

## TITLE 14

ZONING AND LAND USE CONTROL

## CHAPTER

1. MUNICIPAL PLANNING COMMISSION.
2. ZONING ORDINANCE.
3. PROVISIONS GOVERNING FLOOD HAZARD DISTRICTS.
4. MOBILE HOME PARKS.

## CHAPTER 1

MUNICIPAL PLANNING COMMISSION

## SECTION

- 14-101. Creation.
- 14-102. Membership.
- 14-103. Organization, rules, staff, and finances.
- 14-104. Powers and duties.

14-101. Creation. 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. (1983 Code, § 11-101)

14-102. Membership. The municipal planning commission shall consist of seven (7) members. One of the members shall be the mayor of the City of Dyer; one shall be a member of the city council selected by the city council, and the five (5) remaining members shall be citizens appointed by the mayor. The terms of the five (5) appointive members shall be for three years, excepting that in the appointment of the first municipal planning commission under the terms of this chapter, two (2) of said commission members shall be appointed for terms of two (2) years and one (1) for a term of one (1) year. Any vacancy in an appointive membership shall be filled for the unexpired term by the mayor, who shall have the authority to remove any appointive member at his pleasure. The term of the member selected from the city council shall run concurrently with his membership on the city council. All members shall serve without compensation. (1983 Code, § 11-102)

14-103. Organization, rules, staff, and finances. The municipal planning commission shall elect its chairman from among its appointive members. The term of chairman shall be one year with eligibility for re-election. The commission shall adopt rules for the transactions, findings, and determinations, which record shall be a public record. The commission may appoint such employees and staff as it may deem necessary for its work and may

contract with city planners and other consultants for such services as it may require. The expenditures of the commission, exclusive of gifts, shall be within the amounts appropriated for the purpose by the city council. (1983 Code, § 11-103)

14-104. Powers and duties. From and after the time when the municipal planning commission shall have organized and selected its officers, together with the adoption of its rules of procedures, then said commission shall have all the powers, duties, and responsibilities as set forth in Tennessee Code Annotated, title 13. (1983 Code, § 11-104)

CHAPTER 2

ZONING ORDINANCE

SECTION

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

14-201. Land use to be governed by zoning ordinance. Land use within the City of Dyer shall be governed by Ordinance of July 12, 1971, titled "Zoning Ordinance, Dyer, Tennessee," and any amendments thereto.<sup>1</sup>

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<sup>1</sup>Ordinance of July 12, 1971, and any amendments thereto, are published as separate documents and are of record in the office of the city recorder.

## CHAPTER 3

PROVISIONS GOVERNING FLOOD HAZARD DISTRICTS

## SECTION

14-301. Flood damage control to be governed by flood damage prevention ordinance.

14-301. Flood damage control to be governed by flood damage prevention ordinance. Regulations governing flood damage control within the City of Dyer shall be governed by Ordinance #87-26, titled "Provisions Governing Flood Hazard Districts" and any amendments thereto.<sup>1</sup>

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<sup>1</sup>Ordinance #87-26, and any amendments thereto, are published as separate documents and are of record in the office of the city recorder.

## CHAPTER 4

MOBILE HOME PARKS

## SECTION

- 14-401. Definitions.
- 14-402. License.
- 14-403. Application for license.
- 14-404. Park plan.
- 14-405. Location of parks.
- 14-406. Water supply.
- 14-407. Sanitation facilities.
- 14-408. Laundry facilities.
- 14-409. Sewage and refuse disposal.
- 14-410. Refuse storage, collection, and disposal.
- 14-411. Fire prevention.
- 14-412. Additions to mobile homes and parking restrictions.
- 14-413. Registration of occupants.
- 14-414. Revocation of license.
- 14-415. Posting of license.

14-401. Definitions. (1) "Dwelling" means a house, apartment building or other permanent building designed or used primarily for human habitation.

(2) "Natural or artificial barrier" means any river, pond, canal, railroad, levee, embankment, fence or hedge.

(3) "Park" means mobile home park.

(4) "Person" means any natural individual.

(5) "Mobile home" shall mean and include any vehicle or similar portable structure constructed so as to permit its being used as a conveyance on a public street and so as to permit the occupancy thereof as a dwelling by one or more persons.

(6) "Mobile home park" means any plot of ground upon which two or more mobile homes, occupied for dwelling or sleeping purposes, are located, regardless of whether or not a charge is made for such accommodation.

(7) "Mobile home space" means a lot or plot of ground within a mobile home park designed for the accommodation of one mobile home.

(8) "Dependent mobile home" means a mobile home that does not have a toilet and a bath or shower, or running water.

(9) "Independent mobile home" means a mobile home that has a toilet and a bath or shower, and running water.

(10) "Dependent mobile home space" means a mobile home which is designed to accommodate a dependent mobile home and does not have sewer and water connections to accommodate a toilet and a bath or shower in a mobile home.

(11) "Independent mobile home space" means a mobile home space which has sewer and water connections designed to accommodate toilet and bath or shower contained in an independent mobile home.

(12) "Health officer." The term "health officer" shall mean the health officer of the City of Dyer, Tennessee or in absence thereof, the health officer of Gibson County, or his authorized representative. (Ord. #89-32, July 1989)

14-402. License. (1) It shall be unlawful for any person to maintain or operate within the corporate limits of the City of Dyer, Tennessee, any mobile home park unless such person shall first obtain a license therefor.

(2) License shall not be transferrable. (Ord. #89-32, July 1989)

14-403. Application for license. Applications for a mobile home park license shall be filed with and issued by the building inspector. Applications shall be in writing signed by the applicant and shall contain the following:

(1) The name and address of the applicant.

(2) The location and legal description of the mobile home park.

(3) A complete plan of the park showing compliance with § 18-504.

(4) Plans and specifications of all buildings and other improvements constructed or to be constructed within the mobile home park. The sketch shall be drawn to scale showing the number and arrangement of mobile home lots, roadways, water supply, water outlets, location and type of sewage, liquid and garbage disposal and the location of the buildings for toilets, baths, laundries and other facilities.

(5) Such further information as may be requested by the building inspector to enable him to determine if the proposed park will comply with legal requirements.

The application and all accompanying plans and specifications shall be filed in triplicate. The building inspector, the health officer and the mayor shall investigate the applicant and inspect the proposed plans and specifications. If the applicant is found to be of good moral character, and the proposed mobile home park will be in compliance with all provisions of this chapter or all other applicable ordinances or statutes, the building inspector shall approve the application and upon completion of the park according to the plans shall issue the license.

Mobile homes shall not be parked on any public thoroughfare, street, alley or public place in the City of Dyer, Tennessee, for longer than one hour when no emergency for repairs exist.

None of the provisions of this chapter shall be construed as prohibiting the parking of mobile homes for display by a duly authorized and licensed dealer or sales agency, provided that the lot where such mobile homes are parked is within an area or zone where such type of business is permitted by the Zoning Ordinance of the City of Dyer, Tennessee. (Ord. #89-32, July 1989)

14-404. Park plan. (1) The mobile home park shall conform to the following requirements:

(a) The park shall be located on a well drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.

(b) Mobile home plot size and spacing of mobile homes: Mobile home spaces shall be clearly defined and mobile homes parked so that there will be at least fifteen (15) feet of clear space between mobile homes or any attachment, such as a garage or porch; twenty (20) feet of clear space between mobile homes and any building or structure; and at least ten (10) feet between any mobile home and the park property line. No mobile home shall be located closer than thirty (30) feet to any public street or highway.

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

(a) Minimum width shall be equal to the width of mobile home plus twenty (20) feet.

(b) Minimum depth with end parking of automobile shall be equal to the length of mobile home plus thirty-five (35) feet.

(c) Minimum depth with side or street parking shall be equal to the length of mobile home plus twenty (20) feet.

(d) In no case shall the space be less than sixty (60) feet in depth and thirty (30) feet in width.

(3) All mobile home spaces shall abut upon a driveway of not less than thirty (30) feet in width which shall have unobstructed access to a public street, alley or highway. All driveways shall be lighted at night with 25 watt lamps at intervals of one hundred (100) feet located approximately fifteen (15) feet from the ground.

(4) Paved walkways not less than two (2) feet wide shall be provided from the mobile home spaces to the service buildings. The walkways shall be lighted at night with 25 watt lamps at intervals of one hundred (100) feet approximately fifteen (15) feet from the ground.

(5) Each park that accepts a dependent trailer shall provide service buildings to house toilet facilities, bathing facilities, laundry facilities and other sanitary facilities as hereinafter more particularly prescribed.

(6) Electricity: An electrical outlet supplying at least 110 volts shall be provided for each mobile home space, and shall be weatherproof and accessible to the parked mobile home. All electrical installations shall be in compliance with the National Electrical Code, and Tennessee Department of Commerce and Insurance Regulation No. 15, entitled "Regulation Relating to

Electrical Installations in the State of Tennessee," and shall satisfy all requirements of the local electric service organizations. (Ord. #89-32, July 1989)

14-405. Location of parks. Mobile home parks may be located in any district or area provided in the Zoning Ordinance of the City of Dyer, Tennessee.<sup>1</sup> (Ord. #89-32, July 1989)

14-406. Water supply. An adequate supply of water under pressure from a source and of a quality approved by the Tennessee Department of Health shall be provided; where possible, approved municipal water supplies shall be used. Water shall be piped to each mobile home lot. There shall be a water outlet in each shower room, wash room, laundry room, sink and night waste container washing facilities. (Ord. #89-32, July 1989)

14-407. Sanitation facilities. Each park that accepts a dependent trailer shall be provided with toilets, baths or showers, slop sinks and other sanitation facilities which shall conform to the following requirements.

(1) Toilet facilities for men and women shall be either in separate buildings at least twenty (20) feet apart or shall be separated, if in the same building, by a soundproof wall.

(2) Toilet facilities for women shall consist of not less than two (2) flush toilets for every ten (10) dependent mobile home spaces. Each toilet, shower and bathtub shall be in a private compartment.

(3) Toilet and urinal facilities for men shall consist of not less than one (1) flush toilet for every ten (10) dependent mobile home spaces, one (1) shower or bathtub for every ten (10) dependent mobile home spaces, one (1) lavatory for every ten (10) dependent mobile home spaces. Each toilet, shower and bathtub shall be in a private compartment.

(4) A dependent mobile home may be parked on an independent mobile home space, but in such event such space shall be regarded as being dependent mobile home space during the period of such occupancy by a dependent mobile home for the purpose of determining compliance with the provisions of § 18-507 (2) and (3).

(5) Service buildings housing the toilet facilities shall be permanent structures complying with all applicable ordinances and statutes regulating building electrical installations, plumbing, gas and sanitation systems, and shall be located not closer than fifteen (15) feet or farther than one hundred fifty (150) feet from any dependent mobile home space.

(6) Each service building shall contain at least one slop sink for each sex located in a separate compartment.

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<sup>1</sup>The zoning ordinance is of record in the office of the recorder.

(7) The service buildings shall be well lighted at all times of the day and night, shall be well ventilated with screened openings, shall be constructed of such moisture-proof materials, including painted woodwork, as shall permit repeated cleaning and washing, and shall be maintained at a temperature of at least 70 degrees Fahrenheit during the period from October 1 to May 1, and to supply a minimum of three (3) gallons of hot water per hour per mobile home space during time of peak demands. The floors of the service building shall be of concrete or approved tile material and shall slope to a floor drain connected with the sewerage system.

(8) Liquefied petroleum gas. Liquefied petroleum gas for cooking purposes shall not be used at individual mobile home spaces unless the containers are properly connected by copper or other suitable metallic tubing. Liquefied petroleum gas cylinders shall be securely fastened in place, and adequately protected from the weather. No cylinder containing liquefied petroleum gas shall be located in a mobile home, nor within five (5) feet of a door thereof.

(9) All service buildings, mobile homes, mobile home spaces and the grounds of the park shall be maintained in a clean, sightly condition and kept free of any conditions that will menace the health of any occupant or the public or constitute a nuisance. (Ord. #89-32, July 1989)

14-408. Laundry facilities. When required the laundry facilities shall be provided in the ratio of one (1) double laundry tub and ironing board for every twenty (20) mobile home spaces. An electrical outlet supplying current sufficient to operate an iron shall be located conveniently near the ironing board. Drying spaces shall be provided sufficient to accommodate the laundry of the mobile home occupants. The service building housing the laundry facilities shall be a permanent structure complying with all applicable ordinances and statutes regulating buildings, electrical installations, plumbing, gas and sanitation systems. (Ord. #89-32, July 1989)

14-409. Sewage and refuse disposal. Waste from showers, bathtubs, toilets, slop sinks and laundries shall be discharged into a public sewer system in compliance with applicable ordinances or into a private sewer disposal plant or septic tank system of such construction and in such manner to conform to the specifications of the health officer. All kitchen sinks, washbasins, bath or shower tubs in any mobile home harbored in any park shall empty into the sanitary sink drain located on the mobile home space. Mobile home parks within three hundred (300) feet of the municipal sewer shall connect thereto, with approved and sized lines. (Ord. #89-32, July 1989)

14-410. Refuse storage, collection, and disposal. Storage, collection, and disposal of refuse shall be accomplished as provided in title 17 of this code. (Ord. #89-32, July 1989)

14-411. Fire prevention. The mobile home park shall be subject to the provisions contained in title 7 of this code. (Ord. #89-32, July 1989)

14-412. Additions to mobile homes and parking restrictions. No permanent additions of any kind shall be built on to, nor become a part of, any mobile home. Skirting of mobile homes is permissible, but such skirting shall not permanently attach the mobile home to the ground, provide a harborage for rodents, or create a fire hazard. The wheels of the mobile home shall not be removed, except temporarily when necessary for repairs. Jacks or stabilizers may be placed under the frame of the mobile home to prevent movement on the springs while the mobile home is parked and occupied. (Ord. #89-32, July 1989)

14-413. Registration of occupants. It shall be the duty of the licensee to keep a register containing a record of all mobile home owners and occupants located within the park. The register shall contain the following information:

- (1) Name and address of each occupant.
- (2) The make, model and year of all automobiles and mobile homes.
- (3) License number and owner of each mobile home and automobile by which it is towed.
- (4) The state issuing such license.
- (5) The dates of arrival and departure of each mobile home.

The park shall keep the register available for inspection at all times by law enforcement officers, public health officers and other officials whose duties necessitate acquisition of the information contained in the register, the register records shall not be destroyed for a period of three (3) years following the date of registration. (Ord. #89-32, July 1989)

14-414. Revocation of license. The health officer shall make periodic inspection of the park to assure compliance with this chapter. In case of non-compliance with any provisions of this chapter, the health officer shall serve warning to the licensee. Thereafter upon failure of the licensee to remove said violation, the health officer shall recommend to the city council revocation of the offending park's license. The city council shall hold hearing on the matter, and upon determination of non-compliance revoke said license. The license may be reissued if the circumstances leading to revocation have been remedied and the park can be maintained and operated in full compliance with the law. (Ord. #89-32, July 1989)

14-415. Posting of license. The license certificate shall be conspicuously posted in the office of or on the premises of the mobile home park at all times. (Ord. #89-32, July 1989)