A WISE BEGINNING NEWARK TEXAS EST 1951

City of Newark Mobile/Manufactured Home Application

Permit No._____Date_____

Owner (*of Mobile Home*)_____

Address(*where unit will be installed*)_____

Phone No._____Cell No. _____Email _____

Make and Model _____

Serial Number_____

Description_____
(*Please include color, length and width*)

Estimated Value $_____

Name of Installation Company_____
❑ Copy of State License and Insurance was provided.
❑ Installation Company is already registered with the City.

Proposed Date to be Installed_____

Legal Description of Property: Lot_____Blk_____

Survey_____Addition_____

Application Fee Paid on _____ Accepted by: _____

❑ Check #_____ ❑ Cash ❑ Credit Card Receipt # _____

Signed_____Date_____

Approved_____Date_____
(Signature of City Representative)

Contractors:

Electrical: _____

Plumbing: _____

HVAC: _____

Rules and Regulations Checklist:

1._____ **Completed Application**
2._____ **Site Plan – drawing of property or survey showing location of home placement with front, side, and rear yard setbacks.**
3._____ **Electrical Registration and Permit (Info only–may pay contractor reg prior to permit)**
4._____ **Plumbing Registration and Permit (Info only–may pay contractor reg prior to permit)**
5._____ **HVAC Registration and Permit (Info only–may pay contractor reg prior to permit)**
6._____ **Home Installer/Mover Registration and Permit**
7._____ **Affidavit Signed by Applicant that Pre-Owned Home meets all Health and Safety Standards of the Newark Code of Ordinances, Section 3.07.124. (Must Be Notarized)**
8._____ **Photographs of interior and exterior of home providing evidence that Pre-Owned Home meets Health and Safety Standards of the Newark Code of Ordinances, Section 3.07.124.**
9._____ **The Written Disclosure Statement Required by the Texas Department of Housing and Community Affairs.**
10. _____ **Permit and Inspection Fees paid.**

11._____ **Date of City Council Approval**

All of the aforementioned conditions must be complete prior to City Council approval or the application will not be accepted.

There is a designated mobile home route. Cross RR tracks at McCanne Street and turn left on Hovey Street which curves right and turns into Main Street. At the stop sign continue south on Main Street to Rogers Road. Cross over Rogers Road and turn right onto Crow Drive. Country Living Drive is the first street on the left and Deborah Drive is second street on the left off of Crow Drive. To access Sandy Bass Lane, at Rogers Road turn right and Sandy Bass Lane is the second street on the left.

Must have 24 hour notice to set up inspection appointment. Contact Newark City Hall at (817)489-2201 to set up appointment.

Fees:

Moving Building Fee:	$25.00
Permit and Inspection Fee:	$200.00
Meter Deposit:	$200.00
Electric Permit:	$100.00
Plumbing Permit:	$100.00
HVAC (Air Conditioning/Heating)	$100.00
	$725.00
Each additional re-inspection:	$100.00

NEWARK TEXAS

Contractor Registration

Date_____

Pursuant to the requirements of Ordinance No. A-292 of the City of Newark, no person, firm or corporation shall be authorized to secure permits without being a valid registered contractor with the City of Newark. A valid registered contractor is a person, firm or corporation who has paid the prescribed fees and is not delinquent in any fees or debt to the City of Newark. Permits that pertain to this Ordinance include the following: Plumber, Mechanical Contractor, Electrician, Irrigation Contractor, Backflow Tester, Sign Contractor, Sign Electrician, Residential General Contractor, Commercial General Contractor, Water Well Contractor and Fire Protection Contractor.

Registration application for (Mark only one):

_____ General Contractor (Res. or Comm.) $50 _____Irrigation Contractor $50 _____ Plumber

_____ Electrical Contractor $50 _____Mechanical Contractor $50 _____Water Well $50

_____Sign Contractor $50 _____Sign Electrician $50 _____Backflow $50

_____Fire Protection $50 _____Mobile/Manufactured Home Installer $25

Company Name_____

Company Address_____

City_____State_____ZipCode_____

Business Phone_____Fax #_____

Owner's Name_____

License Holder's Name_____

Current copies of the following are required for registration:

Attach: Current State License — List of Personnel authorized to pull permits
Driver's License — Proof of insurance

Signature_____

**********Office Use Only**********

Date Paid:_____Amount_____Receipt#_____Expiration Date_____

Date Paid:_____Amount_____Receipt#_____Expiration Date_____

Date Paid:_____Amount_____Receipt#_____Expiration Date_____

Date Paid:_____Amount_____Receipt#_____Expiration Date_____

ARTICLE 3.07 MOBILE HOMES, MANUFACTURED HOMES AND RECREATIONAL VEHICLES[(,*)]

Division 1. Generally

Sec. 3.07.001 Placement of mobile home or manufactured home on lot

(a) Mobile home defined. A "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 body feet or more in width or 40 body feet or more in length, or, when erected on-site, is 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.

(b) HUD-code manufactured home defined. A "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 body feet or more in width or 40 body feet or more in length, or, when erected on-site, is 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.

(c) Authority to prohibit installation of mobile homes. The city may prohibit the installation of a mobile home for use or occupancy as a residential dwelling within its corporate limits. Any such prohibition must be prospective and shall not apply to a mobile home previously legally permitted and used or occupied as a residential dwelling within the city.

(d) Lot size. All lots upon which mobile homes or manufactured homes are placed shall be in accordance with the zoning ordinance. No more than one mobile home or manufactured home shall be placed upon any lot, and all mobile homes or manufactured homes shall be situated in as near the center of the acreage as possible.

(e) Removal of wheels, tying down, and connection to water and sewer system. All mobile homes or manufactured homes moved onto a lot within the city shall, within thirty days (30) from the date moved onto such lot, have the wheels removed, be set on a permanent foundation and shall be underpinned and tied down. Also, said mobile home or manufactured home shall be hooked into the city sewer and water system within such time period.

(f) Permit. Prior to moving a mobile home or manufactured home onto a lot in the city, a written application shall be filed with the city secretary accompanied by a filing fee in the amount provided in appendix A (see below) to this code. The application shall contain a legal description of the property onto which the mobile home or manufactured home will be placed, general plans and specifications showing the nature of any construction relative to the moving of such mobile home or manufactured home onto the property along with the probable cost thereof, and the purpose for which the mobile home or manufactured home will be used. At the next regular meeting of the city council after the application has been filed, the council will consider the application and either accept or reject it. In the event it rejects the application, the filing fee will be refunded. The applicant has the right to personally appear at the council meeting in which the application will be considered.

(g) Penalty. Any person, either by himself or agent, and any firm, corporation or other entity who does not comply with any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction of any such violation shall be fined in a sum not to exceed two hundred dollars ($200.00). Each day during which such violation continuous shall constitute a separate and distinct offense.

(Ordinance A-213 adopted 12/2/99; Ordinance adopting Code)

Appendix A

Sec. A3.005 Manufactured homes, mobile homes, recreational vehicles

(c) Pre-owned manufactured homes:

(1) Permit and inspection fee: $200.00.

(2) Each additional follow up inspection: $100.00.

(Ordinance A-370 adopted 1/20/11)

Division 3. Pre-Owned Manufactured Homes

Sec. 3.07.121 Definitions

The following words, terms, or phrases, when used in this division, shall have the meanings ascribed to them in this section.

Applicant. Any person seeking to install a pre-owned manufactured home in the city limits.

Building inspector. The person appointed, employed, or otherwise designated as the director of planning, permits and inspections; the municipal building official or any of his or her assistants.

Certificate of occupancy. A document issued by the building inspector certifying that a pre-owned manufactured home is in compliance with applicable requirements set forth by this division, and indicating it to be in a condition suitable for residential occupancy.

Guarantee of condition bond. A surety bond to guarantee that the affidavit and photographs required by section 3.07.123(1)(A)–(B) of this division reasonably portray or represents the existing condition of the pre-owned manufactured home proposed for relocation. In lieu of the bond, a cash deposit may be deposited with the city.

Install. To construct a foundation system and to place or erect a manufactured home on such foundation system. Such term includes, without limitation, supporting, blocking, leveling, securing, or anchoring such manufactured home and connecting multiple or expandable sections of such manufactured home.

Jurisdiction. The areas within the city limits of the City of Newark, Texas.

Manufactured home. A structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with a permanent foundation, as defined by title 10, section 80.52 of the Texas Administrative Code, when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this section except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. section 5401, et seq.

Pre-owned manufactured home. Any manufactured home that has been previously used as a residential dwelling and has been titled.

Sec. 3.07.122 Conditions

All pre-owned manufactured homes located in the jurisdiction shall bear a label certifying it was constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. section 5401, et seq. (the HUD-Code) and shall be installed in accordance with state law.

Sec. 3.07.123 Permitting, inspection, certificate of occupancy and fees

A permit shall be required to locate a pre-owned manufactured home in the jurisdiction.

(1) Permit. To obtain a permit, applicants shall provide to the building inspector:

(A) An affidavit signed by the applicant that the pre-owned manufactured home meets health and safety standards required by this act;

(B) Photographs of the interior and exterior of the pre-owned manufactured home providing evidence that the home meets the minimum health and safety standards of section 3.07.124 of this division;

(C) The written disclosure required to be provided by the owner, seller or leaser on a form not to exceed two pages prescribed by the Texas Department of Housing and Community Affairs, describing the condition of the home and of any appliances that are included in the home; and the written warranty required to be provided by the owner, seller or leaser that the home is and will remain habitable until the 60th day after the later of the installation date or the date of the purchase agreement.

(D) The permit and inspection fee required by subsection (4) of this section.

(2) Inspection. Upon receipt of a permit, applicant may relocate the manufactured home on a residential site for the purposes of inspection. Applicant shall arrange for an inspection to be held once the installation of the manufactured home is complete.

(3) Certificate of occupancy. A certificate of occupancy shall be issued to the applicant at such time that the building inspector certifies that the requirements of this division have been met.

(4) Fee. A permit and inspection fee as set forth in the fee schedule in appendix A of this code shall be charged to the applicant to cover the cost to the city to process the permit application and inspect the pre-owned manufactured home. Such fee shall cover the initial inspection and one follow up inspection. The applicant shall be charged a fee as set forth in the fee schedule in appendix A of this code for each additional follow up inspection that may be necessary.

(5) Alternative inspection. At the request of the applicant, the building inspector may, at his or her discretion inspect a pre-owned manufactured home prior to its being relocated if the home is then located at another site within the city.

Sec. 3.07.124 Minimum health and safety standards required before permit or certificate of occupancy will be issued

All pre-owned manufactured homes shall comply with the following before being issued a certificate of occupancy by the building inspector:

(1) HUD-code. Every pre-owned manufactured home located in the jurisdiction shall be in compliance with the Federal Manufactured Housing Construction and Safety Standards Act, 42 U.S.C. 5401-5445 (the HUD-code) and shall not have been altered in such a way that the home no longer meets the HUD-code.

(2) Interior condition. Every floor, interior wall, and ceiling of a pre-owned manufactured home shall be in sound condition. Doors and windows shall be operable, watertight and in good working condition. The floor system shall be in sound condition and free of warping, holes, water damage, or deterioration.

(3) Exterior condition. The exterior of all pre-owned manufactured homes shall be free of loose or rotting boards or timbers and any other conditions that might admit rain or moisture to the interior portions of the walls or to occupied spaces. The exterior siding shall be free of rot and rust. Roofs shall be structurally sound and have no obvious defects that might admit rain or cause moisture to collect on the interior portion of the home.

(4) Sanitary facilities. Every plumbing fixture, water, and waste pipe of a pre-owned manufactured home shall be in a sanitary working condition when properly connected, and shall be free from leaks and obstructions. Each home shall contain a kitchen sink. Each bathroom shall contain a lavatory and water closet. At least one bathroom shall contain a tub and/or shower facilities. Each of these fixtures shall be checked upon being connected to ensure they are in good working condition.

(5) Heating systems. Heating shall be safe and in working condition. Unvented heaters shall be prohibited.

(6) Electrical systems. Switches, receptacles, fixtures, etc. shall be properly installed and wired and shall be in working condition. Distribution panels shall be in compliance with the approved listing, complete with required breakers, with all unused openings covered with solid covers approved and listed for that purpose. The home shall be subject to an electrical continuity test to assure that all metallic parts are properly bonded. Each pre-owned manufactured home shall contain a water heater in safe and working order.

(7) Hot water supply. Each home shall contain a water heater in safe and working condition.

(8) Egress windows. Each bedroom of a manufactured home shall have at least one operable window of sufficient size to allow egress if necessary.

(9) Ventilation. The kitchen in the home shall have at least one operating window or other ventilation device.

(10) Smoke detectors. Each pre-owned manufactured home shall contain one operable battery-powered smoke detector in each bedroom and in the kitchen, which must be installed in accordance with the manufacturer's recommendations.

Sec. 3.07.125 Ongoing compliance with minimum health and safety standards

All manufactured homes shall comply with the requirements of the above section as long as the manufactured home is located in the city. Failure to remain in compliance with the above standards shall be an offense under the terms of this division.

Sec. 3.07.126 Enforcement

Owners of pre-owned manufactured homes that are not in compliance within 45 days of inspection shall have their permit revoked and shall be required to remove the home from the jurisdiction at their own expense.

Sec. 3.07.127 Penalties

Failure to remove a pre-owned manufactured home from the jurisdiction upon failure to receive a certificate of occupancy shall be punishable by a fine of $2,000.00. Each day any violation under this division continues shall be considered a separate offense.

(Ordinance A-370 adopted 1/20/11)

AFFIDAVIT OF APPLICANT

STATE OF TEXAS,
CITY OF NEWARK

Personally appeared before me, _____, who, after first being duly sworn, stated and deposed under oath as follows: I am currently suffering from no legal, mental or emotional disability, and I make this affidavit voluntarily based upon my own personal knowledge. I am at least 18 years of age.

1. The pre-owned manufactured home for which I am seeking a temporary provisional permit meets all health and safety standards of the State of Texas.
2. The manufactured home will be used for residential purposes only.
3. I understand and agree that if I do not fulfill all conditions and requirements of the Ordinance and the Temporary Provisional Permit granted in connection herewith within ninety (90) days from the date of the Temporary Provisional Permit, I must remove the subject pre-owned manufactured home from the City of Newark immediately.
4. I hereby swear and affirm that the subject pre-owned manufactured home will not be occupied for residential purposes until and unless the City of Newark issues a Certificate of Occupancy for the structure.

FURTHER AFFIANT SAITH NOT.

_____

Sworn to and subscribed before me
this _____ day of _____, 20___.

_____
NOTARY PUBLIC
My Commission Expires:

_____

Texas Department of Housing and Community Affairs
MANUFACTURED HOUSING DIVISION
P. O. BOX 12489 Austin, Texas 78711-2489
(800) 500-7074, (512) 475-2200 FAX (512) 475-1109
Internet Address: www.tdhca.state.tx.us/mh/index.htm

WARRANTY AND DISCLOSURE FOR A USED MANUFACTURED HOME

If the manufactured home does not have a HUD Label or Texas Seal, a copy of this disclosure must be submitted to the Department along with an application for a Texas Seal and the required fee.

BLOCK 1: Home Information

Manufacturer Name:		Model:	
Address:		Date of Manufacture:	
City, State, Zip:		Total Square Feet:	
License Number:		Wind Zone:	

	Label/Seal Number	*Serial Number*	*Weight*	*Size**
Section 1:				X
Section 2:				X
Section 3:				X
Section 4:				X

****NOTE:** Size must be reported as the outside dimensions (length and width) of the home as measured to the nearest ½ foot at the base of the home, exclusive of the tongue or other towing device.*

BLOCK 2: Conditions of Home and Appliances Conveyed.

Appliances: *Indicate the appliance being conveyed and describe any known defects.*

Check Appliances Conveyed with home	Make and Model	Gas or Electric	Describe Any Known Defects
☐ Refrigerator			
☐ Range			
☐ Stove top only			
☐ Microwave			
☐ Washer			
☐ Dryer			
☐ Trash Compactor			
☐ Dishwasher			
☐ Other			

Home: *Any item present that does not describe any known defects is assumed to have no known defects.*

Interior	Describe Any Known Defects
Living room:	
Kitchen:	
Bedroom 1	
Bedroom 2	
Bedroom 3	
Bathroom 1	
Bathroom 2	
Laundry/utility room:	
Other rooms (list):	

General Home Exterior	Describe Any Known Defects
Roof decking	
Roof covering	
Floor underside	
Walls	
Other	

Systems	Describe Any Known Defects
Electrical system	
Water Heater	
Air Conditioner	
Plumbing system	

BLOCK 3: Signatures

I certify that the above information is, to the best of my knowledge, complete and accurate.

(Seller's Signature) _____ *(Printed Name of Seller or Seller's authorized representative)* _____ *(Date)* _____

I acknowledge receipt of the Warranty and Disclosure for the purchase of a used manufactured home.

(Consumer/Purchaser's Signature) _____ *(Printed Name of Consumer/Purchaser)* _____ *(Date)* _____

BLOCK 4: Statement of Warranty
(This block does not apply to exempt consumer to consumer sales.)

The above-described home is warranted by the seller to the purchaser to be habitable and to remain habitable until the later of 60 days from the date of the purchase agreement selling or transferring the home or 60 days after the date that the installation of the home is completed. By "habitable" it is meant that:

- **There is no defect or deterioration in or damage to the home that creates a dangerous situation;**
- **The plumbing, heating, and electrical systems are in safe working order;**
- **The walls, floor, and roof are:**
  - **free from a substantial opening that was not designed and**
  - **structurally sound; and**
- **All exterior doors and windows are in place. Any window that is designated an egress window is in working order.**

The PURCHASER, _____, must notify the SELLER, _____,
(name of purchaser) (name of seller)

IN WRITING within 65 DAYS of any DEFECT that makes the home NOT HABITABLE or the SELLER will have NO LIABILITY for the warranty of habitability