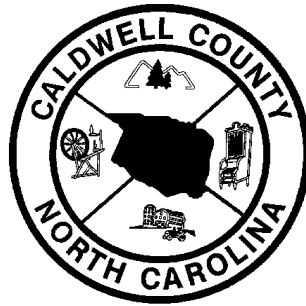


# CALDWELL COUNTY



## MOBILE HOME PARK REGULATIONS

**ADOPTED BY THE CALDWELL COUNTY COMMISSIONERS**

**AUGUST 21, 1974**

**AMENDED JANUARY 28, 1980**

**AMENDED SEPTEMBER 4, 1984**

**AMENDED JUNE 6, 1988**

**AMENDED MAY 15, 1989**

**AMENDED MAY 21, 1990**

**AMENDED DECEMBER 15, 1997**

**AMENDED APRIL 20, 1998**

**AMENDED OCTOBER 16, 2000**

**AN ORDINANCE GOVERNING  
THE SANITARY DESIGN, CONSTRUCTION  
ALTERATION, MAINTENANCE, OPERATION, AND USE OF  
MOBILE HOME PARKS IN CALDWELL COUNTY**

**ARTICLE I**

AUTHORITY AND ENACTMENT CLAUSE

In pursuance of authority conferred by Chapter 153 and Chapter 160A of the General Statutes, Caldwell County Building Inspection Department shall regulate the alteration, maintenance operation and use of mobile home parks within Caldwell County which were lawfully established prior to October 16, 2000.

This ordinance is designed to accomplish the following specific objectives: a) to further the orderly layout of mobile home parks, b) to secure safety from fire, panic and other dangers, c) to provide adequate light and air, d) to insure that facilities for transportation, parking, water, sewage and yard area are provided for mobile home park residents.

NOW, THEREFORE, The Board of Commissioners of Caldwell County, North Carolina, do ordain as follows:

**ARTICLE II**

SHORT TITLE

This ordinance shall be known as “The Mobile Home Park Ordinance of Caldwell County, North Carolina”, and may be cited as the “Caldwell County Mobile Home Park Ordinance”.

**ARTICLE III**

JURISDICTION

Section 30.0 Territorial Appliance

These regulations shall govern each and every mobile home park lawfully existing within the jurisdiction of Caldwell County prior to October 16, 2000, and within the jurisdiction of any municipality whose governing body by resolution agrees to such regulations.

## ARTICLE IV

### DEFINITIONS

For the purpose of interpreting this ordinance, certain words or terms are herein defined. Unless otherwise expressly stated, the following words shall, for the purpose of this ordinance, have the meaning herein indicated.

#### Section 40.0 Interpretation of Commonly Used Terms and Words

- 40.1 The words “mobile home” means a movable or portable dwelling, constructed to be towed on its own chassis and designed without a permanent foundation for year-round occupancy, which includes one or more components that can be retracted for towing purposes and subsequently expended for additional capacity, or of two or more units separately towable but designed to be joined into one integral unit, as well as a portable dwelling composed of a single-unit.
- 40.2 The word “Mobile Home Park” shall mean any place or tract of land maintained, offered or used for the parking of two (2) or more manufactured homes for rental or lease and used or intended to be used for living or sleeping purposes.
- 40.3 The words “Mobile Home Space” shall mean that portion of land in a Mobile Home Park allotted or designated exclusively for allotment to one mobile home.
- 40.4 The word “county” shall mean Caldwell County, North Carolina.
- 40.5 The words “County Commissioners” shall mean the Board of Commissioners of Caldwell County, North Carolina.
- 40.6 The words “Planning Board” shall mean the Planning Board of Caldwell County, North Carolina.
- 40.7 The words “Health Director” shall mean the Caldwell County Health Director and his authorized agent.
- 40.8 The words “ordinance” and “regulations” shall mean the Mobile Home Park ordinance for Caldwell County, North Carolina.
- 40.9 The word “may” is permissive.
- 40.10 The word “shall” is mandatory.

- 40.11 The words “Public Water Supply System” shall mean a system serving fifteen (15) or more connections and must be in compliance with state and local health regulations.
- 40.12 The words “Residential Sewage Disposal System”, shall mean a system approved by the Caldwell County Health Department and/or the North Carolina Department of Water and Air Resources.
- 40.13 The word “developer” shall mean any person, firm or corporation who develops any land into a mobile home park or development.
- 40.14 The words “Parking Bay” refers to two (2) off-street parking spaces per mobile home space.
- 40.15 The word “operator” shall mean the person responsible for the operation of a Mobile Home Park.
- 40.16 The words “enforcement officer” shall refer to the person appointed by the Caldwell County Board of Commissioners to enforce the provisions of this ordinance.
- 40.17 The words “Mobile Home Park Plan” shall mean a plan of a proposed Mobile Home Park, presented by the developer in accordance with Article V, and presented to the Caldwell County Planning Board for transmittal to the Caldwell County Board of Commissioners.
- 40.18 The words “annual operating permit” refers to a license issued by the Enforcement Officer to a Mobile Home Park owner and operator upon the completion of a Mobile Home Park which conforms to the requirements of this ordinance, and shall be valid for a one (1) year period.
- 40.19 Major collector: Any Mobile Home Park street or road intersecting or providing direct access to a State Highway Commission maintained road, or a street that regularly serves forty percent of the residents of the Park.
- 40.20 Minor Collector: Any Mobile Home Park street or road serving only to provide access to the individual spaces.
- 40.21 Service Road: A road providing service to mobile home park spaces except that service road shall not be any street or road that provides vehicular access to mobile home space, unless said space has direct access to a minor collector street or road.
- 40.22 Site Number: The number attached or painted in two and a half (2 ½) inch high permanent lettering to the mobile home electrical service.

- 40.23 Rental Mobile Homes: Mobile homes that are available on a rental or lease basis.
- 40.24 Room Addition: One prefabricated room designated and manufactured specifically for mobile homes; double wide mobile homes are not included in this definition.
- 40.25 The word “modular home” shall mean a house built in sections or modules. Modularity may be transported by wheels, and once on the site are often put on blocks or a foundation and the wheels are removed. The modules can assume the form of an attractive single-family dwelling, town house, three-story apartment dwellings, and even a condominium.
- 40.26 Customary “accessory building” or utility building shall mean a building which is used for storage by the mobile home resident. The accessory building shall be at least fifteen (15) feet away from any other building used for human habitation on adjoining lots.
- 40.27 Fuel storage facility shall mean any storage facility required for heating or cooking purposes. A fuel storage facility shall not be located within five (5) feet of any entrance to the mobile home. Large bottle gas or oil storage facilities shall be placed behind the mobile home.
- 40.28 BUFFER: A buffer strip is required to be established along the side and rear property lines where no natural interviewing buffer of at least fifteen (15) feet high exists. A buffer shall consist of a combination of deciduous and/or evergreen trees and evergreen shrubs and shall be planted in two (2) staggered rows three (3) feet apart. The rows shall be planted closer than five (5) feet to the property line. The distance between the plants shall be established so that lateral growth will provide a continuous screen to a minimum height of six (6) feet within two (2) years. A single row of plants may be permitted where topographic conditions are considered extreme. Any deviation from this standard shall be approved by the Planning Board prior to planting and/or final approval.

## **ARTICLE V**

All manufactured or mobile home parks which have been lawfully established prior to October 16, 2000, are, from that date forward, non-conforming uses subject to the provisions of Article VII, Section 70 of the Caldwell County Zoning Ordinance. No new manufactured or mobile home parks, and no expansions or enlargements of existing mobile home parks, will be permitted from and after October 16, 2000.

- 54.1 Every operator of a mobile home park shall apply to the Enforcement Officer for an annual operating license. The Enforcement Officer and a representative of the Caldwell County Health Department shall make an on-site inspection of the park.
- a) If the park conforms to the park plan approved by the Caldwell County Planning Board and the Board of County Commissioners, if any, further conforms to the requirements of this Ordinance, the Enforcement Officer shall issue the operator an annual operating license.
  - b) If the park does not conform to the approved plan, if any, or to the requirements of this Ordinance, the Enforcement Officer shall delay issuance of the annual operating permit until it comes into conformity.
- 54.2 The annual operating permit issued to the developer shall constitute authority to lease or rent spaces in the mobile home park.
- 54.3 Individual mobile home spaces in mobile home parks, as defined under this ordinance, shall not be sold or transferred as long as the park is in operation.
- 54.4 No living compartment or other than “Room Addition” or other prefabricated structure specifically designed for mobile home use or extension shall be added to any mobile home within the jurisdiction of this ordinance. Any added structure, including decks or porches, to a mobile home shall meet all yard requirements as required in Section 62.5.
- 54.5 The annual operating permit shall be valid for the period of one (1) year and shall become renewable on the date of issuance only after the approved park is determined by the Enforcement Officer to be in full compliance with the requirements of this ordinance. If the park is determined not in full compliance, the operator will be given thirty (30) calendar days in which to correct any deficiencies. If at the end of the 30-day period, the deficiencies remain uncorrected, the annual operating permit shall become invalid and the operator shall be deemed in violation of this ordinance.

## **ARTICLE VI**

### **DESIGN STANDARDS**

#### **Section 60.0 General Requirements**

- 60.1 Mobile home park identification signs shall be limited to one sign per park entrance. No sign shall exceed thirty-six (36) square feet in area.
- 60.2 Within a mobile home park, one mobile home may be used as an administrative office.

#### Section 61.0 Streets with Parking on One Side (Minimum Standards)

Access to the Mobile Home Park shall be directly from a public main-road or a major collector street.

- 61.1 Roads: The design standards for roads in Caldwell County for Mobile Home Parks are those of the State Highway Commission for roads in Subdivisions excluding the right of way, which shall be a minimum of thirty (30) feet. However,. Mobile Home Parks consisting of seven (7) spaces or more will require that the streets be constructed and paved to the minimum standards as required by the Department of Transportation.
- 61.2 All mobile home spaces shall have access to a street and there shall be no less than two (2) off-street parking spaces per mobile home space which shall be accommodated in parking bays. Each parking space shall be properly graded and continually maintained. Maintenance of such streets and parking areas shall be provided by the owner or operator of the park. A 2-car parking bay shall be no less than 18' x 24' in size.
- 61.3 Permanent dead-end streets shall have a cul-de-sac (turn-around) constructed 70' in diameter.
- 61.4 Intersections: Where a street intersects a primary or secondary highway, the design standards of the North Carolina State Highway Commission shall apply.

#### Section 62.0 Mobile Home Spaces

- 62.1 The area of the Mobile Home Park site shall contain a minimum of one (1) acre. The parks shall have a minimum of two (2) mobile home spaces available at first occupancy. No less than 10% of the total area of the Mobile Home Park established under these regulations shall be devoted to common recreational areas and facilities, such as playgrounds, swimming pools, community buildings and play areas for small children or other recreational related uses.
- 62.2 All mobile homes shall be located on individual mobile home spaces. Each mobile home space shall contain at least ten thousand (10,000) square feet of ground area. When individual septic systems are proposed, the minimum space size shall be thirteen thousand (13,000) square feet

and it shall be increased if the results of percolation tests and subsoil investigations or other Health Department requirements indicate a need for larger lot size. The density of any mobile home park shall be first determined by an on-site inspection by the Environmental Health Division of the Caldwell County Health Department.

- 62.3 Each mobile home space shall be clearly defined by means of either concrete or iron pipe markers placed at all corners or by establishing concrete patios.
- 62.4 Each mobile home space shall be graded so as to prevent any water from ponding or accumulating on the premises. All drainage of the park confined or piped in such a way that it will not endanger any water supply.
- 62.5 Each mobile home space shall be designed so as to have a minimum of thirty-five (35) feet set back on the front or entrance of the mobile home from the lot line, twenty (20) feet on the back to the lot line, fifteen (15) feet on the trailer hitch end to the lot line, and fifteen (15) feet on the opposite end to the lot line.
- 62.6 Each mobile home space may have an unenclosed canopy, not in excess of ten (10) feet in width, which shall not be considered as an infringement on the yard requirements.
- 62.7 Each mobile home space shall have a site number, a 2 -1/2" high permanent lettering attachment or painted on the electrical service.

#### Section 63.0 Water Requirements

- 63.1 An accessible, adequate, safe and potable supply of water shall be provided in each mobile home park. Where an approved public water supply is available, connection shall be made thereto and its supply used. When a public water supply is not available, adequate water supply shall be developed in accordance with the standards of the sanitary Engineering Division of the North Carolina Division of Human Resources and the Caldwell County Health Department.
- 63.2 Individual water service connections shall be provided for direct use at each mobile home space and shall be so constructed that they will not be damaged by the parking of mobile homes.
- 63.3 Every mobile home site shall be provided with a separate service shut-off valve as well as an outside spigot.
- 63.4 Water pressure Regulators: Mobile homes located in areas served by high water pressure should comply with Section 1213.9 of the State



Plumbing Code. This section refers to standards for water pressure for ordinary residences when the pressure is more than 80 pounds per square inch.

- 63.5 Water Softeners, Water Filter or other Water Treatment Devices; Section 213.1, Section 8 of State Plumbing Code should be consulted when these devices are needed.
- 63.6 All water and sewer installations and hook ups shall be in accordance with appropriate sections as set forth in the North Carolina Building Code.
- 63.7 Community water supply wells shall be located at a site approved by the North Carolina Division of Human Resources.
- 63.8 No sources of potential pollution or contamination such as septic tanks and drain fields shall be located within one hundred (100) feet of a private or individual water well.
- 63.9 Other detail well construction regulations and standards must be in compliance with the regulations of the Caldwell County Health Department and the offices of the North Carolina Department of Natural and Economic Resources.

#### Section 64.0 Sewage Disposal Requirements

- 64.1 Adequate and safe sewage disposal facilities shall be provided in all mobile home parks. Collection systems and sewage treatment plants shall be in compliance with the requirements of the North Carolina Department of Natural and Economic Resources. Individual septic tank systems shall be required, if soil, topography and ground water conditions are favorable, and approval is granted by the Caldwell County Health Department.
- 64.2 The disposal plant shall be located where it will not create a nuisance or health hazard to the mobile home park or to the owner or occupants of any properties in the vicinity. The approval of the State Department of Natural and Economic Resources shall be obtained on the type of treatment proposed on the design of the disposal plant prior to construction.
- 64.3 The effluent of a sewage treatment plant shall not be discharged into any waters of the state except with prior approval of the appropriate Federal and State Authorities and County Health Department.
- 64.4 Each mobile home space shall be provided with at least a three (3) inch diameter sewer riser pipe. The sewer riser pipe shall be of a material that is approved by the National Sanitation Foundation (N.S.F.). The

installation of the sewer riser pipe shall be of such a design that surface water shall not drain into it. When the sewer riser is not in use a drainage plug shall be provided. The sewer connection shall be located a distance of at least one hundred (100) feet from any water supply.

- 64.5 The sewer connection shall have a nominal inside diameter of at least three (3) inches, and the slope of any portion thereof shall be at least one fourth (1/4) inch per foot. The sewer connection shall consist of one pipe line only without any branch fittings. All joints shall be water-tight including connections from mobile home to sewer riser pipe.
- 64.6 All material used for sewer connections shall be semi-rigid, corrosive resistant, non-absorbent and durable. The inner surface shall be smooth.
- 64.7 The sewer riser pipe shall be manufactured so that a non-corrosive plug may be used when a mobile home does not occupy a space. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall be enclosed in a 2' x 2' x 6" concrete apron and the riser may be flush with the cement.
- 64.8 Where the sewer lines of a mobile home park are not connected to a public sewer, or a sewage treatment plant, then the Caldwell County Health Department shall determine the size septic tank and its drainage field.

#### Section 65.0 Refuse Containers Requirements

- 65.1 The storage, collection and disposal of solid waste in the mobile home park shall be so constructed as to create no health hazards or pollution.
- 65.2 Each mobile home shall store all solid waste in a manner that will not create a nuisance or health hazard and in containers which are protected from flies, rodents and disturbance by animals or dogs. The mobile home park manager shall be responsible for the proper storage, collection and disposal of solid waste.
- 65.3 All solid waste shall be collected at least once per week. All solid waste shall be collected and transported in covered containers.
- 65.4 Where municipal or private disposal service is not available, the mobile home park operator shall dispose of the solid waste by transporting it to a disposal site approved by the Health Department.
- 65.5 The growth of brush, weeds and grass shall be controlled to prevent harborage of ticks, chiggers and other noxious insects. Park shall be so maintained to prevent the growth of noxious weeds considered detrimental to health. Open areas shall be maintained free of

heavy undergrowth of any description.

#### Section 66.0 Electrical Requirements

- 66.1 All electrical connections shall meet the National Electrical Code. In addition, electrical connection shall be at least a 100 amp service.
- 66.2 All streets in the mobile home park shall be adequately illuminated from sunset until sunrise. The minimum size street light shall be a 175 watt mercury vapor (approximately 7,000 lumen class), or its equivalent, spaced at intervals of not more than four hundred (400) feet.
- 66.3 Electrical inspections shall be conducted by the Caldwell County Electrical and Building Inspectors on all mobile homes within a mobile home park, whether they be for new electrical hook-ups or for reconnections.

#### Section 67.0 Ground Maintenance Requirements for the Operator

- 67.1 Grounds, buildings and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform with the requirement of the Health Director.
- 67.2 Parks shall be maintained free of accumulations of debris which may provide rodent harborage or breeding places for flies, mosquitoes and other pests.
- 67.3 Storage areas shall be maintained to prevent rodent harborage; lumber, pipe and other building material shall be stored at least one foot above the ground.
- 67.4 Where the potential for insect and rodent infestation exists, all exterior openings in or beneath any structure shall appropriately be screened with wire mesh or other suitable material.
- 67.5 If a mobile home is to be located on a lot within a mobile home park, a Sanitarian must first certify that all the septic tank systems comprising the sanitary sewage systems are operating properly before an electrical reconnection will be allowed in accordance with N.C.G.S. 130A-337 c.

#### Section 68.0 Foundations For Mobile Homes

All mobile homes shall be properly tied down when placed in a mobile home park, and subject to approval by the Caldwell County Building Inspector. All mobile

homes shall also be underpinned with solid underpinning constructed of either wood, metal, or masonry.

#### Section 69.0 Mobile Home Exits and Steps

The mobile home park operator shall be responsible for seeing that individual mobile home owners, who rent a space in his park, provide properly constructed steps at the required exits of the mobile home. Furthermore, if the park operator owns and rents mobile homes within his park it shall be his responsibility for providing and securing steps at all required exits from his mobile homes. Steps constructed from stacked loose materials shall not be construed as properly installed. Every porch, terrace, entrance platform, handrail, and stairs shall conform to the North Carolina Building Code.

## **ARTICLE VII**

### **ADMINISTRATION AND ENFORCEMENT**

#### Section 70.0 Mobile Home Enforcement Officers

The Caldwell County Health Department, the Caldwell County Building and Electrical Inspectors and/or the Planning Department shall be responsible for the enforcement of this ordinance. The assistance of other persons may be provided as the County Commissioners may direct.

If either the County Health Director, or the Building Inspector finds that any of the provisions of the ordinance are being violated they shall notify in writing, the person responsible for such violations, indicating the nature of the violation and ordering the necessary action to remedy the situation. Both, or either one shall order the discontinuance of the illegal use of land, occupancy of the mobile home, or of additions, alterations or structural changes thereof; discontinuance of any illegal work being done; or shall take any other action authorized by this ordinance to insure compliance with or to prevent violation of its provisions.

If ruling of either of the County Building Inspector, the Planning Department or the County Health Director is questioned, the aggrieved party or parties may submit a written request to either the Caldwell County Planning Board or to the Caldwell County Health Department.

#### Section 71.0 Inspection

- 71.1 The Caldwell County Health Department, the Caldwell County Electrical and Building Inspectors and/or the Planning Department are hereby authorized and directed to make an annual inspection to determine satisfactory and continued compliance with this ordinance. It shall be the duty of the owners or occupants of mobile home parks to give

these agencies free access to such premises at reasonable times for the purpose of inspection.

- 71.2 The person to whom an annual Operating License for a mobile home park is issued shall operate the park in compliance with this ordinance and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.

#### Section 72.0 Loss of Annual Operating Permit

- 72.1 Any mobile home park that is found to be in violation of this ordinance will cease to operate any and all rental mobile homes immediately and shall remain liable to renters for fulfillment of contractual obligations. All rental spaces, those plots of land rented or leased to individual owner (s), shall cease operation at the end of the rental period, not to exceed forty (40) days from date of notice of permit violations. Unless an inspection shows the violation to have been corrected before the end of the forty (40) day grace period, then the permit for all remaining spaces shall be revoked.
- 72.2 Once the 40-day grace period has ended, if the owner has not corrected the violation he shall be required to resubmit his mobile home park plan in compliance with this ordinance in order to get an operating permit.
- 72.3 The Enforcement Officer shall act to revoke a permit that is in violation of any part of this ordinance except violations that fall in the area of Section 52.0 of Article V and Section 63.0 of Article VI. The Enforcement Officer shall, upon direction of the agency in which the jurisdiction for the violation falls as set out in this ordinance, revoke the operating permit of the mobile home park.

#### Section 73.0 Existing Mobile Home Parks

Mobile home parks existing at the time of the adoption of this ordinance shall be allowed to continue, but shall not be allowed to expand or increase unless such expansion meets fully the requirements set forth in this ordinance. If a mobile home park, existing before the adoption date of this ordinance, should lose its operating permit, then it shall put in the re-application for an annual operating license.

### **ARTICLE VIII**

#### VARIANCES

#### Section 80.0 Variances

Where because of topographical or other conditions peculiar to the site, strict adherence to the provisions of the regulations of this ordinance would cause an unnecessary hardship, the Planning Board may authorize a variance, if such variance can be made without destroying the intent of this ordinance. Any variance thus authorized is required to be entered in writing in the minutes of the Planning Board and the reasoning on which the departure was justified and set forth.

## **ARTICLE IX**

### **AMENDMENT AND CHANGES**

#### **Section 90.0 Motion to Amend**

The County Board of Commissioners may, on its own motion or upon recommendation of the Planning Board, or upon petition by either a Mobile Home Park Operation or a Mobile Home Developer or any other person within a Mobile Home Park, after public notice and hearing, amend, supplement, change, modify or repeal the regulations herein established.

#### **Section 91.0 Planning Board Action**

Every proposed amendment, supplement, change, modification or repeal to this ordinance shall be referred to the Planning Board for its recommendations, and report, provided that no proposal shall be considered by the Planning Board within five (5) days from filing of the proposal with either the County Building Inspector, the Planning Director or the County Health Director. All petitions for a change in the Mobile Home Park Ordinance shall set forth the section or sections of the ordinance in which the aggrieved party objects to, and shall be accompanied by a fee sufficient to cover the cost of advertising by this ordinance.

## **ARTICLE X**

### **LEGAL PROVISIONS**

#### **Section 100.0 Interpretation, Purpose and Conflict**

In interpreting and applying the provisions of this ordinance they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, prosperity and general welfare. It is not intended by this ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties, provided, however, that where this ordinance imposes a greater restriction upon the use of mobile home parks or upon the yard imposed or required by other ordinance, rules and regulations heretofore adopted by the Caldwell County Board of Commissioners governing mobile home parks are hereby repealed.

#### **Section 101.0 Validity**

Should any section or provisions of this ordinance be declared by the courts to be unconstitutional or invalid, such declaration shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

#### Section 102.0 Penalties

Following the forty (40) day permitting period any person, firm or corporation found in violation of any of the provisions of this ordinance shall further be subject to the imposition by citation of a Civil Penalty in the amount of two-hundred, fifty dollars (\$250) which shall be paid in full within seventy-two (72) hours of the service of the citation in accordance with N.C.G.S.153-123.

#### Section 103.0 Effective

Duly adopted by the Board of Commissioners of the County of Caldwell, State of North Carolina, this 21<sup>st</sup> day of August, 1974; amended this 21<sup>st</sup> day of August, 1974.

#### Section 104.0 Adoption Certificate

**I hereby certify that this is a true and correct copy of the Mobile Home Park Regulations as adopted by the Board of Commissioners of Caldwell County on the \_\_\_\_\_ day of \_\_\_\_\_, 2000.**

\_\_\_\_\_  
**Chairperson,  
 Caldwell County Board of Commissioners**

\_\_\_\_\_  
**Clerk to the Board**