

COMMONWEALTH OF KENTUCKY
COUNTY OF BALLARD
BALLARD FISCAL COURT

ORDINANCE NUMBER 910.2

**ORDINANCE PLACING RESTRICTIONS ON
MANUFACTURED DWELLINGS AND MOBILE HOMES**

This matter having come before the Ballard Fiscal Court, and the Fiscal Court being otherwise and sufficiently advised:

WHEREAS, Ballard Fiscal Court wishes to adopt requirements and restrictions for the issuance of permits for mobile homes and manufactured homes,

IT IS HEREBY ORDAINED BY THE FISCAL COURT OF BALLARD COUNTY, COMMONWEALTH OF KENTUCKY, that restrictions and requirements shall be placed on mobile homes and manufactured homes as follows:

1. No mobile home or manufactured home may be erected, set up, or brought onto property in Ballard County, Kentucky without first applying for a permit from the Ballard Fiscal Court for erection and habitation for the unit. In addition to the requirements listed below, no unit shall be permitted without prior approval of the electric and septic or sewer systems.
2. All units must be underpinned or skirted along the entire perimeter of the dwelling/home that is comprised of masonry, treated wood, plastic or other material that harmonizes with the architectural style of the home within sixty days of receipt of the permit for habitation. Failure to have the unit underpinned or skirted within this time limit shall subject the owner of the unit to sanctions provided herein.
3. In order to be issued a permit for erection and habitation, all manufactured homes or mobile homes must be certified as meeting the Federal Manufactured Housing Construction and Safety Standards Code as set forth in the Code of Federal Regulations, Title 24, part 3280, 3282, and 42 USC 5401 Et. Seq. and commonly referred to as the HUD Code, or be certified by the State Fire Marshall's Office or certified inspector as safe and habitable and bearing a "B-1 Seal".
4. Permits under this ordinance shall be issued by the Ballard County Judge/Executive, and units subject to this ordinance shall be subject to inspection by the Judge/Executive or his designee. The Judge/Executive or his designee shall impose reasonable charges for permits and inspection, as established by the Fiscal Court.
5. Existing units which do not meet these standards may not be relocated unless a valid permit is first obtained regardless of whether or not ownership of the unit changes.
6. Storage of mobile homes or manufactured homes in Ballard County is prohibited, except for manufactured home dealers holding a valid Kentucky dealer's permit, and except for units permitted under this ordinance.

7. Units located within the City of Barlow, Kevil, LaCenter and Wickliffe, Kentucky may be subject to any restrictions and requirements established thereby. If the City's requirements and restrictions are more strict, the City's requirements shall apply.

8. Manufactured homes with no HUD Code Seal and mobile homes with no Class A or B seal are not permitted in the County or in mobile home parks. Those which are, at the time of the adoption of this ordinance, located within the jurisdiction are non-conforming uses, subject to the same requirements and regulations as any other non-conforming use.

9. Any landowner upon whose land an unpermitted unit is located, or title owner of any unpermitted unit, located in Ballard County for more than 120 days without obtaining a permit and complying with this Ordinance shall be deemed to have violated this Ordinance and shall be subject to the following:

A) A civil sanction or forfeiture of the unpermitted mobile home or manufactured home, which shall be removed at once from this county by the owner or landowner, and if not, maybe removed by Ballard County with the costs charged to the owner or landowner and disposed of at the expenses of the owner or landowner.

B) Criminal penalties equivalent to a Class-A misdemeanor under the Kentucky Penal Code, that being a fine up to \$500 and up to 12 months, in jail, or both.

C) Jurisdiction for enforcement of the civil and criminal penalties shall be in the Ballard District Court, or Ballard Circuit as appropriate.

D) Each day of nonconformance after the expiration of 120 days shall be considered a new violation.

10. Definitions:

A) Manufactured Home Constructions and Safety Standards mean the standards for the construction, design, and performance of a manufactured home as set forth in the Code of Federal Regulations, Title 24, Part 3280,3282,3283, and 42 USC 5401, ET Seq. and as mandated in the United States of America and as administered by the United States Department of Housing and Urban Development, commonly referred to as the HUD Code.

B) A manufactured home is defined as a single-family residential dwelling unit fabricated as defined in KRS 227.550 on or after June 15, 1976, in an off –site manufacturing facility for installation or assembly at the building site as a permanent structure with transport features removed, bearing a seal certifying that it is built in compliance with the Federal Manufacturing Housing Construction and Safety Standards, as defined in Section 2.0.

C) A mobile home is defined as a structure manufactured prior to June 15, 1976 which was not required to be constructed in accordance with the federal act, which is transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width and forty body feet or more in length, or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. These homes bear a numbered Class A or B seal issued by the Kentucky Department of Housing, Building, and Construction, Office of the State Fire Marshal.

D) A manufactured home or mobile home as defined in KRS 227.550, which does not bear a seal certifying that it was manufactured in accordance with the Federal Manufactured Home Construction and Safety Standards Act and not bearing either a Class A or B seal issued by the Kentucky Department of Housing, Building, and Construction, Office of the State Fire Marshal is not acceptable for residential occupation.

First Reading:

This the 15th day of August, 2017

Simon W. Lane

Second Reading:

This the 19th day of September, 2017

Simon W. Lane

Approved on final reading:

This the 17th day of October, 2017.

Simon W. Lane