

ASHE COUNTY, N.C. ORDINANCE

CHAPTER 152: MOBILE HOME PARKS

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***152.01 PURPOSE AND AUTHORITY.**

- (A) Mobile homes have become an important factor in providing safe and sound housing for the residents of the county. The increasing acceptance of this type of housing is indicated by the constantly rising number of such housing units in this county. To maintain a safe, sanitary environment for the residents of the mobile home parks; to protect the ecologically sensitive mountain slopes; and to insure compatibility with conventional housing, these regulations are provided.
- (B) The following regulations for the protection of the public and for insuring the compliance with the mobile home manufacturing standards are hereby adopted pursuant to authority granted by G.S. Chapter 130, Section 17, and G.S. Chapters 143 through 149.
(Ord. Passed - -94)

***152.02 DEFINITIONS.**

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

HEALTH DIRECTOR. The County Health Director or his authorized representative.

MANUFACTURED. For the purposes of this chapter, may be substituted for **MOBILE.**

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MOBILE HOME. Any trailer or other vehicle maintained, offered, or used for living or sleeping purposes which is equipped or intended to be equipped with a wheel or wheels or similar devices for the purpose of transporting the unit, which in the traveling mode is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 320 or more square feet of heated floor space.

MOBILE HOME COURT. Any place, area, or tract of land maintained, offered, or used for the parking of three or more mobile homes used or intended to be used for living or sleeping purposes in such mobile home court. As used herein the terms **MOBILE HOME COURT** and **MOBILE HOME PARK** are interchangeable.

MOBILE HOME SPACE. That portion of land in a mobile home court allotted or designed for accommodation of one mobile home.

OPERATOR. The person who owns or is responsible for the operation of a mobile home court.

PERSON. Any individual, firm, corporation, association, or partnership.

SELF-CONTAINED. Contained within and becoming a part of a mobile home.
(Ord. Passed 10-16-94)

*152.03 APPROVAL OF PLANS.

- (A) A mobile home court plan meeting the requirements of *152.04 shall be submitted for review and approval by the Planning Board before any improvements are made in a mobile home court. This plan shall be submitted to the County Manager/Planner in eight copies at least 15 days before the meeting of the Planning Board at which time it is to be reviewed.
- (B) The Planning Board shall review this plan and negotiate with the builder/developer for any changes required in order that the mobile home court may comply with this chapter and for such other changes as may be found desirable. After revisions in the plan, if required, the Planning Board will take formal action within two regularly scheduled meetings after the meeting at which the plan was first reviewed. Failure to take formal action within this time period shall have the same effect as a recommendation that the plan be approved. Within five days after its final action on the plan, the Planning Board shall notify the builder/developer by letter of its recommendation. Within ten days after final approval the builder/developer shall pay the required fees and file a copy of the approved plan with the County Building Inspector.

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- (C) Every decision of the Planning Board shall be subject to review at the request of the aggrieved party by the County Board of Commissioners. The appeal to the Commissioners must be filed within 30 days from the notification of the Planning Board's action, or the delivery of the first class mail notice to the aggrieved party, whichever is later.
(Ord. Passed - -94)

***152.04 MINIMUM STANDARDS OF DESIGN, CONSTRUCTION AND LAYOUT.**

- (A) A plan shall be submitted to the Planning Board for review and approval prior to making application for a mobile home park permit. Such plan shall be drawn to scale of not less than 100 feet to the inch and shall show the following on one or more sheets:
- (1) The name of the mobile home park, the names and addresses of the owner(s) and the designer of the park; date, north arrow, and scale; and the boundary line of the tract with accurate linear and angular dimensions drawn to scale.
 - (2) The locations of existing and platted property lines, streets, buildings, water courses, railroad rights-of-way, bridges, water mains, sewers, culverts, drain pipes and any utility easements on the land to be developed as a mobile home park. The names of adjoining subdivisions or the names of the owners of adjoining parcels of un-subdivided land shall also be shown. Upon final approval, a plat of the external boundaries of the mobile home park shall be required recorded by the builder/developer in the office of the County Register of Deeds. Such plat must meet the requirements of G.S.*47-30.
 - (3) Names, proposed locations and dimensions of proposed streets, alleys, driveways, entrances, exits, walkways, easements, recreation areas, parks and other spaces, reservations, trailer spaces and building lines within the park.
- (B) Utilities required shall be as follows:
- (1) Plans of proposed utility layouts (sewer line, water lines, storm drainage, etc.) showing feasible connections to existing and proposed utility systems; plans for electric lighting; and the location and number of garbage receptacles.
 - (2) Water and sewer systems shall meet the requirements of the North Carolina Department of Environment, Health and Natural Resources, or their successor organization.
 - (3) All wired connections from meter to mobile home must comply with the national electrical codes.
- (C) Dimensional site requirements for all mobile home parks shall be as follows:

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- (1) The minimum size lot, tract or parcel of land to be used for a mobile home park shall not be less than one acre in size and shall contain sites for at least three mobile homes. If a public or approved community sanitary system is provided, there shall be no more than six mobile homes per acre.
- (2) No mobile home shall be located closer than 20 feet to the nearest other mobile home or residential structure, except that storage or other auxiliary structures for the exclusive use of the mobile home may be closer to that mobile home than 20 feet.
- (3) No mobile home shall be located closer than 30 feet to any public right-of-way used for laundry, recreation, or other similar purposes, and shall be located no closer than 25 feet of the exterior boundary of the park or the right-of-way of a bounding public road or street, or no closer than 20 feet to the roads inside the mobile home park.
- (4) Each mobile home space shall abut a driveway within the park. The driveways shall be graded and surfaced with not less than four inches of crushed stone or other suitable paving material on a well compacted sub-base to a continuous width of 25 feet, exclusive of required parking space.
- (5) Two off driveway parking spaces with not less than four inches of crushed stone or other suitable paving material on a well compacted sub-base shall be provided for each mobile home space. Required parking may be included within the minimum required lot area for each mobile home space. Additional parking spaces for other vehicles may be provided.
- (6) At least 200 square feet of recreation space for each mobile home as common recreation space for residents of the park. Such areas shall, along with driveways and walkways, be adequately lighted for safety.
- (7) Cul-de-sacs, when required, shall be provided with turn-around having a 40-foot radius. All interior streets shall be retained as private streets on the mobile home park property.
- (8) A 20-foot wide buffer shall be provided around the perimeter of the park. The purpose of the buffer is to create the impression of spatial separation between parks and adjacent land uses without eliminating visual contact. Buffers shall consist of plantings of evergreen and/or deciduous trees spaced no less than 30 feet apart. Such trees shall be at least four feet high at the time of planting and shall reach a height of no less than 20 feet at maturity. In addition, plantings of low growing shrubs, bushes, and/or trees shall be placed at ten-foot intervals.
 - a. Plantings within buffer areas shall be staggered unless topography is prohibitive. No plantings shall be placed in a public road right-of-way.

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- b. In combination with or in lieu of a buffer, the following shall be provided: A ten-foot wide screening strip shall be provided around the perimeter of the park. The purpose of the screening is to eliminate visual contact between the park and adjacent land uses. Screenings shall consist of plantings of evergreen trees in at least ten-foot intervals. Such trees shall be at least four feet high at the time of planting and shall reach a height of no less than 20 feet at maturity. A list of possible trees may be obtained from the County Extension Service.
- (D) Each mobile home park shall provide minimum facilities for mobile home occupants as follows:
- (1) All plumbing installations shall conform to the applicable county building codes. Each mobile home shall be required to make a separate connection with sanitary sewer facilities immediately upon occupying a mobile home site. A minimum of a four-inch connection shall be required and shall have approved fittings to insure a water-tight connection and means for capping or closing such connection when it is not in use.
 - (2) Two garbage containers, 20-gallon minimum capacity shall be provided for each mobile home, containers shall be placed on racks. Such racks shall be located within the mobile park at a point which is readily accessible for collection. In lieu of requiring individual garbage and trash containers for each mobile home, other approved garbage and trash disposal facilities may be provided with the approval of the County Planning Board.
 - (3) It shall be the responsibility of the owner or his authorized agent to keep the mobile home park in a reasonably clean and sanitary condition at all times, and to maintain and keep in good repair all required mobile home park facilities. All waste water from washing machines and other similar sources shall be discharged into the sanitary sewer system and under no circumstances shall such wastes be discharged on the ground or in a stream.
- (Ord. Passed - -94) Penalty, see *152.99

***152.05 INDIVIDUAL MOBILE HOMES PARKED OUTSIDE APPROVED MOBILE HOME COURTS.**

- (A) Every mobile home dwelling unit, whether for permanent or seasonal use, that is placed in the county shall have the water and sewage disposal systems

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approved by the North Carolina Department of Environment, Health and Natural Resources, or their successor organization.

- (B) The minimum lot size for a mobile home unit shall be 20,000 square feet. This minimum size may be increased in certain watershed areas as required by the North Carolina Department of Environment, Health and Natural Resources, or their successor organization.
- (C) Construction of the foundation shall comply with the North Carolina Building Codes as related to Mobile Homes as set out in G.S. Chapter 143, Article 9A, "The Uniform Standards Code For Mobile Homes Act".
(Ord. Passed - - 94) Penalty, see *152.99

***152.06 COMPLIANCE OF MOBILE HOMES.**

All mobile home units sold, purchased, or carried into the county after September 4, 1973, shall have permanently affixed a label of compliance attesting to the fact that the mobile home was evaluated, tested, and inspected by the Underwriters Laboratories or similar agencies approved by the North Carolina State Building Code Council in accordance with G.S. Chapter 143, Article 9A, "The Uniform Standards Code for Mobile Homes Act."

(Ord. Passed - - 94) Penalty, see *152.99

***152.07 TEMPORARY MOBILE HOME PLACEMENT.**

- (A) Individual mobile homes or prefabricated unit may be used for such purposes as temporary residences, temporary offices, temporary security quarters, or other temporary uses provided a permit is obtained from the County Planning Board. Application for such permit shall be made to the County Manager/Planner 15 days prior to the regular scheduled meeting date of the Planning Board. The Planning Board may approve or disapprove the application based on the applicant's fulfilling the provisions of division (B) below of this section.
- (B) Every temporary mobile home or prefabricated unit placed in the county shall have water and sewage disposal systems approved by the North Carolina Department of Environment, Health and Natural Resources, or their successor organization. Such approval shall be in writing and evidence thereof shall be provided to the Planning Board.
- (C) Temporary permits may be initially issued for a one-year period and may be renewed for successive six-month periods within reason.
(Ord. Passed - - 94)

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***152.08 CONFLICT WITH OTHER ORDINANCES.**

- (A) Where another applicable regulation, ordinance, or statute imposes more restrictive regulations than those contained in this chapter, the more restrictive regulations shall govern.
- (B) The provisions of this chapter shall be held to be minimum requirements, adopted for the promotion of public health, safety or general welfare. Whenever the requirements of this chapter are in conflict with any other lawfully adopted regulations the most restrictive or that imposing the higher standards shall govern.
(Ord. Passed - - 94)

***152.09 VARIANCES.**

Where, because of conditions peculiar to the site, strict adherence to the provisions to this chapter would cause unnecessary hardships, the Planning Board may authorize a variance, if such variance can be made without destroying the intent of this chapter. Variances thus authorized shall be entered in writing in the official minutes of the Planning Board with the reasoning set forth on which the departure was justified. All requests for variances must be made in writing by the builder/developer.
(Ord. Passed - - 94)

***152.10 AMENDMENTS.**

- (A) The provisions of this chapter may from time to time be amended, supplemented, changed, modified, or repealed by the County Commissioners.
- (B) The Planning Board shall consider and make recommendations to the County Commissioners concerning each proposed amendment.
(Ord. Passed - - 94)

***152.99 PENALTY.**

If any person shall violate the rules and regulations adopted by the County Commissioners or North Carolina Department of Environment, Health and Natural Resources, or their successor organization, they shall be guilty of a misdemeanor and punished by a fine not to exceed \$500 or imprisonment not exceeding 30 days, as provided by G.S. Article 22, Chapter 130, Section 203.
(Ord. Passed - - 94)