

## ORDINANCE 14-117

### AN ORDINANCE OF THE TOWN OF PIKEVILLE, NORTH CAROLINA, AMENDING SECTION 91.002, DEFINITIONS, OF CHAPTER 91, ZONING, SUBDIVISIONS AND MOBILE HOME PARKS, OF THE PIKEVILLE CODE OF ORDINANCES; AND, ESTABLISHING AN EFFECTIVE DATE.

**WHEREAS**, it has been ascertained that certain definitions found in Section 91.002, Definitions, of Chapter 91, Zoning, Subdivisions and Mobile Homes, of the Pikeville Code of Ordinances are erroneous and not in keeping with community standards within the Town of Pikeville; and,

**WHEREAS**, these erroneous definitions have resulted in a non-conforming structure being legally allowed in an incorrect residential zone;

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the Town of Pikeville, North Carolina, as follows:

**Section 1.** That Section 91.002, Definitions, of Chapter 91, Zoning, Subdivisions and Mobile Home Parks of the Town of Pikeville Code of Ordinances is hereby amended by amending the definition of Mobile Home as follows:

**“MANUFACTURED HOME.”** A manufactured home, known alternatively as a mobile home or trailer, is any home factory-built to HUD Title 6 construction standards. A manufactured home is built on a frame or chassis with axles affixed thereto for mobility, and a tongue for towing. Accordingly, a modular home (see herein below) categorized as “on-frame” and therefore meeting the definition of a manufactured home under this Section shall for the purposes of this Code be considered a manufactured home, not a modular home, and shall be treated as such for zoning purposes.

A HUD-coded home will display documentation called the Certification Label and the Data Plate. The Certification Label (the HUD Label) can be located on the tail end of each transportable section of the home. The Data Plate will be located inside of the home on or near the main electrical breaker box, or other readily visible/accessible location.

Manufactured homes may be designed to be placed on blocks or on a permanent foundation when connected to the required utilities.

**Section 2.** That Section 91.002, Definitions, of Chapter 91, Zoning, Subdivisions and Mobile Home Parks of the Town of Pikeville Code of Ordinances is hereby further amended by amending the definition of Modular Home as follows:

**“MODULAR HOME.”** Modular homes are sectional houses that consist of multiple sections or “modules.” Modules are boxes constructed in a remote facility, then delivered on a low-boy or other transporter to their intended site of use. The modules are lifted off the transporter with the use of a crane, set onto the building’s foundation, and joined together to make a single building.

Modular buildings differ from manufactured homes in that they have neither frames, axles, nor tongues, ‘On-frame’ residential modular buildings built on a steel frame, with or without axles and tongues shall, under this Section, be considered as manufactured housing.

Modular homes shall be placed on a permanent foundation. No modular home shall be allowed to be constructed within the Town that does not have at least 1,250 square feet of heated space, nor within the Extra-territorial Jurisdiction that does not have 1,000 square feet of heated space.

**Section 3.** That this ordinance shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** after first reading this 2<sup>nd</sup> day of June, 2014.

**TOWN OF PIKEVILLE**

**BY:** \_\_\_\_\_  
Glenn Hartman, Mayor

**(SEAL)**

**ATTEST:** \_\_\_\_\_  
Connie Witherspoon, Town Clerk