

ORDINANCE NO. 906

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF CHAPTER 18, ARTICLE VII, SECTION 18-53, ENTITLED TRAVEL TRAILERS, MOBILE HOMES AND MANUFACTURED HOMES OF THE DEFUNIAK SPRINGS, FLORIDA MUNICIPAL CODE, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED by the City Council of the City of DeFuniak Springs, Florida, that Chapter 18, Article VII, of the DeFuniak Springs, Florida Municipal Code Entitled "Specific Uses" is hereby amended to clarify language in Section 18-53 entitled "Travel trailers, mobile homes and manufactured homes". Specifically, Subsection **(b)** is **amendment to clarify that modular dwellings are not subject to the regulations herein.**

See attached "Exhibit A" for full text.

Repeal of Conflicting Provisions, Motions, and Ordinances. The adoption of this Ordinance shall repeal and supersede any and all prior conflicting provisions of City law or policy, including those made by prior motion of the City Council, Resolution of the City Council, or Ordinance, whether specifically named herein or not.

Severability. Any provisions of this Ordinance that is deemed to be unlawful shall be deemed severed upon such a determination with all remaining provisions continuing in full force and effect.

This Ordinance shall become effective upon adoption.

Adopted this 9th day of March, 2020.

Mayor: Ben Conchell

ATTEST:

By: Maryanne Schneider



ARTICLE VII. - SPECIFIC USES. **Sec. 18-53.** - Travel trailers, mobile homes and manufactured homes.

- (a) The following regulations shall apply to travel trailers, which includes, recreational vehicles, camping trailer, truck camper, and private motor coach as defined by F.S. § 320.01:
- (1) A travel trailer shall not be considered to be permissible as an accessory building.
 - (2) No person shall park or store a vacated travel trailer except in an enclosed structure.
 - (3) No persons shall occupy a travel trailer for living purposes except:
 - a. In an approved RV park.
 - b. In any residential district as a guest of the resident of the property involved, for a period of not over twenty-four (24) hours in any thirty (30) day period.
 - c. Travel trailers may be permitted for use as a temporary residence under a variance of the DeFuniak Springs Municipal Zoning Code after the city planning board has made a recommendation using the applicable guidelines established by the city council governing trailer and mobile home variances.
 - (4) A travel trailer may be used as a temporary shelter incidental to construction on or development of the premises on which the trailer is located, only during the time construction or development is actually underway.
- (b) The following provisions shall apply to mobile homes (any dwelling constructed to HUD standards) and manufactured housing sited within the city limits sited within the city limits. These provisions shall not apply to any single or multi-family dwelling that is constructed to the Florida building code that are classified as modular homes.
- (1) Mobile homes and manufactured housing units shall be sited in an approved and duly recorded mobile home subdivision as provided for in Article V, "Subdivisions," or in "mobile home parks" as provided in section 18-54.
 - (2) Any person desiring to cite mobile homes or manufactured housing units in an approved and duly recorded mobile home subdivision and/or mobile home park shall comply with the following standards:
 - a. Provide proof that the dwelling unit has met the requirements of either the U.S. Department of Housing and Urban Development Manufactured Housing Construction and Safety Standards or the Florida Manufactured Building Act.
 - b. Comply with electrical requirements as provided in the latest edition of the National Electrical Code.
 - c. Comply with installation requirements as provided by the Florida Administrative Code and the latest edition of the FBC.
 - d. Comply with the land development regulations ex: Install skirting around manufactured housing unit.
 - (3) Variance procedures for siting of mobile homes or manufactured housing units in areas other than mobile home subdivisions and/or mobile home parks:
 - a. Any person proposing to site a mobile home or manufactured housing unit in other than a mobile home subdivision or mobile home park shall request a variance as provided for in Article V, Section 18-36.
 - (4) Any person receiving a variance to site a mobile home or manufactured housing unit in other than a mobile home subdivision or mobile home park shall comply with the following:
 - a. All mobile homes or manufactured housing units must be removed within thirty (30) days from the date of the termination of the variance period, or within thirty (30) days from the time the need for said variance ceases to exist, whichever comes first. At the point in time when the property for which the variance was granted is sold or transfers ownership, the variance shall be terminated, and the mobile home or manufactured housing unit must be removed within thirty (30) days.
 - b. If the mobile home or manufactured housing unit has not been removed or a new variance granted at the end of the thirty-day grace period, all utilities shall be cut

off, and a fine shall be assessed at the rate of one hundred dollars (\$100.00) per day for each day the mobile home remains following the termination of the thirty-day grace period.

- c. All mobile homes or manufactured housing variances issued prior to March 1, 1987, shall terminate March 1, 1988. All variances issued after March 1, 1987, shall be renewed in March each year.
- d. Prior to a variance renewal being issued the owner shall provide proof of assessment from the Walton County property appraiser or a current mobile home tag.
- e. Mobile homes or manufactured housing units located within the City of DeFuniak Springs, Florida, that were located within the city prior to the adoption of Ordinance No. 635, which did not require a variance for the location of said unit, shall continue to be exempt from the requirements of this ordinance.