

ORDINANCE NO. 91- 05

AN ORDINANCE REGULATING MOBILE HOME PARKS WITHIN THE UNINCORPORATED AREAS OF LIBERTY COUNTY, FLORIDA, TO BE KNOWN AS THE "MOBILE HOME PARK REGULATIONS FOR LIBERTY COUNTY, FLORIDA"; SETTING FORTH PURPOSES; PROVIDING DEFINITIONS; SETTING FORTH SPECIFIC REQUIREMENTS FOR MOBILE HOME PARKS; PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR VARIANCES AND EXCEPTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapters 125 and 163, Florida Statutes authorize counties to regulate land use; and

WHEREAS, these regulations are adopted for the following purposes:

1. To protect and promote the health, safety and welfare of the citizens of Liberty County, Florida;
2. To provide rules, regulations and standards to guide the development of mobile home parks in the unincorporated areas of Liberty County, Florida;
3. To insure safe and convenient traffic control;
4. To insure the installation of adequate physical improvements and recreation open spaces concurrent with the development of mobile home parks; and
5. To serve as a tool of comprehensive planning for the County and further the goals, objectives and policies of the Liberty County Comprehensive Plan, including aesthetic objectives.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LIBERTY COUNTY, FLORIDA:

SECTION I

This Ordinance shall be known as the "Mobile Home Park Regulations for Liberty County, Florida".

SECTION II

DEFINITIONS:

The following words and phrases shall have the meanings set forth herein for the purpose of this Ordinance:

1. MOBILE HOME PARK means any tract of land or contiguous tract of land in the unincorporated areas of Liberty County,

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Florida, in a single ownership by any person, persons in joint ownership, corporation, partnership, or other legal entity on which are located six or more mobile homes used as places of dwelling by persons other than the landowners, without regard to whether the mobile home is owned by the landowner or the resident of the mobile home or by others; but not including recreational vehicle and camping trailer parks which provide temporary, short-term rental lots, and land uses involving less than six mobile homes which shall remain subject to all other applicable land use ordinances and regulations of Liberty County.

2. MOBILE HOME means a structure, transportable in one or more sections, which is eight body feet or more in width, over 35 feet in length, built on an integral chassis, and designed to be used as a dwelling when connected to the required utilities, and includes the plumbing, heating, air conditions, and electrical systems contained therein.

### SECTION III

#### REQUIREMENTS FOR MOBILE HOME PARKS:

1. LOT SIZE:

- a. Each lot in a mobile home park served by central water and sewage systems shall be a minimum of .20 (1/5) acre, and shall contain only one mobile home.
- b. Each lot in a mobile home park not served by central water and sewage systems shall be a minimum of .5 (1/2) acre, and shall contain only one mobile home.
- c. Each lot in a mobile home park served by a central water system but not a central sewage system shall be a minimum of .25 (1/4) acre, and shall contain only one mobile home.

2. LOCATION: No mobile home park shall be located within .5 (1/2) mile of any platted subdivision.

3. BUFFER ZONES/ SETBACKS: Each mobile home park shall have a setback/buffer zone of a minimum of 35 feet between any mobile home lot and any road right-of-way or property line, which buffer

zone shall be attractively maintained at all times. There shall be a minimum 40 foot setback from the center line of any street within a mobile home park to the structure located on each lot.

4. ROADS: Every road within a mobile home park shall be paved a width of at least 20 feet and shall be a minimum of 50 feet in total width, including rights-of-way and ditches. Each road shall have direct access to a public road, or to a service road which has direct access to a public road.

Each road within a mobile home park shall be named consistent with the official map of Liberty County.

Any dead-end street in a mobile home park shall be no more than 500 feet in length, and shall provide a terminal with a right-of-way diameter of not less than 70 feet for turn-around purposes.

5. SIGNS: Each mobile home park shall have entrance and exit signs located adjacent to the public road right-of-way.

6. STREET LIGHTS: Each mobile home park shall have one street light for each two mobile home lots equidistance apart.

7. SAFETY DEVICES: The owner of each mobile home park shall insure that each mobile home within his park is equipped with a fire extinguisher and a smoke alarm; and if the park owner requires the mobile home resident to furnish said safety devices, then he shall comply with the provisions of Chapter 723, Florida Statutes, requiring notice to such resident prior to allowing said resident to locate in the park.

8. PADS, PATIOS OR PORCHES: Each lot within a mobile home park shall have a concrete pad, patio or porch at the front entrance of the mobile home, of a minimum size of ten feet by ten feet.

9. SKIRTING: Each mobile home within a mobile home park must be skirted on all sides with decorative concrete blocks, or treated wood lattice, or manufactured mobile home skirting.

10. LANDSCAPING: Each lot within a mobile home park must be landscaped so that each lot is grassed and attractively maintained.

11. WATER SUPPLY: An accessible , adequate, potable supply of water shall be provided to all lots in each mobile home park.

The system shall be designed for the maximum water demand and be in compliance with Chapter 10D-4 or Chapter 17-22, Florida Administrative Code, as determined by the Liberty County Health Department.

At least one water supply service connection shall be provided to each mobile home space and shall be designed and constructed as to prevent the connection from being damaged by the parking of mobile homes.

12. SEWAGE DISPOSAL: An adequate and safe method of sewage collection treatment and disposal shall be provided in each mobile home park and shall be in compliance with either Chapter 10D-6 or Chapter 17-6, Florida Administrative Code, as determined by the Liberty County Health Department.

Each mobile home site shall be provided with a sanitary sewer connection point. The waste line connector between the mobile home unit and the park's sewer system shall be self-draining and leakproof for liquids and gases and be connected by means of readily removable acid-resistant semi-rigid connector. The connection point for the sewer outlets shall be tightly capped when not in use.

13. GARBAGE AND REFUSE DISPOSAL: Collection, storage, and disposal of garbage and refuse shall be so managed as to not create nuisance, odors, rodent harborage, insect breeding, accident hazards or air pollution.

14. PARKING: Automotive parking within a mobile home park shall all be off-street and shall consist of a minimum of two off-street parking spaces for each mobile home lot. Each parking space shall be directly accessible to a road within the mobile home park, and no such parking space or home driveway shall be situated so as to require vehicles to back into any public roadway except the roads within the mobile home park.

15. LAWN MAINTENANCE: The owner of the mobile home park shall be responsible for insuring that all lawns and common areas are properly maintained, including regular and frequent grass cutting and pruning as needed.

16. ANIMALS: The owner of a mobile home park shall insure that the residents of his park keeping animals within the park do not allow the animal to create or become a public nuisance.

17. OTHER REGULATIONS: The owner of a mobile home park shall comply with all other applicable county and state laws, ordinances, rules and regulations, including Chapter 320, Florida Statutes, relating to "tie-downs" among other things.

#### SECTION IV

##### ENFORCEMENT:

The Board of County Commissioners shall from time to time designate by resolution an officer to enforce the provisions of this Ordinance.

Enforcement of this Ordinance may be accomplished by the County in the manner as hereinafter provided, and in addition, any person who by reason of another's violation of any provision of this Ordinance, suffers special damage to himself different from that suffered by other property owners throughout the County generally, may bring an action to enjoin or otherwise abate an existing violation:

1. All persons owning or having charge of any premises within Liberty County upon which a violation of any provision of this Ordinance shall have been determined to exist by the Enforcement Officer shall be notified in writing by the Enforcement officer of such violation by registered or certified mail, return receipt requested. Such notice shall generally describe the premises in violation and shall also specify in as much detail as possible the violations involved. Such person shall be given a reasonable time not to exceed thirty (30) days from the date of the mailing of said notice in which to cure the violation.

2. Upon failure of any such person owning or having charge of any premises to cure the violation found to be existing upon said premises within the time period provided in sub-section 1 above, the Enforcement Officer shall report the same in writing to

the Board of County Commissioners and shall appear at all hearings conducted by the Board of County Commissioners to testify and present photographs showing the violation involved.

3. The Board of County Commissioners shall upon receipt of the written report of the Enforcement Officer as provided for in sub-section 2 hereof, give written notice by registered or certified mail, return receipt requested, to the owner, or agent, and all other persons having an interest in said premises as shown by the tax assessment rolls for Liberty County, Florida, to appear on the hearing date specified in the notice to show cause why the circumstances or situation reported to be a violation should not be cured. The Board of County Commissioners shall hold a hearing and hear such evidence as the Enforcement Officer or the owner, agent, or any other person having an interest in said premises shall offer relative to the nuisance. The Board of County Commissioners shall make findings of fact from the evidence offered as to whether or not a violation does exist on the premises as hereinabove defined. If a violation is found to exist, a written order shall be issued by the Board of County Commissioners directing the owner, mortgagee, agent and all other persons having an interest in said premises to cure said violation within a specified reasonable time, which shall in no event be less than thirty (30) days from the date of hearing, unless the violation is deemed to be an emergency. The Board of County Commissioners' order shall fairly and adequately notify the owner, mortgagee, agent and all other persons having an interest in said premises of the possible consequences of their failure to comply with said order.

SECTION V

PENALTIES:

Any person who violates the provisions of this Ordinance, or who fails to comply with any written order issued by the Board of County Commissioners as provided herein, shall be guilty of a

misdemeanor and upon conviction thereof shall be subject to a fine not exceeding \$500.00 or imprisonment for a term not to exceed ninety (90) days, or by both such fine and imprisonment.

#### SECTION VI

##### VARIANCES:

HARDSHIP - When strict adherence to the provisions of this Ordinance would cause an unnecessary hardship due to the topographical or other conditions peculiar to the site, or strict adherence to this Ordinance is impossible or impractical, the Board of County Commissioners may authorize a variance. Such variance shall apply only to the requirements directly affecting the particular hardship and shall not be detrimental to the intent of this Ordinance. Any request for a variance shall be submitted in writing to the Board of County Commissioners for action.

If an application for a variance is denied, no application for the same property may be resubmitted until one calendar year from the date of denial.

#### SECTION VII

##### SEVERABILITY:

Should any article, section, or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decisions shall not affect the validity of the Ordinance as a whole or any part thereof other than the parts so declared to be unconstitutional or invalid.

#### SECTION VIII

##### EFFECTIVE DATE:

This Ordinance shall take effect as provided by law.

Introduced in open session of the Board of County Commissioners of Liberty County, Florida, on the 7th day of May, 1991.

PASSED IN OPEN SESSION OF THE BOARD OF COUNTY COMMISSIONERS  
OF LIBERTY COUNTY, FLORIDA, on the 16th day of  
May, 1991.

BOARD OF COUNTY COMMISSIONERS  
LIBERTY COUNTY, FLORIDA

By: Willard Reddick  
CHAIRMAN

ATTESTED:

Duncan Hosford  
DUNCAN HOSFORD  
Clerk of the Circuit Court  
of Liberty County, Florida