

Mobile Home and Recreational Vehicle Park Ordinance

Rutherford County, North Carolina

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MOBILE HOME AND RECREATIONAL VEHICLE PARK ORDINANCE

Rutherford County, North Carolina

DIVISION 1 GENERAL REQUIREMENT

3-131: AUTHORITY

Rutherford County hereby exercises its authority to enact Mobile Home Park and Recreational Vehicle Park regulations pursuant to Chapter 153A-121 of the North Carolina General Statutes.

3-132: JURISDICTION

The jurisdiction of this Ordinance shall be described as any part of Rutherford County not within the corporate limits of any municipality. In addition, the Governing Board of any municipality may by resolution permit this Ordinance to be applicable within the municipality. If it does so, the municipality shall give written notice to the county of its withdrawal of such permission. Thirty (30) days after the day the county receives the notice, this Ordinance ceases to be applicable within the municipality.

3-133: PURPOSE

The purpose of the regulations expressed herein is to guide and regulate the development of Mobile Home Parks and Recreational Vehicle Parks within Rutherford County in order to preserve the public health, safety and welfare, and to require preparation and approval of a plan every time a Mobile Home Park or Recreational Vehicle Park is created or expanded. Specifically, these regulations are designed to provide for an adequately planned street system; to avoid overcrowding of the land and extreme concentration of population; to secure safety from fire, panic and other dangers; to provide for adequate water and sewage systems; to insure against erosion, water and flood damage; to facilitate an orderly system for the design, layout, use of land. In order to achieve these goals Rutherford County shall not approve any Mobile Home Park or Recreational Vehicle Park where it has been determined through a proper investigation that such a development will include or cause excessive flooding, poor drainage, soil slippage, inadequate soil conditions or other potentially dangerous, unhealthy conditions.

3-134: SHORT TITLE

This ordinance shall be known as the Mobile Home and Recreational Vehicle Park Ordinance of Rutherford County, North Carolina, and may be cited as the Mobile Home and RV Park Ordinance.

3-135: DEFINITION OF TERMS

- A. **Construction Permit:** A permit issued by the Enforcement Officer authorizing the Mobile Home Park or RV Park developer to construct a Mobile Home Park or RV Park in accordance with the approval which has been secured by the provisions of this Ordinance.
- B. **Department of Transportation:** The North Carolina Department of Transportation (NCDOT).
- C. **Developer:** Any person, firm, trust, partnership, association or corporation engaged in development, or proposed development of a Mobile Home Park or RV Park.
- D. **Easement:** A grant by the property owner for use, by the public, or any private entity of a strip of land for specified purposes.
- E. **Enforcement Officer:** The person or persons appointed by the Rutherford County Board of Commissioners to enforce the provisions of this ordinance.
- F. **Health Department:** The local health department for which jurisdiction is for Rutherford County.
- G. **Inspections Department:** Rutherford County Building Inspections Department.
- H. **Mobile Home:** A factory-assembled portable housing unit or a portion thereof built on a chassis and intended for use as a dwelling unit, and is not constructed in accordance with the standards of the North Carolina Uniform Residential Building Code for one and two-family dwellings. A mobile home is designed to be transported on its own chassis and has a measurement of forty (40) feet or more in length and eight (8) feet or more in width. A mobile home shall be construed to remain a mobile home whether or not wheels, Ashley hitch, or other appurtenances of mobility are removed, and regardless of the nature of the foundation provided. All vehicles which are designated mobile home by the Uniform Standards Code for Mobile Home Act shall be considered mobile homes. A mobile home shall not be construed to be a travel trailer or other form of recreational vehicle.
- I. **Mobile Home Park:** Land leased or rented being used or proposed to be used by mobile homes occupied for dwelling or sleeping purposes, consisting of three (3) or more mobile homes on a single tract shall be considered to be a Mobile Home Park.
- J. **Mobile Home Space:** Any parcel of land within a Mobile Home Park designated for exclusive use of one mobile home. The space shall consist of connections to the mobile home for water service, waste water disposal, electrical connection, parking, etc.
- K. **Operating Permit:** A license issued by the Enforcement Officer to a mobile home or RV park owner or operator upon the completion of a mobile home or RV park which conforms to the requirements of this Ordinance.
- L. **Park Model:** A single living unit that is primarily designed and completed on a single chassis, mounted on wheels to provide temporary living quarters for recreational, camping or seasonal use, is certified by the manufacturer as complying with all applicable requirements of ANSI A119.5 and: (a) has a gross trailer area not exceeding 400 square feet in the set up mode or (b) if having a gross trailer area not exceeding 320 square feet in the setup mode, has a width greater than 8.5 feet in the transport mode. Park Models are not intended as a permanent dwelling unit or for commercial uses such as banks, clinics, offices, or similar. Park Models must meet the applicable building code and other requirements.
- M. **Planning Department:** Rutherford County Planning Department.

- N. **Planning Commission:** Rutherford County Planning Commission.
- O. **Public Water Supply Systems:** Public Water Systems are systems as defined by the North Carolina Division of Health Services and shall comply with the regulations set by the State of North Carolina Division of Health Services.
- P. **Public Sewage Disposal Systems:** Any package plant, other sewage treatment facility or connections there to serving two or more sources not connected to individual or public systems and having a design capacity of greater than 3,000 gallons per day and/or a discharge to surface waters as permitted by the State of North Carolina.
- Q. **Recreational Vehicle (also known herein as “RV”):** A vehicle which is: (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational camping, travel, or seasonal use. The term Recreational Vehicle (RV) also refers to travel trailer, camper, park models, camping trailer, truck camper, motor home and any other terms that refer to towable temporary dwellings.
- R. **Recreational Vehicle Park (also known herein as “RV Park”):** Any single parcel of land upon which three (3) or more recreational vehicles are occupied for temporary sleeping purposes, regardless of whether or not a charge is made for such purposes.
- S. **Shall:** The word “shall” is always mandatory and not merely directory.
- T. **Site Number:** Buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure.
- U. **Working Day:** Normal working hours and working days for the County Inspections Department.

DIVISION 2 ENFORCEMENT

3-141 ENFORCEMENT AND PENALTIES

- A. No permits for any electrical connection or septic tank land improvements shall be issued upon any land requiring approval as a Mobile Home Park or RV Park under the conditions set forth herein, unless the plans have received a final approval from the Enforcement Officer.
- B. The Enforcement Officer or the Planning Commission may request the Inspections Department to revoke any and all building permits issued for a Mobile Home Park or RV Park should the developer not comply with the Mobile Home Park or RV Park standards, as relevant, set forth in this ordinance under an approved Final Mobile Home Park Plan and/or Final RV Park plan. Upon written request from the Planning Commission or Enforcement Officer, the Inspections Department, under authority given in NC General Statute 160D-1115, may revoke building permits in the Mobile Home Park or RV Park until such time when the developer has brought the park into compliance with this ordinance.
- C. Any person violating any provision of this ordinance shall be guilty of a misdemeanor and shall be subject to a fine of not more than fifty (50) dollars or imprisonment not to exceed thirty (30) days, as provided by NC General 14-4C.
- D. In lieu of or in addition to the criminal penalties outlined above, a developer of a mobile home park or other person violating this ordinance may be subject to a civil penalty, under N.C.G.S. 153A-123(c), in the discretion of the Board of County Commissioners, not to exceed \$100.00. No penalty shall be assessed prior to notice to the Mobile Home Park or RV Park developer. For every day a developer is in violation of this ordinance, it may be considered a separate offense. If the violator does not pay such penalty within thirty (30) days of notification of its assessment by written citation, it may be recovered by the County in a civil action in the nature of a debt. The developer may contest said penalty in the court of appropriate jurisdiction.
- E.
 - 1. Should a Mobile Home Park or RV Park approved under the provisions of this ordinance be found in violation of the provision set forth in this ordinance, the owner or the operator shall be notified in writing by the Enforcement Officer. The written notification shall state the specific violations and set forth time limits in which the violations shall be corrected. Should the owner or operator not correct the violations in the specified time limit, the Enforcement Officer shall notify the owner or operator by certified mail that the operating permit for said park will be revoked at the close of the next business day five (5) days after date of the written notice.
 - 2. Should the owner or operator of a Mobile Home Park or RV Park be in violation of this ordinance correct said violations before the loss of the operating permit, the owner or operator shall request that the Enforcement Officer conduct an inspection of the park. Should said inspection indicate that the violations have been corrected, then the Enforcement Officer shall notify the owner or operator that the operating permit will continue. If the violations have not been corrected, then the operating permit shall be revoked as stated in the notification.

3. In cases where the Operating Permit for a Mobile Home Park or RV Park has been revoked the following shall occur:

- a. The owner or operator shall not rent or lease any vacant spaces until violations have been corrected and the Operating Permit is reinstated.
- b. For spaces which are leased or rented and will be occupied by a mobile home or RV, the owner or operator shall cease to lease or rent these spaces at the end of the contract period which shall not exceed one (1) year from the date of the loss of Operating Permit.
- c. The owner or operator shall notify each lessee of a space within the park, within ten (10) days after receipt of written notification, that the Operating Permit has been revoked and that their lease shall be terminated at the end of the specific contract period. The owner or operator shall provide a signed statement by each lessee that notice from the owner or operator of the leased termination has been made.
- d. The Enforcement Officer shall notify in writing the Health Department that the operating permit for said park has been revoked and that no new spaces in the park are to be leased from the date of the loss of the Operating Permit.

F. The Enforcement Officer shall act to revoke an operating permit for violations of any part of this ordinance, except for violations that fall in the areas regulated by the Health Department, or County Inspections Department. In these cases, the Enforcement Officer shall work in cooperation with the aforementioned agencies regarding the revocation of the operating permit.

G. The owner or operator of a Mobile Home Park or RV Park, which has lost the Operating Permit, may make application to the Enforcement Officer for reinstatement of the Operating Permit. The Enforcement Officer shall reinstate the Operating Permit, when the Mobile Home Park or RV Park is in compliance with the regulations for which the Operating Permit was revoked, and the approved mobile home or RV park development plan approved by the County. The Enforcement Officer shall notify the Health Department, County Inspections, and the owner or operator of the reinstatement of the Operating Permit, which allows the operator to lease or rent approved spaces.

H. A copy of this ordinance shall be on display at the Mobile Home Park or RV Park office and be readily available for occupants of the Mobile Home Park or RV Park.

DIVISION 3 ADMINISTRATION

Mobile Home Parks and RV Parks which are in existence at the effective date of this ordinance shall not be regulated under the provisions of this ordinance. Any addition, expansion to an existing Mobile Home Park or RV Park, or major improvement or change in the existing park; such as, change in location, in size of spaces, or number of spaces; relocation of streets; relocation or addition of major utilities of other major changes shall be regulated under the provisions of this ordinance. In the event that expansion or additions occur to an existing Mobile Home Park or RV Park, the developer shall provide to the Enforcement Officer a layout of the existing Final Mobile Home Park Plan or Final RV Park Plan including street patterns and space layouts to be used for informational purposes.

3-146: AMENDMENTS

The Board of Commissioners may from time to time amend the terms of this Ordinance; but, no amendment shall become effective unless it shall have been proposed by or shall have been submitted to the Planning Commission for review and recommendation. The Planning Commission shall have thirty (30) days from the time the proposed amendment is submitted to it, within which to submit its report. If the Planning Commission fails to submit a report within the specified time, it shall be deemed to have recommended approval of the amendment. No amendment shall be adopted by the governing body until they have held a public hearing on the amendment. Notice of the hearing shall be published in a newspaper of general circulation in the Rutherford County area at least once a week for two (2) successive calendar weeks prior to the hearing. The initial notice shall appear no more than twenty-five (25) nor less than ten (10) days prior to the hearing date. In computing the ten (10)—twenty-five (25) day period, the date of publication is not to be counted, but the date of the hearing is.

3-147: SEVERABILITY

Should any section or provision of these regulations be for any reason held void or invalid by a court of law, it shall not affect the validity of any other section or provision herein which is not itself void or invalid, and to this end, the provisions of this ordinance are hereby to be severable. Wherever the provisions of any other law, ordinance or regulation impose higher standards that are required by the provision of this ordinance, the provisions of such law ordinance or regulations shall govern.

3-148: CONFLICT

Insofar as the provisions of this ordinance are inconsistent with the provisions of any other law except a provision of state or federal law, the provisions of this ordinance shall control.

DIVISION 4 STANDARDS AND REQUIREMENTS

3-156: APPROVAL OF PLANS REQUIRED

After the effective date of this ordinance, no Mobile Home Park or RV Park within the jurisdiction of Rutherford County shall be established or expanded to cover more land or add additional spaces until provisions of this Ordinance have been satisfied.

3-157: SUBMISSION AND APPROVAL OF PLANS

- A. Preliminary Park Plan - Prior to review and submission of the Final Mobile Home Park Plan or Final RV Park Plan to the Planning Commission, the developer must first submit a Preliminary Park Plan with the Planning Department. The Planning Department shall advise the developer of general compliance with the requirements of this ordinance.
1. The Preliminary Park Plan shall contain such information as: name of park, owner's name and address, boundaries of the property, total acreage of the property and area to be developed, conceptual space layout, street layout and cross sections, utility easements, streams, boundary of flood hazard areas, wetlands, watershed, type and location of water and sewer facilities, proposed uses on the property other than mobile homes or RV's, general location and types of buildings and proposed open space.
 2. The Preliminary Park Plan will be needed to acquire Health Department and NCDOT approval.
- B.
1. Following the Preliminary Park Plan review and prior to the construction or alteration of a Mobile Home Park or RV Park or the expansion of an existing Mobile Home Park or RV Park, the developer shall make application with the Enforcement Officer for a permit to construct or expand a park. The application shall be accompanied by four (4) copies of the proposed Final Park Plan which includes the requirements of this Ordinance. The application must be received at least ten (10) working days prior to the regularly scheduled meeting of the County Planning Commission in which the application is to be considered.
 2. A registered surveyor or engineer's signature shall not be required on the Final Mobile Home Park Plan or Final RV Park Plans for parks containing three (3) or fewer spaces. For Mobile Home Parks and RV Parks containing four (4) or more spaces the Final Mobile Home Park Plan or Final RV Park Plan shall exhibit the signature of a registered surveyor or engineer. A licensed civil engineer shall develop and certify all water supply system plans as required by the State and local regulations. Any additions to an existing Preliminary Park Plan or Final Park Plan which brings the total spaces in the park to six (6) or more shall exhibit the signature of a registered surveyor or, engineer and be developed in the same manner as a new Mobile Home Park or RV Park. The developer shall present a layout of the existing park in the Final Park Plan including roads, spaces, buildings and easements for informational purposes.
 3. The owner of the Mobile Home Park or RV Park shall provide documentation identifying how the park will provide adequate facilities for solid waste storage, collection and disposal.
- C. The following agencies shall review the Final Park Plan and give their written approval, disapproval or conditional approval within their area of interest designated below prior to the Final Park Plan being submitted to the Enforcement Officer.
1. The NC Department of Transportation shall review the Final Park Plan to determine the proposed access conforms to the standards of the Department of Transportation.
 2. The Health Department shall be responsible for the review of the following, to determine if the Final Park Plan is in accordance with the minimum health standards regulations:

- a. Source of Water and water distribution system,
 - b. Sanitary sewerage system or septic tank systems,
 3. The E-911 Addressing Department shall review the proposed Final Park Plan to determine if the proposed road names and name of the Mobile Home Park or RV Park are acceptable in accordance with the Street Naming and House Numbering Ordinance.
- D. Each agency shall review the plan and shall provide written comment as to their findings, and should there be deficiencies in the plan, the developer or agent shall be notified to correct such deficiencies in the plan.
1. The County Planning Commission shall review all Final Mobile Home Park Plans and Final RV Park Plans to determine if the proposed Final Park Plan is in accordance with the design standards set forth in this ordinance, except for those cases where Mobile Home Park or RV Parks totaling three (3) or fewer spaces. In cases where the total number of spaces are three (3) or fewer the Enforcement Officer is authorized to review the plan in lieu of the Planning Commission.
 2. All Mobile Home Park and RV Parks that are reviewed by the Enforcement Officer shall have recourse to the Planning Commission. The developer may appeal the decision of the Enforcement Officer to the Planning Commission, by submitting written notice of appeal to the Planning Department within ten (10) days after written notice of the decision of the Enforcement Officer is received. Upon receipt of the notice of appeal, the developer will be scheduled to appeal before the Planning Commission at the next regularly scheduled meeting, in accordance with set agenda policies of the Planning Commission, for consideration of the appeal. The Planning Commission at its regularly stated meeting shall review appeals of developers, or parks under their direct review, and shall approve, conditionally approve, or disapprove the plan.
 - a. If approved conditionally the conditions and reasons therefore shall be stated and if necessary, the Planning Commission shall require the developer to submit a revised plan.
 - b. If the Planning Commission should disapprove the plan the reasons for such action shall be stated and recommendations made for plan approval. The developer shall submit a revised plan.
 - c. Approval of the plan by the Planning Commission is authorization for the Enforcement Officer to issue a CONSTRUCTION PERMIT to the developer.
 3. Construction Permit
 - a. Once the Planning Commission has approved or conditionally approved a Final Park Plan, the developer will have thirty (30) calendar days to have the necessary corrections in the Final Park Plans and specifications and to obtain a construction permit for the park. Failure to obtain a construction permit within this time period will cause the Planning Commission approval or conditional approval to become null and void. The developer may request an extension of this time period from the Enforcement Officer. The Enforcement Officer may grant up to a ten (10) day extension, only after the developer has justified the need for the extension.

b. Once a set of plans and specifications have been submitted to the Enforcement Officer, the developer will have a six (6) month period to complete all necessary corrections to the plans and specifications which would enable the Enforcement Officer to present the proposal to the Planning Commission. Failure to provide modified plans and specifications within this time period will cause the plans and specifications to become null and void. The developer may request an extension of this time period from the Enforcement Officer. The Enforcement Officer may grant up to a thirty (30) day extension, only after the developer has justified the need for the extension. In the event that there are approval changes in this Ordinance or related codes or ordinances, prior to submittal of the development plan to the Planning Commission, the developer shall design the Mobile Home Park or RV Park to the current standards.

c. Once a construction permit has been issued, the developer must complete three (3) prepared sites within a twelve (12) month period from the issuance date of the permit or the permit shall become null and void. However, the Planning Commission may grant an extension of up to six (6) months, if the developer appears before the Commission and shows cause for the extension, prior to the expiration of the original permit.

4. Operating Permits

a. When the developer has completed the construction of the entire park or any phase, he shall make application to the Enforcement Officer for an operating permit. The Enforcement Officer and/or representatives of the consulting agencies shall make an on-site inspection to verify the proper installation of the improvements.

1. If the construction conforms to the approved Final Park Plan, the Enforcement Officer shall issue the developer an operating permit.

2. If the construction does not conform with the approved Final Park Plan, the Enforcement Officer shall delay issuance of the operating permit until it comes into conformity. The Enforcement Officer shall inform the developer in writing of deficiencies in the construction and advice as to actions needed to be in compliance with the approved Final Park Plan.

b. The operating permit issued to the developer shall constitute authority to lease or rent spaces in the Mobile Home Park or RV Park.

c. When a Mobile Home Park or RV Park is to be developed in stages, the proposed Final Park Plan may be submitted for the entire development, and application for operating permits may be made for each stage of development upon completion.

d. 1. The Health Department, the County Inspections Department, and/or the enforcement Officer are hereby authorized, and directed to make such inspections as are necessary to determine satisfactory compliance with this ordinance. It shall be the duty of the owners or occupants of the Mobile Home Parks or RV Parks to give these agencies free access to such premises at reasonable times for the purpose of inspection.

2. It is the responsibility of the Mobile Home Parks or RV Park operator to operate the park in compliance with this ordinance, and the operator shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean sanitary condition.

3-158 IMPROVEMENTS AUTHORIZED AFTER APPROVAL

After the Planning Commission has completed the review, and either approved or conditionally approved the Final Park Plan, one copy shall be sent to the Enforcement Officer, the developer or agent, the County Tax Department, and the Health Department. The approved Final Park Plan shall be filed with Rutherford County's Register of Deeds Office.

3-159 MOBILE HOME PARK AND RV PARK NAMES, ROAD NAMES, AND ADDRESSES

- A. The names of Mobile Home Parks and RV Parks and roads within such parks shall not duplicate or be phonetically similar to the names of existing Mobile Home Parks, RV Parks and road names in Rutherford County.
- B. Where proposed streets are continuations of existing streets; the existing road names shall be used.
- C. Property address numbers shall conform to the Street Naming and House Numbering Ordinance and shall be assigned by the E-911 Addressing Department.
- D. An "Application for Street Name Approval for Subdivisions, Mobile Home Parks, and Other Development" must be submitted, according to the development plans.

3-160 MOBILE HOME PARK ROAD REQUIREMENTS

- A. Where the intent and standards of this ordinance can be met by other means, the Planning Commission may approve other methods and designs to solve unique problems associated with individual development, on an individual basis. In no case will the Planning Commission approve design of less than the minimum standards of this ordinance.
- B. Each mobile home space shall be provided a gravel or hard surface area for parking of a minimum of two (2) vehicles, which is outside the travel surface and drainage ditches of the roadways. Parking either on the roads or alongside the roadways will not be permitted within the mobile home park.
- C. All Streets within a mobile home park shall be either paved or graveled to a width of at least twenty (20) feet. Maintenance of the roadways shall be the responsibility of the owner or operator of the mobile home park, and roads are to be maintained in a manner to be free from pot holes, breaks in the pavement, ponding of water during rainy periods, excessive washing of drainage ditches, and other associated problems which would impede or cause hazards to motor vehicles.
- D. If streets are to be graveled, a minimum of 3" of aggregated base course (ABC) No. 7 stone shall be used.
- E. Maximum grade for streets shall be 18%

- F. Cul-de-sacs shall have a minimum all weather surface (stone/gravel or pavement) radius of 35' and shall have a minimum right of way radius of 50'.
- G. Speed reduction humps or dips are permissible in the roadway, but they must be painted with appropriate signs indicating the hump or dip along the roadway.
- H. Streets and roads within the Mobile Home Park shall intersect as nearly as possible to right angles, and no street shall intersect at less than sixty (60) degrees. Where streets intersect with a state maintained road, the design standards of the NC DOT shall apply.
- I. Each mobile home space shall have access from a road within the Mobile Home Park. Direct outlet of individual mobile home spaces onto State maintained road will not be allowed, except in cases where direct access is the only way to provide access to the spaces. Any direct access for mobile homes onto the State maintained roads will have to be approved by the NC Department of Transportation.
- J. Each Mobile Home Park shall have entrance or access onto a State maintained road. In cases where the Mobile Home Park entrance does not abut a State maintained road, the private access to the park entrance shall be upgraded and maintained by the developer in the same manner as roads within the park.
- K. Each Mobile Home Park shall conform to the following for park entrances:
1. Fifty (50) or fewer spaces shall have a minimum of one entrance,
 2. Fifty (50) to one hundred (100) spaces shall have a minimum of two entrances,
 3. Over one hundred (100) spaces an additional entrance shall be provided for each fifty (50) spaces.
- L. Street signs must be purchased through Rutherford County. No permits will be issued prior to this transaction. Upon completion of the construction site, these signs will be installed by Rutherford County. Also the developer will be responsible for advising tenants of the property address assignments for respective mobile home spaces in instructing them in the purpose of these addresses.

3-161 MOBILE HOME PARK LOT SIZES, SETBACKS, AND EASEMENTS

- A. All mobile homes shall be located on individual mobile home spaces within the park which shall be open and not obstructed. Each mobile home space shall have the minimum sizes as follows:
1. Where a well and septic tank are on the same space: 20,000 square feet.
 2. Where either water service or sewer service is provided for each space: 15,000 square feet.
 3. Where both water and sewer services are provided to each space: 8,000 square feet.
- B. Each mobile home space shall have all corners marked during the application review and construction phase of the project. Failure to have each space clearly identified will slow the review process.

- C. Each mobile home space shall be located on ground not within the one hundred (100) year flood plain or meet requirement of Rutherford County Flood Plain Ordinance and graded so as to prevent any water from ponding or accumulating on the space.
- D. No mobile home shall be located closer than twenty (20) feet from any other mobile home, except that accessory structures as defined in this ordinance shall not be located closer than twenty (20) feet from any other accessory structure or mobile home.
- E. No mobile home shall be located closer than twenty (20) feet to any property boundary line of the Mobile Home Park not abutting a public street or highway. When the property abuts a public street or highway, no mobile home shall be closer than twenty (20) feet from right of way or thirty (30) feet from center of road whichever is greater.
- F. No mobile home shall be located closer than twenty-two and one half (22.5) feet from the center line of all streets within the Mobile Home Park.

3-162 GROUNDS MAINTENANCE AND SOLID WASTE

- A. The storage, collections, and disposal of solid waste in the Mobile Home Park or RV Park shall be so conducted as to create no health hazards or pollution.
 - 1. All solid waste shall be stored in standard fly tight, water tight, rodent proof containers, with a capacity of not more than fifty (50) gallons which shall be located not more than 150 feet from any mobile home space. In the alternative, a commercially acceptable green box collection container may be used. Containers shall be provided in sufficient numbers and capacity to properly store all solid waste. The Mobile Home Park or RV Park management shall be responsible for the proper storage, collection and disposal of solid waste.
 - 2. All solid waste shall be collected at least once weekly. Where suitable collection service is not available from municipal or private agencies, the mobile home park operator shall provide this service. All solid waste shall be collected and transported in covered vehicles or containers and disposed of in accordance with the County Solid Waste Ordinance.

3-163 RESTRICTIONS

- A. Individual mobile home or RV spaces within a Mobile Home Park or RV Park, as defined under this ordinance, shall not be sold. If spaces are to be sold within the mobile home park or RV Park, then those spaces will have to be submitted and reviewed under the guidelines of the County Subdivision Ordinance. A number of mobile home or RV spaces or blocks of mobile home or RV spaces may be sold to a single owner, corporation, group or other as long as the spaces remain rental spaces for occupancy by mobile homes or RV's. Upon ownership changes of a Mobile Home Park, RV Park or any part thereof, the owner shall notify the Enforcement Officer of the new owner and other pertinent information.
- B. No bedroom living space shall be added to an individual mobile home in parks regulated by this ordinance, which would through the total number of bedroom be more than the number specified on the septic tank land improvements permit for the individual space.

3-164 MOBILE HOME PARKS GENERAL REQUIREMENTS

- A. One mobile home may be used an administrative office within the Mobile Home Park.
- B. Convenience establishments of commercial nature such as food stores, coin operated laundries and beauty parlors, may be permitted in Mobile Home Parks subjected to the following restrictions:
 - 1. such establishments shall be subordinate to the residential use and character of the Mobile Home Park;
 - 2. such establishments shall be designated to serve the trade and service needs of the Mobile Home Park residents.
- C. Mobile home connected with a fair, carnival, or circus may be parked at the activity's location for the duration of the fair, carnival or circus, but not to exceed fifteen (15) days, provided that all sewage and solid waste is disposed of in a manner approved by the Health Department.
- D. Each mobile home space shall have a site number placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address/site numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 1/ 2 inch (12.7 mm). Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure.
- E. If a mobile home burns or is uninhabitable, the unit and all associated debris shall be removed from the park within 90 days after the fire at the mobile home owner's expense.
- F. All electrical services and connections for mobile home spaces shall comply with the electrical code enforced by the County Inspections Department.
- G. Anchors, tie-downs, or supports shall meet NC Manufacturing Housing Requirements.

3-165 PLAN REQUIREMENTS

- A. The Final Park Plan shall be placed on a standard sheet size measuring a maximum of eighteen (18) inches by twenty-four (24) inches, at a scale of not smaller than one (1) inch to one hundred (100) feet.
- B. In order to obtain a review of the spaces in a proposed Mobile Home or RV Park by the Health Department, to assure that there will be adequate usable space for septic tank systems, the developer shall have the lot corners indicated on the plan, marked and identified on the ground in such a manner that the proposed spaces can be clearly identified by the Health Department. Upon completion of the investigation by the Health Department, written comments as to the findings shall be presented to the Planning Commission in their review or the proposed development.

C. All plans shall show:

1. The location of existing property lines, streets, service buildings, natural and man-made water courses, railroads, transmission lines, sewers, bridges, culverts, and drain pipes, water mains, city and county lines (if adjoining), drainage easements and any public utility easements, all structures to be located on the park site;
2. Boundaries of tracts with bearings and distances;
3. Names of adjoining property owners;
4. Proposed mobile home and RV spaces well defined, indicating approximated dimensions, size and site numbers (as approved by the Rutherford County E-911 Addressing Department).
5. Title, date, north point, and graphic scale;
6. Names, addresses and telephone numbers of owners, surveyor and land planner.
7. Site data:
 - a. acreage in total tract,
 - b. acreage in parks, if applicable,
 - c. total number of mobile home or RV spaces,
 - d. lineal feet in streets;
 - e. width and character of street
 - f. identify water, sewer and solid waste
8. Vicinity map, sketch showing relationship between mobile home or RV park and surrounding area;
9. Flood plain information, if necessary; Names of proposed streets;
10. For mobile homes the Developer shall indicate on the plan the required number of bedrooms for which each space should be reviewed by the Health Department.
11. Sedimentation control plan information in accordance with North Carolina State Law.

3-166 RECREATIONAL VEHICLE PARK GENERAL REQUIREMENTS

A. Suitability of Land

1. Land subject to flooding, improper drainage, erosion, or that is topographical or for other reasons unsuitable for recreational vehicle use as determined by the Planning Board, shall not be developed for recreational vehicle parks so long as such use would continue or increase the danger to health, safety, or property unless the hazards can be and are corrected or avoided.

B. Lot Identification

1. All spaces shall be permanently identified by permanent markers or monuments. The permanent monuments or markers shall be placed at a minimum, at the front corners of the spaces and be maintained continuously so as to be visible. The location of the monuments shall be shown on the Final RV Park Plan.
2. Property address and site numbers shall conform to the Street Naming and House Numbering Ordinance and shall be assigned by the E-911 Addressing Department.

C. Recreational Vehicle Requirements

1. *Permanent habitation not permitted.* In order to provide for the public safety and general welfare, the use of Recreation Vehicle Parks for permanent habitation shall be deemed unlawful. Recreation Vehicles are not designed nor constructed for such purpose. Recreational Vehicle Park operators shall provide proof of the temporary nature of users upon request from the Enforcement Officer.
2. *Recreational Vehicles as temporary structures.* In order for RV's to maintain compliance with this ordinance, the below requirements must be followed:
 - a. RV's shall not have permanent plumbing or mechanical connections.
 - b. Wheels and axles on the RV must remain on the units at all time.
 - c. Accessory structures shall not be supported by the RV.
 - d. RV's shall be set up in accordance with the manufacturer's recommendations.

D. Site Development

1. Recreation vehicle parks shall be used only by recreational vehicles as defined herein, as well as camping tents suitable for temporary habitation and use for travel vacation and recreation purposes.
2. The use of mobile homes shall not be allowed in a RV Park. However, one (1) mobile home may be allowed within a recreational vehicle park to be used as an office residence of persons responsible for the operation and maintenance of the RV Park.
3. Every RV space shall consist of a minimum area of two thousand (2,000) square feet.
4. Each RV space shall provide parking space sufficient to accommodate at least one (1) recreational vehicle.
5. There shall be a minimum distance of twenty (20) feet between each recreational vehicle and other structures.

6. All spaces developed adjacent to a public street shall be set back a minimum of twenty (20) feet from the street right-of-way or thirty (30) feet from the center of road whichever is greater.
7. No RV space shall be located closer than twenty (20) feet to any property boundary line of the RV Park.
8. No RV shall be located closer than twenty-two and one half (22.5) feet from the center line of all streets within the RV Park.

E. Road Requirements

1. All streets within a RV Park shall be either paved or graveled to a width of at least twenty (20) feet. RV Parks and roads are to be maintained in a manner to be free from pot holes, breaks in the pavement, ponding of water during rainy periods, excessive washing of drainage ditches, and other associated problems which would impede or cause hazards to motor vehicle.
2. If streets are to be graveled, a minimum of 3" of aggregated base course (ABC) No. 7 stone shall be used.
3. Maximum grade for streets shall be 18%.
4. Each space within RV Parks shall have direct access to a roadway shown on the Final Park Plan.
5. Each RV Park shall have entrance or access onto a State maintained road.
6. No space shall have direct vehicular access onto a public road.
7. Cul-de-sac or dead-end roads shall not exceed one thousand (1,000) feet in length measured from the entrance to the center of the turn-around. Any road designed to be permanently closed shall have a turn-around at the end with a minimum gravel or pavement radius of thirty-five (35) feet and shall have a minimum right-of-way radius of fifty (50) feet.

F. Utilities

1. RV spaces provided with water, sewer and electrical service must meet building code and other applicable requirements.
2. No method of sewage disposal shall be installed, altered or used without the approval of the Rutherford Health Department. All sewage wastes from each park, including wastes from toilets, showers, bathtubs, lavatories, wash basins, sinks and water-using appliance not herein mentioned, shall be piped into the sewage disposal system.
3. Sewage dumping stations shall be approved by the Health Department.

All toilet, shower, lavatory and laundry facilities shall be provided and maintained in a clean and sanitary condition and kept in good repair at all times. They shall be safely and adequately lighted. Facilities shall be easily accessible and conveniently located. All toilet, shower, lavatory and laundry room facilities shall be acceptable to the Health Department and shall be in conformity with all applicable codes.

3-167 EFFECTIVE DATE

The provisions of this ordinance shall be effective January 1, 1992

Amended date: July 2, 2018

Amended date: July 6, 2021

Chair, Board of Commissioners

ATTEST:

Clerk, Board of Commissioner

AMENDMENT OF THE RUTHERFORD COUNTY CODE

OLD SECTION CHAPTER 3-BUILDINGS & BUILDING REGULATIONS 3-8. MOBILE HOME REGULATIONS READ AS FOLLOWS:

The 1979 edition of the State of North Carolina Regulations for Mobile Homes, as adopted and published by the North Carolina Department of Insurance, and as amended, is hereby adopted by reference as fully as though set forth herein as the “Regulations for Mobile Homes of Rutherford County.

NEW SECTION CHAPTER 3-BUILDING & BUILDING REGULATIONS 3-8 MOBILE HOME REGULATIONS READ AS FOLLOWS:

Manufactured Homes Requirements: Manufactured homes which are not HUD (Housing and Urban Development) approved shall not be permitted in Rutherford County.