

Amendment to Manufactured and Mobile Homes

Hart County Code of Ordinances

Chapter 50, Article I, Sections 50-1 through Section 50-30

The *purpose* of this Ordinance is to establish standards, conditions and an inspection program for pre-owned manufactured and mobile homes which are to be located or relocated within the county, for the promotion and maintenance of property values and the health and general welfare of the citizens of Hart County, and other purposes.

NOW THEREFORE, the Board of Commissioners hereby amends said Ordinance adding provisions for an inspection by a Certified Home Inspector in Section 50-2 and 50-3, as follows:

Chapter 50 MANUFACTURED AND MOBILE HOMES

ARTICLE I. IN GENERAL

Sec. 50-1. Title.

This article will be known as "The Manufactured/Mobile Home Ordinance of Hart County, Georgia."

Sec. 50-2. Definitions.

The following definitions shall apply in the interpretation and enforcement of this article, unless otherwise specifically stated:

- a. *Applicant* means any person seeking to install a new manufactured home or pre-owned manufactured home in the unincorporated area of Hart County.
- b. *Building Inspector* means the person appointed, employed, or otherwise designated as the director of planning, permits and inspections; county building official, Code Enforcement Officer or any of his or her assistants, or any other designated agent.
- c. *Certificate of occupancy* means a document issued by the building inspector certifying that a pre-owned manufactured home is in compliance with applicable requirements set forth by this Ordinance, and indicating it to be in a condition suitable for residential occupancy.
- d. *Certified Home Inspector* means a private individual or company engaged in the business of providing single family dwelling home inspection services regarding the general condition of a dwelling, as defined by OCGA 8-3-330 "the term "home inspector" means any person, *except* an employee of a county, municipality, or political subdivision while engaged in the performance of the

duties of his or her employment, who, for consideration, inspects and reports on the condition of any home or single-family dwelling or the grounds, roof, exterior surface, garage or carport, structure, attic, basement or crawl space, electrical system, heating system, air-conditioning system, plumbing, on-site sewerage disposal, pool or hot tub, fireplace, kitchen, appliances, or any combination thereof for a prospective purchaser or seller.” For purposes of this Ordinance, a home inspector shall be certified by the American Society of Home Inspectors (ASHI).

- e. *Guarantee of Condition Bond* means a surety bond to guarantee that the affidavit and photographs required by paragraphs (1) and (2) of subsection (a) of Section 3 of this ordinance reasonably portray or represents the existing condition of the pre-owned manufactured or mobile home proposed for relocation. In lieu of the bond, a cash deposit may be deposited with the County.
- f. *Install* means to construct a foundation system and to place or erect a manufactured home on such foundation system. Such term includes, without limitation, supporting, blocking, leveling, securing, or anchoring such manufactured home and connecting multiple or expandable sections of such manufactured home.
- g. *Jurisdiction* means the unincorporated areas of Hart County, Georgia.
- h. *Manufactured home* means a residential structure transportable in one or more sections, 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 therein. Such a dwelling must be constructed in accordance with the Federal Manufactured Home Construction and Safety Standards, which became effective on June 15, 1976, and shall bear the insignia issued by the U.S. Department of Housing and Urban Development (HUD).
- i. *Mobile home* means a residential structure transportable in one or more sections, which is built on a permanent chassis and designed to be used as a permanent dwelling constructed prior to June 15, 1976.
- j. *Pre-owned* means any manufactured or mobile home that has been previously used as a residential dwelling or for any other purpose and had been titled.

Sec. 50-3. Requirements.

(a) *Permits.*

(1) *Transportation and Inspection Permits.*

- a. No mover, hauler, or person shall move a mobile or manufactured home into the county or relocate a mobile or manufactured home existing within the county without first obtaining a transportation permit from the county tax assessor's office. Said transportation permit shall not be issued until a building/location permit has been issued by the county tax assessor, a certified home inspection report, and a sanitation permit has been issued by the County Health Department. Mobile or manufactured homes may be brought into the county and located on a sales lot approved by the state safety fire commissioner for resale without a building or sanitary permit.
- b. To obtain an inspection permit, Applicants shall provide to the building inspector or code enforcement officer or other such designated agent;
 - (1) An affidavit signed by the applicant that a pre-owned mobile or manufactured home meets health and safety standards required by this ordinance;
 - (2) Photographs of the interior and exterior of the pre-owned mobile or manufactured home providing evidence that home meets the minimum health and safety standards of this ordinance;
 - (3) A home inspection report as issued by a certified home inspector that is acceptable to the county building inspector or code enforcement officer or other such designated agent regarding health and safety standards and other home condition requirements of this Ordinance.
- c. Transportation permit fees and inspection fees shall be set by the county Board of Commissioners.
- d. The transportation permit shall be of a contrasting color of the location permit/decal and shall be affixed to the mobile or manufactured home at all times between entering the county or leaving its original location and being placed in its permitted location.
- e. Failure to obtain and/or display a transportation permit as required by this article shall result in a fine of up to \$1,000.00.
- f. At the request of the Applicant, the building inspector may, at his or her discretion, inspect a pre-owned mobile or manufactured home prior to its being relocated if the home is then located at another site within the county.
- g. *Abandoning.* Any mobile or manufactured home that ceases to be occupied for more than six (6) months and no active attempt to rent via regular advertisement effort or no longer complies with Section 4, said mobile or manufactured home will be considered abandoned. Any abandoned mobile or manufactured home that ceases to be occupied by an individual(s) that remains on the property in this condition, unless Section (7) below applies, shall be a violation of this ordinance.

- h. *Converting to a Storage Facility.* If a previous occupied mobile or manufactured home is converted from occupancy to a storage facility, Section 50-3(e) remains applicable to the structure.
- (2) *Other permits.*
- a. In addition to the location permit and decal required by O.C.G.A. § 48-5-492 which may be obtained from the county tax assessor's office, all mobile and manufactured homes intended for residential occupancy in the county must obtain a sanitation permit which may be obtained from the county health department. Sanitation permit fees shall be set by the county board of health.
 - b. *Application.* Applications for these permits will be approved and granted, disapproved, or conditionally approved within 15 days of the application. The reason(s) for a disapproval will be stated, and any conditions for approval will also be stated.
 - c. It shall be unlawful for any owner or dealer or any other person to deliver any mobile or manufactured home to any site or lot unless all necessary permits have been obtained.
 - d. Anyone who moves, performs the set-up, or installs mobile or manufactured homes within Hart County is required to be registered, for records purposes, with the Building Inspector and will re-register annually at the beginning of each new year, presenting their state installed licenses as issued by the State of Georgia. Suspension or revocation of the license by the State of Georgia will automatically void the installer registration with Hart County.
- (b) *Certificate of occupancy.* A certificate of occupancy shall be issued indicating compliance with all applicable installation provisions of this article before any person is authorized to occupy any newly installed mobile or manufactured home overnight. There shall be no fee for occupancy permits. Occupancy permits shall be issued by the county tax assessor's office.
- (c) *Proof of tax payment.* It shall be a condition precedent to issuance of any mobile or manufactured home permit required by this article that the owner submit proof that all state and county taxes accruing and payable with respect to subject mobile or manufactured home have been paid.
- (d) *Utilities.*
- (1) Water to a mobile or manufactured home may be from a public water system or private well.
 - (2) The sewage system for a mobile or manufactured home must be connected to a system approved by the county health department. Every plumbing fixture, water, and waste pipe of a new manufactured home and pre-owned manufactured home shall be in a sanitary working condition when property connected, and shall be free from leaks and obstructions. Each home shall contain a kitchen sink. Each bathroom shall contain a lavatory and water closet. At least one bathroom shall contain a tub and/or shower

facilities. Each of these fixtures shall be checked upon being connected to ensure they are in good working condition.

- (3) No public utility may connect or provide permanent service to any newly installed mobile or manufactured home without proof of location and sanitary permits.
- (4) Power companies are authorized to provide temporary power not to exceed 110 volts for the express purpose of completing necessary construction and installation of a mobile or manufactured home. This provision specifically does not allow permanent power hookup or overnight occupancy of a mobile or manufactured home.

(e) *Manufacturing standards.*

- (1) Each newly installed mobile or manufactured home in the county shall conform to the minimum construction standards required by HUD in the National Manufactured Housing Construction and Safety Standards Act of 1974 as amended, 42 U.S.C. 5401 et seq. and shall not have been altered in such a way that the home no longer meets the HUD Code.
- (2) It is the intent of this article to prohibit moving mobile or manufactured homes into the county unless they conform to the aforementioned HUD standards. Mobile or manufactured homes existing within the county as of March 12, 1996, which do not conform to the HUD standards may be relocated within the county, however relocation cannot occur subsequent to a change in ownership of the mobile or manufactured home after March 12, 1996.

(f) *Installation.*

- (1) Each mobile or manufactured home shall be installed so that the pier height shall not exceed a height higher than five feet in elevation from the finished grade.
- (2) Each newly installed mobile or manufactured home shall be installed on and supported by piers prescribed by Chapter 12-3-7, Rules and Regulations for Manufactured Homes, as promulgated and administered by the office of the insurance and fire commissioner for the state or the manufacturer's instructions, whichever is more stringent.
- (3) Tie-downs. Each mobile or manufactured home shall be secured with tie-downs with provisions for distributing the load of these tie-downs and provisions for the attachment of ground anchors so as to resist wind overturning or sliding. Each tie-down shall be designed to resist an allowable working load equal to or exceeding 3,150 pounds and shall be capable of withstanding a 50 percent overload without failure. Each tie-down shall be securely attached to a ground anchor.
- (4) Towing Devices. All towing devices, wheels, axles, and bolt-on hitches must be removed.
- (5) Skirting. Within 30 days after the certificate of occupancy is issued, the foundation of each mobile or manufactured home shall be enclosed by a curtain wall, manufactured skirting material, masonry construction or other material(s) manufactured for such

purpose. All such enclosures shall be permanently installed and shall extend from the lower edge of the exterior walls of the mobile or manufactured home to the ground surface. A minimum of four ventilation openings shall be covered with wire mesh screen or its equivalent.

- (6) Landing/stairs. Each mobile or manufactured home shall be provided with permanent stairs and landings constructed from pressurized treated lumber, masonry or metal sufficient to provide ingress and egress from at least two exterior doors. Stairs and landings shall be constructed in accordance with Section 1112 (Stairway Construction) of the Georgia State Building Code.
- (7) All mobile and manufactured homes and auxiliary structures shall be installed in accordance with Chapter 12-3-7, Rules and Regulations for Manufactured Homes, as promulgated and administered by the office of the insurance and fire commissioner for the state or the manufacturer's instructions, whichever is more stringent.
- (8) Interior Condition. Every floor, interior wall, and ceiling of a new manufactured home and pre-owned manufactured home shall be in sound condition. Doors and windows shall be operable, watertight and in good working condition. The floor system shall be in sound condition and free of warping, holes, water damage, or deterioration.
- (9) Exterior Condition. The exterior of all New Manufactured Homes and Pre-Owned Manufactured Home shall be free of loose or rotting boards or timbers and any other conditions that might admit rain or moisture to the interior portions of the walls or to occupied spaces. The exterior siding shall be free of rot and rust. Roofs shall be structurally sound and have no obvious defects that might admit rain or cause moisture to collect on the interior portion of the home.
- (10) Heating Systems. Heating shall be safe and in working condition. Un-vented heaters shall be prohibited.
- (11) Electrical Systems. Switches, receptacles, fixtures, etc. shall be properly installed and wired and shall be in working condition. Distribution panels shall be in compliance with the approved listing, complete with required breakers, with all unused openings covered with solid covers approved and listed for that purpose. The home shall be subject to an electrical continuity test to assure that all metallic parts are properly bonded. Each new manufactured home and pre-owned manufactured home shall contain a water heater in safe and working order. This section shall be certified to the Building Inspector by a licensed and bonded electrician or by a qualified and licensed installer as certified by the State of Georgia. All cost for this certification is the responsibility of the owner of the home being installed. The County assumes no liability for this certification.
- (12) Hot Water Supply. Each mobile or manufactured home shall contain a water heater in safe and working condition.
- (13) Egress Windows. Each bedroom of a mobile or manufactured home shall have at least one operable window of sufficient size to allow egress if necessary.

- (14) *Ventilation.* The kitchen in the home shall have at least one operating window or other ventilation device.
- (15) *Smoke Detectors.* Each new manufactured home and pre-owned manufactured home shall contain one operable battery-powered smoke detector in each bedroom and in the kitchen, which must be installed in accordance with the manufacturer's recommendations.

Sec. 50-4. Conflicts.

Whenever any part of this article is in conflict with the provisions of the Hart County Land Use Ordinance adopted March 10, 1992, as now or hereafter amended, then the more restrictive ordinance shall apply and shall prevail.

Sec. 50-5. Enforcement.

- (a) The board of commissioners of the county is hereby given the authority to appoint a building inspector to enforce the provisions of this article in addition to all employees and officials of the Hart County Health Department, the County Administrator, public works director, and all deputy sheriffs. In cases where a violation of any provision of this article has been found, the building inspector or public works director shall notify the owner of the property on which such violation is found by certified mail sent to the address of the property owner as it appears in tax information. If the owner of the mobile or manufactured home is different from the property owner, the violation notice shall also be sent by certified mail to the owner of the mobile or manufactured home. In the case a valid mailing address cannot be obtained, or if the certified mail is returned, the notice of violation may be hand delivered by the building inspector or the public works director to the person deemed responsible for said violation.
- (b) The notice of violation shall clearly state the nature of the violation, including the specific provision(s) of this article which have not been complied with, and the date upon which said violation(s) are to be remedied. Said date will be determined based on the nature and extent of the violation, but in no case shall exceed 30 days from the date the notice was received. In cases where a violation has occurred and the violator has not remedied the violation within the specified time period, said violator shall be issued a citation requiring appearance before the magistrate court of the county. The procedure for enforcement of this article shall be provided in O.C.G.A. tit. 15, ch. 10, art. 4, as amended, which is entitled "Violation of Ordinances of Counties and State Authorities." The building inspector, county administrator, public works director, all employees and officials of the county health department, and all deputy sheriffs are hereby authorized to issue citations for violations of this article.
- (c) Owners of pursuant to this Ordinance that are not in compliance upon a third inspection shall have their permit revoked and shall be required to remove the home from the jurisdiction at their own expense.

- (d) The guarantee of condition bond or cash deposit will be forfeited after 90 days from the date of inspection unless all conditions and standards are met prior to the end of the 90 days or an extension has been issued in writing by the Building Inspector.
- (c) Upon conviction, a violation of this article may be punished by a fine not greater than \$1,000.00. Each violation shall constitute a separate offense.

Secs. 50-6—50-30. Reserved.

This Amendment shall be effective immediately.

All other parts of said Ordinance, as amended, shall remain in full force and effect.

SO RESOLVED, in open and public meetings on the dates set forth below.


MARSHALL SAYER, Chairman

ATTEST:


County Clerk

1st Reading: March 11, 2025

2nd Reading: March 25, 2025

3rd Reading: April 8, 2025

Adopted on April 8, 2025 by vote of 4 to 0.