

NOTICE OF ADOPTION OF ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF ACKERMAN, MISSISSIPPI REGULATING THE LOCATION, TYPE, AND REQUIREMENTS FOR PLACEMENT OF MOBILE/MANUFACTURED HOMES WITHIN THE LIMITS OF THE TOWN OF ACKERMAN, MISSISSIPPI, AND PROVIDING THE PENALTY FOR THE VIOLATIONS THEREOF

NOTICE IS HEREBY GIVEN OF THE ADOPTION of such an ordinance regulating the placement type, and requirements of mobile homes/manufactured homes within the city limits of the Town of Ackerman was had on the 4th day of August, 2020 by the Board of Aldermen. A full copy of said ordinance is available at Town Hall.

This the 4th day of August, 2020.



Debbie Cagle Boley
DEBBIE CAGLE BOLEY
Town Clerk

An Ordinance Enacted Under the Laws of the State of Mississippi Regulating and Restricting the Use, Occupancy, Location and Placement of Manufactured Homes Inside the Town of Ackerman, MS.

Whereas, the Mayor and the Board of Alderman of the Town of Ackerman, Mississippi, deem it necessary in order to lessen congestion and density in residential areas; to secure safety from fire hazards and other dangers; to prevent overcrowding of land; to facilitate adequate utility and sewage connections; to conserve land and increase property values; and to provide reasonable regulations governing the above structures:

Now, Therefore, Be It Ordained by the Mayor and the Board of Alderman of the Town of Ackerman, Mississippi.

Section 1. Definitions

- A. "Manufactured home" means a structure transportable in one or more sections built on a permanent chassis, manufactured to the standards embodied in the National Manufactured Home Construction and Safety Standards Act generally known as HUD Code- established pursuant to 42 U. S. C. Section 5403. Such units shall be designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained herein.
- B. "Residential Design Manufactured Home" means a manufactured home on a permanent foundation which has minimum dimensions of 22 body feet in width, a pitched roof, and roofing materials which are customarily on site-built homes. A residential design manufactured home shall be considered a single-family dwelling unit.
- C. "Recreational Vehicle" means a unit designated as temporary living quarters for recreational, camping or travel use; units may have their own power, or be designed to be drawn or mounted on an automotive vehicle. Recreational vehicle shall include motor homes, travel trailers, truck campers, camping trailers, converted buses, houseboats or other similar units.
- D. "Occupy", "occupancy", or "occupied" means the use of any mobile home, manufactured home or recreational vehicle by any person for living, sleeping, cooking or eating purposes for any period of four or more consecutive days.
- E. For purposes of these regulations, the term "manufactured home" when used by itself shall not include a "residential design manufactured home" as defined by these regulations.

Section 2. Installation of Manufactured Home/ Mobile Homes within the Town Limits.

Residential design manufactured homes may only be in R2, R3 and C2 zones and then only with an exception by the Board of Alderman. If an exception is granted; the exception will only be

valid for a six (6) month period. If the use of said exception is not executed by the end of the six (6) month period; the exception is cancelled, null and void. The party would need to secure an extension to the exception prior to the six (6) month expiration date or make a second application for exception if the six month time period expires prior to execution (placement of the manufactured home). Providing the unit is placed on a permanent foundation and is sited, placed in a well-drained area and the lot properly graded to prevent accumulation of storm water; and developed as a single-family dwelling having a visual quality in conformity with site-built homes in the surrounding neighborhood. Manufactured home, as the term is defined above, shall henceforth be subject to the following conditions and regulations concerning placement with the Town of Ackerman, Mississippi.

- A. The Manufactured home shall have been constructed/ 5 years or less immediately preceding its placement in the town unless approved by the Mayor and the Board of Alderman.
- B. The manufactured home shall be installed in accordance with the National Manufactured Home procedures of the manufacturer and in compliance with the National Manufactured Home Construction and Safety Standards Acts.
- C. The manufactured home shall be equipped with skirting on all sides. Skirting to be of material harmonious to the mobile home structure. The skirting shall be installed within thirty (30) days after placement of the manufactured home.
- D. Each manufactured home shall be an independent dwelling unit. The Manufactured Home/Mobile Home must be oriented on the lot in the manner consistent of other site built homes in the neighborhood. The connections of the manufactured home to any utility shall be in accordance with all applicable regulations of the code and all the connection fees shall be paid in full prior to obtaining requested services.
- E. The manufactured home may not be placed on a lot, which contains any other manufactured home or dwelling place unless lot size permits; and or approved by the Mayor and the Board of Alderman.
- F. The manufactured home must be a minimum of thirty-feet (30) from the front property line, a minimum of thirty-five feet (35) from the rear property line, a minimum of ten (10) feet from the side property lines, and the lot size must be a minimum of 0.25 (1/4) acres per manufactured home placement.
- G. The manufactured home shall have the support system and be anchored and tied down in accordance with the manufacturer's specifications and in compliance with the National Manufactured Home Construction and Safety Standards Act.
- H. No Manufactured/Mobile Home may be placed within a subdivision which contains a restrictive covenant preventing the placement of such structures.

Section 3. Age of Manufactured Home/Mobile Home

The Home shall have been manufactured within the past five (5) year period and the appearance shall be "like new".

Section 4. Rental Property

It shall be unlawful to offer or operate any manufactured home or trailer as rental property inside the town-limits of Ackerman after the enactment of this ordinance.

Section 5. Petition for Permit for Use of a Manufactured Home as a Single-Family Dwelling.

The owner of the Manufactured Home must own the land the Manufactured Home sits on. All petitions submitted under this section shall be accompanied by a copy of the deed showing the present owner of the property upon which the manufactured home is to be placed and a photo of the manufactured home proposed to be placed on the property.

The applicant shall supply the city clerk with the following:

1. A copy of the Deed to the property on which the home is to be placed proving ownership
2. A clear photo of the manufactured home
3. A plat of the property
4. A second plat of the property with an accurate drawing of the proposed placement of the manufactured home
5. The address as soon as practical
6. The applicant is expected to abide by all requirements set forth in zoning ordinance

Section 6. Grandfather Clause

The lawful use of land or manufactured/mobile homes (trailers) existing at the time of adoption of this ordinance although such use does not conform to the provisions hereof, may be continued, but if such non-conforming use is discontinued for a period of more than 120 days, any future use of said land or manufactured home/mobile home must be in conformity with the provisions of this Ordinance.

Section 7. That all Manufactured Homes Shall be Single-Family Units

“Single family Unit” being defined as a residential dwelling occupied by one individual single family and may not be used as a multiple family dwelling or as a duplex type home or divided home.

That whenever a violation of this Ordinance occurs or is alleged to have occurred, any person may file a written complaint. Such a complaint shall state fully the cause and basis thereof and shall be filed with the City Clerk and the City Clerk shall properly record said complaint and promptly present this complaint to the Mayor and Board of Alderman.

Section 8. Manufactured Home Construction and Safety Standards Act

The Manufactured home may not be occupied until inspected by the Public Works Director of the Town and verification of compliance with all requirements.

The installation must comply with all Town Ordinances as to placement, setbacks, building permits and utility connections.

A disconnecting main approved by the National Electric Code shall be located below the electric meter and a ground rod approved by the National Electric Code shall be installed.

The gas line shall rise above the ground on the outside of the manufactured home before entry through the skirting.

No mobile homes or manufactured home originally built to be a single-wide unit shall be attached or connected to any other mobile home or manufactured home, or any other structure or building unless approved by the Mayor and the Board of Alderman.

Section 9. Conditions for Establishing of Manufactured Home Park.

Following the effective date of this Ordinance, no manufactured home park shall be established in the Town of Ackerman, Mississippi, without application being made to the approval of the governing body of the Town. Approval or disapproval of such application shall be subject to the regulations that may be adopted by the governing body subsequent to the effective date of this act.

Section 10. Notice

Any person found by the town to be in violation of this Ordinance shall be served a notice of such violation. The notice shall be personally served by the law enforcement officer. However, if the person found to be in violation is not a resident or otherwise present in Choctaw County, Mississippi, the notice shall be served by certified mail return receipt requested, marked "restricted delivery." The notice shall state the specific violation of this Ordinance and shall inform the person that he, she or they shall be 60 days from the date of serving the notice to correct or abate the condition or conditions in violation of this Ordinance. Failure to correct or abate the condition or conditions in violation of this Ordinance within the time allowed may result in prosecution. Should the person fail to comply with the notice, the Mayor may file a complaint in the Municipal Court of the Town of Ackerman against such person or persons, and upon conviction by said court of any violation of this Ordinance said person or persons shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$500.00. Each 24-hour period that provisions of this Ordinance is violated shall constitute a separate and distinct offense, and is punishable hereunder as a separate violation.

Further, the Board reserves the right to utilize the appropriate Court System to enforce this Ordinance by whatever means necessary in Civil Court, in addition to the criminal sanctions.

Section 11. Effective Date

This Ordinance shall be in full force and effect from and after its adoption and posting in three public places in the Town of Ackerman.

	Signature	Voted
Alderman Felicia Miller Baber	Ward 1 <u>Felicia M. Baber</u>	YES
Alderman Tommy Curtis	Ward 2 <u>Tommy Curtis</u>	YES
Alderman William Ganann	Ward 4 <u>William Ganann</u>	YES
Alderman Carl Phelps	At-Large <u>Carl Phelps</u>	YES
Alderman (Vacant)	Ward 3	

That said Ordinance was carried and approved, this the 4th day of August, 2020.



Tim Cutts

Tim Cutts, MAYOR

Town Seal)

Attested by:

Debbie Cagle Boley

Debbie Cagle Boley, TOWN CLERK