

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF HARRIS COUNTY, GEORGIA; APPENDIX A - ZONING, ARTICLES II & V, SO AS TO IMPOSE MINIMUM HEALTH AND SAFETY STANDARDS FOR PREOWNED MANUFACTURED HOUSING UNITS; TO REPEAL CONFLICTING LAWS, ORDINANCES AND RESOLUTIONS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF HARRIS COUNTY, GEORGIA AND IT IS HEREBY ORDAINED BY THE AUTHORITY OF THE SAME AS FOLLOWS:

SECTION I. AMENDMENTS

A. Article II, Definitions is hereby amended as follows:

- (1) Manufactured (mobile) home is deleted in its entirety and substituting in lieu thereof the following:

Manufactured housing (mobile home) unit- A structure, transportable in one (1) or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained herein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of Housing and Urban Development (HUD) and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.

- (2) Manufactured Housing (Mobile Home) Unit, Pre-Owned is hereby added, following Manufactured housing (mobile home) unit, as follows

Manufactured housing (mobile home) unit, pre-owned- Any manufactured housing unit that has been previously used as a residential dwelling and has been titled.

- (3) Trailer is hereby amended by deleted in its entirety and substituting in lieu thereof the following:

Trailer - Manufactured housing (mobile home) units

B. Article V, Section 14, Manufactured Housing Unit Parks is hereby amended as follows:

- (1) Section 14. Manufactured Housing Unit Parks

The purpose of this section is to provide for sound and healthy residential environments sufficient to meet the unique needs of inhabitants living in manufactured housing units, to

protect mobile home groups from encroachment by incompatible land uses, and to encourage the consolidation of manufactured housing units into manufactured housing unit districts. In districts where manufactured housing unit parks are permitted, the following minimum standards shall apply:

- (2) Subsection 14.3 (7) is hereby deleted in its entirety and substituting in lieu thereof the following:

7. Standards for manufactured housing unit shall also apply to the latest edition of the building codes adopted by the State of Georgia

- (3) Subsection 14.3 (14) is hereby deleted in its entirety and substituting in lieu thereof the following:

14. *Anchors*. All units shall be provided with anchors as required by the latest edition of the building codes adopted by the State of Georgia.

- (4) Subsection 14.3 (17) is hereby deleted in its entirety and substituting in lieu thereof the following:

17. *Conditions*. The manufactured housing unit to be placed shall bear a label certifying it was constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 540, et seq. (the HUD Code) and shall be installed in accordance with O.C.G.A. § 8-2-160, et seq, prior to issuance of permit.

C. **Article V, Section 15, Manufactured Housing Unit–Compatibility**

- (1) Manufactured Housing Unit - Compatibility is hereby deleted in its entirety and substituting in lieu thereof the following:

Section 15. Manufactured Housing Unit

The purpose of this section is to provide for compatibility of manufactured housing units and to impose standards, conditions and an inspection program for pre-owned manufactured homes which are relocated in or to the County.

15.1 Compatibility

1. The manufactured housing unit must have a pitched roof and be covered with material that is residential in appearance, including, but not limited to, approved wood, asphalt composition, or fiberglass composition shingles, but excluding corrugated aluminum, corrugated fiberglass or corrugated metal roof.
2. The exterior siding must be residential in appearance, including, but not limited to, clapboards, simulated clapboards, such as conventional vinyl or metal siding, wood shingles, shakes, or similar material, but excluding smooth, ribbed, or corrugated metal or plastic panels.
3. The manufactured housing unit must have a measured minimum width dimension of at least twenty (20) feet, exclusive of those manufactured housing units to be placed in an MHU-1

Zone, which must be a minimum of twelve (12) feet in width.

4. The manufactured housing unit must be placed on a foundation and be anchored in a manner that complies with the latest published edition of the building codes adopted by the State of Georgia.
5. The manufactured housing unit must have the area underneath the home completely enclosed with a permanent perimeter enclosure. The enclosure shall be of either rock, brick, concrete block, concrete with stucco type finish, except for a minimum of 18" x 24" latched access door and required crawl space venting.
6. The hitch, axles and wheels must be removed from the unit when placed.
7. Condition: The manufactured housing unit to be placed must bear a label certifying that it was constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq. (the HUD Code) prior to issuance of permit and shall be installed in accordance with O.C.G.A. § 8-2-160, et seq.
8. The compatibility standards set forth in this section apply only to manufactured housing units to be located in zoning areas designated as A-1 General Agricultural and Forestry, and MHU-2 Manufactured Housing Unit Districts - Subdivisions.

15.2 Pre-Owned Manufactured Housing Unit

In addition to the preceding requirements, the following applies to pre-owned manufactured housing units:

1. *Permit.* A permit shall be required to locate a pre-owned manufactured housing unit in the County. Permit shall be issued within seven (7) days of receipt of all required items.
 - A. To obtain a permit for a unit located at another site within the County, applicants shall provide to the building inspector:
 - (1) an affidavit signed by the applicant that the pre-owned manufactured housing unit meets health and safety standards required by this ordinance; and
 - (2) payment of permit and inspection fee required by this subsection.
 - B. To obtain a permit for a unit located outside the County, applicants shall provide, in addition to the items required above, the following to the building inspector:
 - (1) photographs of the interior and exterior of the pre-owned manufactured housing unit showing that the home meets the minimum health and safety standards of the State Building Code and the HUD Code, and
 - (2) a refundable cash deposit or a guarantee of condition bond to guarantee that the required affidavit and photographs reasonably portray or represent the existing condition of the pre-owned manufactured housing unit proposed for

relocation to the County.

2. *Inspection.* Upon receipt of a permit, applicants may relocate the manufactured housing unit on a residential site for the purposes of inspection. Once the installation of the manufactured housing unit is complete, applicant shall contact the building inspector to arrange for an inspection. Installation includes the construction of a foundation system on which the manufactured housing unit is placed, and the supporting, blocking, leveling, securing, and anchoring of such pre-owned manufactured housing unit and connecting multiple or expandable sections of such unit.
3. *Fees.*
 - A. *Permit and Inspection Fee.* A permit and inspection fee shall be charged to cover the permit application processing and inspection of the pre-owned manufactured home. Such fee covers the initial inspection and one follow-up inspection of the pre-owned manufactured home. An additional fee shall be charged for each additional follow-up inspection that may be necessary.
 - B. *Pre-Inspection Fee.* At the request of the applicant, the building inspector shall inspect a pre-owned manufactured housing unit prior to its being relocated in the County regardless of whether the unit is located at another site in the County or in an adjoining county. If the pre-owned manufactured home is located in the County, there shall be, in addition to the permit and inspection fee, a pre-inspection fee. If the pre-owned manufactured home is located in an adjoining county, there shall be, in addition to the permit and inspection fee, a pre-inspection fee and mileage based on miles traveled outside the county at the IRS mileage reimbursement rate current at the time of inspection. The pre-inspection pertains only to the health and safety standards required by this ordinance and the HUD code, and does not pertain to the road worthiness of a pre-owned manufactured home that is to be relocated.
4. *Minimum Health and Safety Standards.* All pre-owned manufactured housing units shall be in compliance with the State Building Code and the Federal Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401-5445 (the HUD Code) and shall not have been altered in such a way that the home no longer meets the HUD Code.
5. *Enforcement.*
 - A. Permanent connection to utilities shall not be approved until the building inspector has issued a certificate of occupancy.
 - B. Owners of pre-owned manufactured housing units that are not in compliance upon a third inspection shall have their permit revoked and shall be required to remove the unit from the County at their own expense.
 - C. The cash deposit or guarantee of condition bond will be forfeited after ninety (90) days from the date of inspection, unless all conditions and standards are met prior to the end of the ninety (90) days or an extension has been issued in writing by

the building inspector.

- 6. *Penalties.* Failure to remove a pre-owned manufactured housing unit from the County upon failure to receive a certificate of occupancy shall be punishable by a fine not exceeding \$1,000.00. Each day any violation under this Ordinance continues shall be considered a separate offense.

SECTION II. REPEALER

All ordinances or parts of ordinances in conflict with this ordinance are repealed, except that nothing in this ordinance shall be construed to permit the location of manufactured housing units in areas where they are not authorized by applicable zoning and land use regulations.

SECTION III. SEVERABILITY

If any part of this ordinance shall be deemed to be unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect the remainder of this enactment and the remainder thereof shall remain in full force and effect.

SECTION IV. EFFECTIVE DATE

This ordinance shall become effective upon its approval by the Board of Commissioners of Harris County.

INTRODUCED & FIRST READING BEFORE PLANNING COMMISSION: JANUARY 19, 2011

INTRODUCED & SECOND READING BEFORE BOARD OF COMMISSIONERS: FEBRUARY 1, 2011

~~ADOPTED/REJECTED~~ BY BOARD OF COMMISSIONERS:
FEBRUARY 1, 2011

COMMISSIONERS **HARRIS COUNTY BOARD OF**

- /s/ J. Harry Lange, Chairman
- /s/ Joey M. Loudermilk, Vice-Chairman
- /s/ Becky Langston, Commissioner
- /s/ Jim Woods, Commissioner
- /s/ Charles Wyatt, Commissioner

Attest:
/s/ Nancy D. McMichael, County Clerk