

ORDINANCE NO. 444

MANUFACTURED HOUSING

AN ORDINANCE DEFINING MANUFACTURED HOUSING AND PERMITTING MANUFACTURED HOUSING WITHIN ANY RESIDENTIAL ZONING DISTRICT IN MILLS (EXCEPT MOBILE HOME) SUBJECT TO COMPLIANCE WITH THE HUD CODE FOR MANUFACTURED HOUSING AND NON-CODE DESIGN STANDARDS FOR APPEARANCE AND PLACEMENT OF HOUSING.

WHEREAS, Federal regulations pre-empt local codes from regulating the location of manufactured housing based on code issues; and

WHEREAS, the Town is desirous of allowing manufactured housing which meets the HUD Code, 1994, Standards for construction in all residential zoning districts, except mobile home, subject to certain standards for appearance and placement of houses.

NOW, THEREFORE, be it established by the Town Council of the Town of Mills, Wyoming:

SECTION 1: Definitions.

Section 18.04.030 of the Town Code is hereby amended to include the following definitions:

Dwelling, Single Family - a principal building designed for or used exclusively as a dwelling by one family as an independent housekeeping unit. This definition includes manufactured and modular housing.

Mobile Home - a structure designed for permanent habitation and so constructed as to permit its transport on wheels, temporarily or permanently attached to its frame, from the place of its construction to the location, or subsequent locations, at which it is intended to be a permanent habitation

and designed to permit the occupancy thereof as a dwelling place for one or more persons. A mobile home does not meet the requirements of the Uniform Building Code and has minimum dimensions of 8 feet by 32 feet. Mobile home does not meet the 1994 HUD Code for manufactured housing. All housing that does not meet the 1994 HUD code and the standards in this Section, (a) - (g), are classified as mobile homes.

Modular Home means a residence which is constructed in a factory, but which is certified to meet the Uniform Building Code. Modular housing shall be installed in accordance with Section 3 (h) and 3 (i).

Manufactured Home means a residence constructed to house one family year round and shall meet the following requirements:

- (a) Is partially or entirely manufactured in a factory on or after January 1, 1994 and is in compliance with the current applicable standards of the United States Department of Housing and Urban Development at the time of its production.
- (b) Is not less than twenty-four feet in width and thirty-six feet in length.
- (c) The home shall have a pitched roof, with a slope of not less than a nominal three (3) inch vertical rise for each twelve (12) inches of horizontal run.

- (d) Roof material shall consist of nonreflective material customarily used for conventional dwellings including, but not limited to, asbestos shingles; fiberglass shingles; shake shingles; composition shingles; or tile materials. Roof material shall not include flat or corrugated sheet metal, except for manufactured metal roof panels.
- (e) Have a roof overhang of not less than eight inches measured from the vertical side of the home. When attached carports, garages, porches or similar structures in an integral part of the home, this overhang may be waived where the accessory structure is attached to the home.
- (f) Having siding material consisting of wood or wood products, stucco, brick, horizontal lap steel or aluminum, horizontal lap vinyl or rock.
- (g) A manufactured home must be constructed in compliance with federal manufactured home construction and safety standards in effect in 1994, or as subsequently amended, including design roof loads and insulation requirements applicable to the State of Wyoming.
- (h) Any manufactured home on an individual lot shall conform to the same building setback standards, side and rear yard requirements, standards for enclosures, access, vehicle parking, and square footage standards and requirements to which a conventional site built single-family residential dwelling on the same lot would be subject.

(i) The dwelling shall be attached to a permanent foundation system in compliance with the Mills building code for residential structures. All wheels, hitches and axles shall be removed. A masonry curtain wall, set on a footer below frost level shall be installed at the perimeter wall of the house if the perimeter wall is not the foundation wall.

(j) Nothing in this subsection shall be deemed to supersede any valid covenants running with the land.

## SECTION 2: Permitted Uses.

Section 18.08.030 Permitted Uses Residential Districts, is amended to read:.

Single unit frame dwellings changes to "Dwelling, Single Family." This includes modular and manufactured housing, but excludes mobile homes, and

"Manufactured Home" is a permitted use in all residential zones except Developing Mobile Home.

## SECTION 3: Application for Permits.

Section 18.08.035 Manufactured Housing Application - new section created.

### A. Burden Of Certification

It is the burden of the applicant to certify compliance with the requirements listed in 18.04.030. This can be completed through certification by the manufacturer, or seller that the unit meets the HUD standards and (a) - (g) 1804.030. Mills will not inspect any units to determine compliance with the

HUD code. Mills shall establish a reasonable fee for inspecting the installation of the units to determine that they comply with the criteria established in this ordinance. Mills will issue permits for installation of manufactured housing and inspect installation, including items (h) and (i), 18.04.030.

**B. Minimum Standards For Mobile Homes and Manufactured Housing.**

Any housing not site-built must be reviewed by the State Electrical Inspector and approved for use in Mills by the State prior to Mills issuing a permit for installation.

**SECTION 5: Penalty for Violation.**

Any person, firm, or corporation violating any of the provisions of this Ordinance or Title 18 of the Mills Code, Zoning, is guilty of misdemeanor and each person is guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Ordinance is committed, continued, or permitted. Any person found guilty of violating any of the provisions of this Ordinance shall be fined in any sum deemed appropriate by the Municipal Court of the Town of Mills not to exceed \$750.00 for each separate violation.

**SECTION 6: Repeal of Conflicting Ordinances.**

All existing Ordinances or parts of Ordinances of the Town of Mills are hereby repealed insofar as they may be inconsistent with the provisions of this Ordinance.

**SECTION 7: Separability of Provisions.**

It is the intention of the Town Council that each separate provision of the Ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the Town Council that if any provision of this Ordinance be declared invalid for any reason that all other provisions hereof shall remain valid and enforceable.

**SECTION 8: Effective Date.**

This Ordinance shall be in full force and effect ten days following its passage and approval on Third and Final reading.

PASSED ON FIRST READING the 6th day of August, 1997.

PASSED ON SECOND READING the 3 day of Sept., 1997.

PASSED, APPROVED, and ADOPTED on THIRD and FINAL READING the 8th day of October, 1997.

TOWN OF MILLS, a Municipal Corporation  
By Robert L. Goff  
Robert L. Goff, Mayor

Attest:

Sue Regennas  
Sue Regennas, Clerk  
Town of Mills

I, Sue Regennas, Town Clerk of the Town of Mills, Wyoming, do hereby certify that the forgoing is a true and correct copy of Ordinance No. 444, entitled "MANUFACTURED HOUSING ORDINANCE." Passed on Third Reading by the Town Council of the Town of Mills, Wyoming, at a regular meeting held by the Council Chambers on the 8th day of October, 1997.

(Seal)

Sue Regennas  
Sue Regennas, Town Clerk

I, the regularly appointed, duly qualified and acting Town Clerk of the Town of Mills, Wyoming, do hereby certify that signed, attested, sealed, and certified copies of this Ordinance No. 444 approved and passed as certified above, were followings its passage by the Town Council, posted in the Town Clerk's office and the Mills Post Office for a period of (10) days as required by law; that it took effect and became in force as a legal ordinance of the Town of Mills, Wyoming, on the 28th day of October, 1997.

(Seal)

Sue Regennas  
Sue Regennas, Town Clerk