

CHAPTER 23

MANUFACTURED HOUSING CODE

ARTICLE I – GENERAL PROVISIONS

23-1-1 **DEFINITIONS.** The terms used in this Code shall have the following meanings:

"AFFIDAVIT" means an oath in writing, sworn before and attested by an individual who has authority to administer an oath.

"APPLICANT" means any person making application for a license or permit.

"CORPORATE AUTHORITIES" shall mean the Mayor and the City Council.

"IMMOBILIZED MANUFACTURED HOME": As applied to a manufactured home, "immobilize" means to remove the wheels, tongue and hitch and to affix to a permanent foundation. The term implies that, once affixed to a permanent foundation, the destruction of said foundation would be necessary in order to move the dwelling to another location.

"LICENSE" means a license certificate issued by the City allowing a person to operate and maintain a manufactured home park under the provisions of this Code and the rules and regulations issued hereunder.

"LICENSEE" means any person having a license or permit under this Chapter.

"MANUFACTURED HOME": A structure designed for permanent habitation and so constructed as to permit its transport on wheels, temporarily or permanently attached to its frame, from the place of its construction to the location or subsequent location at which it is intended to be a permanent habitation and designed to permit the occupancy thereof as a dwelling place for **one (1)** or more persons. The term shall only include manufactured homes constructed after **June 30, 1976**, in accordance with the Federal **"National Manufactured Housing Construction and Safety Standards Act of 1974"**. Compliance with this standard is indicated by a 2-inch by 4-inch metal plate attached to the exterior taillight end of the manufactured home. The average width and/or length of the living area (excluding garages, carports, porches, or attachments) of a manufactured home shall not exceed a ratio of 3 to 1. As with all residences, a manufactured home shall have a minimum 4/12 pitch roof with residential style siding and roofing, **six (6) inch** minimum eave overhang, and shall have a minimum living area of not less than **nine hundred (900) square feet**. Provided that any such structure resting on a permanent foundation with wheels, tongue and hitch permanently removed shall not be construed as a **"manufactured home"** but shall be an **"immobilized manufactured home"**. A manufactured home should not be confused with a **"camping trailer"** or **"recreational vehicle"**. **(See 210 ILCS 115/2.10)**

"MANUFACTURED HOME, DEPENDENT" means a manufactured home which does not have a toilet and bath or shower facilities. **(See 210 ILCS 115/2.3)**

"MANUFACTURED HOME, DOUBLE-WIDE" consists of **two (2) manufactured units** joined at the side into a single home, but kept on their separate chassis for repeated transportation to a site.

"MANUFACTURED HOME, INDEPENDENT" means a manufactured home which has self-contained toilet and bath or shower facilities. **(See 210 ILCS 115/2.4)**

"MANUFACTURED HOME LOT" means a parcel of land for the placement of a manufactured home and the exclusive use of its occupants.

"MANUFACTURED HOME PAD" means that part of an individual manufactured home space or lot beneath the manufactured home, including the concrete portion of the pad.

"MANUFACTURED HOME PARK" means a tract of land or **two (2)** or more contiguous tracts of land upon which contain sites with the necessary utilities for **two (2)** or more independent manufactured homes for permanent habitation either free of charge or for revenue purposes, and shall include any building, structure, vehicle, or enclosure used or intended for use as a part of the equipment of such manufactured home park. Separate ownership of contiguous tracts of land shall not preclude the tracts of land from common licensure as a manufactured home park if they are maintained and operated jointly. Neither an immobilized manufactured home nor a motorized recreational vehicle shall be construed as being a part of a manufactured home park. **(See 210 ILCS 115/2.5)**

"MANUFACTURED HOME PARK LICENSE": A permit issued by the Administrator authorizing the operation of a manufactured home park in accordance with all applicable regulations.

"MANUFACTURED HOME SALES AREA" means a parcel of land used for the display, sale, and repair of new or used manufactured homes.

"MANUFACTURED HOME SPACE" means a portion of a manufactured home park designed for the use or occupancy of **one (1) manufactured home**.

"MANUFACTURED HOUSING UNIT" includes all forms of housing units listed in this Section and as regulated in this Code.

"MOBILE HOME" means a structure designed for permanent habitation and so constructed as to permit its transport on wheels, temporarily or permanently attached to its frame, from the place of its construction to the location or subsequent location at which it is intended to be a permanent habitation and designed to permit the occupancy thereof as a dwelling place for **one (1)** or more persons. The term **"mobile home"** shall only include homes constructed prior to **June 30, 1976**, not in accordance with the Federal **"National Manufactured Housing Construction and Safety Standards Act of 1974"**.

"MODULAR HOME": A modular home is a factory-fabricated single-family home built in **one (1)** or more sections. The average width and/or length of the living area (excluding garages, carports, porches, or attachments) of a modular home shall not exceed a ratio of 3 to 1. All modular homes shall be placed on a full perimeter foundation, extending below the frost depth. All wheels and towing devices shall be removed. As with all residences, a modular home shall have a minimum 4/12 pitch roof with residential style siding and roofing, **six (6) inch** minimum eave overhang, and shall have a minimum living area of not less than **nine hundred (900) square feet**. Modular homes shall have a yellow seal in the shape of the State of Illinois on the electrical panel box of the home or on the inside of the kitchen sink cabinet. Local officials may require additional items other than the minimum state requirements such as the National Manufactured Home Construction and Safety Standards (HUD Code) or the International Building Code (IBC). All structures shall be placed on a permanent foundation in order that they may be assessed as real estate.

"OWNER" or "OPERATOR" means the licensee.

"PERMANENT FOUNDATION": A foundation which extends into the ground below the frost line so as to attach and become a part of the real estate. Materials such as concrete, mortared concrete block, poured wall or mortared brick extending into the ground below the frost line shall satisfy the requirement for a permanent foundation. In addition, piers may be used, extending into the ground below the frost

line, and sufficient in number to properly support the structure, provided the support beams are affixed to the permanent perimeter foundation.

"PERMANENT HABITATION" means a period of **two (2) or more months**.

"PERMIT" means a certificate issued by the City Clerk, permitting the construction, alteration, or reduction in number of spaces of a manufactured home park under the provisions in this Code.

"PERSON" means any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, county, municipality, the State of Illinois, or any political subdivision or department thereof or any other entity.

"REVOCATION" means to declare invalid a permit or license issued to the applicant or licensee by this City for an indefinite period of time.

"SITE" means the lot on which the manufactured home is located for permanent habitation. **(See 210 ILCS 115/2.7)**

"SPACE" shall be synonymous with **"Manufactured Home Space"**.

"SUSPENSION" means to declare invalid a permit or license issued to the applicant or licensee by this City for a temporary period of time with an expectation of resumption.

23-1-2 MANUFACTURED HOUSING ACT ADOPTED. The **Illinois Manufactured Housing and Mobile Home Act**, as passed and approved by the Illinois General Assembly is hereby adopted by the City, the applicable provisions as they pertain to manufactured homes and immobilized manufactured homes shall be controlling within the City. **(See 430 ILCS 115/1 et seq.)**

23-1-3 NATIONAL SAFETY STANDARDS. No manufactured home or immobilized manufactured home shall be located in the City unless the unit has the **National Manufactured Housing Construction and Safety Standards** metal seal affixed thereto.

23-1-4 FIRE EXTINGUISHERS. All manufactured housing units located in the City shall be equipped with a fire extinguishing apparatus capable of extinguishing all types of fires. Such extinguishers shall be of sufficient size so that they will reasonably protect the manufactured housing units. All fire extinguishers shall be approved by the Fire Chief or his designated representative prior to installation of the manufactured home. **(See 425 ILCS 60/1-60/4)**

23-1-5 INSPECTION. All Manufactured Housing units located in the City shall be subject to reasonable inspection by an official or officials designated by the City Council.

23-1-6 OFF-STREET PARKING. Every owner of a manufactured housing unit shall provide for an off-street parking area of **four hundred (400) square feet**.

23-1-7 PROHIBITED RESIDENTIAL USES.
(A) **Dependent Manufactured Home.** It shall be unlawful to locate a dependent manufactured home in the City unless placed in a state-licensed travel trailer park.
(B) **Independent Travel Trailer.** It shall be unlawful to reside in an independent travel trailer in the City unless it is located in a state-licensed travel trailer park.

(C) **Manufactured Home.** It shall be unlawful to locate a manufactured home or a manufactured home in a state-licensed travel trailer park without written permission of the City Council.

23-1-8 CARBON MONOXIDE ALARM DETECTORS. Each unit shall be equipped with a carbon monoxide alarm detector as prescribed by state statute. **(See 430 ILCS 135/1 et seq.)**

23-1-9 SMOKE AND FIRE DETECTORS. Each unit shall be equipped with smoke and fire detectors as prescribed by state statute.

23-1-10 SKIRTING. Skirting shall be used to conceal all underpinning, plumbing, and support piers whether on a permanent foundation or otherwise. All skirting shall be installed on all manufactured housing units within **sixty (60) days** of the placement of the unit.

23-1-11 UTILITY SERVICES. All manufactured housing units shall be connected to all City utilities. The City reserves the right not to connect a unit to the applicable units if they are not in compliance with the requirements of this Chapter and the City Code.

23-1-12 REGISTRATION WITH CITY. All owners of manufactured housing units shall present their certificate of ownership or titles when requesting a location permit or utility services from the City.

ARTICLE II - IMMOBILIZED MANUFACTURED HOUSING

23-2-1 IMMOBILIZED MANUFACTURED HOUSING. All immobilized manufactured housing units located in the City shall be classified as real estate; therefore, it is mandatory for all persons owning, operating, renting, or leasing an existing manufactured home outside a manufactured home park to remove or cause to have removed the wheels or any other transportation device from the manufactured home. The owner or lessor shall permanently fix it to the ground in a manner that conforms to the definition of an immobilized manufactured home in **Section 23-1-1**. All existing manufactured housing units, when replaced, shall comply with the immobilization provisions of this Code.

(A) It shall be unlawful for a manufactured housing unit to locate in the City unless the unit has been inspected as provided in **Section 23-1-7**.

(B) It shall be unlawful for a person to use a manufactured housing unit as a storage building or as a commercial building from and after **August 1, 2013**.

23-2-2 PERMIT - FEE. All persons seeking to locate or replace a manufactured home or an immobilized manufactured home outside a manufactured home park shall obtain a **Building Permit** from the City Council. No utility services shall be connected to the unit until the City has issued the appropriate permits. The fee to locate or relocate a manufactured home or immobilized manufactured home shall be **Twenty-Five Dollars (\$25.00)**.

23-2-3 LOT SIZE. The minimum lot size for the location of a manufactured housing unit shall be as provided for in this Code. All immobilized manufactured homes shall be located in the City, according to the requirements and restrictions of this Code. No manufactured housing unit shall be located within **fifteen (15) feet** of any lot line, nor closer than **twenty-five (25) feet** of an existing dwelling.

23-2-4 CONCRETE PADS. All immobilized manufactured housing units shall be placed on either a reinforced concrete pad at least **fourteen feet wide by sixty feet in length (14' x 60')**, **two (2)** reinforced concrete runners **four feet wide and sixty feet in length (4' x 60')**, or on concrete piers approved by the City Council. The concrete pads shall consist of **four (4) inches** of reinforced concrete or **six (6) inches** of concrete. A concrete footing is optional. All piers and footings for immobilized manufactured homes shall comply with this Code. Expandable units shall be provided with approved piers or their equivalent at each corner of the units.

23-2-5 LIMIT OF UNITS. There shall be **only one (1)** immobilized manufactured housing unit per lot in the City.

ARTICLE III - MANUFACTURED HOME PARKS

DIVISION I - ADMINISTRATION REQUIREMENTS

23-3-1 COMPLIANCE WITH STATUTES, APPLICABILITY OF ARTICLE. Every manufactured home park hereafter established in the City shall, at a minimum, conform to the requirements of:

(A) The Illinois **Manufactured Home Park Act** and the **Manufactured Home Tiedown Act (77 Ill. Adm. Code 870)** of the **Illinois Compiled Statutes, Chapter 210, Section 115/1 et seq., as passed, approved and amended by the Illinois General Assembly** are hereby adopted by the City. The applicable provisions as they pertain to manufactured homes and immobilized manufactured homes shall be controlling within the corporate limits of the City.

(B) The **Manufactured Home Community Code** as approved by the **Illinois Department of Public Health (1998)** is hereby adopted by the City. The applicable provisions as they pertain to Manufactured Home community shall be controlling within the corporate limits.

(C) **This Code.**

(D) **Zoning Code.**

In case of conflict between any provisions of the above, the more stringent requirement shall prevail.

23-3-2 PERMITTING AND PLANNING A PARK. Any person seeking to establish, operate, alter, or expand a manufactured home park shall obtain a permit to construct or a license to operate a manufactured home park.

"Construct or operate a manufactured home park", as used in this Code shall include, but not necessarily be limited to supplying or maintaining common water, sewer, or other utility supplies or services, or the collection of rents directly or indirectly from **two (2)** or more independent manufactured homes. **(All plans shall be submitted to the Plan Commission or City Council for approval prior to the granting of a permit.)**

23-3-3 LOCAL GOVERNMENT REQUIREMENTS. A permit does not relieve the applicant from complying with this Code or other ordinances applicable thereto.

23-3-4 PERMITS. The Plan Commission or the City Council shall review each application and plan documents submitted. When the application and plan documents are found to be in compliance with the **"Manufactured Home Community Code"**, as approved by the **Illinois Department of Public Health**, the City Council or its designee may issue the proper permit to construct or alter a manufactured home park to the applicant. Permits shall be valid for **one (1) year from date of issue.**

23-3-5 INSPECTION OF MANUFACTURED HOME PARK. Upon completion of the proposed construction of a manufactured home park or the proposed alteration of a manufactured home park, the applicant shall notify the City or the designated official in order that an inspection of the complete facilities can be made.

23-3-6 VIOLATION PROCEEDINGS. Any license granted hereunder shall be subject to revocation or suspension by the Mayor. However, the Mayor or his representative shall first serve or cause to be served upon the licensee a written notice in which shall be specified the way or ways in which such licensee has failed to comply with the statutes, or any rules or regulations promulgated by the City pertaining thereto. The notice shall require the licensee to remove or abate such nuisance, unsanitary or objectionable condition, specified in such notice within **five (5) days** or within a longer

period of time as may be allowed by the City Council. If the licensee fails to comply with the terms and conditions of the notice within the time specified or such extended period of time, the Mayor or his representative may revoke or suspend such license.

23-3-7 INITIAL PERMIT REQUIRED. Each manufactured home that locates on a lot in a manufactured home park shall secure an initial Building Permit from the City. All future locations on the same lot shall be exempt from the fee.

23-3-8 - 23-3-9 RESERVED.

DIVISION II - DESIGN AND CONSTRUCTION REQUIREMENTS

23-3-10 PLAN DOCUMENT. In order to obtain a permit to construct or an original license to operate a manufactured home park, the applicant shall file with the City a written application and plan documents and such plan documents shall be prepared by a registered engineer or architect licensed to practice in the State of Illinois, with registration seal affixed. **Two (2) copies** of the plan document shall accompany the application filed with the City Clerk to obtain a permit to construct or alter a manufactured home park or an original license to operate a manufactured home park, not previously licensed by the Department. These plans shall include, but not be limited to the design and construction criteria set forth herein.

23-3-11 APPLICATION.
(A) Every applicant shall file with the City Clerk a written application and plan documents for the proposed construction or alteration of a manufactured home park.

(B) The application shall be completed by the applicant and the engineer or architect and shall include:

- (1) The full name and address of the applicant or applicants, or names and addresses of the partners if the applicant is a partnership, or the names and addresses of the officers if the applicant is a corporation, and the present or last occupation of the applicant at the time of the filing of the application. If the applicant is a corporation, a copy of the certificate of incorporation must be filed with the application.
- (2) The proposed method of lighting the structures and land upon which the manufactured home park is to be located.
- (3) The plot plans of the manufactured home park, building plans and specifications for existing buildings and facilities, and the plans and specifications for new buildings and facilities or the proposed alterations in existing facilities.
- (4) An affidavit of the applicant as to the truth of the matters contained in the application shall be attached.
- (5) Each application shall be accompanied by an application fee of **Three Hundred Dollars (\$300.00)** for a permit to construct, or an application fee of **One Hundred Fifty Dollars (\$150.00)** for a permit to alter to increase the size of the park.

23-3-12 LOCATION.
(A) Sites selected for manufactured home development shall be well-drained and free from topographical or geological hinderances and from other conditions unfavorable to a proper residential environment. The manufactured home development shall not be located near swamps,

wetlands, marshes, or other breeding places of insects, rats, mice or other rodents. When a good, natural drainage is not available, storm water drainage shall be provided, and such drainage shall not endanger any water supply or surface watercourse.

(B) The City Council may authorize a site survey to ascertain that the proposed location complies with the above requirements. **(See Flood Plain Code, if any.)**

23-3-13 ROADWAYS AND PARKING.

(A) All streets and driveways in every park shall be constructed in compliance with the Subdivision Code in **Chapter 34** of the City Code.

(B) All streets in parks constructed shall have a minimum right-of-way of **fifty (50) feet** and a minimum road width of **thirty-two (32) feet** for the purpose of this Code and shall be considered private streets to be maintained by the park owner or operator.

If a manufactured home park has more than **fifty (50) units**, a wider street may be required by the corporate authorities.

(C) Sidewalks and walkways shall be constructed abutting a street in a manufactured home park and shall be a minimum of **four (4) feet** in width; provided, however, there shall be no minimum width requirement for sidewalks for each individual lot. No portion of a manufactured home shall block, in any way, the pedestrian traffic on the walkways.

23-3-14 - 23-3-16 RESERVED.

DIVISION III - GENERALLY

23-3-17 LOT SIZE. The minimum lot size for a manufactured home pad shall be **eight thousand (8,000) square feet**, with a minimum frontage of **sixty (60) feet**.

23-3-18 MISCELLANEOUS RESTRICTIONS.

(A) No manufactured home unit parked in a manufactured home park shall be immobilized.

(B) Not more than **one (1) manufactured home unit** shall be parked in **one (1)** space.

(C) No travel-trailer shall be permitted in any manufactured home park, unless a special area has been approved for that purpose by the City Council.

23-3-19 SKIRTING. Skirting shall be used to conceal all underpinning, plumbing, and support piers whether on a permanent foundation or otherwise. All skirting shall be installed on all manufactured housing units within **sixty (60) days** of the placement of the unit.

23-3-20 RESERVED.

DIVISION IV - FEES

23-3-21 LICENSE FEE. The annual license fee per manufactured home park shall be **Fifty Dollars (\$50.00)** and shall be due and payable **on or before May 1st of each year**. The City Clerk shall notify the owner or operator of the annual fee at least **thirty (30) days** prior to **May 1st**.

ARTICLE IV – MANUFACTURED HOME ORDINANCE

23-4-1 **RECITALS.** The prefatory portion of this Article are hereby adopted as if fully set forth herein.

23-4-2 **MANUFACTURED HOME LOANS.** Every manufactured home hereafter established in the City shall, at a minimum, conform to the requirements of the Illinois Manufactured Housing and Manufactured Home Safety Act (**430 ILCS 115/1 et seq.**).

In case of conflict between any provisions of this Ordinance and the foregoing Act, the more stringent requirement shall prevail.

23-4-3 **DEFINITIONS.**

(A) **Abandoned Manufactured Home.** A manufactured home that has no owner currently residing in the manufactured home or authorized tenant of the owner currently residing in the manufactured home, has had no active electric and water service for a period in excess of **ninety (90) days** or is in a state of disrepair.

(B) **Manufactured Home.** A structure, including a prefabricated home, which has self-contained toilet and bath or shower facilities, and which is designed for habitation and so constructed as to permit its transport on wheels, temporarily or permanently attached to its frame, from the place of its construction to the location, or subsequent locations, at which it is intended to be a permanent habitation and designed to permit the occupancy thereof as a dwelling place for one or more persons.

(C) **Manufactured Home Permit.** A permit issued by the City Council allowing the owner of such permit to use as a manufactured home conforming to the requirements of this Ordinance as a dwelling place.

(D) **Nonconforming Manufactured Home.** A manufactured home existing and located within the territorial limits of the City on the effective date of this Ordinance, which lawfully conformed with all federal and state laws, but which failed to comply with one or more of the requirements of this Ordinance and has since continued to so exist.

(E) **Nonconforming Use Discontinued.** The nonconforming use of a manufactured home located within the City limits shall be discontinued whenever:

- (1) said manufactured home is moved, removed or relocated from the site on which it was located on the effective date of this Ordinance;
- (2) said manufactured home is destroyed by accident, casualty or other means;
- (3) said manufactured home is altered or modified by the addition of living area or storage area in, on or contiguous to the manufactured home; or,
- (4) said manufactured home is more than **ten (10) years** old as indicated by the date of manufacture on the certificate of title.

(F) **Recreational Vehicle.** A camping trailer, motor home, mini motor home, travel trailer, truck camper or van camper designed to be used primarily for recreational purposes.

23-4-4 **CONTINUING EXISTING USE AND EFFECTIVE DATE.**

(A) The lawful use of any nonconforming manufactured home may be continued, but if such nonconforming use is discontinued or such manufactured home is abandoned, any future use of said manufactured home shall be in conformity with the provisions of this Ordinance.

(B) Nothing in this Ordinance shall prevent the strengthening or restoring to a safe condition of any part of a manufactured home declared unsafe by the Police Chief, unless such manufactured home is damaged more than **fifty percent (50%)** of its fair market value, as determined by the City Council.

(C) The use of a nonconforming manufactured home may be continued for so long as the manufactured home is not abandoned, modified, altered, sold or moved from the present location,

or at which time the use of such nonconforming manufactured home shall cease and such manufactured home shall be removed or demolished at the owner's expense.

23-4-5 GENERAL REQUIREMENTS.

(A) **Location.** All manufactured homes located within the McLeansboro City limits shall conform to the specifications of this Ordinance.

(B) **Physical Dimensions.** No manufactured home shall be located in McLeansboro which has less than **six hundred (600) square feet** of usable interior living space.

(C) **Foundations.** Manufactured homes to be located in McLeansboro shall rest on and be security attached to a foundation, system of piers or piling, or concrete slab according to specifications established and provided by Illinois law.

(D) **Skirting.** All manufactured homes to be located in McLeansboro shall be fitted with suitable skirting or other covering around the based or foundation of the unit to visually hide the foundation, piers or crawl space beneath the manufactured home. All such skirting or covering shall be of fire-resistant materials and shall provide an access door or inspection hatch. Such skirting shall be in place within **thirty (30) days** of the placement of the manufactured home upon the site.

(E) **Used, Rebuilt, or Other Than New.** No manufactured home shall be located in McLeansboro that does not satisfy construction and safety standards set out in the National Manufactured Home Construction and Safety Standards (42 U.S.C. 5401 et seq.), as amended and the rules promulgated thereunder (24 C.F.R. 3282 et seq.), as amended.

(F) **City Inspection.** All manufactured homes, whether new, used, rebuilt, or modified in any way shall upon installation and set-up be inspected by the Police Chief to confirm its compliance with this Ordinance and all applicable sections of the McLeansboro Municipal Code.

(G) **Recreational Vehicles and Other Structures Prohibited.** No recreational vehicle, bus, camper, or similar vehicle shall be located in the City to be used as a dwelling place. No portable or movable building or structure, whether new, used, rebuilt, or modified in any way, and not originally manufactured for the express and intended purpose to be used as a permanent dwelling place, shall be located and installed within the City to be used as a dwelling place.

(H) **Site.** All manufactured homes to be located in McLeansboro shall be on a well-drained site so that drainage will not constitute a hazard or nuisance to persons, property, or water supply in the vicinity of the site.

(I) **Tiedown and Anchoring.** All manufactured homes located in McLeansboro shall meet the tiedown and anchoring requirements as specified in Illinois Manufactured Home Tiedown Act (**210 ILCS 120/1 et seq.**), as amended.

(J) **Water.** All manufactured homes to be located in McLeansboro shall be connected to the City water supply and fitted with suitable water meter connection.

(K) **Sewer.** All manufactured homes to be located in McLeansboro shall be connected to the City sewer system.

(L) **Electricity.** All manufactured homes to be located in McLeansboro shall be connected to the City electrical system unless another electric provider is otherwise entitled to serve pursuant to agreement by the City.

(M) **Fuel Storage.** All manufactured home fuel storage tanks or cylinders shall be permanently, and security fastened and shall not be located inside or beneath the manufactured homes, or less than **fifteen (15) feet** from the manufactured home entrance/exit. Such fuel storage shall be permitted in tanks or other approved containers mounted on an incombustible frame or rack at the rear of the manufactured home. Fuel containers shall not exceed **three hundred (300) gallon** capacity unless approved in advance by the City Council.

(N) **Natural Gas or Butane System.** All natural gas or butane systems shall be installed according to specifications in the current City contract with its provider of such services. All gas piping installed below ground shall have a minimum earth covering of **eighteen (18) inches**. No gas mains or lines shall be located underground under any manufactured home.

(O) **System Shut-Off Valve.** A readily accessible and identified shut-off valve, controlling the flow of fuel to the central fuel piping system shall be installed near the point of connection to the main fuel system.

(P) **Manufactured Home Fuel Shut-Off Valve.** Each manufactured home shall have an approved shut-off valve installed upstream of the manufactured home fuel outlet and located on the outlet riser at the height of not less than **four (4) inches** above grade. Whenever the manufactured

home outlet is not in use, the outlet shall be equipped with an approved cap or plug to prevent accidental discharge of fuel.

(Q) **Fuel Oil Distribution System.** Fuel oil piping installed below ground shall have a minimum earth covering of **eighteen (18) inches** and all fuel lines shall be provided with a stopcock at the outlet of the fuel container and another stopcock just before the fuel line enters the manufactured home. No fuel oil lines shall be located or installed under any manufactured home.

(R) **Replacement Manufactured Homes.** Any manufactured home to be located in McLeansboro as a replacement for an existing manufactured home shall conform to all specifications and requirements of this Ordinance, including the procedure for application for a new Manufactured Home Permit.

(S) **Manufactured Homes Improperly Placed.** Any manufactured home improperly placed in McLeansboro shall be subject to penalties and fines as provided for in **Section 23-4-8** of this Ordinance and shall be removed at the owner's expense. Any legal fees incurred by the City, or other costs incurred as a result of an improperly placed manufactured home shall be the responsibility of the owner.

(T) **Manufactured Homes as Business or Storage Structure.** No manufactured home shall be permitted to be used as a permanent office, or place of business, or any commercial enterprise, nor shall the manufactured home be used as a storage facility for the storage of goods and/or chattels. Manufactured Homes used at a temporary construction site for the purpose of an office for a contractor, or state or federal agency are not affected by this Section.

(U) **Manufactured Home Permit.** A Manufactured Home Permit may be issued by the City of McLeansboro permitting a manufactured home as defined in this Ordinance, to be located within the City provided it shall be located on property owned by the owner of the manufactured home unit and is to be properly connected to the City water, sewer, and electrical system as specified in this Ordinance.

(V) **Application.** An applicant for a Manufactured Home Permit or Special Use Permit shall file an application for such permit to the City Clerk or other person designated by the Council. No application for a Manufactured Home Permit shall be considered unless the applicant furnishes to the other person designated by the Council, a completed and certified application for Manufactured Home Permit form. The City Clerk or other person designated by the Council shall then schedule a hearing before the City Council. The City Clerk, or other person designated by the Council, shall cause notice to be published in a newspaper of general circulation in the City not more than **thirty (30) days** nor less than **seven (7) days** prior to such hearing.

(W) **Public Hearing.** A public hearing shall then be held by the City Council and any party may appear in person, by agent or attorney. After the hearing, the City Clerk or other person designated by the Council shall recommend whether or not the Council should recommend approval of the issuance of the Manufactured Home Permit as requested. The Council shall then act upon the recommendation of the City Clerk, or other person designated by the Council, but shall not be bound by the recommendation. The Council shall vote upon the recommendation and the vote of the Council shall be final with regard to the issuance of a Manufactured Home Permit.

(X) **Application Fee.** A non-refundable fee of **Fifty Dollars (\$50.00)** shall accompany the application to cover the cost of publication and legal fees involved in the issuance of said Manufactured Home Permit. The applicant, upon being issued a Manufactured Home Permit, shall within a period of not to exceed **six (6) months** from the date of the issuance, place a manufactured home upon the site or the permit shall expire. A Manufactured Home Permit as described in this Ordinance may be transferred to another person only upon the written approval of the City Council, prior to transfer.

23-4-6 ABANDONED, WRECKED, DAMAGED OR DILAPIDATED MANUFACTURED HOMES. Abandoned, wrecked, damaged or dilapidated manufactured homes shall not be kept or stored in a manufactured home park or upon any premises in the City. The Police Chief shall determine if a manufactured home is abandoned, wrecked, damaged or dilapidated to a point that makes it unfit for human occupancy. Such manufactured homes are hereby declared a public nuisance. Whenever the Police Chief determines, he/she shall notify the landowner where such manufactured home is located, if such owner can be determined and located, in writing that such public nuisance exists on lands owned by him, giving the findings upon which his/her determined is based and shall order such home removed

from the City or repaired to a safe, sanitary and wholesome condition of occupancy within a reasonable time, but not less than **thirty (30) days**, nor more than **one hundred eighty (180) days**.

If such manufactured home has not been removed or repaired within the time stated in such written notice, a citation shall be issued to the person or persons to whom the written notice was given and upon conviction such person or persons shall be subject to a fine as provided herein. Nothing in this Section shall preclude the City from maintaining any other appropriate action to abate such public nuisance in any manner otherwise provided for by City ordinance or state statute.

23-4-7 INSPECTION. Not less than **thirty (30) days** and not more than **sixty (60) days** after a manufactured home has been placed upon a lot in the City of McLeansboro, the Police Chief shall conduct a proper inspection to verify that all requirements of this Ordinance have been complied with, and shall make a report to the City Council.

(A) Each site on which a manufactured home is accommodated shall have a minimum area of **two thousand five hundred (2,500) square feet.**

(B) No manufactured home shall be parked closer than **five (5) feet** to the side lot lines or a park, or closer than **ten (10) feet** to a public street, alley or building.

(C) All streets shall have unobstructed access to a public street.

(D) There shall be an open space of at least **ten (10) feet** adjacent to the sides of every manufactured home and at least **five (5) feet** adjacent to the ends of every home.

23-4-8 PENALTY.
(A) Any person violating any of the provisions or failing to comply with any of the mandatory requirements of any provision of this Ordinance shall be punished by a fine not to exceed **Seven Hundred Fifty Dollars (\$750.00).**

(B) Each day any violation of any provision of this Ordinance shall continue shall constitute a separate offense.

(C) Any violation of this Ordinance shall be considered a nuisance. In addition to the penalties described, any owner of property found to be in violation of this Ordinance may be required to abate the nuisance found to exist within the City.

(D) The City may abate any nuisance found to exist pursuant to this Ordinance. Any and all costs, attorney's fees and charges incurred by the City in abating such nuisance shall be charged to and payable by the owner of such property.

(Ord. No. 16-1031; 11-09-16)