

## **REVISED ORDINANCE NO. 64**

THIS ENACTMENT IS A REVISION RENUMBERING AND REPLACING ORDINANCE NO. 2004-01, FIRST ENACTED ON July 13, 2004, BEING A REVISED ORDINANCE FOR THE REGULATION OF YEAR ROUND OCCUPANCY OF TRAILER COACHES, MOBILE HOMES AND RELOCABLE HOMES OUTSIDE OF ESTABLISHED TRAILER OR MOBILE HOME PARKS; AND TO REPEAL AND OR REVISE PRIOR ORDINANCES.

**THE VILLAGE OF SHERIDAN, MONTCALM COUNTY, MICHIGAN ORDAINS:**

### **CHAPTER 64 .1 ESTABLISHMENT AND RENUMBERING OF REVISED ORDINANCE**

64.101 This Revised Ordinance No.64 was formerly Ordinance No. 2004-01.

64.102 This Revised Ordinance shall be known as the "Village of Sheridan Mobile Home Ordinance".

64.103 Consistent and in compliance with Michigan Mobile Home Commission. That in order to protect the safety, health, and prosperity, comfort, convenience and welfare of the public, each trailer coach, mobile home and pre-manufactured dwelling structure hereinafter set up in the Village (outside of trailer or mobile home parks), shall contain a seal or other proof of inspection as provided in Act 419 of the Michigan Public Acts of 1976 (M. S. A. 19.855 et seq) as amended; that same was manufactured and constructed under standards promulgated by the Federal Department of Housing and Urban Development pursuant to the Federal Manufactured Housing Construction Act of 1974, being 42 U. S. C. 5401 to 5426, as Amended; and shall further be set up or installed pursuant to the manufacturer's recommended set up and installation specifications or the set up and installations standards promulgated by the Federal Department of Housing and Urban Development pursuant to the aforesaid Federal Act, which set up and installation specifications shall, at the minimum, comply with the Michigan Mobile Home Commission Rules as promulgated under the aforesaid Michigan Act.

64.104 While house trailers and mobile homes offer an alternative to conventional single-family housing in such areas as structural design, facility agreement and cost, they can have potential adverse impacts on a residential neighborhood because of marked differences from single family housing in design, placement, structure and site

size, and fire and wind resistance. Generally, mobile homes have been restricted to locations within mobile home parks, positioned at areas specifically zoned for them, in order to insure compatibility with nearby residential uses. However through the application of certain standards, mobile homes and mobile home sites may be designed to more closely resemble nearby conventional housing and be permitted outside of the mobile home parks and within residential zoning districts. This article presents specific conditions and standards whereby mobile homes and house trailers may be located outside of mobile home parks.

## **CHAPTER 64 .2 DEFINITIONS**

64.201 A Mobile Home is a movable or portable dwelling constructed to be towed on its own chassis and designed for permanent year-round living as a dwelling. Provided, however, that the term "mobile home" shall not include motor homes, campers, recreational vehicles (whether licensed or not as motor vehicles) or other transportable structures designed for temporary use and which are not designed primarily for permanent residence and connection to sanitary swage, electrical power and potable water utilities.

64.202 A Pre-Manufactured Building is a building or portion thereof which has been pre-manufactured or prefabricated and is used primarily for commercial and/or residential purposes.

64.203 A Person as used in this Revised Ordinance, the definition of person may include, but is not limited to a sole proprietorship, partnership, association, or corporation directly or indirectly in control of the mobile home or pre-manufactured building, or real property, or his or her duly authorized agent.

## **CHAPTER 64.3 MOBILE HOME DWELLINGS AND PRE-MANUFACTURED BUILDINGS**

64.301 The mobile home or pre-manufactured building, the placement thereof and the premises upon which it shall be located, shall meet the requirements of the County Building Code relating to the uses, size of premises, floor area, setback, side lot, and real lot requirements specified for the area in which the premises is situated.

64.302 The mobile home or pre-manufactured building shall be connected to potable water and sanitary sewage disposal facilities approved by the health agency having jurisdiction. If public water and sanitary sewage disposal facilities are available to the premises, the mobile or pre-manufactured building shall be connected thereto.

64.303 A mobile home or pre-manufactured building shall be installed pursuant to the manufacturers setup instructions and shall have a wall of the same perimeter dimensions of the mobile home or pre-manufactured home building and constructed in

such material and type as required in the applicable building code for single family dwellings, and mobile homes shall be secured to the premises by an anchoring system or device compatible with those required by the Michigan Mobile Home Commission. All construction required herein shall be commenced only after a building permit has been obtained in accordance with the building code applicable within the Village.

64.304 Construction of, and all plumbing, electrical apparatus, and insulation within and connected to the mobile home shall be of a type and quality conforming to the current United States Department of Housing and Urban Development, Mobile Home Construction and Safety Standards (24 CFR 3280), as from time to time amended, and other applicable County Building Codes.

64.305 Construction of, and all plumbing, electrical apparatus, and insulation within and connected to a pre-manufactured building shall be of a type and quality which conforms to building code which is in effect in the county at the time of construction.

64.306 The mobile homes shall meet or exceed all roof snow load applicable to the area, and strength requirements imposed by the said United States Department of Housing and Urban Development Mobile Home Construction and Safety Standards, and all pre-manufactured buildings shall meet or exceed all snow load and strength requirements imposed by the Building Code which is in effect in the county/townships at the time of construction.

#### **CHAPTER 64 .4 MOBILE HOME REQUIRMENTS**

64.401 Be so placed and situated so that the wheels shall be removed and the underside or chassis of the mobile home shall be completely enclosed and firmly connected to the foundation.

64.402 Shall be placed upon the property in such a way that its appearance shall be compatible with the single-family dwellings constructed on-site within the village.

64.403 Shall not contain additions or rooms or other areas which are not constructed with at least similar quality workmanship as the original structure, including permanent attachment to the principal structure and construction of a foundation as required herein.

64.404 No mobile home shall dwell unoccupied for more than 15 days and not be connected to public utilities and used as a single-family home.

64.405 A mobile home must be installed on a permanent foundation. At a minimum, this foundation shall include a cement block or poured foundation, not less than 42 inches below the finished exterior grade extending around the complete outside

perimeter of the mobile home, and shall satisfy the same construction standards as for a single-family house.

64.406 A mobile home must have a roof and the roof must be pitched, with minimum 3:12 slope and shingled. The roof must be permanently attached to the mobile home and supported by the mobile home, rather than external supports.

64.407 Mobile homes shall have a minimum of two exterior doors located remote from each other. Every room designed expressly for sleeping purposes, unless it has an exit door, shall have at least one outside window.

64.408 No mobile home shall be more than 10 years old at the time of installation. The size of the mobile home should be a minimum of 14 feet in width and 70 feet in length.

**CHAPTER 64 .5 OCCUPANCY REQUIRMENTS**

64.501 No person shall use, occupy, or permit the use or occupancy of a mobile home or pre-manufactured building as a dwelling within the Village in any area not designated as a mobile home park, unless it meets the requirements listed in this Revised Ordinance and furthermore, no person shall place or allow to be placed a mobile home or pre-manufactured home in violation of this Revised Ordinance.

64.502 Portable tents, shelters, canopies and tarps made of any material are not permitted on any property if used in the front yard and street side yard for permanent use.

64.5021 Temporary use of these types of structures and covers is allowed.

64.5022 Temporary use is considered thirty (30) calendar days or less.

64.5023 In addition, tarps shall not be used as a permanent shield or patio cover.

**CHAPTER 64.6 EXCEPTIONS TO STANDARDS**

Except for Section 64.502, the foregoing requirements and standards shall not apply to a trailer coach, mobile home or pre-manufactured dwelling located in a licensed mobile home park, except to the extent that same may be required by State law or otherwise specifically required by an Ordinance hereinafter adopted by said Village Council, pertaining to such parks.

## **CHAPTER 64.7 VIOLATION AND PENALTIES**

64.701 This Revised Ordinance may be enforced by issuing an appearance ticket as authorized by the laws of the State of Michigan as a civil infraction.

64.7021 In the event of a determination of responsibility for a civil infraction under this ordinance is made; a maximum fine of one hundred dollars (\$100.00) may be imposed for each violation.

64.7022 Each day that a violation of this Ordinance exists, it shall be deemed to be a separate and distinct violation of this Ordinance for which the penalties herein described may be imposed.

64.7023 In addition to ordering the defendant responsible for a civil infraction to pay a civil fine, the court shall also impose any other costs, damages, and expenses as provided by law.

64.702 In addition to civil infraction enforcement, the court shall be authorized to issue any judgment, writ, order or equitable relief necessary to enforce, or enjoin violation of this Revised Ordinance as a public nuisance (Pursuant to MCL 125.3407), and may be abated by order of any civil court of competent jurisdiction at the discretion of the Village pursuant to MCL 600.2940, via injunctive and declaratory relief.

## **CHAPTER 64.8 SEVERABILITY**

The provisions of this Revised Ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

## **CHAPTER 64.9 CONFLICTING ORDINANCES AND AMENDMENTS SUPERSEDED**

64.901 On the effective date as set forth in Chapter 64.10, after the adoption of this Revised Ordinance, Ordinance Number 1993-1 as originally adopted on July 13, 2004, shall be superseded as revised and repealed in its entirety.

64.902 All other ordinances, amendments, or provisions thereof, which may be inconsistent or in conflict with this Revised Ordinance are hereby repealed.

## **CHAPTER 64.10 EFFECTIVE DATE**

This Revised Ordinance shall become effective thirty days after publication of the Revised Ordinance or thirty days after publication of a summary of its provisions in a local newspaper of general circulation pursuant to Chapter 64.13. During these thirty

days, the Ordinance as it now reads shall remain effective, and thereafter shall be superseded pursuant to Chapter 64.9 of this Revised Ordinance.

**CHAPTER 64.13 PUBLICATION**

This Revised Ordinance was published in the Greenville Daily News on August 20, 2015, 2015, pursuant to Statutory Requirement.

**VILLAGE ADOPTION CERTIFICATION**

---

We the undersigned, as Village Council President and Clerk of the Village of Sheridan, Michigan, do hereby certify that this Revised Ordinance No. 64 of the Village of Sheridan was introduced at a regular meeting of the Sheridan Village Council held on 7-14, 2015 and was thereafter adopted at a regular meeting on 8-11, 2015 by a vote of by a vote of Six (6) for; 0 (0) against; and 1 (1) abstaining.

  
\_\_\_\_\_  
Susan Wyckoff-McFarland, Village Council President

  
\_\_\_\_\_  
Marilyn Klemm, Village Clerk