

**TITLE XV UNIFIED DEVELOPMENT CODE
CHAPTER 175: MANUFACTURED HOMES AND MANUFACTURED
HOME PARKS**

175.01 MANUFACTURED HOME PARK OPERATOR’S PERMIT..... 3

175.02 MANUFACTURED HOMES RESTRICTED TO MANUFACTURED HOME PARKS;
EXCEPTIONS 4

175.03 DEVELOPMENT REQUIREMENTS FOR MANUFACTURED HOME PARKS..... 4

175.04 MINIMUM MANUFACTURED HOME PARK DESIGN STANDARDS 4

175.05 SUPERVISION; MAINTENANCE AND REPAIR 6

175.06 EXISTING MANUFACTURED HOME PARKS 6

175.07 AUTHORITY OF HEALTH/ENFORCEMENT OFFICER..... 6

175.08 DUTY OF OWNERS OR OCCUPANTS 7

175.09-175.99 RESERVED 7

CHAPTER 175: MANUFACTURED HOMES AND MANUFACTURED HOME PARKS

175.01 Manufactured Home Park Operator's Permit

- (A) *Permit required.* It shall be unlawful for any person to operate any manufactured home park within the limits of the city, unless he holds a valid operator's permit issued by the enforcement officer in the name of such person for the specific manufactured home park.
- (1) *Applications.* All applications for permits shall be made to the enforcement officer, who shall issue a permit, to be valid for one year, then renewable annually upon compliance by the applicant with provisions of this chapter and of any regulations adopted pursuant thereto, and of any other applicable legal requirements.
 - (2) *No permit shall be transferable.* Every person holding such a permit shall give notice in writing to the enforcement office within 24 hours after having sold, transferred, given away, or otherwise disposed of such operator's right to control of the manufactured home park for which such permit was issued, and any such permit shall then and there expire and immediately be null and void. Such notice shall include the name and address of the person succeeding to the control of such manufactured home park. No successor to the right to operate said manufactured home park may commence operations until he has been issued a valid permit as herein required.
 - (3) *Operation without permit.* No manufactured home park may be operated within the city limits, unless an operator's permit shall be issued and in effect at all times during said operation. Building permits shall be required as provided under the building regulations.
- (B) *Applications.*
- (1) *Operator's permit.* Applications for operator's permits shall be in writing, signed by the applicant, and accompanied by an affidavit of the applicant as to the truth of the statements and facts set forth in the application and shall contain the following:
 - (a) *Applicant identification.* The name and address of the applicant.
 - (b) *Interest of the applicant.* The interest of the applicant in and the location of the manufactured home park.
 - (2) *Building permit.* Applications for building permits for manufactured home parks shall be in writing, signed by the applicant, and accompanied by an affidavit of the applicant as to the truth of the statements and facts set forth in the application, and shall contain the following:
 - (a) *Plan.* A complete plan of the manufactured home park, containing the legal description, showing compliance with all applicable provisions of this chapter and regulations promulgated thereunder; and,
 - (b) *Other information.* Such further information as may be requested by the enforcement officer to enable him to determine that the proposed manufactured home park will comply with legal requirements.
 - (3) *Changes/new application.* No changes or additions may be made in the plat plan or construction of a manufactured home park except upon a new application which shall be subject to the same terms and conditions of the original application.
 - (4) *Renewals.* Applications for renewals of operator's permits shall be made in writing by the holder of the permit and shall contain the following:
 - (a) *Changes.* Any change in the information submitted since the time the original permit was issued or the latest renewal granted.
 - (b) *Other information.* Such other information as the enforcement officer may require.
- (C) *Plans and specifications; approval by Planning Commission.*
- (1) *Building and construction permit.* A complete plan, for the purpose of obtaining a building and construction permit to be issued by the enforcement officer shall show:
 - (a) *Tract information.* The area and dimensions of the tract of land.
 - (b) *Number/location of spaces.* The number, locations, and size of all manufactured home spaces.
 - (c) *Roadways and walkways.* The locations and width of roadways and walkways.

- (d) *Service buildings.* The location of service buildings and any other proposed structures.
- (e) *Water and sewer lines.* The location of water and sewer lines. Written approval, signed by the superintendent of the water and sewer department, shall be required for all proposed water and sewer main extensions.
- (f) *Building and other improvements.* Plans and specifications of all buildings and other improvements constructed or to be constructed within the manufactured home park pursuant to such application.

(2) *Requirement of plan approval by city and state agencies.*

- (a) *Approval.* Plans and specifications for manufactured home parks must be reviewed and approved prior to starting construction and the issuance of a building permit as follows:
 - (i) City Planning Commission.
 - (ii) State Board of Health.
- (b) *Entire site.* This applies to the entire site, grocery stores, lunch counters, food handling facilities and swimming pools.

(Code 1965, §§13A-38, 13A-39, 13A-41; Ord. No. 1509, 8-8-66; Code 1991, §§156.015, 156.018, 161.086; Ord. No. 4100, §2 (Ex. A), 6-16-98)

175.02 Manufactured Homes Restricted To Manufactured Home Parks; Exceptions

Manufactured homes shall be permitted in manufactured home parks but shall not be placed at any other location in the city except pursuant to the provisions of Zoning, Chapters 160 through 165.

175.03 Development Requirements For Manufactured Home Parks

- (A) *Official plat.* Prior to development of a manufactured home park (or extensively remodeling an existing manufactured home park) the developer shall be required to submit to the city's Planning Commission for review and approval an official plat of the proposed manufactured home park. Said official plat of a manufactured home park shall be subject to the provisions of Development, Chapter 166, and when approved by the city, shall be recorded by

the City Clerk in the office of the Circuit Clerk and ex officio recorder.

- (B) *Manufactured home park street design.* The official plat shall indicate all interior and adjacent exterior streets and said streets shall be subject to the following:

- (1) *Location and width.* The location and width of all streets shall be subject to the city's Master Street Plan.
- (2) *Construction.* All streets shall be curbed, guttered and constructed to meet the city's minimum street design standards.

175.04 Minimum Manufactured Home Park Design Standards

- (A) *Minimum park area requirements.* The minimum site for a manufactured home park development shall be three (3) acres.

- (B) *Park site location; drainage.* The manufactured home park shall be located on a well-drained site, and shall be located so that its drainage will not endanger any water supply. All such manufactured home parks shall be in areas free from marshes, swamps, or other potential breeding places for insects or rodents.

- (C) *Minimum manufactured home lot requirements in a park.* The minimum manufactured home lot shall:

- (1) *Minimum lot area.* Contain a minimum of 4,200 square feet of area.
- (2) *Parking.* Provide for a hard surfaced off the street parking area for two (2) vehicles. The hard surface shall consist of at least a double asphaltic seal coat.

- (D) *Manufactured home pad requirements.* The manufactured home pads in a manufactured home park shall be located on the manufactured home lot and designed in such a way that:

- (1) *Separation.* Manufactured homes, including any attachment thereto, shall be separated from each other at least 20 feet.
- (2) *Exterior boundaries.* Manufactured homes shall be located at least 10 feet from any exterior boundaries of the manufactured home park adjacent to private property.
- (3) *Public street.* Manufactured homes shall be located at least 25 feet from any public street.

- (E) *Recreation area.*

TITLE XV UNIFIED DEVELOPMENT CODE

- (1) *Required.* Recreation areas and facilities should be provided to the extent necessary to meet the anticipated needs of the tenants the park is designed to serve. In no event shall less than eight percent (8%) of the gross park site area be devoted to recreational facilities.
 - (2) *Maintenance.* Maintenance of recreation areas and facilities shall be the responsibility of the person to whom a manufactured home park operator's permit is issued under §175.01(A) through (E), provided, prior to the sale of any lot within a manufactured home park, the owner shall cause to be included as part of the transfer of title to said lot, a restrictive covenant in favor of the city and in favor of property owners within the park which shall require all owners to be collectively responsible, under the terms of this section, for the maintenance and upkeep of the recreation area required hereunder after 50% or more of the total area within the manufactured home park has been sold.
- (F) *Tenant storage facilities.* Tenant storage facilities shall be provided on each manufactured home lot, or in compounds located within a reasonable distance, generally not more than 100 feet from each manufactured home pad. Storage facilities should be designed in a manner to enhance the appearance of the development and shall be constructed of suitable weather resistant materials appropriate under the use and maintenance contemplated. A minimum of 90 cubic feet of tenant storage space shall be provided for each manufactured home pad.
- (G) *Manufactured home supports and manner of tiedown.*
- (1) *Adequate support for manufactured home.* The manufactured home support shall not heave, shift or settle unevenly under the weight of the manufactured home due to frost action, inadequate drainage, vibration, or other forces acting on the structure.
 - (2) *Anchors or tiedowns.* Anchors or tiedowns, such as cast-in place concrete dead men, eyelets imbedded in concrete screw augers, or arrowhead anchors shall be placed at least at each corner of the manufactured home and each device shall be able to sustain a minimum load of 4,800 pounds. Anchors or tie-down design shall be equal to or better than that recommended by the Manufactured homes Manufacturers Association.
- (H) *Required screening.* Whenever the external boundaries of a manufactured home park abuts property in a R or R-O district or a city street or highway, there shall be provided in such park along the common boundary line a screening wall meeting the standards of Development, Chapter 166.
- (I) *Manufactured home park structure regulations.*
- (1) *Exclusive use.* Structures placed in a manufactured home park shall be for the exclusive use of manufactured home park occupants.
 - (2) *Sanitary facilities.* Every park shall provide community sanitary facilities in a community building to be located in the park with the following emergency sanitary facilities:
 - (a) *Toilets/sinks.* For each 100 manufactured home lots, or fractional park thereof, there shall be one flush toilet and one lavatory for each sex.
 - (b) *Emergency facilities.* The building containing such emergency sanitary facilities shall be accessible to all manufactured homes.
 - (3) *Structures prohibited in manufactured home parks.* Temporary or permanent tents or tent like structures shall not be permitted in a manufactured home park and the location of such a structure is prohibited in manufactured home parks.
- (J) *Water supply/potable water.* An accessible, adequate, safe, and potable water supply shall be provided for each manufactured home park, capable of furnishing a minimum of 150 gallons per day for each manufactured home space.
- (1) *Connection.* Where a public supply of water is available, connection shall be made thereto and its supply shall be used exclusively.
 - (2) *Meter.* Each manufactured home shall be provided with an individual water meter and each manufactured home shall be individually metered.
 - (3) *Piping.* All water piping shall be constructed and maintained in accordance with state and local law; the water piping system shall not be connected with nonpotable or questionable water supplies and shall be protected against the hazards of backflow or back-siphonage.
 - (4) *Drinking fountain.* Where drinking fountains are provided for public use, they shall be of a type approved by the State Board of Health

Fayetteville Code of Ordinances

and in locations approved by the enforcement officer.

- (5) *Construction.* Individual water-service connections which are provided for direct use by manufactured homes shall be so constructed that they will not be damaged by the parking of such manufactured homes.

(K) *Electricity; exterior lighting.*

- (1) *Outlet supply.* An electrical outlet supplying at least 115 volts shall be provided for each manufactured home space. The installation shall comply with all applicable state and local electrical codes and ordinances. Such electrical outlets shall be grounded and weatherproof. No power supply line to the manufactured home space shall be permitted to lie on the ground or be suspended less than 10 feet above the ground. No power supply line in a manufactured home park shall be suspended less than 15 feet over any driveway.

- (2) *Connection.* The point of the electrical connection for the manufactured home should be within the area of the manufactured home pad and approximately 40 feet from the front of the stand.

- (3) *Grounding.* All exposed noncurrent-carrying metal parts of the manufactured homes and equipment shall be grounded by means of an approved grounding system. The neutral conductor shall not be used as an equipment ground for manufactured homes or other equipment.

- (4) *Exterior lighting.* Adequate public lighting shall be provided for all streets, walkways, buildings and other facilities subject to night time use in all manufactured home parks.

- (L) *Fuel.* All piping from outside fuel storage tanks or cylinders to manufactured homes shall be rigid iron pipe or AGA or UL labeled flexible tubing, permanently installed, and securely fastened in place, in such a manner as to exclude the possibility of damage by physical contact. All fuel storage tanks or cylinders shall be securely fastened in place and shall not be located inside or beneath the manufactured home exit, and shall be located and secured in such a manner as to not be susceptible to damage by physical contact.

(M) *Fire protection.*

- (1) *Fire regulations.* The manufactured home park area shall be subject to the rules and

regulations of the fire prevention authority of the city.

- (2) *Litter.* Manufactured home park areas shall be kept free of litter, rubbish, and other flammable materials.

- (3) *Fire extinguishers.* Portable fire extinguishers of a type approved by the fire prevention authority shall be kept in service buildings and shall be maintained in good operating condition.

(N) *Alterations and additions.*

- (1) *Plumbing and electrical repairs.* All plumbing and electrical alterations or repairs in the manufactured home park shall be made in accordance with applicable local regulations.

- (2) *Permanent additions.* No permanent additions shall be built onto or become a part of any manufactured home unless they are in accordance with building permits issued by the enforcement officer and meet all setback requirements.

175.05 Supervision; Maintenance And Repair

The person to whom an operator's permit for a manufactured home park is issued shall at all times operate the park in compliance with this chapter and the regulations issued thereunder, and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in clean and sanitary condition at all times.

175.06 Existing Manufactured Home Parks

Nothing in this section shall be interpreted to apply to manufactured home parks in existence on March 20, 1972. Provided, however, that manufactured home parks lawfully operating on March 20, 1972 may not expand operating unless the expanded portion of the manufactured home park is in compliance with these provisions. Further provided, that manufactured home parks in existence on March 20, 1972 and in compliance with the provisions of §175.01. (A) through (E), which are not in conflict with the provisions of this section and further subject to the zoning, health, and fire prevention laws, ordinances, and regulations of the city and the state.

175.07 Authority Of Health/Enforcement Officer

- (A) *Safeguard health and safety.* The health officer is hereby authorized and directed to determine the condition of manufactured home parks located within the city, in order that he may perform his duty of safeguarding the health and

TITLE XV UNIFIED DEVELOPMENT CODE

safety of occupants of manufactured home parks and the general public.

- (B) *Right of entry.* The health officer shall have the power to enter at reasonable times upon any manufactured home park for the purpose of inspecting and investigating conditions relating to the enforcement of this chapter or of regulations promulgated thereunder.
- (C) *Inspect register.* The health officer and/or enforcement officer shall have the power to inspect the register containing a record of all manufactured homes and occupants using the manufactured home park.
- (D) *Authority of enforcement officer.* The enforcement officer is hereby authorized to promulgate written regulations as may be necessary for the proper enforcement of the provisions of Chapter 175. Such regulations shall be submitted to the City Council shall have the same force and effect as the provisions of Chapter 175.
- (E) *Report of violations to enforcement officer.* The health officer shall report any violations of this chapter to the enforcement officer, who shall immediately take or institute appropriate action to correct said violation and enforce the provisions hereof.

175.08 Duty Of Owners Or Occupants

It shall be the duty of the owners or occupants of manufactured home parks, and manufactured homes contained therein, or of the person in charge thereof, to give the health officer and/or enforcement officer free access to such premises at reasonable times for the purpose of inspection.

- (A) *Grounding connection.* It shall be the duty of the manufactured home park operator to see that every occupant of a manufactured home makes the grounding connection to his manufactured home.
- (B) *Manufactured home skirting.* It shall be the duty of the park operator to see that every occupant to a manufactured home install fire resistant manufactured home skirting acceptable to the enforcement officer around his manufactured home within 60 days after the locating of the manufactured home in the pad.
- (C) *Anchoring cable.* It shall be the duty of the manufactured home park operator to furnish suitable anchoring cables or devices acceptable to the enforcement officer for every manufactured home located in his manufactured home park. It shall be the responsibility of the park operator to supervise the proper placement and use of these anchoring devices.

- (D) *Anchor device.* It shall be the duty of every occupant of a manufactured home park to secure the manufactured home by attaching the anchoring devices.
- (E) *Utilities connection.* It shall be the duty of the park operator to see that all utility connections are installed in accordance with the *Code of Fayetteville*.
- (F) *Granting access rights for purposes of repairs or alterations.* It shall be the duty of every occupant of a manufactured home park to give the owner thereof or his agent or employee access rights to any part of such manufactured home park or its premises at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this chapter, or with any lawful order issued pursuant to the provisions of this chapter.

(Code 1965, §§13B-1--13B-5, 13B-5, 13B-6--13B-9, 13B-54-13B-57; Ord. 1859, 3-20-72; Ord. No. 2319, 4-5-77; Code 1991, §§156.066--156.069; §§156.71--156.74; §§ 156.90--156.94; Ord. No. 4100, §2, (Ex. A), 6-16-98)

Cross reference(s)--Appeals, Ch. 155; Enforcement, Ch. 163.

175.09-175.99 Reserved

