

STATE OF SOUTH CAROLINA)

ORDINANCE #830

COUNTY OF LAURENS)

MANUFACTURED HOME ORDINANCE

LAURENS COUNTY, SOUTH CAROLINA

AN ORDINANCE REGULATING THE PARKING, LOCATION, AND PERMITTING OF MANUFACTURED HOMES AND PROVIDING FOR A PENALTY FOR THE VIOLATION THEREOF. NOW THEREFORE, THE LAURENS COUNTY COUNCIL, DULY ASSEMBLED, HEREBY ORDAINS:

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SECTION 1 PURPOSE, AUTHORITY

1.1 Purpose

The purpose of this Ordinance is to better accommodate manufactured homes in the unincorporated areas of Laurens County; to minimize any adverse effects of manufactured homes, both physically and psychologically, on residential development; to provide a sound, orderly and healthy environment sufficient to meet the needs of manufactured home inhabitants; to protect manufactured home developments and manufactured homes from encroachment by incompatible uses; to establish rules and regulations for the location of manufactured homes; It is the intent of County Council to encourage economic growth therefore county officials, departments and agencies shall give all due consideration to the proper and fair enforcement of this ordinance.

1.2 Authority

The Legislature of the State of South Carolina has in Title 4 of the Code of Laws of South Carolina, 1976, as amended, delegated the responsibility to local governmental units to adopt regulations and policies for the public health, safety, convenience, order, prosperity and general welfare of its citizenry. Further, the responsibility of general planning functions is delegated to the Laurens County Planning Commission.

1.3 General Requirements/Applicability

All manufactured homes sited within Laurens County for the first time, or when the manufactured home is moved from one site to another in Laurens County, must comply with the following regulations. These regulations shall apply to manufactured homes in the unincorporated areas in Laurens County after the adoption of this Ordinance. However, where sections of this article and another conflict or overlap, whichever imposes the most stringent restrictions shall prevail.

- a.) These regulations shall not apply to modular, prefabricated dwellings permanently anchored to the ground nor to campers or travel trailers not exceeding eight (8) feet in body width nor exceeding four thousand five hundred pounds (4,500) gross weight and designed for recreation or other short term uses.
- b.) No Manufactured home shall be used as a business, classroom, place of assembly, or fellowship hall unless the structure complies with the International Building Code or is a modular building.
- c.) It shall be unlawful for any person, firm, or legal entity to bring into Laurens County any manufactured home which does not meet June 1976 HUD Standards for construction.
- d.) Manufactured housing structures currently on the tax rolls of Laurens County and built prior to 1976 may not be moved unless being destroyed or removed from Laurens County.
- e.) Any manufactured home moved into the county or relocated within the county that is 15-years or older must be inspected and approved to meet the minimum habitability requirements of the South Carolina Uniform Standard Code for Manufactured Housing Section, 79-43 Used Manufactured Home Minimum Habitability Requirements.
- f.) Major structural changes to manufactured homes such as room additions and reconstruction of roofs that are supported by the walls and frame of a manufactured home must be constructed in accordance with the latest adopted edition of the International Residential Code. Combining multiple homes into a single dwelling, and any removal of structural elements such as supporting walls is prohibited. Renovations and repairs to manufacture homes must be:

1. In accordance with the manufactured home design specifications of the home as originally constructed, or;
 2. May be supported independently from the home, or;
 3. Constructed in accordance with the latest adopted edition of the International Residential Code and be permitted by the Laurens County Building Codes Department.
- g.) Not more than one (1) unpermitted manufactured home shall be parked, located or stored on any property unless the property is used as a sales lot by a licensed salesperson or retail dealer as outlined in the South Carolina Manufactured Housing Board's regulation, section 79-3
- h.) Manufactured homes must meet the requirements of the Laurens County Flood Prevention and Erosion / Sediment Control & Storm water Management Ordinances when applicable.
- i.) All Manufactured homes located within the unincorporated areas of Laurens County must be registered with the County's Building Department and have a valid permit sticker posted in a window visible from the street or driveway.

SECTION 2 DEFINITIONS

Unless specifically defined below, words and phrases used in this Ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.

Buffer – A portion of a yard, which contains fences, walls, berms and plantings located along the perimeter of a parcel of land to lessen the impact of noise, land use intensity and light on adjoining property. The area used in the buffer must be a portion of the property under development and may be a portion of the rear, side or front yard setback requirement.

Construction - Any building erection, or installation of a new manufactured home or Manufactured Home Park or the enlarging and/or improvements made to any existing Manufactured home Park.

County - All unincorporated areas of Laurens County, South Carolina.

Manufactured Home - A structure, transportable in one or more sections which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length or when erected on site is three hundred twenty 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 in it.

Moving Permit – A permit that is required for moving any manufactured home in South Carolina from county to county or within the county where it is located.

Setback - Setback is a closest measurement from the building to the nearest street, road, right-of-way or water shoreline; measured at a straight line from the structure.

Site Inspection – An inspection of a property where a manufactured home is to be located in order to determine property grade, vegetation removal and setbacks. In most cases, property lines and homes need to be marked or flagged.

Skirting - A material intended for manufactured home use which is secured and maintained to the manufactured home in such a manner so as to cover the portion from the outside frame to ground level.

SECTION 3 PERFORMANCE STANDARDS - MANUFACTURED HOMES

3.1 Process for Permitting a Manufactured Home

- a.) A moving permit is required to move any manufactured home in South Carolina from county to county or within the county where it is located. A moving permit must be properly displayed on the back side of the home and a current paid tax receipt must be obtained from the county that the home is currently located unless home is purchased from a retail sales lot as required by the State of South Carolina.
- b.) A manufactured home permit must be purchased from the Laurens County Building Codes Department prior to permanent installation of manufactured homes in Laurens County. This will require a bill of sale, title, contract to sale or deed; DHEC permit or proof of sewer service; the landowner's name; proof of 911 addresses; and a copy of the moving permit and paid tax receipt.
- c.) Manufactured home setbacks shall be the responsibility of the homeowner to verify. Laurens County will only verify setbacks if a licensed surveyor is on site at the time of inspection to verify property lines.
- d.) Once home is installed and before any utility connections, the home must be inspected and approved to meet the guidelines of this ordinance. Skirting materials intended for the manufactured home must be installed prior to this inspection, in such a manner so as to cover the portion from the outside frame to ground level. Ventilation and crawl space access shall also be provided per latest SC adopted code.
- e.) Upon issuance of a permit or decal, it shall be displayed in a visible area on the window or door of the manufactured home, which faces the road or access drive to the manufactured home.

3.2 Manufactured Home Installation Requirements for Private Lots

- a.) Foundations and tie-downs must be constructed in accordance with the manufactures specifications, or South Carolina Manufactured Housing Board's Regulations section 79-42, or an engineered design.
- b.) Underpinning must be brick, masonry, vinyl or prefabricated material designed specifically for such use at the time of inspection.
- c.) All water supply and sewage plumbing, steps, landings, decks, handrails, guardrails, ramps, electrical, gas, and HVAC installations must be installed in accordance with the requirements of the latest state adopted International Residential Code.

3.3 Manufactured Home Detitle / Permanent Structures

- a.) Home must be underpinned with brick, masonry or concrete, which is supported by a continuous footing as required in the most recently adopted international residential code.
- b.) Home must meet all requirements of Section 3.2.a and 3.2.c of this ordinance.

- c.) Home and land must be in the same name.
- d.) Applicant must complete form and checklist provided by the county.
- e.) Home must be registered with the county with current taxes paid.

SECTION 4 ADMINISTRATION AND ENFORCEMENT

4.1 Enforcement

- a.) Laurens County Council, by and through its designated official, shall have the duty and responsibility to enforce all provisions of the codes adopted by this Ordinance, as may be deemed proper for the welfare, safety and health of the citizens of Laurens County, within the unincorporated areas.
- b.) Designation of Offenses - Any person, entity or its representative or agent whose acts, actions or failure to act causes a violation of the codes adopted herein shall be issued a Uniform Ordinance Summons, citing said violation. A Uniform Ordinance Summons may be issued by any county official or employee designated as a code enforcement officer and shall not be used to perform any custodial arrest for violations of this ordinance. Any act, action, failure to act or violation of the codes adopted herein is prohibited and declared to be unlawful. Violation of this Ordinance shall constitute a misdemeanor. All violations charged pursuant to a Uniform Ordinance Summons, shall vest in the jurisdiction of the Magistrate Court for Laurens County. Any bond amount for violations shall be prescribed, set and held by the presiding Magistrate.
- c.) Penalties and Violations – The penalty for each violation of this Ordinance shall be punishable by a fine of not more than two hundred dollars (\$200) or by imprisonment for not more than thirty (30) days. Each day any violation of this Ordinance continues shall constitute a separate offense.

4.2 Appeals

- a.) The Laurens County Planning Commission shall hear and decide appeals in matters as specified by this Ordinance. Whenever in the opinion of the Commission, the strict application of the requirements contained in these regulations would result in substantial or excessive difficulties and hardships or injustices, the Commission may modify such requirements, providing that the public interests of the County and its citizens are protected and the general intent and spirit of these regulations are preserved. Any person aggrieved by a decision of the Commission may appeal that decision before the Court of Common Pleas

SECTION 5 LEGAL STATUS

5.1 Authority

This Ordinance is adopted pursuant to authority conferred by the South Carolina Code of Laws. This ordinance repeals and replaces Ordinances #401, #436, #487, #529, #653, #655, #673 in its entirety.

5.2 Validity

Should any section or provision of this Ordinance or application of a provision of the Ordinance be declared invalid or unconstitutional by any court of a competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part or application so declared to be unconstitutional or invalid.

5.3 Conflict with Other Regulations

These regulations shall apply to manufactured homes in the unincorporated areas of the county after the adoption of this chapter. However, where sections of this chapter conflict with or overlap one another, or where this chapter conflicts with other county ordinances and/or regulations, whichever imposes the most stringent restrictions shall prevail. State and federal standards shall prevail wherever they conflict with provisions of this chapter.

5.4 Separability

If any section, clause or portion of this Ordinance shall be held by a Court of competent jurisdiction to be invalid or unconstitutional, such finding shall not affect any other section, clause or portion of this Ordinance.

5.5 Amendments

This Ordinance may be amended in the same manner as prescribed by law for its original adoption.

5.6 Effective Date

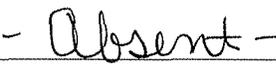
All provisions of this section and other relevant sections of this Ordinance shall take effect upon enactment by the Laurens County Council according to law.

{Signature page attached}

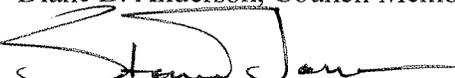
Done in meeting duly assembled this 25th day of April, 2017.

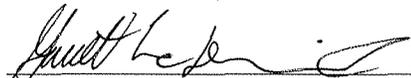
LAURENS COUNTY COUNCIL:

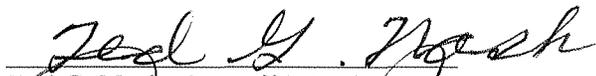

Joseph E. Wood, Jr., Chairman


P. Keith Tollison, Vice Chairman


Diane B. Anderson, Council Member


Stewart O. Jones, Council Member


Garrett C. McDaniel, Council Member


Ted G. Nash, Council Member


David A. Pitts, Council Member

ATTEST:


Betty C. Walsh, Clerk
Laurens County Council
Laurens County, South Carolina

First Reading – February 28, 2017
Second Reading – March 28, 2017
Public Hearing- April 25, 2017
Third Reading - April 25, 2017