

AN ORDINANCE REGULATING THE USE OF MOBILE HOMES, MANUFACTURED HOMES, OR SIMILAR STRUCTURES FOR HOMES OR THE CONDUCT OF BUSINESS WITHIN THE VILLAGE OF SOUTH POINT, OHIO, REPEALING ANY LEGISLATION IN CONFLICT HEREWITH

WHEREAS, it has come to the attention of the Council of the Village of South Point that there had been complaints in regard to the use of mobile homes, manufactured homes, pre-fabricated homes, or similar structures as residential units or as business units within the Village and the existing Ordinance with various amendments may be confusing and in need of updating;

WHEREAS, since the accumulation of prior legislation concerning this matter has been confusing and conflicting and the Village desires to clarify and regulate the use of mobile homes, manufactured homes, pre-fabricated homes, or similar structures;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of South Point, State of Ohio as follows:

SECTION 1. Definitions:

“Mobile Home” is a pre-fabricated, transportable home made before 1976; a detached residential dwelling unit designed for transportation after fabrication on streets or highways on its own wheels or a flatbed or other trailer, arriving at a site where it is to be occupied as a dwelling, complete and ready for occupancy except for minor and incidental changes or adaptations.

“Manufactured Home” is a transportable home constructed on or after June 15, 1976, meeting HUD’s modern safety and quality requirements; built in a factory on its own steel chaise and wheels. This includes single section, double section, and triple section homes; multi-section manufactured homes are transported by section, with the sections being assembled on site; a manufactured home that has a steel frame and can be relocated to another foundation. Each section of a manufactured home is fully assembled before transportation.

“Modular Home” is a factory-made home that only has 80-90% of their construction completed before they are transported to a building site. Once the modular home pieces arrive at the building site, a crane is used to put the pieces of the home on a foundation, connecting them all together. A modular home is not fully assembled before it is shipped. A modular home is not built on a chaise or steel frame which is used for foundation purposes.

“Pre-fabricated Home” is manufactured in sections in a factory and transported to the site and then the sections are assembled together on site. It is placed on a permanent foundation. It has no metal frame or chaise.

“Permanent Foundation”: a permanent foundation shall consist of use of a footer with block, brick, or similar material being used to place the structure upon. This would also include a crawl space or basement. If a pier or beam foundation is used under the metal supports of the structure, along with the permanent foundation as defined herein, then the structure would be considered to be on a permanent foundation.

A foundation is not permanent if the metal frame is placed on a pier or beam foundation under the metal frame of the structure and the structure can be relocated by removing the piers or beams. Any manufactured home placed on a foundation other than a permanent foundation as defined herein shall be secured by metal strapping or such other method as is approved by the Ohio Administrative Code and the Department of Commerce.

- SECTION 2. It shall be unlawful within the corporate limits of the Village for the owner or any other person, firm or corporation to park any mobile home, single section manufactured home or similar type structures, as defined herein, on any tract of land owned by any person, firm or corporation, occupied or unoccupied, within the Village except as provided in this Ordinance.
- SECTION 3. Notwithstanding Section 2 of this Ordinance, nothing contained in this Ordinance shall in any way affect such mobile home or manufactured home now parked or used by any person as such living quarters, or as a business, which was used for such purpose prior to the effective date of Ordinance 84-15 so long as otherwise in compliance with the prior Ordinance.
- Should any such mobile home or manufactured home as described herein within the Village limits be moved or removed, it shall be unlawful to return or replace such unless done in compliance with this Ordinance. In case of fire or natural disaster, application must be made to the Zoning Committee within 30 days for permission to replace the mobile home or manufactured home.
- SECTION 4. This Ordinance does not prohibit the parking of campers or self-propelled motor homes upon property within the Village so long as they are used as recreational mobile units and not used as a temporary or permanent dwelling and do not have permanent hook-up to water and/or sewer.
- SECTION 5. Section 2 of this Ordinance does not prohibit the parking of a mobile home or manufactured home in an approved mobile home park established in accordance with Chapter 3733 of the Ohio Revised Code.
- SECTION 6. Natural Disasters: In case of natural disasters such as fire, flood, tornado, or Similar type events that would require need of a temporary office or storage Facility for any business, the Administrator may issue a temporary permit for use of a mobile home or manufactured home by the existing business up to one year.
- SECTION 7. Any manufactured or modular home, which is not otherwise prohibited from being placed upon property within the Village, shall be placed on a permanent foundation.
- SECTION 8. Water/Sewer: Any mobile home or manufactured home authorized to be parked in the Village and to be used as any type dwelling or business office shall be hooked up to the Village water and sewer.
- SECTION 9. Before any mobile home or manufactured home is placed in the Village, a permit must be obtained from the Village Administrator who will first determine that all requirements of this Ordinance have been complied with.
- SECTION 10. Any use manufactured home, modular home or prefabricated home not otherwise prohibited by this Ordinance to be placed in the Village shall not be older that 10 years according to the manufactured date on the title, certificate of origin, or any document containing the manufacture date.
- SECTION 11. Emergency/Hardship: Temporary mobile home or manufactured home requests may be made to the Village on a hardship basis only. Each request must be approved by Village Council upon request by property owner and family members who will be living in the trailer/mobile home unit.

The following conditions must be met:

- (a) The situation must be a hardship situation to take care of family members who cannot take care of themselves for medical reasons. Applications must be in writing on forms provided by the Village setting for such information as Council desires.

- (b) The owner may not charge rent to the family living in the mobile home or manufactured home.
- (c) Water fees and sewage fees will be the responsibility of the property owner.
- (d) When the hardship ceases to exist or the mobile home or manufactured home is vacated due to relocation or death of the occupant(s), the trailer or mobile home unit can no longer be utilized as a dwelling or residence, either personal, rental or other and must be removed within ninety (90) days.
- (e) When the mobile home or manufactured home unit is vacated, it must be moved outside the Village within a period of ninety (90) days.
- (f) The mobile home or manufactured home must be so situated as not to constitute a fire or health hazard. The applicants must allow fire and health inspections as are requested.
- (g) The consent of abutting property owners must be given in writing to Council with application.
- (h) Such exemption will terminate after one (1) year although another exemption may be requested.

SECTION 12

Penalty: Any person who violates the terms of this Ordinance as above set forth may be fined up to \$100.00 for the first day and up to \$25.00 per day for every day said person is in violation of this Ordinance. It shall be deemed to be a violation under terms hereof when any person uses said mobile home, or manufactured home as defined herein without a permit from the Village of South Point as above provided or in violation of the terms of the Ordinance after a permit is granted. Each day said unit is occupied may be considered a separate violation.

SECTION 13

This Ordinance cancels Ordinance 84-15 and all Amendments thereto.

APPROVED THIS 4TH DAY OF OCTOBER 2022
SIGNATURES ON FILE FOR THE MAYOR AND CLERK