

**Ordinance 2023-04**

**MANUFACTURED AND MOBILE HOMES**

AN ORDINANCE REPEALING ORDINANCE 12-126 AND ORDINANCE 12-164 AND PROVIDING FOR THE REGULATION OF MOBILE HOMES AND MOBILE HOME PARKS WITHIN THE VILLAGE OF CHATHAM, JACKSON PARISH LOUISIANA AND FURTHER PROVIDING THE PENALTY FOR VIOLATIONS OF THIS ORDINANCE.

WHEREAS, the Village of Chatham has multiple ordinances regarding manufactured and mobile homes and the Village Council seeks to consolidate and update the regulations for manufactured and mobile homes within the corporate limits of Chatham.

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

**Sec. 1. Repealing of previous ordinances**

- (a) The following ordinances are hereby repealed upon the adoption and publication of this ordinance as required by law: Ordinance 12-126 and Ordinance 12-164.

**Sec. 2. Manufactured/mobile homes prohibitions**

- (a) The installation of manufactured and mobile homes for use or occupancy as residential dwellings in the corporate limits of Chatham, Jackson Parish, State of Louisiana is prohibited other than provided in this ordinance.
- (b) This provision is prospective and shall not apply to any manufactured or mobile home used and occupied as a residential dwelling in the village on the effective date of this ordinance.
1. An existing manufactured or mobile home located in the village as of the effective date of this ordinance will be allowed to remain on its existing site until it is removed from the village or until the condition of the manufactured or mobile home violates the codes of the village.
    - a. When the condition of the manufactured or mobile home violates Village codes, the mayor or designee shall require the owner to move the manufactured or mobile home out of corporate limits of the village or demolish it.
  2. An existing, but temporary vacant manufactured or mobile home inside the corporate limits of the village will be considered "occupied" for the purpose of this provision if it has been in actual residential use within thirty (30) days prior to the effective date of this ordinance.

**Sec. 3. Definitions**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Mobile home.* Prefabricated trailer-type housing units that are semi-permanently attached to land, either the owner's fee land or leasehold. A mobile home is a moveable or portable structure designed and constructed on its own chassis and intended for connection to utilities for year-round occupancy as a dwelling. Any dwelling unit that qualifies as a manufactured or modular home according to the definitions herein is not considered a mobile home. Furthermore, a travel trailer is not considered a mobile home.

*Manufactured or mobile home lot.* A parcel of land for the placement of a manufactured or mobile home and the exclusive use of its occupants.

*Manufactured or mobile home park.* Any tract of land developed or used for the purpose of accommodating two or more manufactured or mobile homes occupied for dwelling or sleeping purposes, whether or not a charge is made for such accommodations. A manufactured or mobile home park consists of three or more residential homes located on the same lot of record planned or improved for the placement of such dwellings. The property owner(s) retains ownership of the land and rents space to the resident of the manufactured or mobile home.

*Manufactured housing.* Dwelling units constructed primarily at a plant or facility on a production line basis and delivered to the site as an assembled unit or in modular form. Manufactured housing specifically refers to housing built to 42 U.S.C. Sec. 5403 Federal Manufactured Home Construction and Safety Standards set by the U.S. Department of Housing and Urban Development (HUD). Such housing units are built on an integral chassis for transport but permanently installed on a lot and is designed for residential occupancy when connected to the required utilities. For the purposes of this Village's zoning code, a manufactured home is a single-family home.

*Modular building.* A structure transportable in one or more sections, which is designed for use only with a permanent slab/foundation and which uses standard sheathing, roofing, siding, electrical, plumbing, and heating systems which comply with the state's uniform building code and local building codes, and which is approved by the building code officer and if so, required the state fire Marshall.

*Skirt.* A device for the concealment of the undercarriage of a manufactured or mobile home from view, which shall be constructed of durable materials.

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*Storage.* The placement or maintenance of a vacant manufactured or mobile home within the village, whether in a mobile home park, or not, without lawfully connecting or subscribing to village utilities.

*Tie Downs.* Metal bands or other sufficient material, attached to a manufactured 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.

*Recreational trailers or vehicles* are transportable and are built on a permanent chassis and are designed for use with or without a permanent foundation when connected to the required utilities. The term includes trailers, travel trailers and other similar vehicles placed on a site for temporary occupancy is approved recreational vehicle parks. vehicles that are located on sites and that are occupied for greater than 180 consecutive days must comply with the Village and parish floodplain management codes and must be elevated and tied down according to such standards.

#### **Sec. 4. Manufactured housing and mobile home standards.**

- (a) The purpose of this section is to provide minimum standards to safeguard public health, property, and public welfare in the Village of Chatham by establishing standards for the placement of manufactured and mobile homes on individual lots in the Village and distinguishing between manufactured and mobile homes.
- (b) All new and allowable replacement manufactured, and mobile homes shall meet the following standards.
  - (1) Mobile homes are only allowed as nonconforming uses.
  - (2) Manufactured homes must conform to the 1994 HUD minimum standards for manufactured homes.
  - (3) A Manufactured or mobile home shall be used only as a single-family dwelling.
  - (4) Manufactured or mobile homes are not permitted in the Village for commercial purposes except as a temporary uses for construction projects, special events, or as temporary offices for not more than one year. These temporary commercial or construction trailers shall not be used for residential occupancy. These temporary uses must be permitted by the Village and a permit fee per temporary commercial/construction trailer will be collected by the Village. The fee amount can be found in the village's schedule of fees. Temporary buildings in general are not permitted for occupancy and must be removed at the end of the one-year period allowed.
  - (5) No manufactured housing unit shall be occupied for dwelling purposes unless it is placed on a lot of record and connected to water, sanitary sewer, electrical and other facilities as may be necessary, prior to the Village's inspection and approval.
  - (6) No manufactured or mobile home will be allowed on any residential lot that contains less than 5,000 square feet. Only one (1) manufactured or mobile home shall be allowed on any residential lot.
  - (7) Manufactured and mobile homes shall conform to the FEMA standards adopted by the Village Chatham at the time of permitting, including elevation, tie-down, wind standards, etc.
  - (8) Each manufactured and mobile home shall be permanently sited (nonmobile), i.e., secured in place and an adequate and stable foundation for the placement of anchors and tie-downs such as screw augers, arrowhead anchors, or other devices shall be provided and installed by owner.
    - a. All towing apparatus, wheels, axles, and transport lights shall be removed after final setup.
  - (9) The manufactured or mobile home shall have the longest axis or front oriented parallel, or within a ten-degree deflection of being parallel to the lot frontage, if possible, with the existing lot width dimension. A perpendicular-to-the-lot frontage setting is permitted only when there is insufficient lot width; and provided that the lot size is not reduced to accomplish that purpose and shall be verified by the building inspector.
  - (10) Additions to manufactured or mobile homes.
    - a. The home must have one of the following: stairs, porches, entrance platforms, ramps or other means of entrances and exits installed or constructed at all exterior doors, with porches or platforms. Hand railing must be provided if there are more than 2 (two) steps.
    - b. Porches, canopies, carports, utility rooms, storage rooms or other additions shall not be attached to a manufactured or mobile home unless such structure is free standing, self-supporting and not dependent on the home as a supporting structure.
    - c. Any additions or alterations shall be subject to the Louisiana State Building Codes and may not modify the manufactured or mobile home structural frame, including that entrances may not be altered.
  - (11) The manufactured or mobile home shall be placed on an excavated and backfilled permanent foundation.
    - a. The under-home ground shall be cleaned of all vegetation and organic material, such as stumps, roots, etc., except grass not exceeding three inches in height. The area beneath and around the house shall be sloped or properly drained so that water will not accumulate under the home. Pier foundations or stands shall be set on stable soil or compacted fill.
  - (12) The manufactured or mobile home shall be enclosed with skirting at the perimeter to meet the following requirements:

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- a. Individual manufactured housing units shall be skirted around the perimeter of the unit to conceal the underbody from view in a manner compatible with the appearance and construction of the manufactured housing unit.
  - b. Skirting shall be vented and be manufactured of certified fire-resistant material.
  - c. Skirting shall be installed in a manner to resist damage under normal weather conditions and shall be properly maintained.
  - d. All skirting must be affixed to the manufactured or mobile home within thirty (30) days after completed inspection. The area enclosed by the skirting shall not be used for storage and must be kept free of debris.
- (13) The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant materials used on surrounding dwellings as determined by the Village, including the following:
- a. Vinyl or aluminum lap siding (whose reflectivity does not exceed that of flat white paint);
  - b. Cedar or other wood siding.
  - c. Wood grain, weather resistant, press board siding.
  - d. Stucco siding; or,
  - e. Brick or stone.
- (14) A manufactured home shall have a roof finished with a class C or better roofing material that is commonly used in standard residential construction.
- a. The manufactured home shall have a pitched roof, except that no standards shall require a slope of greater than a nominal three feet in height for each 12 feet in width.
  - b. A manufactured home shall have an eave projection for all roof structures of no less than six inches, excluding any gutters.
  - c. Exceptions will be made for legally permitted older manufactured or mobile homes that cannot meet the newer roofing requirements.
- (15) A driveway with a minimum width of ten feet shall be provided with automobile parking off the public right-of-way of at least two spaces. Parking may be in tandem. Driveway shall consist of asphalt, concrete, brick pavers, or gravel.
- (16) In addition to these standards, all state and federal standards shall apply.

#### **Sec. 5. Permit required.**

- (a) Manufactured and mobile homes may not be moved into the Village for occupancy unless an application for a permit is first completed. The permit application shall include the following information at a minimum.
- 1. The manufactured or mobile home movers name, address, phone number and license number.
  - 2. Name and license number for electrical, mechanical, and plumbing contractors. Contractors must hold a valid state license.
  - 3. The date that the home will be moved.
  - 4. Proof of ownership of the manufactured or mobile home
  - 5. If site is not owned by applicant: A notarized proof of permission to place the home on a lot of record or within an approved park has been legally given by the landowner.
  - 6. 911 Verification form.
  - 7. Assessment form from the Tax Assessor's office stating the legal description of where the manufactured or mobile home is to be installed.
  - 8. A proposed Elevation Certificate is required. The elevation certificate can be obtained from a licensed engineer/surveyor. (Required by FEMA flood plan ordinance 12-145 Section C)
  - 9. A copy of the property survey or a drawing showing the relationship of the mobile home to the property boundaries and the distances from each lot line.
  - 10. The age of the mobile home, its VIN and Tax ID number.
  - 11. Pictures of all sides of the mobile home and HUD compliance sticker.
  - 12. Payment of permit fee. The amount of the fee can be found in the village's Schedule of Fees.
- (b) The penalty for moving a manufactured or mobile home into the corporate limits of the village without obtaining a permit from the village shall be fine not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) plus court cost or imprisonment for not more than sixty (60) days, or both, in the discretion of the court.

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#### **Sec. 4. Review by Village Council**

- (a) The Village Clerk or designee will review application to make sure all applications have the information found in Sec. 3 of this ordinance. The application will not go before the council until all information is provided.
- (a) A completed application shall be reviewed by the Village Council to insure that all local, state, and federal regulations are complied with.
1. If the application and the site is approved by the council, the Village clerk or designee will issue a permit. The owner can then begin to prepare the site for the manufactured home by implementing standards including constructing the pad, providing for electrical and plumbing and/or gas connections. The home can then be moved to the site to complete the installation process.
    - a. The permit must be displayed on the job site, weather protected and visible from the street. The building inspector will not conduct inspection if not posted.
    - b. Permit will be valid from the date of issuance and shall become invalid if the work is not started within 180 days of the issuance date. If the permit expires, the application shall be null, and void and a new application and permit fee must be required.
  2. If the manufacturer or mobile home does not comply with the provisions of local, state and federal regulations, the Village Clerk or designee shall send by certified mail to the applicant indicating the deficiencies and requirements for curing said deficiencies. The applicant shall have a period of thirty (30) days from receipt of letter in which to cure the deficiencies noted. If applicant fails to cure the deficiencies noted or certified mail is returned, the application will be null and void. A new application and permit fee shall be required.
- (b) The permit process includes an inspection by the Village or designee to ensure all standards have been met.
1. A copy of the approved application and permit will be forwarded to the Village's building inspector.
  2. The applicant will be given the building inspector's contact information so the applicant can set up inspections.
  3. When the installation is complete and the inspector certifies that all standards have been met, then the Village will release a certificate of occupancy and utility services (electrical, water, sewer and/or gas) will be approved.
- (c) All rules and regulations of the Village regarding water, gas, and sewer installation, and maintenance thereof shall be complied with.

#### **Sec. 6. Nonconforming manufactured and/or mobile homes.**

- (a) Manufactured or mobile homes legally located and existing in Chatham at the time this code is adopted may continue to be occupied. These mobile homes may be upgraded and replaced, regardless of the zoning district they occupy, if the upgrading and replacement meet all the current Village requirements including but not limited to anchoring, skirting, model, year, and condition.
- (b) Manufactured homes with no HUD Code seal are not permitted in the Village unless such are pre-existing and shall be treated as nonconforming.
- (c) In the event that a nonconforming manufactured or mobile home is destroyed by fire, act of God or natural disaster, the remaining structure shall be removed, and a replacement manufactured home or mobile home shall be permitted. The replacement manufactured home or mobile home shall comply with the "installation standards" noted herein. This provision shall not apply to dilapidated manufactured or mobile homes that are condemned under provisions of local ordinances or state statutes, i.e., no replacement manufactured home will be permitted to be installed at a condemned site.

#### **Sec. 7. Illegally placed manufactured, mobile home, construction trailer or recreational trailer.**

- (a) It shall be unlawful for any person(s) to occupy a recreational trailer inside the corporate limits of the Village of Chatham, outside of a RV park for more than fourteen (14) days unless said occupancy is in conjunction with a related activity sponsored by the Village.
- (b) Upon request from the mayor, the Clerk or designee will send by certified mail a letter giving the property owner and/or owners of the manufactured, mobile homes, construction trailer or recreational trailers that are illegally placed in the Village or moved into the village without council approval, thirty (30) days from receipt of letter, to remove manufactured, mobile home, construction trailer or recreational trailer.
- (c) The penalty for an illegally placed manufactured, mobile home, construction trailer or recreational trailer shall be a fine of not less than one hundred (\$100.00) nor more than five hundred (\$500.00) plus court costs or imprisonment for not more than sixty (60) days, or both, in the discretion of the court. Each day that the violation continues shall be deemed a separate violation.

**Sec. 8. Conflicts with state law or manufacturer's requirements.**

- (a) Should it be determined that any provisions of this ordinance conflict with state law or manufacturer's setup/installation requirements, such state law or manufacturer's setup/installation requirements shall be controlling over the provisions of this ordinance.

**Sec. 9. Utility Connections.**

- (a) No village utilities shall be connected to property containing a manufactured or mobile home which has not received a permit or inspection pursuant to this ordinance.

**Sec. 10. Effective Date.**

- (a) This ordinance shall become effective immediately after passage by the Village Council and after publication in the official journal as required by law.


Said ordinance having been introduced on October 10, 2023, by Toni Malone, notice of public hearing having been published on October 20, 2023, said public hearing having been held, the title having been read and the Ordinance considered on motion by Mike Wilson, seconded by Toni Malone to adopt the Ordinance, a record vote was taken, and the following result was held:

<u>Alderman</u>	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Bernadean James				X
Mike Wilson	X			
Toni Malone	X			
Laverne Mixon				X
Sue Proffer	X			

Whereupon the presiding officer declared the above Ordinance duly adopted on November 14, 2023.

ATTEST:

  
Lynette Roberts, Clerk

  
Gregory C. Harris, Mayor