

## CHAPTER 154: MANUFACTURED HOMES

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### MANUFACTURED HOMES

#### § 154.01 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ABANDONED.** Any manufactured home or other structure that ceases to be occupied for more than 12 months and no active attempt to rent via regular advertisement effort or no longer complies with § 154.05; and/or a manufactured home for which an owner cannot be determined through reasonable efforts that include utilizing the County Supervisor of Assessments records, or other appropriate sources.

**AFFIDAVIT.** An oath in writing, sworn before and attested by an individual who has authority to administer an oath.

**APPLICANT.** Any person seeking to install or place an allowable structure in the unincorporated area of the county.

**CERTIFICATE OF OCCUPANCY.** A document issued by the County Code Administrator certifying that a new manufactured home and pre-owned manufactured homes is in compliance with applicable requirements set forth by this subchapter, and indicating it to be in a condition suitable for residential occupancy.

**CODE COMPLIANCE CERTIFICATE.** A certificate provided by the manufacturer to the Department of Public Health that warrants that the manufactured housing unit or mobile home complies with the applicable code.

**COUNTY CODE ADMINISTRATOR.** Person appointed by the County Board of Jersey as the official of planning, permits and inspections; or any of his or her assistants and may be referred as **CODE OFFICIAL**.

**DEAD STORAGE.** Keeping or accumulating items or materials that are not being used for their intended purpose(s) for an extended period of time.

**DEPARTMENT.** The Department of Public Health.

**DEPENDENT MOBILE HOME.** A mobile home which does not have a toilet and bath or shower facilities.

**FLOODPLAIN** and **SPECIAL FLOOD HAZARD AREA (SFHA).** Those lands within the jurisdiction of the county that is subject inundation by the base flood. The floodplains of the Macoupin Creek, Mill Creek, Phils Creek, Piaso Creek, Otter Creek, Illinois and Mississippi Rivers are generally identified as such on the flood insurance rate map of Jersey County prepared by the Federal Emergency Management Agency and dated April 2, 2009. **FLOODPLAIN** also includes those areas of known flooding as identified by the community.

**INDEPENDENT MOBILE HOME.** A mobile home which has a self-contained toilet and bath or shower facilities.

**IMMOBILIZED MOBILE HOME.** A mobile home served by individual utilities (sewer, water, electricity) resting on a permanent perimeter foundation which extends below the established frost depth with the wheels, tongue and hitch removed and the home secured in compliance with the Illinois Mobile Home Tiedown Act. (210 ILCS 120)

**INSTALL.** 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.

**JURISDICTION.** The unincorporated areas of Jersey County, Illinois.

**MANUFACTURED HOME.**

(1) A structure that was constructed on or after June 15, 1976 per HUD requirements and is a factory-assembled, completely integrated structure designed for permanent habitation, with a permanent chassis, and so constructed as to permit its transport, on wheels temporarily or permanently attached to its frame, and is a movable or portable unit that is:

(a) Eight body feet or more in width;

(b) Forty body feet or more in length; and

(c) Three hundred twenty or more square feet, constructed to be towed on its own chassis (comprised of frame and wheels) from the place of its construction to the location, or subsequent locations, at which it is installed and set up according to the manufacturer's instructions and connected to utilities for year round occupancy for use as a permanent habitation, and designed and situated so as to permit its occupancy as a dwelling place for one or more persons.

(2) The term shall include units containing parts that may be folded, collapsed or telescoped when being towed and that may be expected to provide additional cubic capacity, and that are designed to be joined into one integral unit capable of being separated again into the components for repeated towing. The term excludes campers and recreational vehicles.

**MOBILE HOME.**

(1) A structure that was constructed before June 15, 1976, and is a factory-assembled, completely integrated structure designed for permanent habitation, with a permanent chassis, and so constructed as to permit its transport, on wheels temporarily or permanently attached to its frame, and is a movable or portable unit that is:

(a) Eight body feet or more in width;

(b) Forty body feet or more in length; and

(c) Three hundred twenty or more square feet, constructed to be towed on its own chassis (comprised of frame and wheels) from the place of its construction to the location, or subsequent locations, at which it is installed and set up according to the manufacturer's instructions and connected to utilities for year-round occupancy for use as a permanent habitation, and designed and situated so as to permit its occupancy as a dwelling place for one or more persons.

(2) The term shall include units containing parts that may be folded, collapsed or telescoped when being towed and that may be expected to provide additional cubic capacity, and that are designed to be joined into one integral unit capable of being separated again into the components for repeated towing. The term excludes campers and recreational vehicles.

**MOBILE HOME PARK.** A tract of land or two or more contiguous tracts of land upon which contain sites with the necessary utilities for five or more independent mobile homes for permanent habitation either free of charge or for revenue purposes, and shall include any building, structure, vehicle or enclosure used or intended for use as a part of the equipment of such mobile home park.

(1) Separate ownership of contiguous tracts of land shall not preclude the tracts of land from common licensure as a mobile park if they are maintained and operated jointly.

(2) Neither an immobilized mobile home nor a motorized recreational vehicle shall be construed as being a part of a **MOBILE HOME PARK.**

(3) All mobile home parks must be in strict compliance with the Illinois Mobile Home Park Act. 210 ILCS 115/.

**MODULAR HOME.** Also known as panelized or prefab, is constructed of premade parts and unit modules at a factory. Wall panels, trusses and other pre-fabricated house parts are transported on a flatbed truck from the factory to the building site, these house sections are lifted onto the foundation where they are for the locations where they are erected.

**NEC.** The National Electrical Code, also referred to as the National Fire Protection Association (**NFPA 70**).

**PERMANENT HABITATION.** Habitation for a period of two or more consecutive months.

**POLE BARN.** A building which lacks a conventional foundation built from treated poles, typically at eight-foot intervals and anchored into the ground with cement and rock. Boards and metals are used for the sides and roof with screws to attach to the metal. The floor may be concrete, rock or bare ground.

**PORTABLE BUILDING.** Any prefabricated structure assembled off site and delivered to the site as a complete unit or a building purchased in kit form and assembled onsite, which can be moved without disassembly to another location.

**PRE-OWNED MANUFACTURED HOME.** Any manufactured home that has been previously used as a dwelling or for any other purpose and has been titled.

**RAILROAD CAR.** A railway wagon or railway carriage, also called a train car or train wagon, is a vehicle used for the carrying of cargo or passengers on a rail transport system.

**SHIPPING CONTAINERS.** A container with strength suitable to withstand shipment, storage and handling. **SHIPPING CONTAINERS** range from large reusable steel boxes used for intermodal shipments to the corrugated boxes and are used for the shipment of freight. The majority of containers measure eight feet wide and lengths can be 20 or 40 feet. Standard height measures eight feet six inches.

**SITE.** The lot on which the structure is located or is to be located for permanent habitation.

**STRUCTURE.** Anything constructed or erected with a fixed location on the ground. This includes buildings, mobile homes, manufactured homes, modular homes, portable sheds, pole barns, trailers, garages, carports, sheds and shipping containers.

(Ord 17-001, passed 12-12-2017)

#### **§ 154.02 PURPOSE.**

The purpose of this subchapter is to establish the requirement and procedures for the management of mobile homes, manufactured homes structures and pre-owned manufactured homes and similar vehicular equipment designed for use as a storage, living or business quarters that have been allowed to deteriorate to the point of constituting a safety and health condition.

(Ord 17-001, passed 12-12-2017)

#### **§ 154.03 RESPONSIBILITY FOR ENFORCEMENT.**

The responsibility for enforcement of this subchapter is hereby assigned to the County Code Administrator, who is hereby authorized and directed to conduct and or delegate such inspections in the manner permitted by the laws of the state as are necessary to ascertain compliance or violation of this subchapter. The Code Official shall have the authority to appoint a designee, at his or her discretion, to assist in the enforcement of the subchapter. Nothing in this section is or shall be construed to limit the authority of any other official of the county, including without limitation the County Board to observe and report violations of this subchapter during the course of conduct and within the scope of official duties.

(Ord 17-001, passed 12-12-2017)

#### **§ 154.04 CONDITIONS.**

(A) It is unlawful for any person to rent, sell or offer for sale within this state any mobile home manufactured after July 1, 1974, or any manufactured housing unit (double-wide) manufactured after July 1, 1976, unless such mobile home or manufactured housing unit bears a seal issued by the Department and a certification by the manufacturer or dealer, that the mobile home manufactured housing unit complies with applicable safety code, 430 ILCS 115/3

(B) No person shall sell, install or bring into unincorporated county mobile homes pre-dated of July 1, 1974 (state mobile structure) or a manufactured unit pre-dated June 15, 1976 (pre-HUD) for occupancy, business or storage purposes.

(C) No dependent mobile home, manufactured home, mobile home or modular home may be sold, installed or brought into unincorporated county without a title, code compliant certificate and serial number.

(D) No pre-owned manufactured or mobile home older than 12 years from the current date shall be brought into unincorporated county.

(E) No manufactured home or pre-owned mobile home shall be placed for permanent habitation on an area containing less than 7,200 square feet, provided that if zoning regulations are subsequently adopted, such area or lot size shall conform to the related minimum lot size prescribed for the zoning district in which the manufactured home is located.

(F) No manufactured home or pre-owned mobile home for temporary habitation shall be placed on an area containing not less than 3,000 square feet.

(G) Mobile homes or pre-existing mobile homes used for "dead storage" shall still be required to meet the minimum health and safety standards as defined in § 154.01.

(H) (1) The Illinois Mobile Home Tiedown Act requires all manufactured homes that are moved or set up on site after January 1, 1980 to be tied down in accordance with rules promulgated by the State Department of Public Health.

(2) It is the homeowner's responsibility to ensure that the home is tied down within 30 days after the home is installed.

(I) All manufactured homes or mobile homes installed after December 31, 2001 shall be installed by a state licensed manufactured home installer. Nothing in this subchapter shall be construed to require a person who installs a new or used manufactured home on his or her own property outside of a mobile home park as defined in the Mobile Home Park Act (210 ILCS 115) to acquire an installer's license. Such individual also waives any rights under the Act as a result of not using a licensed installer.

(Ord 17-001, passed 12-12-2017) Penalty, see § 154.99

#### **§ 154.05 MINIMUM HEALTH AND SAFETY STANDARDS.**

No person shall occupy for the purpose of living within a home which does not comply with the following requirements before being issued a certificate of occupancy by the Code Official.

(A) *HUD Code.* Every new manufactured and 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 through 5426 and shall not have been altered in such a way that the home no longer meets the code.

(B) *State requirements.* Every new manufactured and pre-owned manufactured home located in the jurisdiction shall be in compliance and enforced with the State Department of Public Health and the state requirements as listed below:

- (1) Manufactured Home Quality Assurance Act (430 ILCS 117);
- (2) Illinois Mobile Home Tiedown Act (210 ILCS 120);
- (3) Illinois Modular Dwelling and Mobile Structure Safety Act (430 ILCS 115);
- (4) Abandoned Mobile Home Act (210 ILCS 117); and
- (5) Mobile Home Park Act (210 ILCS 115).

(C) *Pre-owned interior condition.* Every floor, interior wall and ceiling shall be in sound condition. The floor system shall be in sound condition and free of warping, holes, water damage or deterioration. Doors and windows shall be operable, water-tight and in good working condition.

(D) *Exterior.* The exterior of all new manufactured homes and 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.

(E) *Sanitary facilities.* Every plumbing fixture, water and waste pipe of a new manufactured home and pre-owned manufactured home shall be in 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.

(F) *Heating systems.* Heating shall be safe and in working condition. Un-vented heaters shall be prohibited.

(G) *Electrical systems.* Electrical systems (switches, receptacles, fixtures and the like) shall be properly installed and wired and shall be in working condition. Distribution panes 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 (2014 NEC Article 550). Each new manufactured and pre-owned manufactured home shall contain a water heater in safe and working order. No aluminum wire shall be allowed (2014 NEC 550.15).

(H) *Hot water supply.* Each home shall contain a water heater in safe and working condition.

(I) *Egress windows.* Each bedroom of a manufactured home shall have at least one operable window of sufficient size to allow egress.

(J) *Ventilation.* The kitchen in the home shall have at least one operating window or other ventilation device. There shall be adequate ventilation in all bathrooms.

(K) *Smoke detectors.* Each new and pre-owned manufactured home shall contain one operable battery-operated smoke detector in each bedroom and in the kitchen, which must be installed in accordance to the manufacturer's instructions.

(L) *Steps and landings.* Steps and landings are required for all new or pre-owned manufactured homes at an egress door. Loose or/and stacked steps are strictly prohibited. If the landing is over 30 inches from the ground then handrails and guardrails are required.

(M) *Skirting.* Installation of skirting shall be required. Installation shall be in accordance with the manufacturer's instructions. Acceptable materials include masonry, stone, fiberglass, simulated brick or stone, vinyl or other materials for the purpose of skirting.

(Ord 17-001, passed 12-12-2017)

#### **§ 154.06 MANUFACTURED HOME PARKS.**

Proposed manufactured home parks/communities shall be in strict compliance with the Illinois Mobile Home Park Act (210 ILCS 115).

(Ord 17-001, passed 12-12-2017)

#### **§ 154.07 DEPENDENT MOBILE HOMES, PORTABLE SHEDS, POLE BARNs, SHEDS, RAILROAD CARS AND CONTAINERS.**

(A) Dependent mobile homes, portable sheds, pole barns, sheds, railroad cars or containers shall not be used for permanent habitation or for business purposes and will be required to sign a non-conversion agreement.

(B) A permit must be obtained for dependent mobile homes, portable buildings, sheds, pole barns, carports and containers before being placed or moved upon any lot or tract or parcel of land to ensure the structure is in compliance with ordinances of the county and state statutes.

(C) Pole barns, railroad cars or containers must meet all state, federal and county residential requirements concerning building construction to be converted into a residential structure. The owner must follow the application procedure outlined in the code of ordinances and all adopted codes of the county to be issued a building permit and a certificate of occupancy.

(Ord 17-001, passed 12-12-2017)

#### **§ 154.08 REGISTRATION AND MOVING.**

(A) Every person, firm, corporation or other entity holding title to or possessing a new manufactured home and pre-owned manufactured home which is placed or located within the jurisdiction of the county shall report the location of the home to the Supervisor of Assessments. When moving, selling or renting a previously permitted manufactured home under this subchapter, regardless if the destination is within or outside of the county, the applicant shall obtain a permit from the Code Administrator prior to moving.

(B) The Illinois Mobile Home Tiedown Act requires all manufactured homes that are moved or set up on site after January 1, 1980 to be tied down in accordance with rules promulgated by the State Department of Public Health. It is the homeowner's responsibility to ensure that the home is tied down within 30 days after the home is installed. There are no mandatory requirements for the installers of anchoring equipment but the Department recommends that a certified manufactured home installer be used. Homeowners may do their own installation. Anyone that installs tie-down equipment must comply with the requirements of the Manufactured Home Tiedown Code.

(Ord 17-001, passed 12-12-2017)

#### **§ 154.09 TEMPORARY HABITATIONS OF LESS THAN TWO MONTHS.**

(A) Each manufactured home, new or pre-owned for permanent habitation, two months or more, must be an independent manufactured home and immobilized as defined in § 154.01. It must also have a means of disposal of wastewater as provided for in § 154.10(A)(1).

(B) Each manufactured home, new or pre-owned either dependent or independent for temporary habitation, less than two months, need not be immobilized as defined in § 154.01 but must have a means of disposal of wastes which creates neither a nuisance nor a menace to health. The relocation of less than one-eighth of a mile of a manufactured home for temporary habitation by the same occupant from its original location shall not be considered a new location for the purpose of determining the limitation of less than two months.

(Ord 17-001, passed 12-12-2017)

#### **§ 154.10 PERMITTING, INSPECTIONS, CERTIFICATE OF OCCUPANCY AND FEES.**

No structure, mobile home, manufactured home, modular home, portable building, pole barn, garage, carport, shed or container shall be constructed, moved or placed upon any lot, tract or parcel of land until a building permit has been obtained as provided in the subchapter.

(A) *Permit.* To obtain a permit, applicants shall provide the Code Administrator with the following:

(1) Permit or letter issued by the County Health Department that application was made for a waste disposal system or documentation of the existing system to be in working order;

(2) An affidavit signed by the applicant that the pre-owned manufactured home meets health and safety standards as defined in § 154.05;

(3) A drawing of the lot, showing the lot size and planned location of the structure;

(4) Inspection by the Code Administrator to inspect the mobile home on the exterior and interior;

(5) Alternative inspection: at the request of the applicant, the Code Administrator may inspect a new manufactured home or pre-owned mobile home prior to its being relocated if the home is then located at another site within the county;

(6) 911 address is required for the location of the manufactured home;

(7) Zoning permits: if the home is to be located within the mile and one-half of the municipalities of the City of

Jerseyville or Brighton, a zoning permit is required from the municipality prior to application of a building permit;

(8) A copy of original sales invoice or title to the manufactured home. (The invoice or title must show the year, make and/or model, square footage and serial number of home.);

(9) Proof the structure meets the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 through 5426 (HUD Code, see § 154.05(A));

(10) Description of foundation and tiedown in accordance with jurisdiction requirements; and

(11) Copy of the mobile home title or bill of sale from manufacturer.

(B) *Demolition permit.* To obtain a demolition permit for deconstruction, recycling or scrapping of a manufactured, mobile home, pole, barn, portable building, accessory building, shed, railroad car or containers:

(1) Proof of ownership;

(2) No tax due letter from the County Treasurer;

(3) Agreement with state licensed scrapper or landfill;

(4) Detailed information on the nature of demolition; and

(5) Proof of disconnection of utility services.

(C) *Setbacks.* No mobile home, manufactured home, modular home or other structure shall be constructed, established or maintained which does not conform to the following setbacks.

(1) No structure shall be located closer than 35 feet from the road right-of way of any street or public road.

(2) No structure shall be located closer than 15 feet from the property line in the rear and sides of the lot, tract or parcel of land for residential use.

(D) *Fee.* A permit fee shall be charged to the applicant to cover the cost to the county to process the permit applicant and subsequent inspections.

(E) *Inspections.* Upon receipt of a permit, applicants may relocate the manufactured home on a residential site for the purposes of inspection. The applicant shall arrange for all required inspections. It is the responsibility of the property owner to call the Code Administrator office to schedule the mandatory inspections.

(1) *Certificate of occupancy.* A certificate of occupancy shall be issued to the applicant at such time that the Code Official certifies that the requirements of the subchapter have been met. No structure may be occupied until a certificate of occupancy is issued.

(2) *Expiration.* Permits issued are active for 180 days, after the expiration date a new permit will be required.

(Ord 17-001, passed 12-12-2017)

#### **§ 154.11 DISPOSITION OF NON-HABITABLE OR ABANDONED HOMES, CONTAINERS OR STRUCTURES.**

(A) Effective as of the date of this subchapter, any owner of a pre-dated mobile home or manufactured home or property owner that signs a affidavit of non-habitability with the Supervisor of Assessments must remove the structure from the county or otherwise be disposed of in a legal manner within 90 days of the date the of the signed affidavit.

(B) Any pre-dated mobile home or manufactured home determined to be lawfully removed pursuant to 210 ILCS 117 of the Illinois Abandoned Mobile Home Act or pursuant to Illinois Counties Code 55 ILCS Article 5, generally, and 55 ILCS 5/1121, or under an order of abatement issued by a court of competent jurisdiction may be disposed of by the county or the county authorized person or entity having custody of the mobile home or other structures pertaining to this subchapter. Disposition of such mobile home/structures may be carried out in compliance with any applicable recycling program and/or ordinances, and shall not occur until at least 30 calendar days following the probable cause hearing.

(C) It shall be unlawful for the registered owner or person entitled to possession of a mobile or manufactured home and for the owner, lessee or occupant of the real property upon which the home is located to demolish, burn, deconstruct or scrap in a non legal manner.

(D) Before a mobile or manufactured home may be demolished, scrapped, deconstructed or recycled, the registered owner or person entitled to possession of a mobile or manufactured home and for the owner, lessee or occupant of the real property upon which the home is located first must obtain the proper permits from the County Code Administrator.

(Ord 17-001, passed 12-12-2017) Penalty, see § 154.99

#### **§ 154.12 EXCEPTIONS.**

(A) The provisions of this subchapter shall not apply to mobile homes that are actively being used for residential purposes; provided that the mobile home has been properly permitted and is being operated in a lawful manner, including, but not limited to, operation so as not to constitute a public nuisance.

(B) (1) The restrictions as provided in this subchapter shall not apply to any mobile, manufactured or modular home in



existence on the effective date of this subchapter; provided, however, that such nonconformance shall continue to exist only during the life of such existing mobile home, manufactured home, residential pole barn or modular home.

(2) Nothing in this section shall be construed to permit or authorize any existing mobile homes, manufactured home, residential pole barn or modular homes to be maintained in violation of any housing or fire protection codes or statutes now existing or hereinafter enacted the county, state or federal government.

(C) All existing mobile, manufactured, residential pole barn or modular home shall be exempt from compliance with this subchapter so long as they remain in their existing locations. If such mobile, manufactured, modular homes or portable buildings are removed from their existing locations, replacement units may be so installed only if in compliance with this subchapter, state statutes and federal regulations.

(Ord 17-001, passed 12-12-2017)

### **§ 154.13 MEANS OF APPEALS.**

(A) (1) Any person directly affected by a decision of the Code Official or a notice or order issued under this code shall have the right to appeal to the Board of Appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served.

(2) An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means. If a written appeal is not received within the specified period, the actions of the County Code Administrator regarding the notice of violation shall stand.

(B) The Board of Appeals shall consist of a minimum of three members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction.

(1) The Code Official shall be an ex officio member but shall have no vote on any matter before the Board.

(2) The Board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.

(3) The chief appointing authority shall appoint two or more alternate members who shall be called by the Board Chairperson to hear appeals during the absence or disqualification of a member.

(4) Alternate members shall possess the qualifications required for Board membership.

(C) Compensation of members shall be determined by the County Board.

(D) The Board shall meet upon notice from the Chairperson, within 20 days of the filing of an appeal, or at stated periodic meetings. All hearings before the Board shall be open to the public. The appellant, the appellant's representative, the Code Official and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of not less than two-thirds of the Board membership.

(Ord 17-001, passed 12-12-2017)

## **RESTRICTING THE ENTRY INTO AND PLACEMENT AND INSTALLATION OF MOBILE HOMES**

### **§ 154.25 GENERAL.**

(A) (1) Promotion and maintenance of property values within the jurisdiction and the health and general welfare of the citizens of the county are furthered when standards for the condition of structures, including pre-owned manufactured homes, are established and enforced.

(2) For the purpose of this subchapter, mobile or manufactured homes constructed prior to July 1, 1974 and June 15, 1976 will be referred to as **PRE-DATED**.

(B) The Board finds that mobile homes constructed prior to July 1, 1974 and June 15, 1976 (pre-HUD), were constructed or equipped according to standards which will not promote the health, safety and general welfare of the present and future residents of the county, including, but not limited to, the following:

(1) The walls, ceilings and doors of each compartment containing a gas fired furnace or water heater were not required to be lined with one-half inch gypsum board;

(2) Each room designated expressly for sleeping purposes was not required to be equipped with an exit door or at least one outside egress window or other approved exit device with a minimum clear opening of five feet seven inches square feet;

(3) Most units from 1959 to 1976 were wired with aluminum wire, and ground fault circuit interrupters (GFI) were not installed;

(4) Smoke alarms in older pre-dated mobile homes were dangerous due to not being hardwired. They are battery operated only; and

(5) Interior walls did not have wall linings. The average pre-dated home burns down in less than five minutes.

(Ord 17-001, passed 12-12-2017)

## § 154.26 DEFINITIONS.

For the purpose of this subchapter, the following definitions, as well as those terms defined in §154.01, shall apply unless the context clearly indicates or requires a different meaning.

**APPLICANT.** Any person seeking to install a pre-dated manufactured home in the unincorporated area of the county.

**BUILDING OFFICIAL.** The person appointed, employed or otherwise designated as the County Code Administrator, responsible for permitting and inspections, or any of his or her assistants.

**PRE-DATED.** Any manufactured or mobile home constructed prior to July 1, 1974 (state mobile structures) that does not bear a seal issued by the Department and a certification by the manufacturer that the unit complies with the applicable safety code; or any manufactured home or mobile home constructed prior to June 15, 1976 (pre-HUD) that is not in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 through 5426.

**PRE-OWNED.** Any manufactured home that has been previously used as a residential dwelling and has been titled.

(Ord 17-001, passed 12-12-2017)

## § 154.27 CONDITIONS AND PROVISIONS.

(A) Effective of this date of the adoption of this subchapter, no pre-dated mobile homes or manufactured homes shall be permitted to enter and remain in the county or to be installed and placed for habitable living units, storage or any other purposes within the unincorporated area of the county.

(B) Effective as of the date of the adoption of this subchapter, no pre-dated mobile home or manufactured home shall be moved to any property within the unincorporated area of the county with the intent that said mobile or manufactured home be placed and used for any purpose, except as set forth herein. For purposes of this subchapter, the separation of a pre-dated mobile or manufactured home from the vehicle transporting it shall be presumptive evidence of an intent to place and/or install the mobile or manufactured home on property in the unincorporated area of the county.

(C) Provisions relating to the relocation of pre-dated mobile homes within the county:

(1) Any pre-dated mobile home or manufactured home which is currently installed and occupied as a business or living unit other than the owner of the mobile home in the unincorporated area of the county shall be permitted to remain in its present location, but may not be relocated to or installed upon any other parcel of property in the county;

(2) Any pre-dated mobile home which is currently installed and occupied as a business or living unit by its owner may remain in its present location, but may not be relocated to or installed upon any other parcel of property in the county; and

(3) Upon the sale or transfer of title of a pre-dated mobile home or manufactured home structure occupied by its owner, such mobile home may not thereafter be relocated for use as occupancy to another location in the county.

(D) Effective as of the date of this subchapter, any abandoned pre-dated mobile home or manufactured home must be removed from the county or otherwise disposed of in a legal manner within 90 days of the date the mobile home is abandoned.

(E) Effective as of the date of this subchapter, any owner of a pre-dated mobile home or manufactured home or property owner that signs a affidavit of non-habitability with the Supervisor of Assessments must remove the structure from the county or otherwise be disposed of in a legal manner within 90 days of the date the of the signed affidavit.

(F) Any pre-dated mobile home or manufactured home which is destroyed or damaged to the extent of 50% or more of its structure or value must be removed from the county or otherwise disposed of in a legal manner within 90 days of its destruction or damage and may not be rebuilt.

(Ord 17-001, passed 12-12-2017)

## § 154.28 DISPOSITION OF REMOVED MOBILE OR MANUFACTURED HOMES.

Refer to § 154.11.

(Ord 17-001, passed 12-12-2017)

## § 154.29 EXCEPTIONS.

The provisions of this subchapter shall not apply to mobile homes that are actively being used for residential purposes; provided that the mobile home has been properly permitted and is being operated in a lawful manner, including, but not limited to, operation so as not to constitute a public nuisance.

(Ord 17-001, passed 12-12-2017)

## § 154.30 MEANS OF APPEALS.

Refer to 154.13



(Ord 17-001, passed 12-12-2017)

**§ 154.99 PENALTY.**

(A) Any person, firm or corporation, who violates, disobeys or willfully fails to comply with any of the provisions of this chapter shall be subject to a fine of no less than \$50 up to \$750 for each violation. Each day that such violation exists shall constitute a separate offense.

(B) Failure to remove a pre-owned manufactured home or any other structure from the jurisdiction upon failure to receive a certificate of occupancy or have been cited as a nuisance shall be fined \$500. Each day that such violation exists shall be considered a separate offense.

(C) The Board of the county may exercise its powers to recover the cost incurred of the demolition, repair, enclosure or removal of dangerous and unsafe structures or uncompleted and abandoned mobile homes, manufactured homes and other structures in the chapter by placing a lien on the real estate. Court costs shall be included in the lien and said lien shall be recorded with the County Recorder of Deeds.

(Ord 17-001, passed 12-12-2017)