

ORDINANCE NO. 00-1
AN ORDINANCE AMENDING ORDINANCE
NO. 93-1 GOVERNING AND RESTRICTING
STRUCTURES IN RESIDENTIAL ZONE

WHEREAS, the President and Board of Trustees of the Village of Ina, Illinois have determined that it is necessary to amend the Ordinance Governing Restricting Structures in Residential Zone to govern and restrict the certain structures permitted in a residential district;

WHEREAS, it being deemed necessary to govern and establish procedures by which persons seeking to install mobile homes in residential area and establish certain restrictions in such installation:

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF INA, ILLINOIS, as follows:

I. DEFINITIONS: The terms used in this Ordinance shall have the following meanings:

1. **MOBILE HOME:** Manufactured housing built on and permanently affixed to a steel chassis. A mobile home shall not be construed to be a travel trailer or other form of recreational vehicle.

2. **IMMOBILIZED MOBILE HOME:** Any structure resting on a permanent foundation with wheels, tongue and hitch permanently removed.

3. **MOBILE HOME, DEPENDENT:** Means a mobile home or travel trailer which does not have a flush toilet or bathtub or shower. No dependent mobile home, as defined in this section, shall be permitted in the City. At no time shall anyone use a dependent mobile home as a permanent residence or dwelling.

4. **PERMANENT HABITATION:** Means a period of two (2) or more months. Mobile homes, trailers, campers or other structures, primarily constructed for living purposes or residential dwellings; and which may have been, at the time of manufacture, moveable or capable of being transported from one location to another.

II. APPLICATION FOR CONSTRUCTION OF MOBILE HOME: Any person desiring to establish a Mobile Home within the Village Limits, shall obtain a permit to do so prior to moving said mobile home to any site within the Village Limits. A person seeking permission to install a mobile home in a zoned residential area shall be required to obtain a special use permit, whether or not said mobile home is to be rendered immobile after installation on a residential lot.

III. RESTRICTION OF DEPENDENT MOBILE HOME: No Dependent Mobile Home shall be permitted at any time for use by anyone as a permanent residence or dwelling.

IV. MOBILE HOUSING LOT OWNERSHIP: All mobile housing units located outside an approved mobile home park shall be located on property owned by the owner of the mobile housing unit in an approved residential zone.

All units shall meet the Housing and Urban Development Federal Code known as the "NATIONAL MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS". All units shall be no more than eight (8) years old when placed on said lot and shall have a minimum single family floor space of 720 square feet.

V. IMMOBILIZED MOBILE HOME: It is mandatory for all persons owning, operating, renting, or leasing an existing mobile or modular home outside of a mobile home park to remove or cause to have removed the wheels or any other transportation device from the Mobile Home. The owner shall permanently fix it to the ground in a manner that conforms to the definition of an immobilized mobile home pursuant to the HUD Federal Code. All existing mobile homes, when replaced, shall comply with the immobilization provisions of the HUD Federal Code.

VI. LOT AND BUILDING REQUIREMENTS: No mobile home shall be established on a lot or parcel having measurements of less than 100' X 50' and the maximum percentage of coverage per parcel shall be no more than 50%.

VII. REQUIREMENTS ADOPTED BY REFERENCE:

a. The MOBILE HOME PARK ACT and the MOBILE HOME TIEDOWN ACT of the 210 ILCS 115 through 120, as passed, approved and amended by the Illinois General Assembly are hereby adopted by the Village. The applicable provisions as they pertain to mobile homes and immobilized mobile homes shall be controlling within the corporate limits of the Village.

b. ILLINOIS DEPARTMENT OF PUBLIC HEALTH REGULATIONS. The Rules and Regulations for Mobile Home Parks, as approved by the Illinois Department of Public Health, are hereby adopted by the Village, the applicable provisions as they pertain to mobile homes and immobilized mobile homes shall be controlling within the City.

VIII. STAIR, PORCH AND DECK REQUIREMENTS: Each mobile home shall have suitable stairs and a porch or deck permitting access into the mobile home; the porch or deck providing primary access into the mobile home shall be a prefabricated or site-built porch or deck and shall be not less than 32 inches by 32 inches. Every stair, porch, deck, or other appurtenance attached to the mobile home shall be so constructed as to be safe to use and capable of supporting the anticipated loads and shall be maintained in sound condition and good repair and constructed in accordance with all applicable state and local Codes. Every stair, porch, deck, or other appurtenance shall

have rails if more than 30 inches above the ground surface. Concrete blocks, lumber, or other materials shall not be stacked and used as stairs or a porch.

IX. PARKING SPACE: Each mobile home owner or occupant shall provide parking space for their automobiles or trucks on the lot on which their mobile home is located. They cannot be parked on adjacent streets.

X. TIE DOWN & SKIRTING/UNDER PINNING: Each mobile home shall be secured to its foundation in compliance with the Illinois Mobile Home Tie Down Act (210 ILCS 120/1 *et seq.* (1992 State Bar Edition) prior to utilities being turned on by the Village. Skirting of each single wide mobile home shall be of durable all-weather fire-resistant materials which are manufactured specifically for the covering of the under-carriage area. Skirting shall be fastened in accordance with manufacturer's instructions and provide for adequate ventilation and have an access hole for the crawl space under the mobile home. The skirting/under pinning must be completely installed within thirty (30) days of establishing a single wide mobile home in the Village whether the place is occupied or not.

XI. PROHIBITED USE: No noxious or offensive trade or activity shall be carried on in any mobile home nor shall anything be done thereupon which may be or become an annoyance or a nuisance to the neighbors or to the community. No mobile home may be used for a storage facility, a house for animals of any kind, a storage for grain or anything else that lends to an invasion of rodents or rats and mice. The premises around any mobile home shall be kept in a clean and healthy condition in accordance with the directions of local and state health departments.

XII. APPLICATION PROCESS: Applications for a Village permit for locating a mobile home in the corporate limits of the Village of Ina must be made in writing to the Village Board of Trustees and shall contain the name of the applicant, the name of the owner of the site, a description of the mobile home, including the age and size of the mobile home, a title, a bill of sale or a sales agreement with the date of manufacture, plus a current photograph which displays the longest outside portion of the mobile home. These are to be presented to the Village Clerk at least forty-five (45) days prior to the actual locating of a mobile home in the Village.

A. The Village Clerk shall submit all applications for mobile home permits to the Village Board for action at their next regularly scheduled board meeting.

B. Upon the filing of application for a building permit for a mobile home, which complies with the foregoing requirements and upon approval by the Village Board, a preliminary permit shall be issued to the applicant. Such preliminary permit shall allow the placement of the mobile home as set forth in the application, subject to the issuance of a final permit as set forth herein.

C. Upon the placement of the mobile home in accordance with a preliminary permit the applicant shall have 90 days after the placement of said mobile home to comply with the requirements of this chapter for the issuance of a final permit.

D. The restrictions and limitations as provided in this ordinance shall not apply to any placed mobile home in existence on the effective date of this ordinance, provided, however, that such nonconformance shall continue to exist only during the life of such existing mobile home. Nothing in this section shall be construed to permit or authorize any existing mobile homes to be maintained in violation of any housing or fire protection codes or statutes now existing or hereinafter enacted.

XIII. PENALTY: Any person, or persons, violating any provision of this Ordinance shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense and a separate offense shall be deemed committed on each day during which violation occurs and continues.

The within Ordinance shall become effective immediately upon its passage, approval and publication as by law required.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF INA, this 6 day of March, 2006.

APPROVED BY THE PRESIDENT OF THE BOARD OF TRUSTEES OF THE VILLAGE OF INA, ILLINOIS, this 6 day of March, 2006.

APPROVED:

Andy Hutchins
BOARD PRESIDENT

Ann Maricany
VILLAGE CLERK