

1<sup>st</sup> Reading 9-10-  
2<sup>nd</sup> Reading 10-8-  
3<sup>rd</sup> Reading 10-8-

ORDINANCE  
NO. 1991-4

WHEREAS, the Town Council of Brookland, Arkansas has determined that there is substantial need for the beautification of the town of Brookland and the orderly growth of the town and preservation of quality housing and building construction within the town of Brookland; and

WHEREAS, the placement of mobile homes and the construction of mobile homes at various times and by various manufacturers with varied materials and varied quality render mobile homes, in general, as highly suspect and not normally as aesthetically pleasing as other types of construction;

NOW, THEREFORE, the Town Council of Brookland, Arkansas does hereby ordain as follows:

- I. It is hereby ordained by the Town Council of Brookland, Arkansas that all real property owners within the limits of the Town of Brookland, Arkansas desiring to place or allow the placement of a mobile home or desiring to establish a mobile home park to provide for the rental of any lots or spaces or lease thereof for the placement of mobile homes upon any of said property hereafter must comply with the terms of this ordinance.
- II. Any person or entity coming within the provisions of Article I of this ordinance shall

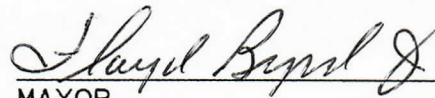
make application to the town of Brookland, Arkansas for the placement of any such mobile home or authorization to establish any mobile home park, in writing, with a plot plan indicating the exact type, model and year of the mobile home sought to be placed or moved upon any lot within the town of Brookland, and the proposed lay-out or location of any proposed sites. Such application must be made and action rendered thereon prior to placement of any mobile home or construction of any mobile home park.

III. Upon application of any such individual or entity, the Town Council will then examine each application, and, if deemed necessary, may require an inspection of any proposed mobile home to determine its appearance, quality of construction and its compliance with all Brookland and State of Arkansas building, electrical and plumbing codes.

IV. The Town Council will develop a reasonable and orderly plan for allowance and authorization of placement of mobile homes within the Town of Brookland within the limitations to be provided as to the types and kinds of mobile homes acceptable, but under no circumstances

will mobile homes not meeting the Brookland or State of Arkansas building, electrical or plumbing codes be allowed to be placed within the town of Brookland, Arkansas.

- V. Any person making application to the council for the placement of a mobile home or location of a mobile home site or park shall be assessed an application fee of \$\_\_\_\_\_.
- VI. Any person or entity violating any part of this ordinance shall be subject to fine of \$10.00 to \$100.00 for each violation. Each day of non-compliance or violation shall constitute a separate offense.
- VII. The beauty, safety, peace and welfare of the Town of Brookland and its inhabitants is of extreme importance. Therefore, the potential for encroachment on same is determined to constitute an emergency, and this ordinance shall therefore be effective from and after its passage.

  
MAYOR

\_\_\_\_\_  
RECORDER



SUBJECT: MOBILE HOMES, MOBILE HOME PARKS, MANUFACTURED HOME SUBDIVISIONS

## MANUFACTURED HOMES AND MOBILE HOMES

Definitions. For purposes of this ordinance, the following words are specifically defined.

1. Manufactured Home. A residential structure, transportable in one or more sections, built on a permanent chassis and designed to be used as a single family dwelling with a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. A manufactured home is further classified under one of the following categories:

- (a) Class "A" Manufactured Home - New manufactured housing, and use manufactured housing, found upon inspection to be in good condition, safe and suitable for residential occupancy, certified with a date plate attached to the unit specifying "This mobile home is designed to comply with Federal Mobile Home Construction and Safety Standards in force at the time of manufacture", which meets the "National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401, et. seq.)", and which was manufactured after June 15, 1976 and contains the U.S. Department of Housing and Urban Development Seal.
- (b) Class "B" Manufactured Home - Used manufactured homes meeting the "National Mobile Home Standards" in (a) above, found upon inspection to be in poor condition, unsafe or unsuitable for residential use.

2. Manufactured Home Inspection. The Inspector's initial inspection of any manufactured home or mobile home to determine its classification and its suitability for occupancy.

3. Manufactured Housing Subdivision. A single family subdivision to be used specifically for single family residential use, for manufactured homes.

4. Mobile Home. A residential structure transportable in one or more sections, built on a permanent chassis and designed to be used as a single family dwelling when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. A trailer or recreational vehicle of any size which is designed and intended for temporary residential use is not a mobile home. A mobile home is further classified under one of the following categories:

- (a) Class "A" Mobile Home - A new or used mobile home in good condition.
- (b) Class "B" Mobile Home - Used mobile homes, found upon inspection to be in poor condition, unsafe or unsuitable for residential use.

## MANUFACTURED HOUSING SUBDIVISION

### 1. Locations and Permitted Uses - Manufactured housing.

- (a) One Class "A" multi-section manufactured home per lot as a principal use, with at least one-thousand square feet (1,000 sq. ft.) in size, having been manufactured within the past eight (8) years, and having a shingle roof with a pitch of not less than two (2) inch vertical rise for each twelve (12) inches of horizontal run, and non-metallic composition siding to include wood, vinyl or other material similar in appearance to a site-built residence. Proposals for more than one manufactured home per lot are considered a mobile home park, which must meet all of the applicable requirements.

2. Bulk Regulations - The bulk regulations for manufactured housing are the same as those for single family dwellings.

3. Procedure for Approval of Manufactured Housing Subdivision. Applications for proposed manufactured housing subdivisions must be reviewed and approved by the City Council. All manufactured housing to be located within any approved manufactured housing subdivision must be a Class "A" manufactured home.

### INDIVIDUAL MANUFACTURED HOME OR MOBILE HOME NOT IN SUBDIVISION, PARK OR COURT - CONDITIONAL USE.

1. Conditional Use - The City Council may grant a Conditional Use Permit for only one individual Class "A" manufactured home or Class "A" mobile home, with tongue, tow bar, wheels and axles attached for future transport away from the lot, on a lot in any residential area when it shall find that the applicant is a resident owner of a dwelling who has a special need to provide temporary, nearby living quarters for an aged or dependent relative, and the use of a manufactured home or mobile home for such purpose would alleviate a social, economic or physical hardship for said owner or his or her dependent(s). Proof of such hardship is required, as evidenced by a letter from a physician or other appropriate professional. A permit granted for such purpose shall expire whenever the designated dependent(s) no longer reside in the manufactured home or mobile home, and no such manufactured home or mobile home shall be used as rental property. Class "B" manufactured homes and Class "B" mobile homes shall not be permitted.

2. Non-transferability of Permit. Under no conditions shall a Conditional Use Permit issued pursuant to the provisions of this section be assignable or transferable, but shall be valid only for the designated use by the permittee. Each permit so granted shall be subject to an annual fee as designated by the City Council covering the costs of two Staff reviews per year to determine whether the need upon which the Permit was granted still exists.

3. Removal. Upon expiration of such Conditional Use Permit, the subject manufactured home or mobile home shall be promptly vacated, and within ninety days of expiration of the Permit, be removed from the premises.



INDIVIDUAL MANUFACTURED HOME OR MOBILE HOME NOT IN  
SUBDIVISION, PARK OR COURT - SPECIAL USE

1. Special Use - The City Council may grant a Special Use Permit, for Variances, only for an individual Class "A" manufactured home, when it shall find that the owner of the manufactured home or mobile home has met the following criteria:

- (a) Examination of surrounding development - By the Council as to wheather the Manufactured home or mobile home is significantly different than surrounding residences.
- (b) Manufactured home or mobile home shall contain not less than 720 square feet of living area.
- (c) The electrical, gas, water and drain connections for the Manufactured home or mobile home shall be made permanent and in accordance with other applicable City regulations.
- (d) Manufactured home or mobile home shall have suitable permanent skirting installed to enclose all areas between the lower edge of the outside walls and the ground.
- (e) Manufactured home or mobile home shall be place on permanent foundations, or on footings, on piers, or on blocks containing a base of not less than 16" square in area and not less than 16" height above ground level, and shall be tied down with a minimum of four (4) frame ties on each side, one for every fifteen (15) feet of length, and at least two (2) over top ties, one at each end, and under the exterior covering, when possible.
- (f) Manufactured home or mobile home shall maintain a minimum of twenty-four (24) inch crawl space under the entire unit, unless limited by topography or other land constraints.
- (g) Manufactured home or mobile home shall have permanent steps affixed to all exits.
- (h) Owner of Manufactured home or mobile home must declare as real property within one (1) year of attachment to the permanent foundation.
- (i) Manufactured home or mobile home shall have a roof with a pitch of not less than two (2) inch vertical rise for each twelve (12) inches of horizontal run, except for manufactured homes which are at least nine-hundred-twenty (920) square feet in size and that have been manufactured within the past eight (8) years.
- (j) Manufactured home or mobile home shall not have been or be altered in violation of applicable codes.
- (k) Manufactured home or mobile home shall first be inspected by the Inspector who will determine its class and certify it as meeting all pertinent requirements of the building, plumbing, and electrical codes prior to occupancy.

- (1) Any manufactured home or mobile home found by the Inspector to be a Class "B" manufactured home or Class "B" mobile home shall not be permitted.

2. Transferability of Permit With Inspection. Whenever a manufactured home or mobile home, which has a Special Use Permit approved in accordance with the provisions of this Section, is sold, the owner who has the Permit must request an inspection by the Inspector to assure that the mobile home continues to meet the standards in 1 (a) - (i) above, before the Permit can be transferred with the transfer of ownership. If said mobile home does not meet any one or more of the standards in 1 (a) - (i) above, the owner must make the necessary repairs/alterations to be in compliance or the Permit will expire. Expiration of the existing Special Use Permit will require that the new owner request approval of a new Special Use Permit, or the mobile home will be required to be removed.

#### ENFORCEMENT

1. Upon any inspection of the manufactured home or mobile home for connection or reconnection of utilities, to determine compliance with any standards of this Section, or for purposes of condemning said structure under the provisions of this ordinance, when it is found that the manufactured home or mobile home does not comply with the standards of Class "A" or is found to be a Class "B" manufactured home or mobile home, the owner of the manufactured home or mobile shall be given sixty (60) days by the appropriate Inspector to make the repairs necessary to bring the manufactured home or mobile home up to Class "A" rating. If the owner fails to make said repairs within the sixty (60) day period, he shall be notified in writing that the manufactured home or mobile home is in violation of this Section, and that a Special Use Permit cannot be issued until the manufactured home or mobile home is in compliance with the standards of this Section, that utilities cannot be connected or reconnected until the manufactured home or mobile home is in compliance with the standards of this Section, or that the manufactured home or mobile home must be promptly vacated and required to be removed from the premises under the same time schedule and procedures as a condemned single family dwelling. The Inspector or Condemnation Code Enforcement Officer shall prepare a report which identifies what, if any, repairs are required and shall be responsible for enforcement of this Section.

2. The Inspector may issue a temporary permit to allow emergency housing which does not meet one or more of the standards in this Section, when it is found upon inspection that the emergency housing does meet minimum standards for temporary occupancy. The temporary permit shall be reviewed to ensure that due diligence is being made to alleviate the emergency which requires its use.



## MOBILE HOME PARKS

1. The following buildings, structures and uses shall be presented to the Brookland City Council for their approval or disapproval as conditional uses, in any district from which they are prohibited, except as otherwise provided, in accordance with the procedures and standards of this chapter, provided that the location is appropriate and not in conflict with the Comprehensive Plan of the City of Brookland, that the public health, safety, morals, and general welfare will not be adversely affected, that necessary safeguards will be provided for the protection of surrounding property, persons and neighborhood values, and further provided that the additional standards of this chapter are complied with. Unless otherwise specified in this chapter, or specified as a condition of approval, the height limits, yard spaces, lot area and sign requirements shall be the same as for other uses in the district in which the conditional use is located.

2. Procedures set forth in this Ordinance of the City of Brookland shall be followed when applying for approval.

(a) A site plan drawn to one (1) inch equals 20 feet scale in areas of (1) acre or less and a plat area exceeding (1) acre in size requires (1) inch equal (50) feet scale shall be submitted to the Council and shall include the following:

- (1) The parcel requested for rezoning or the area and dimensions of the tract of land to be used for a mobile home park.
- (2) The legal description of the subject parcel.
- (3) Ownership of adjoining areas except platted subdivisions.
- (4) Distance, in feet, to nearest streets and/or highways.
- (5) Number, locations and size of all mobile home and trailer spaces.

(b) No mobile home space or trailer space shall be located nearer than ten (10) feet in the right-of-way line of any public road.

(c) No mobile home space or trailer space shall be located nearer than ten (10) feet to any adjoining property line.

(d) No service building, office or accessory structure other than a wall, fence, or sign shall occupy the front, side and rear yards as set forth in items (c) and (d) above. Said yards shall be maintained in such a manner as to prevent the development of fire and health hazards.

(e) Not more than ten (10) mobile home spaces or trailer spaces for each acre of gross site area shall be provided.

(f) No mobile home space shall be less than three thousand (3000) square feet in area.



(g) No mobile home, trailer or accessory structure shall be located nearer than ten (10) feet to any other mobile home or trailer or to any accessory structure on another space.

(h) One (1) paved, gravel, or chat automobile parking space, one hundred eighty (180) square feet in area shall be provided as a part of each mobile home space or trailer space.

(i) One (1) paved, gravel, or chat parking space, one hundred eighty (180) square feet in area shall be provided for each ten (10) mobile home spaces or trailer spaces. These parking spaces are in addition to those required in item (h) and shall be centrally located.

(j) Internal driveways or courts designed to have one (1) end permanently closed shall be no more than four hundred (400) feet long unless approved by the Council. Internal Driveways or courts exceeding four-hundred (400) feet shall be provided, at the closed end, a turn-around having an outside roadway diameter of at least eighty (80) feet.

(k) All internal driveways shall be paved with asphalt or concrete. The minimum requirements are six (6) inches compacted clay gravel with two (2) inches asphalt surface on firm subgrade. One-way drives shall have a minimum paved width of twenty (20) feet and two-way drives a minimum paved width of twenty-eight (28) feet.

(l) Laundry facilities shall be provided in a service building with a minimum of one (1) washing machine for each ten (10) mobile home spaces or trailer spaces. A minimum of one (1) washing machine shall be provided in all mobile home parks with ten (10) or more spaces. Unless it is provided in the mobile home themselves.

(m) Central refuse collection facilities shall be shown on site plan and shall be in accordance with health department recommendations.

(n) Fire lines and fire hydrants shall be shown in site plan and shall be in accordance with recommendations of the City of Brookland Utilities.

(o) Each mobile home shall be connected to a sanitary sewer and water supply system approved by the State of Arkansas Health Department.

(p) One (1) detached indirectly illuminated sign, not exceeding fifteen (15) square feet in area, may be erected at the main entrance to the mobile home park provided that it doesn't effect the vision of ingress or egress of the park.

(q) All light, gas, water, and telephone distribution and service lines to each individual mobile home shall conform to all state and local codes, ordinances, and laws.

(r) It shall be the duty of the Inspector to make an annual inspection of each approved mobile home park and present to the owner in writing a list of existing violations, should there be any. It shall be the duty of the owner to correct each and all violations within sixty (60) days of receipt of notice. The building official may make periodic inspections as he finds necessary. A Twenty Dollar (\$20.00) daily fine shall be charged to the owner of the park if violations are not corrected within sixty (60) days of receipt of notice of such violations.

(s) Permit for placement of single mobile homes shall be left to the direct control of the City Council. All regulations of the code of Ordinances must be met before a permit shall be issued.

(t) In mobile home parks with twenty (20) units or more located in the park, a manager for the mobile home park must reside within the park area.

(u) Any mobile home park may contain, in addition to the mobile home units, one (1) dwelling house.