**ORDINANCE 10042016**

AN ORDINANCE FOR PROVIDING FOR THE INSTALLATION OF TINY HOUSES WITHIN THE CITY OF CELESTE, 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.

**WHERE AS**, the City Council of the City of Celeste has determined to develop zoning requirement for Tiny House; and

**WHERE AS**, it is the best interest of the City that the health, safety and general welfare of the City be promoted by planning the orderly growth of the City; and

**WHERE AS**, the City Council of the City of Celeste 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 COUNCIL OF THE CITY OF CELESTE:**

Section I. This Ordinance is hereby referenced as the “Celeste Tiny House Ordinance.”

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

1. Building Official: The Fire Marshall or other designated inspection authority of the City.
2. City: City of Celeste, Hunt County, Texas and its extraterritorial jurisdiction.
3. City Council: City Council of the City of Celeste, Texas.
4. Common Access Route/Internal street: Private drive allowing principle means of access to individual Tiny Houses.
5. Driveway: Minor entrance way of the common access route, into an off-street parking area serving one or more Tiny Houses.
6. 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.
7. Person: Any natural individual, firm, trust, partnership, association or corporation.
8. Tiny House: Residential structures with minimum of 400sq ft. to 900sq ft. 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 in the City of Celeste.
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
4. Telephone Number
5. Location, Legal Property description, Block and Lot where Tiny House is to be located.
6. Dimension of the Tiny House.
7. Description of material being used to build the Tiny House
8. Plat or blueprints identifying connections to city services including water, sewer and sanitation, if available.
9. Photographs of the tiny house, if available.

C Issuance of Permit: In considering the application, the City Council or designated building inspector 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 the Ordinance and other applicable laws, codes regulations and zoning ordinances, the permit shall be issued.

D. 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. Basic Tiny House Requirements:

1. The Tiny House must be on a foundation with at least four (4) inches of cement pad & solid concrete blocks. It must be anchored down.
2. The Tiny Houses must have a driveway.
3. Tiny Houses are required to be in the center of the property & skirted.
4. The Tiny House must be located on a Common Access Route/Internal Street, and have an assigned 911 address.
5. The Tiny Houses must be connected to City utilities, which are water and sewer services. Sewer service is essential to dispose of all human waste. No composting toilets will be permitted.
6. The Tiny House must comply with applicable portions of the 2013 International Residential Code of the City of Celeste.
7. The Tiny House must pass the inspection of the Building official or any subsequent structural standards which may be adopted by the City of Celeste.

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.

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

PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2016

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Mayor, Larry Godwin

Attest:

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City Secretary, Jenoa Lipsey