

**TOWN OF OAK GROVE, ALABAMA
ORDINANCE NO. 008 S**

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWN OF OAK GROVE, ALABAMA AND ORDINANCE NO. 8, AND AMENDMENTS "A" THROUGH "R" ENTITLED, "TOWN OF OAK GROVE ZONING ORDINANCE," ENACTED PURSUANT TO THE AUTHORITY GRANTED BY TITLE 11-52-70 THROUGH 84, INCLUSIVE OF THE CODE OF ALABAMA, 1975, AS AMENDED.

WHEREAS, the Town of Oak Grove Planning Commission has considered an amendment for the Oak Grove Zoning Ordinance to regulate Manufactured Housing, upon which a public hearing was duly conducted, and has submitted to the Town Council of the Town of Oak Grove a formal written report and recommendation for action regarding said amendment;

WHEREAS, the Town Council of the Town of Oak Grove has received a formal written report and recommendation from the Town of Oak Grove Planning Commission regarding an amendment to the Oak Grove Zoning Ordinance, and;

WHEREAS, all applicable requirements of the Oak Grove Zoning Ordinance and Title 11-52-77 of the Code of Alabama, 1975, as amended, have been satisfied;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF OAK GROVE, ALABAMA, AS FOLLOWS;

**REGULATION OF MANUFACTURED HOMES ON INDIVIDUAL LOTS
SECTION A-DEFINITIONS**

- I. **Dwelling, Single-Family:** A structure containing not more than one dwelling unit designed for residential use. Constructed according to standards established either by the state minimum standard codes or the International Residential Building Code if locally adopted, or in the case of manufactured housing the National Manufactured Housing Construction and Safety Standards Act, HUD Code.

- II. **Manufactured Home:** A home transportable in one or more sections, which in the traveling mode is eight body feet or more in width or forty body feet or more in length, or when erected on site is three hundred twenty or more square feet and 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 systems. The home is built to the National Manufactured Housing

Construction and Safety Standards Act (HUD Code). The HUD Code label is located on the rear of each section of a manufactured home.

III.

Mobile Home: A residential dwelling built prior to June 15, 1976 and prior to the National Manufactured Housing Construction Safety Standards Act. Designed and fabricated to be transported on its own wheels and axles arriving at the site where it is to be occupied as a dwelling, completed and ready for occupancy includes the plumbing, heating, air conditioning and electrical systems. Travel trailers, campers, recreational vehicles and motor homes are not manufactured homes or mobile homes.

IV.

Modular Home: A factory fabricated transportable home consisting of units designed to be incorporated at a building site on a foundation and used for residential purposes. A modular home must have a seal of compliance according to the regulations of the Alabama Manufactured Housing Commission. A modular home is built to the International Residential Building Code, and may be placed in all residential areas as site-built homes.

SECTION B-MANUFACTURED HOMES AS SINGLE FAMILY DWELLINGS

I.

Intent-It is the intent of this ordinance to encourage the provision of affordable housing in a general residential environment by permitting the use of manufactured homes meeting the definition of dwelling- single family as defined herein in all residential districts in which similar dwellings constructed on the site are permitted, subject to the requirements and procedures in this ordinance to assure similarity in exterior appearance between residentially designed manufactured homes that have been constructed under these regulations on adjacent lots in the same district, zoning classification or general area.

Manufactured homes meeting the definition of dwelling, single family, either individually or by specific model shall be permitted in all residential districts subject to the requirements and limitations set forth in this ordinance which are applicable to manufactured homes and the requirements and limitations applying generally to residential use in such zoning classifications or districts.

II.

Permitted Locations-Manufactured homes that meet the standards established in Section A-II shall be allowed in all residential districts.

Mobile homes are prohibited from being placed in Oak Grove.

III. Compatibility standards for manufactured homes meeting the definition of dwelling- single family are as follows:

A. Manufactured homes qualifying as dwelling, single-family shall be compatible to site-built and other housing in the immediate general area within the same zoning or residential district. Approval shall be granted when the manufactured home is substantially similar in size, siding material, roof material foundation and general aesthetic appearance to: (1) site-built or other forms of housing which may be permitted in the same general area under this ordinance or (2) existing development or (3) proposed development in the same zoning district. Items subject to compatibility comparison will include the following:

1. **Exterior Finish.** Any material such as vinyl, brick or concrete board may be used for exterior finish that is generally used in areas near the location where the manufactured home is sited.

Metal sided homes are prohibited from being placed in Oak Grove. This regulation also applies to Mobile Home Parks or Manufactured Home districts.

2. **Manufactured homes** shall be installed by a licensed AMHC installer and in accordance with the manufacturer's installation instructions or the regulations promulgated by the Alabama Manufactured Housing Commission, and inspected by the State AMHC inspector.

3. **The general appearance and square footage** of the home shall conform to housing in adjacent or nearby locations to insure compatibility of site-built homes and manufactured housing.

4. **Site-orientation.** Manufactured homes shall be placed on lots in a manner compatible with and reasonably similar in orientation to other structures in the area, and meet set-back requirements.

5. **Towing device.** All towing devices, wheels, axles and hitches will be removed.

6. **The home must be connected** to water and sewerage systems (including well and septic tank, if applicable) approved by the Alabama Department of Public Health or the Alabama Department of Environmental Management.

7. **Underpinning.** The type of material and method used for underpinning shall be consistent with and compatible to site-built homes in adjacent locations, such as vinyl, block, brick, or stucco and be completed within

thirty (30) days from placement of the home. Ventilation requirements must meet the manufacturer's guidelines or the State of Alabama guidelines.

8. **Roof pitch, roofing materials** shall conform to other homes in the district, and no less than 3/12 roof pitch. Roof materials shall consist of asphalt shingles, shake, or colored metal. Homes with seamed metal roofing are not allowed in Oak Grove. This regulation also applies to Mobile Home Parks or Manufactured Home districts.
9. **Garages and carports** for manufactured homes shall be compatible with the site-built homes in the same district or adjacent locations
10. **Building and applicable Permits** are required prior to any work at the Home site.
11. **Inspections:** The installation and set-up of homes shall be inspected by the Alabama Manufactured Housing Commission. Utility connections, porches, decks, carports and garages shall be inspected by the Town of Oak Grove Building Inspector prior to underpinning or covering any under ground installation.
12. **Landscaping** shall consist of sod or seeding with hay to prevent erosion and must be complete within 90 days from placement of the home.
13. **Steps and Porches** must meet step and handrail guidelines as contained in the 2000 International Building Code.
14. **Electrical Panel Boxes** must be connected to the side of the home.
15. **All contractors** involved in the utility installation, or any other part of preparing the home for occupancy must meet all applicable regulations and ordinances of the Town of Oak Grove and must have an Oak Grove business License.

**SECTION C- PROCEDURES FOR APPROVAL OF MANUFACTURED HOMES
CLASSIFIED AS DWELLING, SINGLE-FAMILY OTHER MANUFACTURED
HOMES AND MOBILE HOMES:**

- I. Applications for approval of placement of manufactured homes shall be made on a form developed for this purpose. The form shall be submitted to the building inspector or clerk for review and approval in accordance with this ordinance. Application shall include proof of ownership of the manufactured home or a copy of the purchase contract.

- II. Such application shall include all information necessary to make determinations as to conformity with the provisions of this ordinance. Photographs or renderings of the manufactured home may be necessary to make determinations required by this ordinance.
- III. Approval or denial of the application shall be within five days after receipt of the application and any required supporting materials. The applicant shall be notified in writing of the approval, or denial of the application within five working days after such decision is made by the local government official. Conditional approval shall require that the conditions and reasons be stated in writing and be agreed to by the applicant.

Each and every provision of this ordinance is hereby declared to be an independent provision and the holding of any provision hereof to be void and invalid for any reason shall not affect any other provision hereof, and it is hereby declared that the other provisions of this ordinance would have been enacted regardless of any provision which might have been held invalid.

All ordinances or parts of ordinances heretofore adopted by the Town Council of the Town of Oak Grove, Alabama which are inconsistent with the provisions of this ordinance are hereby expressly repealed.

This ordinance shall become effective immediately upon its adoption, approval and publication as provided by law.

Passed and adopted this the 8th day of September, 2009.



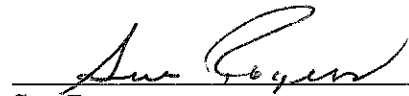
 Charles R. Merkel, Mayor

Absent

 James C. Armstrong

Absent


 Tony A. White



 Sue Rogers




 David A. Harris



 Donald E. Coleman

ATTEST:



 Kathryn T. Hayes, Town Clerk

CERTIFICATION:

I, Kathryn T. Hayes, Town Clerk of the Town of Oak Grove, Alabama, do hereby certify that the foregoing Ordinance #008 S, was duly adopted by the Town Council of the Town of Oak Grove, Alabama, in regular session, September 8, 2009; that the same was published by the posting of copies thereof in three public places within the said Town of Oak Grove, Alabama, on the 9th day of September 2009; one such public place being the Town Hall Bulletin Board within the said Town of Oak Grove.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town on this the 9th day of September 2009.

Kathryn T. Hayes,
Town Clerk