

SUPERVISORS ORDER BOOK NO. 16
(Adopted October 14, 1998)

The following ordinance proposed at the regular meeting of the Board of Supervisors of Patrick County held at the Patrick County Administration Building, on the 14th day of October, 1998, having been duly advertised for adoption as provided by law, after a hearing thereon, on motion by Kathy H. Clements, seconded by Roger L. Martin and carried, it is hereby adopted:

ORDINANCE TO REGULATE MANUFACTURED HOME PARKS

ARTICLE 1

AUTHORIZATION

The Board of Supervisors of Patrick County, Virginia, pursuant to the authority conferred by Section 15.2-2247 of the 1950 Code of Virginia, as amended, does hereby ordain and enact into law this Manufactured Home Park Ordinance.

ARTICLE 2

PURPOSE

In order to provide for the general economic development of Patrick County and to promote safe, attractive, and viable manufactured home parks within the boundaries of the county, the Board of Supervisors do hereby require that all manufactured home parks constructed, expanded, or altered, and all expansions and alterations to existing manufactured home parks after November 14, 1998, must conform fully to the provisions of this ordinance.

This ordinance does not apply to manufactured homes when there is no occupancy of any home and no lot is available for rental purposes on site. This ordinance does not apply to a mobile home dealership site. This ordinance does not amend or modify any provisions of the subdivision ordinance.

This ordinance does not apply to homes located in the Town of Stuart.

ARTICLE 3

DEFINITIONS

1. "Manufactured Home" shall mean any structure constructed on or after June 15, 1976, subject to federal regulation and containing the H.U.D. label, which is transportable in one or more sections; is twelve (12) body feet or more in width and forty (40) body feet or more in length in the traveling mode, or is four hundred eighty (480) or more square feet when erected on site; is built on a permanent chassis; is designed to be used as a family dwelling, with or without a permanent foundation when connected to the required utilities; and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure. "Manufactured home" includes structures commonly referred to as "mobile home" and "house trailer".

2. Manufactured Home Park, (hereinafter Park), means any site, lot, or tract of land which contains spaces for parking three (3) or more manufactured homes for rental purposes. Three (3) or more manufactured home sites on a tract containing two (2) or more acres per manufactured home site does not constitute a Manufactured Home Park.

3. **Manufactured Home Space or lot** means a unit of land within a manufactured home park used or intended to be used for an individual manufactured home.
4. **Park Road** means the roadway that services the manufactured home park, providing ingress and egress from each lot to a public road.
5. **Person** means any person, firm, corporation, group of persons, or partnership or other legal entity.
6. **County** means Patrick County, Virginia.
7. **Health Department** means the Health Department of Patrick County.
8. **Building Inspector** means the Building Inspector's Office of Patrick County, Virginia.
9. **Resident Engineer** means the resident engineer employed by the Virginia Department of Transportation.
10. **Existing Manufactured Home Park** means any site, lot or tract of land containing spaces for parking three or more manufactured homes and has such spaces rented or available for rent as of November 14, 1998. Spaces available for rent as defined herein must have permits or approvals for water and sewer.
11. **"Alter or Expand"** includes, but is not limited to increasing the number of homes within an existing Manufactured Home Park, or adding sites outside of the boundaries of an existing Manufactured Home Park.

ARTICLE 4

PERMITS

Fees: There shall be a minimum fee of fifty (\$50.00) dollars for each permit from the Building Inspector's Office required by this ordinance, unless otherwise specified. The said minimum fee shall be increased by five (\$5.00) dollars per site for each application requesting permits for parks containing more than three (3) sites.

No person shall construct and operate a new manufactured home park, or alter or expand a park, including an existing park, in Patrick County, without first obtaining the following permits:

1. **Health Department Permit:**
 - a. **Water and sewer disposal construction permit** for the park must be obtained from the Health Department prior to making application to the County for a park construction permit.
2. **Patrick County Permits:**
 - a. **A land disturbance permit** from the Building Inspector's Office in compliance with the Patrick County Erosion and Sediment Control ordinance.
 - b. **A construction permit** from the Building Inspector in compliance with this ordinance and the Patrick County Building Code.

c. An operation permit from the Building Inspector when the park has been completed in compliance with this ordinance.

3. Virginia Department of Transportation Permits:

a. An entrance permit for the park road from the resident engineer or certification from the resident engineer that none is required.

ARTICLE 5

CONSTRUCTION

1. Construction Permit. Prior to commencement of construction of any manufactured home park, a construction permit must be obtained from the County Building Inspector. The following items shall be presented to the Building Inspector as an application for this permit:

a. A completed application form provided by the Building Inspector.

b. A construction permit from the Health Department approving each water and sewer system proposed for each site within the park or a copy of the approved application to connect to public water and sewer.

c. Two (2) sets of plans of the park showing the information as described in subsection 2 below.

2. Required Plans. Plans for the overall layout and construction of a proposed manufactured home park must be prepared as part of the application to construct the park. These plans shall be drawn to scale and present a clear and accurate picture of how the park will be laid out. The following items shall be included on all plans:

a. Provide the name and address of the proposed park.

b. Provide the name and address of the park owner.

c. Provide a vicinity sketch showing nearby roads, streams, and other features so the park can be easily located.

d. Show all roads within the park indicating their width and name or proposed name, in compliance with E-911. Also show intersections with existing roads. The park road must meet the specifications described in Article 7, subsection 1 below.

e. Show the boundaries and size of each manufactured home space.

f. Designate each space by a letter or number or combination of each.

g. Show the site of the manufactured home on each space.

h. Show the parking area to be used by each manufactured home.

i. Show all appurtenant structures and buildings to be located within the park, such as the office, pump house, etc.

j. Show all drainage structures and ditches and indicate with arrows the direction of the flow of storm water in roadside ditches or open channels within the park with complete storm water calculations in compliance with the Erosion and Sediment Control Ordinance.

k. Show the total area of the park in acres and the total number of spaces planned.

l. Show all areas within the park to be set aside for recreation or other purposes.

m. Show any other pertinent information which will help clarify the design and layout of the park as well as proposed future development.

n. Show means of solid waste collection, including number, size and location of collection containers.

3. After receipt of a complete application for a construction permit, the Building Inspector shall have a maximum of fifteen (15) working days to review said application and either issue the permit or give written reasons for not approving the submitted application.

4. After receiving a construction permit from the Building Inspector, the park owner shall have a maximum of eighteen (18) months to complete construction and call for an inspection. The Building Inspector shall be responsible for inspecting the finished park and determining if said park has been constructed satisfactorily according to approved plans.

ARTICLE 6

OPERATION PERMIT REQUIRED

1. Permit from Building Inspector. Before any of the spaces of a newly constructed manufactured home park or any expanded or altered spaces to an existing park, can be rented, or occupied, the owner of said park must obtain an operation permit for those spaces from the Building Inspector.

The Building Inspector shall be responsible for making an annual inspection to determine if the park under permit is operating in compliance with provisions of this ordinance. The Building Inspector is authorized to inspect parks at any time. Should the Building Inspector find violations of this ordinance within the park, he shall serve written notice upon the park owner to correct them, citing the nature of each violation. The owner will be given a maximum of sixty (60) days to correct violations and to bring his park into full compliance with this ordinance. Failure to correct violations within the allotted time period will result in an automatic revocation of this permit. If the owner continues to operate the park after said revocation then the owner shall be in violation of this ordinance and subject to penalty for noncompliance.

ARTICLE 7

RULES AND REGULATIONS GOVERNING DESIGN, CONSTRUCTION AND OPERATION

1. Park Road. The park road shall be graded and compacted with a minimum of a two (2) inch stone or gravel base. The park road must be adequate to serve all lots during all seasons and all weather conditions and shall otherwise comply with the requirements of Article 7, Subsection 12.

2. **Drainage.** All parks shall be designed and constructed so as to provide adequate drainage in compliance with the Patrick County Soil, Erosion, and Sediment Control Ordinance. Owners or developers shall be responsible for acquiring and maintaining all necessary easements and drainage structures to properly drain the roads and lots of their parks. All drainage shall be conveyed to the nearest natural water course in such a manner that will minimize flood damage potential to adjacent lands and properties or to downstream properties. Drainage plans must be reviewed and approved by the County Building Inspector before a permit will be issued for construction.

3. **Marking Spaces.** Every space or lot within a park shall be clearly defined on the ground by an iron rod twenty four (24) inches in length and 1/2 inch in diameter at each corner. The rod shall be driven to the ground and surrounded by a 4" square concrete marker also flush with the ground. A sign shall be posted and maintained in a conspicuous place in compliance with E-911 on each lot comprised of letters and/or numbers corresponding to the letters and/or numbers shown on the plat submitted so that each lot may be easily identified.

4. **Mounting/Anchoring and Skirting Required.** Manufactured homes, regardless of whether or not they are located individually or in a manufactured home park shall be mounted and anchored in compliance with the provisions of the Patrick County Building Code. Each manufactured home shall have skirting, with proper ventilation, around its perimeter to screen its wheels, undercarriage, and tongue. Skirting shall be of a type manufactured or constructed specifically for manufactured home use. It shall be the responsibility of the manufactured home owner and the manufactured home park owner to make sure that all skirting is in place within and not more than two (2) months after the electrical hookup inspection. Provided that the manufactured home park owner shall be in compliance with this section upon proof that he has given written notice to the home owner to install skirting or face eviction, and upon failure of the home owner to comply, the park owner has given written notice of eviction.

5. **Electrical Equipment and Systems.** The main electric service to the park shall be of adequate capacity to serve the maximum connected load. Main service, fusing, switching, and distribution shall comply with the applicable requirements of the national electrical code, (NEC) and shall be installed and maintained in accordance with applicable laws and ordinances governing such systems. Each space shall be provided with electric service having a grounded-type supply receptacle with appropriate fuses or circuit breakers. The minimum service for each manufactured home unit shall be 110-125/220-225 volt, 200 ampere. Service shall be mounted in an approved manner adjacent to each space in accordance with the electric code.

6. **Area of Manufactured Home Spaces:** The minimum area of any space for a manufactured home shall be ten thousand (10,000) square feet.

7. **Setbacks:** Manufactured homes shall be located thirty (30) feet or more from any street right-of-way which is fifty (50) feet or greater in width or sixty (60) feet or more from the centerline of any street right-of-way less than fifty (50) feet in width. Manufactured homes shall be set back twenty (20) feet or more from the ends of the home to any side or rear site line and thirty (30) feet or more from the front and back of the home to any side or rear site line.

8. **Parking Spaces:** Two or more off-street parking spaces shall be provided for each manufactured home space. Each Parking space shall be at least 10 feet x 20 feet and located on or within sixty (60) feet of the respective manufactured home space.

9. **Recreation Area:** Manufactured home parks containing twenty (20) or more spaces must set aside and designate an area for recreation or playground space. The area designated for such recreational use must be at least one percent of the gross area of the park or five thousand (5,000) square feet, whichever is greater. Space provided for this purpose should be centrally located, well drained, and planned for maximum safety.

10. **Water Supply:** An approved water supply system shall be installed with adequate water taps and connections for each manufactured home space to supply running water for all sanitary and washing fixtures, drinking and domestic purposes, as required by the plumbing code and the Health Department. Connections to individual units shall be arranged to prevent back-siphoning into the main system. An individual cut off valve must be provided for each manufactured home.

11. **Sewer Connections:** Each space for a manufactured home shall be provided with a sewer outlet as required by the Patrick County Building Code and the Health Department to the main sewer system or approved septic system. If a main sewer system is provided, it shall be connected to the public sewer system or to some other approved disposal plant. Manufactured homes shall not be placed over drain fields. Except as provided for in Article 8, Section C.

12. **Roads and Driveways:** Roads and driveways shall be provided within the park area to afford easy access to all parking spaces. Roads within a park shall be all weather roads and shall provide ready means of entrance and exit to the public road in a manner approved by the Virginia Department of Transportation. Streets shall be properly graded with a smooth and continuous road surface free from ruts or potholes. The minimum pavement or graveled width of roads shall be sixteen (16) feet. The owner/developer, his heirs, successors and assigns shall be responsible for maintenance of the park road and driveways in the park for as long as the park shall continue to operate. In the event that the owner sells lots within the park he shall record a road maintenance agreement in the Clerk's Office of the Circuit Court of Patrick County in conformity with this ordinance.

13. **Garbage Collection:** Every occupied manufactured home space within the park shall be provided with a watertight garbage can of suitable size; however, not smaller than thirty two (32) gallons, which shall have a tight fitting top, and provided with either a rack or stakes to prevent dogs or other animals from disturbing contents. Provision shall be made for the receipt, collection, and disposal of all garbage and rubbish from each unit. The owner shall not allow garbage from the Park to accumulate on the Park or on neighboring properties. The owner shall not allow furniture, fixtures, appliances, tires, or any other unused items to remain or accumulate on the grounds within the Park.

In lieu of the garbage can requirement, the owner may provide dumpster service of at least one four (4) cubic yards dumpster for every ten (10) units, to be emptied at least on a weekly basis. Dumpster shall be placed on a minimum of two (2) inch gravel bed extending three (3) feet from all sides of the dumpster and the bed shall comply with Article 7, subsections 1 and 12.

14. **Storage of Flammable materials:** The storage of highly flammable materials, as defined by State and Federal guidelines shall be unlawful.

15. **Unregistered Vehicles:** No unregistered, unlicensed, or uninspected vehicles shall be allowed within the Park for more than one (1) year.

16. **Fuel Tanks:** When oil or other liquid fuel is used within a manufactured home, the tank supplying or containing such fuel shall be placed not closer than three (3) feet from any exit or entrance to the home; there must be no leakage on the ground; and when piped into the unit, all connections shall be tight, thereby creating no fire hazard.

17. **Parking Permit Required:** No manufactured home shall be located in a manufactured home park until a manufactured home permit has been obtained from the Building Inspection Office of Patrick County.

18. **Homes not meeting Definition and not located in County prior to November 14, 1998:** Manufactured homes that are built before June 15, 1976 and do not contain the H.U.D. label, shall not be brought into the County or relocated within the County for the purpose of providing a dwelling, except that current owners may relocate such home for the sole purpose of maintaining said manufactured home as their residence and they continue to occupy the same after the relocation. Manufactured homes in excess of twenty (20) years of age shall not be brought into Patrick County and placed in a manufactured home park. Said twenty (20) year prohibition shall also apply to homes brought into the county after November 14, 1998, and later placed in a manufactured home park.

ARTICLE 8

EXISTING MANUFACTURED HOME PARKS

An existing Manufactured Home Park shall not be regulated by this ordinance except as specifically addressed within this article. This article shall not be interpreted to modify any other provisions of this ordinance.

1. **Owners of existing Manufactured Home Parks shall apply for an operating permit within one hundred and twenty days (120) after November 14, 1998. Owners shall comply fully with this article by November 14, 1999.**

2. **Park Owners shall comply fully with:**

- a. **The garbage collection provisions contained in Article 7, paragraph 13;**
- b. **Roads and driveways: Roads and driveways shall be provided within the park area to afford easy access to all parking spaces. Roads within a park shall be all weather roads and shall provide ready means of entrance and exit to the public road. Roads shall be properly graded with a smooth and continuous road surface, free from ruts or potholes. The park road shall be graded and compacted with a minimum of two inch stone or gravel base;**
- c. **Water Supply and Sewer Systems: Parks shall comply fully with Article 7, paragraph 10 and paragraph 11, provided that any existing home set over a drain field, pursuant to a Health Department permit, may remain in place;**
- d. **Unregistered vehicles: No unregistered, unlicensed, or uninspected vehicles shall be allowed within the park for more than one (1) year.**

ARTICLE 9

VARIANCES

Owners may submit a request for a variance permit pursuant to this ordinance. A temporary or permanent variance permit may be approved if the Building Inspector and the County Administrator make written findings that by clear and convincing evidence, strict compliance with the general regulations of this ordinance would result in substantial economic hardship to the owner. A

denial of a variance request may be appealed to the Patrick County Planning Commission. Appeals from the Planning Commission may be made to the Patrick County Board of Supervisors. Owners may then appeal denials of a variance request to the Circuit Court of Patrick County. At all times the burden of proof shall remain with the party requesting a variance. Permanent variances pursuant to this ordinance shall be narrow in scope, strictly construed, and generally disfavored.

ARTICLE 10

APPEALS

Owners may appeal a denial or revocation of a permit authorized by this ordinance. Appeals must be submitted in writing to the County Administrator. Upon receipt of said written appeal, the County Administrator shall respond in writing by mailing a response to the owner's address as shown on the appeal within fifteen (15) business days.

Decisions from the County Administrator may be appealed to the Patrick County Planning Commission at its regularly scheduled meetings by submitting a written request to the County Administrator that the appeal be placed on the agenda for said meeting.

Appeals from the Patrick County Planning Commission shall be tried to the Patrick County Board of Supervisors at its regularly scheduled meetings by submitting a written request to the County Administrator that the appeal be placed on the agenda for said meeting. Appeals from the Board of Supervisors shall be tried by filing with the Circuit Court of Patrick County by filing a written petition with the Clerk of said Court.

ARTICLE 11

EFFECTIVE DATE

This Ordinance shall be in force and effect as of the 14th day of November, 1998 at which time all prior Ordinances dealing with this subject matter shall be repealed.

ARTICLE 12

PENALTY

Any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not less than fifty (\$50.00) dollars nor more than five hundred (\$500.00) dollars for each offense. Each day of noncompliance operation shall be deemed a separate offense.

Voting Aye: Walker, East, Brammer, Clements and Martin
Voting Nay: None

**SUPERVISORS ORDER BOOK NO. 17
(Adopted September 8, 1999)**

The following ordinance amendments previously proposed by the Board of Supervisors of Patrick County, and after due advertisement and publication for adoption as provided by law, on motion by Kathy H. Clements, seconded by James E. Walker and carried, is hereby adopted, as follows:

ORDINANCE TO REGULATE MANUFACTURED HOME PARKS

BE IT ORDAINED by the Board of Supervisors of Patrick County, Virginia, as follows:

The following amendments are hereby made to the title of the current ordinance, above referenced, to read as such:

**ORDINANCE TO REGULATE MANUFACTURED HOME PARKS
AND PRE-JULY 1976 MOBILE HOMES**

All the rest and remainder of the said ordinance not specifically amended hereby shall remain in full force and effect.

Said amendment shall be effective September 8, 1999.

Voting Aye: East, Brammer, Clements and Walker

Voting Nay: Martin