

ORDINANCE NO. 11-14-2017

AN ORDINANCE PROVIDING FOR THE INSTALLATION OF TINY HOUSES WITHIN THE CITY LIMITS OF FRANKSTON, TEXAS, REQUIRING AN APPLICATION FOR THE LOCATION AND PLACEMENT OF SAME; AND CONTAINING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND CONTAINING A SEVERABILITY CLAUSE.

WHEREAS, the City Council of the City of Frankston finds it to be in the best interest of the public safety, health and general welfare to regulate Tiny Houses within the City; therefore,

BE IT ORDAINED BY THE CITY OF COUNCIL OF THE CITY OF FRANKSTON:

Section I: This Ordinance is hereby referenced as the “Frankston Tiny Houses Ordinance.”

Section II: DEFINITIONS: For purposes of this Ordinance, certain terms, words and phrases shall have the meaning hereinafter ascribed thereto.

1. A. Building Official: The Fire Marshall or other designated inspection authority of the City.
- B. City: City of Frankston, Anderson County, Texas and its incorporated limits.
- C. City Council: City Council of the City of Frankston, Texas.
- D. Driveway: Minor entrance way of the common access route, into an off-street parking area serving building address.
- E. Permit: Written permit and or application issued by the City Council permitting the placement, alteration or extension of a Tiny Home under the provisions of this Ordinance and regulations issued hereunder.
- F. Person: Any natural individual, firm, trust, partnership, association or corporation.
- G. Tiny Houses: Residential structures with less than 900 square feet total living space. Living space shall exclude porches, garages, and other space not heated or cooled by any means.

Section III: Permits/ and Variances

1. Variance required: A variance is required to locate a Tiny House within the City of Frankston and applicant is required to go before the City Council for approval.
2. Application Requirements for a Permit: All tiny home builders must complete an application for building. Including but not limited to the following:
3. Name and Address of Applicant
 2. Telephone Number
 3. Location, Legal Property description, Block and Lot where Tiny House is to be located
 4. Dimensions of the Tiny House
 5. Description of material being used to build the Tiny House
 6. Plat or blueprints identifying connections to city services including Water, Sewer and

Sanitation.

7. Photographs of the tiny house.
4. Nonrefundable permit application fee of \$100.00
5. Issuance of Permit: In considering the application, the City Council may take into account the proposed location of the Tiny House in relation to the present and anticipated land use and development. After review of the application and determining the application and the proposed home complies with this Ordinance and other applicable laws, codes and regulations, the permit shall be issued.
6. Denial of Application / Hearing. Any person whose application for a Permit has been denied may, within 10 (ten) days of the denial, request in writing a rehearing on the matter and offer additional evidence at the hearing if desired.

Section IV: Tiny houses must meet the following basic requirements:

1. A. The Tiny House must be on a foundation with at least six (6) inches of cement footing, which is steel reinforced for load bearing walls. A tiny home built on a trailer is required to remove wheels/axles in order to tie down to a foundation as described above.
 - B. The Tiny House must have a driveway.
 - C. A Pre-manufactured Tiny House is required to be skirted.
 - D. The Tiny House must be located on a Common Access Route / Internal Street, and have an assigned address.
 - E. The Tiny House must be connected to City utilities, which is water and sewer services. Sewer service is essential to dispose of all human waste. No composting toilets will be permitted.
 - F. The Tiny House shall have a minimum footprint of three hundred-twenty (320) square feet.
 - G. Maximum lot coverage (structures only) shall be forty (40) per cent.
 - H. Anchoring shall be done in a manner to prohibit lateral shifting and up-rise.
 - I. The Tiny House shall be in good condition and free from severe rust, peeling paint or other forms of deterioration. Tiny Houses shall have a minimum of two (2) exits.
 - J. There is a maximum of one (1) Tiny House per lot.

Section V: Penalty Provisions. Any person violating this Ordinance or any portion thereof shall upon conviction be guilty of a misdemeanor and shall be fined not less than \$1.00 nor more than \$500.00 for each day that such violation continues. Each day may be considered a separate offense and punishable accordingly.

Section VI: Severability. If any section or part of any section or paragraph of this Ordinance is declared invalid or unconstitutional for any reason, it shall not be held to invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this Ordinance.

Section VII: Effective Date. This Ordinance shall be effective immediately upon its passage, approval and publication.

Passed and approved this 14TH day of November, 2017.

Mayor

ATTEST:

City Secretary