

ORDINANCE NO. 170

An Ordinance Establishing and Regulating  
Manufactured Housing Parks and Recreational  
Vehicles in the City of Barling, Arkansas

WHEREAS, the City of Barling has become inundated with parks occupied by residences described as mobile homes or manufactured homes which have existed without sufficient standards to promote the orderly and efficient provision of public services, have been inadequate in design and operation such that adjacent properties, and living conditions of adjacent residents, have been adversely effected and have been located without regard to the resultant effect on aesthetics, and the general health, safety and welfare of residents.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Barling, Arkansas:

SECTION 1: Definitions. As used in this Ordinance, the following terms shall have the stated meanings:

A. "Manufactured home" shall mean a factory built structure or structures generally more than eight body feet in width and thirty-two body feet or more in length, equipped with the necessary service connections and made so as to be readily moveable as a unit or units on its or their own running gear and designed to be used as a dwelling unit or units with or without a permanent foundation. The phrase "without a permanent foundation" means that the support system is constructed with the intent that the manufactured home placed thereon may be moved from time to time at the convenience of the owner.

B. "Manufactured home lot" shall mean a parcel of land for the placement of one single or multi-sectional manufactured home and its accessory buildings for the exclusive use of its occupants, whether or not said parcel of land has been officially platted and the plat thereof filed of record.

C. "Manufactured home park" shall mean a specifically designated area of land which has been developed for the placement of manufactured homes, or as permitted herein, recreational vehicles, to be used as residences, whether intended to be temporarily or permanently.

D. "Recreational vehicle" shall mean a vehicular unit mounted on wheels, designed to provide temporary living quarters for recreational, camping or travel use and of such size and weight as to not require special highway movement permits when operated as or drawn by a motorized vehicle.

E. "Seal" shall mean a device, label or insignia issued by the United States Department of Housing and Urban Development, or its agents, to be displayed on the exterior of a manufactured home to evidence compliance with applicable codes.

SECTION 2: The utilization of recreational vehicles for residential purposes, temporarily or permanently, shall be prohibited in the City of Barling except that recreational vehicles may be used as residences in manufactured home parks for no more than thirty-five (35) days. At the expiration of thirty-five (35) days, a recreational vehicle must be skirted and anchored.

SECTION 3: All manufactured homes hereinafter located in the City of Barling for residential purposes, temporarily or permanently, shall have a seal. All recreational vehicles shall have the equivalent of a seal.

SECTION 4: Any person desiring to establish a manufactured home park within the City of Barling shall submit to the City Administrator, or his designated agents, a detailed site plan of the mobile home park which site plan shall reflect all improvements to be constructed on said site and shall evidence compliance with the requirements of this Ordinance.

SECTION 5: Each manufactured home space shall contain a Portland cement or asphaltic concrete stand upon which the manufactured home shall be situated. Each home shall be equipped with skirts on all sides, such skirting being of a finished nature and installed within thirty-five (35) days of home placement.

SECTION 6: Each manufactured home shall be secured to the ground by use of anchors and tie-downs so as to resist wind overturning and sliding.

SECTION 7: Each manufactured home park shall provide separate spaces, known as manufactured home lots, to be occupied by a manufactured home or recreational vehicle, and each such space shall be clearly defined in the site plan. Each space shall have an area of not less than 3,500 square feet and a width of not less than 40 feet.

SECTION 8: Manufactured homes shall be located on each manufactured home lot such that there shall be a minimum of 15 feet between manufactured homes or recreational vehicles. Each manufactured home shall not be located closer than 10 feet to any building within the manufactured home park or to any property line of the park adjacent to a public street or highway, or adjacent property.

SECTION 9: The site plan of all manufactured home parks shall include a driveway within each manufactured home lot of not less than 20 feet in width which shall have unobstructed access to a public street or highway.

SECTION 10: Each manufactured home lot in the manufactured home park shall be served with a supply of water adequate for potable use and for fire protection. Plans and specifications for the water works improvements shall be prepared by a professional engineer registered

in the State of Arkansas. Plans and specifications of the water distribution system improvements shall be approved by the Arkansas State Board of Health. The water distribution system shall be installed in accordance with the standards of the American Waterworks Association.

SECTION 11: Each manufactured home lot in the manufactured home park shall be provided with sanitary sewer service. Sanitary sewers shall be a minimum of 6 inches in diameter except that 6-inch diameter laterals may be used serving less than 20 manufactured home lots when it has been determined by the Planning Commission that this lateral sewer cannot be extended in the future for gravity service or be used to receive sewage from any future lift station. The sanitary sewer system shall be designed in the plans and specifications prepared by a professional engineer registered in Arkansas. The plans and specifications shall be approved by the Arkansas State Board of Health.

Sanitary sewer systems shall be installed following the practices set forth in the American Society of Civil Engineers Manual No. 37, "Design and construction of sanitary and storm sewers," and under the supervision of a registered professional engineer. The maximum infiltration allowed shall be 500 gallons per inch of diameter per mile per day.

SECTION 12: Where it is determined by the Planning Commission that an underground storm water drainage system is available and that connection thereto is feasible, then the entire manufactured home park shall be provided with underground storm water drainage facilities and connected with the existing system. Where an underground storm water drainage system is not available, then adequate surface water drainage facilities shall be installed and connected to existing underground or surface drainage facilities.

The Underground storm drainage system shall be designed by a registered professional engineer and the capacity shall be based on a rainfall frequency return period of ten years. The floor elevations of buildings constructed in a manufactured home park shall be above the water level, as determined by a registered professional engineer, resulting from a rainfall frequency with a return period of 100 years.

Diversion of storm water flow shall be avoided, if at all possible. If storm water is to be diverted from its natural course, the site plan of the manufactured home park shall show the location of the existing waterway and the location of the proposed channel. Provisions shall be made for the sodding or paving of open waterways to prevent erosion or silting.

SECTION 13: Each manufactured home lot shall be provided with a separate meter for the purpose of measuring water usage for billing by the City of Barling and each resident shall be considered an individual user for billing purposes. A common meter, measuring water flow to the residents of the park as a whole, shall be prohibited.

SECTION 14: Sidewalks shall be constructed in all manufactured home parks across all manufactured home lots. Sidewalks shall be at a minimum depth of not less than 4 inches Portland Cement reinforced with 6 x 6 x 10/10 welded wire fabric throughout. Expansion joints every 20 linear feet, at least one-half inch wide cutting entirely through the sidewalk shall be required. The surface is to be blocked off in 4 foot squares by contraction points extending at least 3 inches into the concrete.

SECTION 15: All manufactured home parks shall erect a fence with a minimum height of 4 feet on its property line where the property abuts other property that is improved by a permanent residence or is part of a platted subdivision. The fence shall not be a natural fence, but shall be of either solid wood, metal or other substance so that visibility through the fence is not possible.

SECTION 16: Not less than 5 percent of the gross area of any manufactured home park shall be devoted to common recreational areas and facilities. Such open space shall be separate and aside from the open space provided on each manufactured home lot. Said open space shall be sodded and/or landscaped or otherwise designed and made available for recreational use.

To be includable as a common recreational area, interior-blockways for pedestrians or cyclists shall be at least ten (10) feet in width and form part of a system leading to a principal destination. Such ways may also be used for installation of utilities. Said common areas shall not be designed so as to thwart the purpose of this Ordinance to provide the common recreation area as, for example, to provide several small areas that would strictly meet the required minimum recreation area, if combined, but which would be impractical or unsuitable as a common recreational area.

Provided, however, that no more than one-half acre shall be required to be devoted to the open space of the manufactured home park.

SECTION 17: All common access ways within the manufactured home park shall be illuminated at night with lamps of not less than 150 watts each, or equivalent illumination, spaced at intervals of not more than 200 feet and, in addition, each manufactured home, or recreational vehicle, shall be required to have exterior illumination sufficient to light the manufactured home lot it occupies without interfering with the occupation of the adjacent manufactured home lot.

SECTION 18: All driveways acting as access to mobile home lots shall be a minimum width of 27 feet. Provided, however, that in any manufactured home park of four or less manufactured home lots, the developer or owner may apply to the Planning Commission to deviate from this requirement.

SECTION 19: The site plan shall, in addition to all other requirements contained herein, reflect the following:

1. Legal description of the proposed mobile home park.
2. Name, address and phone number of each owner or developer and the name, address and phone number of the engineer or surveyor who prepared the site plan.
3. Location drawing showing the existing development within one quarter mile radius of the proposed location, and ownerships of adjacent tracts within 185 feet.
4. Scale of plan.
5. Date and north arrow.
6. Existing conditions: (a) location, width and name of each existing or platted street or other public way, railroad and utility right of way, within or adjacent to the proposed manufactured home park. (b) all existing sewers, water mains, gas mains, culverts or other underground installations within the proposed manufactured home park or immediately adjacent thereto, with pipe size, grades and locations shown.
7. Proposed development plan showing: (a) general layout of development with number of manufactured home lots and their approximate dimensions. (b) location of parking areas, size and capacity. (c) location and size of common area. (d) general landscaping and screening plan.

SECTION 20: Upon approval or denial by the Planning Commission of the site plan and other requirements, the Planning Commission shall transmit its recommendation to the Board of Directors which shall issue the permit or deny the application within two (2) regular scheduled meetings. Upon approval by the Board of Directors, a permit shall be issued to the owner or developer allowing the construction and operation of a manufactured home park.

SECTION 21: The manufactured home park, its facilities and equipment shall be kept in a clean, orderly and sanitary condition. The City Administrator, or his designated agents, shall be entitled to enter said manufactured home, at all times, to inspect the site to ascertain whether or not it is being kept in a clean, orderly and sanitary condition.

SECTION 22: If at any time, the City Administrator determines that said park is not being kept in a clean, orderly and sanitary condition, or otherwise in compliance with this Ordinance, he shall notify the permittee in writing specifying the noncompliant condition and allow said permittee 10 days upon which to correct said condition.

If at the end of 10 days, said condition has not been corrected, the permittee shall be given notice by the City Administrator of the need by the permittee to show cause why the permit should not be revoked. At said time, the permittee may have an additional 10 days from permittee's receipt of the notice from the City Administrator in which to explain to the City Administrator why the permit should not be revoked.

In the event the permittee does not respond to the initial request from the City Administrator to correct an existing condition, or if the permittee fails to respond to a request to show cause why the permit should not be revoked, then the permit shall be automatically revoked and shall not be reinstated unless reissued by the Planning Commission. After the permittee has produced evidence or provided sufficient explanation to show cause why the permit should not be revoked, the City Administrator shall issue his decision either accepting the evidence of the permittee and thereby allowing the permittee to retain the permit or revoking the permit.

If a permit has been revoked through the actions of the City Administrator or the Board of Directors, the City of Barling shall take all legal action to close said park including the application for an injunction in a court of competent jurisdiction and/or the curtailment of utility services including but not limited to water and sewer to said manufactured home park upon proper notice to all residents thereof.

At any step of the process described in this Section, the permittee shall have a right of appeal to the Planning Commission which shall hear said appeal within thirty (30) days of being notified by the permittee in writing of the desire to appeal the actions of the City Administrator. All actions of the City Administrator shall be held in abeyance pending the recommendation of the Planning Commission and the final decision of the Board of Directors.

The Planning Commission shall hear the basis and evidence for the revocation of the permit from the City Administrator at which time the permittee shall have the right to cross-examine witnesses and to present witnesses and any other evidence. The permittee shall be entitled to be represented by an attorney. A court reporter shall be present and shall make a transcript of the proceedings at the permittee's expense. The transcript together with the recommendation of the Planning Commission shall thereafter be transmitted to the Board of Directors. The Board shall within thirty (30) days vote to approve, modify or reject the recommendation of the Planning Commission.

APPROVED: This 10 day of March, 1986.

Jerry Barling  
Mayor

Attest:

Debra M. Muckamp  
City Clerk