

TOWN OF DUBACH

ORDINANCE NO. 431-A\_

AN ADDENDUM TO ORDINANCE OF THE TOWN OF DUBACH ESTABLISHING STANDARDS FOR THE INSTALLATION OF MOBILE HOMES

WHEREAS it has been determined to be in the best interest of the Town of Dubach and its citizens to provide minimum standards for mobile homes within the Town in order to protect the health, safety and general welfare of the citizens of the Town;

NOW THEREFORE BE IT ORDAINED BY the Board of Aldermen of the Town of Dubach that the following ordinance is hereby adopted:

**MANUFACTURED HOMES AND MOBILE HOMES ORDINANCE**

**Section 1. Purpose.**

These regulations are being promulgated to protect the health, safety and general welfare of the citizens of the Town of Dubach. The Board of Aldermen recognizes that mobile homes can meet and satisfy the residential needs of many citizens of the Town without adversely affecting the overall welfare and development of the Town if utilized in accordance with reasonable compatibility standards. Furthermore, these regulations are designed to protect permanent residences in which families have invested substantial time and resources. All mobile homes to be placed on any lot or parcel within the Town of Dubach must comply with the standards defined herein.

**Section 2. Definitions**

**A. Accessory Structure.** Accessory Structure means a detached subordinate building or structure located on the same site as the mobile home or manufactured home which it serves, including, without limitations, awnings, cabanas, porches, storage cabinets, a similar appurtenant structures.

**B. Certificate of Occupancy.** A certificate issued by the Building Official after inspection of the mobile home to ensure compliance with state and local law and building standards.

**C. Mobile home.** Mobile Home means a factory assembled structure or structures transportable in one or more sections, with or without a permanent foundation, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. The term mobile home includes a manufactured home and residential mobile home. However, the term mobile home does not include modular home.

**D. Modular home.** Modular home means a sectional prefabricated building or house that consists of multiple sections called modules, and that are required to be built in accordance with International Residential Code ("IRC") standards as adopted by the Louisiana State Uniform

Construction Code Council. They do not rest on a steel chassis and are assembled on a fixed foundation.

**E. Mobile home lot.** Mobile home lot means a parcel of land for the placement of a mobile home and the exclusive use of its occupants.

**F. Mobile Home Permit.** Mobile Home Permit means a written permit issued by the Town of Dubach permitting the placement of a mobile home, mobile home park, or other structure falling under this ordinance and to operate under these regulations.

**G. Sewer connection.** Sewer connection means a connection consisting of all pipes, fittings and appurtenances from the drain outlet of the mobile home to the inlet of the corresponding sewer riser pipe of the sewerage system serving the mobile home development.

**H. Conflicting regulations.** In any case where a provision of this ordinance is found to be in conflict with a provision of any other ordinance or code of the Town or the State of Louisiana existing on the effective date of the ordinance, the provision which, in the judgment of the building official, establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

### **Section 3. General Restrictions**

**A. Age Restrictions.** No mobile home that was manufactured in a year more than 15 years prior to the year in which the mobile home is to be situated within the Town of Dubach shall be permitted within the Town of Dubach for any reason whatsoever. This shall not apply to any such manufactured homes presently existing and occupied within the Town of Dubach.

#### **B. Minimum Mobile Home Size Lot Requirements**

1. The minimum Mobile Home Lot size for a single mobile home shall be 75 feet by 100 feet.
2. The minimum Mobile Home Lot size for 2 mobile homes shall be 200 feet by 100 feet.
3. No more than 2 mobile homes may be on a single lot.

**C. Setback Requirements.** Mobile homes shall have the following minimum building setbacks:

1. Front yard: Twenty-five (25) feet.
2. Side yard: Ten (10) feet.
3. Rear yard: Ten (10) feet.

**D. Location Restrictions:** Mobile homes and manufactured housing may not be placed on any parcel of land located on Highway 167 within the Town limits. This location restriction shall

not apply to any mobile home or manufactured home currently located on Highway 167 which is occupied by a resident on the date of the adoption of this ordinance.

**E. Recreational Vehicles (motor homes, RVs etc)** Recreational Vehicles shall not be allowed or placed on any parcel of land located on Highway 167 within the Town limits and be used as a temporary or permanent living residence. Vacant recreational vehicles shall only be stored behind a main residence in this location.

#### **Section 4. Mobile Home Permit Required**

**A. Mobile Home Permit Required.** It shall be unlawful for any person to move a manufactured home or mobile home in the Town of Dubach without first securing a Mobile Home Permit from the Town at the current permit rate.

#### **B. Application.**

1. **Required Attachments.** The following items must be submitted with all Application for Mobile Home Permit.

i. **Photos.** All applications for a Mobile Home Permit shall include color photos of said mobile home. Said photographs shall be a minimum size of three inches by five inches (3"x5") and shall include images of all four (4) sides and underneath the mobile/manufactured home. No approval and resulting Mobile Home Permit shall be granted unless said photographs are supplied to the Town of Dubach.

ii. **Site Plan.** A scaled site plan showing the lot dimensions, location and placement of the mobile home, placement of the electrical service pole, location of the driveway, proposed parking areas, name and location of adjacent streets and any additional information deemed necessary to document conformance with this section must accompany the application.

iii. Documentation for the mobile home showing that it complies with the age restriction.

iv. **Application Fee.** The application fee shall be at the current permit rate and must be paid at the time the application is submitted to the Town Clerk. No refund shall be issued if the permit is denied.

2. **Signed Application.** Application for a Mobile Home Permit shall be filed with the Town Clerk and must be signed by the applicant. The Mayor shall prescribe forms therefore, including all information reasonably and necessarily required for the enforcement of the provisions of this ordinance.

3. Before issuing a Mobile Home Permit, the Mayor or the Mayor's designee shall review and approve the application and required attachments to determine compliance with the applicable requirements of this ordinance. Thereafter, the Mayor or the Mayor's designee shall

approve, deny, or indicate in writing the conditions under which such permit may be approved within 15 days of receipt of a completed application.

4. **Appeal.** Should the Mayor or the Mayor's designee deny the application or withhold approval of the Mobile Home Permit, the owner of said mobile home may appeal that decision to the Board of Alderman of the Town of Dubach by filing a written request with the Town Clerk within 10 days of receiving notice of the denial or withholding of same. If an appeal is timely filed, it shall be placed on the agenda for the next regular scheduled meeting. The Board of Alderman may affirm, reverse, or modify the decision of the Mayor or the Mayor's designee dependent on the circumstances and information provided by the owner. The failure to timely appeal precludes review.

### **C. Expiration of Mobile Home Permit**

1. When a Mobile Home Permit is issued, it shall be construed to be a license to proceed with the installation work. The work authorized by such Mobile Home Permit shall commence within 60 days after the issuance of such permit, and shall continue without delays, except for inclement weather, until the completion of such work.

2. If work should be suspended or abandoned for a period of more than 60 days, the Mobile Home Permit shall become invalid unless an extension is granted by the Mayor or the Mayor's designee upon written request by the owner, and there must be a justifiable cause demonstrated before the Mayor may consider issuing an extension.

## **Section 5. Installation Standards**

**A. Installation and Anchoring.** All mobile homes shall be installed and anchored in accordance with the standards set forth in the Louisiana Revised Statute 51:912.21, *et. seq.*

**B. Skirting.** All Mobile/manufactured home shall have skirting in place within ninety (90) days of placement and prior to occupancy.

1. Skirting shall extend from the bottom of the mobile home to the ground.

2. Skirting shall cover all four (4) sides of the mobile/manufactured home.

3. All skirting shall meet one (1) of the following requirements:

- i. Manufactured skirting; or
- ii. Decorative metal, vinyl or plastic skirting; or
- iii. Brick, mortar or other stone structure skirting.

4. The area enclosed by the skirting may not be used for storage and must be kept free of debris at all times.

**C. Parking and Access.** A paved or all weather surface driveway composed of gravel or other

material with a minimum width of ten (10) feet shall be provided for each mobile home. At least two (2) parking spaces must be provided.

**D. Steps and Handrails.** A minimum of four foot by four foot landing with handrails, guardrails and steps shall be required at the main entrance to all mobile homes. All other entrances shall have steps and handrails.

**E. Water and Sewer Services.** Every mobile home located in Dubach shall be connected to the Town's water and sewer system if the property is within 300 feet of the Town's water and/or sewer line. Each mobile home located in Dubach is required to have its own separate water service connection and water meter.

## **Section 6. Required Inspection and Certificate of Occupancy**

**A Certificate of Occupancy.** No one shall occupy a mobile home either as a residence, storeroom, or place of business until after obtaining a Certificate of Occupancy from the Town which shall not be granted until after the mobile home has been inspected and approved by the Building Inspector.

**B. Public Utilities.** Public utilities including but not limited to, telephone gas, water, or electricity, shall not be provided to any mobile home until the owner or occupant of said mobile home provides a certificate of occupancy to the provider of such utility.

**C. Inspection.** Each mobile/manufactured home shall be inspected by the building inspector for compliance with the provisions of this ordinance and applicable state and federal law. The building inspector is authorized and empowered to enter the premises of any mobile home to perform the inspections required by this ordinance. The building inspector shall complete a written report to the Town which shall include a determination regarding the following:

1. All electrical and plumbing comply with NEC and state plumbing codes as set forth in the Louisiana Administrative Code Title 17;
2. All roofing and gutters shall be free from defects such as buckling or sagging, holes or other defects that would result in air or water infiltration.
3. All exterior walls and siding shall be in good condition and without holes, dents, or excessive peeling or flaking paint.
4. All windows and doors shall be free of signs of deterioration or missing or broken out panes and shall be lockable from inside with a form of mechanical fastener.
5. All undersides of mobile homes shall be in good condition and insulation will be secured in place by manufactured fabric as per mobile home industry, or hardware cloth secured neatly.
6. Foundation for mobile home meets the requirement of state law.

7. Skirting has been installed as required by this ordinance. If the inspection is completed prior to the 90 days after the mobile home was placed on the property and skirting has not yet been installed, then the inspector shall note the anticipated date of installation in his report.
8. Other information the Building Inspector believes in his professional judgment should be included in said inspection and report.

**D. Fees.**

1. **Inspection Fees.** The fees for inspection by the Building Inspector shall be paid directly to the Town's contracted Building Inspector at the standard rate charged for same.

2. **Certificate of Occupancy Fees.** The Certificate of Occupancy Fee as set forth in the current fee schedule shall be paid to the Town of Dubach and submitted to the Town Clerk after the Inspection has been completed by the Building Inspector.

**Section 7. Existing Mobile Homes.** This ordinance does not make unlawful any mobile home or manufactured home already in place and complying with all laws and regulations when this ordinance becomes effective. Such homes shall be deemed legally nonconforming. However, after the effective date of this ordinance, all nonconforming mobile and manufactured homes that are moved or left unoccupied for 180 days shall be required to meet the requirements of this ordinance before utilities can be reconnected.

**Section 8. Enforcement.**

**A. Civil Enforcement.** The town, through the Mayor, the appropriate building official, and/or the town attorney is empowered to enforce the provisions of this ordinance, and to institute any necessary legal actions or proceedings to enforce the provisions thereof, or to prevent any violation of any of its provisions, including injunctive process to compel compliance and prevent continued violation, and may obtain an order for the removal of any units or structures, fixtures, or appurtenances which may have been unlawfully placed or constructed in violation of the provisions of this ordinance.

**B. Criminal Enforcement.**

1. It shall be unlawful for any person to who install a mobile home within the Town of Dubach without first obtaining the Mobile Home Permit, to have utilities connected to a mobile home without a Certificate of Occupancy, or otherwise violate or fail to comply with any provision of this ordinance.

2. Any person, firm, partnership or corporation convicted for violating this ordinance shall be punished by a fine not to exceed five hundred dollars (\$500.00) or imprisonment not to exceed sixty (60) days, or both.

3. Each day any violation of, or failure to comply with, any provision of this chapter continues, each such violation or failure to comply shall constitute a separate offense.

**C. Additional Enforcement/ Remedies.** In addition to the relief provided here, the Town of Dubach may take any action pursuant to the Dubach Building and Structures Abatement Ordinance.

This Ordinance was duly introduced, published in accordance with law, and then duly read and adopted by the following votes:

\_\_\_ YEAS    \_\_\_ NAYS    \_\_\_ ABSENT    \_\_\_ ABSTAIN.

This ordinance was adopted on the \_\_\_ day of \_\_\_\_\_, 2023 and presented to the Mayor for her signature on the \_\_\_ day of \_\_\_\_\_, 2023 (which is less than 3 days from the date the ordinance was adopted).

\_\_\_\_\_  
CITY CLERK

Approved by the Mayor on this \_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
MAYOR