

ORDINANCE NO. 632

An ordinance amending Ordinance 549 of the Mills Town Code, 18.08.045 (Mobile Homes) to promote land use, compatibility, protect property values, provide for the health, safety and welfare of manufactured, modular and mobile home residents and ensure an adequate minimum living standard as related to manufactured, modular and mobile homes. This ordinance sets forth the conditions under which manufactured, modular and mobile homes will be allowed within the Town of Mills.

WHEREAS, mobile homes are presently located in the Town of Mills; and

WHEREAS, it is deemed necessary for the preservation of the safety, health, life and general welfare of the residents of the Town of Mills that regulations be established governing the location of manufactured, modular and mobile homes within the Town to provide adequate minimum area requirements, utilities, wind protection and inspections thereof;

Now therefore, be it ordained by the Town Council of the Town of Mills, Wyoming that the following sections of the municipal code be amended as follows:

18.08.045
MOBILE HOMES

Standards governing all mobile home locations

It is unlawful within the Town of Mills for any persons to place or park any manufactured or mobile home on any street, alley, highway or other public place, or on any tract of land owned by any person, firm, or corporation, occupied or unoccupied, except as provided in this Ordinance.

All manufactured and mobile homes located in the Town of Mills shall be located to comply with all of the following minimum standards:

A. The manufactured or mobile home is:

1. Newer than ~~twenty (20)~~ ten (10) years old as measured from the date of proposed installation, location or relocation, and built according to the standards established by the United States Department of Housing and Urban Development (HUD) under the "National Manufactured Housing Construction and Safety Standards Act of 1974," 42 U.S.C. 5401, et seq., as amended (currently codified at 24 C.F.R. 3280) in effect at the time of manufacture and bearing certification to that effect ("Applicable HUD Standards") and is certified for the appropriate wind, thermal and roof standards for Wyoming; or
2. The manufactured or mobile home is ~~twenty (20)~~ one (1) year or older up to a maximum age of ten (10) years, as measured from the date of proposed installation, location or relocation, and has been issued a mobile home building permit and specific approval to be installed, located, or relocated by the ~~Town of Mills Code Enforcement Officer ("CEO")~~. The CEO Community Service Officer (CSO) or designated Town Inspector shall inspect all ~~20-year~~ and 1-year and older manufactured and mobile homes in conformance with the installation, location and relocation criteria found in this Ordinance. No manufactured or mobile home shall be installed, located, or relocated that does not meet the Applicable HUD Standards in effect at the time the home was manufactured, or that does not meet minimum criteria of this Ordinance.

B. Each manufactured or mobile home must be supported on pins or blocking constructed of masonry, block, brick, or concrete. Installation instructions as provided by the manufacturer of the manufactured or mobile home shall be deemed a typical blocking installation. Any foundation system design, other than typical blocking, shall be stamped and signed by a Wyoming licensed professional engineer.

C. Each manufactured or mobile home shall be skirted with a waterproof, rigid, durable skirting material within 30 days of placement. All skirting shall be provided with a door or panel to permit ready access to utility connections.

D. Each manufactured or mobile home shall be equipped so as to permit access to utility connections. ~~All skirting shall be provided with a door or panel to permit ready access to utility connections.~~ All utilities shall be hooked up and usable within



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TOWN OF MILLS

30 days of placement.

- E. Each manufactured or mobile home shall be anchored with tie-downs meeting the minimum standards as set forth in Section 15.16.190 of the Mills Municipal Code or their equivalent.
- F. All water, sewer, electrical and natural gas connections shall be inspected and approved by the supplying utility prior to use.
- G. The manufactured or mobile home meets the minimum standards for fire safety and protection in conformance with the applicable HUD standards at the time of original construction or as established by the Wyoming State Fire Marshall.
- H. All appurtenant construction such as decks, walks, steps, handrails, sheds, accessory buildings, and other similar construction are subject to the applicable building code regulations adopted by the Town.
- I. A minimum of two 10' x 20' off-street parking spaces must be provided for each manufactured or mobile home on the same lot or lots on which the mobile home is located. If off-street parking for a non-conforming manufactured or mobile home, as defined below, is provided between the dedicated street or right-of-way and the non-conforming mobile home, then the distance between the dedicated street or right-of-way and the hitch, or wall if there is no hitch, of the non-conforming mobile home must be at least 20 feet.
- J. No nonconforming manufactured or mobile home, as defined below, shall be located within 10 feet of any dedicated alley right-of-way line, and the 10 foot setback area shall not be used for off-street parking.
- K. No manufactured or mobile home shall be moved, located, or relocated within the Town of Mills without having first secured a written permit for the movement, location, or relocation of said manufactured or mobile home from the Town Clerk.

Location of manufactured and mobile homes restricted

No manufactured or mobile home shall be located, placed, or installed at any location within the Town of Mills except as follows:

- A. A single manufactured or mobile home, if it is the only principal building on a single lot of record, may be located in an Established Residential (E-R) District or in a Development Mobile Home District -- Single Lot District (D-MH), if the location of the mobile home meets all other requirements of the District.
- B. A manufactured or mobile home may be located in an established mobile home park provided the established mobile home park meets all licensing requirements and all other applicable regulations and codes.
- C. A manufactured or mobile home may be located in a developing mobile home park in a Developing Mobile Home District (D-MH).
- D. A manufactured or mobile home may be located where permitted by the Town as security quarters in an Industrial District as provided for in Section 18.08.030 of the Mills Municipal Code.
- E. No manufactured or mobile home shall be located within 10 feet of any other building on the same or adjacent lot.
- F. Manufactured or mobile homes shall not be allowed, permitted or used for an accessory purpose or as a storage building after the effective date of this Ordinance. Those manufactured or mobile homes utilized as accessory structures or for storage prior to the effective date of this Ordinance shall be deemed legal non-conforming uses and permitted to continue until such time as the use of those structures are discontinued for 180 days.

Inspection and permitting requirements

No manufactured or mobile home located within the Town of Mills shall be permanently occupied unless inspected by the ~~Town Code Enforcement Officer~~ Community Service Officer (CSO) or designated Town Inspector except in conformance with the

following inspection/permitting requirements:

- A. A manufactured or mobile home shall not be installed, located or relocated within the Town of Mills without the issuance of a mobile home building permit from the Town of Mills. Building permits for additions, alterations, modifications or any physical change to a manufactured or mobile home are required regardless of location.
- B. The ~~Code Enforcement Officer~~ Community Service Officer (CSO) or designated Town Inspector has the authority to inspect all new, installed, located, and relocated manufactured and mobile homes for compliance with the provisions of this Ordinance.
- C. After the effective date of this Ordinance, no person shall occupy any new or relocated manufactured or mobile home nor permit any other persons to occupy the same unless the manufactured or mobile home has been installed, located, or relocated in compliance with this Ordinance or is a legal non-conforming use under this Ordinance.

Authority of the ~~code enforcement officer~~ Community Service Officer (CSO) or designated Town Inspector.

In addition to any other enforcement powers that the ~~Code Enforcement Officer~~ Community Service Officer (CSO) or designated Town Inspector may have, the ~~Code Enforcement Officer~~ Community Service Officer (CSO) or designated Town Inspector may issue a written order to any person to:

- A. Immediately cease and desist any work or activity to install, locate, or relocate any manufactured or mobile home in violation of this Ordinance; or
- B. Immediately cease and desist from the use or occupancy of any manufactured or mobile home installed, located, or relocated in violation of this Ordinance. Such written order shall constitute an administrative action which may be appealed to the Mills Town Council as a contested case within thirty (30) days of the written order.

Inspection criteria for manufactured homes older than 20 1 year

All manufactured and mobile homes ~~20 years~~ 1 year and older as measured from the date of proposed installation must be inspected by the Town of Mills ~~Code Enforcement Officer~~ Community Service Officer (CSO) or designated Town Inspector prior to moving, locating, relocating or installation and a building permit application must be provided to the Town of Mills. No such manufactured or mobile home may be occupied prior to the issuance of a mobile home building permit and payment of appropriate fees. Each such manufactured or mobile home shall be inspected for compliance with the following minimum criteria before a building permit will be issued.

- A. All electrical wiring shall be in compliance with the applicable codes in place at the time the building was manufactured. Any new, altered, modified or replaced wiring shall be in compliance with the current, adopted version of the National Electrical Code.
- B. Shall have appropriate operational fire alarms installed.
- C. All floors shall be solid and stable. Any penetrations of the floor shall be sealed.
- D. All roofs shall be solid and stable without any sag.
- E. No evidence of significant wood rot or mold shall exist.
- F. The exterior of the building shall be properly maintained and painted.
- G. Any additions, modifications, or alterations to the building shall have been constructed with appropriate building permits.
- H. The manufactured or mobile home maintains the same structural integrity as it did when it was manufactured.
- I. No broken windows.
- J. All HVAC systems shall be working and installed in accordance with the regulations in

place at the time the building was manufactured. All new installations shall be in conformance with the most recent adopted edition of International Building Codes.

- K. Must have proof that the manufactured or mobile home meets the established thermal, wind and roof load requirements for Wyoming.

Manufactured or mobile homes not meeting these criteria shall be either left in place and considered a nonconforming structure, be moved or relocated outside of the Town of Mills, or be repaired to meet the criteria. The level of repair needed may differ widely from home to home. The CEO shall determine if the repairs are minor or major. For those repairs determined to be minor, the repairs may be made without a building permit. For those homes that are determined to require major repairs, a mobile home building permit must be issued for those repairs. All repairs and construction shall be in conformance with the International Building Codes as adopted. The CEO may permit a manufactured or mobile home needing repairs to be relocated provided a mobile home building permit has been issued for the repairs. The CEO may shall require surety, in the amount of \$5000, from the applicant to cover the cost of removing the manufactured or mobile home from the Town of Mills if repairs are not completed. All repairs must be completed within ~~six~~ three months of the mobile home building permit issuance and prior to any occupancy of the repaired structure. Failure of the applicant to complete repairs in the designated time will constitute a violation of this Ordinance. The Town of Mills may utilize the surety to cause the manufactured or mobile home to be removed from the Town of Mills as a result of a violation. All repaired manufactured or mobile homes must pass a final inspection by the CEO prior to being moved, located, relocated or installed in the Town of Mills.

Non-conforming uses and non-conforming structures

- A. Non-conforming manufactured or mobile homes legally located within the Town of Mills on the effective date of this Ordinance and in use for residential purpose may continue at that certain location and continue to be utilized for residential purpose. The non-conforming manufactured or mobile home may not be relocated to any other property unless it has been inspected and brought into conformance with this Ordinance and issued a building permit. At such time as any legal non-conforming manufactured or mobile home ceases to be utilized for residential purposes or is vacant for a period of 180 days, it must be removed from the property.
- B. Manufactured and mobile homes located within the Town on the effective date of this Ordinance which have not been certified under the "National Manufactured Housing Construction and Safety Standards Act of 1974," 42 U.S.C. 5401, et seq., as amended, are hereby declared legal non-conforming structures, but shall not be replaced by another manufactured or mobile home that is not in compliance with applicable HUD standards unless the replacement manufactured or mobile home has been inspected and brought into conformance with this Ordinance and issued a building permit.

Penalty for Violation

Any person, firm or corporation violating any of the provisions of this Ordinance is guilty of a misdemeanor and each person is guilty of a separate offence 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 for each separate violation.

Appeals

The Mills Town Council shall hear and act on any appeal of decisions or determinations made in conformance with these regulations after consideration and hearing before the Planning Commission. The Planning Commission may recommend and the Council may approve the installation, location, or relocation of a manufactured or mobile home, and issuance of a building permit that does not meet the criteria of this Ordinance provided the Commission and the Council find that no health or safety issues are present and the home meets all applicable construction and building codes.

Repeal of Conflicting Ordinances

All existing Ordinances or parts of Ordinances of the Town of Mills are here by replaced insofar as they may be inconsistent with the provision of this Ordinance.

Effective Date

This Ordinance shall be in full force and effect ten (10) days following its passage and approval on third and final reading.

Separability of Provisions

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

PASSED ON FIRST READING the 11th day of June, 2014

PASSED ON SECOND READING the 27th day of Aug, 2014

PASSED, APPROVED, AND ADOPTED ON THIRD AND FINAL READING the 8th day of OCT, 2014

TOWN OF MILLS, WYOMING
A Municipal corporation,

By: Marrolyce Wilson
Marrolyce Wilson, Mayor

ATTEST: Lisa M. Whetstone
Lisa Whetstone
Deputy Town Clerk

I, Lisa Whetstone, Deputy Town Clerk of the Town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance No.632, entitled "AN ORDINANCE AMENDING ORDINANCE 549, SECTION 18.08.045 (MOBILE HOMES)". Passed on First Reading by the Town Council of the Town of Mills, Wyoming, at a regular meeting held by the Council Members on the 11th day of June, 2014.

Lisa M. Whetstone
Lisa Whetstone, Deputy Town Clerk

I, the regularly appointed, duly qualified and Deputy Town Clerk of the Town of Mills, Wyoming do hereby certify that signed, attested, sealed, and certified copies of this Ordinance No.632 approved and passed as certified above, and following its passage by the Town Council, was posted in the Town Clerk's Office and at the Mills Post Office for a period of ten (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 18th day of OCT, 2014.

Lisa M. Whetstone
Lisa Whetstone, Deputy Town Clerk

