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Private Acts of 1992 Chapter 198

Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Private Acts of 1992 Chapter 198

SECTION 1. As used in this act, unless the context otherwise requires:

- (1) "County road" means a publicly owned right-of-way which has been improved, accepted, and maintained by Carter County;
- (2) "Lot" means a parcel or tract of land;
- (3) "Mobile home" means a structure which is:
 - (A) Designed for long-term occupancy with sleeping accommodations, and bathrooms and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems; and
 - (B) Designed to be transported after fabrication on its own wheels or flatbed, or other trailers and constructed as a single, self-contained unit on a single chassis.

For the purpose of this act, the term "mobile home" does not include:

- (A) Manufactured homes which are constructed in two (2) or more separate chunks, are mounted on two (2) or more chassis, and are assembled on site.
- (B) Recreational vehicles, which are vehicular type units designed as temporary living quarters for recreational camping or travel use, such as travel trailers, camping trailers, truck campers, and motor homes.
- (C) Manufactured mobile units, which are:
 - (i) Designed to be transported after fabrication, and arriving at the site ready for use except for minor and incidental assembly operations, location on foundation, and connection to utilities; and
 - (ii) Designed to function as an office commercial establishment, assembly hall, storage, and other non-residential occupancy; and
- (4) "Mobile home park" means any plot of ground containing a minimum specified amount of land upon which two (2) or more mobile homes are located or are intended to be located, but does not include sites where unoccupied mobile homes are on display for sale.

SECTION 2. The purpose of this act is to provide minimum development standards for mobile homes in the unincorporated areas of Carter County so that they will be developed in a safe and sanitary manner. It shall be unlawful to place a mobile home on a lot or in a mobile home park unless it meets the requirements of this act.

SECTION 3. The minimum standards for the placement of a mobile home on a lot shall be as follows:

- (a) The lot may be required to abut a county road.
- (b) The mobile home may be required to be properly connected to all utilities and have a sewage disposal system approved by the Carter County Health Department.
- (c) The space between the bottom of the mobile home and the ground may be required to be permanently enclosed within a specified amount of time.
- (d) Off-street parking spaces may be required to be provided.
- (e) The lot may be required to be covered with permanent vegetation.
- (f) Recreational vehicles and campers may be restricted from being placed on a lot for long-term occupancy.
- (g) Front, side, and rear setbacks may be required for mobile homes.

SECTION 4. The property development standards in this section shall apply for all mobile home parks.

(a) The owner of the land parcel proposed for a mobile home park shall submit a plan for development to the Carter County Planning Commission. The plan may be required to show:

- (1) The park plan drawn to scale;
- (2) The area and dimensions of the proposed park;
- (3) The location and width of all roadways and parking;
- (4) The location and dimensions of any proposed service buildings and structures.

- (5) The location of all water and sewer lines.
- (6) The location of all equipment and facilities for refuse disposal and other park improvements;
- (7) A drainage plan of the park;
- (8) A certificate of accuracy signed by the surveyor or engineer that the engineering work is correct;
- (9) The certificate and signature of the health officer; and
- (10) Any other information deemed pertinent by the Planning Commission.

(b) Each mobile home park site shall meet the following minimum standards:

- (1) A minimum setback may be required between each mobile home;
- (2) All mobile homes, structures, and pavement may be required to have front, side and rear property line setbacks;
- (3) The site may be required to be located in a flood free area with proper drainage;
- (4) Entrances and exits to the mobile home park may be required to be designed for safe and convenient movement of traffic into and out of the park, and may be required to be located and designed as prescribed by the planning commission;
- (5) A planted buffer strip may be required along the side and rear property lines. Any part of the park area not used for buildings or other structures, parking, or access ways may be required to be landscaped with grass, trees, and shrubs. The buffer strip may be required to plant material or other approved material which may provide a screen of a specified minimum height;
- (6) The park may be required to be adequately lighted;
- (7) Each mobile home park may be required to provide a specified number of off-street parking spaces for each mobile home space;
- (8) The roadways and parking areas may be required to meet minimum base and paving standards. The roadways may be required to have a minimum width;
- (9) Density standards may be set for mobile home parks; and
- (10) Recreational vehicles and campers may be restricted from being placed in a mobile home park for long-term occupancy.

SECTION 5. It shall be unlawful for any person to place a mobile home on a lot or in a mobile home park in the unincorporated part of Carter County unless a permit is obtained from Carter County or its designated agent.

SECTION 6. This act shall be enforced by the Carter County Planning Commission.

(a) Any person who shall willfully neglect or refuse to comply with any of the provisions of this act shall be guilty of violating this act and, upon conviction, shall be fined not less than two dollars (\$2.00) nor more than fifty dollars (\$50.00) for each offense. Each day of violation shall constitute a separate offense.

(b) Any mobile home placed in violation of these regulations shall be deemed an unlawful mobile home and the county attorney or other official designated by the Carter County Board of Commissioners, or any adjacent or neighboring property owner who would be damaged by such violation, in addition to other remedies, may institute injunction, mandamus or other appropriate action to cause the mobile home to be removed.

SECTION 7. This act shall be administered by the Carter County Planning Commission.

(a) All plans and plats for mobile home parks may be required to be submitted a specified number of working days before the regular meeting date of the planning commission. These plans will be given preliminary and final approval by the Planning Commission.

(b) Expansion of existing mobile home parks may be required to be approved by the Carter County Planning Commission, and conform to the standards in this act.

SECTION 8. Variances may be granted to any part of this act by the Planning Commission for good and sufficient reasons.

SECTION 9. The provisions of this act shall supersede any less stringent provisions of any ordinance of Carter County.

SECTION 10. If any provisions of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect

without the invalid provision or application, and to that end, the provisions of this act are declared to be severable.

SECTION 11. Specific standards authorized to be set by this private act, and amendments to these standards may be initiated by the Carter County Planning Commission, the Carter County Board of Commissioners, a resident of Carter County, or other persons or agents interested in these regulations. Proposed standards or amendments to them must first be submitted to the Carter County Planning Commission for approval, disapproval, or suggestions. The Carter County Board of Commissioners will approve or disapprove such standards or amendments to them at their next regularly scheduled and/or called meeting. Standards and amendments to them shall become effective upon approval by the Carter County Board of Commissioners, the public welfare requiring it.

SECTION 12. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Carter County. Its approval or nonapproval shall be proclaimed by the presiding officer of such body and certified by him to the Secretary of State.

SECTION 13. For the purposes of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 12.

Passed: April 1, 1992.

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