

Part II
Article XI

PLACEMENT OF TYPE I MANUFACTURED HOMES

Section 1100: Intent

A. Type I Purpose

It is the intent of this ordinance to encourage the provision of alternative housing in general residential areas by permitting the use of Type I manufactured homes, as defined herein, in all districts with similar dwellings constructed on site are permitted, subject to the requirements and procedures set forth herein to assure acceptable similarity in exterior appearance between such Type I manufactured homes and dwellings that have been or might be constructed under these and other lawful regulations on adjacent or nearby lots in the same district.

Section 1110: Definitions

A. ANSI/NFPA 501 A Installation Standards

Standards for installation of manufactured homes, Type I as adopted and copyrighted by the Manufactured Housing Institute and the National Fire Protection Association contained within their publication: "Standard for the Installation of Mobile Homes"

B. Manufactured Home

A dwelling unit fabricated in an off-site manufacturing facility for installation or assembly at the building site, bearing a seal certifying that it is built in compliance with the federal Manufactured Housing Construction and Safety Standards Code or Indiana Public Law 360, Acts of 1971, as promulgated by the Indiana Administrative Building Council. Manufactured home, Type I is defined as meeting all of the appropriate requirements of Article IV of this chapter.

C. Manufactured Housing Construction and Safety Standards Code

Title VI of the 1974 Housing and Community Development Act (Public Law 93-383, U.S.C. 5401 et sequental), as amended (previously known as the federal Mobile Home Construction and Safety Act), rules and regulations adopted thereunder, which include information supplied by the home manufacturer, which has been stamped and approved by a Design Approval Primary Inspection Agency, who is an agent of the U.S. Dept. of Housing and Urban Development pursuant to HUD rules, and regulations and interpretations of said code by the Indiana Administrative Building Council.

D. Occupied Space

The total area of earth horizontally covered by the structure, excluding accessory structures, such as, but not limited to, garages, patios and porches.

E. One and Two Family Dwelling Code

The nationally recognized model building code prepared by the Council of American Building Officials, adopted by the Indiana Administrative Building Council (ABC) and, which includes those supplements and amendments promulgated by the ABC.

Section 1120: Applicability**A. Permitted Placement**

The establishment, location and use of Type I manufactured homes as permanent residences approved individually, by specific materials, or by design, shall be permitted in any zone permitting installation of a dwelling unit, subject to requirements and limitations applying generally to such residential use in the district, and provided such homes shall meet the following requirements and limitations:

- 1) the dwelling shall reset the appropriate Exterior Appearance Standards, as hereinafter set forth in Article IV.
- 2) the dwelling shall be sited in a district where such use is permitted.
- 3) the dwelling shall receive all required permits and conform with the Comprehensive Plan and other ordinances of the City of Valparaiso.

B. Non-conforming Homes

A manufactured or mobile home placed and maintained on a tract of land and deemed to be a legal non-conforming use prior to the adoption of this ordinance, shall continue to be a legal non-conforming use. If the non-conforming use is discontinued, the land thereafter must be used in conformity with all provisions of the zoning ordinance.

C. Replacement of Non-conforming Homes

Thereafter, upon application to the Building Commissioner, subsequent approval thereof, a manufactured or mobile home, deemed a legal non-conforming use, may be replaced by a manufactured home, provided the replacement is of an equal or a higher type, as specified in Article IV of this ordinance, the Exterior Appearance Standards. Equal or higher type means that a mobile home may be replaced with a Type I manufactured home or another mobile home; a Type I manufactured home could be replaced with another Type I manufactured home.

Section 1130: Exterior Appearance Standards**A. Manufactured Home Classification**

Manufactured homes shall be classified as to acceptable compatibility or similarity in appearance with site-constructed residences, as follows:

- 1) a Type I manufactured home shall:
 - a. have been constructed after January 1, 1981,
 - b. have more than nine hundred and fifty (950) square feet of occupied space in a double-section or larger multi-section unit,
 - c. be placed onto a permanent, underfloor, foundation in accordance with approved Installation Standards, as specified in Article VI,
 - d. be placed onto a permanent exterior perimeter retaining wall, in accordance with approved Installation Standards, as specified in Article VI,
 - e. be anchored to the ground, in accordance with approved Installation Standards, as

- specified in Article VI,
- f. have wheels, axles and hitch mechanisms removed,
- g. meet appropriate utility connection standards, in accordance with approved Installation Standards, as specified in Article VI,
- h. have siding material of a type customarily used on site-constructed residences - see Approved Materials List as provided below: *
- i. have roofing material of a type customarily used on site-constructed residences - see Approved Materials List as provided below: *
- j. each single-family dwelling with one and one half (1½) or more stories shall have a minimum first floor area of not less than nine hundred and fifty (950) square feet,
- k. have a minimum width of twenty-three (23) feet.

* Approved siding and roofing materials lists for Type I Manufactured Homes

Siding:

1. residential horizontal aluminum lap siding
2. residential horizontal vinyl lap siding
3. cedar or other wood siding
4. wood grain, weather resistant, press board siding
5. stucco siding
6. brick or stone siding

Roofing:

1. asbestos shingles on a roof pitched according to the design specifications of the shingles
2. fiberglass shingles on a roof pitched according to the design specifications of the shingles
3. shake shingles on a roof pitched according to the design specifications of the shingles
4. asphalt shingles on a roof pitched according to the design specifications of the shingles
5. tile materials on a roof pitched according to the design specifications of the materials

Section 1140: Schedule Of Uses

Type I Manufactured Homes are permitted uses, as follows:

Low Density Residential (R-1A)	With Special Exception Permit Only
Single Family Residential (R-1)	Permitted
Medium Density Residential (R-2)	Permitted
High Density Residential (R-3)	Permitted
Mobile Home Park	Prohibited Use
All Business Districts	Permitted
All Manufacturing Districts	With Special Exception Permit Only

Section 1150: Installation Standards

A. Perimeter Retaining Wall

Those manufactured homes designated in the zoning ordinance, as requiring permanent perimeter retaining walls must be set onto an excavated area, with foundations, footings and crawl space or basement walls constructed in accordance with the terms of the One and Two Family Dwelling Code. The space between the floor joists of the home and the excavated underfloor grade shall be completely enclosed with the permanent perimeter retaining wall.

The wall shall be closed of solid masonry, concrete, all-weather wood, or other approved materials, which in all cases shall extend below the frost line. The design, by a registered professional engineer or architect, shall safely support those loads, as determined by the character of the soil.

B. Support System (Foundation)

1) Type I Manufactured Homes:

All HUD-Code Type I Manufactured Home foundations shall be installed in conformance with the regulations in the One and Two Family Dwelling Code and with the manufacturer's installation specifications.

2) FL 360 Code Homes:

All FL 360 Code Home foundations shall be installed in conformance with the regulations in the One and Two Family Dwelling Code and with the manufacturer's installation specifications.

3) Pier Design:

In addition to the above code requirements, the following minimum design standards shall apply to all manufactured homes:

a) Piers and Caps:

Piers of load bearing supports or devices shall be designated and constructed to evenly distribute the loads. Piers shall be securely attached to the frame of the home or extend at least 6 inches from the centerline of the frame member. Manufactured load bearing supports or devices shall be approved for the use intended, or piers shall be constructed as follows:

1. when single 8" x 8" x 16" concrete blocks are used, they shall not exceed 3' high, with open cells vertically pieced upon the footing and with the 16" dimension perpendicular to the I-beam frame, and than shall be covered with 2" x 8" x 16" preservative-treated hardwood or solid concrete block caps,
2. when 4" high and 5" high block piers are used, they shall be double blocked with .interlocking concrete blocks and they shall be covered with 4" x 8" x 16" preservative-treated hardwood or solid concrete block caps,
3. for piers extending more than 40 inches above finished grade level, they shall be double blocked with interlocking concrete blocks, with Number Three reinforcing steel in the four corners, poured solid with 2,500 psi concrete, and they shall be covered with 4" x 8" x 16" preservative treated hardwood or concrete caps.

b) Plate and Shims:

The plate shall be a cushion of preservative-treated hardwood or other approved material no exceeding 2" in thickness. The preservative-treated hardwood shims, which cannot exceed 1" in thickness, shall be used to fill the gap between the top of the pier cap and the frame of the home. Two-inch or four-inch solid concrete blocks may be used to fill the remainder of any gap. Shims shall be fitted and driven tight between the plate and the main frame.

C. Anchoring System

All manufactured homes shall be anchored meeting one of the following approved standards:

- 1) Installation pursuant to manufacturer's specifications.
- 2) Installation pursuant to the design of the entire support and anchoring system by a registered professional engineer or architect.
- 3) Installation pursuant to the regulations established in the ANSI/N-FPA 501 A Installation Standards.
- 4) Installation pursuant to standards and requirements of the building department.
- 5) Installation pursuant to the standards and requirements of the utility company, as approved by the building department.

Section 1160: Permits

A. Improvement Location Permit

1) Requirements:

Prior to the location, relocation or establishment of any Type I manufactured home, the homeowner or authorized representative shall secure from the Building Commissioner an Improvement Location Permit, which states that the building and its location conform to the Comprehensive Plan. Each application for an Improvement Location Permit shall be accompanied by:

- a. Those plot plans as required for all dwelling units, but which at a minimum include elevations or photographs of all sides of the home, exterior dimensions, roof materials, foundation siding or perimeter retaining wall treatment, foundation construction and materials, exterior finishes and the like (see Building Permit).
- b. Health department approval for any sewage disposal or water supply, where applicable.
- c. P.U.D. or subdivision permit approval, where applicable.
- d. A copy of the approved installation instructions, which will be used for installation purposes, where applicable.
- e. Such other information as may be required by the Building Commissioner for proper enforcement of this ordinance.
- f. An agreement signed by the home owner or authorized representative pledging compliance with the terms set by the Plan Commission in the Improvement Location Permit.

2) Issuance of Permit

After receipt of the information required for an Improvement Location Permit, the Building Commissioner shall review the standards set in this ordinance. If the applicant has met all required standards, then within three days the Building Commissioner shall issue the Improvement Location Permit.

3) Additional Action Necessary

If after receipt of the information, required for an Improvement Location Permit, the Building Commissioner finds that the applicant has not fully met the standards set in the ordinance and the changes or additional actions needed are deemed by the Commissioner to be relatively minor or simple, within 10 days a conditional approval can be issued, with the stated conditions which must be met prior to occupancy spelled out, and the reasons for change clearly stated in writing. If the applicant agrees in writing to the further conditions, the effect

being an amendment to the application to conform to the requirements, approval is given and the applicant proceeds. If the applicant does not agree, the application is denied, with reasons stated in writing.

4) Denial of Permit

If any of the major elements are clearly out of line with the standards, within 10 days issuance of the Improvement Location Permit will be denied, with a written statement specifying the reasons for the denial.

B. Certificate of Occupancy

Prior to the occupancy of any manufactured home, Type I, the homeowner or authorized representative shall secure from the Building Commissioner a Certificate of Occupancy, stating that the building and its use currently with all provisions of the ordinance applicable to the building or the use in the district in which it is to be located.

Section 1170: Penalty For Violation

A. Failure to Comply

Each day of non-compliance with the provisions of this ordinance constitutes a separate and distinct ordinance violation. Judgment of up to one thousand dollars (\$1,000.) per day may be entered for a violation of this ordinance.

B. Subject to Removal

A home, sited upon property in violation of this ordinance, shall be subject to removal from such property. However, the homeowner must be given a reasonable opportunity to bring the property into compliance before action for removal can be taken. If action finally is taken by the appropriate authority to bring compliance, the expenses involved may be made a lien against the property.

C. Removal Method

The Commissioner may institute a suit in an appropriate court for injunctive relief to cause such violation to be prevented, abated or removed.

Section 1180: Severability Clause

If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance. It is being expressly declared that this ordinance and each section, subsection, paragraph, sentence, clause and phrase would have been adopted regardless of the fact that any one or more of the above be declared invalid or unconstitutional.