

'83 AUG 5 PM 1 38

Town of Bethel Heights, Arkansas

AN ORDINANCE ESTABLISHING THE REGULATIONS AND GUIDELINES FOR OBTAINING A PERMIT TO PLACE A MOBILE HOME WITHIN THE CORPORATE BOUNDS OF BETHEL HEIGHTS, ARKANSAS; AND ESTABLISHING PROCEDURES FOR THE APPLICATION TO THE BETHEL HEIGHTS, ARKANSAS, TOWN COUNCIL FOR WAIVING CERTAIN OF THESE REQUIREMENTS IN WHERE UNDUE HARDSHIP WOULD RESULT; AND PROVIDING FOR AN APPEAL OF ANY DECISION OF THE BETHEL HEIGHTS TOWN COUNCIL

WHEREAS, the Town of Bethel Heights, Arkansas recognizes that its town is susceptible to the placement of mobile homes within its corporate bounds, and

WHEREAS, the Town of Bethel Heights, Arkansas recognizes the fact that the placement of mobile homes within its bounds may affect the public peace, health, and safety of the Town of Bethel Heights, Arkansas, and the inhabitants thereof, and

WHEREAS, the Town Council of Bethel Heights, Arkansas, feels that regulations and guidelines should be established concerning the placement of mobile homes within the Town of Bethel Heights, Arkansas;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE INCORPORATED TOWN OF BETHEL HEIGHTS, ARKANSAS:

SECTION 1: Hereinafter, no mobile home shall be placed within the incorporated limits of Bethel Heights, Arkansas, without the owner first having obtained a permit. Application for permits shall be directed to the Bethel Heights City Inspector, Town Recorder, or Mayor.

SECTION 2: The issuance of a permit shall be determined on a case by case basis, however, in all cases where the following requirements have been met, a permit will be issued:

- (a) Each mobile home shall have its own septic tank, proof of which will be required before a permit will issue. These septic tanks will meet the requirements as set out by the Arkansas State Board of Health concerning septic tank placement.
- (b) All mobile homes must be permanently attached to a concrete foundation or have acceptable skirting and acceptable tie downs. Acceptable skirting may consist of wood, fiberglass, metal, or rock, but in no case shall it consist of any fibrous material consisting of fiberboard, sheet rock, etc.
- (c) All homes will be permanently attached to utilities and be individually metered.
- (d) No mobile home shall be approved for permit that contains less than five hundred (500) square feet of floor space.

- (e) All mobile homes shall have ~~minimum of~~ eighteen (18) inches ground clearance.
- (f) No mobile home or mobile home site shall be approved unless it is located on a tract of land of at least five acres or is placed within an approved mobile home subdivision.
- (g) No mobile home or mobile home site shall be approved that is established for the purpose of income property.
- (h) The above standards are not required for mobile homes in place as of the adoption of this ordinance; however, for reasons of public peace, health and safety, they are highly recommended.

SECTION 3: Any person desiring to place a mobile home in the Town of Bethel Heights and requesting a waiver from any of the requirements as set out in Section 2 above, shall file with the Bethel Heights Town Council an application requesting that a permit be issued with such waiver. In all cases, the applicant shall provide the Council with the following information at the time of filing:

- (a) Legal description, ownership, size and location of the property;
- (b) Make or model, size, and serial number of the mobile home;
- (c) A list of adjoining property owners and their addresses and whether or not a street separates the property with the adjacent land owner(s).

Upon application the City Council shall notify the abutting property owners of the request, and the date, time and place of the next regularly scheduled City Council meeting at which such time the Council shall (1) Approve the issuance of the permit as requested, (2) Approve the issuance of the permit upon compliance with further conditions as set out by the City Council, (3) Deny the request and notify the applicant with the reasons therefore.

SECTION 4: Penalty: Any person violating the provisions of this ordinance shall be subject to a fine of Fifty Dollars (\$50.00) a day for each day said violation shall continue not to exceed a maximum fine of One Thousand Dollars (\$1,000.00) plus costs and attorney's fees.

SECTION 5: That all ordinances and parts of ordinances in conflict herewith are hereby repealed and this action being necessary for the preservation of public peace, health, and safety of the Town of Bethel Heights, Arkansas, and the inhabitants thereof, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force from and after the date of its passage and publication.

PASSED AND APPROVED this 5TH day of July, 1983.

TOWN OF BETHEL HEIGHTS, ARKANSAS

BY Johnny Kendrick
JOHN KENDRICK, Mayor

ATTEST:

Pretty J. Clark
TOWN RECORDER