



MANUFACTURED HOMES AND TRAILERS

December 14, 2023

ARTICLE I. - IN GENERAL

ARTICLE II. - MOBILE/MANUFACTURED HOMES

Sec. 46-19. - Jurisdiction and authority.

- (a) These regulations shall govern the use and operation of all mobile homes/manufactured homes on single lots used for residential occupancy in the unincorporated areas of Fannin County, Georgia. It is the intent of these regulations to empower the Fannin County board of commissioners, the Fannin County health department, and the building inspection department to review and assist the development of mobile home/manufactured home sites and mobile home/manufactured home within the unincorporated areas of Fannin County for the purposes stated in this article.
- (b) This article does not govern or regulate industrialized buildings.

Sec. 46-20. - Purpose.

These regulations are being promulgated to protect the health, safety, and general welfare of the citizens of Fannin County. Fannin County recognizes that manufactured housing meets the needs of many county residents for affordable housing and is compatible with site-built housing, if developed in accordance with compatibility standards.

Sec. 46-21. - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Approved mobile home/manufactured home space means any lot or parcel of land designed and designated for the location of one manufactured home, its accessory buildings or structures, and accessory equipment for exclusive use of the home meeting the requirements of this article, as administered by the Fannin County building inspector.

Industrialized building means any structure or component thereof which is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof. Industrialized buildings are constructed and regulated in accordance with the Industrialized Buildings Act, Georgia Law 1982 pp 1637 (O.C.G.A., title 8, chapter 2, art. 2; part 1).

Lot means a portion of a subdivision, or any other parcel of land, intended as a unit of transfer or ownership, or for development, or both, and shall not include any part of the right-of-way of a street or road.

Manufactured home means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a residential dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this definition except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established in the National Mobile Home Construction and Safety Standards Act of 1974, 42 USC Section 5401 et seq. A travel trailer is not to be considered as a mobile home/manufactured home.

Mobile home means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein and was built prior to June 15, 1976.

Owner means any person or entity which holds legal or equitable title to the mobile home/manufactured home. The term "owner" does not include any person or entity which holds a security interest, liens, or security deed to the mobile home or manufactured home park.

A *porch* means an open-air structure consisting of a deck, with or without a roof, which may be enclosed only by the installation of screen wire. Porches shall not be attached to a recreational vehicle in any manner. A porch shall not contain plumbing fixtures.

Street (private) means a right-of-way which meets all required design standards of a public road as described in the Fannin County land planning ordinance, but for purposes of controlled access or privacy is not dedicated to public use of public by prescription. Any such right-of-way shown on a plat or deed shall be recorded with a statement on the park plan that the road is not intended to be maintained by a government entity or agency thereof.

Street (public) means a right-of-way arising by purchase dedication, or public use which is maintained by a government entity or agency thereof; accessible to, supported and shared by all members of the public.

Sec. 46-22. - Nonconforming mobile home/manufactured home.

Nonconforming mobile home lawfully existing at the time of adoption of the ordinance from which this article is derived may be continued, but if such nonconforming use is discontinued for a period of six months, the mobile home/manufactured home park shall be made to conform with the requirements of these regulations prior to the park being occupied again. Any alteration or expansion of an existing manufactured home park or alteration, modification of any previously approved mobile home/manufactured home park plan, or any alteration, modification of any park in existence prior to the requirement of plat approval shall be in compliance with these regulations, as amended.

Sec. 46-23. - Location disclosure and decal required.

Every person holding title to or possessing a mobile home/manufactured home which is placed or located within the limits of Fannin County, shall report the location to, and obtain a location decal for, said mobile home/manufactured home from the tax commissioner of Fannin County, annually, no later than April 1 of each year. Such location decal shall be designed in such manner and affixed to the mobile/manufactured home in such manner as to cause it to be easily visible for inspection.

Sec. 46-24. - Issuance of building permits.

Any owner of a mobile home/manufactured home, whether locating or relocating said mobile home/manufactured home, shall obtain a permit from the building inspector of Fannin County, as provided in section 42-25, indicating compliance with all applicable codes before any person or persons are authorized to occupy any newly installed mobile/manufactured home.

Sec. 46-25. - Permit application procedures.

- (a) A building permit to move a mobile/manufactured home into or within the county shall not be issued by the Fannin County Building Inspector until the following conditions have been met in accordance with established administrative procedures:
 - (1) A valid location decal must be issued from the tax commissioner's office and attached as provided in section 46-23.
 - (2) All mobile/manufactured homes must be located at an approved mobile home/manufactured home space, as defined within section 46-21 or in an approved mobile home/manufactured home park.
 - (3) For individual lots not approved under the mobile/manufactured home regulations, a sanitary permit must be obtained from the Fannin County health department for on-site sewage disposal, or in the event that a municipality will provide sewer hookup, a letter must be provided by that municipality verifying that they will allow public sewer hook-up.
- (b) For purposes of this section, the tax commissioner shall issue the aforementioned location decal, the building inspector shall issue the aforementioned building permit, and the health department shall issue the aforementioned sanitary permit. Upon the issuance of the above permits, a mobile/manufactured home may be moved into the county or within the county and installed for occupancy.

Sec. 46-26. - Exception to the issuance of a building permit.

A building permit shall be required to locate a mobile/manufactured home in Fannin County except under the following exceptions:

- (1) In cases where an owner does not desire to set the mobile/manufactured home up for occupancy, a building permit shall not immediately be required, subject to completion of a certified, notarized statement that no occupancy of said mobile/manufactured home will be permitted until such time as a building permit is applied for and granted. In such cases, authorization to maintain the mobile/manufactured home on a site without a building permit shall expire six months from the date the relocation permit was issued.
- (2) Mobile/manufactured homes may be brought into the county and located on a sales lot of a state approved dealer as listed in the office of the state safety fire commissioner for sale without a building or sanitary permit. However, under no exceptions shall any mobile/manufactured home, which is located on a sales lot, be occupied unless all permit requirements in these regulations are met. Installation must comply with the Rules and Regulations for Manufactured Homes, Chapter 120-3-7, Appendix A, made and promulgated by the Georgia Safety Fire Commissioner pursuant to authority set forth in O.C.G.A., sections 8-2-133, 8-2-135, 8-2-137(b), 8-2-161, 8-2-162, 8-2-165, 8-2-168 and 25-2.

Sec. 46-27. - Mobile home/manufactured homes minimum construction standards.

- (a) Each newly installed mobile home/manufactured home in Fannin County shall conform to the minimum construction standards required by the U. S. Housing and Urban Development, as required by the National Mobile Home, and Safety Standards Act of 1974, 42 USC 5401 et seq., before that mobile home/manufactured home is entitled to receive any utility service to said mobile home/manufactured home. It is the intent of this section to prohibit mobile home/manufactured home into Fannin County that do not conform to the applicable Housing and Urban Development Construction Standards, as expressed in 42 USC 5401 et seq., and regulations established pursuant to that act. To that end, no mobile home/manufactured home shall be allowed to locate for residential occupancy in this county unless that mobile home/manufactured home complies with the minimum construction standards required by the U. S. Housing and Urban Development, which compliance must be evidenced by the affixation of a permanently affixed label or tag certifying 42 USC 5415, compliance.
- (b) Mobile homes/manufactured homes which do not display the certification required by 42 USC 5415 shall not be eligible for a Fannin County building and/or occupancy permit. However, any mobile home which legally exists in Fannin County at the time of passage of the ordinance from which this article is derived shall not require said certification. Said existing mobile home shall be freely transferable and regulatable in Fannin County, if all the installation requirements in sections 46-28 and 46-29 are met to the satisfaction of the building inspector.

Sec. 46-28. - Mobile home/manufactured home installation requirements.

- (a) All newly installed mobile/manufactured homes must be permanently connected to water, sewerage, and electrical service in compliance with applicable health codes and chapter 120-3-7 Rules and Regulations for Manufactured Homes made and promulgated by the Georgia Safety Fire Commissioner included in appendix A. All mobile/manufactured homes must be installed on an approved pier system and secured with approved tie-down devices, an approved plumbing system, an approved electrical system, and an approved landing at each exit as required by the aforementioned rules and regulations.
- (b) Each mobile/manufactured home shall be installed such that the finished floor level of the mobile/manufactured home shall not exceed an average height higher than 80 inches in elevation from finished grades, in accordance with chapter 120-3-7, appendix A. All mobile/manufactured homes shall be installed to meet the manufacturers' regulations.
- (c) At the time of inspection, the space beneath each mobile/manufactured home shall be enclosed, with the exception of ventilation and access openings. A minimum of four ventilation openings shall be provided from the under-floor space to the exterior. These standards are more specifically explained in the Rules and Regulations for Manufactured Homes. The enclosing material shall extend from the lower edge of the exterior walls of the mobile/manufactured home to the ground surface level of the pad on which it is located. All such enclosures shall be permanently installed and consist of opaque, rust and rot resistant materials. All ventilation and access openings shall be covered with wire mesh screen or its equivalent.

Sec. 46-29. - Process of inspection for mobile homes/manufactured homes.

The following requirements shall pertain to the installation of mobile/manufactured homes on individual lots or in parks:

- (1) *Foundation.* The building inspector shall require the foundation to be inspected to ensure compliance with the Rules and Regulations for Manufactured Homes, as may be subsequently revised. The Rules and Regulations for Manufactured Homes are incorporated as a part of this article by reference. Until the foundation is inspected and approved by the building inspector, no additional work will be approved.

- (2) *Plumbing.* The building inspector shall require the external plumbing system to be inspected, including water and sewage hookups, to ensure compliance with the Rules and Regulations for Manufactured Homes and the International Plumbing Code, as may be subsequently revised. Until the plumbing system is inspected and approved by the building inspector, no additional work will be approved.
- (3) *On-site sewage.*
- Where individual on-site sewage systems are installed in conjunction with public or community water systems, the minimal lot size shall conform to those required by the Fannin County health department and chapter 42 of this Code, the Fannin County land use ordinance, for the location of an individual on-site sewage system.
 - All on-site sewage systems shall be subject to the approval of the Fannin County health department. Where individual on-site sewage systems are installed in conjunction with private water systems, the minimal lot size shall conform to standards established in by the Fannin County health department and chapter 42, the Fannin County land use ordinance.
 - Any building site so determined by the Georgia Environmental Protection Division to fall within a designated groundwater recharge area shall be subject to additional restrictions pursuant to chapter 391-3-17, 02, section 3(m), Criteria for Protection of Groundwater Recharge Areas, Rules for Environmental, Planning Criteria, Georgia Department of Natural Resources, as amended.
- (4) *Stairs and landings.* The building inspector shall require stairs and landings to comply with the International Residential Building Code, as may be subsequently revised, and must adhere to the following as stated in the Rules and Regulations for Manufactured Homes, as may be subsequently revised: The height of the riser shall not exceed 7¾ inches, and treads, exclusive of nosing, shall be not less than nine inches wide. Every tread less than ten inches wide shall have a nosing, of effective projection, of approximately one inch over the level immediately below that tread. The width of the landings shall be not less than the width of the stairways they serve. Every landing shall have a minimum dimension measured in the direction of travel equal to the width of the stairway. Such dimension need not exceed four feet when the stair has a straight run. All stairways having treads located not less than 30 nor more than 34 inches above the leading edge of a tread. The minimum width of any stair serving as a means of egress shall be a minimum of 36 inches.
- (5) *Electrical.* The building inspector shall require inspection of the external installation and connection of the electrical system to ensure compliance with the Rules and Regulations for Manufactured Homes and the current edition of the National Electric Code as adopted by the State of Georgia,
- (6) *Gas.*
- The Fannin County building inspector shall require inspection of the connection of any gas system to ensure compliance with the International Fuel Gas Code, as may be subsequently revised.
 - Until these inspections have been made and the mobile/manufactured home is found to be in compliance with all applicable codes, no permanent power may be installed, and no occupancy shall be permitted. Evidence of compliance will be shown by a certificate of completion, which includes written documentation provided the applicant and a sticker attached to the electrical meter base. Occupancy is permitted upon issuance of the certificate of occupancy.

Sec. 46-30 - Enforcement.

The Fannin County Board of Commissioners is hereby authorized to adopt, after a public hearing, such written regulations as may be necessary for the proper enforcement of the provisions of this article. These additional regulations shall have the same effect as all provisions of this article and the penalty for violation

of the provisions thereof shall be the same as the penalty for violation of the provisions of this article, as hereinafter provided.

- (1) *Violations.* In cases where a violation of this article has been determined by the building inspector, he/she shall notify the owner of the property on which such violation is found by certified mail sent to the address of the property owner as it appears in tax information. If the owner of the mobile/manufactured home is different from the property owner, the violation notice shall also be sent by certified mail to the owner of the mobile/manufactured home. If no valid mailing address can be obtained, or if the certified mail is returned to the building inspector, the notice of violation may be hand delivered to the person deemed responsible for said violation. The notice of violation shall clearly state the nature of the violation, including specific provision(s) of this article which have not been complied with, and the date by which said violation(s) will be remedied. Said date will be determined by the building inspector based on the nature and extent of the violation, but in no case shall exceed 30 days from the date the certified mail was received. In cases where the notice of violation is hand delivered, the date upon which said violation(s) will be remedied shall not exceed 30 days from the date of delivery.
- (2) *Issuance of stop work orders.* The building inspector is authorized to issue stop work orders in any instance where a violation of this article is found. The procedure for the issuance of stop work orders shall be the same as the notification procedure for violations as specified in subsection (1) of this section.
- (3) *Procedure for noncompliance.* In cases where a violation has occurred, and the violator has not remedied the violation within the specified time period, or in cases where stop work orders have not been fully complied with, the Fannin County Code Enforcement Officer, upon written notification from the building inspector of such violation or noncompliance, shall issue a citation/summons requiring appearance in Fannin County Magistrate Court said citation/summons shall include all violations found by the building inspector.
- (4) *Exceptions.* The only exceptions to the aforementioned enforcement procedures are cases that involve a violation regarding location decals or failure to provide a complete list of all mobile homes/manufactured homes parked, rented, or otherwise located upon the property of the entity or in a mobile home/manufactured home operated by the entity. In those cases where a violation occurs, it shall be the duty of the tax commissioner to enforce the provisions of this article.

Sec. 46-31. - Conflict with other ordinances and effect or partial invalidity.

- (a) In any case where a provision of this article is found to be in conflict with a provision of any other ordinance or code of Fannin County existing on the effective date of the ordinance from which this article is derived, the provision which in the judgment of the Fannin County Board of Commissioners establishes the higher standard for the promotion and protection of the health and safety of the people, the provisions of this article shall be deemed to prevail, and such other ordinances which establish a lower standard for the promotion and protection of the health and safety of the people are hereby declared to be repealed to the extent that they may be found in conflict with this article.
- (b) If any section, subsection, paragraph, sentence, clause, or phrase of this article should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this article which shall remain in full force and effect. To this end, the provisions of this article are hereby declared to be severable.

Sec. 46-57. - Jurisdiction and authority.

These regulations shall govern the use and operation of all mobile homes on individual lots and within parks used for residential occupancy in the unincorporated areas of Fannin County, Georgia. It is the intent of these regulations to empower the board of commissioners and the Fannin County Building Inspector to regulate the location of mobile homes within Fannin County, Georgia. This article does not govern or regulate industrialized buildings.

Sec. 46-58. - Purpose.

These regulations are being promulgated to protect the health, safety, and general welfare of the citizens of Fannin County, Georgia. The board of commissioners of Fannin County, Georgia, recognizes that mobile homes and non-site-built homes can meet the housing needs of many citizens of the county and will not adversely affect the overall development of Fannin County, Georgia, if utilized in accordance with compatibility standards.

Sec. 46-59. - Mobile home defined.

The term "mobile home" means a structure, transportable in one or more sections, in traveling mode, which is built on a chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes plumbing, septic, and electrical systems. Also, has a HUD sticker and is 600 square feet or more.

Sec. 46-61. - Mobile homes currently on Fannin County tax digest.

Notwithstanding any provision of this article, any mobile home that was on the Fannin County tax digest for the previous year can be relocated to any point within Fannin County, Georgia.

Sec. 46-62. - Adequate means of entry.

All manufactured homes shall provide adequate means of entry or steps at every door opening.

Sec. 46-63. - Minimum setback.

The location of a manufactured home shall comply with the applicable county setback ordinances. Any adjacent property owner can execute an agreement of variance as to the setback from an adjacent property line.

Sec. 46-64. - Adherence to Fannin County ordinance regulating mobile homes/manufactured homes

This article shall be read with and construed in conjunction with the "Fannin County Ordinance to Regulate Mobile/Manufactured Homes," article II of this chapter. To the extent that there is a conflict between said articles, this article shall govern. To the extent that this article is silent on an issue, article II of this chapter shall govern. All standards not specifically addressed in this article shall be the same as those in Article II of this chapter. The provisions of inspection and enforcement shall be the same as those of article II of this chapter.

Sec. 46-65. - Headings, severance, governing law.

The section headings are provided for reference only and shall not be controlled. If any portion of this article or article II of this chapter is deemed invalid, it shall not affect the validity of the remaining portions of said ordinances. This article shall be governed by the laws of the State of Georgia.