

ORDINANCE NO. 04 - 09

**AN ORDINANCE REVISION LIMITING THE LOCATION OF
MANUFACTURED HOUSING IN THE TOWN OF HILLSBORO, INDIANA**

WHEREAS, older trailers, mobile homes and other manufactured housing may have a detrimental effect on the property values of neighboring properties.

WHEREAS, some older trailers, mobile homes or other manufactured housing constructed with inferior materials may have an effect to health and safety to the occupants or surrounding homes or other structures.

WHEREAS, enacted HB 1278 by the General Assembly of the State of Indiana Section 1 of IC 36-7-4-1106 with an effective date of July 1, 1997.

NOW, THEREFORE, be it ordained and established by the Town of Hillsboro as follows:

Section 1. Repeal of Ordinance 95-04. Ordinance 95-04 is hereby repealed and replaced heretofore, by the rules, regulations and conditions of this ordinance hereafter.

Section 2. Manufactured Homes, Definitions.

- (a) "Manufactured Home" means a dwelling unit, designed and built in a factory, transported on wheels for the purpose of residential dwelling (which bears a seal certifying that it was built in compliance with the federal Manufactured Housing Construction and Safety Standards of 1974).
- (b) "Under-floor space" means that space between the bottom of the floor joists and the earth.
- (c) "Occupied space" means the total area of horizontal square footage within the interior walls of the structure that may be subjected to use as an inhabited dwelling area of 1 or more person(s), excluding any area of accessory structures such as, pullouts, patios, porches, garages, or other structures even though they may be (or become) permanently attached.
- (d) Comprehensive plans or other ordinances adopted under these provisions may subject the dwelling units to other standards and requirements which may include, but not limited to:
 - (1) Setback distance;
 - (2) Side and rear yard area;
 - (3) Vehicle parking space;
 - (4) Under-floor space enclosure requirements.
 - (5) Minimum square footage of the dwelling unit.

Section 3. Manufactured Homes Constructed Prior to 1986 are Not Permitted. Manufactured Homes, Mobile Homes or Trailers (for the purpose of a dwelling or the use of a business) constructed prior to January 1, 1986; shall not be permitted to be located or installed within the corporate limits of the Town of Hillsboro and such structures shall "NOT" be connected to the Town's municipal water or sewage systems.

Section 4. Manufactured Homes Constructed After 1986 are Permitted in Some Instances and are subjected to the following restrictions, rules or regulations:

- (a) The "Occupied Space" must be over 950 square feet.
- (b) Manufactured homes must have been constructed after January 1, 1986 and in Accordance with the Manufactured Housing Construction and Safety Laws of 1974.
- (c) The structures must have at least 100 amperage electrical circuit breaker service, the meter base must be affixed to a pole adjacent to the structure and the interior wiring must be constructed of insulated copper of size at least 12/2 with a ground to handle at least 20 amperes to the wall outlets and 50 amperes to the hot water heater and or range. Must also meet the electrical codes of the servicing electrical utility company.
- (d) The structure must also meet all guidelines for manufactured (or mobile) home as set forth by the codes and standards of the National Fire Protection Association (NFPA), the National Underwriters Laboratories (UL), the American Standards Institute (ANSI Electrical and Gas), NEMA (National Electrical Manufacturers Association) or the American Petroleum Institute (API). and the Indiana Building Codes as enforced by the Office of the Indiana Fire Marshall.
- (e) All mobile homes must have one (1) working smoke detector affixed to the ceiling in the center of the hallway at the entrance of each bedroom, and one (1) working smoke detector near the center of the living room area.

- (f) Must be placed on a permanent foundation with a minimum of under-floor space of twenty-four (24) inches constructed of either reinforced cement or masonry cement block and this permanent foundation must set on a footer constructed of concrete measuring not less than twelve (12) inches wide and twelve (12) inches deep completely around the perimeter of the foundation. The axles, wheels, and tongue shall be removed after placed on the permanent foundation. The structure shall be placed the permanent foundation within 60 days of arriving on the premises.
- (g) The manufactured home must be also affixed with tie down straps, anchored into the earth sufficient enough to withstand 70 mile per hour winds.
- (h) The setback from the outside edge of the structure to the property line must be at least twenty feet (20) on all sides.

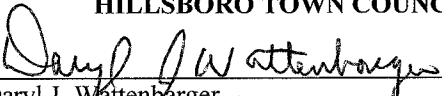
Section 5. Existing Manufactured Homes. Existing Manufactured homes that are presently occupied with residents within the corporate limits of the Town of Hillsboro on the effective date of this ordinance may remain in their current locations, but may not be moved to another location within the corporate limits of the Town of Hillsboro and if moved out or replaced by another manufactured home, the such replacement manufactured home must meet all of the requirements set forth within this Ordinance. If an existing manufactured home that is presently occupied at the time of this ordinance, is vacant or unoccupied for more than 60 days, it then shall be removed from it's present location; as to prevent a potential fire, safety or health hazard.

Section 6. Enforcement. The Town of Hillsboro may seek injunctive relief against anyone found to have violated this Ordinance. Any person found to have violated this Ordinance shall be liable for court costs and all reasonable fees and or expenses incurred by the Town, including and not limited to attorney's fees, in enforcing this Ordinance.

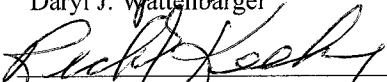
Section 7. Effective Date. This Ordinance shall be effective immediately upon passage by the members of the Hillsboro Town Council.

Adopted on the 22nd day of November, 2004.

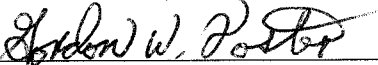
HILLSBORO TOWN COUNCIL



 Daryl J. Wattenbarger

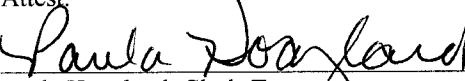


 Richard Keeling



 Gordon Foster

Attest:



 Paula Hoagland, Clerk-Treasurer