

VILLAGE OF CHAUNCEY
STATE OF OHIO
ORDINANCE 2024 - 7

**AN ORDINANCE TO REGULATE THE PLACEMENT, USE, AND TRANSPORT OF
MANUFACTURED HOMES WITHIN THE VILLAGE OF CHAUNCEY AND TO
REPEAL ORDINANCES 2005-09-06 AND 91-0715**

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Whereas, the Council of the Village of Chauncey finds and determines that the orderly and uniform growth of the Village requires control over the placement of manufactured homes within the Village; and

Whereas, the Council of the Village of Chauncey finds and determines that haphazard placement of trailers, mobile homes and manufactured homes within the Village has an adverse effect on the health and safety of the Village; and

Whereas, the Council of the Village of Chauncey finds and determines that haphazard placement of trailers, mobile homes and manufactured homes within the Village may adversely affect adjacent property owners by threatening the value of their property; and

Whereas, the Council of the Village of Chauncey finds and determines that uncontrolled transport, hauling, and movement of trailers, mobile homes and manufactured homes within the Village creates unnecessary damage to public property, including Village streets and is a detriment to the Village and its residence; and

Whereas, Ordinances 2005-09-06 and 91-0715 are insufficient to uniformly and efficiently regulate the transport and placement of trailers, mobile homes and manufactured homes within the Village,

THEREFORE, BE IT ORDAINED "by the Council of the Village of Chauncey, State of Ohio:

1. **Section 1:** Definitions.

- a. "Manufactured home" means a building unit or assemble of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards established by the secretary of housing and urban development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974," 88 Stat. 700, 42 U.S.C. 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C. 5414, certifying compliance with all applicable federal construction and safety standards. (See ORC 3781.06)
- b. "Permanent foundation" means permanent masonry, concrete; or a footing or foundation approved by the manufactured homes commission pursuant to Chapter 4781 of the Revised Code, to which a manufactured or mobile home may be affixed. (See ORC 3781.06)
- c. "Permanently sited manufactured home" means a manufactured home that meets all of the following criteria:
 - i. The structure is affixed to a permanent foundation and is connected to appropriate facilities;
 - ii. The structure, excluding any addition, has a width of at least twenty-two feet at one point, a length of at least twenty-two feet at one point, and a total living area, excluding garages, porches, or attachments, of at least nine hundred square feet;
 - iii. The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering;
 - iv. The structure was manufactured within 20 years of the date of application required under Section 8 of this Ordinance
- d. "Trailer" means any vehicle without motive power that is designed or used for carrying property or persons wholly on its own structure and for being drawn by a motor vehicle, and includes any such vehicle that is formed by or operated as a combination of a semitrailer and a vehicle of the dolly type such as that commonly known as a trailer dolly, a vehicle used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a public road or highway at a speed greater than twenty-five miles per hour, and a vehicle that is designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a public road or highway for a distance of more than ten miles or at a speed of more than twenty-five miles per hour. "Trailer" does not include a manufactured home or travel trailer.
- e. "Travel trailer" means a nonself-propelled recreational vehicle that does not exceed an overall length of thirty-five feet, exclusive of bumper and tongue or coupling, and contains less than three hundred twenty square feet of space when erected on site. "Travel trailer" includes a tent-type fold-out camping trailer as defined in Section 4517.01 of the Revised Code. Or other recreational as defined by Section 4501.01(Q) of the Revised Code.

- f. "Mobile home" means a building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five body feet in length or, when erected on site, is three hundred twenty or more square feet, is built on a permanent chassis, is transportable in one or more sections, and does not qualify as a manufactured home as defined in paragraph a above or 3781.06 of the Revised Code or as an industrialized unit as defined in Section 3781.06(C)(3) of the Revised Code
- g. "Dwelling" means any building which is intended for, designed for, and used for residence purposes.

2. **Section 2: Prohibition on Placement and Requiring Permit.**

- (a) No manufactured home shall be placed within the Village without the approval of the Code Inspector upon application as provided by this Ordinance.
- (b) No mobile home, trailer, or travel trailer be located or placed within the Village of Chauncey for use as a permanent dwelling unless approved by the Board of Zoning Appeals in a variance application.
- (c) This section shall not apply to a structure located in a manufactured home park as defined by Section 4781.01 of the Revised Code and which is subject to the exclusive jurisdiction of the Division of Industrial Compliance as provided for by Section 4781.26 of the Revised Code.

3. **Section 3: Prohibition on Unpermitted Transport and Liability During Transport.**

- (a) No mobile home or manufactured home shall be transported, hauled, or moved within the Village on any public street, alley, or way without first applying for and obtaining a permit from the Code Inspector.
- (b) The owner of a mobile home or manufactured home and the hauler thereof shall be jointly and severally liable for any damage caused to public property by the movement of a mobile home or manufactured home within the Village.
- (c) Subsection (a) of this Section 3 shall not apply to the movement of mobile or manufactured homes through the Village exclusively along or on either or both State Route 13 or 682.

4. **Section 4: Nonconforming Use.**

The lawful use of a mobile home, manufactured home or trailer existing at the time of this Ordinance becomes effective, may be continued although such use does not conform to the provisions of this Ordinance. However, when a nonconforming use has been changed to a conforming use, such use shall not thereafter be changed to a nonconforming use. Provided further, that when a nonconforming use has ceased the property shall no longer be put to a nonconforming use.

5. **Section 5: Permanent Foundation.**

Any manufactured home placed or constructed on a lot after the effective date of this Ordinance or upon change of ownership shall be erected upon a permanent foundation, shall have all tongue and axle(s) removed and the owner shall register said dwelling with

the County Auditor as real estate. Prior to the placement of any manufactured home within the Village, the Code Inspector shall be notified with 10 days notice to inspect the permanent foundation.

6. **Section 6: Dwelling Unit Limit.**

There shall be no more than one dwelling unit, whether manufactured home, other structure, or otherwise, per individually platted lot as required in the R1 district.

7. **Section 7: Application Requirements.**

- (a) The Code Inspector shall approve the placement of each and every manufactured home within the Village only upon application therefore.
- (b) No permit for the placement of a manufactured home within the Village shall be granted or issued except on an application submitted to Code Inspector in conformity with the requirements of subsection (c) of this Section. No permit shall be granted or issued except on proof that the placement of a manufactured home shall be in conformity with the requirements of this Ordinance.
- (c) An application for placement shall contain each and every of the following:
 - i. A completed application provided by the Village, a copy of which is attached hereto and incorporated herein.
 - ii. The following attached to the application:
 - 1. A drawing or plat, generally to scale showing the property lines, neighboring property owners and placement of the manufactured home on the property.
 - 2. A photo and description of the manufactured home to be placed upon the premises.
 - iii. Documentation demonstrating conformity with the applicable provisions of the Chauncey Zoning Code and all applications or forms required under the Chauncey Zoning Code.
 - iv. Documentation demonstrating conformity with Ordinance 2023-5, the Village of Chauncey Floodplain Ordinance.
 - v. The payment of an application fee of twenty-five (\$25) dollars
 - vi. Any other information requested by the Code Inspector.

8. **Section 8: Procedures for Variances.**

- (a) The Chauncey Board of Zoning Appeals shall have the sole power to hear and decide any variance or exception to this Ordinance upon application by an aggrieved party.
- (b) An application for a variance or exception shall contain each and every of the following:
 - i. A completed application provided to the Village by the Applicant.
 - ii. The following attached to the application:
 - 1. A drawing or plat, generally to scale showing the property lines, neighboring property owners and placement of the manufactured home on the property.

2. A photo and description of the manufactured home to be placed upon the premises.
- iii. Proof of notification of adjoining property owners indication that the adjoining property owners were notified of:
 1. The date and time of the Board of Zoning Appeals meeting following the submission of the completed application; and
 2. Their right to present their views regarding the placement of the manufactured home either in writing or by appearance at the Board of Zoning Appeals meeting.
- iv. Documentation demonstrating conformity with Ordinance 2023-5, the Village of Chauncey Floodplain Ordinance.
- v. A copy of any decision or denial of application from which the aggrieved party is appealing.
- vi. The payment of an application fee of Twenty-five (\$25) dollars.

9. **Section 9:** Designee of the Code Inspector.

When the Code Inspector is, for any reason, unavailable to carry out his authorities and duties set forth by this Ordinance, he may temporarily designate the Village Administrator as his designee to exercise and carry out such authorities and duties as are set forth in this Ordinance for the Code Inspector.

10. **Section 10:** Penalties.

Any person who violates any provision of this Ordinance shall be guilty of an unspecified misdemeanor and shall be fined One Hundred (\$100) dollars for each day of continued violation shall constitute a separate offense.

11. **Section 11:** Ordinances Repealed.

Ordinances 2005-09-06 and 91-0715 are hereby repealed in their respective entireties.

ENACTED this 12 day of June, 2024.

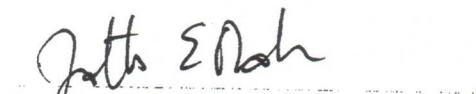
ATTEST:


Tammy Hawk
Council President

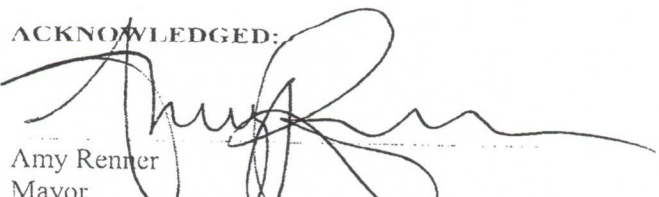
ATTEST:


Kevin Simons
Fiscal Officer

APPROVED AS TO FORM:


Jonathan Robe
Solicitor

ACKNOWLEDGED:


Amy Renner
Mayor

First Reading: 4/10/24

Second Reading: 5/8/24

Third Reading: 6/12/24

**CERTIFICATION OF FISCAL OFFICER AS TO
POSTING OF ORDINANCE**

The foregoing is a true copy of the original Ordinance No. 2024-_____.

Publication of this Resolution was made by posting a copy of the same in the following five locations within the Village, beginning on 13th of June 2024, and concluding on 28th, 2024 (at least 15 days later):

Location

Date Posted:

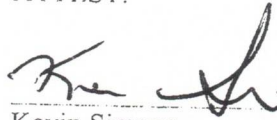
Village Hall
Chauncey Food Mart
Cee Dec
Post Office
Library

6/13
6/13
6/13
6/13
6/13

Date:

6/12/24

ATTEST:



Kevin Simons
Fiscal Officer