

ORDINANCE 95-10

AN ORDINANCE OF THE TOWN OF UNICOI TENNESSEE REGULATION MOBILE HOMES (TRAILERS) AND TRAILER PARKS

WHEREAS, the board of mayor and aldermen of the Town of Unicoi, Tennessee desires ~~wish~~ to promote health, safety, welfare, as it relates to trailers and trailer parks, now therefore

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN, that:

Section 1. **Definitions.** (1) " Mobile home." A detached single family dwelling unit with any or all of the following characteristics:

(a) Designed for long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems.

(b) Designed to be transported after fabrication on its own wheels, or on a flatbed or other trailers or detachable wheels.

(c) Arriving at the site where it is to be occupied as a complete dwelling including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, connection to utilities and the like.

(2) "Mobile home park (trailer court)". The term mobile home park shall mean any plot of ground on which two (2) or more mobile homes, occupied for dwelling or sleeping purposes are located.

(3) "Mobile home space." The term shall mean a plot of ground within a mobile home park designated for the accommodation of one (1) mobile home.

(4) "Health officer." The director of the town, county or district health department having jurisdiction over the community health in a specific area, or his duly authorized representative.

(5) "Permit." (license)." The permit required for trailer parks and single mobile homes. Fees charged under the license requirement are for inspection and administration of this chapter.

(6) "City, or Town." Shall mean the Town of Unicoi, Tennessee.

Section 2. **Location of mobile homes.** It shall be unlawful for any mobile home to be used, stored, or placed on any lot or serviced by the utilities of the city where the mobile home is outside of any designated and licensed mobile home park after May 31, 1995.
(date)

Section 3. **Previous mobile homes "grandfathered."** The owner or occupant of any mobile home already placed on a lot, on or before May 31, 1995 will be permitted to reside at the present location. However, if at any time the ownership or occupancy of either the lot or mobile home shall change or if the mobile home is moved from its present location, the mobile home owner shall be given a period not to exceed thirty (30) days in which to remove the mobile home and to comply with all provisions of this chapter.

Section 4. **State tax sticker required.** No mobile home shall be used, placed, stored or serviced by utilities within any mobile home park in the town unless there is posted near the door of the mobile home a valid Tennessee State Tax Sticker.

Section 5. **Permit for mobile home park.** No place or site within the town shall be established or maintained by any person, group of persons, or corporation as a mobile home park unless he holds a valid permit issued by the town planning commission in the names of such person or persons for the specific mobile home park. The town planning commission is authorized to issue, suspend, or revoke permits in accordance with the provisions of this chapter.

Section 6. **Inspections by town planning commission.** The town planning commission is hereby authorized and directed to make inspections to determine the condition of mobile home parks, in order that they may perform their duty of safeguarding the health and safety of occupants of mobile home parks and of the general public. The town planning commission shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this chapter.

Section 7. **Location and planning.** The mobile home park shall be located on a well-drained site and shall be so located that its drainage will not endanger any water supply and shall be in conformity with a plan approved by the town planning commission. The town planning commission shall promulgate regulations for mobile home park location and plan approval, which shall provide for adequate space, lighting, drainage, sanitary facilities, safety features, and service buildings as may be necessary to protect the public health, prevent nuisances, and provide for the convince and welfare of the mobile home park occupants.

Section 8. **Minimum size of mobile home park.** The tract of land for the mobile home park shall consist of a single plat so dimensioned and related as to facilitate efficient design and management.

Section 9. **Minimum number of spaces.** Minimum number of spaces completed and ready for occupancy before first occupancy is ten (10).

Section 10. **Minimum mobile homes space and spacing of mobile homes.** Each mobile home space shall be adequate for the type of facility occupying the same. Mobile homes shall be parked on each space so that there will be at least fifteen (15) feet of open space between mobile homes or any attachment such as a garage or porch¹, and at least ten (10) feet end to end spacing between trailers and any building or structure, twenty (20) feet between any trailer and property line and twenty-five (25) feet from the right-of-way of any public street or highway.

The individual plot sizes for mobile home spaces shall be determined as follows:

- (1) Minimum lot area of two thousand four hundred (2,400) square feet;
- (2) Minimum depth while end parking of an automobile shall be equal to the length of the mobile home plus thirty (30) feet;
- (3) Minimum depth with side or street parking shall be equal to the length of mobile home plus fifteen (15) feet; and
- (4) In no case shall the minimum width be less than forty (40) feet and the minimum depth less than sixty (60) feet.

Section 11. **Water supply.** Where public water supply is available, it shall be used exclusively. The development of an independent water supply to serve the mobile home park shall be made only after express approval has been granted by the county health officer. In those instances where an independent system is approved, the water shall be from a supply properly located, protected, and operated, and shall be adequate in quantity and approved in quality. Samples of water for bacteriological examination shall be taken before the initial approval of the physical structure and thereafter at least every four (4) months and when any repair or alteration of the water supply system has been made. If a positive sample is obtained, it will be the responsibility of the trailer park operator to provide such treatment as is deemed necessary to maintain a safe, potable water supply.

Section 12. **Sewage disposal.** An adequate sewage disposal system must be provided and must be approved in writing by the health officer. Every effort shall be made to dispose of the sewage through a public sewage system. In lieu of this, a septic tank and sub-surface soil absorption system may be used provided the soil characteristics are suitable and an adequate disposal area is available. The minimum size of any septic tank to be installed under any condition shall not be less than seven hundred fifty (750) gallons working capacity. This size tank can accommodate a maximum of two (2) mobile homes. For each additional mobile home a such single tank, a minimum additional fluid capacity of one hundred seventy-five (175) gallons liquid capacity.

The amount of effective soil absorption area or total bottom area of overflow trenches will depend on local soil conditions and shall be determined only on the basis of the percolation rate of the soil. The percolation rate should be determined as outlined in Appendix A of the Tennessee Department of Public Health Bulletin, entitled "Recommended Construction of Large Septic Tank Disposal Systems for Schools, Factories and Institutions". (This bulletin is available on request from the Department.) No mobile home shall be placed over a soil absorption field.

In lieu of public sewage or septic tank system, an officially approved package treatment plant may be used.

All sewer lines shall be laid in trenches separated at least ten (10) feet horizontally from any drinking water supply line.

Section 13. **Refuse.** The storage, collection and disposal of refuse, in the park shall be so managed as to create no health hazards. All refuse shall be stored in fly proof, water tight and rodent proof containers. Satisfactory container racks or holders shall be provided. Garbage shall be collected and disposed of in an approved manner at least once per week.

Section 14. **Electricity.** An electrical outlet supplying at least two hundred twenty (220) volts shall be provided for each mobile home space and shall be weather proof and accessible to the parked mobile home. All electrical installations shall be in compliance with the revised Tennessee Department of Insurance and Banking Regulations, entitled "Regulations Relating to Electrical Installations in the State of Tennessee", and shall satisfy all requirements of the local electrical service organization.

Section 15. **Streets.** Widths of various streets within mobile home parks shall be:

One-way with no on-street parking 11 ft.

One-way, with parallel parking on one side only	18 ft.
One-way, with parallel parking on both sides.....	26 ft.
Two-way, with no on street parking	20 ft.
Two-way, with parallel parking on one side only	28 ft.
Two-way, with parallel parking on both sides	36 ft.

Streets shall have a compacted gravel base and a prime seal treatment to meet requirement of the Tennessee State Highway Department.

Section 16. **Parking spaces.** Car parking spaces shall be provided in sufficient number to meet the needs of the occupants of the property and their guests without interference with normal movement of traffic. Such facilities shall be provided at the rate of at least one (1) car space for each mobile home lot plus an additional car space for each four (4) lots to provide for guest parking, for two (2) car tenants and for delivery and service vehicles. Car parking spaces shall be located for convenient access to the mobile home space. Where practical, one (1) car space shall be located on each lot and the remainder located in adjacent parking bays. The size of the individual parking space shall have a minimum width of not less than ten (10) feet and a length of not less than twenty (20) feet. The parking spaces shall be located so access can be gained only from internal streets of the mobile home park.

Section 17. **Buffer strip.** An evergreen buffer strip shall be planted along those boundaries of the mobile home park that are adjacent to development.

Section 18. **License for mobile home parks.** It shall be unlawful for any person or persons to maintain or operate within the corporate limits of the town, a mobile home park unless such person or persons shall first obtain a license therefor.

Section 19. **License for individual mobile homes.** It shall be unlawful for any person to maintain an individual mobile home as a dwelling unless a license has been obtained therefor. It shall be the responsibility of the owner of the mobile home to secure the license.

Section 20. **License fees for mobile home parks.** The annual license fee for mobile home parks shall be twenty-five (25) dollars.

Section 21. **License fees for individual mobile homes.** The annual license fee for each mobile home shall be ten (10) dollars. The fee for transfer of the license because of change of ownership or occupancy shall be five (5) dollars.

Section 22. **Application for license.** (1) **Mobile home parks.** Application for a mobile home park shall be filed with and issued by the town recorder subject to the planning commissions approval of the mobile home park plan. Application shall be in writing and signed by the applicant and shall be accompanied with a plan of the proposed mobile home park. The plan shall contain the following information and conform to the following requirements:

- (a) The plan shall be clearly and legibly drawn at a scale not smaller than one hundred (100) feet to one (1) inch;
- (b) Name and address of owner of record;
- (c) Proposed name of park;

(d) North point and graphic scale and date;
(e) Vicinity map showing location and acreage of mobile home park;
(f) Exact boundary lines of the tract by bearing and distance;
(g) Names of owners of record of adjoining land;
(h) Existing streets, utilities, easements, and water courses on and adjacent to the tract;

(i) Proposed design including streets, proposed street names, lot lines with approximate dimensions, easements, land to be reserved or dedicated for public uses, and any land to be used for purposes other than mobile home spaces;

(j) Provisions for water supply, sewage and drainage;

(k) Such information as may be required by the city to enable it to determine if the proposed park will comply with legal requirements;

(l) The applications and all accompanying plans and specifications shall be filed in triplicate;

(2) **Individual mobile homes.** Application for individual mobile home licenses shall be filed with and issued by the town recorder. Applications shall be in writing and signed by the applicant. The application shall contain the following:

(a) The name of the applicant and all people who are to reside in the mobile home;

(b) The location and description of the mobile home, make, model, and year;

(c) The state license number;

(d) Further information as may be required by the town to enable it to determine if the mobile home and site will comply with legal requirements; and

(e) The application shall be filed in triplicate.

Section 23. **Enforcement.** It shall be the duty of the county health officer and the planning commission to enforce provisions of this ordinance.

Section 24. **Board of appeals.** The Board of Mayor and Aldermen shall serve as the Board of Appeals and shall be guided by procedures and powers compatible with state law.

Any party aggrieved because of an alleged error in any order, requirement, decision or determination made by the planning commission in the enforcement of this chapter, may appeal for and receive a hearing by the Board of Mayor and Aldermen for an interpretation of pertinent chapter provisions. In exercising this power of interpretation of this chapter, the Board of Mayor and Aldermen may, in conformity with the provisions of this ordinance, reverse or affirm any order, requirement, decision or determination made by the planning commission.

Section 25. **Appeals from board of appeals.** Any person or persons or any board, taxpayer, department, or bureau of the town aggrieved by any decision of the Board of Mayor or Aldermen may seek review by a court of record of such decision in the manner provided by the laws of the State of Tennessee.

Section 26. **Violation and penalty.** Any person or corporation who violates the provisions of the ordinance or rules and regulations adopted pursuant thereto, or fails to perform the reasonable requirements specified by the town planning commission or county health officer after receipt of thirty (30) days written notice of such requirements, shall be subject to penalty of up to

Fifty dollars (\$50.⁰⁰) for each offense. Each day a violation is allowed to continue shall constitute a separate offense.

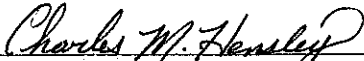
Section 27. This ordinance shall take effect from and after final passage, the public welfare requiring it.

¹If the construction of additional rooms or covered areas is to be allowed beside the mobile homes, the mobile homes spaces shall be made wider to accommodate such construction in order to maintain the required fifteen (15) feet of open space.

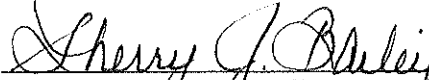
VOTING FOR THIS ORDINANCE:

First reading: 4-3-95 HENSLEY: YEA, NUSS: YEA, LYNCH: YEA

Second reading: 4-17-95 HENSLEY: YEA, NUSS: ABSENT, LYNCH: YEA



Charles M. Hensley, Mayor



Sherry J. Bailey, Town Recorder