

Chapter 9
MANUFACTURED HOMES*

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* **Cross references** – Buildings and building regulations, Ch. 4; flood damage prevention, Ch. 7; subdivision regulations, App. B.

State law references – Classification of mobile homes as a separate class of property for ad valorem property tax purposes, Ga. Const. art. 7, sec. 1, par. 3; The Uniform Standards Code for Manufactured Homes Act, O.C.G.A. § 8-2-130 et seq.; regulations for septic tanks in unincorporated areas, conformity prerequisite to building permit, O.C.G.A. § 31-3-5.1; registration and licensing of dealers, manufacturers and persons transporting mobile homes, O.C.G.A. § 40-2-36; removal of transportable housing from lands subject to writ of possession, O.C.G.A. § 44-7-59; ad valorem taxation of mobile homes, O.C.G.A. § 48-5-440 et seq.

MANUFACTURED HOMES

ARTICLE I. IN GENERAL

9.1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a difference meaning:

- 9.1.1 *Board of Commissioners*: Bulloch County Board of Commissioners.
- 9.1.2 *Building official*: One or more persons, officers or officials or his/her authorized representative, whom the county manager has appointed to administer and enforce, individually or collectively, the building code, subdivision, manufactured home, and zoning ordinances.
- 9.1.3 *County*: Bulloch County, Georgia.
- 9.1.4 *Developmental Services Division*: The division which includes the building and zoning departments.
- 9.1.5 *Driveway*: A minor private way used by vehicles and pedestrians for access from any street or road to a manufactured home.
- 9.1.6 *Health department*: The Director of the Bulloch County Health Department or his/her authorized representative.
- 9.1.7 *Manufactured home*: A structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and 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 therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. 5401, et seq (“the HUD Code”).
- (a) The pitch of the home's roof has a minimum vertical rise of two (2) feet for each twelve (12) feet of horizontal run, and the roof is finished with a type of shingle that is commonly used in conventional residential construction, except that any such home for which a building permit was applied prior to the adoption of the zoning ordinance (November 4, 1994) may be extended, enlarged or repaired as otherwise provided by this ordinance with the same roof pitch as that allowed by the aforesaid building permit. Galvanized metal roofing allowed in the AG-5, Commercial, and MHP districts only.
- (b) The exterior siding consists of wood, hardboard, vinyl, brick, masonry, or aluminum (vinyl covered or painted, but in no case exceeding the reflectivity of gloss white paint) comparable in composition, appearance, and durability to the exterior siding commonly used in conventional residential construction.

- (c) The tongue, axles, transporting lights and towing apparatus shall be removed after placement on the lot and before occupancy. The tongue and axle may remain in Ag-5, Commercial and MHP districts.
- (d) Two (2) or more manufactured homes may not be joined together and utilized as a single residence.

9.1.8 *Mobile home*: A structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and 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 therein and manufactured prior to June 15, 1976. (Ga. L. 1968, p. 415, § 2; Ga. L. 1973, p. 4, § 2; Code 1981, § 8-2-131; Ga. L. 1982, p. 1376, §§ 3, 7; Ga. L. 1989, p. 14, § 8; Ga. L. 1992, p. 2750, § 1.)

9.1.9 *Permit*: A written permit of certification issued by the Developmental Services Division permitting a manufactured home to be located on a parcel of land.

9.1.10 *Person*: Any individual, firm, trust, partnership, public or private association, or corporation.

9.1.11 *Pre-owned manufactured home*: Any manufactured home that has been previously utilized.

9.1.12 *Skirting*: A durable material used to enclose the space from the bottom of the manufactured home to grade. Acceptable materials may include brick, masonry, stone, rock, wood, metal (non reflective), vinyl and other materials manufactured for the purpose of skirting.

(Ord. No. 1991-3, § II, 2-19-91)

Cross reference – Definitions and rules of construction generally, §1-2.

9.2. Jurisdiction.

This chapter shall govern the use and operation of all manufactured homes within the unincorporated area of the County.

(Ord. No. 1991-3 § I, 2-19-91)

9.3. Liability.

This chapter shall not be construed as imposing upon the municipal, county, or state authority any liability or responsibility for damages to any person or property caused by any defect in any piping or appliance, or by installation thereof. Nor shall the county or any official or employee thereof be held as assuming any such liability or responsibility by reason of the inspection authorized hereunder.

(Ord. No. 1991-3, § XIV, 2-19-91)

9.4. Violation and penalties.

(a) The building official shall in writing order all further work stopped when by reason of defective or illegal work, a provision or requirement of this chapter is being violated. The building official may require suspension of all work until the condition in violation has been corrected.

(b) Any person who shall violate any provision, requirement, term or condition of this chapter shall be subject to punishment as provided in section 1-11 of the Code of Ordinances.

(c) Any violation of any provisions, requirement, term or condition of this chapter shall constitute a nuisance; and any person aggrieved thereby may abate the same, or the same may be abated as a public nuisance. Continuous violation may be restrained in a court of equity having jurisdiction thereof.

(Ord. No. 1991-3, § X, 2 -19-91)

9.5. Permit requirements.

(a) *Exemption of units held for resale.* If the owner of a manufactured home is using or intends to use such manufactured home for the purpose of resale only, then such manufactured home shall be exempt from obtaining a permit provided the manufactured home is placed on property permitted for manufactured home sales and service or prior permission has been given by the Developmental Services Division.

(b) *Finding of necessity.* The Board of Commissioners finds and determines that manufactured homes pose special problems in determining whether these homes are located on approved sites and comply with the plumbing and electrical hookups adopted by the county. Thus, it is necessary to require certain permits to insure that the homes are properly identified and located on approved sites in compliance with such codes.

(c) *Prerequisites to locating or occupying manufactured home.*

(1) No person shall initially locate or relocate any manufactured home within the limits of the County without having made such application and obtained such permit.

(2) No person shall occupy any manufactured home as a residence unless a permit has been issued as required by this section.

(3) Installers of manufactured homes are responsible for complying with all local requirements and assuring that a permit has been obtained prior to the installation of any manufactured home.

(4) Manufactured homes are not permitted to be used as storage buildings. Manufactured homes are not to be stored or abandoned on the property for more than 60 days, except in a location that is in the manufactured home sales businesses. For purposes of this provision, a manufactured home shall be considered “stored” or “abandoned” if it does not meet all the requirements of Section 9.31 and 9.32.

(d) *Pre-owned manufactured home.*

(1) No permit will be issued for a mobile home as defined in this chapter.

(2) A non-permitted safety and aesthetic inspection (Section 9.5. (e)) shall be performed on all pre-owned manufactured homes located within Bulloch County prior to issuance of a permit.

(3) Applicants for pre-owned manufactured homes not located in Bulloch County shall be given a copy of the required safety and aesthetic standards (Section 9.5. (e)) and provide to the

Developmental Services Division photographs that show these standards have been met prior to issuing a permit. Once the manufactured home has been brought into the County, an inspection shall be made to ensure the manufactured home meets these standards at the installation inspection. If the manufactured home does not meet these standards according to the building inspector, power will not be approved until the standards have been met.

(e) Safety and aesthetic standards for pre-owned manufactured homes.

- (1) Exterior walls. The exterior shall be free of loose or rotting boards or timbers and any other conditions that might admit rain or moisture to the interior portions of the walls or to the occupied spaces. The exterior siding shall be free of rot and rust and must be uniform in appearance.
- (2) Roofs. Roofs shall be structurally sound and have no obvious defects which might admit rain or cause moisture to collect on the interior portions of the structure. The roof shall be free of rot and rust and must be uniform in appearance.
- (3) Windows, doors, and frames. Every window, door and frame shall be kept in sound condition, good repair and weather tight. Every bedroom shall have at least one window that can be opened, facing directly to the outdoors. All glazing materials shall be maintained free from cracks and holes.
- (4) Plumbing facilities and fixtures. The owner of the occupied structure or a designated agent shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with the HUD Code.
- (5) Sanitary facilities. Every residential unit shall contain a kitchen sink, lavatory, tub or shower, and a water closet all in good working condition.

(f) Application for Permit

- (1) The Developmental Services Division is hereby authorized and empowered to prescribe forms and procedures for such applications for permits issued pursuant thereto, as well as any other document required in connection with such application or permit. The Developmental Services Division is authorized or empowered to require that applicants furnish information in writing, as may be reasonably required to effectuate the purposes hereof.
- (2) Upon receipt of the application for the location or relocation of a manufactured home, the Developmental Services Division shall determine whether or not the site has been approved. If the location or proposed location of the manufactured home has not been approved by the Developmental Services Division, the application shall be denied.
- (3) No application will be accepted from any person who is in violation of the zoning ordinance. If an applicant for a building permit is, at the time of such an application, determined by the zoning administrator to be in violation of the zoning ordinance, then the building official will be prohibited from accepting or processing any application from that applicant until the applicant voluntarily removes or changes the cause of the violation and ceases to be in violation. The applicant must notify the building official that he has ceased the violation and obtain a release from the zoning administrator as to the violation. When the applicant has ceased to be in violation of this ordinance, the building official will then accept the application for building permit.

(g) *Permit fee.* A fee as set forth in the schedule of fees and charges for the issuance of each permit will be paid by the owner of a manufactured home to the Developmental Services Division when issued. Failure to obtain the permit as provided herein shall result in the fee being doubled.

(h) *Sewage disposal system.* No person shall initially locate any manufactured home or relocate any manufactured home within the limits of the County unless an existing On-Site Sewage Management system approved by the County Health Department is present or an On-Site Sewage Management System permit has been issued by the County Health Department for the proposed mobile home site. An applicant for the location or relocation of a manufactured home within the limits of the County shall present to the Developmental Services Division a letter, or other clearance from the County Health Department, stating that such an approved On-Site Sewage Management System has been properly installed and connected; or, stating that an On-Site Sewage Management System permit has been issued by the County Health Department and satisfactory proof has been furnished to the County Health Department that such an approved sewage system will be properly installed and connected. The Developmental Services Division shall not issue such permit authorizing the location or relocation of such manufactured home unless such letter or other clearance from the County Health Department is presented to it.

(i) *Issuance of permit.*

- (1) All permits issued under the terms of this division shall indicate the date issued. Any permits issued hereunder shall be valid only for the specified manufactured home and for the location of such manufactured home as indicated on the permit.
- (2) Nothing contained in this section shall be so construed as to relieve any person from the responsibility of obtaining a relocation permit each time such person moves or relocates a manufactured home.
- (3) Permits shall be valid for 90 days.

9.6. Inspections

(a) The Developmental Services Division is charged with inspecting manufactured homes to ensure compliance with local and State of Georgia guidelines. Inspections shall include but not be limited to the following:

- (1) Safety and Aesthetic Inspection – shall be performed on pre-owned manufactured homes.
- (2) Site Inspection – shall be performed on each site prior to placement of the manufactured home.
- (3) Installation Inspection – shall be performed before the power company has connected service to the home.
- (4) Skirting – shall be performed thirty days after the installation inspection to assure that skirting, landings and handrails are in place.

(b) To the extent possible, inspections will be scheduled within 48 hours; excluding Saturday, Sunday and County-observed holidays.

(c) Upon completion of the installation inspection, and if the manufactured home is in compliance with this chapter, the Developmental Services Division shall notify the power company to connect the electrical service to the home.

(d) If a manufactured home fails an inspection, the permit holder or his agent will be notified. Prior to a reinspection, a reinspection fee, as set forth in the schedule of fees and charges, shall be paid to the Developmental Services Division.

(e) No manufactured home shall be occupied prior to the installation inspection being done and approved.

(Ord. No. 1991-3, § VIII, 2-19-91)

9.7. – 9.30. Reserved.

ARTICLE II. SPECIFICATIONS

9.31. Setup standards.

(a) *Tiedowns.* Each manufactured home shall have tie downs or other devices used to secure the manufactured home based on the requirements of the current state adopted building codes or manufacturer's installation instructions.

(b) *Foundations.* Foundations shall be installed in accordance with the standards set forth in the current state adopted building codes or manufacturer's installation instructions.

(c) *Steps and landings.* Steps and/or landings are required for all homes, at all doors, and shall be constructed to the current state adopted building codes. The handrails and landings must be in place within 30 days after the approval of the installation inspection to the manufactured home.

(d) *Skirting.* Skirting, unpierced except for required ventilation and access and construction of materials manufactured for such purposes, which have been approved by the building inspector, shall be installed so that it encloses the area located under the home to the ground level. The skirting must be in place within 30 days after the approval of the installation inspection to the manufactured home.

(Ord. No. 1991-3, § IV, 2-19-91)

9.32. Water, sewer, electrical, refuse disposal services.

(a) *Water supply.* An adequate, safe and potable supply of water shall be provided for the manufactured home. The source of water supply shall be approved by the Georgia Department of Natural Resources, Environmental Protection Division or the Health Department.

(b) *Sewage disposal.* An adequate and safe sewage disposal system shall be provided for the manufactured home. Collection systems, sewage treatment facilities or individual septic tank systems shall be approved by the Health Department.

- (c) *Refuse.* The storage, collection, and disposal of refuse for the manufactured home shall be so conducted as to prevent health hazards, rodent harborage, or insect breeding areas.
- (d) *Electrical equipment and installation.* Lot/sites shall have all equipment and installations designed, constructed and maintained in compliance with the state minimum standard code.

(Ord. No. 1991-3, § V, 2-19-91)

9.33. General safety and aesthetic standards.

- (a) *All manufactured homes and mobile homes shall meet the following minimum standards.*
 - (1) **Responsibility.** The owner and/or occupant of the property shall maintain all structures and properties in compliance with these requirements, except as otherwise provided for. A person shall not occupy as owner-occupant or permit another person to occupy premises which does not comply with the requirements of these standards.
 - (2) **Foundation walls.** Foundation walls shall be maintained free from open cracks and breaks and shall be kept in such condition that it does not threaten the integrity of the structure.
 - (3) **Exterior walls.** The exterior shall be free of loose or rotting boards or timbers and any other conditions that might admit rain or moisture to the interior portions of the walls or to the occupied spaces. The exterior siding shall be free of rot and rust and must be uniform in appearance.
 - (4) **Roofs.** Roofs shall be structurally sound and have no obvious defects which might admit rain or cause moisture to collect on the interior portions of the structure. The roof shall be free of rot and rust and must be uniform in appearance.
 - (5) **Stairways, decks, porches and balconies.** Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposing loads.
 - (6) **Windows, doors, and frames.** Every window, door and frame shall be kept in sound condition, good repair and weather tight. Every bedroom shall have at least one window that can be opened, facing directly to the outdoors. All glazing materials shall be maintained free from cracks and holes.
 - (7) **Skirting.** Skirting, unpierced except for required ventilation and access and construction of materials manufactured for such purposes, which have been approved by the building official, shall be installed so that it encloses the area located under the home to the ground level. Exception for property located on a river or those approved by the Building Inspector.
 - (8) **Plumbing facilities and fixtures.** The owner of the occupied structure or a designated agent shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with the HUD code. A person shall not occupy any structure or premises which does not comply with these standards.
 - (9) **Sanitary facilities.** Every residential unit shall contain a kitchen sink, lavatory, tub or shower, and a water closet all in good working condition and properly connected to an approved water and sewer system.

(b) Unsafe systems, appliances or equipment.

- (1) Manufactured homes, appliances, or equipment covered by this chapter that may be, or shall be found upon inspection, to have become dangerous or unsafe shall be removed or discontinued from use, unless made safe and so certified by the building official.
- (2) The term “dangerous or unsafe manufactured homes, systems, appliances or equipment,” shall include manufactured homes, systems, appliances or equipment that are: structurally unsafe, unstable or unsanitary; constituting a fire hazard; unsuitable or improper for the use to which they are put; constituting a hazard to health or safety due to inadequate maintenance, dilapidation or obsolescence; or otherwise dangerous to life or property.

(c) Notice of unsafe manufactured homes, systems, appliances or equipment.

- (1) Upon receipt of information that manufactured homes, systems, appliances or pieces of equipment covered by this chapter are unsafe, the building official shall make, or cause to be made, an inspection. If found that an unsafe condition exists, he/she shall serve, or cause to be served, on the owner (or someone of the owner’s, executor’s, administrator’s, agent’s, or lessee’s employ, or other persons who may have a vested or contingent interest in the same), a written notice containing a description of the particulars in which the manufactured home, systems, appliances or equipment are unsafe; and an order requiring the same to be made safe, as may be deemed necessary by the building official.
- (2) If the person to whom such notice and order is addressed cannot be found after a diligent search, the notice and order shall be sent by registered mail to the last known address of such person. A copy of such notice shall be posted in a conspicuous place on the premises to which it relates. Such mailing and posting shall be deemed adequate notice.

(d) Disregard of notice. If the person served with a notice or order to remove an existing unsafe condition, or discontinue the use of same, fails to comply within a reasonable time as set by the building official, the building official shall advise the County (or the proper prosecuting authority) of all the facts in the case and institute an appropriate action in the courts to compel compliance.
(Ord. No. 1991-3, § IX, 2-19-91)