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COMMONWEALTH OF KENTUCKY  
COUNTY OF METCALFE

METCALFE FISCAL COURT

ORDINANCE NUMBER 09-0512

**ORDINANCE PLACING RESTRICTIONS ON MANUFACTURED DWELLINGS  
AND MOBILE HOME PARKS**

This matter having come before the Metcalfe Fiscal Court, and the Fiscal Court being otherwise and sufficiently advised: and,

**WHEREAS**, Metcalfe Fiscal Court wishes to adopt the following requirements for the issuance of permits for mobile homes and manufactured homes, IT IS HEREBY ORDAINED BY THE FISCAL COURT OF METCALFE COUNTY, COMMONWEALTH OF KENTUCKY, that the above stated restrictions shall be placed on mobile homes and manufactured homes:

1. Definitions:

- a. Manufactured Home Constructions and Safety Standards mean the standards for the construction, design, and performance of a manufactured home as set forth in the Code of Federal Regulations, Title 24, Part 3280, 3282, 3283, and 42 USC 5401, ET Seq. and as mandated in the United States of America and as administered by the United States Department of Housing and Urban Development, commonly referred to as the HUD Code.
- b. A manufactured home is defined as a single-family residential dwelling unit fabricated as defined in KRS 227.550 on or after June 15, 1976, in an off-site manufacturing facility for installation or assembly at the building site as a

permanent structure with transport features removed, bearing a seal certifying that it is built in compliance with the Federal Manufacturing Housing Construction and Safety Standards, as defined in Section 2.0.

- c. A mobile home is defined as a structure manufactured prior to June 15, 1976 which was not required to be constructed in accordance with the federal act, which is transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width and forty body feet or more in length, or when erected on site, is three hundred twenty 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. These homes bear a numbered Class A or B seal issued by the Kentucky Department of Housing, Building, and Construction, Office of the State Fire Marshal.
- d. A manufactured home or mobile home as defined in KRS 227.550, which does not bear a seal certifying that it was a manufactured in accordance with the Federal Manufactured Home Construction and Safety Standards Act and not bearing either a Class A or B seal issued by the Kentucky Department of Housing, Building, and Construction, Office of the State Fire Marshal is not acceptable for residential occupation.

2. No mobile home or manufactured home may be erected, set up, or brought onto property in Metcalfe County, Kentucky without first applying for a permit for erection and habitation for Metcalfe County for the unit. In addition to the requirements listed below, no unit shall be permitted unless the electric and septic or sewer systems has been approved.
3. All units must be underpinned or skirted along the entire perimeter of the house that is comprised or masonry, treated wood, plastic, or other material that harmonizes with the architectural style of the home within sixty days of receipt of their permit for habitation. Failure to have the unit underpinned or skirted within this time limit shall subject the owner of the unit to sanctions under paragraph 8 (b) below.
4. In order to be issued a permit for erection and habitation all manufactured homes or mobile homes must be certified as meeting the Federal Manufactured Housing Construction and Safety Standards Code as set forth in the Code of Federal Regulations, Title 24, part 3280, 3282, and 42 USC 5401 Et. Seq. and commonly referred to as the HUD Code, or be certified by the State Fire Marshall's Office or certified inspector as safe and habitable and bearing a "B-1 Seal". Mobile homes or manufactured homes to be used for storage and not human habitation may be erected and used if that unit has a B-2 seal provided it meets all other applicable conditions herein, except that it need not pass electrical inspection if there is no electricity in the unit and it need not meet plumbing, sewer, or septic tank inspections if it has no running water.
5. Permits under this ordinance shall be issued by the Metcalfe County Judge/Executive, and units subject to this ordinance shall be subject to inspection by the Judge/Executive

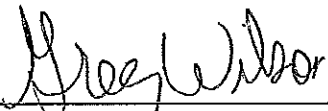
or his designee. The Judge/Executive or his designee shall impose reasonable charges for permits and inspections. No permit shall be issued unless the state permit has been received and submitted to the County Judge Executive.

6. Existing units which would not meet these standards may not be relocated regardless of whether or not ownership of the unit changes, unless a valid permit is first obtained.
7. Storage of mobile homes or manufactured homes in Metcalfe County is prohibited, except for manufactured home dealers holding a valid Kentucky dealer's permit, and except for units permitted under this ordinance.
8. Any landowner upon whose land and unpermitted unit, is located, or title owner of any unpermitted unit, located in Metcalfe County for more than 60 days without obtaining a permit and complying with this Ordinance shall be deemed to have violated this Ordinance and shall be subject to the following:
  - a. A civil sanction or forfeiture of the unpermitted mobile home or manufactured home, which shall be removed at once from this county by the owner or landowner, and if not, maybe removed by Metcalfe County with the costs charged to the owner or landowner and disposed of at the expenses of the owner or landowner.
  - b. Criminal penalties equivalent to a Class-B misdemeanor under the Kentucky Penal Code, that being a fine up to \$250 and up to 90 days, in jail, or both.
  - c. Jurisdiction for enforcement of the civil and criminal penalties shall be in the Metcalfe District Court, or Metcalfe Circuit as appropriate.

- d. Each day of nonconformance after the expiration of 60 days shall be considered  
a new violation.

FIRST READING 4-14-09

SECOND READING 5-12-09

  
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GREG WILSON,  
METCALFE JUDGE EXECUTIVE

  
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CLERK, FISCAL COURT