

**A RESOLUTION REGARDING ADMINISTRATION OF THE GOLDSTON
MOBILE HOME ORDINANCE
WITHIN THE TOWN OF GOLDSTON**

WHEREAS, the Town has requested that Chatham County administer the Town Mobile Home Ordinance within the corporate limits of the Town of Goldston; and

WHEREAS, the Town has adopted, or otherwise make enforceable, the ordinance the County has been requested to administer within the corporate limits of the Town of Goldston; and

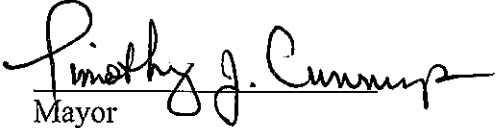
WHEREAS, the Town has considered the Interlocal Agreement with Chatham County attached hereto as Exhibit A and incorporated herein by reference regarding the enforcement of said ordinances, rules, and regulations by the County within the jurisdiction of the Town;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF GOLDSTON as follows:


1. That the Interlocal Agreement attached hereto as Exhibit A be, and it hereby is, approved and the Mayor and Clerk are authorized and directed to execute the same on behalf of the Town.
2. That a certified copy of this Resolution be presented to the Board of Commissioners of Chatham County.

This 11th day July, 2016.

TOWN OF GOLDSTON


Mayor

ATTEST:

 Clerk

NORTH CAROLINA

CHATHAM COUNTY

THIS INTERLOCAL AGREEMENT (this "Agreement"), made and entered into this ____ day of _____, 2016, by and between **CHATHAM COUNTY**, a body politic and corporate of the State of North Carolina (the "County") and the **TOWN OF GOLDSTON**, a North Carolina municipal corporation located in Chatham County, North, Carolina (the "Town");

WITNESSETH:

WHEREAS, pursuant to Article 20 of Chapter 160A of the North Carolina General Statutes, the County and the Town are authorized to enter into interlocal agreements to execute undertakings; and

WHEREAS, the Town has adopted a Town of Goldston Mobile Home Ordinance ("Ordinance"); and

WHEREAS, the Town has requested the County administer the Ordinance within the corporate limits of the Town of Goldston; and

WHEREAS, the County has agreed, subject to the terms and conditions of this Agreement, to administer the Ordinance referred to above within the corporate limits of the Town of Goldston; and

WHEREAS, the County and the Town wish to memorialize their agreement in writing with respect to the enforcement of such ordinances;

NOW, THEREFORE, in consideration of the benefits that will flow to their respective citizens from the duties and undertakings of this Agreement, the County and the Town agree as follows:

1. **Purpose.** The purpose of this Agreement is to provide for the administration by the County of the Town of Goldston Mobile Home Ordinance within the corporate limits of the Town of Goldston. The County is currently enforcing other ordinances, laws, rules, and regulations within the corporate limits of the Town and those enforcement actions shall not be affected in any way by this Agreement

2. **Adoption of Ordinance.** The Town represents and warrants to the County that the Ordinance to be administered by the County within the corporate limits of the Town of Goldston pursuant to this Agreement has been adopted by the Town and that there is no impediment to the legal administration of the same by the County within the Town of Goldston, and that the County may collect its standard fees and other charges for the administration of the same from the citizens and residents of Goldston, in like manner and to the same extent as it does for similar administrative actions from the citizens and residents outside of the corporate limits of municipalities in Chatham County.

3. **Town Ordinance to be Administered within the Corporate Limits of the Town of Goldston.** The County shall administer the Ordinance within the corporate limits of the Town of Goldston in conformity with the terms and conditions of the Ordinance.

Appeals of any administrative action taken by the County, including, without limitation, interpretations and applications of any provision of the Ordinance administered by the County under this Agreement shall be heard by the Town Board of Commissioners.

4. **Change in Ordinance.** In the event the Town amends or otherwise changes the Ordinance the Town shall provide the County not less than thirty (30) days prior written notice of such change before its effective date.

5. **County Collection of Fees.** As consideration for its services hereunder, the County shall collect the same fees, fines, penalties, costs, and other charges incident to administration of the ordinance from the citizens and residents of Goldston that it collects from citizens and residents of Chatham County residing outside of the corporate limits of municipalities. The County shall bill and collect such fees, fines, penalties, costs, and other charges in its own name, all and any of which shall be subject to increase, decrease, or change as and when they are changed for County residents.

6. **County Administration.** The County administration provided for in this Agreement shall include the issuance of permits, the making of inspections, the preparation for and participation in hearings and appeals, and similar actions and services incident to normal local government administration with respect to the ordinance to be administered by the County under this Agreement. In the event it is necessary or advisable to retain attorneys or consultants with respect to any administrative action, including, without limitation protests and challenges, it shall advise the Town, and the Town shall retain and pay for such attorneys or consultants, including, without limitation, all cost and fees incident to such enforcement action, or the defense of claims and lawsuits against the County or the Town incident to such enforcement action.

7. **Notice to Residents of Goldston.** The Town shall provide notice to its citizens and residents reasonably calculated to inform them that the Town Ordinance will be administered and enforced within the corporate limits of the Town by the County, and that they will be billed by the County for such services.

8. **Duration/Termination.** The term of this Agreement shall commence on the 1st day of September, 2016 (the "Effective Date") and, unless terminated as provided in Paragraph 4 hereof, shall exist and continue until one party shall have provided the other party not less than ninety (90) days prior written notice of termination.

9. **Personnel.** Each party shall designate and appoint the personnel necessary to carry out its responsibilities under this Agreement.

10. **Amendment.** This Agreement contains the entire agreement of the parties. It may be changed or amended only by an agreement in writing signed by both parties.

11. **Financing.** The Town shall pay for all costs it incurs under this Agreement. The County shall pay for all costs it incurs under this Agreement. The County shall provide no services under this Agreement except as specifically set forth in paragraph 3 hereof. The Town hereby authorizes the County to collect from the citizens and residents of the Town of Goldston the same fees, fines, penalties, costs and other charges it collects outside the corporate limits of municipalities. Such costs, fees, fines, penalties, and other charges are subject to change effective on the same date that they are changed for persons in the County jurisdiction.

12. **Notices.** All notices other correspondence given or made pursuant to this Agreement shall be in writing, delivered in person, mailed by certified mail, return receipt requested, or delivery by a recognized overnight courier, postage or fees prepaid, addressed to a party at the address given below, and shall be deemed effective upon the date received, via personal delivery, certified mail, or overnight delivery. The parties shall be responsible for notifying each other of any change of address. Mailing addresses for parties are as follows:

If to County:

Chatham County
Attention: County Manager
Post Office Box 1809
Pittsboro, North Carolina 27312

If to the Town:

Town of Goldston
Attention: Mayor
Post Office 527
Goldston, North Carolina 27252

13. **Miscellaneous.** This Agreement constitutes the entire agreement and understanding between the parties and it is understood and agreed that all undertakings, negotiations, representations, promises, inducements, and agreement heretofore entered into between the parties with respect to the matters contained herein are merged in this Agreement. No waiver of any provision of this Agreement shall be valid unless in writing and signed by the party against whom it is sought to be enforced. The provisions of this Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns. The provisions of this Agreement shall be governed by and construed and enforced in accordance with the laws of the State of North Carolina, and any action brought under or concerning this Agreement shall be brought and maintained in the Superior Court of Chatham County, North Carolina. The headings contained in this Agreement are solely for the convenience of the parties and do not constitute a part of this Agreement and shall not be used to construe or interpret any provisions hereof. This Agreement shall be considered for all purposes as having been prepared by the joint efforts of the parties and shall not be construed against one party or the other as a result of preparation, substitution, submission, or other event of negotiation. The invalidity or unenforceability of any term or provision of this Agreement shall not affect the validity or enforceability of any other provisions of this Agreement, which shall remain in full force and effect, and, if any such unenforceable provision hereof is enforceable in any part or to any lesser extent, such provision shall be enforceable in all such parts and to the greatest extent permissible under applicable law. This Agreement may be executed in any number of counterparts each of which shall be deemed an original and all of which taken

together shall constitute one and the same instrument, and the parties hereto may execute this Agreement by signing any such counterpart.

IN WITNESS WHEREOF, the parties have hereunto fixed their hands and seal this the day and year first written above.

CHATHAM COUNTY

By: _____
Chair

Attest: _____
County Clerk

TOWN OF GOLDSTON

By: Timothy J. Cunningham
Mayor

Attest: Junie K. King Raina
Town Clerk

AN ORDINANCE ADOPTING THE TOWN OF GOLDSTON MOBILE HOME PARK
ORDINANCE

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SECTION 1.

GENERAL PROVISIONS

1.1 Title

This document shall be known; cited and referred to as the Town of Goldston Mobile Home Ordinance.

1.2 Authority

By the authority of Chapter 160A- 174 of the General Statutes of North Carolina the Town of Goldston Board of Commissioners does hereby exercise the powers and authority to regulate mobile homes within its territorial jurisdiction.

1.3 Purpose

This ordinance is adopted for the following purposes:

- A. To provide for the orderly growth and efficient development of the Town with respect to the placement of mobile homes on property which is not being divided into individual lots for sale or building development.
- B. To provide for and protect the public health, safety and general welfare of Town of Goldston.
- C. To provide for the coordination of streets in mobile home parks with existing and/or planned streets.
- D. To insure an adequately planned street system and to avoid sharp curves, steep grades and hazardous intersections.
- E. To provide for safe and adequate water and sewer systems, parks and playgrounds.
- F. To provide for the dedication of right-of-ways for streets and utilities.
- G. To insure against flood damage.
- H. To facilitate an orderly system for the design and use of land for mobile homes.
- I. To avoid overcrowding of the land and extreme concentration of the population.
- J. To set forth the standards and procedures for the use of land for mobile home parks in Town of Goldston.

1.4 Jurisdiction

This document shall govern the use of land for the placement of mobile home parks, as herein defined, lying within the Town of Goldston. The regulations shall also apply to travel trailers and campers when used for permanent residence.

1.5 Interpretation

The parts and provisions of this document in their interpretation and application, shall be considered to be the minimum requirements for the promotion of the public health, safety and general welfare.

1.6 Conflict with Public Provisions

This document is not intended to interfere with, annul or abrogate any other ordinance, rule or regulation, statute or other provision of law applicable to Town of Goldston. Where any provision of this document imposes limitations different from those imposed by any other provision of this document or any other ordinance, rule or regulation, or other provision or law, whichever provisions are more restrictive or impose higher standards shall control.

1.7 Conflict with Private Provisions

This document is not intended to abrogate any easement, covenant, or any other private agreement or restriction, provided that where the provisions of this document are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of this document shall govern. Where the private provisions impose more restrictive or higher standards than this document then such private provisions shall be operative and supplemental to these regulations.

1.8 Separability

If any part or provision of these regulations or application thereof to any person or circumstances is held invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in all controversy in which such judgment shall have been rendered. Such judgment shall not affect or impair the validity of the remainder of this document even without any such part, provision or application.

1.9 Saving Provision

These regulations shall not be interpreted as applying to any existing mobile homes or the use of land for mobile homes except as expressly stated herein.

1.10 Amendments

For the purpose of providing for the public health, safety, and general welfare, the Town of Goldston Board of Commissioners may amend, when deemed necessary, the provisions imposed by this ordinance.

1.11 Variances

A. General. Where the Board finds that extraordinary hardship or practical difficulties may result from strict compliance with these regulations unless the granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property.

- B. Conditions. In approving variances, the Board of Town Commissioners may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of these regulations.
- C. Procedures. A petition for any such variance shall be submitted in writing by the owner at the time when the mobile home plan is filed for the consideration of the Town. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner. Applicants shall pay any administrative fee established by the Town at the time of the application or request.

1.12 Prohibited Acts, Enforcement, and Penalties

- A. It shall be illegal for any person to use their land for the placement of a mobile home, as herein defined, in the area herein described without following the procedures and meeting the regulations specified herein.
- B. The Town Mayor, his designee, or other authorized Town personnel are responsible for enforcing this ordinance and shall bring to the attention of the Town Board of Commissioners any violation or lack of compliance.
- C. Each day's continuing violation of this ordinance shall be considered a separate and distinct offense and penalties shall be assessed in such a manner.
- D. Any person who violated the provisions of this ordinance shall be subject upon conviction to the penalty provisions of General Statutes Chapter 14-4 and other penalties or actions or remedy as provided for in General Statutes Chapter 160A- 175.
- E. Any violation of the provisions of these regulations or a failure to comply with any of its requirements shall subject the offender to a civil penalty of \$50.00 per day for the first violation. If the same violation occurs on the same property within six (6) years after the initial violation is remedied, a civil penalty in the amount of \$100.00 per day shall automatically apply. If the same violation occurs on the same property within six (6) years after the second occurrence of the violation is remedied, a civil penalty in the amount of \$200.00 per day shall automatically apply. If the same violation occurs on the same property within six (6) years after the third or any subsequent occurrence of the violation is remedied, a civil penalty in the amount of \$500.00 per day shall automatically apply. For the purposes of assessing civil penalties each day such violation continues shall be considered a separate and distinct offense.

DEFINITIONS

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2.1 Meaning of Words Generally

Words and terms used in this document have their commonly accepted, dictionary meaning unless specifically defined or the context in which they are used in this document clearly indicates otherwise.

2.2 Meaning of Common Words

All words used in present tense include future tense.

All words used in the plural include the singular, and all words use in the singular include the plural.

All words used in the masculine gender include the feminine gender.

The word "shall" is mandatory, and the word "may" is permissive.

The word "building" includes the "structure and any part thereof."

The word "lot" includes the words "plot", "parcel", and "tract".

The word "person" includes the words "association", "company", "corporation", "firm", "individual", "organization" and "partnership"

2.3 Meaning of Specific Words and Terms

Adjacent – Having a common border such as a lot line or street right-of-way

Applicant – The owner of land proposed to be used for a mobile home or his representative. Consent shall be required from the legal owner of the premises prior to the Town granting final approval of a mobile home park plan.

Architect – A person certified and currently licensed to practice architecture in North Carolina. This includes landscape architects.

Board – The Town of Goldston Board of Commissioners.

Board of Commissioners – The Town of Goldston Board of Commissioners.

Building – Any structure built or placed for the support, shelter, or enclosure of persons, animals, immovable, or movable property of any kind.

Building Setback Line – A line in the interior of a lot which is generally parallel to, and a specified distance from, the street right-of-way line or other lines; which creates a space between such lines in which no building shall be placed.

Cul-de-sac – A street with only one end open to traffic and the other end being permanently terminated and a vehicular turnaround provided for the safe and convenient reversal of traffic movement. Length is measured from the center point of the turnaround to the center line of the connecting non-cul-de-sac street.

Dedication – The object or the act of an owner offering property or property rights to the public. Since a transfer of property rights is involved, dedications must be made by written recordable instruments.

Developer – The owner of land proposed to be used for a mobile home or his representative. Consent shall be required from the legal owner of the premises.

Easement – The right to use another person's property, but only for a limited and specifically named purpose, the owner generally continues to make use of such land since he has given up only certain, and not all, ownership rights.

Enforcement Officer – The person designated by the Town of Goldston Board of Commissioners to enforce the provisions of this Ordinance.

Flood Hazard Area – The minimum area of the flood plain that, on the average, is likely to be flooded once every one hundred years (i.e., that has a one percent chance of being flooded each year) as identified by the most recent Flood Hazard Boundary Maps.

Grade – The slope of a road, street, etc., specified in percentage (%) terms.

Health Department – The agency and person designated to administer the local health regulations

Lot Area – The total horizontal area included within lot lines

Lot Area (Useable) – Lot area suitable for water and wastewater service. The area within the lot lines which is a contiguous area suitable for a house and access. This area does not include areas such as public right-of-ways, land on the opposite side of a public right-of-ways, land on the opposite side of a public right-of-way from the house site on the lot, land within the water hazard area or floodway from the house site on the lot.

Lot Improvement – Physical changes made to raw land and structures on or under the land surface in order to make the land more useable for man's activities. Typical improvements in these regulations would include but not be limited to grading, street pavement, drainage ditches, and street name signs. Certain lot improvement shall be properly bonded as provided in these regulations.

Manufactured Home – A dwelling unit that (1) is not constructed in accordance with the standards of the North Carolina Uniform Residential Building Code for One – and Two-Family Dwellings; (2) is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designated to be transported to the home site on its own chassis; and (3) exceeds forty feet in length and eight feet in width.

Manufactured Home, Class A – A manufactured home constructed after July 1, 1976, that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction and that satisfies the following additional criteria: (a) The manufactured home has a length not exceeding four times its width; and (b) The pitch of the manufactured home's roof has a minimum vertical rise of two and two tenths feet for each twelve feet of horizontal run (2.2' in 12") and the roof is finished with shingles; and (c) The exterior siding consists predominately of vinyl or aluminum horizontal siding, wood or hardboard; and (d) A continuous, permanent masonry curtain wall or foundation, unpierced except for ventilation and access, is removable towing apparatus, and transporting lights are removed after final placement on the site.

Manufactured Home, Class B – A manufactured home constructed after July 1, 1976, that meets or exceeds the standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction, but which does not meet the definition of a Class A manufactured home.

Manufactured Home, Class C – A manufactured home that does not meet the definition of either Class A or a Class B manufactured home.

Mobile Home – A residential dwelling unit, designed for transportation after fabrication on its own wheels or on flatbeds, or other trailers, and

arriving at the site where it is to be occupied as a dwelling unit 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 foundation, and connection to utilities. Travel trailers and campers shall not be considered mobile homes unless used for permanent residence.

Mobile Home Lot – Any parcel of ground designated for the accommodation of one mobile home.

Mobile Home Park – Any plot of ground, or plots of ground, usually under single ownership, which has been planned and/or improved for the placement of more than three mobile homes for dwelling and/or sleeping purposes.

Mobile Home Park Plan – A plan of a proposed mobile home park as specified in these regulations.

Modular Homes – A dwelling unit constructed in accordance with the construction standards of North Carolina Uniform Residential Building Code for One – and Two-Family Dwellings and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly and placement on a permanent foundation. Without limiting the generality of the foregoing, a modular home may consist of town or more sections transported to the site on each's own chassis or steel frame, or a series of panels or room sections transported to the site on a truck and erected, assembled, or joined there. (#20)

Monuments – Markers placed on or in the land. Metal pins not less than three-fourths (3/4) inches in diameter and 18 inches long or concrete monuments 4 inches in diameter or square and three (3) feet long.

Official Submission Date – This shall be considered the date of the Board Meeting at which a mobile home park plan is considered for approval. This is not the date upon which the plan is submitted to the Town staff for review.

Open Space – An area of land and/or water generally lacking in man-made structures and reserved for enjoyment in its unaltered state, or for recreation.

Owner – Any person, firm, or corporation, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be developed under these regulations.

Park Plan – Mobile home park plan.

Private Street – An undedicated private right-of-way which affords access to abutting properties or lots according to the standards of this ordinance and which may or may not require a street disclosure statement in accordance with the North Carolina General Statutes.

Public Street – A dedicated and accepted public right-of-way which affords access to abutting property and meets the standards of this ordinance and the most recent North Carolina Department of Transportation minimum construction standards for subdivision roads.

Public Water – A system to provide or furnish water to the public which shall be owned and operated by a Town, municipal government, or service district.

Recreation Area or Park – An area of land and/or water resources that is developed for active and/or passive recreation pursuits with various man-made features that accommodates such activities.

Register of Deeds – Chatham County Register of Deeds.

Rental Mobile Home – Mobile Homes that are available on a rental or lease basis.

Right-of-way – A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special use. The usage of the term “right-of-way” for land plating purposes shall mean that every public right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Right-of-ways intended for streets, crosswalks, water mains, sanitary sewers, storm drains, or any other use involving maintenance by a public agency shall be dedicated to public use by the owner of the property on which such right-of-way is established.

Road Right-of-way Width – The distance between property lines measured at right angles to the centerline of the street.

Setbacks – The distance between a building and the street line or property line nearest thereto.

Staff – The professional officers, employees, and consultants to the Town of Goldston.

Street Line – The legal line between street right-of-way and abutting property.

Subdivision – A subdivision means all division of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale or building development (whether immediate or future) and includes all division of land involving the dedication of a new street or a change in existing street; however, the following is not included within this definition and is not subject to any regulations enacted pursuant to this document:

1. The combination or recombination of portions of previously plated lots if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the Town as shown in its subdivision regulations.
2. The division of land into parcels greater than ten (10) acres if no street right-of-way dedication is involved.
3. The public acquisition by purchase of strips of land for widening or opening streets;
4. The division of a tract in single ownership the entire area of which is not greater than two acres into not more than three lots, if no street right-of-way dedication is involving and if the resultant lots are equal to or exceed the standards of the Town as shown by its subdivision regulations;
5. A conveyance made for the purpose of dividing up the estate of a decedent among his heirs and devisees; and

6. The combination or recombination of previously recorded lots or portions or previously recorded lot if the total number of lots is not increased.

Surveyor – A qualified land surveyor or engineer registered and currently licensed to practice surveying in the State of North Carolina.

Town – Town of Goldston, North Carolina or the governing body of.

Town Attorney – Person so designated by the Town of Goldston Board of Commissioners.

Town Public Sewer – A system to provide the public with the collection and treatment of wastewater which shall be owned and operated by a Town , municipal government, or service district.

Town Water – Water furnished by Goldston-Gulf Sanitary District

Travel Trailer – A structure that is (1) intended to be transported over the streets and highways (either as a motor vehicle or attached to or hauled by a motor vehicle), and (2) is designed for temporary use as sleeping quarters, but that does not meet the definition of a manufactured home.

Unit of Dwelling Unit – A building or structure or portion thereof designed, arranged or used for living quarters for one family.

Useable Land – See Lot Area (Useable).

Water Hazard Area – The area adjacent to continuously flowing waterways and intermittent streams as designated on the most recent USGS quadrangle sheets which due to its proximity to the waterway, soils and/or other topographic information is deemed not suitable for structures or septic fields due to potential water pollution.

SECTION 3. COMPLETION AND MAINTENANCE OF IMPROVEMENTS

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SECTION 3. COMPLETION AND MAINTENANCE OF IMPROVEMENTS

3.1 Improvements

A. Completion of Improvements

Before the mobile home park plan is signed by the Mayor, all applicants shall be required to complete, in accordance with the Town's decision, all the street, sanitary, and other improvements on the individual lots of the mobile home park as required in these regulations, specified in the final mobile home park plan, and as approved by the Town and to dedicate same to the appropriate government body, free and clear of all liens and encumbrances on the property and public improvements thus dedicated.

B. Acceptance of Dedication Offers

Acceptance of formal offers of dedication of public areas, easements, and parks shall be by resolution of the Town of Goldston Board of Commissioners. The approval by the Town of a park plan shall be deemed to constitute or imply the acceptance by the Town of any easement, or park shown on said plan.

3.2 Inspection of Improvements

General Procedure

The Town and other reviewing agencies may provide for inspection of required improvements during construction and assure their satisfactory completion. If the reviewing agencies find upon inspection that any of the required improvements have not been constructed in accordance with the Town's or agencies' involved construction standards and specifications, the applicant shall be responsible for completing the improvements.

3.3 Deferral of Waiver of Required Improvements

A. Conditions

The Town may defer or waive at the time of final approval, subject to appropriate conditions, the provision of any or all such improvements as, in its judgment, are not requisite in the interests of the public health, safety, and general welfare, or which are inappropriate because of inadequacy or lack of connecting facilities.

B. Payments in Lieu of Improvements

Whenever it is deemed necessary by the Town to defer the construction of any improvement required herein because of incompatible grades, future planning, inadequate or lack of connecting facilities, or for other reasons, the applicant may be required to pay his share of the costs of the future improvements to the Town prior to signing of the final park plan, or the applicant may post financial security assuring completion of said improvements upon demand of the Town .

SECTION 4. MOBILE HOME PLAN APPLICATION PROCEDURE AND APPROVAL PROCESS

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SECTION 4. MOBILE HOME PLAN APPLICATION PROCEDURE AND APPROVAL PROCESS

4.1 General Purpose

The purpose of this section is to establish the step-by-step procedure, which shall be followed by the owner in submitting the plans to the enforcement officer, Town and other agencies. The review process a mobile home plan follows depends on the number of lots and mobile homes involved. The more involved plans receive a more involved review.

4.2 Categories of Mobile Home Plans

A. Three Dwelling Units

This category consists of situations where three detached principal residential units are proposed to be situated on one parcel of land and one parcel of land and one or all of the units are mobile homes.

B. More Than Three Dwelling Units But Less Than Fifteen Mobile Homes

This category exists where more than three dwelling units but less than fifteen mobile homes are proposed to be situated on one parcel of land or more than one parcel under the same ownership and no new roads are proposed.

C. Fifteen Mobile Homes or More and/or New Roads

Mobile home parks shall be considered in this category anytime fifteen or more mobile homes are proposed or new roads are planned.

4.3 Procedures for Review of Categories of Mobile Homes Plans

A. Fees Applicants shall pay any administrative fee established by the Town at the time of application or request.

B. Three Dwelling Units

1. The owner shall submit two copies of the information specified in Section 5.1 to the enforcement officer.
2. A letter approving the proposed site for public water and wastewater service shall also be submitted with the proposed plan.
3. From the date the plan is submitted, the enforcement officer has ten (10) working days to approve or disapprove the plan or the plan shall be considered approved.
4. The decision of the enforcement officer may be appealed to the Board of Town Commissioners and shall follow the procedure below.
5. The decision of the enforcement officer to disapprove a plan and the reasons for such action shall be mailed to the owner within five (5) days of the decision.
6. All records and plans whether approved or disapproved shall be kept on record in the enforcement officer's file.

C. More Than Three Dwelling Units But Less Than Fifteen Mobile Homes

1. The owner shall submit fifteen (15) copies of the information specified in Section 5.2 to the enforcement officer.
2. A letter approving the proposed site for public water and wastewater service shall also be submitted with the proposed plan.
3. The enforcement officer has thirty (30) working days to review the plans and forward to the Town Clerk for consideration by the Town Board.
4. The comments of the enforcement officer shall be forwarded to the owner.
5. At the conclusion of the enforcement office review the plans shall be submitted to the Board of Commissioners during their next regular meeting. Within sixty (60) days after the official submission date of the plan to the Board of Commissioners, they shall indicate in their minutes their approval, disapproval or approval subject to modifications. Failure of the Board of Commissioners to act on the plan within this sixty (60) day period shall be deemed approval. The reasons for disapproval or approval subject to modifications shall be specified in the minutes of the meeting.
6. Following approval of the plan, two approved copies of the plan signed by Mayor of the Town shall be recorded in the enforcement officer's file along with other appropriate records.

D. Fifteen Mobile Homes or More and/or New Roads

Mobile home park plans in this category shall follow a basic 4 step review process. First, the plan shall be reviewed by the Town enforcement officer as described in Section 4.3C above. If the plan is acceptable to the Commissioners, improvements shall be installed. After the improvements are completed, the plan is again reviewed for compliance by the Town enforcement officer. Two copies of the as-built plans are recorded in the enforcement officer's files. The exact procedure is listed below.

1. The owner/developer shall submit fifteen (15) copies of the information specified in Section 5.3 to the enforcement officer.
2. The owner /developer shall also submit all appropriate permits from NCDOT and Chatham County and any other agency with jurisdiction, including, but not limited to, commercial driveway, erosion control, and stormwater permits.
3. A letter approving the proposed site for public water and wastewater service shall also be submitted with the proposed plan.
4. From the date the plan is submitted, the enforcement officer has thirty (30) working days to review the plan and forward to the Town Clerk for consideration by the Town Board..
 - a. The comments of the enforcement officer shall be forwarded to the owner.
 - b. At the conclusion of the enforcement office review the plans shall be submitted to the Board of Commissioners during their next regular meeting. Within sixty (60) days after the

official submission date of the plan to the Board of Commissioners, they shall indicate in their minutes their approval, disapproval or approval subject to modifications. Failure of the Board of Commissioners to act on the plan within this sixty (60) day period shall be deemed approval. The reasons for disapproval or approval subject to modifications shall be specified in the minutes of the meeting.

5. Following approval of the plan, two approved copies of the plan signed by Mayor of the Town shall be recorded in the enforcement officer's file along with other appropriate records.
6. Plan approval by the Town shall be valid for a period of eighteen (18) months from the date given. During this time period, the owner shall install all required improvements and request a final plan approval from the Town verifying that the improvements are installed as planned. If the developer is unable to complete the required improvements within the specified time, he may present in writing to the Board of Town Commissioners a request for an extension of time setting forth the reasons for the extension. The owner shall submit his request two regularly scheduled meetings prior to the date the plan approval expires and no less than thirty (30) days prior to the expiration date. In the event such an extension is granted, the Board of Town Commissioners shall state the time limit of the extension which shall be recorded in the minutes of the Board of Town Commissioners meeting.

E. Appeals

The decisions of the mobile home ordinance enforcement officer may be appealed by any person aggrieved to the Board of Town Commissioners. Applicants shall pay any administrative fee established by the Town at the time of the application or appeal.

Section 5. SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED

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SECTION 5. SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED

5.1 Three Dwelling Units

Anytime three detached principal residential units are proposed to be situated on one parcel of land or more than one parcel of land under one ownership and one or all of the units are mobile homes, the following information shall be submitted to the enforcement officer and approved by the same prior to placement of the mobile home on the parcel. The information shown on the plan shall be to an approximate convenient scale of not more than two hundred (200) feet to an inch when practical. The plan is not required to be drawn by a registered surveyor or engineer, but may be drawn by the applicant or enforcement officer with direction from the applicant.

A. Ownership

1. Name and address, including telephone number, of legal owner or agent of property.
2. If appropriate the name and address, including telephone number, of the professional person responsible for the plan design.
3. Citation of any existing legal right-of-way or easements affecting the property.
4. Reference to existing covenants on the property.
5. Name and address, including telephone number of person occupying mobile home, if available.

B. Description – The following shall be shown:

Location of property by tax map and parcel identification number; the Warranty Deed Book number and page on which the property is currently recorded; the plat book and page on which the property is recorded.

C. Features – The plan shall show the following information:

1. General location map showing the relationship of the property to the surrounding area.
2. Graphic scale (if professionally drawn) or approximate dimensions (if owner drawn), date and approximate North Arrow.
3. The location of property with respect to surrounding property and streets, the names of adjacent property owners and streets.

4. Zoning classification of surrounding property and property of concern.
5. Approximate acreage of property of concern.
6. The approximate location of existing roads, easements, water bodies, water courses, buildings, railroads, cemeteries, sewers, water mains, land subject to flood or other pertinent features.
7. Approximate distance of existing and proposed residential structures from boundary lines of the property and from other structures.

5.2 More Than Three Dwelling Units But Less Than Fifteen Mobile Homes.

Anytime more than three dwelling units but less than fifteen mobile homes are proposed to be situated on one parcel of land the following information shall be submitted to the enforcement officer and approved by the Town prior to the placement of the mobile homes on the parcel. The information shown on the plan shall be to a convenient scale of not more than two hundred (200) feet to an inch. The plan is not required to be drawn by a registered surveyor or engineer.

A. Ownership

1. Name and address, including telephone number of legal owner or agent of property.
2. If appropriate the name and address, including telephone number, of the professional person responsible for the plan design.
3. Citation of any existing legal right-of-ways or easements affecting the property.
4. Reference to existing covenants on the property.

B. Description – The following shall be shown:

Location of property by tax map and parcel identification number; the Warranty Deed Book Number and page on which the property is currently recorded; the plat book and page on which the property is recorded.

C. Features

The plan shall show or note the same information required in 5.1C plus the following:

1. Name of the mobile home park. The proposed name shall not duplicate the name of any existing mobile home parks or subdivision.

2. The approximate location of all boundary lines of the property.
3. The approximate location and dimensions of all proposed or existing lots. Lots shall be consecutively numbered.
4. The location and width of all existing and proposed street right-of-ways, easements and building setback lines, and water hazard areas, where applicable.

5.3 Fifteen Mobile Homes or More

Anytime fifteen or more mobile homes are proposed to be situated on one parcel the following information shall be submitted to the enforcement officer and approved by the Town Board of Commissioners prior to the placement of mobile homes on the parcel. This information shall be required if the original number of mobile homes are proposed in a park is fifteen or more, or if additional mobile homes are proposed to be added to one of the categories previously listed which would bring the total number of mobile homes planned to fifteen or more. Plans for this category of mobile home parks shall be prepared by a currently licensed registered surveyor or engineer.

The information shown on the plan shall be to a convenient scale of not more than two hundred (200) feet to an inch on sheets having an outside marginal size of not more than twenty-one (21) inches by thirty (30) inches.

A. Ownership

1. Name and address, including telephone number of legal owner or agent of property.
2. If appropriate, the name and address, including telephone number, of the professional person responsible for the plan design.
3. Citation of any existing legal right-of-ways or easements affecting the property.
4. Reference to existing covenants on the property.

B. Description – The following shall be shown:

Location of property by tax map and parcel identification number; the Deed Book number and page on which the property is currently recorded; the plat book and page on which the property is recorded.

C. Features

The plan shall show or note the same information required in 5.1C plus the following:

1. Name of the mobile home park. The proposed name shall not duplicate the name of any existing mobile home parks or subdivision.
2. The approximate location of all boundary lines of the property.
3. The approximate location and dimensions of all proposed or existing lots. Lots shall be consecutively numbered.
4. The location and width of all existing and proposed street right-of-ways, easements and building setback lines, and water hazard areas, where applicable.

5.4 Other Information required

- A. A topographic map with contours at vertical intervals of not more than five (5) feet, at the same scale as the plan, is required for all mobile home parks with new roads and/or fifteen (15) or more lots, unless not deemed necessary by the staff.
- B. A drainage plan shall be submitted for all mobile home parks with new roads proposed. An erosion control plan approved by Chatham County shall also be submitted. Any other plans, permits, approvals necessary for the mobile home park shall also be submitted with the application.
- C. Utility Plans: Plans of proposed utility layouts for sewer and water where applicable, showing feasible connections to the existing utility system, or any utility system.

SECTION 6. GENERAL REQUIREMENTS AND MINIMUM STANDARDS FOR IMPROVEMENTS, RESERVATIONS AND DESIGN

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SECTION 6. GENERAL REQUIREMENTS AND MINIMUM STANDARDS
FOR IMPROVEMENTS, RESERVATIONS AND DESIGN

6.1 Suitability of the Land

A. Land – Physically Unsuitable for Mobile Home

Land which the Town has found to be unsuitable for mobile homes:

1. Because of flooding, bad drainage, steep slopes, rock formations, and other such features which may endanger health, life, or property, aggravate erosion, or increase flood hazard, or
2. Which other public agencies concerned have investigated and found in the best interest of the public not suitable for the type of use proposed.

May not be approved for mobile homes unless adequate methods are formulated by the developer for meeting the problems created by such land use. Such land within a mobile home park shall be set aside for such uses as shall not produce unsatisfactory living conditions.

B. Land Subject to Flood

Land within any Floodway shall not be used for a mobile home park and shall not be raised by fill. Other land subject to flood may be used for a park only if filled to such height as will secure a flood-free site based on data submitted by the owner and prepared by competent engineers, provided such use or fill does not endanger health, life or property or restrict the flow of water or increase flood heights. To prevent such hazards, fill material should be taken from between the stream bank and the area to be filled. In applying these provisions, land subject to flood shall be defined as the land lying within any special Flood Hazard Areas indicated on the most recent Flood Hazard Map or related information available.

C. Water Hazard Setback

To help lessen the constant potential of water pollution from sedimentation and storm water runoff and to maintain the scenic character of the Town's waterways, the following areas shall be considered within the water hazard setback where neither buildings nor septic systems shall be situated.

Roads that run parallel to rivers and streams specified below shall not have right-of-ways within the water hazard setback. Roads shall cross rivers and streams at angles that approximate right angles as closely as possible to minimize stream disturbance. The water hazard setback shall not be included when calculating the minimum useable lot area.

1. A one-hundred (100) foot buffer shall apply on each side (200 foot total) of all continuously flowing and intermittent streams as shown on the most recent U.S. Geological Survey maps.
2. The above shall be required unless the developer demonstrates that a lesser distance (but not less than fifty (50) feet) is adequate to maintain the scenic character of the waterway and guard against stream pollution. Evidence may be based on topography, soils, geology and other pertinent information and shall be prepared by a registered engineer, architect, or other persons approved by the Town.
3. Where there are conflicts between the Watershed Protection Ordinance provisions for riparian buffers and the requirements of these regulations, the more restrictive shall apply.

6.2 Mobile Home Lots

A. Size

The minimum size of mobile home park lots shall be 40,000 square feet. All mobile home lots shall be served by public water and sewer service.

B. Setbacks and Buffer Strips

1. All mobile homes shall be located at least forty (40) feet from a state or town street right-of-way and at least twenty-five (25) feet from other property boundary lines. Mobile home parks with more than three (3) mobile homes shall have a minimum mobile home setback of fifty (50) feet from outside park property boundary lines. There shall be minimum distance of twenty (20) feet between an individual mobile home and the edge of an adjoining mobile home park street easement or common parking area.
2. Mobile homes shall be separated from each other by at least thirty (30) feet; provided that mobile homes placed end-to-end have a clearance of fifteen (15) feet where opposing rear walls are staggered.
3. An accessory structure shall be no closer than five (5) feet to lot lines.
4. All mobile home parks located and adjacent to industrial or commercial land uses shall be provided with screening such as fences or natural growth along the property boundary line separating the park and such adjacent nonresidential uses.

5. Parking Spaces

- a. Off-street parking areas shall be provided so as to provide parking at a rate of not less than 2.0 car spaces per lot for every lot.
- b. Required car parking spaces shall be so located as to provide convenient access to the mobile home, but shall not exceed a distance of 200 feet from the mobile home that it is intended to serve.

6.3 Interior Street System

A. Access – All mobile home parks shall be provided with a network of streets or driveways that will allow safe and convenient vehicular access to an improved street from each mobile home lot. The intersection of a public street with the entrance way or private access street to the mobile home park shall be designated to facilitate the free movement of traffic entering or leaving the park development. Signs shall be erected or curb markings painted to indicate that parking is prohibited on the entrance way of the private access road within fifty (50) feet of its intersection with the public street.

B. Circulation – The street system shall provide convenient circulation by means of minor streets and properly located collector streets. Cul-de-sacs designed to have one end permanently closed, shall be no more than one thousand (1000) feet long unless necessitated by topography or design considerations. This regulation may not be required by the Town when turn-arounds are provided at intervals of one thousand (1000) feet or less. The length of a cul-de-sac shall be measured from the center of the turn around to the intersection of its center line with the center line of the connecting non-cul-de-sac street.

The closed end of the cul-de-sac shall have a turn around with a minimum radius of sixty (60) feet.

C. Road Widths

Road widths on different type streets shall be not less than the following requirements:

Collector streets (defined as those which provide access to different sections of a mobile home park, or intersect with a public street).

<u>Collector:</u>	<u>Width for 15 or more mobile homes</u>
<u>Type (paved)</u>	
No parking	18

Minor streets (defined as those which provide access to less than fifteen individual mobile home lots).

Minor:

<u>Type</u>	<u>Width</u>
No parking	16
One-way no parking	12

There shall be a minimum road right-of-way of thirty (30) feet. Where the currently adopted standards of the NC Building and Fire Codes are inconsistent with the provisions of this section, the more restrictive shall apply.

D. Grade of Roadway

The maximum grade of travel way shall be ten (10) percent unless a variance is granted; in such cases the maximum may be increased to but not greater than fifteen (15) percent.

E. Road Surface

In situations where three (3) or less mobile homes are to be served by a road, a perpetual easement of not less than thirty (30) feet in width shall be provided. No minimum standards are herein required for said road construction.

In mobile home parks with at least four (4) mobile home lots but fewer than fifteen (15) mobile home lots, roads shall have a minimum roadway surface of four (4) inches of crush and run stone or material equal in quality, if approved by the Town. There shall be a minimum road right-of-way of thirty (30) feet.

Mobile home parks with fifteen (15) mobile home lots or more shall have paved roadways. The base material shall be a minimum of four (4) inches of crush and run stone or an equivalent, and the surface shall be a minimum of one and half (1½) inches of asphalt. There shall be a minimum road right-of-way of thirty (30) feet. Roadway materials shall be placed on the properly graded and drained subgrade.

Roads shall comply with the current requirements of the NC Fire Code so as to provide adequate access to mobile homes for emergency fire and rescue apparatus.

6.4 Adequate Community Recreation Areas.

- A. All mobile home park developments, campgrounds or similar developments subject to this ordinance shall provide public community recreation areas consistent with Town plans, policies, and regulations . For purposes of this section, public community recreation areas shall be areas developed for active recreational uses. The following are illustrative of the type of facilities that shall be deemed to serve active recreational needs: tennis courts, swimming pools, sauna and exercise rooms, meeting or activity rooms in clubhouses, basketball courts, ball fields, swings, slides, and play apparatus. Each mobile home park development, campground, or similar development shall satisfy its public community recreational requirement by:

Dedicating and conveying to the Town the type of public recreational facilities that are most likely to be appropriate for the community. Each public community recreation area shall satisfy the standards set forth in any Town approved recreation Master Plan as to size, shape, location, slope, access and usefulness to the community and shall be not less than the product of 1/35 of an acre multiplied by the maximum number of lots to be developed or maximum number of dwelling units proposed, whichever is greater. The Town shall be authorized to sell any land dedicated pursuant to this section, but the proceeds shall be used only for the acquisition, or development of other public recreation facilities.

- B. In lieu of dedicating public community recreation areas, a fee shall be paid to the Town. The fee shall be equivalent to the post-development tax value of the area of land required to be dedicated pursuant to a. above. Fees paid in lieu of dedication hereunder shall be expended for acquisition or development of recreation or park facilities or areas.
- C. The Town may require the payment of the fee in lieu of dedication at the time of final approval upon finding that the land required to be dedicated is not suitable for public community recreation purposes or upon finding that the recreational needs of the proposed development can be met by other public recreational facilities planned or constructed by the Town within the recreational service district where located. The Town shall decide during the review and approval process as to which option shall be available.

6.5 Nonresidential Uses

No part or any part may be used for nonresidential purposes except uses that are required for the district servicing and well being of park residents, such as recreational facilities, and laundry facilities for the sole use of park residents, and for the management and maintenance of the park. This section shall not prohibit the sale of a mobile home located on a mobile home lot and connected to sewer and water lines. In parks of twenty-five (25) units or more, a parcel of not more than one acre located within the park (and screened from adjoining residences) may be designated for the sale of mobile homes, with the approval of the Town.

SECTION 7. DEVELOPMENT PREREQUISITE TO PLAN APPROVAL

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SECTION 7. DEVELOPMENT PREREQUISITE TO PLAN APPROVAL

A perfectly prepared mobile home park plan means little to a prospective lot user until he can see raw acreage physically transformed into lots suitable for mobile homes and human habitation. Improvements by the owner spares the community from a potential tax liability. The following tangible improvements are required before plan approval in order to assure the physical reality of a mobile home park.

7.1 Required Improvements

Every owner shall be required to grade and improve streets, install monuments, sanitary sewers, storm drainage, water mains, and other utilities, and make other site improvements in accordance with the following specifications.

A. Monuments and Lot Markers

Iron pins not less than three-fourths (3/4) inches in diameter and eighteen (18) inches long shall be set at all street corners, at points where the street lines intersect the exterior boundaries of the mobile home park, and at all corners of the mobile home park. These pins shall be driven so as to be snug in the ground and shall not have over six inches exposed above the finished grade. The location of these pins shall be identified with wood stakes or other suitable markers at the time the plan is submitted for approval so all the necessary inspections may be made by the various agencies involved in the review of the plan. In mobile home parks dependent on wells and/or septic systems, wooden stakes shall be installed at the approximate location of all lot corners.

All new mobile home parks with more than 3 lots involved shall have a sign giving a number designation of each lot.

B. Street Development

Every owner shall be required to grade and improve new streets, Private street improvements shall meet the design and construction standards specified in these regulations.

C. Storm Drainage

An adequate drainage system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water. Banks or ditches shall be immediately seeded upon grading and installation of utilities and the ditch itself shall be improved with appropriate vegetative cover to retard erosion.

D. Soil and Ground Cover Requirements

Exposed ground surfaces in all parts of every mobile home park shall be paved, or covered with stone screenings, or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust.

- E. Sanitary Sewers
Public sewer shall be provided and installed in such a manner as to serve adequately all lots within the subdivision. .
- F. Water Supply Systems
Public water shall be provided and installed in such a manner as to serve adequately all lots within the subdivision.
- G. Street Lights
All mobile home parks shall have adequate street lights installed. The minimum size street light shall be a 175 watt mercury-vapor (approximately 7,000 lumen class) or its equivalent, at intersections, dead end streets and other appropriate locations.
- H. Installation of Utilities
All utility services shall be so designed and installed as to conform with all appropriate state, local, and utility agency requirements. Underground electric and telephone lines are encouraged and may be required in mobile home parks where lot densities and soil conditions exist to make the installation of such facilities economically feasible in the opinion of the Town.
- I. Existing Mobile Home Parks
Any proposed expansion to existing mobile home parks shall be required to meet all the procedures and requirements of this ordinance.
- J. Completed Improvements
No mobile home park plan shall be approved by the Town until all required improvements have been constructed in a satisfactory manner and approved by the Town.

SECTION 8. RESPONSIBILITIES AND DUTIES OF PARK OPERATORS

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SECTION 8. RESPONSIBILITIES AND DUTIES OF PARK OPERATORS

8.1 Responsibilities and Duties

A. Supervision

Mobile Home park operators shall be required to provide adequate supervision to maintain the park in compliance with the requirements of the Ordinance and to keep all the park-owned facilities, improvements, equipment, and all the common areas clean and in good repair.

B. Mobile Home Ownership

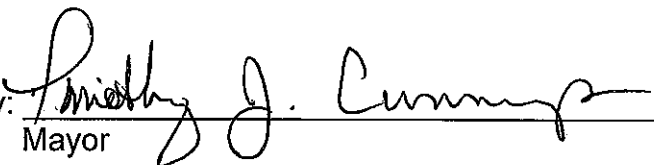
Operators shall be required to comply with G.S. 105-316 (a) (1), which requires that each year each operator of a park renting lots for five (5) or more mobile homes furnish the County Tax Supervisor with the name of the owner of, and a description of each mobile home located in the park.

C. Disease Notification

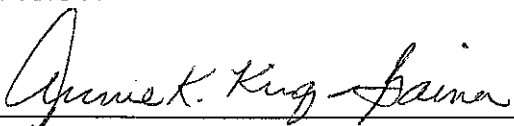
The park owner or operator shall notify the Health Department immediately of any suspected communicable or contagious disease within the park.

Adopted this ___ day of _____, 2016.

TOWN OF GOLDSTON

By: 
Mayor

ATTEST:


Clerk