

**Mobile Home Park Ordinance**  
**County of Surry, North Carolina**

AN ORDINANCE OF THE COUNTY OF SURRY, NORTH CAROLINA, REGULATING THE DEVELOPMENT OF MOBILE HOME PARKS, DEFINING TERMS USED HEREIN, PROVIDING A METHOD OF ADMINISTRATION AND ENFORCEMENT, AND PROVIDING PENALTIES FOR VIOLATIONS OF THIS ORDINANCE.

Article I

TITLE

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

Article II

AUTHORITY AND ENACTMENT

The Board of County Commissioners of the County of Surry, pursuant to the authority conferred by the General Assembly of the State of North Carolina (General Statutes, Chapter 153A, Section 121) hereby ordains and enacts into law these articles and sections.

Article III

JURISDICTION

On and after the date of adoption, the provisions of this ordinance shall apply to mobile home parks within Surry County and outside the jurisdiction of any municipality within Surry County. Upon approval by the Board of Commissioners of Surry County, this ordinance may also regulate the territory within the jurisdiction of any municipality whose governing body petitions by resolution for such regulation. Any municipal governing body may, following thirty (30) days written notice, subsequently withdraw from the jurisdiction of this ordinance.

Article IV

PURPOSE

The purpose of this ordinance is to provide minimum standards of planning, design, construction, operation, and maintenance of mobile home parks in order to provide for the health, safety, and welfare of the citizens of Surry County, and to provide for the orderly development of the physical and economic resources of Surry County.

Article V

DEFINITIONS AND WORD INTERPRETATION

Section 500. Definitions

500.01. Mobile Home Park. A tract of unsubdivided land upon which two or more mobile homes are to be placed for rental or where ground space is to be rented for the placement of two or more mobile homes.

500.02. Existing Mobile Home Park. Any mobile home park within the jurisdiction of Surry County which is in existence at the time of adoption of this ordinance.

500.03. Mobile Home. A mobile home is a structure that (a) consists of a single unit completely assembled at the factory or of two (double-wide) or more components, totally assembled at the factory and joined together at the site; and (b) is designed so that the total structure (or each component thereof) can be transported on its own chassis; and (c) is designed to be used as a dwelling and provides complete, independent living facilities for one family, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

500.04. Board of County Commissioners. The Surry County Board of Commissioners.

500.05. Planning Board. The Surry County Planning Board.

500.06. Health Department. The Surry County Health Department.

500.07. Inspections Department. The Surry County Inspections Department.

500.08. Register of Deeds. The Surry County Register of Deeds.

Section 501. Word Interpretation

501.01 The word "may" is permissive.

501.02 The word "shall" is mandatory.

Article VI

MOBILE HOME PARK DEVELOPMENT APPLICATION AND REVIEW PROCEDURES

Section 600. Development Application Requirement

Before developing a mobile home park, the owner shall prepare a development application for review by the Surry County Planning Board and other governmental agencies.

Section 601. Contents of Application

601.01. Area Map. The application shall contain an area map prepared on a full sheet or full sheets of the Surry County Tax Maps showing the property to be developed. The area map shall show the following information:

1. The boundary of the property to be developed.
2. The names and addresses of adjoining property owners.
3. The location of existing streets, buildings, railroads, transmission lines, sewers, bridges, culverts, drainpipes, and easements, to the extent that these may be ascertained from a field inspection of the property.
4. Town limit lines, township lines, zoning district classifications.
5. The name of the fire district serving the property.
6. Basic geographic information about the site, including general topography, proximity to streams, susceptibility to flooding as determined from available flood plain maps, soil characteristics, and other characteristics which may impose restrictions on the development of the site.
7. If the park is to be developed in stages, this should be designated on the area map.

601.02. Boundary Survey. The developer shall have prepared by a registered land surveyor a boundary survey, which shall meet all requirements for recordation in the office of The Register of Deeds.

601.03. Detailed Development Plan. The application shall contain a detailed development plan showing the following information on a sheet not less than 14" X 18" drawn at a scale of sufficient size to accurately and clearly show all required information:

1. Name of owner, surveyor, and land planner.
2. Vicinity map insert showing location of park in relationship to near-by towns, communities, and roads.
3. Boundaries of tract to be developed shown with bearings and distances as established by the boundary survey.

4. Site data table, including total square feet in common recreation area, total number of home sites, lineal feet of streets, and total acreage.
5. Proposed streets, street names, sidewalks, rights-of-way, pavement widths, and approximate grades. Access to a state road shall be provided and shown.
6. The location of proposed utilities showing connections to existing systems or plans for individual or public water supply, sewage disposal, storm drainage, and park lighting. An alternative well site and room for repair of the septic tank system as specified by the Health Department shall be designated.
7. Other proposed rights-of-way or easements--location, widths, and purposes.
8. Proposed setback lines from property boundaries.
9. Proposed mobile home sites. All sites have boundary dimensions shown and shall have permanently assigned site numbers.
10. Proposed common recreational areas.
11. Title, date, north arrow, and graphic scale.
12. Proposed stormwater drainage system.
13. Proposed plan for park lighting.

Section 601.04. Other Information. In addition to the area map, boundary survey, and development plan, the application shall contain the following:

1. A copy of any park regulations which the owner proposes to use.
2. A letter from the N.C. Division of Highways Engineer indicating that his office has reviewed the area map and development plan and specifying any problems such as highway access or right-of-way encroachments which need to be resolved prior to approval of the application.
3. A copy of the Health Department's septic system permit, or other evidence that the septic system has been approved.
4. A letter from the Surry County Fire Marshall indicating that he has reviewed the project with the chief of the volunteer fire department serving the project area, and the Director of Emergency Medical Services and stating any problems which need to be resolved prior to approval of the application.
5. Proposed sedimentation control measures approved by the N.C. Department of Natural Resources and Community Development.
6. Proposed landscaping and garbage containment plans.
7. Certificates or letters of approval from appropriate state agencies if the developer is proposing to install a package waste treatment plant or a public or community water system.

602.01. Submission of Application to Planning Board. By the first business day of the month in which the owner is seeking review of his application, the owner shall submit the following to the Secretary of the Surry County Planning Board:

1. One (1) copy of the complete application, including the area map, the boundary survey, the detailed development plan, and required letters and documents.
2. Twelve (12) copies of the detailed development plan.

602.02. Review of Application by Planning Board. The Planning Board shall begin its review of the application at its first regular meeting following submittal as specified above. Review of applications filed after the first working day of the month may be postponed at the Planning Board's discretion until the following month.

The Planning Board has forty-five (45) days in which to complete its review of the application. During this period, the Planning Board may request additional information from the applicant and may consult with other governmental agencies. Following its review the Planning Board may approve, disapprove, or approve conditionally the application for mobile home park development.

If the Planning Board disapproves the application or gives conditional approval, the reasons for such action shall be noted in the Board's minutes and the owner shall be notified of the action necessary to gain final approval. The owner may resubmit his application after taking corrective action as required by the Planning Board. In the event that the owner is not able to secure Planning Board approval of his corrected application, he may submit his application directly to the County Commissioners.

602.03. Review of Application by County Commissioners. Following approval of the application by the Planning Board, the owner shall furnish the Planning Board's Secretary ten (10) copies of the final development plan with all corrections or additional information required by the Planning Board. The Secretary shall forward the application to the Board of County Commissioners. Said Board shall approve, disapprove, or return the application to the Planning Board for further review within thirty (30) days after receiving the Planning Board's recommendations.

If the Board of County Commissioners approves the application, the Building Inspector shall issue a permit entitling the owner to proceed with development of the park in accordance with approved plans.

602.04. Filing of Documents

1. Following final approval of the application by the County Commissioners, the owner shall record the boundary survey with the Register of Deeds.
2. A copy of the complete application shall be kept on file, as a public record, in the office of the Building Inspector.

Article VII

MINIMUM DEVELOPMENT STANDARDS

Section 700. Area and Lot Requirements

700.01. Minimum Area. Each mobile home park shall be developed on a tract not less than one (1) acre in size and shall contain at least two (2) mobile home spaces available at first occupancy.

700.02. Lot Requirements. Each mobile home lot or space shall consist of a minimum of six thousand (6,000) square feet and shall have a minimum continuous width of fifty (50) feet. Each mobile home space may be occupied by only one (1) mobile home at any time. All mobile home spaces or homes shall be numbered, with numerals visible from the interior street.

700.03. Setbacks. No mobile home shall be located closer than:

- a. Thirty (30) feet to a State highway or city street right-of-way.
- b. Thirty (30) feet to the exterior boundary of the park.
- c. Thirty (30) feet to another mobile home.
- d. Twenty-five (25) feet to an internal street in the park.

Distances shall be measured from the outermost part of the unit including tongue or towing apparatus, porches, steps, oil tank, or other attachment. No accessory building shall be permitted within the setback area.

700.04. Signs. Permanent signs for identification of mobile home parks shall be no more than thirty-two (32) square feet in size. One such sign per park is permitted. Illumination of such signs must be non-flashing.

700.05. Drainage. Each mobile home space shall be graded so as to provide proper drainage from the home site. No mobile home space shall be located in an area subject to flooding or seasonal high water table.

700.06. Utility Services. Whenever practical, the mobile home water system should provide a ready connection for firefighting equipment.

700.07. Foundations. Each mobile home unit shall be secured by adequate foundations, tiedowns, and anchors so as to conform to the State of North Carolina Regulations for Mobile Homes.

It is recommended that mobile home park owners provide in their park regulations that mobile homes be skirted with non-flammable approved materials if not placed on a permanent foundation.

### Section 701. Streets and Parking

701.01. Streets. All streets within the mobile home park shall be paved with concrete or asphalt or provided with an all-weather surface of at least four (4) inches of crushed stone on a well compacted sub-base to a continuous width of twenty (20) feet.

701.02. Off-Street Parking. Each mobile home space shall have two (2) off-street parking spaces surfaced with pavement or a minimum of four (4) inches of crushed stone or gravel, extending to the internal street serving the space. At his option, the developer may install ten (10) foot wide shoulders on one or both sides of interior streets, using these for off-street parking instead of individual spaces for each mobile home.

701.03. Cul-de-sac. Dead-end streets shall be provided with cul-de-sacs with a minimum of forty-five (45) feet in diameter.

701.04. Access. No mobile home space may have direct access to any public street. Each lot shall have direct access to an internal street of the park.

### Section 702. Miscellaneous Minimum Requirements

702.01. Landscaping. The owner shall provide an evergreen buffer strip on all exterior boundaries of the park. The buffer strip shall be of white pines or other approved evergreen a minimum of five feet high at time of planting, spaced no more than ten (10) feet apart. The owner may propose alternative buffers for the Planning Board's consideration. Continuing maintenance of the buffer shall be the responsibility of the park owner.

702.02. Refuse Collection. The owner shall provide a refuse collection system satisfactory to the Surry County Health Department, and shall maintain it in a sanitary condition.

702.03. Recreation Area. At least four hundred (400) square feet of common recreation area shall be provided for each mobile home. This area is separate from the mobile home lot area, and shall be grouped in areas large enough for recreational activities.

702.04. Plumbing Installation Standards. Plumbing installations in mobile home parks and travel trailer parks shall meet the requirements of the North Carolina State Building Code, Volume II, Appendix D.

## Article VIII

## INSTALLATION OF IMPROVEMENTS

Section 800. Requirements for Installation

Following the issuance of the approval permit by the Building Inspector, the owner may proceed to install mobile home park improvements as specified in the approved plans. The intent of this permit is to authorize the construction of the park according to the approved plans and shall not be construed to entitle the owner to offer spaces for rent or lease, or to operate a mobile home park as defined in this ordinance until construction has been completed and has been inspected by the Surry County Inspections Department and the Surry County Health Department. Improvements may be installed in stages, if this was specified in the park development application and subsequently approved.

The Surry County Inspections Department shall not issue a permit to connect electricity to a mobile home until the park or specified stage of the park has been completed in compliance with this ordinance and the approved plan has been approved as specified above.

Section 801. Maintenance

Continuing maintenance and upkeep of the park are responsibilities of the owner. If the owner fails to maintain the park and allows it to fall below the development standards specified herein, the Building Inspector may recommend to the Planning Board that the park permit be revoked. The owner shall be entitled to a public hearing before the Planning Board.

After hearing testimony of the Building Inspector, the owner, and other persons who have information pertinent to the case, the Planning Board may:

- a. Overrule the Building Inspector's recommendation.
- b. Prepare a list of corrective actions which the owner shall make within a time specified by the Planning Board.
- c. Recommend to the County Commissioners that the permit be revoked.

If the County Commissioners receive a recommendation of permit revocation from the Planning Board, the County Commissioners shall schedule a public hearing on the recommendation. Following the public hearing the County Commissioners may:

- a. Overrule the Planning Board's recommendation.
- b. Prepare a list of corrective actions which the owner shall make within a time specified by the County Commissioners.
- c. Revoke the owner's permit.

In the event that a permit is revoked, the Inspections Department shall issue no permits for the placement of mobile homes in the park, and the County may seek other relief as the courts may provide.

Notwithstanding the foregoing provisions of Section 801 of this ordinance, if, for any reason, a sewage treatment and disposal system falls into disrepair, such system shall not be used again until it meets all of the provisions of 10 NCAC Section .1900 and all provisions of Article 11 of Chapter 130A of the General Statutes.

## Article IX

## EXCEPTIONS AND VARIANCES

Section 900. Existing Mobile Home Parks

Mobile home parks existing at the time of adoption of this ordinance are not required to comply with the regulations and minimum standards

of this ordinance. However, before any existing mobile home park creates additional mobile home sites, all requirements of this ordinance must be met for the entire park. Parks which are under physical construction at the time of adoption of this ordinance, but which are less than 50% complete as determined by the Building Inspector shall comply with this ordinance. Parks which are unoccupied for a continuous period of one year shall be required to meet the minimum standards of this ordinance before re-opening.

#### Section 901. Variances

Where, because of topographical or other conditions peculiar to the site, strict adherence to the provisions of the regulations of this ordinance would cause an unnecessary hardship, the Planning Board may recommend and the Board of County Commissioners authorize a variance, if such variance can be made without destroying the intent of this ordinance. Any variance thus authorized is required to be entered in writing in the Minutes of the Planning Board and of the Board of County Commissioners and the reasoning on which the departure was justified set forth.

### Article X

#### REMEDIES

#### Section 1000. Remedies

In addition to the provisions of Section 801 of this ordinance, the ordinance may be enforced by each and every remedy enumerated in the General Statutes (153A-123) of North Carolina. In addition to other remedies, the Building Inspector, any person damaged by a violation of this ordinance, or any appropriate county authority may institute an injunction, order of abatement, or other appropriate action in proceeding to prevent the violation.

### Article XI

#### LEGAL STATUS PROVISIONS AND EFFECTIVE DATE

#### Section 1100. Amendments

This ordinance may be amended from time to time by the Board of County Commissioners as herein specified, but no amendment shall become effective unless it shall have been proposed by or shall have been submitted to the Planning Board for review and recommendation. The Planning Board shall have forty-five (45) days within which to submit its report. If the Planning Board fails to submit a report within the specified time, it shall be deemed to have approved the amendment.

#### Section 1101. Severability

Should any section or provision of this ordinance be decided by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part as declared to be unconstitutional or invalid.

#### Section 1102. Conflict With Other Laws

In interpreting and applying the provisions of this ordinance, said provisions shall be held to be the minimum requirements for promoting the intent of this ordinance. This ordinance is not intended to interfere with, abrogate, or annul other rules, regulations, or ordinances of the County. However if the requirements of any other lawfully adopted rules, regulations, or ordinances of the County of Surry conflict with this ordinance, the more restrictive or that imposing the higher standards shall govern.

#### Section 1103. Effective Date

This ordinance shall take effect and be in force on January 22, 1984.