

A RESOLUTION OF THE COMMISSIONER OF BARTOW COUNTY SITTING FOR COUNTY PURPOSES FOR THE PURPOSE OF **AMENDING THE BARTOW COUNTY CODE, CHAPTER 18, RELATING TO MANUFACTURED HOME REQUIREMENTS; REVISING PROVISIONS RELATING TO PERMITTING MANUFACTURED HOMES; COMPLYING WITH STATE LAW; IMPOSING SAFETY STANDARDS; IMPOSING REGULATIONS RELATING TO PARTIALLY-BUILT AND DAMAGED STRUCTURES;;** AND FOR OTHER PURPOSES ADOPTED AT THE REGULAR MEETING OF THE COMMISSIONER OF BARTOW COUNTY HELD ON THE 1ST DAY OF SEPTEMBER, 2010.

WHEREAS, Bartow County previously adopted a Building Code Ordinance on January 3, 2007, which ordinance regulates the issuance of building permits, provides for enforcement, and adopts various state minimum standard codes; and

WHEREAS, the State of Georgia has adopted legislation banning a County from imposing a maximum age requirement on manufactured homes, but also allowing a County to impose safety standards and inspection requirements on manufactured homes; and

WHEREAS, the Building Official of Bartow County has recommended these changes be made to improve the administration of the building codes and to promote the public health, safety and welfare; and

WHEREAS, the Commissioner deems it to be in the best interests of the citizens of Bartow County to adopt the following amendments to the Building Code Ordinance relating to various building and inspection standards and practices:

NOW THEREFORE BE IT ORDAINED AND IT HEREBY IS ORDAINED, by virtue of the authority vested in the Commissioner by law, that the Bartow County Code is amended as follows:

I. Existing Section 18-120 is deleted and replaced with the following:

Sec. 18-120 Manufactured Homes.

A permit shall be required to locate a pre-owned or new manufactured home in the County.

(1) Permit. To obtain a permit, applicants shall provide to the building inspector:

- i. An application form signed by the applicant containing such information as is required by the County.
- ii. A signed affidavit that the pre-owned manufactured home meets, or will meet prior to occupancy, all health and safety standards required by this

Ordinance.

iii. The permit and inspection fee required by subsection (d).

(2) Inspection. Upon receipt of a permit, applicants may relocate the manufactured home to a residential site for purposes of inspection. Applicant shall arrange for an inspection to be held after the installation of the manufactured home is complete.

(3) Alternative Inspection. At the request of the applicant, the building official may, at his or her discretion, inspect a pre-owned manufactured home prior to its being relocated if the home is then located within the County. An on-site inspection surcharge shall be charged for this inspection in addition to the regular fees set forth in subsection (d) below. The manufactured home shall still be required to be inspected after installation.

(4) Fees. A permit and inspection fee shall be charged to the application to cover the cost to the County to process the permit application and inspect the pre-owned manufactured home once installed. Such fee shall cover the initial inspection and one follow-up inspection. The applicant shall be charged a fee for each additional follow up inspection that may be necessary.

(5) Certificate of Completion. A certificate of completion shall be issued to the applicant at such time that the building official certifies that the requirements of this Ordinance have been met. In the event the manufactured home, once installed, cannot meet the requirements of this Ordinance, it either must be repaired to comply with the standards herein or removed.

II. Existing Section 18-121 is deleted and replaced with the following:

Sec. 18-121 Minimum Health and Safety Standards for Manufactured Homes.

All pre-owned manufactured homes shall comply with the following before being issued a certificate of completion by the building official:

(1) HUD Code. Every pre-owned manufactured home located in the jurisdiction shall be in compliance with the Federal Manufactured Housing Construction and Safety Standards Act, 42 U.S.C. § 5401-5445 (the HUD Code) and shall not have been altered in such a way that the home no longer meets the HUD Code.

(2) Interior Condition. Every floor, interior wall, and ceiling of a 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.

(3) Exterior Condition. The exterior of all pre-owned manufactured homes 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.

(4) Sanitary Facilities. Every plumbing fixture, water, and waste pipe of a pre-owned manufactured home shall be in a sanitary working condition when properly 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.

(5) Heating Systems. Heating systems shall be safe and in working condition. Un-vented heaters shall be installed according to manufacturer's instructions. Portable heaters cannot be used as an alternative to a fixed heating system.

(6) Electrical Systems. Electrical systems (including 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.

(7) Hot Water Supply. Each home shall contain a water heater in safe and working condition.

(8) Egress Windows. Each bedroom of a manufactured home shall have at least one operable window of sufficient size to allow egress if necessary.

(i) Ventilation. The kitchen in the home shall have at least one operating window or other ventilation device.

(9) Smoke Detectors. Each pre-owned manufactured home shall contain one operable battery-powered smoke detector in each bedroom and one in the hall outside bedrooms (within 10 feet of any bedroom door), which must be installed in accordance with the manufacturer's recommendations.

(10) Square Footage. Manufactured homes installed in the County shall contain not less than 800 square feet of heated living space, including all additions.

(11) Existing homes. Existing manufactured homes located in the County that are lawful non-conforming homes as of September 1, 2010, but do not comply with the requirements of this section, cannot be relocated within the County; only homes that meet all requirements of this section can be relocated within the County.

(12) Additions to manufactured homes. Additional living space is prohibited to be added to a manufactured house unless a set of plans is submitted to and approved by

the Bartow County Building Official. This must be done prior to obtaining a building permit.

III. Section 18-128 is added as follows:

Sec. 18-128 Prohibited Exterior Materials; Temporary Repair Exception.

It shall be unlawful to use roof or wall covering material that has not been approved by the applicable building code as exterior covering material except in the event a building is damaged by natural or man-made disaster, or suffers a roof leak, other leak, or other damage. In such cases, temporary materials may be applied to a building to provide a temporary repair for no more than sixty (60) days from the date of the damage. One sixty (60) day extension can be requested from the building official, for cause, if the structure is not able to be properly repaired with approved exterior covering material within 60 days. Examples of materials that are not approved as exterior covering materials include, but are not limited to, tarpaulins, plastic sheeting, and OSB. This restriction shall not apply to building that would not require a building permit to construct, such as outbuildings and storage buildings.

IV. Section 18-129 is added as follows:

Sec. 18-129 Partially-Built Structures.

The County finds that partially-built and subsequently abandoned homes and other building and structures are occurring more frequently and are an aesthetic harm to the community; they also reduce property values of adjacent and nearby property; they create a public safety hazard in that they can be dangerous; and they invite illicit activity. The County finds such structures to be a nuisance. Therefore, it shall be unlawful for a property owner to leave a residential, commercial or industrial structure in a partially-built status for more than six months with no substantial progress occurring on the construction. Partially-built means foundations that are poured or erected; basements that have been dug and partially completed; and structures that have been framed or dried-in (siding, roofing, windows and doors in place) but not completed. For homes that have been damaged by fire or disaster after completion, see Sec. 10.1 of Appendix A, the Zoning Ordinance. It shall be permissible to finish the exterior of a commercial shopping center or other commercial or industrial building without building-out the inside. It shall also be a violation for a partially completed building or structure to remain unfinished without a certificate of occupancy more than thirty (30) days after the expiration of its building permit (building permits expire one year from issuance unless extended; see Sec. 18-168). The building official shall be authorized to issue citations to the property owner or builder, and shall be authorized to seek abatement of the nuisance in magistrate court or superior court.

BE IT FURTHER ORDAINED that all Resolutions and Ordinances in conflict herewith are hereby repealed provided, however, that any portion of said Resolutions or Ordinances not in conflict herewith shall remain in full force and effect.

SO ADOPTED this 1st day of September, 2010, to be effective immediately, the public health, safety, and general welfare demanding.

ATTEST:

BARTOW COUNTY, GEORGIA

Kathy Gill, County Clerk

Clarence Brown, Commissioner