

# ARTICLE 12. MANUFACTURED HOME PARKS

## Table of Contents

12.1 IN GENERAL..... 1

12.2 MANUFACTURED HOME PARKS – GENERAL REQUIREMENTS. .... 2

12.3 PROCEDURE FOR SECURING APPROVAL OF A NEW MANUFACTURED HOME PARK ..... 4

12.4 LOT REQUIREMENTS FOR NEW MANUFACTURED HOME PARKS..... 10

12.5 INTERIOR STREET SYSTEM – APPLIES TO NEW MANUFACTURED HOME PARKS..... 11

12.6 OPERATING STANDARDS FOR NEW MANUFACTURED HOME PARKS ..... 14

12.7 PROCEDURES AND STANDARDS FOR EXISTING MANUFACTURED HOME PARKS ..... 15

12.8 RESPONSIBILITIES AND DUTIES OF PARK OPERATORS ..... 17

12.9 ADMINISTRATION ..... 19

12.10 RIGHT OF APPEAL ..... 19

### 12.1 IN GENERAL.

12.1.1. Purpose.

The purpose of this article is to regulate and guide the establishment of manufactured home parks in order to promote the public health, safety and general welfare of the citizens of the Town. This article is designed to accomplish the following specific objectives:

- A. To further the orderly layout of manufactured home parks;
- B. To secure safety from fire, panic, and other danger;
- C. To provide adequate light and air; and
- D. To ensure that facilities for transportation, parking, water, sewage, and recreation are provided for manufactured home park residents and visitors.

**(Ord. 5/31/1977, Section 154.009(A))**

12.1.2. Jurisdiction.

These regulations shall govern the establishment of every new manufactured home park and the continuance, alteration, and expansion of existing manufactured home parks lying within the jurisdiction of the Town and its Extraterritorial Jurisdiction.

12.1.3. Authority.

The Town of Fairmont hereby exercises its authority to adopt and enforce a manufactured home park ordinance pursuant to the authority granted to the Town by NCGS Chapter 160D-801 and any other relevant part of that statute. This ordinance shall be known and cited as the Manufactured Home Parks Ordinance of the Town of Fairmont, North Carolina.

12.1.4. Definitions. Refer to Article 2 – Interpretations and Definitions.

12.1.5. General. Manufactured Home Parks are a special use in the R-A district and a permitted use by right in the R-MH district of the Town of Fairmont. Existing mobile home parks will be allowed to continue operation only by complying with the standards outlined in *Section 12.7*.

**(Ord. 5/31/1977, Section 154.009(B))**

## **12.2 MANUFACTURED HOME PARKS – GENERAL REQUIREMENTS.**

12.2.1. General Requirements. The following standards and regulations shall be considered to be the minimum requirements for all new, continued and altered or expanded manufactured home parks.

- A. **Alterations.** Alterations to existing Manufactured Home Parks which require a Building Permit shall first be permitted by a Zoning Permit issued by the Town of Fairmont.
- B. **Designated Operator required.** Every existing and newly permitted Manufactured Home Park shall have a designated Operator and that Operator shall have an Operations Permit for the Manufactured Home Park issued by the Town of Fairmont.
- C. **Annual Inspection.** Every Manufactured Home Park within the jurisdiction of the Fairmont shall be subject to an annual inspection.
- D. **Sale of Home.** Manufactured homes shall not be sold within a manufactured home park, except that an individual manufactured home owner shall be allowed to sell the manufactured home in which he resides.
- E. **Deed Transfer to Lot.** The transfer of a deed to a manufactured home space or spaces either by sale or by any other manner shall be prohibited within a manufactured home park as long as the manufactured home park is in operation.
- F. **Prohibited in Floodplain.** No manufactured home parks shall be allowed in a floodplain area.
- G. **Additions.** No living compartment or structure other than a porch, or other prefabricated structure designed for manufactured home use or extension shall be added to any manufactured home parked within the jurisdiction of this ordinance.
- H. **Office.** Within a manufactured home park, one manufactured home may be used as an administrative office and shall be labeled as such.

- I. **Signs.** A manufactured home park shall have no more than two (2) park identification signs. Only indirect, non-flashing lighting shall be used for illumination.
- J. **Buffer.** A manufactured home park shall provide and maintain a 10-foot buffer strip along the park boundary consistent with Article 10, Part III of this ordinance.
- K. **Convenience Establishments.** Convenience establishments of a commercial nature shall be limited to food stores and coin-operated laundromats. These may be permitted in manufactured home parks subject to the following restrictions:
  - (1) Such establishments shall be subordinate to the residential use and character of the park.
  - (2) Such establishment shall present no visible evidence of their commercial character from any portion of any residential district outside the park.
  - (3) Such establishment shall be designed to serve the trade and service needs of the park residents only.
- L. **Overnight Travel Trailers and Other Recreational Vehicles Prohibited.** Manufactured home spaces shall not be used for accommodation of overnight travel trailers and other recreational vehicles, and facilities such as washrooms and toilets for travel trailers shall not be located within the manufactured home area.
- M. **Class C Homes.** Class C Manufactured homes shall not be permitted in Manufactured Home Parks unless they are an existing non-conforming use at the time of adoption of this ordinance.
- N. **Fire Protection.** Every manufactured home park shall be equipped at all times with fire extinguishing equipment in good condition, of such size, type, and number and so located as to meet all regulations of the Fire Inspector.
- O. **Animal and Pets.** No owner or persons in charge of any dog, cat, or other pet animal shall permit it to run at large or to commit any nuisance within the limits of the manufactured home park and its surrounding area.
- P. **Parking.** No automobile parking shall be permitted in areas other than specified parking areas at any time.
- Q. **Solid Waste Disposal.** All applicable solid waste regulations shall apply to manufactured home parks within the jurisdiction of the Town except where such regulations are in conflict with the provisions of this article, in which case the more restrictive provisions shall apply.
- R. **Water and Wastewater Service.** Potable water and wastewater service shall be provided to every lot within the park, including and common areas and the office unit.
- S. **Health regulations.** All applicable health regulations shall apply to manufactured home parks within the jurisdiction of the Town except where such regulations are in conflict with the provisions of this article, in which case the more restrictive provisions shall apply.

- T. **Skirting.** Each manufactured home shall be properly installed with skirting that is anchored down and of the type that is manufactured specifically for such use. The skirting shall be made of a material compatible with the siding of the manufactured home.
- U. **Numbering and Park Signs.** The park operator shall be required to provide numbers which are minimum of four inches in size and to supervise the placement of these numbers to clearly identify each manufactured home lot from the street. These numbers shall be displayed either on each manufactured home or on a post placed within the lot area.
- V. **Interior to Park- Informational Sign.** The park operator shall also be required to provide a park sign which identifies the name of the park and a telephone number at which the park owner may be contacted. These signs must be visible from the road adjacent to the park. The park operator will provide address information to E-911 Addressing Office. All streets will be named and display a street sign visible from entranceways.
- W. **Minimum Number of Spaces.** No permit shall be issued for the initial establishment of any section of a manufactured home park with less than 5 (five) spaces.

### 12.3 PROCEDURE FOR SECURING APPROVAL OF A NEW MANUFACTURED HOME PARK

#### 12.3.1. Zoning Permit Required.

No person shall commence or proceed with development within the Town’s jurisdiction without first securing a Zoning Permit from the Town. Unless elsewhere exempted by this ordinance, no use may change, and/or no building, sign or other structure can legally be erected, moved, added to, or structurally altered without a zoning permit. The Zoning Official will approve or deny the zoning permit based on compliance with the Zoning Ordinance unless evidence exists that there is a violation of the Town’s Zoning Ordinances on the property.

**Statutory Authority – NCGS Chapter 160D-403(a)  
(Ord. 05/31/1977; 154.066)**

#### 12.3.2. Special Use Permit Required.

No person shall construct or engage in the construction of any manufactured home park or make any addition or alteration to a manufactured home park that either alters the number of lots for manufactured homes within the park or affects the facilities required therein until a special use permit has been granted for the proposed project/use by the Fairmont Planning Board. The procedures for special use permits are outlined in Article 6 of this Ordinance.

- A. In considering the Special Use Permit, the Planning and Zoning Board shall review the following to determine if the proposed park plan is in accordance with the design standards set forth in this Ordinance:

- (1) Title information.

- (2) Location map.
- (3) Recreation areas.
- (4) Street and lot design.
- (5) Surface water drainage.
- (6) Plans of all utilities, including electrical, gas, telephone, water, street lights, and sewage.
- (7) Other features of the park.
- (8) Operational Permit requirements.

**(Ord. 5/31/1977, Section 154.009(B)(1))**

**B. Preliminary Plan.**

- (1) The park plan shall be drawn at a scale no smaller than one inch equals 200 feet. The plan must be drawn by a registered engineer or licensed surveyor. All plans shall include the following:
  - i. The name of the park, the names and addresses of the owner or owners, and the designer or surveyor;
  - ii. Date, scale and approximate north arrow;
  - iii. Boundaries of the tract shown with bearing and distances; drawn to scale and the area of the park in square feet or acres;
  - iv. Site plan showing streets/roads, entrances and exits, off-street parking areas, buffers, traffic circulation, walkways, driveways, recreation areas, service buildings, watercourses, easements, manufactured home lots, lot numbers, all structures to be located on the park site and total acreage on the park, topography and contours of all areas where major grading will occur;
  - v. Vicinity map showing the location of the park and the surrounding land usage, with a scale of no less than one inch equals 1,000 feet;
  - vi. Names of adjoining property owners;
  - vii. The existing and proposed utility system for surface water drainage, streetlights, electrical service, water supply, and solid waste and sewage disposal facilities.

**(Ord. 5/31/1977, Section 154.009(B)(1))**

- (2) The Preliminary Plan shall be reviewed and approved by the Planning Board as follows:
  - i. Submission Procedure. the Owner shall submit a preliminary plan which shall be reviewed and approved by the Planning Board before any construction or installation of improvements may begin. Five (5) copies of the preliminary plan (as well as any additional copies which the subdivision administrator determines are needed to be sent to other agencies) shall be submitted to the

Zoning Official at least ten (10) working days prior to the Planning Board meeting at which the subdivider desires the review of the preliminary plan.

- ii. Review: The Planning Board shall review the preliminary plan at or before its next regularly scheduled meeting which follows at after the Zoning Official receives the preliminary plan and the comments from the appropriate agencies. The Planning Board shall, in writing, recommend approval, conditional approval with recommended changes to bring the plan into compliance, or disapproval with reasons within 45 days of its first consideration of the plan.
- iii. Decision on Park Plan:
  - a. If the Planning Board approves the preliminary plan, such approval shall be noted on two copies of the plan. One copy of the plan shall be retained by the Planning Board and one copy shall be returned to the Owner. If the Planning Board approves the preliminary plan with conditions, approval shall be noted on two (2) copies of the plan along with a reference to the conditions. One copy of the plan along with the conditions shall be returned to the subdivider. The other copy shall be filed with the documents for the manufactured home park.
  - b. If the Planning Board recommends conditional approval of the preliminary plan it shall keep one copy of the plan for its minutes, transmit one copy of the plan and its recommendation to the Zoning Official, and return the remaining copy of the plan and its recommendation to the Owner.
  - c. If the Planning Board recommends disapproval of the preliminary plan, it shall retain one copy of the plan for its minutes, transmit one copy of the plan and its recommendation to the Zoning Official, and return the remaining copy of the plan and its recommendation to the Owner. The reasons for such disapproval shall be specified in writing. If the preliminary plan is disapproved, the subdivider may make the recommended changes and submit a revised preliminary plan, or appeal the decision to the board of Town commissioners.
- iv. If the Planning Board does not make a written recommendation within 45 days after its first consideration of the plan, the subdivider may apply to the board of Town commissioners for approval or disapproval.

**C. Final Plan.**

- (1) Applications to the Town Board for a special use permit to construct, alter, or enlarge a manufactured home park shall be accompanied by a plan for the park, prepared by a registered engineer or architect, drawn to a scale of not less than one inch equals 200 feet nor more than one inch equals 50 feet. Three copies shall be submitted. The Final Plan shall show the following:

- i. The name of the park, the names and addresses of the owner or owners, and the designer or surveyor;
- ii. Date, scale and approximate north arrow;
- iii. Boundaries of the tract shown with bearing and distances; drawn to scale and the area of the park in square feet or acres;
- iv. Site plan showing streets, traffic circulation, walkways, driveways, recreation areas, parking spaces, service buildings, watercourses, easements, manufactured home lots, lot numbers, all structures to be located on the park site and total acreage on the park, topography and contours of all areas where major grading will occur;
- v. Vicinity map showing the location of the park and the surrounding land usage, with a scale of no less than one inch equals 1,000 feet;
- vi. Names of adjoining property owners;
- vii. The existing and proposed utility system for surface water drainage, streetlights, electrical service, water supply, and solid waste and sewage disposal facilities.
  - (a) The storage, collection, and disposal of solid waste in the manufactured home park shall be so conducted as to create no health hazards, rodent harboring, insect breeding areas, accident or fire hazards, or pollution.
  - (b) All solid waste containing garbage shall be stored in standard fly tight, watertight, rodent-proof containers, with a capacity not less than 32 gallons which shall be located on the manufactured home space. Containers shall be provided in sufficient number and capacity to properly store all solid waste containing garbage. The manufactured home park management may wish to install additional solid waste 15 collection bins and shall be responsible for the proper storage, collection, and disposal of all solid waste.
  - (c) Stands shall be provided for all containers. Such container stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration, and to facilitate cleaning around them.
  - (d) All solid waste containing garbage shall be collected at least once weekly. Where suitable, collection service is not available from municipal or private agencies, the manufactured home park operator shall provide this service. All solid waste containing garbage shall be collected and transported in covered vehicles or covered containers.
  - (e) Where municipal or private disposal service is not available, the manufactured home park operator shall dispose of the solid waste by transporting to a disposal site approved by the Town. A detailed plan for electrical installations prepared to meet the national electrical code and state and local codes or ordinances;
  - (f) All streets in the manufactured home park shall be adequately illuminated from sunset until sunrise. The minimum size street light shall be a 175-watt

mercury vapor (approximately 7,000 lumen class), or its equivalent, spaced at intervals of not more than 300 feet.

- (g) All utility lines for local distribution of electric power and telephone service shall be installed underground. Primary electrical, street lighting, and telephone lines should be underground wherever feasible.
  - (h) In order to control erosion, all disturbed land areas shall be protected by a vegetative ground cover as defined in the State of North Carolina Erosion and Sedimentation Control Regulations. The manufactured home park must be designed and graded in such a manner as to provide for the adequate runoff of stormwater. Storm drains must be provided with sufficient inlets located at points of surface water accumulation to adequately intersect surface flow. All other requirements of the State of North Carolina Soil and Erosion and Sedimentation Control Regulations shall also be applicable. Protected water supply watershed standards may also be applicable.
- viii. A detailed drawing to scale of not less than one inch equals ten feet shall be prepared of a typical manufactured home space showing the location of the manufactured home stand, all utilities, the patio, concrete footing, walks
  - ix. No more than one manufactured home shall be parked in a manufactured home space at one time. See Section 12.4 for lot requirements in new manufactured home parks.
  - x. Each manufactured home space shall be clearly defined by means of concrete or iron pipe markers placed at all corners, or by fences, or by trees or shrubbery planted on lot lines.
  - xi. Each manufactured home space shall be located on ground not susceptible to flooding and grades so as to prevent any water from ponding or accumulating on the premises.
  - xii. Each manufactured home shall be located at least 25 feet from any other manufactured home, at least 20 feet from any building within the manufactured home park, at least 20 feet from park boundary line, at least 15 feet from the edge of the right-of-way of any street, and 100 feet from any community well.
  - xiii. With respect to anchors and tie-downs, each manufactured home space shall comply with standards specified by the State of North Carolina regulations for manufactured homes.
  - xiv. Each manufactured home space shall have two (2) off-street parking spaces. The manufactured home park owner shall provide additional off-street parking for tenants with more than two vehicles, or for guests.
  - xv. Each manufactured home space may be equipped with a storage building not to exceed 10'x 10' provided all such buildings in the park are located in a uniform manner at rear of the manufactured home space.
  - xvi. Every manufactured home park shall provide the following certifications:

- (a) Certification of approval of water supply system plans by the appropriate state agency or county health department;
  - (b) Certification of approval of sewage collection systems by the appropriate state agency or county health department;
  - (c) Certification of solid waste storage, collection, and disposal shall be approved by the Town solid waste department.
- (2) The Final Plans shall be reviewed first by the Planning Board. If the Planning Board should disapprove the proposed park plan, the reasons for such action and recommended changes shall be given to the park developer or his agent in writing and the park developer shall have an opportunity to resubmit changed materials for review by the Planning and Zoning Board without additional fee. If the Planning Board approves the Final Plans, a recommendation shall be made to the Town Board noting this approval in a letter from the Planning Board Chairman to the Mayor and presenting the plans for Town Board consideration.
- i. The Planning Board may make recommendations for conditions to be applied to the development of the Manufactured Home Park which may be considered by the Town Board in their review of the application for a Special Use Permit. Such conditions shall be in keeping with the requirements of *Section 6.3.3.* of this ordinance.
- (3) The Board of Commissioners shall proceed with the required steps for completion of the Special Use Permit application process as outlined in Section 6.3.

***(Ord. 5/31/1977, Section 154.009(B)(2))***

**12.3.3. Certificate of Occupancy**

- A. When the developer of the manufactured home park is satisfied that construction has been completed in accordance with the terms of the special use permit granted by the Town Board, certification of the completion shall be made, and the site shall be inspected by the Zoning Enforcement Officer or his/her representative. After completion of the manufactured home park in compliance with the approved plan and other application regulations has been ascertained, the Certificate of Occupancy shall be issued by the Zoning Enforcement Officer.
- B. The manufactured home park shall be maintained in compliance with the terms of the conditional use permit. In the event of violation of the conditional use permit, the Certificate of Occupancy may be revoked for a specific section of a manufactured home park which is in violation or for the manufactured home park in its entirety if necessary.

**12.3.4. Issuance of Operator's License.**

When the Owner has completed the construction of the manufactured home park, the owner/operator shall apply to the Zoning Official for an operating permit.

- A. The Zoning Official and a representative of the County Health Department shall make an on-site inspection of the park.

- (1) If the plan conforms to the park plan approved by the Planning and Zoning Board and other agencies, the Zoning Official shall issue the developer an operating permit.
  - (2) If the plan does not conform with the approved plan, the Zoning Official shall delay issuance of the operating permit until it comes into conformity.
- B. The manufactured home park owner/operator(s) is required to provide adequate supervision to maintain the park in compliance with the requirements of this Ordinance. Further, the manufactured home park owner/operator(s) shall keep all park-owned facilities, improvements, equipment and all common areas in good repair and maintained at all times. The accumulation or storage of materials which would constitute a fire or other safety hazard or would cause insect or rodent breeding and harborage is prohibited.
  - C. Owner/Operators of manufactured home parks shall be required to supervise the placement of all manufactured homes on the site/space.
  - D. Each manufactured home park owner/operator shall submit to the Town of Fairmont Zoning Official the tenancy rules and regulations governing the operation of the manufactured home park.

12.3.5. Annual Inspection. All manufactured home parks in the Town shall be inspected by the Town at least once every year in compliance with NCGA 105-316(a)(1). The operator's license of parks with sewerage problems based on current state sanitation regulations may be revoked upon request from the county health department.

12.3.6. Additional Requirements.

No Manufactured Home Class C shall be placed in a new manufactured home park.

**12.4 LOT REQUIREMENTS FOR NEW MANUFACTURED HOME PARKS**

12.4.1. Access. Each space shall have access to an interior roadway with a width of at least 18 feet. No space shall have direct access to a public street.

12.4.2. Clearance. Each space shall be designed so that at least 20 feet clearance will be maintained between units and other structures within the park. Manufactured homes shall not be located closer than 15 feet to the exterior boundary of the park or any street right of way.

12.4.3. Dimensional requirements. The following dimensional requirements will be met:

Minimum manufactured home park area	2 acres
Minimum park width	100 feet
Maximum density	4 units per acre
Minimum lot size:	

Singlewide	5,000 square feet
Doublewide	7,500 square feet

Minimum setbacks (any attached structure, such as room extensions, porches, carports, etc. shall be considered to be part of the manufactured home):

Front yard	20 feet from the road right-of-way line
Side yard	10 feet
Rear yard	15 feet

Maximum building height	35 feet
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- 12.4.4. Parking. Parking spaces sufficient to accommodate at least two automobiles shall be constructed within each manufactured home space and they shall be graveled or covered with four inches of crushed stone. No manufactured home shall have direct access to a public street.
- 12.4.5. Grading. Each manufactured home space shall be graded and graded areas grassed to prevent erosion and provide adequate storm drainage away from the manufactured home.
- 12.4.6. Utilities. Each space shall have hook-up facilities for water, sewer, electricity and telephone services. All occupied manufactured home units shall have and use sanitary facilities within the manufactured home unit.
- 12.4.7. Common recreation space. At least eight percent of the total gross acreage of the park shall be reserved and developed as a common recreation space for the residents of the park. This recreation space shall be identified on all plans and approved by the planning board and the town board. Such areas shall be adequately lighted for safety.

***(Ord. 5/31/1977, Section 154.009(B)(2))***

## **12.5 INTERIOR STREET SYSTEM – APPLIES TO NEW MANUFACTURED HOME PARKS**

### 12.5.1. Streets.

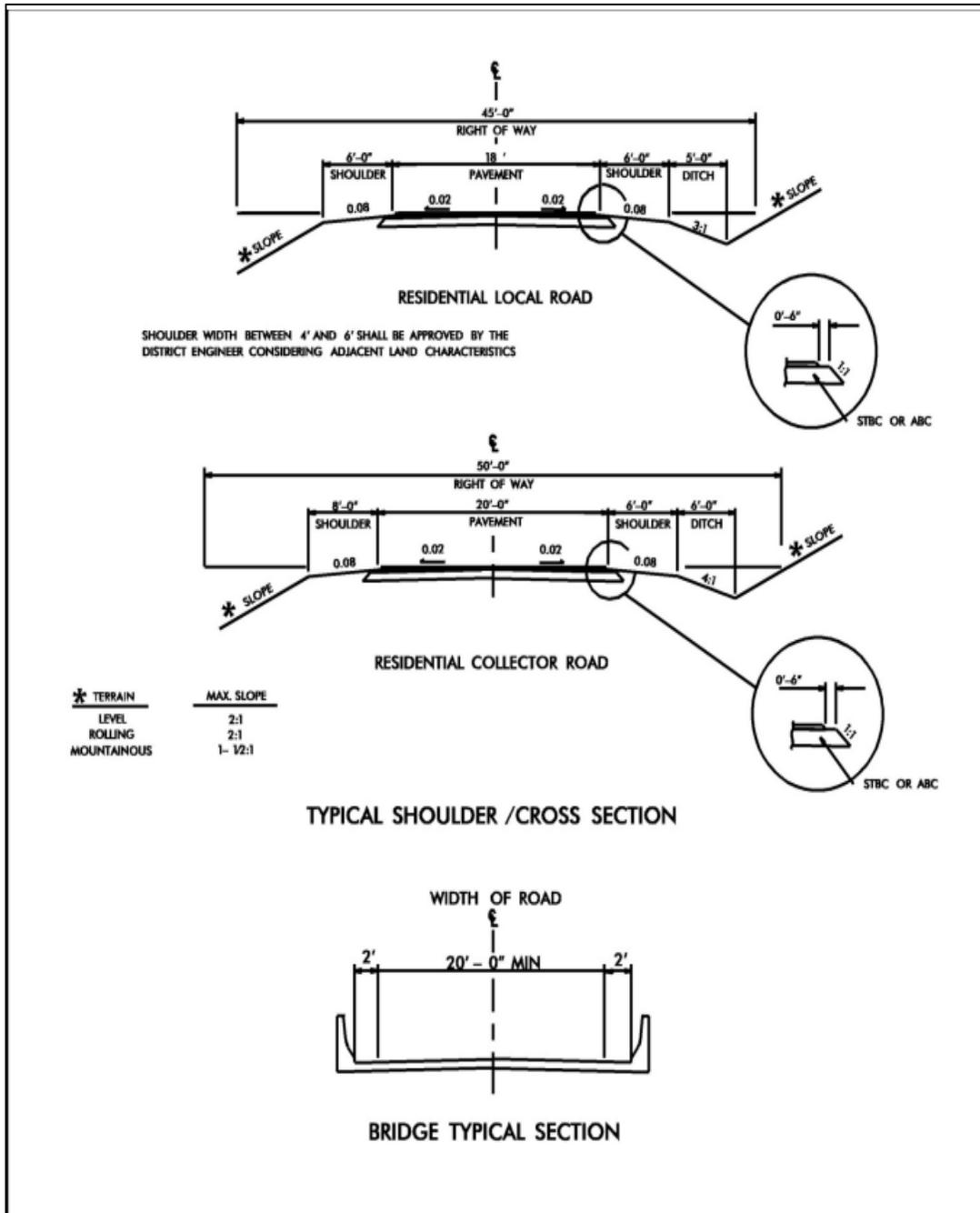
- A. All manufactured home parks shall be provided with a network of streets, roads or driveways that will allow safe and convenient vehicular access to an improved public street from each manufactured home lot, but no individual manufactured home within a park may have direct-driveway access to an abutting public street.
- B. The intersection of the public street with the entrance way or private access road to the manufactured home park shall be designed to facilitate the free movement of traffic on the public street and to minimize the hazards caused by traffic entering or leaving the park development. All driveways shall be of an improved surface and the minimum width of such driveways shall be well marked and lighted in the manufactured home parks. All manufactured home lots must enter and

exit the park through the use of the interior road network of the park; no direct access to public roads from a lot shall be allowed.

- C. All park roads shall comply with the Minimum Construction Standards for Subdivision Roads developed by the NC Department of Transportation. (See Figure 12-1) The planning board shall require that the street layout of the proposed park plan be approved by the district highway department.

Figure 12-1

NCDOT Road Sections



- D. Convenient access to each mobile home space shall be provided by streets or drives with a minimum right-of-way of 50 feet, of which 20 feet shall be graded and drained for automobile circulation within the park. Maintenance of such streets shall be provided by the owner or operator of the park.

- E. Permanent dead-end streets or cul-de-sacs shall not exceed 1,000 feet in length and shall be provided with a turnaround of at least 80 feet in diameter.
- F. Streets or drives within the mobile home park shall intersect as nearly as possible at right angles, and no street shall intersect at less than 60 degrees. Where a street intersects a public street or road, the design standards of the state highway commission shall apply.
- G. New street names shall not duplicate or be similar to existing street names in the Town and shall be subject to approval by the Town planning board.

## **12.6 OPERATING STANDARDS FOR NEW MANUFACTURED HOME PARKS**

- 12.6.1. Area. The lot area of the manufactured home park shall be a minimum of two acres.
- 12.6.2. Density. There shall be a maximum of four manufactured homes per acre.
- 12.6.3. Utilities. The manufactured home park and all occupied units located in it must be connected to the municipal water and sewerage systems or other systems approved by the Robeson County Health Department or the North Carolina Division of Health and Human Services and the North Carolina Division of Water Quality.
- 12.6.4. Other permitted uses. Service buildings, recreation buildings and other areas or structures providing laundry, sanitation and managerial facilities are permitted and shall serve only the park in which they are located. No such facility shall have direct access to a public street but shall be served by the privately maintained roadway.
- 12.6.5. Screening and landscaping. The manufactured home park shall have a screening strip of plant material adjacent to and within the park boundary extending along the entire perimeter of the park. This requirement may be waived by the town board upon the recommendation of the planning board along any boundary which is naturally screened by evergreen plant materials or topography. Screening strips shall not be a portion of any manufactured home space, street, or private drive. The park shall be completely screened at a height of four feet or more from the view of adjacent properties. Landscaping shall be provided throughout the park with ample trees and shrubs to provide shade and break up open area. All banks and open areas shall be grassed.
- 12.6.6. One manufactured home per lot. No more than one manufactured home may be parked on any manufactured home lot.
- 12.6.7. Common Recreation Space. At least eight percent (8%) of the total gross acreage of the park shall be reserved and developed as a common recreation space for the residents of the park. The minimum size of any recreation area shall be 2,500 square feet. Lakes, ponds, rivers, streams, swamps, and marsh lands shall not be considered as meeting, in part or in whole, the recreation area requirements of this section. This recreation space shall be identified on all plans and approved by the Planning Board and the Board of Commissioners. Such areas shall be adequately lighted for safety.

## **12.7 PROCEDURES AND STANDARDS FOR EXISTING MANUFACTURED HOME PARKS**

12.7.1 Manufactured Home Parks which are existing when this ordinance is adopted shall be considered nonconforming Manufactured Home Parks and shall be subject to the following:

**A. Zoning Permit Required.**

No person shall commence or proceed with development within the Town's jurisdiction without first securing a Zoning Permit from the Town. Unless elsewhere exempted by this ordinance, no use may change, and/or no building, sign or other structure can legally be erected, moved, added to, or structurally altered without a zoning permit. The Zoning Official will approve or deny the zoning permit based on compliance with the Zoning Ordinance unless evidence exists that there is a violation of the Town's Zoning Ordinances on the property.

***Statutory Authority – NCGS Chapter 160D-403(a)  
(Ord. 05/31/1977; 154.066)***

**B. Issuing a Temporary Operating Permit.**

Within 30 days of the date on which this ordinance is adopted, each existing Manufactured Home Park shall be issued a Temporary Operating Permit. The procedure for issuing this Temporary Operating Permit shall include:

- (1) The Zoning Official shall issue the Temporary Operating Permit.
- (2) The Temporary Operating Permit will allow the park owner/operator a six-month period to develop a Compliance Plan.
- (3) The Compliance Plan shall be approved by the Town Board of Commissioners.
  - i. If approved, a Manufactured Home Park Operating Permit shall be issued within ten days of the Board's approval. Said permit shall be valid for one year. At the same time the Temporary Operating Permit, if not already expired, shall be terminated.
  - ii. If not approved, the owner/operator may return a corrected version of the Compliance Plan to the Town Board in time to be received for the next scheduled meeting without paying an additional fee.
  - iii. If the Compliance Plan is not approved and the owner/operator fails to return a corrected copy as outlined in Section B(3)(ii) above, the park owner shall be considered to have chosen not to comply with the standards set forth in this Section and will be considered to have chosen the alternative of ceasing operation upon the expiration of his temporary manufactured home park operating permit.

C. **Contents of the Compliance Plan.**

The Compliance Plan shall detail how the Owner/Operator shall address the following:

- (1) How the park presently complies or will, within a three-year period, comply with all standards listed below:
  - i. **Underpinning.** All manufactured homes within a manufactured home park shall meet underpinning requirements within 90 days of placement of the home on the lot. Requirements include:
    - (a) continuous permanent skirting from the bottom of the home to the ground that fully encloses the area beneath the home.
    - (b) a crawl space door that is a minimum of 18 inches by 24 inches.
    - (c) skirting made of suitable materials of brick, masonry, vinyl, metal, or wood.
  - ii. **Utilities.** The manufactured home park and all occupied units located in it must be connected to the municipal water and sewerage systems or other systems approved by the Robeson County Health Department or the North Carolina Division of Health and Human Services and the North Carolina Division of Water Quality. Each manufactured home park space shall have hook-up facilities for water, sewer, electricity and telephone services. All occupied manufactured home units shall have and use sanitary facilities within the manufactured home unit.
  - iii. **Other permitted uses.** Service buildings, recreation buildings and other areas or structures providing laundry, sanitation and managerial facilities are permitted and shall serve only the park in which they are located. No such facility shall have direct access to a public street but shall be by the privately maintained roadway.
  - iv. **Screening and landscaping.** The manufactured home park shall have a screening strip of plant material adjacent to and within the park boundary extending along the entire perimeter of the park. This requirement may be waived by the town board upon the recommendation of the planning board along any boundary which is naturally screened by evergreen plant materials or topography. Screening strips shall not be a portion of any manufactured home

space, street, or private drive. The park shall be completely screened at a height of four feet or more from the view of adjacent properties. Landscaping shall be provided throughout the park with ample trees and shrubs to provide shade and break up open areas. All banks and open areas shall be grassed.

- v. ***One manufactured home per space.*** No more than one manufactured home may be parked on any manufactured home lot.
- vi. ***Common recreation space.*** At least eight percent of the total gross acreage of the park shall be reserved and developed as a common recreation space for the residents of the park. The recreation space shall be identified on all plans and approved by the planning board and the town board. Such areas shall be adequately lighted for safety.
- vii. ***Parking.*** Parking spaces sufficient to accommodate at least two automobiles shall be constructed within each manufactured home lot and they shall be graveled or covered with four inches of crushed stone.

## **12.8 RESPONSIBILITIES AND DUTIES OF PARK OPERATORS**

### **12.8.1. Manufactured Home Park Maintenance**

Manufactured home park operators shall be required to provide adequate supervision to maintain the park in compliance with the requirements of this article. The manufactured home park operators shall keep all park-owned facilities, improvements, equipment, and all common areas in good repair and maintained in such a manner as to prevent the accumulation of storage of materials which could constitute a fire hazard or would cause insect or rodent breeding and harborage. Abandoned vehicle storage or the accumulation of junk is expressly prohibited in existing and/or new manufactured home parks. Either item may be cause to revoke a manufactured home park operator's license.

### **12.8.2. Placement and Anchoring.**

Operators shall be required to supervise the placement of all manufactured homes to guarantee that they are properly anchored and attached to utilities. All manufactured homes within a manufactured home park shall be properly anchored or provided with tie downs, in accordance with the state regulations for manufactured homes. Technical assistance will be provided by the Town or County building inspection office, as applicable. All manufactured homes in manufactured home parks will be set up and anchored according to manufacturer's instructions or state requirements.

### **12.8.3. Assist Town Tax Administrator.**

Operators shall be required to comply with G.S. 105-316(a)(1) which requires that as of January 1 of each year each operator of a manufactured home park furnish to the Town or county tax supervisor the name of the owner and a description of each manufactured home located in the park.

12.8.4. Fire prevention and detection.

In addition to any fire prevention regulations of the Town, the following shall apply:

- A. The operator of a manufactured home park is responsible for informing each park resident of the location of the nearest fire alarm box, if any; the location of an accessible telephone and the telephone number to be used to report fires; and procedures to be followed in case of fire.
- B. The park owner shall install a fire extinguisher labeled as suitable for Class A, B, C fires and of a type approved by the fire marshal in each building open to the public and in the park office. The park staff shall be instructed in the proper use of any fire protection equipment available in the park and their specific duties in the event of fire.
- C. The park owner or operator shall maintain the park area free of rubbish, dry brush, leaves, weeds, and any other materials which might communicate fires between manufactured homes and other buildings.
- D. Empty liquefied petroleum gas containers and other objects and materials not approved by the fire marshal shall not be stored under manufactured homes.
- E. The manufactured home owner shall be responsible for payment of any applicable fees if the fire department is called upon.

12.8.5. Infestation prevention.

- A. Grounds, buildings, and structures shall be maintained free of insect and rodent infestation. Extermination methods and other measures to control insects and rodents shall conform with the requirements of the county health officer.
- B. Parks shall be maintained free of accumulations of debris which may provide rodent harborage or breeding places for flies, mosquitoes, and other pests.
- C. Storage areas shall be so maintained as to prevent rodent harborage. Lumber, pipes, and other building materials shall be stored at least one foot above the ground.
- D. Where the potential for insect and rodent infestation exists, all exterior openings in or beneath any structure shall be appropriately screened with wire, mesh, or other suitable materials.
- E. The growth of brush, weeds, and grass shall be controlled to prevent harborage of ticks, chiggers, and other noxious insects. Parks shall be so maintained as to prevent the growth of ragweed, poison ivy, poison oak, poison sumac, and other noxious weeds considered detrimental to health. Open areas shall be maintained free of heavy undergrowth of any description.

12.8.6. Inspection.

- A. The Robeson County Health Department, the Inspections Department, and/or the Zoning Official are hereby authorized and directed to make such inspections as are necessary to determine

satisfactory compliance with this ordinance. It shall be the duty of the owners or occupants of manufactured home parks to give these agencies free access to such premises at reasonable times for the purpose of inspection.

- B. Periodic inspections shall also be made of street surface conditions within the park, with special attention given to streets surfaced with stabilized earth. In the event the park owner fails to maintain earth streets in an appropriate manner, the Inspections Department shall require repaving with hard-surface materials, or pursue other appropriate legal remedies.
- C. The person to whom an operating permit for a manufactured home park is issued shall operate the park in compliance with this ordinance and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.
- D. The park owner or operator shall notify park occupants of all applicable provisions of this ordinance and inform them of their duties and responsibilities under this ordinance.
- E. The operator or caretaker shall be answerable, together with the owner, for the violation of any provision of this ordinance.

## 12.9 ADMINISTRATION

- 12.9.1. Enforcement. If the Town planning department shall find that any of the provisions of this article are being violated, it shall issue a notice of violation to the manufactured home park owner, specifying the nature of the violation and what corrective measures must be taken. The planning department shall order discontinuance of illegal use of land, buildings or structures; removal of illegal buildings or structures or of additions, alterations or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by law to ensure compliance with or to prevent violation of the provisions of this article. The owner shall immediately remedy the violation.
- 12.9.2. Fees. The Town board of commissioners shall set a fee to cover the necessary processing cost of all manufactured home permits and operator's licenses. The set fee shall be posted in the inspections office.
- 12.9.3. Penalties. Any person failing to take corrective action within 30 days after receiving the written notice of violation from the Town planning department or any person operating a manufactured home park without a valid operator's license shall be in violation of this article. Violation of any of the article requirements constitutes grounds for refusing to issue a license, to renew a license, or to revoke an issued license.

## 12.10 RIGHT OF APPEAL

If any permit or operator's license is denied or revoked, the applicant may file an appeal with the Town Board of Commissioners. The appeal shall specifically outline the reasons why the decision to revoke the operator's license should be reversed.