WALTON COUNTY ORDINANCE NO. 99-18

AN ORDINANCE AMENDING ORDINANCE NUMBER 97-28, THE WALTON COUNTY UNIFIED LAND DEVELOPMENT CODE, TO REQUIRE THE INSPECTION OF USED MANUFACTURED HOMES FOR SAFETY AND HABITABILITY PRIOR TO INSTALLATION IN THE UNINCORPORATED AREAS OF WALTON COUNTY; PROVIDING FOR INSTALLATION STANDARDS; PROVIDING AN INSPECTION PROCESS AND FORMS FOR INSPECTION; PROVIDING FOR DETERMINATION OF AND PENALTIES FOR NONCOMPLIANCE, PROVISIONS FOR REMODELING AND REPAIR OF NONCONFORMING UNITS; AND PROVIDING STANDARDS FOR RELOCATION AND REHABILITATION OF STRUCTURES TO BE USED AS HOMES IN THE UNINCORPORATED AREAS OF WALTON COUNTY.

WHEREAS manufactured homes are in widespread use in Walton County, and an increasing source of affordable housing for residents of Walton County.

WHEREAS there is a public interest in assuring the safety and habitability standards for residents of Walton County living in manufactured homes, and it is desirable to protect existing property values in areas where manufactured homes may be installed.

WHEREAS the Board of County Commissioners of Walton County, Florida undertook a deliberative public process to review the matter of safety and habitability in manufactured housing and the impact of relocated structures to be used as homes within the County.

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

Section 1. SHORT TITLE. This ordinance shall be known and may be cited as the Walton County Manufactured Home Safety and Permitting Ordinance.

Section 2. AUTHORITY AND PURPOSE. This ordinance is adopted pursuant to the authority granted to counties by Chapter 125, Florida Statutes. This ordinance appends a new Section 5.07.10 to Ordinance 97-28, Walton County Land Development Code, and provides forms for implementation of the requirements of this section.

Section 3. INCORPORATION BY REFERENCE. Attached hereto and incorporated herein by reference is "Exhibit A" containing the new text for Section 5.07.10 of Ordinance 97-28, Walton County Land Development Code. Attached hereto and incorporated herein by

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reference is "Exhibit B" providing a Manufactured Home Inspection Standards Affidavit and a check list form which shall be known as the "Inspection Report of Used Manufactured Home" for use by inspectors designated in Exhibit A.

Section 4. DEFINITIONS. "Manufactured Home" is appropriately defined in the Definitions section of Ordinance 97-28, Walton County Land Development Code

Section 5. SEVERABILITY. Should any word, phrase, sentence or section of this ordinance be held by a court of competent jurisdiction to be illegal, void, unenforceable or unconstitutional then such shall be severed from this ordinance and the remainder of the ordinance shall remain in full force and effect.

Section 6. EFFECTIVE DATE. This ordinance shall take effect as provided by law.

ADOPTED in an advertised public hearing of the Board of County Commissioners this

12 day of October, 1999.

BOARD OF COUNTY COMMISSIONERS
OF WALTON COUNTY, FLORIDA

JOEL PAUL, CHAIRMAN

ATTEST:

CLERK

5.07.10 MANUFACTURED HOME AND RELOCATED STRUCTURES STANDARDS

A. All manufactured homes and relocated structures intended to be used as homes in the unincorporated area of Walton County shall be inspected to ensure that they provide the basic minimum housing standards essential for safe and healthful living. No manufactured home shall be located, relocated, placed, deposited, installed or connected to utilities in the unincorporated areas of Walton County unless and until said manufactured home has been either inspected or exempted in accordance with the provisions of this section. The property owner on which a manufactured home is sited, the owner of the manufactured home if different from the property owner, and any person or corporation transporting, installing or connecting to utilities a manufactured home in violation of this section shall be subject to penalties in accordance with the provisions of law. The following standards apply to both new and used manufactured homes and relocated structures intended to be used as a home.

1. A scaled site plan shall be provided to the Walton County Building Department before a permit shall be issued to place or relocate a manufactured home or to move a structure in Walton County. This site plan shall show the dimensions of the property, setback lines, proposed location of the manufactured home, and location of existing structures, trees, vegetation that will remain, and well and septic tank location. A Clearing Permit issued by the Walton County Planning Department is also required for all properties situated south of Choctawhatchee Bay.

2. Each manufactured home must have a continuous wall underpinning/skirting of vinyl, pressure treated wood or masonry construction. Openings for ventilation and access must meet the requirements of Standard Building Code 1804.6.3.1 and 1804.6.3.2.

3. Each manufactured home or relocated structure must be connected to its own individual septic tank, or to a public sewer system where available.

4. It shall be unlawful for electrical services to be connected to any manufactured home until a mobile home permit as required herein has been issued by the Walton County Building Official or designee, and proper approvals have been obtained for the sewage disposal system and the potable water system.

5. Manufactured homes lawfully placed and set up in the county under the laws applicable at the time of said unit's placement on the effective date of this section shall not be required to meet the requirements of this section, so long as the unit is not installed or transported to another location within the county after the effective date of this ordinance.

6.

a. The Building Official may grant limited waivers for the sole purpose of transporting a substandard manufactured home out of Walton County or to a permitted site within the county for demolition and disposal.

b. Existing structures that are unoccupied or abandoned are governed by Section 5.07.08.B regarding duty of maintenance of private property. The inspection checklist provided within this section may be used by the Building Official or Code Enforcement Officer to make a determination that the condition of a particular manufactured home constitutes a nuisance.

c. Occupied manufactured homes that become the subject of code enforcement complaints or referrals from the Walton County Housing Department, Public Health Unit, Florida Department of Children and Families or similar agencies with substandard housing concerns shall be subject to the provisions of this section. Such dwellings shall be jointly inspected by the Code Enforcement Officer, the Building Official, and a representative of the agency making the complaint using the "Inspection Report of Used Manufactured Home" form as the basis for determining habitability. Upon a determination of noncompliance, code enforcement action as described in Chapter 12 of this code shall be initiated by the Code Enforcement Officer against the owner of the manufactured home and the owner of the property where the home is sited. This provision is not intended to diminish the personal responsibility of individuals for locating acceptable housing for themselves and their families, or to resolve landlord/tenant disputes; rather it shall be used by agencies having cognizance over health, safety and quality of life to help alleviate substandard housing conditions for Walton County families.

7. A manufactured home may be used as a temporary residence or office incidental to construction on or development of property for a residential or commercial use. Such use shall be allowable only during the time in which construction or development is actively underway, and in no case for more than one (1) year, subject to renewal. Such use is subject to the approval of the Building Official for residential use, and shall be permitted by the Planning Director as a Construction Trailer under Section 6.04.04 of this code for commercial uses.

8. The requirements of this section shall be enforced by the Building Official or designee thereof, or the Code Enforcement Officer using the provisions established in Chapter 12 of this code.

B. New Manufactured Homes. All previously untitled and unoccupied manufactured homes built in compliance with the Federal Manufactured Home Construction and Safety Standards (HUD Code), Chapter 320, Florida Statutes, and provisions of the Florida Administrative Code pertaining thereto shall be presumed to comply with the minimum standards of this section.

C. Used Manufactured Homes. The provisions contained herein apply to used manufactured homes and shall ensure safe and livable housing. The provisions contained herein shall not be construed to be more stringent than those standards required to be met in new manufactured homes.

1. No mobile home permits for used manufactured homes will be issued until all required inspections have been completed and applicable standards have been met and certified in writing by the appropriate contractor or inspectors. Each used manufactured home is required to be inspected and certified for soundness and habitable living conditions based on the standards established by Walton County and contained within the "Inspection Report of Used Manufactured Home" form provided by the Walton County Building Department. Such standards shall include, but not be limited to structural adequacy, plumbing, heating, electrical systems, and fire and life safety.

2. Used manufactured homes shall be inspected and noted as in compliance or not in compliance by either a state licensed manufactured home dealer, state certified contractor, or state registered contractor meeting the requirements of the Walton County Construction Industry Licensing Board; or a state licensed Building Inspector. All contractors or inspectors may only certify those categories in which they hold valid licenses or certifications. No mobile home permits for used manufactured homes will be issued until all categories have been inspected and signed by said contractors or inspectors.

3. Each applicant for inspection must complete and submit to the Building Department an affidavit form, a copy of which is entitled "Manufactured Home Inspection Standards". Forms are available from the Walton County Building Department.

4. The "Inspection Report of Used Manufactured Home" must accompany each request for a permit to place or relocate a used manufactured home in Walton County. Forms are available from the Walton County Building Department.

5. Each application for inspection or any other inspections or permits pursuant to the provisions of this section shall be accompanied by the appropriate fee(s), as established by Walton County.

6. If an inspection reveals deficiencies, but which are deemed repairable, a Remodel and Repair permit may be required. This determination will be addressed in the summary within the "Inspection Report of Used Manufactured Home". If a Remodel and Repair permit is required, the applicant shall be subject to all necessary inspections to assure code compliance and is required to obtain said permit prior to beginning the remodel/repair work. Remodeling and Repair permits shall be valid for no more than ninety (90) days from date of issuance by the Building Official.

D. Relocated Structures other than manufactured homes intended for use as homes. Used structures may be relocated to sites within Walton County and restored or remodeled for use as homes. The following regulations are established to preclude adverse impact on property values within platted subdivisions:

1. Any relocated structure, which is sub-standard, shall be brought up to applicable code standards within twelve (12) months of its relocation.

2. One six (6) month extension may be granted by the Building Official upon evidence that progress is being made toward completion and due to an unforeseen circumstance beyond the owner's control, the restoration work could not be finished within the 12 month period.

3. This provision is not intended to assume, usurp or diminish the responsibility of developers, homeowners' associations, or residents of platted subdivisions to maintain or enforce recorded deed restrictions or subdivision covenants that may pertain to a particular subdivision. This section is provided to ensure that relocated structures are promptly restored to habitable condition.

WALTON COUNTY BUILDING DEPARTMENT
Manufactured Home Inspection Standards

Owner's Name_____

Owner's Address_____

Owner's Phone No._____

Is the manufactured home located on the property that will be permitted? ☐Yes ☐ No
If no, where will manufactured home be permanently located?

_____

Directions to Unit (Please give exact directions to manufactured home)

_____

_____

_____

AFFIDAVIT

I, the applicant for this manufactured home inspection, understand that I must comply with all inspection requirements contained in Section 5.07.10 of the Walton County Land Development Code for the placement of my manufactured home. I understand that completion of such inspection in no way exempts the owner from complying with other land use regulations, flood regulations, building codes, etc. that may be applicable.

I understand that the manufactured home brought into Walton County for inspection must remain on wheels (ready for highway transport) until such time that it is accepted by the Building Department.

I understand that if the Building Department accepts the manufactured home as an adequate and other than a substandard housing unit, that a permit to place the manufactured home permanently on site must be applied for within ten (10) days from the date of the inspection date, or the manufactured home must be removed. Further, if the Building Department finds the manufactured home substantially damaged or deteriorated, the applicant must have the manufactured home removed from the property within ten (10) days from the date of such finding. A manufactured home will be considered substantially damaged or deteriorated when the cost of repairs exceeds 50% of the market value of the manufactured home unit as is listed in a current copy of a NADA Mobile Home/Manufactured Housing Appraisal Guide used by the industry (Banks, Dealers and Appraisers)

I understand the inspector must have access to the interior of the mobile or manufactured home. If any personal possessions are inside, the owner must be present during the inspection.

_____

Signature of Owner/Applicant Date

Exhibit B

WALTON COUNTY BUILDING DEPARTMENT

INSPECTION REPORT OF USED MANUFACTURED HOME

All requests for permits to place or relocate used manufactured homes in Walton County must be accompanied by this completed inspection form

Owner:_____

Owner's Address:_____

Year and

Manufacturer:_____

Manufactured Home ID_____

Type of Roof_____ Type of Siding:_____

Width _____ Length_____ *Circle one:* Single Double Triple

ITEM	INSPECTION CHECKS	INSPECTION	
		OK	VIOL
FIRE SAFETY	Smoke Detector ☐Missing Location_____		
Date Inspected:	Inspector or dealer signature	License Number:	
ELECTRICAL	☐System Checked ☐Continuity ☐Exposed Wiring		
Distribution Panel	☐Missing ☐Loose ☐Main Missing ☐Breaker Missing ☐Unplugged Opening ☐Loose Connector ☐Not Assembled ☐Raceway Missing		
Electrical Fixtures	☐Missing ☐Installed Improperly ☐Improperly Wired ☐Loose Wire ☐GFCI receptales not where required		
Electrical Ground	☐Chassis ☐Exterior Metal ☐Main Panel ☐Fumace ☐Range ☐Gas Pipe		
Date Inspected:	Inspector or dealer signature	License Number:	
CONSTRUCTION			
Exit Doors	☐Operable ☐ Front ☐ Back ☐Other_____		
Exit Door Locks	☐Missing ☐Inoperable		
Egress windows	☐Missing ☐Inoperable		
Windows	☐Broken glass ☐Inoperable ☐Damaged		

Exhibit B

ITEM	INSPECTION CHECKS	INSPECTION	
		OK	VIOL
Floor system	☐Rim joist ☐Decking ☐Damaged location: _____		
Interior paneling	☐Missing ☐Loose ☐Deteriorated		
Rodent proofing	☐Piping ☐Duct ☐Insulation Missing ☐Bottom board ☐Threshold ☐Other_____		
Leaks	☐Apparent ☐Roofedge ☐Middle ☐Window ☐Holes ☐Exterior metal ☐Doors ☐Ceiling ☐Floors		
Tiedowns	☐Missing ☐Too short ☐Kit required		
Walls	☐Loose siding ☐Structurally unsound ☐Not weather tight		
Structural modifications since manufactured ☐Yes ☐No			
Date Inspected:	Inspector or dealer signature	License Number:	
PLUMBING			
Traps	☐Missing ☐Not Connected ☐Single traps ☐Double traps		
Plumbing fixtures	☐Missing ☐Not Installed ☐Not Vented ☐Unsecured		
Relief valve	☐Missing ☐Inoperable ☐Undersize drain pipe ☐Drain term below bottom ☐Drain Pipe missing ☐trapped		
Drain, Waste and Venting piping	☐Missing ☐Not capped ☐Not supported properly ☐Clean outs ☐Use of fittings		
Water piping	☐Damaged ☐Missing		
Date Inspected:	Inspector or dealer signature	License Number:	
HEATING & A/C			
Heating appliances	☐Missing ☐Not anchored ☐Not connected ☐Damper missing ☐Combustible air supply for gas appliances		
Deleted heating/AC system	☐Not installed ☐Duct not installed		
Thermostat	☐Missing ☐Inoperable		

ITEM	INSPECTION CHECKS	INSPECTION	
		OK	VIOL
Air registers	☐Missing ☐Inoperable		
Ducts	☐Not sealed ☐Missing ☐Collapsed ☐Unprotected		
Gas fumace/water heater vent	☐Missing ☐Loose ☐Cracked		
Return Air	☐to furnace ☐to A/C from rooms		
Range	☐Vents ☐Hoods		
Gas valve	☐Installed improperly		
Gas lines	☐Not capped ☐Not supported ☐Kinked or missing ☐Un-bonded		
Date Inspected:	Inspector or dealer signature	License Number:	

PERMITTING INSPECTION SUMMARY		
Is subject structure found to be fifty (50) percent or more damaged or deteriorated?	YES	NO
Will a remodeling permit be required?		

COMMENTS

NADA Mobile Home/Manufactured Housing Appraisal Guide Value _____

Estimated Cost of Repairs..... _____

_____ _____ _____

Inspector or dealer signature License Number Date of Inspection

Exhibit B