

TITLE 14

ZONING AND LAND USE CONTROL

CHAPTER

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

CHAPTER 1

MUNICIPAL PLANNING COMMISSION¹

SECTION

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

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 ten (10) members; two (2) of these shall be the mayor and another member of the town council selected by the town council; the other eight (8) 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 eight (8) members appointed by the mayor shall be for three (3) years each. The terms of the mayor and the member selected by the town council shall run concurrently their terms of office. Any vacancy in an appointive membership shall be filled for the unexpired term by the mayor. (1978 Code, § 11-101, as amended by Ord. #374, Sept. 1995)

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. (1978 Code, § 11-102)

¹Ordinance #465, July 2003, exempts the planning commission and the board of zoning appeals from the requirements of The Training and Continuing Education Act of 2002, Tennessee Code Annotated, § 13-3-101 et seq.

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 Town of Huntingdon shall be governed by Ordinance Number 415, titled "Zoning Ordinance, Huntingdon, Tennessee," and any amendments thereto.¹ (As amended by Ord. #415, June 1999)

¹Ordinance No. 415, and any amendments thereto, are published as separate documents and are of record in the office of the town recorder.

CHAPTER 3

MOBILE HOMES AND TRAILERS

SECTION

- 14-301. Definitions.
- 14-302. Regulation of mobile homes.
- 14-303. Regulation of mobile home parks.
- 14-304. Regulation of travel trailers and travel trailer parks.
- 14-305. Fees for issuance of permit.
- 14-306. Application for permit required.
- 14-307. Enforcement and penalties.
- 14-308. Appeals.

14-301. Definitions. Except as specifically defined herein, all words used in this chapter have their customary dictionary definitions where not inconsistent with the context. For the purpose of this chapter certain words or terms are defined as follows:

The term "shall" is mandatory.

When not inconsistent with the context, words used in the singular number include the plural and those used in the plural number include the singular.

Words used in the present tense include the future.

(1) "Mobile home." A factory-built residential structure which is constructed on an integral and permanent chassis or under-carriage which includes axles, wheels, and a tongue or hitch. A mobile home is designed for transportation after fabrication on streets and highways on its own wheels or on a flatbed or other trailer for delivery to a mobile home dealer or arriving at the site ready for occupancy, except for minor and incidental unpacking and assembly operations, location on jacks or permanent foundation and connections to utilities. The character of a mobile home as a non-permanent dwelling shall not be changed by removal of the wheels, hitch, and/or carriage, or placement on a permanent foundation.

(a) A mobile home, double-wide, shall be defined as a mobile home unit which is ordinarily constructed during the manufacturing process as two matching halves of the same unit, which is then separated for transport to the mobile home dealer or site where the two halves are then re-joined to form a single, integral mobile home unit.

(2) "Mobile home park." Any plot of ground within the Town of Huntingdon on which three (3) or more mobile homes, occupied for dwelling or sleeping purposes, are located.

(3) "Mobile home space." A plot of ground within a mobile home park designated for the accommodation of one (1) mobile home.

(4) "Travel trailer." A travel trailer, pick-up camper, converted bus, tent-trailer, tent, or similar device used for temporary portable housing or a unit which:

(a) Can operate independent of connections to external sewer, water, and electrical systems;

(b) Contains water storage facilities and may contain a lavatory, kitchen sink, and/or bath facilities; and/or

(c) Is identified by the manufacturer as a travel trailer.

(5) "Travel trailer park." Any plot of ground within the Town of Huntingdon on which two (2) or more travel trailers, occupied for camping or periods of short stay, are located.

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

(7) "Buffer strip." An evergreen buffer shall consist of a greenbelt planted strip not less than ten (10) feet in evergreen trees, spaced not more than forty (40) feet apart and not less than two (2) rows of shrubs or hedge, spaced not more than five (5) feet apart and which grow to a height of five (5) feet or more after one (1) full growing season and which shrubs will eventually grow to not less than ten (10) feet. (1978 Code, § 8-501)

14-302. Regulation of mobile homes. (1) It shall be unlawful for any mobile home to be used, stored, or placed on any lot or serviced by the utilities of the town where said mobile home is outside any designated and licensed mobile home park after the date of passage of the provisions of this chapter, excepting mobile homes located on a licensed mobile home sales lot, and except as provided in § 14-302(2) and 14-302(3).

(2) Any mobile home already placed on a lot on or before the date of passage of the provisions of this chapter will be permitted to remain at its present location. If said present mobile home shall remain vacant for a period of one (1) year, said mobile home owner shall be given, at the end of that year, a period not to exceed sixty (60) days in which to remove said mobile home and to comply with all provisions of this chapter.

(3) Mobile homes may be placed on individual lots in a Fringe Residential (F-R) District as provided for in the zoning ordinance.¹ (1978 Code, § 8-502)

14-303. Regulation of mobile home parks. (1) Permit for mobile home park. No place or site within the town 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 building inspector in the name of such person

¹The zoning ordinance is of record in the office of the recorder.

or persons for the specific mobile home park. The building inspector is authorized to issue, suspend, or revoke permits in accordance with the provisions of this chapter.

Mobile home parks in existence as of the effective date of the provisions of this chapter shall be required to obtain a mobile home park permit. Pre-existing mobile home parks which do not comply with the requirements regarding mobile home parks shall be considered as a non-conforming mobile home park and permitted as such. Any sale, transfer or lease of such non-conforming mobile home park shall be permitted and any new owner or operator may continue to operate such mobile home park as a non-conforming mobile home park, provided; however, that any additions or extensions to such pre-existing non-conforming mobile home parks made on or after July 18th, 1988, shall be in conformance with the current mobile home park regulations to the maximum extent possible.

Said pre-existing mobile home parks shall comply with all state regulations applicable thereto which were in force prior to the establishment of said mobile home park.

(2) Inspections by building inspector. The building inspector is hereby authorized and directed to make inspections to determine the conditions 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 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.

(3) Length of occupancy. No mobile home space shall be rented in any mobile home park except for periods of sixty (60) days or more, and no mobile home shall be admitted to any park unless it can be demonstrated that it meets the requirements of the American Standards Association Code Provision A-119.1-1963; American Standard for Installation in Mobile Homes of Electrical, Heating and Plumbing Systems, or mobile homes manufacturers association mobile home standards for plumbing, heating, and electrical systems, or any state administered code insuring equal or better plumbing, heating, or electrical installations.

(4) 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 town planning commission and shall be located in districts as specified in the zoning ordinance.¹

(5) Minimum size of mobile home park. The tract of land for the mobile home park shall comprise an area of not less than three (3) acres. The

¹The zoning ordinance is of record in the office of the recorder.

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

(6) Minimum number of spaces. Minimum number of spaces completed and ready for occupancy before first occupancy is nine (9).

(7) Minimum mobile home 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, and at least fifteen (15) feet end to end spacing between trailers and any building or structure, twenty (20) feet between any trailer and property line and thirty-five (35) feet from the right-of-way of any public street or highway.

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

- (a) A minimum lot area of three thousand (3,000) square feet;
- (b) A minimum depth with end parking of an automobile equal to the length of the mobile home plus thirty (30) feet;
- (c) A minimum depth with side or street parking equal to the length of the mobile home plus fifteen (15) feet; and
- (d) A minimum width of at least forty (40) feet and a minimum depth of at least seventy-five (75) feet.

(8) 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 written approval of plans and specifications 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 mobile home park operator to provide such treatment as is deemed necessary by the health officer to maintain a safe, potable water supply. Water shall be furnished at the minimum capacity of two hundred and fifty (250) gallons per day per mobile home space. An individual water service connection shall be provided for each mobile home space.

(9) Sewage disposal.¹ An adequate sewage disposal system must be provided and must be approved in writing by the health officer. Each mobile

¹Municipal code reference
Sewer regulations: title 18.

home space shall be equipped with at least a four (4) inch sewer connection, trapped below the frost line and reaching at least four (4) inches above the surface of the ground. All sewer lines shall be laid in trenches separated at least ten (10) feet horizontally from any drinking water supply line.

Every effort shall be made to dispose of the sewage through a public sewage system. In lieu of this, a septic tank and sub-surface soil absorption system may be used provided the soil characteristics are suitable and an adequate disposal area is available. The minimum size of any septic tank to be installed under any condition shall not be less than seven hundred fifty (750) gallons working capacity. This size tank can accommodate a maximum of two (2) mobile homes. For each additional mobile home on such a single tank, a minimum additional liquid capacity of one hundred seventy-five (175) gallons shall be provided. The sewage from no more than twelve (12) mobile homes shall be disposed of in any one (1) single tank installation. The size of such tank shall be a minimum of two thousand five hundred (2,500) gallons liquid capacity.

The amount of effective soil absorption area or total bottom area of overflow trenches will depend on local soil conditions and shall be determined only on the basis of the percolation rate of the soil. The percolation rate shall be determined as outlined in appendix A of the Tennessee Department of Public Health bulletin, entitled "Recommended Construction of Large Septic Tank Disposal Systems for Schools, Factories and Institutions." This bulletin is available on request from the department. No mobile home shall be placed over a soil absorption field.

In lieu of a public sewerage or septic tank system, an officially approved package treatment plant may be used.

(10) Refuse.¹ The storage, collection, and disposal of refuse in the park shall be so managed as to create no health hazard. 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 twice per week.

(11) Electricity.² 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 national electrical code and Tennessee Department of Insurance and Banking Regulation No. 15, entitled "Regulations Relating to Electrical Installations in the State of Tennessee," and shall satisfy all requirements of the local electric service organization.

¹Municipal code reference
Refuse collection, etc.: title 17.

²Municipal code reference
Electricity: title 19.

(12) Streets. Minimum widths of various streets within mobile home parks shall be:

One-way, with no on-street parking	12 ft.
One-way, with parallel parking on one side only	18 ft.
One-way, with parallel parking on both sides	26 ft.
Two-way, with no on-street parking	20 ft.
Two-way, with parallel parking on one side only	28 ft.
Two-way, with parallel parking on both sides	36 ft.

Streets shall have a gravel base consisting of size 25 (Grade D) stone compacted to six (6) inches and paved surface of asphaltic concrete (hot mix) - as specified in the Tennessee Department of Highways' Standard Specifications for Road and Bridge Construction, 1968, Section 411-compacted to one (1) inch with not less than an average weight of one hundred (100) pounds per square yard.

(13) 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-car tenants, and for delivery and service vehicles. Car parking spaces shall be located for convenient access to the mobile home spaces. 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 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) Buffer strip. An evergreen buffer strip shall be planted along all boundaries of the mobile home park. (1978 Code, § 8-503)

14-304. Regulation of travel trailers and travel trailer parks.

(1) Occupied trailers outside trailer park prohibited. It shall be unlawful for any travel trailer to be occupied or serviced outside any properly designated travel trailer park. This provision shall not apply to the storage of travel trailers provided said trailer unit is neither temporarily or permanently occupied as a dwelling unit while within the town limits.

(2) Permit for travel trailer park. No place or site within the town shall be established or maintained by any person, group of persons, or corporation as a travel trailer park unless he holds a valid permit issued by the building inspector in the name of such person or persons for the specific travel trailer park. The building inspector is authorized to issue, suspend, or revoke permits in accordance with the provisions of this chapter.

(3) Inspections by building inspector or county health officer. The building inspector or county health officer is hereby authorized and directed to

make inspections to determine the condition of travel trailer parks, in order that he may perform his duty of safeguarding the health and safety of the occupants of travel trailer parks and of the general public. The building inspector or county health officer shall have the power to enter at reasonable times upon any private or public property for the purpose of the inspecting and investigating conditions relating to the enforcement of this chapter.

(4) Length of occupancy. Travel trailer spaces shall be rented by the day or week only, and the occupant of such space shall remain in the same travel trailer park not more than fourteen (14) days.

(5) Location. Travel trailer parks shall be located in districts as specified in the zoning ordinance.¹

(6) Minimum size of travel trailer space. Each travel trailer space shall have a minimum width of thirty (30) feet and a minimum length of fifty (50) feet.

(7) State regulations control site improvements. Site planning improvements shall conform to the standards established in regulations VI - XX of the state regulations governing the construction, operation, and maintenance of organized camps in Tennessee, as provided in Tennessee Code Annotated, §§ 68-110-101, et seq. (1978 Code, § 8-504)

14-305. Fees for issuance of permit. An annual permit fee shall be required for mobile home parks and travel trailer parks.

(1) Mobile home parks. The annual permit fee for mobile home parks shall be fifty (50) dollars.

(2) Travel trailer parks. The annual permit fee for each travel trailer park shall be twenty-five (25) dollars. (1978 Code, § 8-505)

14-306. Application for permit required. (1) Mobile home parks. Applications for a mobile home park permit shall be filed with and issued by the building inspector subject to the planning commission's approval of the mobile home park plan. Applications shall be in writing and signed by the applicant and shall be accompanied with an approved 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;

¹The zoning ordinance is of record in the office of the recorder.

- (f) Exact boundary lines of the tract by bearing and distance;
- (g) Names of owners of 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 town 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.

Certificates that shall be required are: (1) owner's certification; (2) planning commission's approval signed by the secretary; and (3) any other certificates deemed necessary by the planning commission.

(2) Travel trailer parks. Applications for travel trailer parks shall meet the same requirements as contained in subsection (1) of this section. (1978 Code, § 8-506)

14-307. Enforcement and penalties. (1) It shall be the duty of the county health officer and building inspector to enforce the provisions of this chapter.

(2) Any person or corporation who violates the provisions hereof, or fails to perform the reasonable requirements specified by the building inspector or county health officer after receipt of thirty-five (35) days written notice of such requirements shall be fined in accordance with the provisions of the general penalty clause for this code. (1978 Code, § 8-507)

14-308. Appeals. (1) The Huntingdon 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 Huntingdon Municipal Regional Planning Commission (advised by the city attorney) for an interpretation of pertinent provisions. In exercising the power of interpretation of this chapter, the Huntingdon Municipal Regional Planning Commission with advice from the town attorney, may, in conformity with the provisions of this chapter, reverse or affirm any order, requirement, decision, or determination made by the building inspector.

(2) Appeals from board of appeals. Any person or persons or any board, taxpayer, department, or bureau of the town aggrieved by any decision

of the Huntingdon Municipal Regional Planning Commission and the town attorney may seek review by a court of record of such decision in the manner provided by the laws of the State of Tennessee. (1978 Code, § 8-508)