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Private Acts of 1998 Chapter 152

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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 1998 Chapter 152

SECTION 1. Purpose and Scope. The purpose of this act is to provide areas within the confines of Smith County outside the corporate limits of Carthage, South Carthage and Gordonsville for the location and development of planned mobile home parks. These areas shall be developed and located so as to provide safe and sanitary living conditions for mobile home occupants and to be convenient to employment, shopping centers, schools and other community facilities. These regulations shall be entitled the "Smith County Mobile Home Park Regulations".

SECTION 2. Definitions.

(1) "Buffer strip" means a planted material or other material as may be approved by the Smith County Regional Planning Commission which will provide a screen not less than six feet (6') in height;

(2) "Mobile home" means a detached single-family dwelling unit with all of the following characteristics:

(a) Designed for long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems;

(b) Designed to be transported after fabrication on its own wheels, or on flatbed or other trailers or detachable wheels;

(c) Arriving at the site where it is to be occupied as a dwelling complete, including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking, and assembly operations, location of foundation supports, connection to utilities and the like; and

(d) Double-wide mobile homes and modular homes set upon permanent foundations are excluded from this definition and these regulations.

(3) "Mobile home park" means any plot of ground containing a minimum of two

(2) acres upon which three (3) 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. A mobile home park cannot be developed on a site that is less than two (2) acres in size.

SECTION 3. It is unlawful for any person to place or maintain three (3) or more mobile homes for living or sleeping purposes on any premises or tract of land in Smith County outside the corporate limits of Carthage, South Carthage and Gordonsville unless they are contained within a planned mobile home park duly permitted pursuant to the provisions of this act.

SECTION 4. The Smith County Regional Planning Commission shall grant approval or a mobile home park when all the provisions of this act have been met. An application and all accompanying plans and supporting data shall be filed in duplicate with the Planning Commission at least seven (7) days prior to a regular meeting of the Commission.

SECTION 5. The owner or lessee of the land parcel proposed for a mobile home park shall submit a plan for development to the Smith County Planning Commission for approval. The plan shall show:

(a) The park plan drawn to scale;

(b) The area and dimensions of the proposed park;

(c) The location and width of all driveways and walkways;

(d) The location and dimensions of any proposed service building and structures;

(e) The location of all water and sewer lines;

(f) The location of all equipment and facilities for refuse disposal and other park improvements.

(g) A plan for drainage of the park;

(h) A certificate of accuracy signed by the surveyor or engineer that the boundary survey is correct;

(i) A certificate and signature of the County Environmentalist stating suitability for subsurface sewage disposal;

(j) A certificate for Planning Commission approval; and

(k) Any other information deemed pertinent by the Planning Commission.

SECTION 6. Minimum Standards.

(a) A mobile home park shall contain a minimum of two (2) acres.

(b) Mobile home parks shall be designed so that the distance between mobile homes and between mobile homes and any attached or unattached structure of another mobile home is a minimum of thirty feet (30') in all directions.

(c) The site shall be located on a well-drained and flood-free site with proper drainage. The Smith

County Flood Insurance Rate Map dated 9/4/85 or subsequent updates to said maps shall be used to determine floodable areas.

(d) The site shall not be exposed to objectionable smoke, noise, odors, insect or rodent harborage or other adverse influences.

(e) The site shall be located with direct access to an existing county or state road.

(f) The Planning Commission may attach special conditions and safeguards to protect both the occupants of the park and the occupants of surrounding property from such elements as noise, light and dust. Where required to serve these ends, walls, planting, surfacing or other material or artificial means for protection may be required as a part of such special conditions.

(g) The mobile home park shall not contain more than four (4) individual mobile home spaces per gross acre.

(h) Service buildings shall be a permanent construction, adequately ventilated and lighted.

(i) An approved water supply and sewer shall be provided to each mobile home space. Piping and connections shall be as specified and approved by the County Environmentalist.

(j) All service buildings shall be convenient to the spaces which they serve and shall be maintained in a clean and sanitary condition.

(k) The drives, walks, and parking areas shall be paved with hard surface material which shall be not less than double bituminous surface.

(l) Roadways shall be a minimum of eighteen feet (18') in width.

(m) Entrances and exits to the mobile home park shall be designed for safe and convenient movement of traffic into and out of the park and shall be located and designed as prescribed by the Smith County Planning Commission.

(n) Any part of the park areas not used for building or other structures, parking, or access ways shall be landscaped with grass, trees, shrubs, and pedestrian walks.

(o) The park shall be adequately lighted at night with security lights.

(p) Each mobile home shall be set back a minimum of thirty feet (30') from any public street and a minimum of fifteen feet (15') from all property lines.

(q) Each mobile home park shall provide at least two (2) off-street parking spaces for each mobile home unit. The parking spaces shall be located for convenient access to the mobile home units.

(r) All mobile homes, service buildings, and the grounds of the park shall be maintained in a clean, sightly condition and kept free from any conditions that will menace the health of any occupant or the public or constitute a nuisance.

(s) Fire hydrants will be required if sufficient size water lines are available to serve the hydrants.

(t) In each mobile home park, the duly authorized attendant or caretaker shall be charged at all times to keep the mobile home park, its facilities and equipment, in a clean, orderly, safe and sanitary condition.

(u) It is unlawful for any person to maintain or operate a mobile home park within the Smith County Planning Region, unless such person first obtains approval from the Smith County Regional Planning Commission.

(v) There shall be no more than one (1) mobile home per septic tank and drainage field.

(w) A buffer strip shall be provided along all property lines of the park except across ingress and egress points to county roads.

SECTION 7. Enforcement and Penalties for Violation. The county may enforce this Mobile Home Park Regulation by action or injunction. Any person or persons who willfully neglects or refuses to comply with any of the provisions of this act shall be subject to a civil penalty of not more than fifty dollars(\$50.00) for each offense. Each day of violation shall constitute a separate offense.

SECTION 8. Review Power of the Commission.

(a) Any of the foregoing provisions may, at the discretion of the Smith County Planning Commission, be waived for good and sufficient reasons. However, all mobile home park requests shall be submitted to the Planning Commission for review and shall be accompanied by a mobile home park development plan. The Planning Commission shall review all mobile home park plans for preliminary and final approval.

(b) Expansion of existing mobile home parks shall be submitted to the Smith County Planning Commission for approval and must conform to the standards set forth in this act.

(c) The Smith County Regional Planning Commission shall have the authority to establish operational procedures for administering the provisions of this act and to establish reasonable fees for the administration thereof.

SECTION 9. If any provision 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 10. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the County Legislative Body of Smith County. Its approval or non-approval shall be proclaimed by the Presiding Officer of the County Legislative Body of Smith County and certified to the Secretary of State.

SECTION 11. 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 10.

Passed: April 20, 1998.

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