

ORDINANCE #2011-04

An Ordinance adopting and enacting an amendment to the Code of Ordinances of the City of Haleyville, Alabama and specifically Ordinance 2007-02 and by adding **Section 48. Temporary Housing for those Displaced by Natural Disasters** to **Article IV. Zoning District Regulations** of the Zoning Ordinance for the City of Haleyville, to address the need for temporary housing to those displaced by natural disasters such as tornado, wind, flood or other act of nature which is of such a wide spread nature that the normal processes cannot meet the needs of the Citizens of Haleyville.

WHEREAS, there is a need to provide temporary housing to those displaced due to natural disasters in an efficient and safe manner, such as the tornados visited on the City on April 27, 2011, while still ensuring long-term control. The following regulations have been developed to provide for this need. These regulations will be re-evaluated periodically. It is anticipated that extensions will be necessary for temporary housing permit expiration dates. Therefore, provisions have been made within the regulations to enable extensions under certain circumstances; and,

WHEREAS, the City of Haleyville is under a State of Emergency due to the damage caused by the tornados of April 27, 2011; and,

WHEREAS, this tragedy has highlighted the need for a mechanism for dealing with housing in the face of such a disaster.

THEREFORE, Be It Ordained By the Mayor and City Council of Haleyville, Alabama:

Recreational Vehicle means a vehicle built on a single chassis designed to be self-propelled or towed by another vehicle. A recreational vehicle is not designed or intended for use as a permanent dwelling, but as temporary living quarters for recreational camping, travel, or seasonal use. This definition includes vehicles such as travel trailers, motor homes, boats, house boats, and campers.

Manufactured Housing means a structure, transportable in one or more sections, which in the traveling mode is 8 body feet or more in width or 40 body feet or more in length, and which is built on a permanent chassis and designed to be used

as a dwelling without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein; except that such term shall include any structure that meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary (HUD) and complies with the standards established under this title. For mobile homes built prior to June 15, 1976, a label certifying compliance to the Standard for Mobile Homes, NFPA 501, in effect at the time of manufacture is required. For the purpose of these provisions, a mobile home shall be considered a manufactured home.

Temporary placement of mobile home or recreational vehicles for residential quarters. A mobile home or recreational vehicle may be located in any area of the City on a temporary basis for the purpose of providing residential quarters for persons displaced from their normal place of residence because it is determined by the building official to be unfit for human habitation due to tornado, flood, fire, hail, ice snow, storm, wind, rain or other act of nature after obtaining a permit from the Zoning Board of Adjustments. Such permits will be considered when the event has resulted in wide-spread damage or destruction such that the normal channels for seeking assistance and accommodations are overwhelmed. The mobile home or recreational vehicle shall be located on the same lot as the damaged residence and shall comply with the general guidelines contained in this amendment.

Temporary placement of mobile home, recreational vehicle or trailer for business or industrial quarters. A mobile home, recreational vehicle, travel trailer or mobile trailer may be located in any area of the City on a temporary basis zoned for business or industrial purpose for the purpose of providing temporary office, business or professional quarters after obtaining a permit from the Zoning Board of Adjustments. Such permits will be considered when the event has resulted in wide-spread damage or destruction such that the normal channels for seeking assistance and accommodations are overwhelmed. The mobile home or recreational vehicle shall be located on the same lot as the damaged residence and shall comply with the general guidelines contained in this amendment.

1. General Guidelines for Manufactured Housing and Recreational Vehicles

The following shall apply to recreational vehicles and manufactured housing used as temporary housing:

1.1 Temporary housing shall not be placed on the existing slab.

1.2 Required setbacks shall be provided to the greatest extent possible. Temporary housing must be located in such a manner on the site to accommodate construction access for repair or new construction and enable removal of temporary housing. All temporary housing units must be located within the front or side yards. Rear yard locations may only be allowed when clearly evident that removal route of manufactured home is adequate once construction of home is complete.

1.3 Sewer, water and electric services must be provided or addressed before a permit may be issued. Haleyville Water and Sewer Board, Northwest Alabama Gas District and Alabama Power will be required to approve location.

1.4 Back flow preventers will be required on water supplies. Existing connections of water and sewer sources must be disconnected and capped or terminated. Plumbing inspection is required for all connections and/or disconnections.

1.5 Only one unit, whether recreational vehicle or manufactured home, is permitted per lot with the exception of multi-unit sites meeting the requirements found in Section 1.6 below.

1.6 Multi-Unit Temporary Housing Complexes

1.6.1 Temporary housing complexes made up of multiple units may be permitted in all zoning districts with written approval in the form of the signed permit by the Haleyville Planning Commission and the Mayor. A diagram indicating the layout must be provided with the application. The initial permit will be granted to the property owner for a period of one year. At the end of one year, an extension may only be granted by a special use permit as defined in the zoning ordinance.

1.6.2 The density requirements for multi-unit developments or for lots that will contain more than one temporary housing unit shall occur at 1 unit per 2,000 sq. ft. of lot area for manufactured homes and 1 unit per 1,500 sq. ft. for recreational vehicles.

1.7 A Hold Harmless Agreement must be signed on the application if the condition of site is unsafe.

1.8 Building permit fees for all temporary housing units shall be \$10 except for manufactured homes in the MH-1 District. Building Permit fees for manufactured homes in the MH-1 District shall be consistent with those fees charged as per the Haleyville Code. Water and sewer fees shall be charged by the Haleyville Water and Sewer Board. Once a Certificate of Occupancy is obtained after renovations or new construction is complete, the temporary housing unit shall be removed within 30 days.

2. Manufactured Homes

The following shall apply to manufactured homes:

2.1 Permits for manufactured homes in residential zones other than MH-1 shall be allowed on a temporary basis.

2.2 All manufactured housing located in a MH-1 District shall be required to meet the Building Code and Zoning Ordinance Regulations of the City of Haleyville.

2.3 Manufactured homes shall not exceed 16 feet in width (single-wide) or 75 feet in length unless a specific hardship is present such as a high number of family members, special needs, or lot configuration, etc.

2.4 Installation of hurricane straps is required.

2.5 The placement of the manufactured homes on the site must meet flood elevation requirements.

2.6 No concrete runners or slabs are required for placement. Piers must be in compliance with the International Building Code.

2.7 Abatement shall occur within one year or by May 30, 2012, whichever occurs first. Extensions may be considered on case by case basis dependent on certain factors such as evidence of the extent of new construction on the site, the stage of permits, and/or extension of recovery status by

FEMA. Extensions shall be granted at the discretion and with written approval in the form of a signed permit by the Chairman of the Zoning Board of Adjustments.

3. Recreational Vehicles

The following shall apply to recreational vehicles:

3.1 Recreational vehicles (RVs) shall be permitted as temporary housing in all zoning districts for a period of one year or until May 30, 2012, whichever occurs first.

3.2 Recreational vehicles must be connected to water, electric, and sewer services. Haleyville Water and Sewer Board and Alabama Power must approve the location.

3.3 Self-contained, non-connected units may be allowed for up to thirty (30) days and only under hardship conditions such as when there are no services available. Connection shall be required for any service that is available. Methods of providing water, sewer, and electricity must be documented (dumping receipts). Evidence of on-site dumping will require immediate removal from site and the revocation of the permit.

3.4 A vehicle capable of towing the recreational vehicle must be available to property owner. Dropping off and leaving the recreational vehicle without assurance of access to a vehicle capable of towing is not permitted. Registration of ownership or a signed statement from owner of a vehicle capable of towing the RV shall be provided with the application. Without access to a capable vehicle, requirements of manufactured housing in above section shall apply and includes providing tie downs and meeting flood zone elevation requirements.

3.5 RV's must be relocated or evacuated once an evacuation notice due to threatening weather has been issued for the area in which the RV is located.

3.6 No concrete runners or slabs are required for placement.

4. Intent. It is the intent of the City Council to make the same a part of the Code of Ordinances of the City of Haleyville and the same should be incorporated in such code.

5. Placement into Code. The City Clerk shall insert into the official Code of Ordinances of the City of

Haleyville, said amendment in **Article IV. Zoning District Regulations, Section 48** of the same.

6. Repealer. All ordinances or parts of ordinances in conflict with this amendment are, to the extent of such conflict, hereby repealed.

7. Effective Date. Effective immediately upon approval of City Council and publication as required by law.

PASSED AND APPROVED this the 16th day of May, 2011.

Ken Sunseri, Mayor

Attest:

Debra Hood,
Acting City Clerk

CERTIFICATE

STATE OF ALABAMA
COUNTY OF WINSTON

This amendment to the ordinances of the City of Haleyville, Alabama adopted and enacted on the 16th day of May, 2011, to the "Code of Ordinances, City of Haleyville, Alabama" by ordinance of the City Council effective immediately after the adoption and publication of the adopting ordinance as required by law, is hereby duly authenticated and approved.

IN WITNESS WHEREOF, I have heretofore subscribed my name as Mayor of the City of Haleyville, Alabama, attested by the City Clerk, with the seal of the City affixed hereto, this 16th day of May, 2011.

Ken Sunseri, Mayor

Attest:

Debra Hood,
Acting City Clerk