

HYDE COUNTY, NORTH CAROLINA
MANUFACTURED HOUSING AND
TRAVEL TRAILER PARK ORDINANCE

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**HYDE COUNTY MANUFACTURED HOUSING
AND TRAVEL TRAILER PARK ORDINANCE**

ENACTMENT:

AN ORDINANCE ESTABLISHING REGULATIONS FOR MANUFACTURED HOUSING AND TRAVEL TRAILER PARKS WITHIN THE COUNTY OF HYDE, NORTH CAROLINA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF NORTH CAROLINA GENERAL STATUTES, CHAPTER 153A-ARTICLE 121, AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH.

PREAMBLE:

WHEREAS in order to promote the health, safety, morals, and general welfare of the inhabitants of the County of Hyde, North Carolina; to provide for planned manufactured home and travel trailer park development, it is desirable and necessary to adopt the Manufactured Housing and Travel Trailer Park Ordinance of said County as hereinafter set forth.

NOW THEREFORE BE IT ORDAINED BY THE COUNTY OF HYDE, NORTH CAROLINA AS FOLLOWS:

ARTICLE I – AUTHORITY AND JURISDICTION

SECTION 1. AUTHORITY

The provisions of this ordinance are adopted under the authority granted by the General Assembly of North Carolina (153A-121).

SECTION 2. JURISDICTION

The regulations set forth in this ordinance shall be applicable within the incorporated areas of the County of Hyde, but are not intended to repeal or supercede the Ocracoke Development Ordinance.

SECTION 3. TITLE

This ordinance shall be known as the Manufactured Housing and Travel Trailer Park Ordinance for Hyde County, North Carolina.

ARTICLE II - DEFINITIONS

SECTION 1. GENERAL

- A. For the purpose of this ordinance certain terms or words used herein shall be interpreted as follows:

SECTION 2. TENSE AND NUMBER

- A. The present tense includes the future tense and the future tense includes the present tense.
- B. The singular number includes the plural number and the plural number includes the singular number.

SECTION 3. WORD INTERPRETATIONS

- A. The word “may” is permissive.
- B. The words “shall” and “will” are mandatory.
- C. The word “County” shall mean the County of Hyde, North Carolina.
- D. The words “Planning Board” shall mean the Board of County Commissioners acting as the Planning Board.
- E. The words “County Commissioners” shall mean the Board of County Commissioners of Hyde County, North Carolina.
- F. The word “person” includes firm, association, organization, partnership, trust, company, or corporation as well as an individual.

- G. The words “used” or “occupied” include the words intended, designed, or arranged to be used or occupied.

SECTION 4. DEFINITIONS

- A. Developer. Any person, firm, trust, partnership, association, or corporation engaged in development or proposed development of a mobile home or travel trailer park.
- B. Enforcement Officer. The enforcement officer, as the term is used herein, shall be the Director of Planning for Hyde County or designated representative. In addition to the Director of Planning, the Director of Health or designated representative also shall be considered enforcement officers for the purpose of enforcing all public health provisions of this ordinance and other applicable health codes adopted by the Hyde County Board of Health.
- C. Manufactured Home. A detached residential dwelling unit designed for transportation after fabrication on streets or highways on its own wheels or on flatbeds or other trailers, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy, except for minor and incidental unpacking and assembly operations including, but not limited to location on jacks or other temporary or permanent foundations and connections to utilities in accordance with local codes and ordinances. The unit shall be registered or capable of being registered as a mobile home by the North Carolina Department of Motor Vehicles. For the purpose of this ordinance, manufactured home and mobile home are one and the same. Therefore, the terms may be used interchangeably. However, it is not the purpose or intent of this ordinance to regulate modular homes which are not registered or capable of being registered by the North Carolina Department of Motor Vehicles and are considered the same as a site built home. A travel trailer is not to be considered as a mobile home.
- D. Manufactured/Mobile Home Park. Any site or tract upon which two (2) or more lots are developed for mobile homes to be located, rented, or optioned for purchase and occupied for dwelling or sleeping purposes, regardless of whether or not a charge is made for the privilege of locating a mobile home upon the site or tract or for occupying any mobile home.
- E. Manufactured/Mobile Home Park, Minor. A manufactured/mobile home site that does not involve any of the following: (1) the creation or more than the maximum number of lots, and (2) the usage of more than the maximum allowable acreage in site or tract size that is specifically permitted by ordinance as a minor manufactured/mobile home park.
- F. Manufactured/Mobile Home Park, Major. Any park not classified as a minor manufactured/mobile home park.
- G. Mobile Home Space. A plot of land within a mobile home park designed for the accommodation of one mobile home.
- H. Mobile Home or Travel Trailer Park Construction Permit. A permit issued by the enforcement officer to a developer for construction of a mobile home or travel trailer park.

- I. Natural or Artificial Barrier. Any river, pond, canal, roadway, levee, embankment, fence, hedge, tree row, or similar obstruction which limits access and/or visibility.
- J. Structural Additions. Any roofed, canopied, enclosed porch or room or structure which is used in connection with a mobile home. A concrete slab, with no roof shall not be considered a structural addition.
- K. Travel Trailer. A wheeled vehicular portable structure built on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes, having a body width not exceeding eight (8) feet. This is also intended to include structures mounted on auto or truck bodies that are referred to as campers.
- L. Travel Trailer Park. Travel Trailer Park shall mean any site or tract of land upon which are located the minimum number of travel trailer spaces of land area required by this ordinance, regardless of whether or not a charge is made for such service.
- M. Travel Trailer Space. A plot of land within a travel trailer park designed for the accommodation of one (1) travel trailer.

ARTICLE III - MOBILE HOME REGISTRATION

SECTION 1. MOBILE HOME REGISTRATION

No person shall place a mobile home in Hyde County for the purpose of using said mobile home for occupancy without first having obtained approval to apply for a building permit from the Hyde County Planning Department providing that the mobile home meets the conditions as set forth under GS 153A-138.

ARTICLE IV - APPLICATION FOR MOBILE HOME OR TRAVEL TRAILER PARK CONSTRUCTION

SECTION 1. CONSTRUCTION PERMIT

No person shall construct a mobile home park or a travel trailer park or make any addition to an existing mobile home park or travel trailer park that either alters the number of sites for mobile homes or travel trailers within the park or affects the facilities required therein until first securing a permit authorizing such construction or addition. The construction or addition shall be in accordance with plans and specifications submitted with the application.

The application for a mobile home park or travel trailer park construction permit shall be filed with the Hyde County Planning Department at least 30 working days prior to the meeting of the County Commissioners. The application will be reviewed by the County Planner, County Commissioners, Building Inspector, and the Hyde County Health Department. All applications for a manufactured home or travel trailer park construction permit will be accompanied by ten (10) prints of a plan of the proposed park.

SECTION 2. CONTENTS OF THE PARK PLAN

Major Manufactured/Mobile Home Park

The plan shall be drawn at a scale between fifty (50) and two hundred (200) feet to the inch and shall show the following:

- A. Title information shall include:
 - 1. Name of park
 - 2. Name, address, and telephone number of owner(s)
 - 3. Name of developer
 - 4. Name of registered surveyor
 - 5. Scale, date, North arrow
 - 6. Township, County, State
- B. Total acreage and total number of mobile home spaces or lots.
- C. Adjoining property owners.
- D. Street names inside park.
- E. Setback lines.
- F. Small scale location diagram showing all roads in the vicinity of the park, their names and route numbers, and the relationship of the site to major roads.
- G. Dimensions and bearings of exterior property lines.
- H. Land contours with vertical intervals of not more than two (2) feet may be required for all mobile home parks that have sufficient land area for twenty-five (25) spaces or more and for all travel trailer parks that have sufficient land area for fifty (50) spaces or more.
- I. Mobile home or travel trailer spaces well defined, including a number for each space.
- J. Surface water drainage plans and sedimentation and pollution control plans approved by the State of North Carolina, when required.
- K. All structures in the park site (present or proposed).
- L. Open space for recreation and any recreation facilities (present or proposed).
- M. Method for surfacing roads within the park.
- N. Location and intensity of area lights, raiser diagrams and typical connections to mobile homes or travel trailers or a statement indicating that the power companies will be responsible for design and installation of the electric system.

- O. Source of water and water distribution system approved by the Hyde County Health Department.
- P. Sanitary sewerage. If a private sewerage collection and disposal system is used, plans and specifications approved by the Hyde County Health Department must be submitted. If system is not connected to sewerage collection system, location and size of septic tanks, trailers connected to each septic tank, layout of drain fields, and date and result of soil tests must be shown.
- Q. Wooded areas, marshes, swamps, floodways, and flood plains (as shown on the maps prepared by the Corps of Engineers for the Federal Flood Insurance Administration and as shown on the maps of any applicable flood insurance ordinance) and other conditions affecting the site.
- R. Method of garbage disposal.
- S. In the case of any park located wholly or partly within a flood plain or flood hazard area as such plain or area is designated in any applicable flood plain or flood hazard ordinance, the County Commissioners acting as the Planning Board may require evidence which in its judgement is satisfactory to show compliance with such ordinance.
- T. In the case any park which is located wholly or partly within an “area of environmental concern” as such is designated in the County Land Use Plan and by the Coastal Resources Commission, the County Commissioners acting as the Planning Board may require evidence which in its judgement is satisfactory to show the issuance and compliance with any necessary permits. Any costs associated with demonstrating and maintaining compliance will be the responsibility of the developer.
- U. In the case of any park involving any facility, project, undertaking, or development which may require a permit under any Federal, State, or local laws or regulations, the County Commissioners acting as the Planning Board may require evidence which in its judgement is satisfactory to show the issuance of such permit or the exemption of such facility, project, or development from the requirement for such permit. The costs associated with conforming to any Federal, State, or local laws will be the responsibility of the developer.
- V. Any other information considered by either the developer or the County Commissioners acting as the Planning Board to be pertinent to the approval of the application including (1) an environmental impact statement if the proposed park or expansion of an existing park exceeds two (2) acres in area and if the Board deems it necessary due to the nature of the land to be developed or peculiarities of the proposed layout, (2) advertising material to be used in selling lots or dwellings, and (3) design data and sale price ranges for any dwellings to be constructed. Any additional costs incurred from requests made by the County Commissioners will be the responsibility of the developer.

Minor Manufactured/Mobile Home Park Plan

In an effort to simplify and condense the review process for small mobile home parks that will have little or no impact on the County development process, minor mobile home parks shall comply with the following:

- A. Not more than five (5) lots located in the site or tract.
- B. Site or tract size is three (3) acres or less.

The contents of a minor manufactured/mobile home park plan shall be consistent with the requirements of a major manufactured/mobile home park plan.

SECTION 3. REVIEW OF THE PLAN

Major Manufactured/Mobile Home Park

The Enforcement Officer shall transmit the proposed park plan to the following:

- A. The Hyde County Planner shall review the following to determine if the proposed park plan is in accordance with the design standards set forth in this ordinance:
 - 1. Title information;
 - 2. Small scale location map;
 - 3. Dimensions and bearing of exterior property lines;
 - 4. Roads in the vicinity;
 - 5. Recreation areas;
 - 6. Method of surfacing roads within the park;
 - 7. Location of park;
 - 8. Street and lot design;
 - 9. Surface water drainage;
 - 10. Coordinating the requirements of this ordinance with those of the Hyde County Health Department.
- B. If the County Planner disapproves the proposed park plan, the reasons for such action and recommended changes shall be given to the park developer or his agent.
- C. After the County Planner has approved conditionally the proposed park plan, one (1) approved copy shall be sent to the Enforcement Officer and one (1) approved copy shall be given to the developer or his agent. The developer or his agent shall then seek approval of the proposed park plan from the following:
 - 1. The District Highway Engineer of the North Carolina Department of Transportation (NCDOT) shall review the proposed park plan to determine if the proposed access conforms to the standards of NCDOT.
 - 2. Hyde County Health Department – The Hyde County Health Department shall review plans for manufactured housing and travel trailer parks as approved conditionally by the County Enforcement Officer. This agency shall be responsible for the review of the following to determine if they are in accordance with the minimum health standards and regulations:

- a. Source of water and water distribution system;
 - b. Sanitary sewerage system;
 - c. Adequate lot size;
 - d. Location of wells for minimum pollution; and,
 - e. Solid waste disposal.
3. County Building Inspector - The County Building Inspector shall review the plans for mobile home and travel trailer parks to determine if the proposed electrical system is in accordance with electrical codes adopted by the Hyde County Commissioners. In addition, the Building Inspector shall review buildings to be constructed in the park.
 4. The Hyde County Soil and Water Conservation District shall review the proposed park plan relative to drainage, erosion, and sedimentation control.
- D. Should any agency find deficiencies in the review of the plans of a proposed manufactured housing or travel trailer park, that agency shall notify the developer or his agent to allow him to correct such deficiencies. Each agency shall notify the Enforcement Officer in writing, after reviewing the proposed park plan and shall give him a written statement of approval or disapproval. If disapproved, then the reasons, therefore, shall be stated. The Enforcement Officer's recommendation shall be submitted to the County Manager for final approval by the County Commissioners.

Minor Manufactured/Mobile Home Park

The review of a minor manufactured/mobile home park plan shall be consistent with the review requirements of a major manufactured/mobile home park plan.

SECTION 4. PLAN APPROVAL

Major Manufactured/Mobile Home Park

- A. The County Planner shall present the proposed mobile home or travel trailer park plans along with recommendations to the County Commissioners at their next meeting.
- B. The County Commissioners shall approve, approve conditionally, or disapprove the plan.
 1. If approved conditionally, the conditions and reasons thereof shall be stated, and the County Commissioners acting as the Planning Board may require the developer to submit a revised plan.
 2. If the County Commissioners should disapprove the plan, the reasons for such action shall be stated, and recommendations made on the basis of which the proposed development could be approved.
- C. Approval of the plan is authorization for the developer to proceed with the construction of the mobile home or travel trailer park.

- D. Failure on the part of the County Commissioners to act within sixty (60) days after the plan is submitted to the Commissioners shall be deemed as approved.

Minor Manufactured/Mobile Home Park

- A. The County Planner shall present the proposed minor mobile home or travel trailer park plans along with recommendations to the Hyde County Health Department and Building Inspections staffs who shall approve, approve conditionally, or disapprove the plan.
 - 1. If approved conditionally, the conditions and reasons thereof shall be stated, and the developer may be required to submit a revised plan.
 - 2. If the plan is disapproved, the reasons for such actions shall be stated, and recommendations made on the basis of which the proposed development could be approved.
- B. Approval of the plan by the County Planner, County Building Inspector, and County Health Department Sanitarian is authorization for the developer to proceed with construction.

SECTION 5. ISSUANCE OF CONSTRUCTION PERMIT AND CERTIFICATE OF COMPLIANCE

- A. After approval of the plans for a mobile home park or travel trailer park by the Hyde County Commissioners, the Enforcement Officer is authorized to issue a construction permit. The intent of this permit is to enable the execution of the plan in the field and shall not be construed to entitle the recipient to offer spaces for rent or lease, or to operate a mobile home park as defined in this ordinance.
- B. During this phase, all fieldwork shall be in accordance with the approved plans. It shall be the responsibility of the developer to inform the Building Inspector as to the progress of field work so that timely inspections may be made.
- C. If the construction of the park has not begun within twelve (12) months from the issue date of the construction permit, the construction permit shall become null and void. However, the County Commissioners may grant an extension of the construction permit if the developer appears before the Board and shows cause. If cause is not shown, the developer must repeat all of the required steps of procedure for securing approval as required by this ordinance.
- D. When the developer has completed the construction of the mobile home park or the designated stage, he shall apply to the Enforcement Officer for an operating permit. The Enforcement Officer and a representative of the Hyde County Health Department shall make an on-site inspection of the park.
 - 1. If the plan conforms to the park plan approved by the Board and other agencies, the Enforcement Officer shall issue the developer an operating permit, enabling operation of the park as defined in this ordinance.
 - 2. If the plan fails to conform to the approved plan, the Enforcement Officer shall delay issuance of the operating permit until it comes into conformity.

3. When a park is to be developed in stages, the proposed park plan may be submitted for the entire development, and application for an operating permit may be made for each stage developed.

ARTICLE V - SPECIFICATIONS FOR MOBILE HOME PARKS

SECTION 1. GENERAL REQUIREMENTS

- A. A major manufactured/mobile home park must be greater than three acres in size. A minor manufactured/mobile home park may contain less than three acres but not more than five (5) spaces.
- B. A manufactured housing subdivision cannot be converted to a mobile home park, unless the proposed conversion meets the requirements of this ordinance and has received approval from the County Commissioners.
- C. No other living compartment other than a "Florida Room" or other prefabricated structure specifically designed for mobile home use or extension shall be added to any mobile home parked within the jurisdiction of this ordinance. Porches covered with a roof and open on three (3) sides may be permitted if yard space requirements of this ordinance are not violated and the 100% repair area of the septic system is maintained.
- D. Mobile home park identification signs shall not exceed thirty-two (32) square feet in area. Only indirect, nonflashing lighting shall be used for illumination. The top portion of any sign shall not exceed twelve (12) feet in height.
- E. The Board may require that the owner of the park shall provide and maintain a five (5) foot wide buffer strip along any or all boundaries of the mobile home park planted with living evergreen trees or shrubbery, or solid fencing at least five (5) feet in height. Such buffer shall be planted in such a manner as to be harmonious with the general character of the surrounding neighborhood. Such buffer shall be subject to final inspection of the Enforcement Officer.
- F. Within a mobile home park, one mobile home may be used as an administrative office.
- G. Convenience establishments of a commercial nature shall be limited to food stores, coin operated laundries, beauty parlors and barber shops. These may be permitted in mobile home parks subject to the following restrictions:
 1. Such establishments shall be subordinate to the residential use and character of the park.
 2. Such establishments shall present no visible evidence, including signage, of their commercial character from any portion of any residential district outside the park.
 3. Such establishments shall be designed to serve the trade and service needs of the park residents only.

4. Such establishments shall be subject to Board approval; and,
 5. Any conventional commercial establishments not shown on mobile home park plans shall have prior certified approval of all applicable state and county agencies before a construction permit shall be issued for such establishments.
- H. The owner or operator of a mobile home park shall not sell mobile homes on or within a mobile home park unless the mobile home unit for sale shall be placed individually and separately upon an existing mobile home space where all design standards and utilities have been completed as specified by this ordinance.
- I. Any mobile home unit not bearing a label or seal of compliance of a recognized testing laboratory, such as Underwriter's Laboratories or similar testing service, shall be subject to inspection by the Building Inspector.
- J. A detached storage building or structure with a roof and enclosed on all sides may be allowed in the side or rear yard of a mobile home space, subject to the approval by the Hyde County Health Department and the Enforcement Officer. Such structure shall not exceed two hundred (200) square feet in floor area, and shall be located in such a way as not to negatively affect the health, safety, and welfare of the mobile home park residents. Such structure may be constructed of factory fabricated transportable materials.
- K. Mobile homes connected with a fair, carnival or circus may be parked for the duration of the fair, carnival or circus, but not to exceed fifteen (15) days, provided that all sewage and solid waste is disposed of in a manner approved by the Hyde County Health Department.

SECTION 2. MOBILE HOME SPACES

- A. Minimum lot size is dependent upon the size of the septic system. The lot must be large enough to accommodate the water system, and both the septic system and the 100% repair area. However, in no case shall the size of a mobile home space be less than twelve thousand five hundred (12,500) square feet. The minimum width of each mobile home space shall be sixty (60) feet except for flag-shaped spaces or spaces adjacent to the bulb of a cul-de-sac. The septic system must be 100 feet from a well used as a drinking water source for park residents. If a community or public water system is utilized, the water supply lines must be 10 feet from all parts of the septic system. All square foot requirements are subject to the approval of the County Health Department.
- B. Each mobile home space shall be graded so as to prevent any water from ponding or accumulating on the premises.
- C. Each mobile home space shall be clearly defined by means of concrete or iron pipe markers placed at all corners.
- D. There shall be at least thirty (30) feet clearance between mobile homes except for mobile homes parked end to end which shall be at least twenty (20) feet apart. No mobile home shall be located closer than twenty (20) feet to any building within the park or fifteen (15) feet from any exterior property line or interior mobile home space designation line, and must

be at least (20) feet from the edge of the right-of-way of any interior street and thirty-five (35) feet from the edge of the right-of-way of any publicly maintained street or road.

- E. The mobile home shall be provided with anchors and tie downs as required by the Manufacturers Specifications of the North Carolina Department of Insurance. Each mobile home owner shall be responsible for securing his individual mobile home anchors.
- F. Open decks, eaves, and open stairways can encroach into the fifteen (15) foot property line setback area or the fifteen (15) foot interior setback line area by not more than five (5) feet.
- G. Accessory buildings cannot be located in any setback area.
- H. Walkways not exceeding four (4) feet in width and one and one-half (1 ½) feet in height are allowed in setback areas.

SECTION 3. STREETS AND PARKING

- A. Convenient access to each mobile home space shall be provided by streets or drives with a minimum right-of-way as required by NCDOT for residential streets. A minimum roadbed of twenty (20) feet shall be graded, drained, and all weather surfaced, for automobile and emergency vehicle circulation within the park. Maintenance of such streets shall be provided by the owner or operator of the park or NCDOT, if and when such streets are accepted into the NCDOT system.
- B. Permanent dead end streets and cul-de-sacs shall not exceed one thousand (1,000) feet in length and shall be provided with a turnaround of at least one hundred (100) feet in diameter.
- C. Streets shall intersect as nearly as possible at right angles, and no street shall intersect at less than sixty (60) degrees. Where a street intersects a public street or road, the design standards of the NCDOT shall apply. Street jogs of less than one hundred and twenty-five (125) feet shall not be allowed. Where practicable, alternate access points will be provided to facilitate emergency response ingress and egress in the event the main street or drive becomes blocked or otherwise impassable.
- D. Proper sight line shall be maintained at all intersections of streets. Measured along the centerline, there shall be a clear sight triangle as required by the NCDOT for those intersecting a state right-of-way. All interior drives shall maintain a sign distance triangle of seventy-five (75) feet. No building or obstruction that impedes vision beyond the extent noted above shall be permitted in the area.
- E. New street names shall not be duplicates and are subject to the requirements of the Hyde County Addressing System.
- F. All streets in the mobile home park shall be adequately illuminated from sunset until sunrise. The minimum street light shall be a 175 watt mercury vapor (approximately 7000 lumen class), or its equivalent, spaced at intervals of not more than three hundred (300) feet.
- G. A minimum of two (2) automobile parking spaces, all weather surfaced, shall be provided adjacent to each mobile home space, but shall not be located within any public right-of-way or within any street in the park.

- H. All spaces within a mobile home park shall be numbered sequentially. Each lot will have a separate address number assigned. The address number of each lot must be clearly displayed so as to be legible from the road. The numbers must be of a contrasting color to the background, as defined in the Hyde County Addressing System.
- I. Where more than five (5) rural mail boxes are used for mail delivery, the approval of the local Post Office Department and the District Highway Engineer shall be required.

SECTION 4. UTILITY REQUIREMENTS

A. Water Systems

- 1. An accessible, adequate, safe, and palatable supply of water shall be provided in each mobile home park. Where a County water supply is available, connection shall be made thereto and its supply used exclusively.
- 2. When a County supply is not available, a community water supply or individual wells may be used. A community water supply (15 service connections for year-round residents or a system that serves at least 25 year-round residents) shall comply with the rules governing Public Water Systems T15A 18C.0100-.2100. Individual wells shall comply with well construction standards T15A 2C.0100. The setbacks from wastewater systems to such wells shall comply with the North Carolina Laws and Rules for Sewage Collection, Treatment, and Disposal.

B. Sewage Systems

- 1. Adequate and safe sewage disposal facilities shall be provided in all mobile home parks. Collection systems and sewage treatment plants complying with the requirements of the NC Department of Environment and Natural Resources and/or Division of Water Quality shall be provided. Plans for sewage collection systems and treatment facilities shall be submitted to the North Carolina Department of Environment and Natural Resources and/or Division of Water Quality. Individual septic tank systems can be considered if soil, topography, and ground water conditions are favorable.

C. Solid Waste Disposal Systems

- 1. The storage, collection, and disposal of solid waste in the mobile home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or pollution.
- 2. Each space shall be provided at least one 90 gallon push cart trash receptacle of the kind available through the Hyde County solid waste contractor. All trash will be contained inside the receptacle, or the park owner will be subject to penalties and fines outlined at the end of this ordinance.

SECTION 5. MISCELLANEOUS REQUIREMENTS

- A. All electrical connections shall meet the National Electrical Code.
- B. Grounds, buildings, and structures shall be maintained free of insect and rodent harborage and infestations. Extermination methods and other measures to control insects and rodents shall conform with the requirements of the County Health Director.
- C. Parks shall be maintained free of accumulation of debris, which may provide rodent harborage or breeding places for flies, mosquitoes, and other pests.
- D. Storage areas shall be so maintained as to prevent rodent harborage and lumber, pipe, and other building material shall be stored at least one (1) foot above the ground.
- E. Where the potential for insect and rodent infestation exists, all exterior openings in or beneath any structure shall be appropriately screened with wire mesh or other suitable materials.
- F. The growth of brush, weeds, and grass shall be controlled to prevent harborage of ticks, chiggers, and other noxious insects. Parks shall be so maintained as to prevent the growth of ragweed, poison ivy, poison oak, poison sumac, and other noxious weeds and considered detrimental to health. Open areas shall be maintained free of heavy undergrowth of any description.
- G. No inoperable motor vehicle shall remain in any mobile home park for a period longer than sixty (60) days.

SECTION 6. RECREATION AREAS

- A. Each major mobile home park shall provide and maintain four hundred (400) square feet of recreation area for each mobile home space. The minimum recreation area shall be at least twenty four hundred (2,400) square feet.

SECTION 7. MANAGEMENT

- A. In each mobile home park, the permittee or duly authorized attendant or caretaker shall be in charge at all times to keep the mobile home park, its facilities, and equipment in a clean, orderly, safe, and sanitary condition.

ARTICLE VI - SPECIFICATIONS FOR TRAVEL TRAILER PARKS

SECTION 1. APPLICABILITY

Unless a travel trailer is located as provided herein and in an approved travel trailer park as provided herein, no travel trailer may be located in Hyde County at or on the same location for more than seven (7) days. In order to remain on the same location for more than seven (7) days, certification that holding

tanks have been properly and legally emptied must be provided to the Enforcement Officer for each seven (7) day period of location.

This regulation is not intended to prohibit the storage of travel trailers at private residences or property provided not more than two (2) travel trailers are stored and the Enforcement Officer is notified in advance.

The process for the approval of travel trailer parks is identical to that of mobile home parks. However, the design or site development standards differ. The design standards for travel trailer parks follow.

SECTION 2. SITE DEVELOPMENT

- A. Every travel trailer park shall contain at least five (5) or more spaces.
- B. There shall be a minimum distance of fifteen (15) feet between each travel trailer or structure.
- C. Parking spaces sufficient to accommodate at least one (1) motor and camping vehicle shall be constructed within each space. No more than one (1) camping vehicle may be parked on any space.
- D. All spaces developed adjacent to a public street shall be set back a minimum of thirty-five (35) feet from the street right-of-way.
- E. The spaces shall be graded to prevent any water from ponding or accumulating within the park. Each park shall be properly graded to obtain a reasonably flat site and to provide adequate drainage away from the space.
- F. The park shall have all weather roads that directly abut each space. All road rights-of-way shall have a minimum width of twenty (20) feet. Rights-of-way for one way roads may have a minimum width of twelve (12) feet. In areas of heavy vehicle use, wider rights-of-way shall be required.
- G. No space shall have direct vehicular access into a public road.
- H. The park shall be developed with proper drainage ditches. All banks shall be sloped and seeded.
- I. Cul-de-sac or dead end roads shall not exceed one thousand (1,000) feet in length measured from the entrance to the center of the turnaround. Any road designed to be permanently closed shall have a turnaround at the closed end with a minimum right-of-way diameter of eighty (80) feet.

- J. When the park has more than one (1) direct access to a public road they shall not be less than three hundred (300) feet apart or closer than three hundred (300) feet to a public road intersection unless unusual site conditions demand otherwise.
- K. Each park shall have a central structure or structures that will provide separate toilet facilities for both sexes. This structure may also contain coin operated machines for the park residents use only, provided there is no exterior advertising. Vending machines also may be permitted in a sheltered area.
- L. No swimming pool or bathing area shall be installed, altered, improved, or used without compliance with applicable regulations. No bathing area shall be used without the approval of the Hyde County Health Department.
- M. Signs for identification of parks shall not exceed four (4) feet by eight (8) feet at the entrance to the park.

SECTION 3. SANITARY FACILITIES, WATER SUPPLY, SEWERAGE, GARBAGE COLLECTION, AND UTILITIES

- A. Sanitary Facilities.
 - 1. All toilet, shower, lavatory, and laundry facilities shall be provided and maintained in a clean and sanitary condition and kept in good repair at all times. They shall be safely and adequately lighted. Facilities shall be easily accessible and conveniently located. All toilet, shower, lavatory, and laundry room facilities shall be acceptable to the Hyde County Health Department and shall be in conformity with all State and Hyde County codes.
 - 2. All buildings shall be constructed in accordance with the building codes of the County.
- B. Water Supply
 - 1. A safe, adequate, and conveniently located water supply must be provided for each park. No water supply shall be installed, altered, or used without the approval of the Hyde County Health Department.
- C. Sewage Disposal.
 - 1. Sewage dumping stations shall be approved by the Hyde County Health Department. Each park shall provide at least one (1) sewage dumping station.
 - 2. No method of sewage disposal shall be installed, altered, or used without the approval of the Hyde County Health Department. All sewage wastes from each park, including wastes from toilets, showers, bathtubs, lavatories, wash basins, sinks and

water-using appliances not herein mentioned, shall be piped into the park's sewage disposal system or systems.

D. Garbage and Refuse Disposal.

1. The park owner is responsible for refuse collection. All refuse shall be collected at least once weekly or more if the need is indicated.
2. Storage, collection, and disposal of refuse shall be so managed as not to create health hazards, rodent harborage, insect-breeding areas, accidents, fire hazards, or air pollution.

E. Where electrical service is used, the installation and use of such facilities shall conform with all applicable codes. Such facilities shall be inspected by the County Building Inspector.

F. Each park shall provide recreation areas to serve the needs of the anticipated users. One half (1/2) acre of level well-drained ground for every fifteen (15) spaces shall be utilized as a recreation area. The park owner is responsible for the development and maintenance of the recreation areas.

G. It shall be unlawful for a person to park or store a mobile home in a travel trailer park. However, one (1) mobile may be allowed within a travel trailer park to be used as an office or residence of persons responsible for the operation and maintenance of the travel trailer park.

ARTICLE VII - ADMINISTRATION

SECTION 1. EXISTING MOBILE HOME AND TRAVEL TRAILER PARKS

Existing mobile home parks which provide mobile home spaces having a width or area less than that herein described, may continue to operate with spaces of existing width and area, but in no event shall such nonconforming mobile home parks be allowed to expand unless such extension meets the requirements of this ordinance.

All structural additions to mobile homes other than those which are built into the unit and designed to fold out or extend from it shall be erected only after a building permit shall have been obtained. Such additions shall conform to the building code of the County, where applicable, or shall meet the standards of special regulations adopted with response to such additions. The building permit shall specify whether such structural additions may remain permanently, must be moved when the mobile home is removed, or must be removed within a specified length of time after the mobile home is removed. Structural alterations existing at the time of passage of this ordinance shall be removed within thirty (30) days after the mobile home which they serve is moved unless attached to another mobile home on the same site within that period.

SECTION 2. REGISTRATION OF OCCUPANTS

A. Every mobile home park owner or operator shall maintain an accurate register containing a record of all occupants and owners of mobile homes in the park. The register shall be available for

inspection at all times by authorized County representatives. The register shall contain the following information and shall be retained by the mobile home park owner or operator for a period of one (1) year from the time occupancy ceases.

1. Name of owner or occupant
2. Mobile home space number
3. Make, model, and registration number of mobile homes
4. Date when occupancy within the mobile home park begins and date when occupancy within the park ceases

SECTION 3. INSPECTION

- A. The Hyde County Health Department, the Hyde County Building Inspector and/or the Enforcement Officer are hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with the Ordinance. It shall be the duty of the owners or occupants of mobile home parks to give these agencies free access to such premises at reasonable times for the purposes of inspection.
- B. The person to whom an operating permit for a mobile home park is issued shall operate the park in compliance with this Ordinance and shall provide adequate supervision to maintain the park, its facilities, and equipment in good repair and in clean and sanitary condition.
- C. The park owner or operator shall notify park occupants of all applicable provisions of the Ordinance and inform them of their duties and responsibilities under this Ordinance.

ARTICLE VIII - LEGAL PROVISIONS

SECTION 1. VARIANCES

Where strict adherence to the provisions of the Ordinance would cause unnecessary hardship of topographical or other conditions peculiar to the site, the Hyde County Commissioners may authorize a variance, if such variance can be made without destroying the intent of the Ordinance. Any variance thus authorized shall be entered in the Minutes of the County Commissioners and the reasoning on which the departure was justified shall be set forth.

SECTION 2. APPEAL TO THE COUNTY COMMISSIONERS

The County Commissioners shall hear and decide appeals from and review any orders, requirements, decisions, or determination made by the Enforcement Officer charged with enforcement of this ordinance. An appeal from the decision of the County Commissioners may be made to the Hyde County Superior Court.

SECTION 3. AMENDING THE ORDINANCE – WHO MAY PETITION

A petition for an amendment of this ordinance may be initiated by the County Commissioners, any department or agency of the County, or any citizen, within the jurisdiction of the County of Hyde.

SECTION 4. PROCEDURE

No amendment shall be adopted by the County Commissioners until after public notice and hearing. Before taking such lawful action as it may deem advisable, the County Commissioners shall consider recommendations on each proposed amendment.

SECTION 5. COMPLAINTS REGARDING VIOLATIONS

Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Enforcement Officer. The Enforcement Officer shall record properly such complaint, immediately investigate, and take action thereon as provided by the Ordinance.

SECTION 6. PENALTIES FOR VIOLATION

Authority for the enforcement of this ordinance is provided under GS 153A-123. Violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$50.00 or imprisoned for no more than thirty (30) days per offense. Each day such violation continues shall be considered a separate offense. Nothing therein contained shall prevent the County of Hyde from taking such other lawful action as is necessary to prevent or remedy any violation.

SECTION 7. LOSS OF AN OPERATING PERMIT

Any mobile home or travel trailer park that is found to be in violation of this ordinance will cease entering into new leases and shall cease park operations at the end of the rental period, but not later than the end of a forty (40) day grace period beginning from the date notice was given of permit violation. The owner and operator of the park shall be jointly and severally liable to existing tenants for fulfillment of contractual obligations unless the violation is due to an act or condition beyond their control.

Unless an inspection shows the violation to have been corrected before the end of the forty (40) day grace period, the permit for all spaces shall be revoked.

Once the forty (40) day grace period has ended, if the owner has not corrected the violation he shall be required to resubmit his mobile home park plan in compliance with this ordinance in order to get an operating permit.

Upon the revocation of the operating license all leases shall be deemed automatically terminated and the park owner or operator may only collect rent due for any preceding month or portion thereof and in no event shall the owner or operator keep or collect a larger percentage of the entire rent for the entire lease term than would be due on the basis of actual occupancy time as a percentage of the entire lease term. Tenants shall be notified by certified mail within three (3) days of the termination of their leases on

account of the revocation of the operating permit and their right to have thirty (30) days with no rent liability for such period to remove their mobile homes, travel trailers, and property from the park.

Once the operating permit is revoked, the owner or operator of the park shall continue for thirty (30) days to perform services at the park deemed necessary by the Enforcement Officer and the County Health Department for the health and safety of the tenants, and the tenants shall be given thirty (30) days after the date of revocations of the permit to remove their mobile homes, travel trailers and property from the park, and the tenants shall not be liable for rent on account of such thirty (30) day period.

SECTION 8. PROVISIONS OF ORDINANCE DECLARED TO BE MINIMUM

The provisions of this ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, morals, and general welfare. Wherever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted regulations the most restrictive or that imposing the higher standards, shall govern.

SECTION 9. SEPARABILITY CLAUSE

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decisions shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 10. EFFECTIVE DATE

This Ordinance shall take effect on and after _____ a.m. _____.

Duly adopted this the _____ day of _____, _____.

Chairman, Hyde County Commissioners

ATTEST:

(seal)