

ORDINANCE NO. 808

AN ORDINANCE REPEALING CHAPTER 12 OF THE MONTICELLO CITY CODE, CONCERNING MOBILE HOMES (ORDINANCES NO. 480 AND 785); AND ESTABLISHING REGULATIONS CONCERNING MANUFACTURED HOMES AND MANUFACTURED HOME PARKS; AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the City Council of the City of Monticello, Arkansas, that Chapter 12 of the Monticello City Code, concerning mobile homes (Ordinances No. 480 and 785) are amended to read as follows:

MONTICELLO CODE
MANUFACTURED HOME
CHAPTER 12
MANUFACTURED HOME

12-1. Short title.

This ordinance may be referred to as the "Monticello Manufactured Home Ordinance."

12-2. Definitions.

For the purpose of this ordinance, the following words and terms shall have the following meanings:

Manufactured home: Manufactured home means a dwelling unit constructed in a factory in accordance with federal standards and meeting the definitions set forth in the federal standards to include but not be limited to 24 CFR 3280 and under A.C.A. §20-25-102. (Ord. No. 5450, §1,5-22-06)

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 accommodation for two or more manufactured homes shall include all buildings used or intended for use as a part of the equipment thereof; whether or not a charge is made for the use of the court and its facilities.

Manufactured home subdivision: The division of a tract of land five (5) acres or more into two (2) or more parcels to be sold for the permanent placement of manufactured homes or other types of factory built homes including modular, panelized and pre-cut units.

Temporary Use: The use of a manufactured home in a temporary or emergency circumstance as provided for in 12-3 b or d below with a waiver from the Mayor shall be for a period of time not

to exceed six (6) months, with the Mayor having the option to extend such temporary use at thirty (30) day intervals in extraordinary circumstances. The Mayor will inform the Council of any temporary use waiver on or before the date of the next regular council meeting after the granting of the waiver

12-3. Manufactured Home Permit.

No manufactured home may after *November 27*, 2017 be brought into the City of Monticello, except after obtaining a permit that evidences compliance with the Monticello Manufactured Homes Code. The fee for such permit is \$85.00.

12-4. Manufactured Homes - Prohibitions and exceptions.

The following prohibitions and exceptions shall apply to all manufactured homes within the corporate limits of the city of Monticello.

a. Manufactured homes may be placed within the city of Monticello only as authorized by this ordinance.

b. Manufactured homes shall not be permitted for the following permanent and temporary uses: accessory facilities to commercial buildings, temporary office or commercial facilities (e.g., financial institutions), temporary or permanent additions to schools, churches, hospitals or other such institutions, or any similar uses, except with a waiver for such temporary use issued by the Mayor.

c. Manufactured homes may be utilized for temporary construction offices in commercial or industrial zones during the term of construction activity for which a valid building permit has been issued and maintained.

d. Manufactured homes may also be permitted in emergency or extraordinary circumstances for temporary use with a waiver issued by the Mayor.

e. For the safety, health and welfare of the occupants, all Manufactured Homes placed within the city of Monticello after the effective date of this section and as authorized by this ordinance, shall have been manufactured after October 25, 1994, the same being the effective date of the Federal Construction and Safety Standards incorporating revised specifications for fire safety requirements as codified at 24 CFR 3280.203.

12-5. Manufactured home parks.

In addition to the other applicable sections of this ordinance, manufactured home parks shall comply with the following rules and regulations:

a. Manufactured home parks shall be allowed as a conditional use and served by city utilities and protected from commercial and industrial activity.

b. Minimum lot sizes for manufactured home parks shall be 40 feet by 120 feet.

c. Streets in a manufactured home park shall be constructed in accordance with the requirements for Monticello City Streets.

d. Two parking spaces will be provided in the front portion of each lot. The parking pad may be placed within the front yard 25-foot setback area.

e. Manufactured homes placed in manufactured home parks shall comply with the site requirements as specified in Section 12-8 of this ordinance.

f. Minimum setbacks shall be as follows: front, 25 feet; side 10 feet; and rear 10 feet.

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

(ii). 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.

12-6. Manufactured home subdivisions.

In addition to the other applicable sections of this ordinance, manufactured home subdivisions shall comply with the following rules and regulations:

a. Manufactured home subdivisions shall be served by city utilities by the delivery of water to a meter located near the property line.

b. Manufactured homes placed in manufactured home subdivisions shall meet the following requirements:

1. *Density.* No more than one manufactured home shall be installed per lot in a subdivision platted according to the subdivision ordinance.
2. *Site requirements.* Manufactured homes shall comply with the site requirements as specified in Section 12- of this ordinance.
3. *Parking.* A minimum of two spaces shall be provided per residence and such spaces must be asphalt paved, concrete, or a surface accepted by the planning commission.
4. *Set backs.* Set backs shall be as required by the zoning code for the zoning district in which the manufactured home

subdivision is to be located.

12-7. Pre-existing uses.

The provisions of this ordinance shall not apply to manufactured homes (residential or commercial) installed prior to the effective date of this ordinance. Provided, however, that such pre-existing uses must continue to remain in compliance with the conditions, if any, imposed by law or regulation at the time of installation.

12-8. Pre-existing parks and subdivisions.

This ordinance shall not apply to trailer parks or manufactured home subdivisions approved prior to the effective date of this ordinance, hereafter termed "pre-existing parks and subdivisions.": Any renovation or expansion of a portion of a pre-existing park or subdivision shall comply with the provisions of this ordinance for new parks or subdivisions to the extent of such renovation or expansion. Any homes placed and/or replaced within a pre-existing park or subdivision after the effective date of this ordinance, shall meet the requirements of this ordinance.

12-9. Placement regulations.

The following additional requirements shall govern the construction, installation and maintenance of ail manufactured homes within the city except as may otherwise be provided in this ordinance. In addition to the following requirements;: such other regulations or conditions that are applicable to other single-family dwellings in the same residential district shall be applicable to manufactured homes.

a. *Construction.* The manufactured home shall be constructed and remain in compliance with the Federal Manufactured Home Code and Safety Standards (24CFR 3230) and the Arkansas Manufactured Home Standards Act (A.C.A. § 20-25-101 et seq)and any travel trailer must comply with equivalent safety standards.

b. *Skirting.* The manufactured home shall have skirting or curtain wall constructed of materials approved by the city including, but not limited to: masonry, brick block, rock, vinyl or fiberglass. Such enclosure shall be installed and ventilated in accordance with the manufacturer's instructions or the rules and regulations promulgated by the Arkansas Manufactured Home Commission. This requirement is not applicable to an approved travel trailer.

c. *Landing and steps.* The manufactured home shall have permanent landings and steps provided at each exterior doorway from the door threshold to ground level to include the Federal Manufactured Home Code and Safety Standards (24CFR 3230) and the Arkansas Manufactured Home Standards Act (A.C.A. § 20-25-101 et seq). This requirement is not applicable to an approved travel trailer.

d. *Installation.* The manufactured home shall be installed in accordance with the installation instructions provided by the manufacturer and the rules and regulations of the State of Arkansas, including: site preparation, pier foundations-footings, pier- support columns and anchoring. Towing devices must be removed, if possible, or concealed in a manner acceptable to the city. In addition, all decks, landings, steps, porches and exterior appendages shall comply with the applicable building and premise codes to include the Federal Manufactured Home Code and Safety Standards (24CFR 3230) and the Arkansas Manufactured Home Standards Act (A.C.A. § 20-25-101 et seq).

e. *Driveways and parking pads.* Each manufactured home shall have two off-street parking spaces and a driveway.

f. *Inspection.* Any manufactured home, regardless of age, placed within the corporate limits shall be inspected prior to occupancy for compliance with this ordinance, the property maintenance code and other pertinent laws and ordinances. No such manufactured home may be occupied until a certificate of occupancy has been issued by the Mayor or the Mayor's designee to include the Federal Manufactured Home Code and Safety Standards (24CFR 3230) and the Arkansas Manufactured Home Standards Act (A.C.A. § 20-25-101 et seq).

g. *Maintenance.* Any manufactured home placed within the city shall be maintained in accordance with the applicable provisions of Monticello Municipal Court to include ordinances 630 and 756.

12-10. Violations.

The penalty for violation of this ordinance shall, upon conviction in the Monticello District Court, or any other court of competent jurisdiction, be as a fine of not to exceed \$100 for the first offense and \$500 for each subsequent offense. Each day of non-compliance with this Code is a separate offense.

That an emergency is declared to exist and this Ordinance shall take effect immediately upon adoption.

ORDAINED this November day of 27th, 2017.



City Clerk/Treasurer

Approved on this 27th day of November, 2017.



Mayor