

**ORDER ADOPTING FOURTH REVISED FRIO COUNTY INFRASTRUCTURE
REQUIREMENTS FOR
MANUFACTURED HOME/MOBILE HOME/RV RENTAL COMMUNITIES**

THE STATE OF TEXAS §

COUNTY OF FRIO §

WHEREAS, the Commissioners' Court of Frio County has the authority to regulate Manufactured Home Rental Communities pursuant to Local Government Code, Sec. 232.007; and

WHEREAS, the attached minimum infrastructure standards are not more stringent than the requirements adopted by this court for subdivisions; and

WHEREAS, all requirements that provide for the ingress and egress of emergency vehicles are not more than are reasonably necessary; and

WHEREAS, the Commissioners' Court of Frio County has been designated by the Texas Commission on Environmental Quality as the authorized agent for the licensing and regulation of on-site sewerage facilities within Frio County and these Regulations are a necessary component of such regulation; and

WHEREAS, the Commissioners' Court of Frio County has the authority and obligation to exercise general control over the roads, highways, bridges and related drainage structures and development within Frio County; and

WHEREAS, the Commissioners' Court of Frio County has the authority and obligation to protect the public health, safety, morals or general welfare of the citizens of Frio County as provided in Chapter 232.101, Texas Local Government Code; and

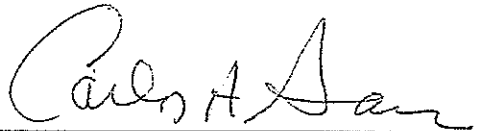
WHEREAS, the Frio County has the authority to insure that the health and safety of its citizens by assuring that an adequate supply of safe drinking water and safe sewer facilities are available to residential areas pursuant to Subchapter C, Chapter 341, of the Health and Safety Code; and

WHEREAS, the Frio County Infrastructure Requirements For Manufactured Home/Mobile Home/RV Rental Communities are enacted to implement the powers conveyed to counties under the laws of the State of Texas; and


WHEREAS, the Commissioners' Court of Frio has considered the potential burden on landowners and taxpayers if substandard development or poor quality construction were allowed and these Frio County Infrastructure Requirements For Manufactured Home/Mobile Home/RV Rental Communities are to be enacted to preserve and protect the resources, public health and private property interests of Frio County.

NOW THEREFORE, BE IT RESOLVED that the Commissioners' Court of Frio County does hereby **ORDER** the adoption of the Frio County Infrastructure Requirements For Manufactured Home/Mobile Home/RV Rental Communities will supersede and replace the previously adopted Rules, Regulations, and Requirements Relating to the Approval and Acceptance of Manufactured Home Rental Communities.

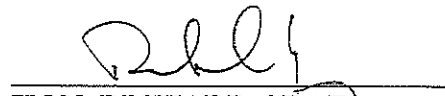
The Following Standards for Manufactured Home Rental Communities are **APPROVED, PASSED AND ADOPTED** by the Commissioners Court of Frio County, Texas, on this 14th day of July, 2014, with the following members of the court voting: 5 AYE, 0 NAY, with 0 ABSTAINING, and 0 ABSENT.




HON. CARLOS A. GARCIA
County Judge




HON. JESUS "CHUY" SALINAS
Commissioner, Precinct No. 1



HON. RICHARD GRAF
Commissioner, Precinct No. 2

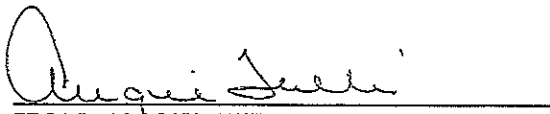


HON. RUBEN MALDONADO
Commissioner, Precinct No. 3

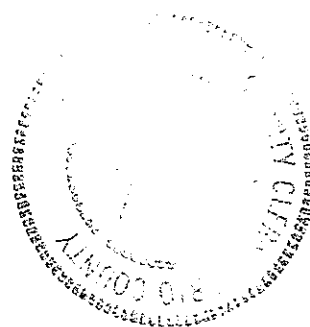


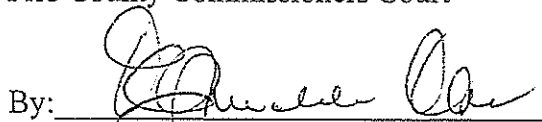
HON. JOSE "PEPE" FLORES
Commissioner, Precinct No. 4

ATTEST:



HON. ANGIE TULLIS
Frio County Clerk
Ex officio Clerk of the
Frio County Commissioners Court



By: 

(Chief) Deputy Clerk

Section I

DEFINITIONS

100.001 Commissioners' Court: The Commissioners' Court of Frio County.

100.002 County Engineer: The County Engineer of Frio County.

100.003 Extra Territorial Jurisdiction (ETJ): means the unincorporated area that is contiguous to the corporate boundaries of the municipality and that is located:

(A) within one-half (0.5) mile of those boundaries, in the case of a municipality with fewer than 5,000 inhabitants;

(B) within one mile (1.0) of those boundaries, in the case of a municipality with 5,000 to 24,999 inhabitants;

(C) within two miles (2.0) of those boundaries, in the case of a municipality with 25,000 to 49,999 inhabitants;

(D) within three and one-half miles (3.5) of those boundaries, in the case of a municipality with 50,000 to 99,999 inhabitants; or

(E) within five miles (5.0) of those boundaries, in the case of a municipality with 100,000 or more inhabitants.

Within their ETJ, cities shall enforce their subdivision regulations.

100.004 Engineer: A person duly registered and licensed to practice the profession of engineering in Texas.

100.005 HUD-code manufactured home:

(A) means a structure:

(i) constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development;

(ii) built on a permanent chassis;

(iii) designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities;

(iv) transportable in one or more sections; and

(v) in the traveling mode, at least eight feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet;

(B) includes the plumbing, heating, air conditioning, and electrical systems of the home; and

(C) does not include a recreational vehicle as defined by 24 C.F.R. Section 3282.8(g).

100.006 Manufactured Home: means a HUD-code manufactured home or a mobile home.

100.007 Manufactured Home/Mobile Home/RV Rental Community: a plot or tract of land that is separated into two or more spaces or lots that are rented, leased, or offered for rent or lease, for a term of less than 60 months without a purchase option, for the installation of manufactured homes, mobile homes and/or recreational vehicles for use and occupancy as residences.

100.008 Mobile Home:

(A) means a structure:

(i) constructed before June 15, 1976;

(ii) built on a permanent chassis;

(iii) designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities;

(iv) transportable in one or more sections; and

(v) in the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet; and

(B) includes the plumbing, heating, air conditioning, and electrical systems of the home.

100.009 OPERATOR: Includes the person in charge of operating any Manufactured Home/Mobile Home/RV Rental Community, either under written or verbal (oral) lease, or any other arrangement whereby he or she exercises control over the premises.

100.010 OWNER: Includes the person in whose name the title to the lot, block, tract, or parcel of land is shown to be.

100.011 PERSON: means an individual or a partnership, company, corporation, association, or other group, however organized

100.012 RECREATIONAL VEHICLE ("RV"): means a motor vehicle primarily designed as temporary living quarters for recreational camping or travel use, including:

- (A) **Camping Trailer:** A folding structure mounted on wheels and designed for travel, recreation, and vacation use;
- (B) **Motor Home:** A portable, temporary dwelling to be used for travel, recreation, or vacation, constructed as an integral part of a self-propelled vehicle.
- (C) **Pickup Coach:** A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, or vacation.
- (D) **Travel Trailer:** A vehicular structure built on a chassis with body width not to exceed eight feet and body length less than 46 feet, designed to be transported and intended for human occupancy as a dwelling for short periods of time and containing limited or no kitchen or bathroom facilities.

100.013 Spaces or Lots: A plot of land within a Manufactured Home/Mobile Home/RV Rental Community designed for the accommodation of one manufactured home, mobile home, or RV.

100.014 TCEQ: Texas Commission on Environmental Quality and any successor agencies.

Section II
Procedure for Infrastructure Development Plan
Review and Approval

200.001 Infrastructure Development Plan: The owner of land located in Frio County outside the limits of a municipality, including the ETJ, who intends to use the land for a Manufactured Home/Mobile Home/RV Rental Community must prepare an Infrastructure Development Plan, as required by Local Government Code, Chapter 232.007 (e), that complies with the minimum infrastructure standards established in this regulation. Prior to beginning any construction, the owner must submit the Infrastructure Development Plan to the Frio County Engineer for review and approval by the Commissioners' Court.

200.002 Time Limit for Acceptance: Not later than the 60th day after the date the Infrastructure Development Plan is submitted, the County Engineer shall approve or reject the Infrastructure Development Plan in writing. If the Infrastructure Development Plan is approved, the County Engineer shall schedule a presentation of the accepted Infrastructure Development Plan to the Commissioners' Court at their next available meeting. Approval of the Infrastructure Development Plan by the Commissioners' Court will permit construction to begin immediately.

If the Infrastructure Development Plan is rejected by the County Engineer, the written rejection shall specify the reasons for the rejection and the actions required for acceptance of the Infrastructure Development Plan. All listed changes will be made to the documents and re-submitted to the County Engineer for review and acceptance.

The failure to reject or approve an Infrastructure Development Plan within the period prescribed by this subsection constitutes approval of the plan.

200.003 Inspection by County Engineer: The County Engineer may inspect the infrastructure at any reasonable time during construction, and the owner and his agents shall not hinder such inspections. Upon completion of construction, the owner shall notify the County Engineer, in writing, that the infrastructure is complete. A final inspection will be scheduled within a week after the notice is received by the County Engineer. If the inspection indicates the infrastructure does not fully comply with the Infrastructure Development Plan or these regulations, the owner shall be provided written reasons and actions required to cure the defects. Upon completion of the corrective actions, the owner shall request another inspection.

200.004 Approval By Commissioners' Court: When the infrastructure complies with these regulations, the County Engineer will schedule a review by the Commissioners' Court at their next available meeting. The Commissioners' Court shall issue a County Certificate of Compliance following the approval of the plan.

200.005 Utilities: A utility provider may not provide utility services, including water, sewer, gas, electric, and communication services, to a manufactured home or RV in a Manufactured Home/RV Rental Community unless the owner provides the utility with a copy of the County Certificate of Compliance.

Section III

Infrastructure Requirements

300.001 Survey: The Infrastructure Development Plan shall have a survey identifying the proposed Manufactured Home/Mobile Home/RV Rental Community's boundaries and any significant features, including the proposed location of spaces or lots, utility easements, and roads/streets. The survey may also contain features to help provide the additional information required by this regulation.

300.002 Water Supply: The Infrastructure Development Plan shall provide an adequate public or community water supply, including the location of supply lines, in accordance with Health and Safety Code, Title 5, Subtitle C, Chapter 341. If water is to be provided by a water supplier, i.e. municipal water, rural water supply corporation, municipal utility district, or privately owned water system, a certification from the water supplier verifying water is available for each of the planned spaces or lots must be attached to the plan.

If groundwater is the source of water supply, the owner is required to obtain certification by an Engineer or another professional designated by State law, that adequate groundwater is available for the Manufactured Home/Mobile Home/RV Rental Community. The certification form and content shall be as promulgated by the TCEQ.

Lack of a water certification is grounds for **denial** of the infrastructure development plan.

300.003 Sanitary Sewer: The infrastructure development plan shall provide sewage treatment in accordance with Health & Safety Code, Title 5, Subtitle B, Chapter 366. If sewage treatment is to be provided by a utility, the location of sanitary sewer lines will be shown and a certification from the utility provider must be attached to the plan.

If estimated sewage flow does not exceed 5,000 gallons per day (gpd), on-site sewage facilities (OSSF) in accordance with Texas Administrative Code, Title 30, Chapter 285 may be used. However, the plan must provide the required information listed in Chapter 285.4. Approval by Frio County OSSF inspector shall be attached to the written infrastructure completeness letter.

If estimated sewage flow exceed 5,000 gpd, sewage treatment and disposal system shall be provide as required by the TCEQ. The approval of required system will be attached to the plan.

300.004 Roads/Streets: The Infrastructure Development Plan shall indicate the location and design of roads/streets to provide adequate ingress and egress for fire and emergency vehicles. Roadway drainage shall be designed to allow for use during a 25 year storm with no water over the road. Roads/streets and landscaping shall be maintained to allow ingress and egress for fire and emergency vehicles at all times.

300.005 Drainage: The Infrastructure Development Plan shall provide adequate drainage in accordance with standard engineering practices, including necessary drainage culverts and identifying areas included in the 100 year flood plain. The placement of any structure within a regulatory floodplain shall be in accordance with the appropriate regulations.

Section IV

Administrative Items

400.001 Other Regulations: Persons developing Manufactured Home/Mobile Home/RV Communities should be aware these regulations and standards are not the exclusive regulation or standard controlling such development in Frio County. Other agencies with regulatory authority may apply to a Manufactured Home/Mobile Home/RV Community including, but are not limited to, Emergency Services Districts, the TCEQ, the Public Utilities Commission, the United States Parks and Wildlife Service, the Environmental Protection Agency, and the U.S. Army Corp. of Engineers.

Issuance of a Certificate of Compliance by the Commissioners' Court, under this order, does not indicate compliance with any of these requirements.

400.002 Fees: See Appendix A.

400.003 Penalties: Violations of this order will result in the denial of utility services.

The requirements of this order have been established by and adopted by the Frio County Commissioners' Court under the Texas Local Government Code, Chapter 232 and all the civil and criminal penalties applicable under that chapter shall apply to violations of this order.

Appendix A

Infrastructure Development Plan Review Fee - \$400.00

Additional fees for application for On Site Sewage Facilities, if required, will be charged in addition to the above fees.

Subject to change – The fees in this Appendix are subject to change at any time by the Frio County Commissioners Court, provided the action is properly posted under the Texas Open Meeting laws.

Fee Schedule is Stand-Alone – This appendix is attached to the Frio County Manufactured Home/Mobile Home/RV Rental Communities Regulations for the convenience of Applicants, but it is intended as a stand-alone Order and not as an integral part of the Subdivision Order.