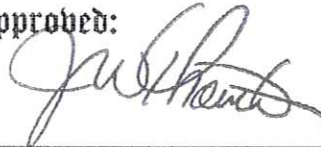
3. Ordinance Number 222 of the City of Magnolia, Texas is hereby amended by adding a new paragraph 7 to Section 14 which shall provide as follows:

"7. Any mobile or manufactured home that falls into the exceptions of this Section 14 and used as a permanent residence shall be regulated by the provisions of the City of Magnolia Subdivision Ordinance No. 2007-106, as amended as to set-back provisions for single-family residences and any other City Ordinance that provides codes and regulations for single-family residences not in conflict with this Ordinance."

4. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Magnolia, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

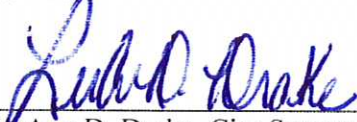
**PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF
THE CITY OF MAGNOLIA, TEXAS ON THIS 23rd day of May, 2009.**

Approved:



Jimmy W. Thornton, Jr., Mayor

Attest:



LuAnn D. Drake, City Secretary

City Seal

Approved to form:



Leonard V. Schneider, City Attorney