

MANUFACTURED HOME PARK ORDINANCE FOR SAMPSON COUNTY

ARTICLE 1 GENERAL PROVISIONS

Section 1.1 Short Title

This Ordinance shall be known as the MANUFACTURED HOME PARK ORDINANCE, SAMPSON COUNTY.

Section 1.2 Purposes

The purpose of this Ordinance is to regulate and guide the establishment of manufactured home parks in order to promote the public health, safety and general welfare of the citizens of Sampson County, North Carolina. This Ordinance is designed to accomplish the following specific objectives: (a) to further the orderly layout of manufactured home parks; (b) to secure safety from fire, panic and other danger; (c) to provide adequate light and air; and (d) to ensure that facilities for transportation, parking, water, sewage and recreation are provided for manufactured home park residents and visitors.

Section 1.3 Authority

Sampson County hereby exercises its authority to adopt and enforce a Manufactured Home Park Ordinance pursuant to the authority granted to Sampson County by Chapter 160D of the General Statutes of North Carolina.

Section 1.4 Jurisdiction

These regulations shall govern the establishment of each and every new manufactured home park and the alteration or expansion of existing manufactured home parks lying within the jurisdiction of Sampson County.

Section 1.5 Approval Required Prior to Park Operation

No person shall construct or engage in the construction of any manufactured home park or make any addition or alteration to a manufactured home park that either alters the number of lots for manufactured homes within the park or affects the facilities required therein until approval has been granted by the Sampson County Planning Board.

Section 1.6 Pre-1976 Manufacture Homes Prohibited

No manufactured home shall be placed in a Manufactured Home Park that was manufactured prior to July 1, 1976. A notarized certificate, showing that the unit was manufactured after this date, shall be required from the owner before any permit is issued by the Sampson County Health Department. A manufactured home that was manufactured prior to July 1, 1976 and is located in Sampson County as of the adoption of this Ordinance, may be moved to a new Manufactured Home Park provided that all other regulations and codes are met.

Section 1.7 Non-Residential Uses

No part of any park may be used for non-residential purposes, except uses that are required for the direct servicing and well being of park residents and for the management and maintenance of this park. This section shall not be construed to prohibit the sale of a manufactured home located on a manufactured home lot and connected to the pertinent facilities.

Section 1.8 Storage Buildings

Each manufactured home lot may be equipped with a storage building no more than twelve (12) feet on one side or a total of 144 square feet provided that such buildings are located adjacent to the rear lot line and set back at least five (5) feet from any lot line. These storage buildings still must receive a Zoning Permit from the Sampson County Inspections and Planning Department.

Section 1.9 Wind Zone Certification for Manufactured Homes

All manufactured/mobile homes in Sampson County will be a minimum of Wind Zone I Certified as designated by the North Carolina Department of Insurance.

Section 1.10 Zoning and Other Plans

In addition to complying with the standards set forth by this Ordinance, Manufactured Home Parks in zoned areas must comply in all respects with the requirements of the Zoning Ordinance, and any other officially adopted plans.*

ARTICLE 2 LEGAL STATUS PROVISION

Section 2.1 Administration

The Sampson County Inspections and Planning Department shall administer and enforce this Ordinance. The office may be provided with assistance of such other persons as the Board of Commissioners may direct.

Section 2.2 Fees

The Governing Board shall set a fee, payable to the Sampson County Inspections and Planning Department, to cover the necessary processing cost of all manufactured home permits. The set fee shall be posted at the Sampson County Inspections and Planning Department and on the County's website.

Section 2.3 Right of Appeal

If any initial permit is denied or revoked, the applicant may appeal the action of the Sampson County Inspections and Planning Department to the Planning Board pursuant to N.C. Gen. Stat. § ("G.S.") 160D-705(b). Decisions of the Planning Board are subject to review by the Superior Court pursuant to G.S. 160D-406(k) and G.S. 160D-1402.

Section 2.4 Variances

Pursuant to G.S. 160D-705(d), when unnecessary hardships would result from carrying out the strict letter of a zoning regulation, the Planning Board shall vary any of the provisions of the Manufactured Home Park Ordinance upon a showing of all of the following:

- A. Unnecessary hardship would result from the strict application of the Manufactured Home Park Ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property
- B. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.
- C. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
- D. The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.

Section 2.5 Amendments

Pursuant to G.S. 160D-601, the Governing Board may, from time to time, amend the terms of this Ordinance (but no amendment shall become effective unless it shall have been proposed by or shall have been submitted to the Planning Board for review and recommendation). If the Planning Board fails to submit a report within thirty (30) days after referral of the proposed amendment to the Planning Board, the Governing Board may act on the proposed amendment without the Planning Board report. The Governing Board is not bound by the recommendation, if any, of the Planning Board pursuant to G.S. 160D-604(b).

No amendment shall be adopted by the Governing Board until they have held a hearing on the amendment. A notice of the hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The notice shall be published the first time not less than 10 days nor more than 25 days before the date scheduled for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.

Section 2.6 Enforcement

If the Sampson County Inspections and Planning Department shall find that any of the provisions of this Ordinance are being violated, specifying the nature of the violation and what corrective measures must be taken, the Inspections and Planning Department shall order discontinuance of illegal use of land, buildings or structures; removal of illegal buildings or structures or additions, alterations or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by law to ensure compliance with or to prevent violation of the provisions of this Ordinance.

Section 2.7 Penalties

Any person failing to take corrective action within a reasonable time after receiving written notice from the Sampson County Inspections and Planning Department; and any person operating a manufactured home park without a valid permit shall be guilty of a Class 3 misdemeanor and may be punished by a fine not to exceed five hundred dollars (\$500.00). Each day such violation shall be permitted to exist shall constitute a separate offense.

Section 2.8 Effective Date

This Ordinance shall take effect and be in force on the 7th day of September, 2004.

ARTICLE 3 NONCONFORMING MANUFACTURED HOME PARKS

Section 3.1 Existing Manufactured Home Park

Manufactured home parks existing on the date of adoption of this Ordinance shall have 90 days to comply with the following regulations:

1. Request street names to parks from the County;
2. Signage for park;
3. Solid waste disposal plan;
4. Register with the Sampson County Tax Office;
5. Register with the Sampson County Health Department;
6. Register with the Sampson County Building Inspections Department; and
7. Repealed.

Section 3.2 Additions to Existing Parks

Any additions increasing the number of manufactured home spaces to existing manufactured home parks shall be subject to all regulations as they relate to New Manufactured Parks. In an existing Manufactured Home Park, it is not permissible to replace existing manufactured homes with recreational vehicles (RVs).

ARTICLE 4 APPLICATION AND APPROVAL PROCEDURES

Section 4.1 Initial Permit Application Procedure

1. Manufactured Home Parks are permitted by right in the Commercial Zoning District, for Manufactured Home Parks in the Commercial District, they are only required to meet the site plan requirements outlined in this Ordinance and Planning Board approval is not needed for the establishment or expansion of a Manufactured Home Park. Prior to the construction of a Manufactured Home Park, or the expansion of an existing manufactured home park, the developer shall make application to the Sampson County Inspections and Planning Department for a Special Use Permit to construct or expand such park. The application shall be consistent with the Special Use requirements set forth in the Sampson County Zoning Ordinance.

2. The park plan shall be drawn at a scale no smaller than one (1”) inch=one hundred (100’) feet and shall include the following:
 - a. The name of the park, the names and addresses of owner or owners, and the designer or surveyor;
 - b. Date, scale and approximate North arrow;
 - c. Boundaries of the tracts shown with bearing and distances;
 - d. Site plan showing streets, traffic circulation, walkways, driveways, recreation areas, parking spaces, service buildings, water courses, easements, manufactured/mobile home lots, lot numbers, cluster box mail units_and all structures to be located on the park site and total acreage of the park;
 - e. Vicinity map showing the location of the park and the surrounding land usage;
 - f. Names of adjoining property owners;
 - g. The existing and proposed utility system for surface water drainage, street lights, water supply and solid waste and sewage disposal facilities;
 - h. Certification of approval of water supply plans by:
 - i. the North Carolina Department of Natural and Economic Resources, Division of Water Quality, for a system with surface discharge of non-domestic liquid waste; or
 - ii. the Sampson County Health Department for systems with subsurface disposal system including the location and specifications of septic tanks and sewage disposal facilities. All on-site sewage disposal shall be approved by the Health Department. Individual lots will be evaluated and permits written if suitable.
 - i. Certification of approval of sewage collection systems by:
 - i. the North Carolina Department of Natural and Economic Resources, Division of Water Quality, for a system with surface discharge of non-domestic liquid waste; or
 - ii. the Sampson County Health Department for systems with subsurface disposal system including the location and specifications of septic tanks and sewage disposal facilities. All on-site sewage disposal shall be approved by the Health Department. Individual lots will be evaluated and permits written if suitable.
 - j. Certification of solid waste storage, collection and disposal shall be approved by the Sampson County Planning Board.
 - k. Notes that address the maintenance of open space or any other note deemed necessary for site plan clarity by the Sampson County Inspections Department.

Section 4.2 Review of the Proposed Plan

The Sampson County Inspections and Planning Department shall transmit the proposed park plan to the Sampson County Planning Board for quasi-judicial-review at its next meeting.

Section 4.3 Disapproval of Plans

Manufactured Home Parks in the Commercial Zoning District that have been administratively denied have the option to file an appeal. Appeals must be made in accordance with Section 2.3 of

this Ordinance. Manufactured Home Parks that have been denied by the Planning Board serving as the quasi-judicial review board must follow the appeal process set forth in G.S. 160D-406(k).

Section 4.4 Issuance of Initial Permit and Set Up Permit

- A. After approval of the proposed manufactured home park plan, the Sampson County Inspections and Planning Department is authorized to issue a letter allowing the construction of the park according to the proposed plan, but this letter shall not be construed to entitle the applicant to offer spaces for rent or lease, or to operate a manufactured home park. In instances where the park was approved by the Planning Board, the recorded Special Use Permit will serve the purpose of the approval letter authorizing construction of the park.
- B. If construction of the manufactured home park has not begun within twelve (12) months from the issued date of the initial permit, the Planning Board may grant the extension of the permit when the applicant shows reasonable cause for delay. However, the Planning Board also has the authority to require the proposed park to resubmit their plan.
- C. When the developer has completed the construction of the manufactured home park, he/she shall apply to the Sampson County Inspections and Planning Department which shall make an onsite inspection of the park.
 - 1. If the park conforms to the plan approved by the Planning Board and other agencies, the Sampson County Inspections and Planning Department shall issue the developer a manufactured home set up permit.
 - 2. If the park does not conform with the approved plan, the Sampson County Inspections and Planning Department shall issue a letter indicating the parks deficiencies and establish a timeline with the park owner to come into compliance. In instances where the park has been approved by the Planning Board serving in a quasi-judicial capacity, the park owner will be made aware that they are in jeopardy of their Special Use Permit being revoked if compliance is not met. A manufactured home set up permit will not be issued until compliance is met.
- D. Repealed.
- E. When a manufactured home park is to be developed in phases, the proposed plan may be submitted for the entire development. All sections of a mobile home park must meet the requirements of this Ordinance in order for manufactured home set up permits to be issued for any additional phases.
- F. Upon determination that an existing sanitary sewerage system had a valid operation permit or a valid certification of completion and is operating properly in a manufactured home park, the County Health Department shall reissue a permit in writing for a manufactured home to be connected to the existing system and to be occupied. Notwithstanding the above requirement, an improvement permit is not required for the connection of a manufactured home to an existing system with a valid operation permit or a valid certification of completion in a manufactured home park (G.S. 130A-337-(c)).
- G. Repealed.
- H. Violating the terms of a Manufactured Home Park approval that was administratively approved may result in the revocation of the permit pursuant to G.S. 160D-403(f). Violating the terms of a Manufactured Home Park approval that was issued by the Planning Board through the quasi-judicial hearing may be revoked in accordance with

the provisions set forth in G.S. 160D-705(c).

ARTICLE 5 DESIGN AND IMPROVEMENT STANDARDS

Section 5.1 Minimum Park Size

Manufactured home parks created after the adoption of this Ordinance by the Governing Board must be a minimum of two (2) acres of contiguous land in total park size and shall contain at least two (2) manufactured home lots/spaces at first occupancy.

Section 5.2 Manufactured Home Parks Developed in Phases

Manufactured home parks developed in phases shall be required to develop a minimum of two (2) lots in the first phase.

Section 5.3 Drainage

Every manufactured home park shall be located on a well-drained site and shall be so graded as to prevent the accumulation or ponding of water on the premises. No manufactured home park shall be so located that the drainage of the manufactured home park area will endanger any public or private water supply. A letter from a NC licensed engineer must be submitted to the Sampson County Inspections Department certifying that the requirements of this section have been met.

Section 5.4 Flood Hazard

Manufactured Home Parks located in a Special Flood Hazard Areas must comply with the Sampson County Flood Ordinance.

Section 5.5 Buffers

The manufactured home park shall have a buffer strip not less than ten (10') feet wide adjacent to the park boundary extending along the entire perimeter of the manufactured home park. The planting strip will not be a portion or any manufactured home space, street or private drive. It may be planted with evergreen and/or deciduous trees not more than eight (8') feet apart and adequately landscaped with grass and shrubbery in such a manner as to be harmonious with the landscaping and/or the adjacent properties and in keeping with the general character of the surrounding neighborhood. A privacy fence at least six (6') feet in height may meet the buffering requirement in such instances where landscaping is impracticable or in instances where the Planning Board determines that a fence may be the most effective buffer. For Manufactured Home Parks administratively approved, the applicant may choose the vegetative buffer option listed in this section or the 6' fence.

All required buffer strips must be continually maintained by the owner. Failure to maintain any required planting strip may cause the manufactured home park's business license to be withheld or revoked.

Section 5.6 Space Layout

All new manufactured home parks or additions to existing manufactured home parks shall have manufactured home spaces complying to the following:

1. Repealed.
2. Where a County water system and individual septic system is used, each manufactured home lot shall not be less than eight thousand square feet (8,000 sq. ft.) in size.
3. Where individual wells and individual septic systems are used, each manufactured home lot shall not be less than fifteen thousand square feet (15,000 sq. ft.) in size.

Section 5.7 Marking/Setbacks

In all cases, the corners of every manufactured home space shall be plainly marked by corner markers. The distance between manufactured homes, including any enclosed extension thereof, shall not be less than fifteen feet (15 ft.). No manufactured home shall be located closer than fifteen feet (15 ft.) to any property lot line of the manufactured home park or to any other structure on the premises and not closer than thirty feet (30 ft.) to any public street or highway.

Section 5.8 Space Numbering

The park operator shall be required to provide numbers and to supervise the placement of these numbers to clearly identify each manufactured home lot from the street. These numbers shall be displayed on each manufactured home and on an identification post located at the entryway to each lot.

Section 5.9 Access

All manufactured home parks shall be provided with a network of streets, roads or driveways that will allow safe and convenient vehicular access to an improved public street from each manufactured home lot, but no individual manufactured home within a park may have a direct-driveway access to an abutting public street.

The intersection of the public street with the entrance way or private access road to the manufactured home park shall be designed to facilitate the free movement of traffic on the public street and to minimize the hazards caused by traffic entering or leaving the park development. All driveways shall be hard surfaces and the minimum width of such driveways shall be well marked and lighted in the manufactured home parks. All manufactured home lots must enter and exit the park through the use of the interior road network of the park; no direct access to public roads from a lot shall be allowed.

When a Manufactured Home Park has thirty (30) or more lots, two points of access are required for the park.

Section 5.10 Streets

All streets in the manufactured home park must be constructed and maintained to NCDOT minimum standards for residential streets. A manufactured home set up permit will not be issued

until the NCDOT Basic Letter has been provided to the Sampson County Inspections and Planning Department certifying the streets have been built to the minimum state standard.

Section 5.11 Street Signs

All streets will be named and display a street sign visible from entranceways.

Section 5.12 Parking

Each manufactured home park shall provide sufficient parking and maneuvering space so that the parking, loading or maneuvering of a manufactured home incidental to parking shall not necessitate the use of any public street, sidewalk or right-of-way or any private grounds part of the manufactured home park.

Two (2) off-street parking spaces, each a minimum length of twenty feet (20 ft.) and a minimum width of ten feet (10 ft.) shall be provided for each manufactured home lot in the park. The parking spaces shall be constructed with the same material as the interior streets.

Section 5.13 Park Signage

The park operator shall also be required to provide a park sign which identifies the name of the park and a telephone number at which the park owner or operator may be contacted. These signs must be visible from the road adjacent to the park. The park operator will provide address information to E-911 Addressing Office.

Every manufactured home park shall have at all entrances a clearly visible sign stating the name of the manufactured home park. Each individual lot shall be visibly numbered. It is recommended that each manufactured home park sign be a minimum of three (3') feet high and four (4') feet wide with letters/numbers at least four (4") inches and visible to traffic at entrances. Street signs must be erected before any homes enter the parks.

Manufactured Home Park signs require a separate Zoning Permit and when applicable a Commercial Sign Permit.

Section 5.14 Water Supply

Every manufactured home shall be provided with a supply of water for domestic purposes from a source approved by the Sampson County Health Department.

Section 5.15 Sewage Disposal

Every manufactured home shall be provided with an adequate sewage disposal system by connection to a septic tank system constructed in compliance with State regulations and approved by the Sampson County Health Department.

Section 5.16 Exterior Lighting

Adequate lights shall be provided to illuminate streets, common driveways, walkways and dead-end streets for the safe movement of vehicles and pedestrians at night. Minimum requirements will

be based on 0.4-foot candles per light spaced at a minimum of two hundred feet (200 ft.) between lights and nine thousand five hundred (9,500) lumens at a twenty-five feet (25 ft.) mounting height. A letter from the party responsible for installing the lights and a signed owner's affidavit must be submitted to satisfy this section of the Ordinance.

Section 5.17 Solid Waste Disposal

The park operator will operate or provide for the operation of a solid waste disposal system, including providing park tenants with appropriate containers. The solid waste disposal system shall consist of dumpsters or container stands with contract pickups. The owner himself/herself, may operate the contract pickup provided he/she signs a notarized statement saying that he/she will be responsible for the trash collection in the manufactured home park. Container or dumpster sites shall be maintained at least 100 feet from any well site. All garbage shall be collected at least once a week. Container sites and dumpsters which are not adequately maintained may cause the Manufactured Home Park permit to be revoked. A document from the trash service provider or an affidavit from the owner must be provided to satisfy this section of the Ordinance.

Section 5.18 Office

Every Manufactured Home Park shall be required to have a park managers office. This office is allowed to be in a manufactured home, but the home may not be utilized as a residence. The office must meet the requirements of the NC Commercial Building Code.

ARTICLE 6 RESPONSIBILITIES AND DUTIES OF PARK OWNERS

Section 6.1 Manufactured Home Park Maintenance

Manufactured home park operators shall be required to provide adequate supervision to maintain the park in compliance with the requirements of this Ordinance. The manufactured home park operators shall keep all park-owned facilities, improvements, equipment and all common areas in good repair and maintained in such a manner as to prevent the accumulation or storage of materials which could constitute a fire hazard or would cause insect or rodent breeding and harborage. Abandoned vehicle storage or the manufactured home parks. Either item may be cause to revoke a manufactured home park permit.

Section 6.2 Garbage Disposal and General Maintenance

All garbage and refuse in every manufactured home park shall be stored in suitable water-tight and fly-tight receptacles, which shall be kept covered with tight-fitting covers or other methods approved by the Health Director, where garbage cans are not used. It shall be the duty of the manufactured home park operator to see that all garbage and refuse is disposed of regularly and in a sanitary manner. It shall also be the manufacture home park operator's responsibility to see that no materials which attract insects or rodents, or which afford harborage for insects or rodents is stated or allowed to remain on the premises. All areas of the premises shall be kept clean and free from weeds or heavy undergrowth.

Section 6.3 Solid Waste Collection

All operators of manufactured home parks shall provide for the collection of solid waste from the containers furnished by operator and the transport of solid waste to certified disposal sites. The operator shall provide the collection and transport service of solid waste by either contracting with a solid waste collector doing business in the County or provide the service as a part of the operation of the manufactured home park.

Operators of manufactured home parks not currently providing solid waste collection and disposal service as described in their solid waste disposal plan, shall have 90 days from the adoption of this Ordinance to provide these services.

Section 6.4 Placement and Anchoring

Operators shall be required to supervise the placement of all manufactured homes to guarantee that they are properly anchored and attached to utilities.

All manufactured homes within a manufactured home park shall be properly anchored or provided with tie downs, in accordance with the *State of North Carolina Regulations for Manufactured/Mobile Homes*. Technical assistance will be provided by the Sampson County Building Inspection Office.

All manufactured homes will be set up and anchored according to manufacturer's instructions and meet all code requirements.

Section 6.5 Skirting and Underpinning

Each park operator will require each manufactured homeowner to utilize approved skirting or underpinning to enclose the space underneath the home. The homeowner shall have 30 days to comply with this requirement. An extension of up to 90 days may be granted in case of financial hardship.

Section 6.6 Storage and Possessions

Storage of possessions and equipment in the area beneath manufactured homes is prohibited to prevent storage of flammable and toxic materials which may place its occupants in undue danger.

Section 6.7 Assist County Tax Administrator

Operators shall be required to comply with North Carolina General Statute 105-316(a)(1) which requires that as of January 1 of each year, each operator of a parking renting lots for two (2) or more manufactured homes, furnish to the County Tax Administrator the name of the owner and a description of each manufactured home lot located in the park.

Section 6.8 Repealed.

Section 6.9 Relief of Responsibilities for Developer/Original Owner

When a developer or owner of manufactured home property sells park property to a responsible buyer, the developer/owner is relieved of certain responsibilities with them being assumed by the

buyer. They are as follows:

1. List with Sampson County Tax Office and receive a property identification number;
2. Secure a proper address with the E-911 Office and display proper house numbers;
3. Be responsible for all building permits;
4. Secure all health permits regarding water and sewer;
5. Be responsible for solid waste disposal;
6. Be responsible for park maintenance; and
7. Be responsible for street maintenance until streets are accepted into the NCDOT Maintenance System.

ARTICLE 7 DEFINITIONS

Section 7.1 Interpretation of Certain Words and Terms

- 1) Words used in the present tense include the future tense.
- 2) Words used in the singular number include the plural and words used in the plural number include the singular.
- 3) The word “shall” is always mandatory and not merely directory.
- 4) The word “may” is permissive.
- 5) The words “used” or “occupied” include the words intended, designed or arranged to be used.

Section 7.2 Definitions

1. **Adjacent:** Having a common border such as a lot line or street right-of-way.
2. **Automobile, Abandoned:** A motor vehicle which is left on private property without the consent of the owner, occupant or lessee of the property.
3. **Automobile, Junked:** A vehicle that does not display a current license plate and that is a.) partially dismantled or wrecked b.) cannot be self-propelled or moved in the manner in which it was originally intended to move c.) is more than 5 years old and appears to be worth less than \$100.00.
4. **Junk:** Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, refrigerators, stoves, household, appliances, salvaged building materials, salvaged machinery parts, dismantled or wrecked automobiles, or parts thereof, iron and steel and other scrap ferrous or non-ferrous material, abandoned manufactured homes and dilapidated travel trailers.
5. **Manufactured Home:**
 - a. A structure that:
 - b. consists of a single unit completely assembled at a factory or two (2) [double- wide] or three (3) [triple-wide] principle components totally assembled at the factory and joined together at the site: and
 - c. is designed so that the total structure (or in the case of a double-wide or triple- wide, each component thereof) can be transported on its own chassis; and
 - d. is over thirty-two (32) feet long and over eight (8) feet wide; and
 - e. is designed to be used for one (1) family, including permanent provisions for living, sleeping, eating, cooking and sanitation; and
 - f. is actually being used, or is held ready for use, as a dwelling; and
 - g. is not permanently attached to a foundation

- A structure that is otherwise defined herein as a manufactured home is permanently attached to its foundation if:
- a. the foundation is constructed in such a way or at such expense as to make it unlikely that the manufactured home placed upon it will later be removed; or
 - b. if the manufactured home cannot be removed from the foundation without great expense or severe damage to the manufactured home.
 - c. is not a Recreational Vehicle (RV)
6. **Manufactured Home Lot:** A tract of land within a manufactured home park:
 - a. whose boundaries are delineated in accordance with the requirements of this Ordinance; and
 - b. that is designed and improved in accordance with the requirements of this Ordinance to accommodate a single manufactured home.
 7. **Manufactured Home Space:** A plot of land within a manufactured home park designed for the accommodation of a single-manufactured home in accordance with the requirements set forth for in this Ordinance.
 8. **Operator:** The person who owns or is responsible for the operation of a manufactured home park.
 9. **Recreation Area or Park:** An area of land and/or water resources that is developed for active and/or passive recreation pursuits with various man-made features that accommodate such activities.
 10. **Tie Downs:** Galvanized steel cables or strapping which “tie” a manufactured home and its steel frame to anchors embedded in the ground.
 11. **Tract:** A piece of land whose boundaries have been described or delimited by a legal instrument or map recorded in the office of the Register of Deeds.
 12. **Variance:** A modification of the terms of this Ordinance where, owing to conditions peculiar to the property, a literal enforcement of this Ordinance would result in an unnecessary hardship.
 13. **Wind Zone I Designation:** Minimum-rating designation required for all manufactured homes to be set up in Sampson County.
 - a. Wind Zone I: Built to withstand ninety (90) miles per hour winds – 25 PSF.
 - b. Wind Zone I Declaration Sticker: Map of United States placed in home by manufacturer designating Wind Zone placement areas.
 14. Hard Surface for driveways is defined as crushed stone (see Article XV, Section B.4.) or other non-sediment producing material (other examples include asphalt or concrete.)

Section 7.3 Terms

1. **Manufactured Home Park:** Any site or tract of land, of contiguous ownership upon which mobile home spaces are provided for mobile home occupancy, whether or not a charge is made for such service. This does not include mobile home sales lots on which unoccupied mobile homes are parked for the purpose of inspection and sale. =
2. **Solid Waste:** Garbage, refuse, trash, or other discarded materials resulting from industrial, commercial and agricultural operations, from community activities and from household use of products and materials, but does not include solids or dissolved materials and domestic sewage or other significant pollutants and water resources such as silt, dissolved or suspended solids and industrial pollutants, dissolved or suspended

solids and industrial waste effluents, dissolved materials and irrigation, return flows or other common water pollutants.

3. **Household Solid Waste:** Waste normally generated by households.
4. **Self-contained:** Contained within and becoming a part of the manufactured home.
5. **Privately Owned Public Water System:** As defined by Article 10, Chapter 130A, Section 313(10) of the General Statutes of North Carolina
6. **Operating Permit:** The permit is issued by the Health Director indicating compliance with health regulations only, and not to be confused with any other permit which may be issued by other agencies having jurisdiction.
7. **Human Habitation:** Use by human being for any purpose or purposes.
8. **Local Board of Health:** The Sampson County Board of Commissioners, sitting as the Board of Health.
9. **Person:** Any individual, firm, corporation, association or partnership.
10. **Health Director:** The Sampson County Health Director or his/her authorized representative.
11. **Plumbing Inspector:** The duly appointed inspector having jurisdiction over installation of plumbing in the area in which the manufactured home park is located.
12. **Building Inspector:** Sampson County Building Inspector or designee.
13. **Planning Board:** The Board appointed by the Sampson County Board of Commissioners to oversee the administration of this Manufactured Home Park Ordinance.