

ORDINANCE 2020-002

AN ORDINANCE OF THE CARENCRO CITY COUNCIL AMENDING THE CODE OF ORDINANCES REGULATING RESIDENTIAL MOBILE HOMES, HOUSE TRAILERS, AND MANUFACTURED HOUSES IN THE CITY OF CARENCRO, LOUISIANA

BE IT HEREBY ORDAINED by the Carencro City Council that:

SECTION 1:

The Carencro City Council ("Council") has determined it is mandatory that the location and parking for mobile homes, house trailers, and manufactured houses be regulated to ensure safety and to promote aesthetic quality and sustain property values to promote present and future development in the City of Carencro. Regulating mobile homes, house trailers, and manufactured homes will improve the convenience of access and safety from fire, flood, and other damages and facilitate the creation of a convenient, attractive, and harmonious community. All mobile home and manufactured home subdivisions, as well as privately owned property, whether said spaces are sold, rented, leased and/or occupied, shall comply with the following provisions of this ordinance.

SECTION 2:

In consideration of Section 1 above, the Council hereby amends Chapter 46 - MOBILE HOMES AND MANUFACTURED HOMES, ARTICLE I. - IN GENERAL, SEC. 46-8. - [MOBILE HOMES, HOUSE TRAILERS, AND MANUFACTURED HOUSES NOT LOCATED WITHIN AN EXISTING MOBILE HOME PARK.], such that said shall hereafter read as follows:

Sec. 46-8. - Mobile homes, house trailers, and manufactured houses.

(a) *In general.*

- (1) *Definitions.* [The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Accessory structure means a detached subordinate building or structure located on the same site as the mobile home, house trailer, or manufactured home which it serves, including, without limitations, awnings, cabanas, porches, storage cabinets, or similar appurtenant structures.

City of Carencro means the political subdivision of the City of Carencro, and without limitations, the mayor or the mayor's designee.

Commercial use means use for business or other governmental entity purposes, such as, without limitation, first responders, or for uses other than permanent or temporary residential purposes.

Doublewide mobile home means a mobile home with two or more units separately towable but designed to be joined onto an integral unit at the site.

Expandable mobile home means a mobile home with two or more room sections that fold, collapse, or telescope into the principle unit when being transported and which can be expanded at the site to provide additional living area.

Manufactured home (mobile home) means a moveable detached single-family dwelling unit with all the following characteristics;

- (a) Designed for long term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems;
- (b) Designed and constructed on a chassis that is capable of being transported after fabrication on its own wheels or detachable wheels bearing a label certifying it is built in compliance with the Federal Manufactured Home Construction and Safety Standards Act of 1974 (42 U.S.C.-501) which became effective June 15, 1976;
- (c) Arrive at a site where it is to be occupied as a dwelling complete and ready for occupancy except for minor incidental unpacking and assembly operations, installed by a licensed installer, connections to utilities, and
- (d) Not required to be placed on a foundation. (Does not refer to travel trailers, truck campers, camping trailers, or similar units designed for recreation or other short term use.)

Mobile home means a mobile home is a factory-built home that is (1) built before June 15, 1976, and (2) not built to a uniform construction code.

Mobile home lot means that portion of a mobile home park that is reserved for occupancy by the single mobile home.

Mobile home park means a parcel of land under single ownership, which has been planned, developed, designed and constructed to accommodate mobile homes for non-transient residential use.

Modular home means any home factory-built to local state code. In some cases, a state may have adopted one of the uniform construction codes (i.e. UBC, IRC, etc.). Modular homes will not have the red certification label but will have a label attached to the home identifying the code with which it complies. The appropriate state modular code agency will be able to assist in locating the modular label. A modular home can be as an "on-frame" or "off-frame" modular. On-frame will be built on a permanent chassis, whereas, the off-frame modular will be built with the removal of the chassis frames in mind. An off-frame modular will usually require additional cranes to assist with home placement. Modular homes are, more often than not, attached to private land.

Park trailer means recreation vehicles primarily designed as temporary living quarters for recreation, camping, or seasonal use. They are built on a single chassis, mounted on wheels and have a gross trailer area not exceeding 400 square feet in the set-up mode. Each park trailer is certified by the RPTIA member manufacturer as complying with ANSI A119.5. Two different types of park trailers are offered. One type is less than eight feet, six inches in width and is designed for frequent travel on the highways while the other and more popular type is wider than eight feet, six inches (usually 12 feet in width), and must be transported with special movement permits from the state highway department. The eight-feet, six-inch unit typically is expandable when it reaches its destination, utilizing slide-outs

or tip-outs. The wider units, being less mobile, are usually sited in a resort or RV park location for an extended term, typically several years.

Permit means a written permit issued by the City of Carencro permitting the placement of a mobile home, or other structure regulated by this article and with the operation of the same pursuant to applicable law.

Recreational vehicle means, without limitations, a camping trailer, motor home, travel trailer, or truck camper.

Truck camper means a portable unit constructed to provide temporary living quarters for recreational, travel, or camping use, consisting of a roof, floor, and sides designed to be loaded onto and unloaded from the bed of a truck.

(2) *Enforcement/penalties.*

- a. The city, through the appropriate building official and/or the city attorney, is empowered to enforce the provisions of this article, and to institute any necessary legal actions or proceedings to enforce the provisions thereof, or to prevent any violation of any of its provisions, including injunctive process to compel compliance and prevent the continued violation, and may obtain an order for the removal of any units or structures, fixtures, or appurtenances which may have been unlawfully placed or constructed in violation of the provisions of this article.
- b. Any person who violates any provision of this article, upon conviction, shall be fined not less than \$100.00 per day nor more than \$500.00 per day of violation, where each and every day that the violation persists.

(3) *Conflicting regulations.* In any case where a provision of this article is found to conflict with a provision of any other ordinance or code of the City of Carencro or the State of Louisiana existing on the effective date of the ordinance from which this article is derived, the provisions which, in the judgment of the building official, establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case, where a provision of this article is found to conflict with a provision of any other ordinance or code of the city existing on the effective date of the ordinance from which this article is derived which establishes a lower standard for the promotion and protection of the health and safety of the people, the provisions of this article shall be deemed to prevail, and such other ordinances or codes are hereby declared to be repealed to the extent they may be found in conflict with this article.

(4) *Mayor's authority.*

- a. Except as otherwise provided in this article, the Mayor of Carencro and/or the mayor's designee "head of" or other suitable designation (planning department), shall be the permit issuance officer for all permits required under this article. The mayor shall prescribe forms, therefore, including all information reasonably and necessarily required for the enforcement of the provisions of this article.
- b. The mayor or the mayor's designee shall also be authorized to perform all inspections or delegate another person to conduct such inspections necessary for the enforcement of this article.

(b) *Permit and inspection.*

- (1) *Permit required.* It shall be unlawful for any person to move a manufactured home or mobile home in the City of Carencro without first securing a building permit from the city at the current permit rate. The home is required to be moved by movers, licensed in the State of Louisiana. The permit shall be displayed in a front window of the home while in transit and until such time utilities are permanently connected such that said permit shall be visible from the outside of the home.
- (2) *Application.*
 - a. All applications for approval and permit shall include a color photo of all four sides of said mobile home; the said photograph is to be a minimum size of 3" × 5". No approval or permit shall be granted unless the said photograph is supplied to the City of Carencro. The application fee shall be charged for the approval process and the resulting permit shall be charged at the then-current permit rate and shall be due regardless of whether approval and the resulting permit is issued.
 - b. Application for a permit under this article shall be filed with the City of Carencro. Such an application shall be by a written letter of request or on a form furnished by the city and shall be signed by the owner. Before issuing any such permit, the mayor or his designee shall approve the application indicating compliance with the applicable requirements of this article or shall indicate in writing the conditions under which such permit may be approved, the town official shall provide a checklist to the applicant.
 1. All mobile homes proposed to be located within the city limits of the City of Carencro shall be approved by the Mayor of the City of Carencro and/or his designee. Should the mayor or his designee withhold approval, the owner of the said mobile home shall be allowed to appeal to the Carencro City Council at a regular meeting by being placed on the agenda of the same.
 2. The mayor, or the mayor's designee, shall issue all necessary notices or orders to remove or abate illegal or unsafe conditions and to ensure compliance with all the requirements of the ordinance for the safety, health, and general welfare of the public.
 3. The application fee for inspection of the mobile home before moved into Carencro City Limits will be as follows: Located within Lafayette Parish \$50.00; located outside of Lafayette Parish \$150.00; must be paid for in advance before inspection will take place.
- (c) *Mobile home standards.*
 - (1) Each mobile home must meet the National Manufactured Home Construction and Safety standards and must display a seal certifying that it was built per the standards and built within the last 15 years. The mobile homeowner must provide proof of age of the mobile home before the permit may be issued or the home moved into the City of Carencro. All mobile homes must be found, upon city inspection, to be safe and fit for occupancy.
 - (2) From one to four mobile homes can be placed on property without meeting mobile home park development standards, provided that each mobile home is located at least 50 feet from the nearest existing structure, building, another mobile home, or property line.
 - a. Certain emergency conditions exist where illness or physical incapacity of an individual necessitates the proximity of a relative or other person to care for said individual, and the person providing such care shall be designated as the caretaker. A statement signed by a physician, stating the nature of the existing emergency conditions and the reasons which necessitate such use of a mobile home or single-family dwelling as prescribed herein must be

presented to the City of Carencro Planning Administrator at least 14 days before the submission of a request for a variance from the requirements of the Code of Ordinances relative to the location of mobile homes. The statement from a physician must be renewed annually with the planning administrator. Upon the death or relocation away from the mobile home or single-family dwelling of the person with the illness or physical incapacity, such that said person is no longer residing on the property at issue, the caretaker shall secure removal of the mobile home from the property at issue within six months from the date the person with the illness or physical incapacity vacates the mobile home.

- (3) All mobile homes must be provided with manufacturer-approved, vented skirting from the bottom of the mobile home floor to ground. Skirting must be suitable for outdoor exposure and contact to the ground. The area enclosed by skirting may not be used for storage and must be kept free of debris at all times. The skirting must be installed within 30 days following approval of the inspection of the said unit by the City of Carencro or its designated representative. Failure to so install said skirting will result in city utilities to the home being disconnected. City utilities will remain disconnected until the City of Carencro is notified that the home has been brought into compliance by the installation of the skirting as required, and the same has been verified by a representative of the City of Carencro.
 - (4) All entrances to a mobile home shall be provided with permanent steps of precast concrete; properly laid and/or cemented bricks or treated lumber. The entrance to an attached deck or similar extension shall be considered as an entrance to a mobile home.
 - (5) All mobile homes must be provided with anchors and tie-downs to meet the requirements of the Department of Housing and Urban Development.
 - (6) Additions to a mobile home may not use the mobile home for structural support. Additions must meet the current provisions of the local building code.
 - (7) The said lot should have a parking area for at least two vehicles.
 - (8) All mobile homes located in a special flood hazard area must comply with all federal, state, and local requirements of the National Flood Insurance Program, even if flood insurance is not purchased.
 - (9) Base flood elevation: Lowest floor. The lowest floor shall mean the bottom of the longitudinal chassis frame beam in "A" and "AE" zones. The lowest level shall be 12 inches or more above the base flood elevation height.
- (d) *Restrictions.*
- (1) No tents, travel trailers, camper trailers, park trailers, nor motor homes shall be used for permanent dwelling within the corporate limits of the City of Carencro. This also includes the large number of park trailers formerly owned by FEMA that are being sold and purchased with the intent of being used as permanent housing.
 - (2) Recreational vehicles, truck campers, camping trailers, travel trailers, or other types of vehicles used for recreational purposes may not be used for residential purposes, regardless of whether permanent or temporary.

SECTION 3: EFFECTIVE DATE OF ORDINANCE:

This ordinance shall become effective immediately upon return of the ordinance to the City Clerk (after execution by the Mayor), on the tenth (10th) day after receipt of the ordinance by the Mayor without signature or veto, or upon an override of a veto, whichever occurs first.

SECTION 4: REPEALER:

Any City of Carencro ordinance or parts thereof in conflict herewith are hereby repealed.