

**CANDLER COUNTY
MANUFACTURED HOME ORDINANCE**

**ARTICLE ONE
GENERAL**

1.1 Title. This Ordinance shall be known as and may be cited as the “Manufactured Home Ordinance .

1.2 Authority and Jurisdiction. Whereas, consistent with Georgia Law, the Candler County Board of Commissioners has the authority to establish by ordinance or resolution such local rules and regulations, not in conflict with existing State or Federal Law, relating to the health, safety, and welfare of the public.

1.3 Purpose. The public health, safety, economy, good order, appearance, convenience, morals and general welfare require the harmonious, orderly and progressive development of land within Candler County, Georgia. In furtherance of the general intent of this Ordinance, the regulation of land development is authorized for the following purposes amongst others:

- (a) To encourage economically sound and stable land development;
- (b) To prevent the overcrowding of land and promote desirable living conditions;
- (c) To assure the timely provision of required streets, utilities and other facilities and services to land development;
- (d) To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in land developments; and
- (e) To assure, in general, the wise and timely development of new areas, in harmony with the comprehensive plan of Candler County.

Now therefore be it resolved that the following rules and regulations are hereby adopted. These regulations shall apply to all unincorporated land located within the boundaries of Candler County, Georgia.

**ARTICLE TWO
GENERAL PROVISIONS**

2.1 Definitions.

- (a) Board of Commissioners: Candler County Board of Commissioners.
- (b) Building official: One or more persons, officers or officials or his/her authorized representative, whom the county administrator has appointed to administer and enforce, individually or collectively, the building code, subdivision, manufactured home, and zoning ordinances.
- (c) County: Candler County, Georgia.
- (d) Developmental Services Division: The division which includes the building and zoning departments.
- (e) Driveway: A minor private way used by vehicles and pedestrians for access from any street or road to a manufactured home.
- (f) Exit Permit: A permit that is valid for moving a mobile home only and is restricted to the mobile home being moved out of the county or to a valid mobile home dealership. This permit shall signify that all taxes owed to the county have been paid in full.
- (g) Health department: The director of the Candler County Health Department or his/her authorized representative.
- (h) Mobile home and Manufactured Home means a dwelling unit fabricated in an off-site facility for installation or assembly at the building site, bearing a label certifying it is constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended, U.S.C. 5401, et seq. (The HUD Code, which became effective on June 15, 1976), and meeting the following development standards:

Structure, when in the traveling mode, eight body feet or more in width or forty body feet or more in length or, when erected on site, is 320 or more square feet in 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 system or a structure that otherwise comes within the definition of a "manufactured home," under the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 USC 5401-

5445). A single wide manufactured home is a home meeting all of the requirements of a manufactured home and which is typically 14 feet wide. A double wide manufactured home is a home meeting all of the requirements of a manufactured home which is typically 24 feet wide. The term "manufactured" home shall be synonymous with the term "mobile home" when used in this Ordinance.

- (i) Permit: A written permit of certification issued by Developmental Services Division permitting a manufactured home to be located on a parcel of land.
- (j) Person: Any individual, firm, trust, partnership, public or private association, or corporation.
- (k) Pre-owned manufactured home: Any manufactured home that has been previously utilized.
- (l) 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. Residents are prohibited from using 5V tin as skirting.

ARTICLE THREE PERMIT REQUIREMENTS

- 3.1 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.
- 3.2 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.
- 3.3 Prerequisites to locating or occupying manufactured home.**

- (a) 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.
- (b) No person shall occupy any manufactured home as a residence unless a permit has been issued as required by this section.
- (c) 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.
- (d) 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. A property shall be considered abandoned or stored if it does not comply with elements defined in 4.1 and 4.2 of this ordinance.

3.4 Application for permit.

- (a) 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.
- (b) 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.
- (c) 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 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.

3.5 Permit fee. An applicant for a mobile home location permit shall pay a fee of \$250.00 for a permit to be established by the county governing authority. The fee must be paid before the issuance of the permit.

3.6 Issuance of location permit. Upon completion of the application for mobile home location permit as set forth in this Ordinance, the payment of the permit fee, verification of land ownership, and physical inspection of the proposed location by the Developmental Service Division, a mobile home location permit shall be issued to locate or relocate a mobile home. The permit shall expire 30 days from the date of issue.

3.7 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.

3.8 Replacement of Existing Mobile Homes. Residents who seek to replace existing mobile homes must conform with any and all approval and permit requirements established by the Candler County Board of Commissioners for new mobile homes. Residents shall have thirty (30) days from issuance of the mobile home location permit as described in 3.6. Further, residents shall be granted an additional thirty (30) days for removal of the old mobile

home upon request to the Developmental Services Division. Any and all additional time shall be approved by the Candler County Board of Commissioners.

3.9 Inspection.

- (a) Developmental Services Division is charged with inspecting manufactured homes to ensure compliance with local and state guidelines. Inspections shall include but not be limited to the following:
 - (1) Site inspection shall be performed on each site prior to placement of the manufactured home.
 - (2) Installation inspection shall be performed before the power company has connected service to the home.
 - (3) 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, the applicant may apply for an electrical permit as governed by the Candler County Electrical Permit Ordinance.
- (d) If a manufactured home fails an inspection, the permit holder or his agent will be notified. Prior to a reinspection, a reinspection fee of \$100.00 shall be paid to Candler County Code Enforcement.
- (e) No manufactured home shall be occupied prior to the installation inspection being done and approved.

3.10 Exit Permit. The owner of a mobile home of any age shall be required to obtain an exit permit from the Developmental Services Division prior to removing a mobile home from Candler County. Applicant must present a receipt from the tax commissioner indicating all Candler County taxes have been paid.

ARTICLE FOUR PLACEMENT SPECIFICATIONS

4.1 Set Up Standards

- (a) Tie downs. 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 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. In the event that concrete blocks or bricks are used as steps, the bricks and blocks must be constructed with mortar.
- (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.

4.2 Water, Sewer, Electrical, Refuse Disposal Service

- (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 state 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.

4.3 General Safety and Aesthetics Standard

- (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 and equipment
- (1) Manufactured homes, appliances, or equipment covered by this ordinance 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 and Equipment
- (1) Upon receipt of information that manufactured homes, systems, appliances or pieces of equipment covered by this ordinance 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 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.

ARTICLE FIVE PENALTIES

- 5.1 Violations of Ordinance.** A violation of this Ordinance shall be a misdemeanor offense and shall be punished by a fine not to exceed \$1,000 and/or imprisonment of not more than twelve (12) months. Any person or entity has been notified by the governing authority or its designee that such person or entity is in violation of this Ordinance, each day of continued violation shall constitute a separate offense punishable by like fine. In addition to or in lieu of the foregoing, the governing authority may, whether by legal process or otherwise, seek to enjoin, correct and/or abate any violation of this ordinance.
- 5.2 Compliance.** If the governing authority determines that certain improvements to a subdivision or mobile home park development do not comply with the approved Final Development Plan or any other provisions of this Ordinance, the Developer or owner shall be deemed in violation of this Ordinance, and upon demand of the Board of Commissioners, shall immediately correct any deficiencies as required by the governing authority.

ARTICLE SIX LEGAL STATUS PROVISIONS

- 6.1 Conflict.** In so far as the provisions of this Ordinance are inconsistent with the provisions or any other local laws, the provisions of this Ordinance shall control.


Insofar as the provisions of the Ordinance are inconsistent with provisions of any State or Federal Law shall control.

- 6.2 Severability.** Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid such decisions shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part declared to be unconstitutional or invalid.
- 6.3 Repeal of Conflicting Ordinances.** Any and all ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.
- 6.4 Effective Date** This ordinance shall be in full force and effect upon adoption by the Candler County Board of Commissioners.

Adopted, approved and enacted this 3 day of April, 2023, at the called Meeting of the Board of Commissioners of Candler County.



CANDLER COUNTY BOARD OF COMMISSIONERS

By: 
Glynn Thrift, Chairman

Attest: 
Kellie Lank, Clerk