

## TITLE 14

### ZONING AND LAND USE CONTROL

#### CHAPTER

1. MUNICIPAL PLANNING COMMISSION.
2. ZONING ORDINANCE.
3. MOBILE HOME PARKS.

#### CHAPTER 1

### MUNICIPAL PLANNING COMMISSION

#### SECTION

- 14-101. Creation and membership.
- 14-102. Organization, powers, duties, etc.
- 14-103. Additional powers.

**14-101. Creation and membership.** Pursuant to the provisions of Tennessee Code Annotated, § 13-4-101 there is hereby created a municipal planning commission, hereinafter referred to as the planning commission. The planning commission shall consist of seven (7) members; two (2) of these shall be the mayor and a councilman selected by the city council; the other five (5) members shall be appointed by the mayor. At least two (2) members of the planning commission designated as a regional planning commission in § 14-103 shall reside outside the city but within the region served by the regional planning commission. All members of the planning commission shall serve as such without compensation. Except for the initial appointments, the terms of the five (5) members appointed by the mayor shall be for three (3) years each. Two (2) of the five (5) members first appointed shall be appointed for a term of three (3) years, two (2) for a term of two (2) years, and one (1) for a term of one (1) year. The terms of the mayor and the councilman shall run concurrently their terms of office on city council. Any vacancy in an appointive membership shall be filled for the unexpired term by the mayor. (1995 Code, § 14-101, modified)

**14-102. Organization, powers, duties, etc.** The planning commission shall be organized and shall carry out its powers, functions, and duties in accordance with Tennessee Code Annotated, title 13. (1995 Code, § 14-102)

**14-103. Additional powers.** Having been designated as a regional planning commission, the municipal planning commission shall have the additional powers granted by, and shall otherwise be governed by the provisions of the state law relating to regional planning commissions. (1995 Code, § 14-103)

## CHAPTER 2

### ZONING ORDINANCE

#### SECTION

14-201. Land use to be governed by zoning ordinance.

**14-201. Land use to be governed by zoning ordinance.** Land use within the City of McKenzie shall be governed by Ordinance Number 240, titled "Zoning Ordinance of McKenzie, Tennessee," and any amendments thereto.<sup>1,2</sup> (1995 Code, § 14-201)

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<sup>1</sup>Ordinance No. 240, and any amendments thereto, are published as separate documents and are of record in the office of the city clerk.

<sup>2</sup>Ordinance No. 440, The 2029 McKenzie Municipal-Regional Land Use and Transportation Plan, along with all maps, is available in the office of the city clerk.

## CHAPTER 3

### MOBILE HOME PARKS

#### SECTION

- 14-301. Definitions.
- 14-302. License.
- 14-303. License fees.
- 14-304. Application for license.
- 14-305. Mobile home park plan.
- 14-306. Location.
- 14-307. Water supply.
- 14-308. Sanitation facilities.
- 14-309. Laundry facilities.
- 14-310. Sewage and refuse disposal.
- 14-311. Refuse storage, collection and disposal.
- 14-312. Fire prevention.
- 14-313. Additions to mobile homes--parking restrictions.
- 14-314. Register of occupants.
- 14-315. Revocation of license.
- 14-316. Posting of license.
- 14-317. Existing mobile home parks.

**14-301. Definitions.** (1) "Dependent mobile home" means a mobile home which does not have a toilet and a bath or shower, or running water.

(2) "Dependent mobile home space" means a mobile home space which is designed to accommodate a dependent mobile home and does not have sewer and water connections to accommodate a toilet and a bath or shower in a mobile home.

(3) "Dwelling" means a house, apartment building, or other permanent building designed or used primarily for human habitation.

(4) "Health officer" shall mean health officer of the City of McKenzie, Tennessee, or his authorized representative.

(5) "Independent mobile home" means a mobile home that has a toilet and a bath or shower, and running water.

(6) "Independent mobile home space" means a mobile home space which has sewer and water connections designed to accommodate the toilet and bath or shower contained in an independent mobile home.

(7) "Mobile home" shall mean and include any vehicle or similar portable structure constructed so as to permit its being used as a conveyance on a public street and so as to permit the occupancy thereof as a dwelling by one or more persons. "Mobile home" shall include "trailer coach."

(8) "Mobile home park" means any plot of ground upon which two (2) or more mobile homes, occupied for dwelling or sleeping purposes, are located, regardless of whether or not a charge is made for such accommodation.

(9) "Mobile home space" means a lot or plot of ground within a mobile home park designed for the accommodation of one (1) mobile home.

(10) "Natural" or "artificial barrier" means any river, pond, canal, railroad, levee, embankment, fence, or hedge.

(11) "Park" means mobile home park.

(12) "Person" means any natural individual. (1995 Code, § 14-301)

**14-302. License.** (1) It shall be unlawful for any person to maintain or operate within the corporate limits of the City of McKenzie, Tennessee, any mobile home park unless such person shall first obtain a license therefor.

(2) Licenses shall not be transferable. (1995 Code, § 14-302)

**14-303. License fees.** The annual license fee for each mobile home park shall be equal to but not greater than the amount allowed by the state privilege tax. (1995 Code, § 14-303)

**14-304. Application for license.** Applications for a mobile home park license shall be filed with and issued by the building inspector. Applications shall be in writing, signed by the applicant, and shall contain the following:

(1) The name and address of the applicant.

(2) The location and legal description of the mobile home park.

(3) A complete plan of the park showing compliance with § 14-305 of this code.

(4) Plans and specifications of all buildings and other improvements constructed or to be constructed within the mobile home park. The sketch shall be drawn to scale showing the number and arrangement of mobile home lots, roadways, water supply water outlets, location and type of sewage, liquid, and garbage disposal and the location of the buildings for toilets, baths, laundries, and other facilities.

(5) Such further information as may be requested by the building inspector to enable him to determine if the proposed park will comply with legal requirements.

The application and all accompanying plans and specification shall be filed in triplicate. The building inspector and the health officer shall inspect the proposed plans and specifications and shall make a report of their findings to the board of zoning appeals of the City of McKenzie. The board of zoning appeals shall inspect the site and the proposed plans and may approve the plans subject to such reasonable conditions as are necessary to protect adjoining and neighboring property and such conditions as are necessary to insure a safe, attractive, and pleasant park development. The board of zoning appeals may

disapprove the application but must state its reasons for such disapproval in writing.

The license shall be issued by the building inspector, but only upon completion of the park in conformance with plans and specifications approved by the board of zoning appeals.

Mobile homes shall not be parked on any public thoroughfare, street, alley, or public place in the City of McKenzie, Tennessee, for longer than one (1) hour when no emergency for repairs exist.

None of the provisions of this chapter shall be construed as prohibiting the parking of mobile homes for display by a duly authorized and licensed dealer or sales agency, provided that the lot where such mobile homes are parked is within an area or zone where such type of business is permitted by the zoning ordinance of the City of McKenzie, Tennessee. (1995 Code, § 14-304)

**14-305. Mobile home park plan.** The mobile home park shall be designed for either independent mobile homes or for dependent mobile homes, but a park designed for independent mobile homes shall not accept dependent mobile homes. The mobile home park shall conform to the following requirements:

(1) The park shall be located on a well drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.

(2) Mobile home plot size and spacing of mobile homes: Mobile home spaces for independent mobile home units shall be provided consisting of a minimum of two thousand one hundred (2,100) square feet for each space which shall be at least thirty feet (30') wide and clearly defined. Mobile home spaces for dependent mobile home units shall be provided consisting of a minimum of one thousand five hundred (1,500) square feet for each space which shall be at least twenty-five feet (25') wide and clearly defined. Mobile homes shall be so harbored on each space that there shall be at least a fifteen foot (15') clearance between mobile homes, provided, however, that with respect to mobile homes parked end-to-end, the end-to-end clearance shall not be less than ten feet (10'). No mobile home shall be located closer than seven feet (7') to any property line bounding the park. No mobile home shall be located closer than thirty feet (30') to any public street.

It shall not be a violation of this chapter for a camper, tent-trailer, or other overnight sleeping facility to temporarily occupy a dependent mobile home space, but not more than one (1) unit may use each space.

(3) All mobile home spaces shall abut upon a driveway of not less than thirty feet (30') in width which shall have unobstructed access to a public street, alley, or highway. The board of zoning appeals may stipulate an appropriate dust-free surface material to be provided. All driveways shall be lighted at night with twenty-five (25) watt lamps at intervals of one hundred feet (100') located approximately fifteen feet (15') from the ground.

(4) Each park that accepts a dependent trailer shall provide service buildings to house toilet facilities, bathing facilities, laundry facilities, and other sanitary facilities as hereinafter more particularly prescribed.

(5) Paved walkways not less than two feet (2') wide shall be provided from the mobile home spaces to the service buildings. The walkways shall be lighted at night with twenty-five (25) watt lamps at intervals of one hundred feet (100') approximately fifteen feet (15') from the ground.

(6) Electricity. An electrical outlet supplying at least one hundred ten (110) volts shall be provided for each mobile home space, and shall be weatherproof and accessible to the parked mobile home. All electrical installations shall be in compliance with the electrical code and Tennessee Department of Insurance and Banking Regulation No. 15, entitled "Regulation Relating to Electrical Installations in the State of Tennessee," and shall satisfy all requirements of the local electric service organization. (1995 Code, § 14-305)

**14-306. Location.** Mobile home parks for independent mobile homes may be located in any R-2 Residence District. Mobile home parks for dependent mobile homes may be located in any B-2 Business District. (1995 Code, § 14-306)

**14-307. Water supply.** An adequate supply of water under pressure from a source and of a quality approved by the Tennessee Department of Health shall be provided. Where possible, approved municipal water supplies shall be used. Water shall be piped to each mobile home lot. There shall be a water outlet in each shower room, wash room, laundry room, sink, and night waste container washing facilities. (1995 Code, § 14-307)

**14-308. Sanitation facilities.** Each park that accepts a dependent trailer shall be provided with toilets, baths or showers, slop sinks, and other sanitation facilities which shall conform to the following requirements:

(1) Toilet facilities for men and women shall be either in separate buildings at least twenty feet (20') apart or shall be separated if in the same building, by a soundproof wall.

(2) Toilet facilities for women shall consist of not less than two (2) flush toilets for every ten (10) dependent mobile home spaces, and two (2) lavatories for every twenty (20) dependent mobile home spaces. Each toilet, shower, and bathtub shall be in a private compartment.

(3) Toilet and urinal facilities for men shall consist of not less than one (1) flush toilet for every ten (10) dependent mobile home spaces, one (1) shower or bathtub for every ten (10) dependent mobile home spaces, one (1) lavatory for every ten (10) dependent mobile home spaces. Each toilet, shower, and bathtub shall be in a private compartment.

(4) Service buildings housing the toilet facilities shall be permanent structures complying with all applicable ordinances and statutes regulating

buildings, electrical installations, plumbing, gas and sanitation systems, and shall be located not closer than fifteen feet (15') or farther than one hundred fifty feet (150') from any dependent mobile home space.

(5) Each service building shall contain at least one (1) slop sink for each sex located in a separate compartment.

(6) The service buildings shall be well lighted at all times of the day and night, shall be well ventilated with screened openings, shall be constructed of such moistureproof materials, including painted woodwork, as shall permit repeated cleaning and washing, and shall be maintained at a temperature of at least seventy degrees (70°) Fahrenheit during the period from October 1 to May 1, and to supply a minimum of three (3) gallons of hot water per hour per mobile home space during time of peak demands. The floors of the service building shall be of concrete or approved tile material and shall slope to a floor drain connected with the sewerage system.

(7) Liquefied petroleum gas. Liquefied petroleum gas for cooking purposes shall not be used at individual mobile home spaces unless the containers are properly connected by copper or other suitable metallic tubing. Liquefied petroleum gas cylinders shall be securely fastened in place and adequately protected from the weather. No cylinder containing liquefied petroleum gas shall be located in a mobile home, nor within five feet (5') of a door thereof.

(8) All service buildings, mobile homes, mobile home spaces, and the grounds of the park shall be maintained in a clean, sightly condition and kept free of any conditions that will menace the health of any occupant or the public or constitute a nuisance. (1995 Code, § 13-308)

**14-309. Laundry facilities.** When required the laundry facilities shall be provided in the ratio of one (1) double laundry tub and ironing board for every twenty (20) mobile home spaces. An electrical outlet supplying current sufficient to operate an iron shall be located conveniently near the ironing board. Drying spaces shall be provided sufficient to accommodate the laundry of the mobile home occupants. The service building housing the laundry facilities shall be a permanent structure complying with all applicable ordinances and statutes regulating buildings, electrical installations, plumbing, gas, and sanitation systems. (1995 Code, § 14-309)

**14-310. Sewage and refuse disposal.** Waste from showers, bathtubs, toilets, slop sinks, and laundries shall be discharged into a public sewer system in compliance with applicable ordinances or into a private sewer disposal plant or septic tank system of such construction and in such manner to conform to the specifications of the health officer. All kitchen sinks, washbasins, and bath or shower tubs in any mobile home harbored in any park shall empty into the sanitary sink drain located on the mobile home space. Mobile home parks within

three hundred feet (300') of the municipal sewer shall connect thereto with approved and sized lines. (1995 Code, § 14-310)

**14-311. Refuse storage, collection and disposal.** Storage, collection and disposal of refuse shall be accomplished as provided in title 17, chapter 1, of this code. Satisfactory container racks shall be provided and shall be located not more than one hundred fifty feet (150') from any mobile home. (1995 Code, § 14-311)

**14-312. Fire prevention.** The mobile home park area shall be subject to the rules and regulations of the fire prevention authorities having jurisdiction. (1995 Code, § 14-312)

**14-313. Additions to mobile homes--parking restrictions.** No permanent additions of any kind shall be built onto, nor become a part of, any mobile home. Skirting of mobile homes is permissible, but such skirting shall not permanently attach the mobile home to the ground, provide a harborage for rodents, or create a fire hazard. The wheels of the mobile home shall not be removed, except temporarily when necessary for repairs. Jacks or stabilizers may be placed under the frame of the mobile home to prevent movement on the springs while the mobile home is parked and occupied. (1995 Code, § 14-313)

**14-314. Register of occupants.** It shall be the duty of the licensee to keep a register containing a record of all mobile home owners and occupants located within the park. The register shall contain the following information:

- (1) Name and address of each occupant.
- (2) The make, model, and year of all automobiles and mobile homes.
- (3) License number and owner of each mobile home and automobile by which it is towed.
- (4) The state issuing such license.
- (5) The dates of arrival and departure of each mobile home.

The park shall keep the register available for inspection at all times by law enforcement officers, public health officials, and other officials whose duties necessitate acquisition of the information contained in the register. The register records shall not be destroyed for a period of three (3) years following the date of registration. (1995 Code, § 14-314)

**14-315. Revocation of license.** The health officer shall make periodic inspections of each park to assure compliance with this chapter. In case of non-compliance with any provisions of this chapter, the health officer shall serve warning to the licensee. Thereafter upon failure of the licensee to remove said violation, the health officer shall recommend to the city council revocation of the offending park's license. The city council shall hold a hearing on the matter, and upon determination of non-compliance revoke said license. The license may be



reissued if the circumstances leading to revocation have been remedied and the park can be maintained and operated in full compliance with the law. (1995 Code, § 14-315)

**14-316. Posting of license.** The license certificate shall be conspicuously posted in the office of, or on the premises of, the mobile home park at all times. (1995 Code, § 14-316)

**14-317. Existing mobile home parks.** Any mobile home park which is existing at the time of the adoption of the provisions in this chapter or any park which may subsequently become subject to this chapter by annexation shall conform to the provisions of this chapter within not less than three (3) years from the date of adoption or annexation. (1995 Code, § 14-317)

