

CHAPTER 10.

MOBILE HOMES, TRAVEL TRAILERS, ETC.

*For state law as to authority of city to regulate mobile homes, see W. Va. Code, § 8-12-5(30).
As to buildings generally, see ch. 5 of this Code.
As to garbage and refuse generally, see ch. 8.
As to motor vehicles and traffic generally, see ch. 11. As to water and sewers generally, see ch. 18.*

- § 10-1. Definitions.
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Sec. 10-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Camper. A mobile living unit designed to be mounted upon or conveyed by another vehicle and licensed or able to be licensed under state motor vehicles law.

Industrial housing. Used, designed to be used or capable of being used as living quarters with certain sleeping accommodations, kitchen and bathroom facilities, and plumbing and electrical connections for attachment to outside systems, and placed on a solid foundation. Any industrialized housing which meets the definitions of a mobile home shall not be considered industrialized housing.

Mobile home. A structure or vehicle with the following characteristics:

(a) Used, designed to be used or capable of being used as living quarters, and containing sleeping accommodations, a flush toilet, a tub or shower bath, kitchen facilities and plumbing and electrical connections for attachment to outside systems;

(b) Designed for transportation after fabrication on streets or highways on its own wheels and resting on its own chassis;

(c) Arrives at the site where it is to be occupied complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, location or jacks or other temporary or permanent foundations, connections to utilities, and the like; a camper/camper-trailer is not a mobile home.

Mobile home park. An area consisting of at least one acre for renting of space for mobile homes and not used or occupied by the applicant for his or their use. Two or more mobile homes are considered a park.

Mobile home space. A plot of ground outside of a mobile home park or mobile home subdivision, designated for the accommodation of one mobile home, and having an area of not less than three thousand square feet.

Mobile home subdivision. A subdivision designed and intended for residential use where the residences are mobile homes exclusively, with a minimum size of two acres.

Permit. A written permit issued by the city recorder, when approved by city council at a regular meeting, permitting a mobile home, a mobile home park or a mobile home subdivision to be located within the city limits.

Travel trailer. A mobile home not exceeding eight feet in width nor more than thirty-three feet in length. (8-18-77, § 1.)

Sec. 10-2. Permits.

All mobile home owners whose mobile homes are now located in the corporate limits of the city are required to register their mobile homes with the city recorder, giving such recorder a brief description of the mobile home occupied by them, or rented by them, the owner of the land on which same is situated, and the mailing address of the tenant.

All mobile homes coming into the city must first obtain a permit from the city recorder before locating such mobile home in the corporate limits.

The occupant of a mobile home shall pay to the city recorder for such permit the sum of five dollars as a registration fee, and such permit shall be issued for a period of one year. A renewal permit, without additional charge, may be issued for additional years; provided, that the occupant thereof is not in violation of any of the provisions of this chapter.

A permit must be obtained by an owner or custodian of a mobile home that is not occupied and used for living or sleeping purposes, providing the same information as above stated, and the same registration fee must be paid.

The city council is hereby authorized, in the exercise of its reasonable discretion, to revoke any permit before it expires if, after investigation, it is determined that the holder of such permit has violated any of the provisions of this chapter. Notice of revocation shall be in writing and sent by certified mail, return receipt requested, to the person in whose name the permit is issued. Such revocation notice shall set out the right of the permit holder to cor-

rect such violation and shall further state that such permit holder shall have the right to hearing before the city council at its next regular meeting. The date of such meeting shall be set out in this notice.

If the permit holder does not correct the violation and does not appear before the city council as directed in the notice, such mobile home camper or travel trailer must be removed from the premises as occupied within forty-five days. (8-18-77, § 2.)

As to licenses generally, see ch. 9 of this Code.

Sec. 10-3. Mobile home parks and mobile home subdivisions.

Any person may establish a mobile home park or mobile home subdivision in the commercial zone of the corporate limits of the city by complying with the following:

(a) Application for a permit to establish a mobile home park or mobile home subdivision must be filed with the recorder of the city. The application must set forth in detail the size of the park or subdivision, and include a permit issued by the state department of health in the name of the applicant, with a check in the amount of twenty-five dollars, payable to the city, plus the sum of five dollars for each mobile home space contained in the park or mobile home subdivision.

(b) If a permit is issued by the city for the park or subdivision, such permit shall run for one year commencing July 1 to and including June 30.

(c) There shall be no renewal fees for such premises after the payment of all fees as set out in subsection (a) above.

Campers and travel trailers may be used for residential purposes within the corporate limits for temporary occupancy, provided such occupancy does not exceed fifteen days in any six-month period of any one year. All campers and travel trailers must be parked on private property and cannot be left on any city street or alley longer than twenty-four hours. (8-18-77, § 3.)

Sec. 10-4. Structural requirements.

The following requirements shall apply to mobile homes located within the corporate limits:

(a) All mobile homes shall be completely underpinned with a good and suitable material such as aluminum, galvanized or plastic sheeting or material of like substance.

(b) Mobile homes, including their porches, canopies and similar appurtenances, shall be separated from other mobile homes and from other buildings and structures by at least fifteen feet and by ten feet from any street, alley or property lines.

(c) Mobile homes located within the corporate limits shall comply with regulations of the state board of health, October 1, 1971. (8-18-77, § 4.)

Sec. 10-5. Violations; penalties; remedies.

Any person violating any of the provisions of this chapter or failing to comply with any of its mandatory provisions shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, and each person shall be deemed guilty of a separate offense for each and every day during any portion of which a violation of any provision of this chapter is committed, continued or permitted by such person. In addition, any condition caused or permitted to exist in violation of the provisions of this chapter shall be deemed a public nuisance, and may be abated by appropriate legal action by the city. (8-18-77, § 5.)