

TITLE 14

ZONING AND LAND USE CONTROL

CHAPTER

1. MUNICIPAL PLANNING COMMISSION.
2. ZONING ORDINANCE.
3. MOBILE HOMES (TRAILERS).

CHAPTER 1

MUNICIPAL PLANNING COMMISSION

SECTION

- 14-101. Creation and membership.
- 14-102. Organization, powers, duties, etc.
- 14-103. Additional powers.

14-101. Creation and membership. Pursuant to the provisions of Tennessee Code Annotated, § 13-4-101 there is hereby created a municipal planning commission, hereinafter referred to as the planning commission. The planning commission shall consist of five (5) members; two (2) of these shall be the mayor and another member of the city council selected by the city council; the other three (3) members shall be appointed by the mayor. All members of the planning commission shall serve as such without compensation. Except for the initial appointments, the terms of the three (3) members appointed by the mayor shall be for three (3) years each. The three (3) members first appointed shall be appointed for terms of one (1), two (2), and three (3) years respectively so that the term of one (1) member expires each year. The terms of the mayor and the member selected by the city council shall run concurrently with their terms of office. Any vacancy in an appointive membership shall be filled for the unexpired term by the mayor, who shall also have the authority to remove any appointive member at his will and pleasure.

14-102. Organization, powers, duties, etc. The planning commission shall be organized and shall carry out its powers, functions, and duties in accordance with all applicable provisions of Tennessee Code Annotated, title 13.

14-103. Additional powers¹. Having been designated as a regional planning commission, the municipal planning commission shall have the

¹State law reference.

Tennessee Code Annotated, § 13-3-102.

additional powers granted by, and shall otherwise be governed by the provisions of the state law relating to regional planning commissions.

CHAPTER 2

ZONING ORDINANCE

SECTION

14-201. Land use to be governed by zoning ordinance.

14-202. Violations and penalty.

14-201. Land use to be governed by zoning ordinance. Land use within the City of Cowan shall be governed by Ordinance #27, titled "Zoning Ordinance, Cowan, Tennessee," and any amendments thereto.¹

14-202. Violations and penalty. Violations of the zoning ordinance shall subject the offender to a penalty under the general penalty provisions of this code. Each day a violation is allowed to continue shall constitute a separate offense.

¹Ordinance #27, and any amendments thereto, are published as separate documents and are of record in the office of the city recorder.

Amendments to the zoning map are of record in the office of the city recorder.

CHAPTER 3

MOBILE HOMES (TRAILERS)

SECTION

- 14-301. Definitions.
- 14-302. Location of mobile homes.
- 14-303. State tax sticker required.
- 14-304. Permit for mobile home park.
- 14-305. Inspections by city building inspector.
- 14-306. Location and planning.
- 14-307. Minimum size of mobile home park.
- 14-308. Minimum number of spaces.
- 14-309. Minimum mobile home space and spacing of mobile homes.
- 14-310. Water supply.
- 14-311. Sewage disposal.
- 14-312. Refuse.
- 14-313. Electricity.
- 14-314. Streets.
- 14-315. Parking spaces.
- 14-316. Buffer strip.
- 14-317. License for mobile home parks.
- 14-318. License for individual mobile homes.
- 14-319. License fees for mobile home parks.
- 14-320. License fees for individual mobile homes.
- 14-321. Application for license.
- 14-322. Enforcement.
- 14-323. Board of appeals.
- 14-324. Appeals from board of appeals.
- 14-325. Violation and penalty.

14-301. Definitions. (1) "Health officer." The director of the city, county or district health department having jurisdiction over the community health in a specific area, or his duly authorized representative.

(2) "Mobile home." A detached single family dwelling unit with any or all of the following characteristics:

(a) Designed for a long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems.

(b) Designed to be transported after fabrication on its own wheels, or on a flatbed or other trailers or detachable wheels.

(c) Arriving at the site where it is to be occupied as a complete dwelling including major appliances and furniture, and ready for

occupancy except for minor and incidental unpacking and assembly operations, connection to utilities and the like.

(3) "Mobile home park (trailer court)." The term mobile home park shall mean any plot of ground on which two (2) or more mobile homes, occupied for dwelling or sleeping purposes are located.

(4) "Mobile home space." The term shall mean a plot of ground within a mobile home park designated for the accommodation of one (1) mobile home.

(5) "Permit (license)." The permit required for trailer parks and single mobile homes. Fees charged under the license requirement are for inspection and the administration of this chapter.

14-302. State tax sticker required. No mobile home shall be used, placed, stored or serviced by utilities within any mobile home park in the city unless there is posted near the door of the mobile home a valid Tennessee State Tax Sticker.

14-303. Permit for mobile home park. No place or site within the city shall be established or maintained by any person, group of persons, or corporation as a mobile home park unless he holds a valid permit issued by the city building inspector in the names of such person or persons for the specific mobile home park. The city building inspector is authorized to issue, suspend, or revoke permits in accordance with the provisions of this chapter.

14-304. Inspections by city building inspector. The city building inspector is hereby authorized and directed to make inspections to determine the condition of mobile home parks, in order that he may perform his duty of safeguarding the health and safety of occupants of mobile home parks and of the general public. The city building inspector shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this chapter.

14-305. Location and planning. The mobile home park shall be located on a well-drained site and shall be so located that its drainage will not endanger any water supply and shall be in conformity with a plan approved by the city planning commission and city building inspector. The city planning commission and building inspector may promulgate regulations for mobile home park location and plan approval, which shall provide for adequate space, lighting, drainage, sanitary facilities, safety features, and service buildings as may be necessary to protect the public health, prevent nuisances, and provide for the convenience and welfare of the mobile home park occupants.

14-306. Minimum size of mobile home park. The tract of land for the mobile home park shall comprise an area of not less than two (2) acres. The

tract of land shall consist of a single plat so dimensioned and related as to facilitate efficient design and management.

14-307. Minimum number of spaces. Minimum number of spaces completed and ready for occupancy before first occupancy is ten (10).

14-308. Minimum mobile homes space and spacing of mobile homes. Each mobile home space shall be adequate for the type of facility occupying the same. Mobile homes shall be parked on each space so that there will be at least fifteen (15) feet of open space between mobile homes or any attachment such as a garage or porch,¹ and at least ten (10) feet end to end spacing between trailers and any building or structure, twenty (20) feet between any trailer and property line and twenty-five (25) feet from the right-of-way of any public street or highway.

The individual plot sizes for mobile home spaces shall be determined as follows:

- (1) Minimum lot area of two thousand four hundred (2,400) square feet;
- (2) Minimum depth with end parking of an automobile shall be equal to the length of the mobile home plus thirty (30) feet;
- (3) Minimum depth with side or street parking shall be equal to the length of mobile home plus fifteen (15) feet; and
- (4) In no case shall be minimum width be less than forty (40) feet and the minimum depth less than sixty (60) feet.

14-309. Water supply. Where a public water supply is available, it shall be used exclusively. The development of an independent water supply to serve the mobile home park shall be made only after express approval has been granted by the county health officer. In those instances where an independent system is approved, the water shall be from a supply properly located, protected, and operated, and shall be adequate in quantity and approved in quality. Samples of water for bacteriological examination shall be taken before the initial approval of the physical structure and thereafter at least every four (4) months and when any repair or alteration of the water supply system has been made. If a positive sample is obtained, it will be the responsibility of the trailer court operator to provide such treatment as is deemed necessary to maintain a safe, potable water supply. Water shall be furnished at the minimum rate of one hundred twenty-five (125) gallons per day per mobile home space. An additional

¹If the construction of additional rooms or covered areas is to be allowed beside the mobile homes, the mobile homes spaces shall be made wider to accommodate such construction in order to maintain the required fifteen (15) feet of open space.

water service connection shall be provided for each mobile home space, with meter for each individual trailer.

14-310. Sewage disposal. An adequate sewage disposal system must be provided and must be approved by the health officer. However, sewage shall be disposed of into and through the public sewage system where there is an available sewer, as the term is defined in § 18-203 of this code. In the event there is no available sewer, sewage shall be disposed of into and through a private domestic wastewater system which meets the requirements of § 18-204.

Each mobile home space shall be equipped with at least a four (4) inch sewer connection. All sewer lines shall be laid in trenches separated at least ten (10) feet horizontally from any drinking water supply line.

14-311. Refuse. The storage, collection and disposal of refuse, in the park shall be so managed as to create no health hazards. All refuse shall be stored in fly proof, water tight and rodent proof containers. Satisfactory container racks or holders shall be provided. Garbage shall be collected and disposed of in an approved manner at least once per week.

14-312. Electricity. An electrical outlet supplying at least two hundred twenty (220) volts shall be provided for each mobile home space and shall be weather proof and accessible to the parked mobile home. All electrical installations shall be in compliance with the Standard National Electrical Code and revised Tennessee Department of Insurance and Banking Regulations, entitled "Regulations Relating to Electrical Installations in the State of Tennessee," and shall satisfy all requirements of the local electric service organization.

14-313. Streets. Widths of various streets within mobile home parks shall be:

- (1) One-way, with no on-street parking 11 ft.
- (2) One-way, with parallel parking on one side only 18 ft.
- (3) One-way, with parallel parking on both sides 26 ft.
- (4) Two-way, with no on-street parking 20 ft.
- (5) Two-way, with parallel parking on one side only 28 ft.
- (6) Two-way, with parallel parking on both sides 36 ft.

Streets shall have a compacted gravel base and a prime seal treatment to meet requirement of the Tennessee State Highway Department.

14-314. Parking spaces. Car parking spaces shall be provided in sufficient number to meet the needs of the occupants of the property and their guests without interference with normal movement of traffic. Such facilities shall be provided at the rate of at least one (1) car space for each mobile home lot plus an additional car space for each four (4) lots to provide for guest

parking, for two (2) car tenants and for delivery and service vehicles. Car parking spaces shall be located for convenient access to the mobile home space. Where practical, one (1) car space shall be located on each lot and the remainder located in adjacent parking bays. The size of the individual parking space shall have a minimum width of not less than ten (10) feet and a length of not less than twenty (20) feet. The parking spaces shall be located so access can be gained only from internal streets of the mobile home park.

14-315. Buffer strip. An evergreen buffer strip shall be planted along those boundaries of the mobile home court that are adjacent to development.

14-316. License for mobile home parks. It shall be unlawful for any person or persons to maintain or operate within the corporate limits of the city, a mobile home park unless such person or persons shall first obtain a license thereof.

14-317. License for individual mobile homes. It shall be unlawful for any person to maintain an individual mobile home as a dwelling unless a license has been obtained thereof. It shall be the responsibility of the owner of the mobile home to secure the license.

14-318. License fees for mobile home parks. The annual license fee for a mobile home park shall be twenty-five dollars (\$25.00).

14-319. License fees for individual mobile homes. The annual license fee for each mobile home shall be ten dollars (\$10.00). The fee for transfer of the license because of change of ownership or occupancy shall be five dollars (\$5.00).

14-320. Application for license. (1) Mobile home parks. Application for a mobile home park shall be filed with and issued by the city building inspector subject to the planning commission's approval of the mobile home park plan. Application shall be in writing and signed by the applicant and shall be accompanied with a plan of the proposed mobile home park. The plan shall contain the following information and conform to the following requirements:

- (a) The plan shall be clearly and legibly drawn at a scale not smaller than one hundred (100) feet to one (1) inch;
- (b) Name and address of owner of record;
- (c) Proposed name of park;
- (d) North point and graphic scale and date;
- (e) Vicinity map showing location and acreage of mobile home park;
- (f) Exact boundary lines of the tract by bearing and distance;
- (g) Names of owners or record of adjoining land;

(h) Existing streets, utilities, easements, and water courses on and adjacent to the tract;

(i) Proposed design including streets, proposed street names, lot lines with approximate dimensions, easements, land to be reserved or dedicated for public uses, and any land to be used for purposes other than mobile home spaces;

(j) Provisions for water supply, sewerage and drainage;

(k) Such information as may be required by the city to enable it to determine if the proposed park will comply with legal requirements; and

(l) The applications and all accompanying plans and specifications shall be filed in triplicate.

(2) Individual mobile homes. Application for individual mobile home licenses shall be filed with and issued by the city building inspector. Applications shall be in writing and signed by the applicant. The application shall contain the following:

(a) The name of the applicant and all people who are to reside in the mobile home;

(b) The location and description of the mobile home, make, model, and year;

(c) The state license number;

(d) Further information as may be required by the city to enable it to determine if the mobile home and site will comply with legal requirements; and

(e) The application shall be filed in triplicate.

14-321. Enforcement. It shall be the duty of the county health officer and city building inspector to enforce provisions of this chapter.

14-322. Board of appeals. The Cowan Municipal--Regional Planning Commission shall serve as the board of appeals and shall be guided by procedures and powers compatible with state law.

Any party aggrieved because of an alleged error in any order, requirement, decision or determination made by the building inspector in the enforcement of this chapter, may appeal for and receive a hearing by the Cowan Municipal--Regional Planning Commission for an interpretation of pertinent chapter provisions. In exercising this power of interpretation of this chapter, the Cowan Municipal--Regional Planning Commission may, in conformity with the provisions of this chapter, reverse or affirm any order, requirement, decision or determination made by the building inspector.

14-323. Appeals from board of appeals. Any person or persons or any board, taxpayer, department, or bureau of the city aggrieved by any decision of the Cowan Municipal--Regional Planning Commission may seek review by a

court of record of such decision in the manner provided by the laws of the State of Tennessee.

14-324. Violation and penalty. Any person or corporation who violates the provisions of the chapter or the rules and regulations adopted pursuant thereto, or fails to perform the reasonable requirements specified by the city building inspector or county health officer after receipt of thirty (30) days written notice of such requirements, shall be subject to a penalty under the general penalty provision of this code. Each day a violation is allowed to continue shall constitute a separate offense.