

ORDINANCE NO. 785

AN ORDINANCE REPEALING CHAPTER 12 OF
MONTICELLO CITY CODE, CONCERNING
MOBILE HOMES (ORDINANCE NO. 480);
AND ESTABLISHING REGULATIONS
CONCERNING MANUFACTURED HOMES AND
MANUFACTURED HOME PARKS.

BE IT ORDAINED by the City Council of the City of Monticello, Arkansas, that Chapter 12 of Monticello City Code, concerning mobile homes (Ordinance No. 480), is amended to read as follows:

"CHAPTER 12. MANUFACTURED HOMES

ARTICLE I. IN GENERAL.

Sec. 12-1 Definitions.

For the purposes of the article the following words and phrases shall have the meanings respectively ascribed to them:

(1) Manufactured home: A detached structure, built entirely in the factory, designed as a complete residential dwelling unit with a permanent chassis and capable of being transported on its own wheels, or on a trailer, and constructed to be ready for use upon being placed on a temporary or permanent foundation; as regulated under a federal building code, administered by the U.S. Department of Housing and Urban Development (HUD), which went into effect June 15, 1976.

(2) Lot: A plot of ground or a lot designed or designated for the location for only one manufactured home.

(3) Manufactured home park: Any park, court, site, parcel or tract of land designed, maintained intended or used for the purpose of supplying a location or accommodations for two or more manufactured homes and shall include all buildings used or intended for use as part of the equipment thereof; whether or not a charge is made for the use of the court and its facilities.

(4) HUD certification label: A metal plate, issued by the U.S. Department of Housing and Urban Development (HUD) which includes the structure's serial number, that is required to be

permanently affixed to the outside of manufactured homes verifying that at the time of manufacture the structure has met federal building code related to the standards of manufactured home industry; and required of all manufactured homes manufactured after June 15, 1976.

(5) HUD data plate: A paper label, issued by the U.S. Department of Housing and Urban Development (HUD), that is required to be permanently affixed inside the home in a kitchen cabinet, an electrical panel, or a bedroom closet verifying the structure's serial number, Wind Zone, Snow Load, and Roof Load; and required of all manufactured homes manufactured after June 15, 1976.

(6) Anchoring: A combination of external ties, cables, straps and ground anchors or alternative systems certified by an engineer used to secure the home to the ground to resist displacement and movement by natural forces.

(7) Installer: Any person, firm or corporation engaged in the business of installing manufactured homes for himself or on behalf of any other person.

(8) New manufactured home: A manufactured home that is not situated within the corporate limits of the city on the date of the passage of this ordinance.

(9) New manufactured home park: A manufactured home park that is not established and operating in the corporate limits of the city on the date of the passage of this ordinance.

(10) Manufactured home park operator: Any person, firm or corporation engaged in the business of leasing manufactured homes or manufactured home lots within a manufactured home park.

Sec. 12-2 to 12-9. Reserved.

ARTICLE II. MANUFACTURED HOMES.

Sec. 12-10. Effective.

(1) All new manufactured homes brought into the corporate limits of the city, moved within the corporate limits of the city, or structure which ownership has changed after June 31, 2014, must comply with all city related building and occupancy regulations; including the regulations established in this section for manufactured homes.

(2) All manufactured homes situated in the corporate limits of the city after January 1, 2015, must comply with all city related building and occupancy regulations; including the regulations established in this section for manufactured homes.

Sec. 12-11. Building and occupancy permits.

(1) No new manufactured homes brought into the corporate limits of the city, moved within the corporate limits of the city, or structure which ownership has changed shall be granted building or occupancy permits if the structure has been manufactured more than fifteen (15) years before the date of the application.

(2) Building permits for manufactured homes shall be valid for sixty (60) days from the date of its issue. In that time, the manufactured home should be properly installed, inspected, approved for compliance with the all regulations in the article, and issued an occupancy permit. If occupancy permit is not applied for and issued within sixty (60) days from the date of the building permit's issue, the building permit will be void.

Sec. 12-12. Manufactured home lots.

All manufactured homes situated in the corporate limits of the city shall be located on a clearly defined lot with an area of not less than three thousand (3,000) square feet and width of forty (40) feet.

Sec. 12-13. Placement of home.

(1) All manufactured homes, including attached structures such as porches, steps, etc., shall be located on a separate lot and shall have at least a twenty (20) foot clearance between other manufactured homes, including attached structures (i.e., porches, steps, etc.).

(2) No manufactured home, including attached structures such as porches, steps, etc., shall be located no closer than ten (10) feet to any building, structure or private road or drive.

(3) No manufactured home, including attached structures such as porches, steps, etc., shall be located closer than twenty-five (25) feet to any public street or highway; or such other distance as may be established by ordinance or regulation

as a front yard or setback requirement with respect to conventional buildings in the areas in which the manufactured home is located.

Sec. 12-14. Manufactured home installation

(1) All manufactured homes must be properly installed by a manufactured home installer licensed with the Arkansas Manufactured Home Commission.

(2) All manufactured home installations must be in compliance with federal building code and the installation standards of the Arkansas Manufactured Home Commission.

Sec 12-15. Adequate supports and manner of anchoring.

(1) All manufactured homes must be properly anchored in compliance with federal building code and the installation standards of the Arkansas Manufactured Home Commission.

(2) The manufactured home support shall not heave, shift or settle unevenly under the weight of the manufactured home due to frost action, inadequate drainage, vibration, or other forces acting on the structure.

(3) Anchors or tiedowns, such as cast-in place concrete dead men, eyelets imbedded in concrete screw augers, or arrowhead anchors shall be placed at least at each corner of the manufactured home and each device shall be able to sustain a minimum load of 4,800 pounds. Anchors or tie-down design shall be equal to or better than that recommended by the Arkansas Manufactured Home Commission.

Sec. 12-16. Adequate skirting or underpinning.

All manufactured homes must be properly skirted or have adequate underpinning in compliance with federal HUD regulations and the installation standards of the Arkansas Manufactured Home Commission.

Sec 12-17. Electrical outlets.

All manufactured homes must be supplied at least 155 volts of electricity. Manufactured homes must be in compliance with all state and city electrical codes.

Sec 12-18. Sanitary facilities.

All manufactured homes shall have one or more sanitation facilities, including a toilet and bathing capabilities. Manufactured homes must be in compliance with all state and city health codes related to water and sewer connection and disposal.

Sec. 12-19 to 12-29. Reserved.

ARTICLE III. MANUFACTURED HOME PARK OPERATOR'S PERMIT.

Sec. 12-30. When required.

(1) It shall be unlawful for any person, firm, or corporation to operate any new manufactured home park within the limits of the city, unless he/she holds a valid operator's permit issued by the City of Monticello in the name of such person, firm, or corporation for the specific manufactured home park.

(2) After January 1, 2015, it shall be unlawful for any person, firm, or corporation to operate any manufactured home park within the limits of the city, unless he/she holds a valid operator's permit issued by the City of Monticello in the name of such person, firm, or corporation for the specific manufactured home park.

Sec. 12-31. Application.

(1) All applications for permits shall be made to the city, that shall issue a permit based upon its compliance by the applicant with provisions of this article and of any regulations adopted pursuant thereto, and of any other applicable legal requirements.

(2) Applications for operator's permits shall be in writing, signed by the applicant, and accompanied by an affidavit of the applicant as to the truth of the statements and facts set forth in the application and shall contain the following:

(a) The name and address of the applicant.

(b) The interest of the applicant in and the location of the manufactured home park.

(3) No changes or additions may be made in the application or construction of a manufactured home park except upon a new

application which shall be subject to the same terms and conditions of the original application.

(4) Applications for renewals of operator's permits shall be made in writing by the holder of the permit and shall contain the following:

(a) Any change in the information submitted since the time the original permit was issued or the latest renewal granted.

(b) Such other information as the enforcement officer may require.

Sec. 12-32. Fee.

A \$25.00 fee will be charged for each manufactured home park operator's permit issued under this article.

Sec. 12-33. Duration.

(1) Manufactured home park operator's permits are to be valid for one year from the date of issue; and must be renewed annually upon completion of renewal application and park inspection. If the park is found to be in compliance with all regulations in this article, a permit may be renewed for one year's time.

(2) If any person, firm, or corporation, having received a manufactured home park operator's permit, is found to be in violation or noncompliance with any regulations referred to in this article as a requirement to receive a manufactured home park operator's permit, the permit shall become void in thirty (30) days from the receipt of notice of violation.

Sec. 12-34. Violation.

Any person, firm or corporation who owns building or structures, including manufactured homes, that uses or occupies buildings, or structures without an occupancy permit, or violates any other regulations found in this article, is guilty of a misdemeanor and subject to a fine of not less than \$10.00 and more than \$100.00. Each day's violation shall constitute a separate offense.

Sec. 12-35. Notice to tenants for park operator violation.

If any park operator is found to be in violation or noncompliance with any regulations referred to in this article, the city shall notify the tenants of the respective park of the park operator's violations and the deadline for the operator to become complaint with this article and retain the manufactured home park operator's permit.

Sec. 12-36 to 12-39. Reserved.

ARTICLE IV. MANUFACTURED HOME PARKS.

Sec. 12-40. Location of manufactured home parks.

New manufactured home parks shall be only permitted in areas of the city designated as multi-family use in the "Land Use Plan, 1991 Edition, Monticello, Arkansas;" as the same to be amended from time to time.

Sec. 12-41. Access.

All manufactured home lots shall abut upon a private street or driveway of not less that twenty-five (25) feet in width, which shall have unobstructed access to a public street or highway.

Sec. 12-42. Utilities restricted.

No utility (public or privately owned) shall extend its facilities to service a manufactured home park unless and until the provision of this article shall have been complied with the manufactured home park operator(s).

Sec. 12-43. Maintenances generally.

(1) All streets, driveways, and utility lines within the manufactured home park shall be owned and maintained by the manufactured home park operator(s).

(2) The manufactured home park operator(s) shall at all times operate the park in compliance with this article and the regulations issued thereunder, and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in clean and sanitary condition at all times.

Sec. 12-44. Drainage.

All manufactured home parks shall be located on a well-drained site, properly graded to insure rapid drainage and free from stagnate pools of water.

Sec. 12-45. Authority of city inspectors.

(1) The city property inspector is hereby authorized and directed to determine the condition of manufactured home parks located within the city, in order that he may perform his duty of safeguarding the health and safety of occupants of manufactured home parks and the general public.

(2) The city property inspector shall have the power to enter at reasonable times upon any manufactured home park for the purpose of inspecting and investigating conditions relating to the enforcement of this chapter or of regulations promulgated thereunder.

(3) The city property inspector and/or enforcement officer shall have the power to inspect the register containing a record of all manufactured homes and occupants using the manufactured home park.

Sec. 12-46. Duty of operators and occupants.

(1) It shall be the duty of the owners or occupants of manufactured home parks, and manufactured homes contained therein, or of the person in charge thereof, to give the health officer and/or enforcement officer free access to such premises at reasonable times for the purpose of inspection.

(2) It shall be the duty of the manufactured home park operator to see that every occupant of a manufactured home makes the grounding connection to his manufactured home.

(3) It shall be the duty of the park operator to see that every occupant to a manufactured home install fire resistant manufactured home skirting acceptable to the enforcement officer around his manufactured home within 60 days after the locating of the manufactured home in the pad.

(4) It shall be the duty of the manufactured home park operator to furnish suitable anchoring cables or devices acceptable to the enforcement officer for every manufactured

home located in his manufactured home park. It shall be the responsibility of the park operator to supervise the proper placement and use of these anchoring devices.

(5) It shall be the duty of every occupant of a manufactured home park to secure the manufactured home by attaching the anchoring devices.

(6) It shall be the duty of the park operator to see that all utility connections are installed in accordance with the Code of Monticello.

(7) It shall be the duty of every occupant of a manufactured home park to give the park operator thereof or his agent or employee access rights to any part of such manufactured home park or its premises at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this article, or with any lawful order issued pursuant to the provisions of this article."

ORDAINED on this 21st day of January, 2014.



City Clerk-Treasurer



Allen Maxwell, Mayor.