

ORDINANCE 2023-01-23

AN ORDINANCE ESTABLISHING SPECIFIC STANDARDS FOR MOBILE HOMES

WHEREAS, the Town Council of the Town of Millport (“the Town”) finds that it is in the best interest of the public safety, health, and general welfare to establish specific standards for mobile homes; and

IT IS HEREBY ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MILLPORT, ALABAMA AS FOLLOWS:

SECTION 1: DEFINITION.

“*Mobile Home*” shall mean a moveable or portable dwelling built on a permanent chassis which may or may not be titled through and/or with a state agency, division, department and/or unit designed without a permanent foundation for year-round living. It may consist of one or more units that can be telescoped when towed and expanded later for additional capacity, or of two or more units, separately towable but designed to be joined into one integral unit bearing the permanently affixed seal of the United States Department of Housing and Urban Development. This is not to be confused with a single-family dwelling.

SECTION 2: APPLICABILITY.

All mobile homes used and occupied in the Town prior to the effective date of the ordinance from which this article is derived shall not be affected by any of the requirements contained herein and shall be allowed to remain but shall not be 1) moved, or 2) replaced with another mobile home unless it conforms with the requirements contained herein, or 3) improved, or restored after damage, and the improvement or restoration affects 50% or more of its total floor area.

SECTION 3: RESIDENTIAL USE.

The use, occupancy, or location of recreational vehicles, travel trailers, camp trailers, pickup campers or motor homes as permanent dwellings in the Town of Millport is strictly prohibited. For purposes of this Section 3, “permanent dwelling” shall mean the use, occupancy, or location in the Town of Millport for more than fourteen (14) consecutive days. However, all existing recreational vehicles, travel trailers, camp trailers, pickup campers or motor homes that are hooked up to water, power, and sewage utilities are hereby grandfathered in and not subject to this prohibition. In addition, all existing locations with permanent hookups to water, power, and sewage utilities are hereby grandfathered in and not subject to this prohibition and shall be permitted to allow any future recreational vehicles, travel trailers, camp trailers, pickup campers, or motor homes to hook up to such utilities.

SECTION 4: STANDARDS.

Every mobile home shall meet the following conditions:

A. Mobile homes must be a minimum of thirty-four feet in length and eight feet in width.

B. There shall be a minimum of 30 feet of distance in all directions between a mobile home and any other mobile home, permanent building, or structure which is furnished with any utility service.

C. Mobile homes shall be installed in compliance with the flood damage prevention regulations.

D. Mobile homes must either be situated on a concrete slab at least six inches thick and reinforced according to the standards of the American Concrete Institute or situated on six inches of compacted gravel with a reinforced concrete runner on each side of the stand to provide support, such a runner to be a minimum of two feet wide, four inches thick and the length to extend to within two feet of each end of the home body.

E. A skirt of solid material must be provided from the floor level of the mobile home to the ground to screen any openings beneath the mobile home. Material must be an approved mobile home skirting. Panel lock metal sheeting such as R-panel is acceptable. Corrugated or galvanized barn tin is not acceptable. All skirting and utility connections must be complete within thirty (30) days of installation. The area enclosed by skirting may not be used for storage and must be always kept free of debris.

F. The owner of any single mobile home lot occupied by a mobile home shall connect to all available utilities and shall pay to the Town the same monthly fees for water and sewer and shall be subject to the same penalties for nonpayment of such fees as are prescribed by ordinance of the Town for single-family dwelling units, including discontinuance of such service. Electrical power supply shall be made from a meter installation on the mobile home or from a permanent pedestal in the easement. Cable TV and telephone access lines will be installed according to industry standards.

G. The piping, equipment, or appurtenances of any mobile home which utilizes the town sewage system shall be tied directly to the system. The connection of the piping, equipment, or appurtenances which provides sewerage service to any other mobile home, permanent building, or other structure, is expressly prohibited.

H. Additions to a mobile home may not use the mobile home for structural support.

I. The lot or parcel of ground upon which the mobile home is installed shall have a parking area for no less than two vehicles.

J. All mobile homes installed in a special flood hazard area must comply with all federal, state, and local requirements pertaining to the National Flood Insurance Program, regardless of whether flood insurance is purchased.

K. Mobile homes shall not be occupied until all standards are met.

SECTION 5: ANCHORING.

It shall be the responsibility of the owner or occupant of any mobile home to cause such mobile home to be anchored and tied down securely in accordance with the following minimal standards within a period of no longer than thirty (30) days after moving a mobile home:

A. Factory installed tie downs must be used as recommended by the manufacturer.

B. Mobile homes not equipped with factory tie downs will be subject to the following requirements:

- a. A mobile home of fifty feet (50') or less in length shall have in place two (2) over-the-home ties, each to be as close to each end of said home as possible with the straps at the stud and rafter points.
- b. A mobile home seventy feet (70') or less in length but more than fifty feet (50') in length shall have in place two (2) over- the-home ties, each to be as close to each end of said home as possible and two (2) frame ties at the center of said home.
- c. A mobile home more than seventy feet (70') in length shall have in place two (2) over-the-home ties, each as close to the end of said home as possible, and four (4) frame ties spaced along the center of said home.
- d. Over-the-home ties shall not be required on doublewide mobile homes. At least four (4) frame ties shall be required for doublewide mobile homes less than fifty feet (50') in length, and at least six (6) frame ties shall be required for doublewide mobile homes more than fifty feet (50') in length, but not more than seventy feet (70') in length; and at least eight (8) frame ties shall be required for doublewide mobile homes more than seventy feet (70') in length.
- e. Tie down anchors shall be securely installed in soil providing a stable foundation to withstand a minimum pull of three thousand seven hundred fifty (3,750) pounds for each ten feet (10') of mobile home.
- f. All ties and connectors shall be of a type approved by the United States Department of Housing and Urban Development (HUD) for mobile home anchoring.
- g. All piers shall be of standard concrete block construction, eight inches by sixteen inches by four inches (8" x 16" x 4"), spaced at no more than ten-foot (10') intervals and no further than five feet (5') from the ends of a mobile home. For leveling purposes, wood blocking no less than eight inches by sixteen inches (8" x 16") with a minimum thickness of four inches (4") can be used.

SECTION 6: VIOLATIONS.

A. The Mayor shall be the Enforcement Officer of this Ordinance. Upon determination by the Enforcement Officer that there has been a violation of any provision of this Ordinance, notice of such violations may be given to the owner of the mobile home, the owner of the land where the mobile home is located, or the person responsible for the construction of the mobile home or mobile home lot in violation. Such notice shall be in writing and shall state the nature of the violation and the remedial actions necessary to correct it. The notice shall also specify the dates by which remedial action must be taken to correct such violation.

B. The Enforcement Officer may bring an appropriate legal proceeding to punish the responsible person for such violation or in an appropriate case, and with the prior approval of the Town Council, a proceeding to enjoin such violation or to remove the mobile home from the Town.

C. Whenever the Enforcement Officer determines that an emergency exists which requires immediate action to protect the public health, safety or welfare, he or she may issue an order stating the existence of such emergency and require that such action be taken as may be deemed necessary to protect the public health, safety and welfare.

D. A violation of this article is an offense punishable by a fine not exceeding \$100, or by imprisonment for a period not exceeding 15 days or both. Each day's continued breach shall constitute a separate, additional violation. In addition, the Town Council shall have other remedies as are provided by law to enforce the provisions of this article.

SECTION 7: VARIANCES.

When unnecessary hardships or practical difficulties make strict compliance with any requirement of this article unreasonable or impossible, an appeal may be taken to the Town Council from those provisions of this article. The Town Council shall act in strict compliance with established law including case law and may vary or modify the provisions of this article only as minimally as may be necessary upon the required showings and facts as presented.

SECTION 8: RESIDENCE RESTRICTION.

Mobile homes shall not be placed on the same lot with another residence.

SECTION 9: FIRE AND HEALTH AUTHORITY INSPECTIONS.

Any mobile home or lot occupied by a mobile home shall comply with this chapter and all applicable residential regulations of the Town concerning inspection by fire or health authorities.

SECTION 10: INTERPRETATION AND VALIDITY.

In interpreting and applying this Ordinance, they shall be held to be the minimum requirements for the promotion of public health, safety, and general welfare. This Ordinance supplements the Zoning Ordinance for the Town of Millport, Alabama, previously adopted by the Town Council and the Zoning Ordinance for the Town of Millport, Alabama remains in full force and effect. If the wording of this Ordinance is in direct conflict with the wording of the Zoning Ordinance for the Town of Millport, Alabama, this Ordinance shall govern. Any matter not addressed in this Ordinance shall be governed by the Zoning Ordinance for the Town of Millport, Alabama.

Should any section or provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

ORDAINED AND DONE this ____ day of _____, 2023.

TOWN COUNCIL OF THE TOWN OF MILLPORT, ALABAMA

By: _____
Mayor Stanley Allred

ATTEST:

Town Clerk

APPROVED this the ____ day of _____, 2023.

I hereby certify that the above and foregoing Ordinance was published on _____,
2023, in the _____, a newspaper of general circulation published in
the Town of Millport.

Town Clerk