

ORDINANCE NO: \_\_\_\_\_

**AN ORDINANCE REGULATING MANUFACTURED HOMES AND MODULAR STRUCTURES**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATMORE, ALABAMA AS FOLLOWS:

**Article I. Definitions:**

- A. Manufactured Home** – A structure constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 as amended, 42 U.S.C. §5401, et seq.
- B. Modular Structure** – Any pre-built or pre-manufactured structure mass produced in a factory and delivered as a single module or as a series of modules for placement and connection on a building site or lot approved for the intended use; provided that such structure meets national, state, and local building code specifications for modular structures. This definition does not include manufactured homes or mobile homes.

**Article II. Requirements:**

- A. It shall be unlawful for anyone to install or allow to be installed a manufactured home or modular structure without first obtaining a permit from the City of Atmore.
- B. Each section of a manufactured home shall contain a HUD label located on the rear of each section of the home. The HUD label indicates the home meets the Federal Manufactured Home Construction and Safety Standards Act when built in the factory. The data plate shall contain information such as the name of the manufacturer, design approval agency, factory installed equipment, wind rating, roof load, and thermal zones for which the home was constructed.
- C. Any refurbished manufactured home must have a resale decal from the Alabama Manufactured Housing Commission placed on the inside door of the electrical panel box. Pre-owned manufactured homes that have not been issued a resale decal number must be inspected or otherwise confirmed to comply with the Alabama Manufactured Housing Commission Administrative Code, Chapter 535- X-10. It is the responsibility of the permit applicant to provide information sufficient to verify compliance. This includes but is not limited to certification of electrical and plumbing systems, installation of required life safety devices, and overall quality and appearance.
- D. The Building Inspector is required to inspect and approve the lot or parcel where the manufactured home or modular structure is to be located. The lot must be free of trash, debris, public nuisance vehicles, and excessive vegetation. The proposed lot or parcel shall meet or exceed the minimum requirements for the zoning district in which the lot or parcel is located and shall otherwise comply with all zoning requirements.
- E. Manufactured homes and modular structures shall meet the minimum compatibility standards set forth in this ordinance and are subject to the requirements of the zoning ordinance and the zoning district in which they are located.
- F. Prior to the installation of a manufactured home or modular structure, a permit application must be completed and submitted to the Building Department for review. The application shall contain, at a minimum, the following:
1. Applicants name, address, and contact information.
  2. Property owner's name address, and contact information.

3. Signature of property owner granting permission to place manufactured home or modular structure on lot or parcel.
4. Name, address, contact information, and license verification for anyone performing work associated with the installation of the manufactured home or modular structure.
5. Address, size, dimensions, and zoning verification of proposed lot or parcel.
6. Dimensions, HUD label number, year manufactured, manufacturer, factory installed equipment and other data plate information of proposed manufactured home or modular structure as necessary to ensure code compliance.
7. Resale decal number for any manufactured home that has been refurbished.
8. Verification of existing water and sewer service at proposed lot or parcel. Existing services must be approved in writing by the utility provider. Where service is not present or the existing service has been deemed unsatisfactory for use the applicant must submit verification of payment for new service.
9. Site plan showing proposed setbacks.
10. Additional information shall be required where the proposed structure is located in whole or in part in a flood hazard area as determined by the Flood Insurance Rate Map. The installation of a manufactured home or modular structure within a designated Special Flood Hazard Area must comply with the requirements of the City of Atmore Flood Damage Prevention Ordinance.

### **Article III. Enforcement:**

Any person or entity who shall install or allow to be installed on that person's or entity's property a manufactured home or modular structure without first obtaining a permit from the City of Atmore shall be guilty of a misdemeanor punishable by a fine of \$500 if such person or entity fails to obtain a permit or remove such manufactured home or modular structure within thirty (30) days of a written citation of the violation from the City. In addition, the City is hereby authorized to bring an enforcement action in the Circuit Court of Escambia County, Alabama, against such person or entity to require removal of the unpermitted manufactured home or modular structure, and such person or entity shall be liable for the attorney's fees and costs of the City in bringing such action.

### **Article IV. Modular Structures:**

- A. Modular structures shall be built and installed according to the standards established by the building code as adopted by the City of Atmore at the time the structure is installed or erected.
- B. Modular structures will be designed and erected to be similar in appearance to permanent homes and buildings, not mobile units, generally with pitched roofs, eaves overhanging six (6) inches or more, and typical to on-site conventionally built structures in accordance with the International Residential Code and the International Building Code.
- C. Foundations for modular structures shall form an enclosure under exterior walls, unpierced except for ventilation and access, and conform to the International Residential Code or the International Building Code, as applicable.
- D. Modular structures shall meet the minimum compatibility standards set forth in this ordinance and are subject to the requirements of the zoning district in which it is placed.

### **Article V. Compatibility Standards:**

- A. The general shape, width, and appearance of the manufactured home or modular structure including roofing materials and exterior finish shall conform to similar uses in adjacent or nearby locations to ensure compatibility.
- B. Modular structures and manufactured homes shall be placed on the lot in such a manner as to be compatible with and reasonably similar in orientation to the other buildings in

the area.

- C. Garages and/or carports, landings, stairs, porches, entrance platforms, ramps, or other means of entrance shall be compatible with the site built garages and/or carports of site built buildings in adjacent or nearby locations.
- D. The type of material and method used for underpinning shall be consistent with that for the site-built structures in adjacent or nearby locations.

**Article VI. Repealer Clause:**

- A. Any ordinance heretofore adopted by the City Council of the City of Atmore, Alabama, which is in conflict with this Ordinance is hereby repealed to the extent of such conflict. The following ordinances are hereby repealed in their entirety;

Ordinance 02-2010  
Ordinance 03-2013

**Article VII. Effective Date:**

This ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**CITY OF ATMORE, ALABAMA**

**BY:** \_\_\_\_\_  
**JIM STAFF, Mayor**

**ATTESTED:**

**BY:** \_\_\_\_\_  
**BECCA SMITH, City Clerk**