

ORDINANCE NO. 12-126

AN ORDINANCE PROVIDING FOR THE REGULATION OF MOBILE HOMES AND MOBILE HOME PARKS WITHIN THE TOWN OF CHATHAM, JACKSON PARISH LOUISIANA: FURTHER PROVIDING FOR THE MINIMUM AREA UPON WHICH A MOBILE HOME MAY BE INSTALLED AND THE MINIMUM AREA TO BE ENCOMPASSED BY A MOBILE HOME PARK: AND, FURTHER PROVIDING THE PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

WHEREAS, the Town Council of the Town of Chatham is concerned about the health, safety and welfare of its citizens; and

WHEREAS it has become apparent that unless properly regulated so as to control density of population, parking, open-space and fire hazards the improper placement and location of Manufactured Homes and Mobile Homes within the city limits of the Town of Chatham may interfere with the health, safety and welfare of the citizens of Chatham;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Chatham, Louisiana:

Section 1. Definitions

Manufactured Home. Shall mean a HUD-Code manufactured home. A HUD-Code manufactured home is defined as 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 (8) body feet or more in width, forty (40) body feet or more in length, or, when erected on site is three hundred and 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 plumbing heating, air-conditioning, and electrical systems. The term does not include a recreational vehicle as that term is defined in a later definition.

Mobile Home. Synonymous with Manufactured home.

Mobile/Manufactured Home Park, Mobile Home Park, or HUD-Code

Manufactured Home Park. Shall mean any lot, block, tract or parcel of contiguous lots, blocks, tracts or parcels of land, under common ownership, which contains two (2) or more Mobile/Manufacture Homes or Mobile/Manufactured Home lots available for lease or rent to the public and for the placement of Mobile Homes and/or Manufactured Homes for occupancy.

Recreational Vehicle. Shall mean a vehicular-type portable structure without a permanent foundation that can be towed, hauled or driven which is designed as a temporary living accommodation for the recreational, camping, and travel use, and which includes but is not limited to travel trailers, truck campers, camping trailers, and self propelled motor homes.

Skirt. Shall mean a device for the concealment of the undercarriage of a manufactured home or mobile home from view, which shall be constructed of durable material.

Storage. Shall mean the placement or maintenance of a vacant manufactured home or mobile home within the city, whether in a manufactured home park or not, without lawfully connecting or subscribing to city water, sewer or solid waste disposal services.

Tie Downs. Shall mean metal bands or other sufficient material, attached to a manufactured home or mobile home and to the ground for the purpose of holding the structure down, which must be in compliance with state and federal laws and regulations.

Section 2. Mobile Home Prohibition

That the Installation of Mobile Homes for use or occupancy as residential dwellings in the Town of Chatham, Louisiana is prohibited other than as provided in this ordinance. This provision is prospective and shall not apply to any Mobile Home used and occupied as a residential dwelling in the Town of Chatham on the effective date of this ordinance. An existing Mobile Home located in the Town of Chatham, as of the date of this ordinance, will be allowed to remain on its existing site until it is removed from the Town until the condition of the Mobile Home violates the codes of the Town. When the condition of the Mobile Home violates Town codes, the Building Official shall require the owner to move the Mobile Home out of the Town or demolish it. An existing, but temporarily vacant, Mobile Home located in the Town of Chatham, as of the date of this ordinance, will be considered "occupied" for purposes of this provision if it has been in actual residential use within thirty (30) days prior to enactment of the ordinance, is vacant for purposes of refurbishment for future residential use at the time of enactment of the ordinance or subsequently becomes vacant for purposes of refurbishment for future residential use after enactment of this ordinance, and such vacancy is terminated by actual residential use of the Mobile Home within sixty (60) days of vacancy (or enactment of this ordinance, whichever occurs later, or maintenance therefore)

Section 3. Siting Requirement

That, subject to the exceptions listed below, it shall be required that all Mobile/Manufactured Homes, travel trailers, or motor homes placed in the corporate limits of the Town after the adoption date of this ordinance must be installed and located in a Mobile/Manufactured Home, travel trailer, or motor home park.

EXCEPTIONS:

- A. Any Mobile/Manufactured Home that was installed on the site prior to the adoption date of this ordinance, subject to the restrictions of Section 2 above.
- B. A HUD-Code Manufactured Home installed on any parcel or tract of land that has no other residential or commercial structure on it and placed within a solid fascia or perimeter enclosure (whether load bearing or not) prior to having water, sewer, or electrical service installed.
- C. A Mobile/Manufactured Home provided by an governmental agency as temporary housing following any public calamity, or a Mobile Home temporarily moved from any Mobile Home Park or subdivision by reason of any public disaster or public calamity.
- D. A Mobile/Manufactured Home that is located upon a site prior to annexation of the site by the city.
- E. The temporary parking of an occupied, non-vacant travel trailer, recreational vehicle or motor home at any residence or commercial site for a period not exceeding thirty (30) cumulative days in any twelve (12) month period.
- F. The storage parking of a vacant and unoccupied travel trailer, motor home, or recreational vehicle at any residence or commercial site.
- G. The temporary parking of a Mobile/Manufactured Home, travel trailer, recreational vehicle or motor home for purposes of security at a temporary commercial facility for a period approved by the Town Manager or his Designee.
- H. A situation of hardship, as determined by the Town, for a period of time not to exceed one (1) year, said situation of hardship to be reviewed by the Town after one year and exception granted therefore extended for no more than one year at a time.
- I. Mobile/Manufactured Homes parked for purposes of sale to the public within a Mobile/Manufactured Home sales lot.

Section 4. Storage Prohibited

It shall be unlawful for any person to store a manufacture home or mobile home within the city limits of a Town of Chatham. Manufactured homes and mobile homes existing prior to the adoption of this article are not exempt from this article.

Section 5. Occupancy Requirements.

- (a) It shall be unlawful for any person to occupy a recreational vehicle inside the city limits of the Town of Chatham, and outside of a RV park, for more than 14 days unless said occupancy is in conjunction with a related activity sponsored by the town.
- (b) It shall be unlawful for any person to place, occupy, or connect to city utilities, a manufactured home or mobile home outside a manufactured home park without conforming with the following provisions:

1. Application. An application must be submitted to the Town Council containing the following information:

- (A) The name and address of the applicant.
- (B) The location and legal description of the property on which the manufactured home or mobile home will be located.
- (C) An affidavit by the applicant regarding the type of dwelling.
- (D) The requisite information to insure that the installations and maintenance of the manufactured home or mobile home will be in accordance with the rules and regulations required by this chapter.

2. Requirements for the Installation of Manufactured Homes or Mobile Homes on Individual Lots. The installation of manufactured homes or mobile homes on individual lots not within a manufactured home park shall comply with the following standards:

- (A) The frame shall be tied to a permanent anchoring system meeting the current requirements of the Louisiana Revised Statutes Title 51. Trade & Commerce, Chapter 2 Particular Goods, Part XIV - B *Minimum Standards for Installation of Manufacture Homes* and must otherwise comply with all federal and state laws concerning manufactured homes.
- (B) The space between the ground level and the floor level of the structure shall be skirted with non-degradable materials compatible in color, style, and texture with the exterior of the home if the concrete foundation does not already enclose that space.
- (C) Site-built attached additions, and detached structures in the front or side yards, must be compatible in color, style, and materials with the exterior of the manufactured structure. Detached structures that are not compatible in color, style and materials must be located in the rear yard.
- (D) No mobile home will be allowed on any residential lot if said lot contains less than 5,000 square feet, and if the mobile home is placed in conjunction with a pre-existing single family structure, a minimum of 7,500 square feet shall be required.
- (E) All rules and regulations of the Town of Chatham regarding the water and sewer service and the installation and maintenance thereof shall be complied with.
- (F) The owner/occupier shall also subscribe to the city water, sewer and solid waste collection service, if available.
- (G) Manufactured homes that do not meet current parish, state and federal standards will not be allowed.

3. Review of the Application by the City Council. The City Council shall review the application to insure that all Town of Chatham regulations are complied with. The City Council, or their designee, shall also insure that all utilities are readily available. In the event that the application does not comply with provisions of this code, the city secretary shall cause a written notice to issue to the applicant indicating the deficiencies and requirements for curing same. The applicant shall have a period of thirty (30) days in which to cure the deficiencies noted. Otherwise, a new application will be required. If the application does meet all Town of Chatham regulations, the permit shall

be issued to allow placement of the manufactured home.

Section 6. Existing Structures.

Manufactured homes and mobile homes that are presently inside the city limits and in compliance with previous regulations of the city shall not be required to comply with provisions of Section 5.

Section 7. Utility Connections.

No city utilities shall be connected to property containing a manufacture home or mobile home which has not received a permit pursuant to the provisions of this code.

Section 8. Violations and Penalty

Violation of this Ordinance shall be punishable by a fine not to exceed five hundred (\$500) dollars. Each day that a violation continues shall be deemed a separate violation.

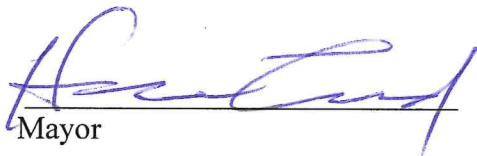
Section 9. Effective Date

This ordinance shall become effective after passage by the City Council and publication as required by law.

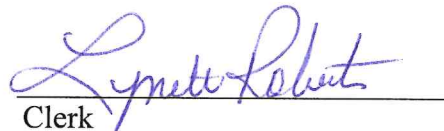
The above and foregoing ordinance having been offered by Marvin Davis and duly seconded by Frances Womack said ordinance having been read section by section, was then submitted to an official vote as a whole and adopted by the following vote:

YEAS: 3
NAYS: 0
ABSENT: 2

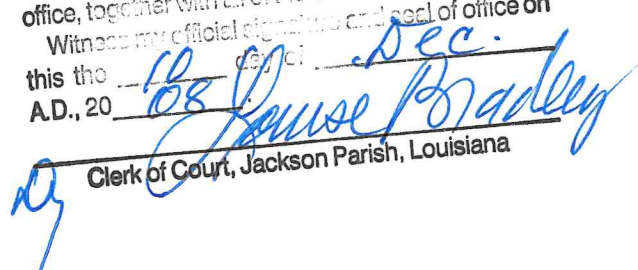
And said ordinance was declared legally adopted on this 9th day of December, 2008.



Mayor



Clerk

No. 382797 Filed for Record Conveyance
Book No. 410 Page 229
At Dec. 10, 2008 O'Clock P. M.
I hereby certify that the within and foregoing is a true and correct copy of the original now on file in my office, together with all of the endorsements thereon.
Witness my official signature and seal of office on this the 10th day of Dec. A.D., 2008.


Clerk of Court, Jackson Parish, Louisiana