

THE TOWN OF LOCUST FORK
ORDINANCE NO. 38 ESTABLISHING RESTRICTIONS OF MANUFACTURED HOMES,
MOBILE HOMES, HOUSE TRAILERS AND MOBILE HOME PARKS

An ordinance establishing restrictions of Manufactured Homes, Mobile Homes, House Trailers and Mobile Home Parks.

Section 1. Definitions:

- (a) **Dwelling, Single-Family:** A structure containing not more than one dwelling unit designated for residential use. Constructed according to standards established either by the state minimum standard codes or the Standard Building Code if locally adopted, or in the case of manufactured housing the National Manufactured Housing Construction and Safety Standards Act.
- (b) **Manufactured Home:** A structure, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or when erected on site, is three hundred twenty (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 contained therein. Calculations used to determine the number of square feet in a structure will be based on the structure's exterior dimensions measured at the largest horizontal projections when erected on site. These dimensions will include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows. This term includes all structures which meet the above requirements except the size requirements and with respect to which the manufacturer voluntarily files a certification pursuant to Section 3282.13 of the National Manufactured Housing Construction Safety Standards and complies with the standards set forth in Part 3280 of the National Manufactured Housing Construction Safety Standards Regulations.
- (c) **Mobile Home or House Trailers:** Any detached residential dwelling, built prior to June 15, 1976, and not built in conformity with the National Manufactured Housing Construction Safety Standards, designed and fabricated to be transported on streets and highways on its own wheels or flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling, completed and ready for occupancy operations with connections to utilities and the like. Travel trailers, campers,

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recreational vehicles and motor homes are not to be considered as manufactured homes, mobile homes, or house trailers.

(d) **Modular Homes:** A factory fabricated transportable home consisting of units designed to be incorporated at a building site on a foundation and used for residential purposes. A modular home must have a seal of compliance according to the regulations of the Alabama Manufactured Housing Commission.

Section 1.1. Compatibility Standards – Location Restrictions:

Manufactured homes may be permitted on a vacant lot that is in full compliance with the following condition:

The proposed manufactured home will not be located on a vacant lot that is within a designated local, state, or federal historic or a vacant lot that is between two or more structures that have been listed on or are eligible for addition to the National Register of Historic Places.

Section 1.2 Compatibility Standards:

Compatibility standards for manufactured homes meeting the definition of dwelling single-family are as follows:

Manufactured homes qualifying as dwelling, single-family shall be compatible to site-built and other housing in the immediate general area within the same residential district.

Approval shall be granted when the manufactured home is substantially similar in size, siding material, roof material, foundation and general aesthetic appearance to: (1) site-built or other forms of housing which may be permitted in the same general area under this ordinance or (2) existing development or (3) proposed development in the same district.

Items subject to compatibility comparison will include the following:

(a) **Exterior Finish.** Any material may be used for exterior finish that is generally used in areas near the location where the manufactured home is sited.

(b) **Manufactured Homes** and mobile homes shall be installed in accordance with the manufacturer's installation instructions or the regulations promulgated by the Alabama Manufactured Housing Commission.

(c) **The general appearance and square footage** of the home shall conform to housing in adjacent or nearby locations to insure compatibility of site-built homes and manufactured housing.

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- (d) **Site-orientation.** Manufactured homes and mobile homes shall be placed on lots in a manner compatible with and reasonably similar in orientation to other structures in the area.
- (e) Towing device. All towing devices, wheels, axles and hitches must be removed.
- (f) The home must be connected to water and sewerage systems (including well and septic tank, if applicable) approved by the Alabama Department of Public Health or the Alabama Department of Environmental Management.
- (g) **Underpinning.** The type of material and method used for underpinning shall be consistent with and compatible to site-built homes in adjacent location.

Section 2. Manufactured Homes:

All manufactured homes shall comply with the following requirements:

- (a) All mobile homes or trailers that are nonconforming prior to the effective date of this Ordinance shall be treated as nonconforming use.
- (b) All manufactured homes placed after the effective date must comply with this ordinance.
- (c) H.U.D. seal required. Prior to installation, each manufactured home shall bear a seal certifying compliance with the Manufactured Home Construction and Safety Standards Act promulgated by the U.S. Department of Housing and Urban Development. Any existing mobile home or trailer not bearing such a seal shall be deemed a non-conforming structure and use in accordance with the regulations established in Section 1 of this Article.
 - (1) It shall be unlawful for any person to initially place a manufactured home, to relocate a manufactured home, or to replace the same with another on said property without a permit from the Town of Locust Fork as approved by the Town of Locust Fork.
 - (2) The Town of Locust Fork may at its discretion grant to an applicant permission to park and/or use a manufactured home upon the premises on which a building or home is being constructed during the time of construction and may qualify, limit or terminate such permission at any time without notice. The permit shall be issued showing permission with a specific time period allowed for building of home to be both started and completed. If

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sincere construction is not started by the allotted start-up date or if the construction is not continuing on a reasonable basis as determined by the Council, the permit shall be revoked unless a plea is made to the Council by the Council, the permit shall be revoked unless a plea is made to the Council by the applicant for an extension and that extension is granted.

- (d) Installation requirements. All manufactured homes shall be set up, installed, and anchored in full compliance with the requirements of the Alabama Manufactured Housing Commission. Each manufactured home site shall be properly prepared for setup and installation as may be necessary and appropriate to prevent the accumulation of standing water or the drainage of storm water runoff beneath the manufactured home.
- (e) Skirting required. All manufactured homes shall be skirted with a weather-resistant material which resembles a single family dwelling. Skirting shall be adequately vented. Where the space underneath a manufactured home that is to be enclosed by skirting is not completely covered by a concrete pad, then a ground vapor retarder of 6 mil rated polyethylene sheeting or greater shall be installed over the entire area enclosed by skirting.
- (f) Axles and towing devices removed. Once a manufactured home has been placed on an individual lot, all tow bars and axles shall be removed and either removed from the property or stored on the lot where they will not be visible.
- (g) Access to exterior entrances (front and back). Immediately after installation and prior to occupation, a landing/porch/deck no narrower than five (5) feet in depth (as measured outward from the exterior of the structure) nor shorter than eight (8) feet in length (centered along the entranceway) and containing a railing along all exterior edges of the landing. Stairways leading to decks shall be no less than three (3) feet in width with exterior railing. All required stairways and landings/porches/decks shall be constructed of wood or masonry materials or some combination of both. Required railings may be constructed of wood or metal material.
 - (1) Additions must be compatible with the home and surrounding area.

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- (h) Sanitary facilities. Each manufactured home shall contain at least one shower or tub, a flush toilet, a lavatory, hot and cold running water and a central source of heat for the occupants thereof.
- (i) Age of the manufactured home shall not exceed 25 (twenty-five) years from the date of the permit application.

Section 3. Enforcement, Remedies, Appeals:

- (a) This ordinance will supersede any other ordinance pertaining to the initial placement, replacement, or relocation of a manufactured home(s), mobile home(s), or house trailer(s) on single lots or premises and, separately, to any other ordinances pertaining to when an individual or family wishes to place an additional manufactured home(s).
- (b) Any person violating any provision of this ordinance shall be fined upon conviction, not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00) and costs of court for each offense. Each day such violation continues shall constitute a separate offense.

Section 4. Separability of Provisions:

If any section, sub-section, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or this ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions hereof.

Section 5. Effective Date of This Ordinance:

The effective date will be in a time and manner as prescribed by law.

Joseph B. Hughes, Mayor

ATTEST:

Tammy Riebe, Town Clerk

Effective Date: _____

Seal: