

**CITY OF BOWMAN**  
**MANUFACTURED HOME REGULATIONS**  
Northeast Georgia Regional Development Center  
Planning Department  
*(M:\Planning\\_Elbert\\_Bowman\MHR\Manufactured Homes Regs.wpd May 2009, As Adopted)*  
*(Revised September 24, 2012)*

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## Manufactured Home Regulations

### Chapter 1.01: General

#### 1.01.001 Preamble

The MAYOR AND COUNCIL of the City of Bowman hereby declare it to be the purpose and intent of this regulation to establish uniform standards and procedures for siting and permitting of MANUFACTURED HOMES within the City of Bowman.

#### 1.01.002 Legislative Authority

The MAYOR AND COUNCIL of Bowman, Georgia, under the authority of Article IX, Section 2, Paragraph 4 of the Constitution of the State of Georgia and Chapter 66, Title 36 of the Official Code of Georgia Annotated, and for the purpose of promoting the health, safety, morals, convenience, order, prosperity, or the general welfare of the city and designed to lessen congestion in the STREETS; to secure safety from fire, panic, and other dangers; to promote health and avoid overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other requirements, ordains and enacts into law the MANUFACTURED HOME Regulations for Bowman, Georgia.

#### 1.01.003 Method of Regulation

The MAYOR AND COUNCIL of Bowman, Georgia, as authorized by the Constitution of the State of Georgia, adopts MANUFACTURED HOME regulations for the following purposes: to define certain words used therein; to regulate the density in distribution of population; to provide for the gradual elimination of NON-CONFORMING USES of land, buildings and STRUCTURES; to provide for the method of administration, amendment and enforcement; to provide for the imposition of penalties for violations; to repeal conflicting ordinances and resolutions; and for other purposes.

### Chapter 1.02: Words Definitions

#### 1.02.001 Defining Words

Words used in the Ordinance have their normal dictionary meaning unless they are otherwise defined. All words specifically defined in §1.03 are represented in all capital letters.

#### 1.02.002 Use of General Terms

##### A. Use of "shall" and "may"

1. "Shall" means mandatory. The word "shall" means that the directives or requirements are mandatory and may not be waived or modified. If used within the text, "will," and "must," also mean "shall."
2. "May" means permissive. The word "may" means that the directives or requirements are permissive and are imposed at the option of the decision-maker. "Can" and "should" also mean "may."

##### B. Use of "and" and "or"

1. "And" means that each item identified shall be required.
2. "Or" means any combination of one or more of the identified items may be required.

##### C. Definition sources for words not defined within the Ordinance

1. Development terms not defined within this Ordinance shall have the meaning contained within The New Illustrated Book of Development Definitions, by Moskowitz and Lindbloom, published by the Center for Urban Policy Research of Rutgers University, Piscataway, New Jersey.
2. Terms not defined in any cited sources shall have the meaning as established in the current edition of the Webster's Unabridged Dictionary, published by Merriam-Webster, Inc.

## Chapter 1.03: Definitions

Except as otherwise provided herein, all words shall have their customary dictionary meaning. The present tense includes the future tense. The singular number includes the plural and the plural includes the singular. The word "person" includes a firm, corporation, association, organization, trust or partnership. The word "LOT" includes "tract," "plot" or "PARCEL". The word "BUILDING" includes "STRUCTURE". The word "used" or "occupied", as applied to any land or BUILDING, shall be construed to include the words "intended, arranged, or designed to be used or occupied". The word "used" shall be deemed also to include "designed", "intended", or "arranged to be used". The term "erected" shall be deemed also to include "constructed", "reconstructed", "altered", "placed", or "moved". The word "land use" and "use of land" shall be deemed also to include "BUILDING use" and "use of BUILDING". The word "adjacent" means "nearby" and not necessarily contiguous".

### 1.03.001 ACCESSORY BUILDING

A subordinate BUILDING, the use of which is incidental to, and reasonably related to, a main BUILDING on the same LOT or to the primary use of the property. The ACCESSORY BUILDING shall be of a size and nature customarily incidental and subordinate to the PRINCIPAL BUILDING. A "detached" ACCESSORY BUILDING shall be one that does not have a common wall with the main BUILDING on the same LOT.

### 1.03.002 APPLICANT

Any person who applies for a zoning action and any attorney or other person representing or acting on behalf of a person who applies for a zoning action.

### 1.03.003 BUILDING

Any STRUCTURE, either permanent or temporary, for the support or shelter of any use or occupancy.

### 1.03.004 BUILDING, PRINCIPAL

A BUILDING in which the primary use of the LOT on which the BUILDING is located is conducted.

### 1.03.005 CITY CLERK

The individual appointed by the MAYOR AND COUNCIL to serve as CITY CLERK for the City of Bowman, Georgia.

### 1.03.006 CODE ENFORCEMENT OFFICER

The individual designated by the MAYOR AND COUNCIL to serve as the CODE ENFORCEMENT OFFICER for Bowman, Georgia.

### 1.03.007 DWELLING

A residential STRUCTURE that contains one (1) DWELLING unit designed for residential use that is surrounded by open space on the same LOT, which meets or exceeds the following standards:

- A. Minimum width in excess of sixteen (16) feet;
- B. Minimum of 1100 square feet of heated space;
- C. The roof has a minimum roof pitch greater than 4:12 and shall have a surface of wood shakes, asphalt composition, wood shingles, concrete, fiberglass, metal tiles, or slate.
- D. The roof overhang must be at least 1 foot when measured from the vertical side.
- E. The exterior siding materials shall consist of wood, masonry, concrete, stucco, or masonite.
- F. Be provided with permanent stairs (front and back entrance) and covered porch (front entrance only), constructed of pressure treated lumber or masonry sufficient to provide safe ingress and

egress from the front exterior door of the unit. The covered porch shall meet Bowman's BUILDING codes; shall be a minimum size of 8' x 8'; shall be roofed with the same materials as the MANUFACTURED HOME; and, be underpinned with masonry construction or other materials manufactured for such purpose.

**1.03.008 FRONT YARD**

An open, unoccupied space on the same LOT with the PRINCIPAL USE, extending the full width of the LOT and situated between the right-of-way line and the BUILDING line projected to the side lines of the LOT. On corner lots, the FRONT YARD is considered parallel to the STREET upon which the LOT has its largest dimension.

**1.03.009 FULLY SHIELDED LIGHTING**

A lighting fixture constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal (straight down to the ground) as determined by photometric test or certified by the manufacturer. Any structural part of the light fixture providing this shielding must be permanently affixed.

**1.03.010 INSTALLATION PERMIT**

A permit required for the installation of any MANUFACTURED HOME.

**1.03.011 MANUFACTURED HOME**

A STRUCTURE defined by and constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 as amended, 42 U.S.C. §5401, et seq. The definition at the date of adoption of this part is as follows:

"MANUFACTURED HOME" means a STRUCTURE, transportable in one or more sections, which in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a DWELLING with or 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 which 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 and complies with the standards established under this title.

**1.03.012 MANUFACTURED HOME PARK**

A PARCEL of land under single ownership that has been planned and improved for the placement of manufactured housing for residential DWELLING purposes under a rental or lease agreement for the individual LOT spaces.

**1.03.013 MAYOR AND COUNCIL**

MAYOR AND COUNCIL of Bowman, Georgia .

**1.03.014 NON-CONFORMING**

Any lawfully existing MANUFACTURED HOME which does not conform to these ordinances governing the type, bulk, location, height or size of buildings or STRUCTURES permitted in the district prior to the adoption of this ordinance but which is in full compliance with all applicable federal, state and local laws, rules and ordinances, and for which all required federal, state and local permits have been issued.

**1.03.015 OCCUPANCY PERMIT**

A permit issued by the CITY CLERK to establish that the property is suitable for habitation by meeting certain safety and health standards

**1.03.016 PRINCIPAL USE**

The primary purpose for which land or a BUILDING is used.

**1.03.017 PARCEL**

A tract or plot of land.

**1.03.018 REAR YARD**

A YARD extending across the full width of the LOT and lying between the rear LOT line and the nearest line of the BUILDING.

**1.03.019 RECREATIONAL VEHICLE**

A motorized vehicle, designed and/or maintained for use as a temporary DWELLING or sleeping place for travel or recreation purposes exclusively, having no foundation other than wheels or jacks.

**1.03.020 SETBACK**

The minimum horizontal distance between the LOT or property right-of-way line and the nearest front, side or rear line of the BUILDING, including terraces or any covered projections but excluding steps.

**1.03.021 YARD, SIDE**

A YARD lying between the side line of the LOT and the nearest line of the BUILDING and extending from the FRONT YARD to the REAR YARD, or in the absence of either of such front or REAR YARDS, to the front or rear LOT lines. SIDE YARD width shall be measured at right angles to side lines of the LOT.

**1.03.022 STREET**

A public or private thoroughfare which affords the principal means of ingress and egress to abutting property.

**1.03.023 STREET, PUBLIC**

A STREET that is titled by description or deed and vested in Bowman, Georgia.

**1.03.024 STRUCTURE**

Anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on the ground. STRUCTURES include, but are not limited to the following: site-built building, manufactured, mobile and modular homes, swimming pools, and signs.

**1.03.025 YARD**

An open space at grade between a BUILDING and the adjoining LOT lines, unoccupied and unobstructed by any portion of a STRUCTURE from the ground upward. In measuring a YARD for the purpose of determining the width of a SIDE YARD, the depth of a FRONT YARD, on the depth of a REAR YARD, the minimum horizontal distance between a LOT line and the main BUILDING shall be used.

## Chapter 1.04: Regulations Applying to All Manufactured Homes

### 1.04.001 Conformance with Ordinance

No MANUFACTURED HOME shall be used or occupied and no MANUFACTURED HOME or part thereof shall be erected, extended, enlarged, moved, or altered except in conformity with this Ordinance.

### 1.04.002 Lot Area and Lot Size

Unless acquired for public use, no LOT shall be reduced in size so that it does not comply with this Ordinance.

### 1.04.003 Reduction in Lot Size

No LOT shall be reduced in size so that LOT width or depth, size of YARDS, density, or any other requirement of this Ordinance is not maintained. This limitation shall not apply when a portion of a LOT is acquired for the public purpose.

### 1.04.004 Yards and Other Spaces

No part of a YARD required in connection with any MANUFACTURED HOME for the purpose of complying with these regulations shall be included as part of the YARD required for another BUILDING or MANUFACTURED HOME, except as specifically provided herein.

### 1.04.005 Only One Principal Building on a Lot

Only one PRINCIPAL BUILDING and its customary ACCESSORY BUILDINGS shall be permitted on any LOT, unless otherwise specified.

### 1.04.006 Street Frontage Requirement

No MANUFACTURED HOME shall be erected on a LOT that does not abut for at least 100 feet upon a STREET which shall be either a PUBLIC STREET, a publically maintained STREET or an approved easement to a PUBLIC STREET. The point of measurements for this requirement shall be the STREET right-of-way line.

### 1.04.007 Substandard Lots of Record

A. Any LOT of record existing at the time of the adoption or amendment of these Regulations, may be used, subject to the following exceptions and modifications:

1. **Adjoining Lots.** When two or more adjoining lots of record with contiguous frontage are in one ownership at any time after the adoption or amendment of these Regulations and such lots, individually, have an area or width that is less than is required by these Regulations, then such contiguous lots shall be combined into a single LOT or several lots as necessary to meet the minimum LOT size required of this ordinance.
2. **Individual LOT Not Meeting Minimum LOT Size Requirements.** Any LOT of record existing at the time of adoption or amendment of these Regulations which has an area, width or depth less than that required by these Regulations may be used as a BUILDING site for a MANUFACTURED HOME only where there is no adjoining LOT of record with contiguous frontage under the same ownership. In the case of such a LOT, when it is not possible to provide the required SIDE YARDS and at the same time locate a MANUFACTURED HOME that complies with this Ordinance, the MAYOR AND COUNCIL is authorized to grant a VARIANCE reducing the SIDE YARDS for such LOT the minimum amount necessary, but in no case shall any SIDE YARD be less than 12 feet.

**1.04.008 Registration**

All MANUFACTURED HOMES must be registered with the Elbert County Tax Commissioner and approval of the septic system, if no public sewerage system is available, by the Elbert County Health Department must be obtained before an OCCUPANCY PERMIT can be issued.

**Chapter 1.05: Non-conforming Uses**

**1.05.001 Non-conforming Manufactured Homes**

The elimination of existing MANUFACTURED HOMES that do not conform with this Ordinance is as much a subject of health, safety and general welfare as is the prevention of the establishment of new uses that would violate this Ordinance. It is also the intent of this Ordinance to administer the elimination of NON-CONFORMING MANUFACTURED HOMES so as to avoid any unreasonable invasion of established private property rights. It is the intent of these regulations to permit these NON-CONFORMING MANUFACTURED HOMES to continue until they are removed or cease, but not to encourage their survival, nor to allow them to be enlarged, extended, or expanded unless expressly allowed herein.

**1.05.002 Grandfathering**

A. Any MANUFACTURED HOME lawfully existing at the time of the enactment of this Ordinance and its amendments, but not in conformity with the Ordinance, may be continued subject to the following provisions.

1. Unsafe STRUCTURES

a. Any STRUCTURE or portion thereof declared unsafe by the CODE ENFORCEMENT OFFICER may be restored to a safe condition, provided the requirements of any applicable codes are met.

2. Alterations

a. Any change in a lawfully existing NON-CONFORMING MANUFACTURED HOME, BUILDING site or YARD area is subject to the following:

- 1) No lawfully existing NON-CONFORMING MANUFACTURED HOME can be structurally altered, except repairs and maintenance, or installation of fixtures required by law, changing of interior partitions, or interior remodeling. Improvements on a lawfully existing NON-CONFORMING MANUFACTURED HOME shall not exceed 50 percent of the value of the BUILDING as reasonably determined by the CODE ENFORCEMENT OFFICER.
- 2) No lawfully existing NON-CONFORMING MANUFACTURED HOME used for residential purposes can be substantially added to, moved, or extended in any manner unless such BUILDING or land is changed to conform with this Ordinance.
- 3) If a lawfully existing NON-CONFORMING MANUFACTURED HOME is moved, all NON-CONFORMING YARD requirements, as defined in this Ordinance, must be eliminated.

**1.05.003 Restoration of Damaged Buildings**

Unless otherwise specified, a lawfully existing NON-CONFORMING MANUFACTURED HOME that is destroyed (damage equals or exceeds 50 percent of the STRUCTURE'S replacement value, as reasonably determined by the CODE ENFORCEMENT OFFICER) through no intent of the owner, may not be reconstructed or restored to the same NON-CONFORMING use. However, a lawfully existing NON-CONFORMING MANUFACTURED HOME that is non-conforming solely because of area and minimum YARD requirements may be replaced regardless of extent of damage.



## Chapter 1.06: Individual Manufactured Homes

### 1.06.001 Limitations

Individual MANUFACTURED HOMES shall comply with the following and other applicable sections of this ordinance.

- A. All MANUFACTURED HOMES shall meet the definition of "DWELLING."
- B. No MANUFACTURED HOME, is permitted to be moved to Bowman, Georgia for use as a residential DWELLING if it is more than ten (10) years of age.
- C. The attachment of a MANUFACTURED HOME to an existing MANUFACTURED HOME is permitted only if both units were engineered and manufactured for such attachment.
- D. A MANUFACTURED HOME may not be used as an ACCESSORY BUILDING.

## Chapter 1.07: Installation Requirements

### 1.07.001 Installation

- A. All MANUFACTURED HOMES, located to or moved within Bowman, Georgia, at or after the adoption of this ordinance shall be installed by a licensed installer as required by O.C.G.A. §8-2-164, and in accordance with the applicable manufacturer's installation instructions as required by O.C.G.A. § 8-2-165. In the absence of such instructions, installations shall be performed in accordance with the applicable rules and regulations adopted by the Georgia Safety Fire Commissioner. (See O.C.G.A. §8-2-160 et seq.)
- B. No MANUFACTURED HOME shall be located within thirty (30) feet of any permanent BUILDING.
- C. The MANUFACTURED HOME must have wheels and tow tongue removed and must be placed on and anchored to a permanent concrete foundation meeting the applicable Bowman BUILDING codes.
- D. The MANUFACTURED HOME must be skirted with either a plastered concrete foundation, decorative masonry, concrete block, or a continuation of the facing material of the MANUFACTURED HOME that completely encloses the undercarriage.
- E. A vapor barrier must be installed by the dealer or installer.
- F. The soil must be treated for termites.
- G. The unit must be connected to public water and/or sewerage, if available. If public sewerage is not available, a private septic system approved by the Elbert County Health Department must be installed prior to issuance of a Certificate of Occupancy.
- H. No MANUFACTURED HOME shall be allowed to be occupied in Bowman, Georgia, unless it bears an insignia issued by the United States Department of Housing and Urban Development.

### 1.07.002 Installation Permit Requirements

- A. It shall be unlawful for any person, firm or corporation to install or place on any LOT, tract or PARCEL within the City of Bowman without first obtaining an INSTALLATION PERMIT and otherwise complying with the terms of this ordinance and all applicable laws of the State of Georgia. A separate permit shall be required for each MANUFACTURED HOME installation.
- B. Applications for INSTALLATION PERMIT shall be filed with the CITY CLERK. The application shall be signed by the owner of the MANUFACTURED HOME or his agent, and if the MANUFACTURED HOME is to be placed outside a MANUFACTURED HOME PARK, the owner of the land on which the MANUFACTURED HOME is to be located. The application shall include the following:
  - 1. A description of the MANUFACTURED HOME by dimensions, manufacturer, and serial or identification number.
  - 2. The name and address of the person having title to the MANUFACTURED HOME.

3. The date of manufacture of the MANUFACTURED HOME.
  4. The proposed location of the MANUFACTURED HOME by legal description, site plan, diagram or other means which is adequate to advise the CODE ENFORCEMENT OFFICER of the exact placement and the relationship to property lines or other STRUCTURES.
- C. Applications shall be reviewed by the CODE ENFORCEMENT OFFICER to verify compliance with this ordinance and other applicable laws and ordinances.
- D. The fee for each MANUFACTURED HOME INSTALLATION PERMIT shall be established by the city by resolution.

#### **1.07.003 Utilities**

- A. Electrical. Each MANUFACTURED HOME must have electrical service that is wired in accordance with the Georgia Electrical Code prior to issuing an OCCUPANCY PERMIT.
- B. Water. If a water main exists adjacent to the property on which the MANUFACTURED HOME is to be located, the MANUFACTURED HOME shall be connected to such main prior to issuing an OCCUPANCY PERMIT. If a water main is not available, the home shall be provided with water in conformance with the requirements of the Elbert County Health Department.
- C. Sewer. If a trunk line exists adjacent to the property of which the MANUFACTURED HOME is to be located, the MANUFACTURED HOME unit shall be connected to such line prior to issuing an OCCUPANCY PERMIT. If a trunk line is not available, the home shall be provided with an individual sewerage disposal system in conformance with the requirements of the Elbert County Health Department.

#### **1.07.004 Penalties for Improper Installation**

Failure by the owner of a MANUFACTURED HOME to have the MANUFACTURED HOME installed as required under this ordinance shall constitute a misdemeanor, punishable in the Elbert County Superior Court.

#### **1.07.005 Non-conformance**

Any MANUFACTURED HOME which does not meet the requirements in the above paragraphs shall be removed within thirty (30) days after receipt of notice from the CODE ENFORCEMENT OFFICER of its non-conformance.

### **Chapter 1.08: Site Requirements**

#### **1.08.001 Individual Manufactured Home**

- A. Minimum LOT Size: 21,780 sq. ft. (½ acre) where public water and sewerage. If no public sewerage is available, minimum LOT size shall be determined by the Elbert County Health Department as necessary for individual septic systems.
- B. Minimum LOT Width: 100 feet
- C. Minimum YARD SETBACKS:
1. MANUFACTURED HOME
    - a. Front: 20 feet from center line
    - b. Side: 30 feet from property line
    - c. Rear: 30 feet from property line
  2. Minimum Road Frontage: 100 feet
  3. Accessory STRUCTURE
    - a. Side: 15 feet
    - b. Rear: 15 feet

- D. LOT Coverage - No PRINCIPAL BUILDING and ACCESSORY BUILDING (outbuilding), together, shall cover more than sixty (60) percent of the LOT.
- E. Parking and Driveway - Off-street parking shall be provided for each individual MANUFACTURED HOME. The off-street parking shall be paved or gravel and shall be accessible from a paved or gravel driveway.
- F. MANUFACTURED HOME shall be oriented parallel to STREET.
- G. Landscaping Requirements
  - 1. A minimum of 2 trees shall be planted per LOT. Trees shall be a minimum of 10' tall, 1 3/4" caliper with a 4' spread.
  - 2. At least one of the required trees must be planted in the FRONT YARD.
  - 3. Permitted species are oak, maple, hickory, redbud, magnolia, birch, or cedar.
  - 4. It shall be the responsibility of the property owner to maintain the tree in a live condition for 3 years. If the tree dies, the property owner shall be responsible for planting a replacement tree.

### **1.08.002 MANUFACTURED HOME PARK**

- A. Minimum Design Standards.
  - 1. MANUFACTURED HOME PARKS may be established and existing parks may be expanded, provided a detailed site plan is submitted to and approved by the MAYOR AND COUNCIL and all other requirements of this ordinance are met.
  - 2. Park Size: The size of the MANUFACTURED HOME PARK shall be no less than 87,120 sq. ft. (2 acres) and no greater than 217,800 sq. ft. (5 acres).
  - 3. The minimum LOT space within the park shall be 21,780 sq. ft. (½ acre).
  - 4. The minimum YARD SETBACKs for the entire park shall be:
    - a. Front: 60 feet from the road centerline.
    - b. Side: 30 feet from adjacent property lines
    - c. Rear: 30 feet from adjacent property lines
  - 5. MANUFACTURED HOMES shall be separated from each other and from other buildings and STRUCTURES by at least thirty (30) feet.
  - 6. All MANUFACTURED HOME sites shall abut upon an interior driveway with not less than a 30 foot right-of-way and have unobstructed access to a PUBLIC STREET or highway.
  - 7. All interior STREETS within the park shall be graded, drained, and based.
  - 8. Two (2) parking spaces shall be provided for each MANUFACTURED HOME LOT.
  - 9. The park STREET system shall be adequately maintained and lighted by the owner. The lighting units shall be so spaced and equipped to provide for the safe movement of pedestrians and vehicle traffic at night. Lighting shall be FULLY SHIELDED and at not less than 300 foot intervals installed not less than 18 feet above grade. The first light shall be placed one hundred (100) feet from the entrance to the park.
  - 10. Buffers.
    - a. A minimum buffer strip of at least twenty (20) feet in width shall be located adjacent to each exterior property line of the MANUFACTURED HOME PARK. The buffer strip shall not be included within any individual manufactured home lot. This buffer strip shall be increased to a total width of thirty (30) feet when the MANUFACTURED HOME PARK is located adjacent to a single family residence.
    - b. The required buffer strip shall be planted in the setback area and shall consist of evergreen trees and/or shrubs which will normally obtain a height of eight (8) feet within five years. Maintenance of the buffer strip shall be the responsibility of the property owner. Trees or shrubs planted in the buffer area that die within three (3) years of installation shall be replaced by the property owner no later than the next spring or fall planting season but no later than twelve (12) months from notification by the CODE ENFORCEMENT OFFICER.

- c. If the buffer area is naturally wooded, then it shall be left in its natural state. If not, the buffer area should be planted with trees to diffuse the sound, light transmission, and visual impact. The required planting in the setback area shall be planted in such a manner as to preserve the natural topography of the land and the natural growth. If the natural growth is too dense to allow for preferred growth, the natural growth shall be thinned. Under all circumstances, diseased, dangerous or decayed growth shall be removed. d. Any grading, improvements or construction adjacent to the buffer shall be conducted far enough from the buffer area so as not to disturb or encroach upon said buffer area.
- B. Amenities.
    1. Developers of MANUFACTURED HOME PARKS are encouraged to provide one or more recreation areas for family activity. The size of the recreation areas, if provided, shall be based upon a minimum of 100 square feet for each MANUFACTURED HOME space. If recreation areas are provided, they should be located so as to be free of traffic hazards and should, when topography permits, be centrally located.
    2. In the event that a swimming pool is developed or planned as a part of the park, this facility shall be enclosed by a chain link, masonry or wood fence not less than four (4) feet high. The entire installation must meet Building Code requirements.
  - C. Ground Maintenance.
    1. All park grounds should be maintained with grass, trees, and/or shrubs to enhance the appearance of the park and to prevent soil erosion or the creation of dust during the dry weather.
  - D. Park management must maintain a register of all park residents. The register must be available to any authorized person inspecting the park.
  - E. Service Buildings. Accessory STRUCTURES and community service facilities are hereby permitted for the convenience and well-being of park residents. Such STRUCTURES may include, but are not limited to the following uses:
    1. Park management offices, repair shops, and storage.
    2. Community sanitary facilities.
    3. Community laundry facilities.
    4. Indoor community recreation areas.
  - F. Water Supply and Disposal.
    1. All MANUFACTURED HOMES must be connected to the public sewerage and public water system.
  - G. Installation:
    1. The MANUFACTURED HOME shall be installed as required under §1.07 of this ordinance
    2. No MANUFACTURED HOME, ACCESSORY BUILDING, or other STRUCTURE shall be closer than thirty (30) feet to another MANUFACTURED HOME.
  - H. Parking and Driveway.
    1. Primary access to the park shall be from a PUBLIC STREET. Primary access shall have a width of not less than thirty-six (36) feet, of which not less than thirty-two (32) shall be paved.
    2. Vehicular ways shall be paved with an asphaltic material or concrete, a minimum of thirty feet in width with on-street parking and a minimum of twenty feet in width with no on-street parking, and shall be minimally constructed with four inches of one and one-half minus base rock, two inches of three-fourths-inch minus topped with two inches of asphalt concrete. Vehicular ways shall be named and marked with signs which are similar in appearance to those used to identify PUBLIC STREETS, and a map of the vehicular ways shall be provided to the CITY CLERK.
    3. Walkways shall connect each MANUFACTURED HOME to its driveway. All walks must be concrete, well-drained, and not less than thirty-six inches in width.

4. Driveways shall be asphalt or concrete, not less than four inches deep or two inches of asphalt on four inches of three-fourths-inch minus gravel. Driveways shall begin at a vehicular way and extend into the individual space in a manner to provide parking for at least two vehicles. Driveways shall not be directly connected to a city STREET.
  5. Parking space shall be a rectangle not less than eight (8) feet wide and twenty (20) feet long.
- I. The boundaries of each MANUFACTURED HOME space shall be clearly marked by a fence, landscaping or by permanent markers and all spaces shall be permanently numbered.
  - J. Landscaping Requirements.
    1. Landscaping and screening shall be provided in each MANUFACTURED HOME PARK and shall satisfy the following requirements:
      - a. All areas in a park not occupied by paved roadways or walkways, patios, pads, and other park facilities shall be landscaped.
      - b. Screen planting, masonry walls, or fencing shall be provided to screen objectionable views. Views to be screened include laundry drying YARDS, garbage and trash collection stations, and other similar uses.
      - c. It shall be the responsibility of the park management to see that the park landscaped areas and YARDS are well kept. Failure to do so shall be cause for revocation of the permit to operate the park after hearing as herein provided.
      - d. Each MANUFACTURED HOME site shall be serviced by municipal facilities such as water supply, sewers, concrete sidewalks, and improved STREETS.
      - e. There shall be no outdoor storage of furniture, tools, equipment, BUILDING materials, or supplies belonging to the occupants or management of the park. Storage of any materials or equipment must be in a designated enclosed BUILDING.
  - K. Recreational Vehicle.
    1. A RECREATIONAL VEHICLE shall not remain overnight in a MANUFACTURED HOME PARK unless it is parked in a MANUFACTURED HOME space or in an area specifically designated for such use. No more than one RECREATIONAL VEHICLE will be parked at one time in a MANUFACTURED HOME space.
  - L. Signs.
    1. One identification sign per street frontage not to exceed 4 feet by 6 feet (4' x 6') and maximum height from ground of five (5) feet shall be permitted for each entrance to the MANUFACTURED HOME PARK. If the sign is lighted, lights shall be non-reflective and shall not shine directly into any residence. Lights must be "spot" type lights, located in the ground, and must illuminate the sign only. No identification sign or sign STRUCTURE shall be placed upon any street or highway right-of-way.

## Chapter 1.09: Occupancy Permit

No MANUFACTURED HOME shall be occupied for any purpose without the owner first having applied for and received an OCCUPANCY PERMIT from the CITY CLERK and a fee, as determined by MAYOR AND COUNCIL, has been paid.

## Chapter 1.10: Temporary Use of Manufactured Homes

### 1.10.001 When Permitted

- A. Where the property owner desires to construct a DWELLING provided the following requirements are met:
  - 1. The MANUFACTURED HOME must be located on the same LOT or PARCEL as the DWELLING to be constructed, and
  - 2. The permit to allow temporary use of a MANUFACTURED HOME is not issued until after a INSTALLATION PERMIT for the DWELLING has been issued.
- B. Where, due to health circumstances, a hardship would occur if the APPLICANT was not permitted to locate a MANUFACTURED HOME adjacent to the residence of the one who is either providing care or is in need of care.
- C. As an office in a subdivision.
- D. By a contractor during construction or development.

### 1.10.002 Installation

- A. The installation of a MANUFACTURED HOME used temporarily shall be installed in accordance with §1.07 of this ordinance.

### 1.10.003 Permit Duration

- A. A Temporary Use Permit may be issued by the CITY CLERK, at the direction of the MAYOR AND COUNCIL for a period not to exceed one (1) year upon showing of good cause. The permit may be renewed by the CITY CLERK, at the direction of the MAYOR AND COUNCIL, for an additional one-year period upon a showing of good cause.

### 1.10.004 Permit Expiration

- A. Upon expiration of the Temporary Use Permit, the MANUFACTURED HOME and all appurtenances shall be removed from the property by the permit holder.

## Chapter 1.11: Code Enforcement

The CODE ENFORCEMENT OFFICER shall have the authority and responsibility to administer and enforce the provisions of this Ordinance. The CODE ENFORCEMENT OFFICER does not have the authority to take final action on applications or matters reserved for public hearings. The CODE ENFORCEMENT OFFICER is authorized to take the following actions to administer and enforce this ordinance including without limitation to make inspections, to issue permits, to reasonably interpret this ordinance following the spirit and intent thereof, to issue citations for violation of this ordinance, and to be heard in the Municipal Court. The CITY CLERK shall keep records of any and all permits, the Certificates of Occupancy issued, and all submitted subdivision plats, with notations of all special conditions involved. She/He shall file and safely keep copies of all sketches and plans submitted, and the same shall form a part of the records of the City and shall be made available as public records.

## Chapter 1.12: Variance

### 1.12.001 Criteria

- A. A VARIANCE to the provisions of these regulations shall be made upon application to the MAYOR AND COUNCIL where the MAYOR AND COUNCIL determines:
  - 1. The VARIANCE is required due to specific site conditions (property configuration, topography, soil conditions, etc.), which causes unnecessary hardship to the landowner;

2. Granting the VARIANCE will not result in a hazard to public health or safety; and,
3. Granting the VARIANCE will not result in a grant of special privilege to the property owner (in other words, any other property owner with similar site conditions could obtain a similar VARIANCE).
4. Under no situation will a variance be granted on land less than ½ acre except where a lawfully existing NON-CONFORMING MANUFACTURED HOME must be replaced due to damages sustained from acts of God and through no intent of the owner.

## **Chapter 1.13: Appeals**

### **1.13.001 Appeal from CODE ENFORCEMENT OFFICER.**

Any aggrieved party may appeal a decision under this ordinance of the Code Enforcement Office to the MAYOR AND COUNCIL within thirty (30) days of said decision.

### **1.13.002 Appeal from MAYOR AND COUNCIL**

Any aggrieved party may appeal a decision under this ordinance of the MAYOR AND COUNCIL to the Elbert County Superior Court within thirty (30) days of said decision.

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# Manufactured Home Regulations

## Chapter 1.01: General

### 1.01.001 Preamble

The MAYOR AND COUNCIL of the City of Bowman hereby declare it to be the purpose and intent of this regulation to establish uniform standards and procedures for siting and permitting of MANUFACTURED HOMES within the City of Bowman.

### 1.01.002 Legislative Authority

The MAYOR AND COUNCIL of Bowman, Georgia, under the authority of Article IX, Section 2, Paragraph 4 of the Constitution of the State of Georgia and Chapter 66, Title 36 of the Official Code of Georgia Annotated, and for the purpose of promoting the health, safety, morals, convenience, order, prosperity, or the general welfare of the city and designed to lessen congestion in the STREETS; to secure safety from fire, panic, and other dangers; to promote health and avoid overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other requirements, ordains and enacts into law the MANUFACTURED HOME Regulations for Bowman, Georgia.

### 1.01.003 Method of Regulation

The MAYOR AND COUNCIL of Bowman, Georgia, as authorized by the Constitution of the State of Georgia, adopts MANUFACTURED HOME regulations for the following purposes: to define certain words used therein; to regulate the density in distribution of population; to provide for the gradual elimination of NON-CONFORMING USES of land, buildings and STRUCTURES; to provide for the method of administration, amendment and enforcement; to provide for the imposition of penalties for violations; to repeal conflicting ordinances and resolutions; and for other purposes.

## Chapter 1.02: Words Definitions

### 1.02.001 Defining Words

Words used in the Ordinance have their normal dictionary meaning unless they are otherwise defined. All words specifically defined in §1.03 are represented in all capital letters.

### 1.02.002 Use of General Terms

#### A. Use of "shall" and "may"

1. "Shall" means mandatory. The word "shall" means that the directives or requirements are mandatory and may not be waived or modified. If used within the text, "will," and "must," also mean "shall."
2. "May" means permissive. The word "may" means that the directives or requirements are permissive and are imposed at the option of the decision-maker. "Can" and "should" also mean "may."

#### B. Use of "and" and "or"

1. "And" means that each item identified shall be required.
2. "Or" means any combination of one or more of the identified items may be required.

#### C. Definition sources for words not defined within the Ordinance

1. Development terms not defined within this Ordinance shall have the meaning contained within The New Illustrated Book of Development Definitions, by Moskowitz and Lindbloom, published by the Center for Urban Policy Research of Rutgers University, Piscataway, New Jersey.
2. Terms not defined in any cited sources shall have the meaning as established in the current edition of the Websters Unabridged Dictionary, published by Merriam-Webster, Inc.

## Chapter 1.03: Definitions

Except as otherwise provided herein, all words shall have their customary dictionary meaning. The present tense includes the future tense. The singular number includes the plural and the plural includes the singular. The word "person" includes a firm, corporation, association, organization, trust or partnership. The word "LOT" includes "tract," "plot" or "PARCEL". The word "BUILDING" includes "STRUCTURE". The word "used" or "occupied", as applied to any land or BUILDING, shall be construed to include the words "intended, arranged, or designed to be used or occupied". The word "used" shall be deemed also to include "designed", "intended", or "arranged to be used". The term "erected" shall be deemed also to include "constructed", "reconstructed", "altered", "placed", or "moved". The word "land use" and "use of land" shall be deemed also to include "BUILDING use" and "use of BUILDING". The word "adjacent" means "nearby" and not necessarily "contiguous".

- 1.03.001 ACCESSORY BUILDING**  
A subordinate BUILDING, the use of which is incidental to, and reasonably related to, a main BUILDING on the same LOT or to the primary use of the property. The ACCESSORY BUILDING shall be of a size and nature customarily incidental and subordinate to the PRINCIPAL BUILDING. A "detached" ACCESSORY BUILDING shall be one that does not have a common wall with the main BUILDING on the same LOT.
- 1.03.002 APPLICANT**  
Any person who applies for a zoning action and any attorney or other person representing or acting on behalf of a person who applies for a zoning action.
- 1.03.003 BUILDING**  
Any STRUCTURE, either permanent or temporary, for the support or shelter of any use or occupancy.
- 1.03.004 BUILDING, PRINCIPAL**  
A BUILDING in which the primary use of the LOT on which the BUILDING is located is conducted.
- 1.03.005 CITY CLERK**  
The individual appointed by the MAYOR AND COUNCIL to serve as CITY CLERK for the City of Bowman, Georgia.
- 1.03.006 CODE ENFORCEMENT OFFICER**  
The individual designated by the MAYOR AND COUNCIL to serve as the CODE ENFORCEMENT OFFICER for Bowman, Georgia.
- 1.03.007 DWELLING**  
A residential STRUCTURE that contains one (1) DWELLING unit designed for residential use that is surrounded by open space on the same LOT, which meets or exceeds the following standards:  
**A.** Minimum width in excess of sixteen (16) feet;  
**B.** Minimum of 1100 square feet of heated space;  
**C.** The roof has a minimum roof pitch greater than 4:12 and shall have a surface of wood shakes, asphalt composition, wood shingles, concrete, fiberglass, metal tiles, or slate.  
**D.** The roof overhang must be at least 1 foot when measured from the vertical side.  
**E.** The exterior siding materials shall consist of wood, masonry, concrete, stucco, vinyl or masonite.  
**F.** Be provided with permanent stairs (front and back entrance) and covered porch (front entrance only), constructed of pressure treated lumber or masonry sufficient to provide safe ingress and egress from the front exterior door of the unit. The covered porch shall meet Bowman's BUILDING codes; shall be a minimum size of 8' x 8'; shall be roofed with the same materials as the MANUFACTURED HOME; and, be underpinned with masonry construction or other materials manufactured for such purpose.
- 1.03.008 FRONT YARD**  
An open, unoccupied space on the same LOT with the PRINCIPAL USE, extending the full width of the LOT and situated between the right-of-way line and the BUILDING line projected to the side lines of the LOT. On corner lots, the FRONT YARD is considered parallel to the STREET upon which the LOT has its largest dimension.
- 1.03.009 FULLY SHIELDED LIGHTING**  
A lighting fixture constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal (straight down to the ground) as determined by photometric test or certified by the manufacturer. Any structural part of the light fixture providing this shielding must be permanently affixed.
- 1.03.010 INSTALLATION PERMIT**  
A permit required for the installation of any MANUFACTURED HOME.

- 1.03.011 MANUFACTURED HOME**  
A STRUCTURE defined by and constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 as amended, 42 U.S.C. §5401, et seq. The definition at the date of adoption of this part is as follows:
- "MANUFACTURED HOME" means a STRUCTURE, transportable in one or more sections, which in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a DWELLING with or 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 which 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 and complies with the standards established under this title.
- 1.03.012 MANUFACTURED HOME PARK**  
A PARCEL of land under single ownership that has been planned and improved for the placement of manufactured housing for residential DWELLING purposes under a rental or lease agreement for the individual LOT spaces.
- 1.03.013 MAYOR AND COUNCIL**  
MAYOR AND COUNCIL of Bowman, Georgia .
- 1.03.014 NON-CONFORMING**  
Any lawfully existing MANUFACTURED HOME which does not conform to these ordinances governing the type, bulk, location, height or size of buildings or STRUCTURES permitted in the district prior to the adoption of this ordinance but which is in full compliance with all applicable federal, state and local laws, rules and ordinances, and for which all required federal, state and local permits have been issued.
- 1.03.015 OCCUPANCY PERMIT**  
A permit issued by the CITY CLERK to establish that the property is suitable for habitation by meeting certain safety and health standards
- 1.03.016 PRINCIPAL USE**  
The primary purpose for which land or a BUILDING is used.
- 1.03.017 PARCEL**  
A tract or plot of land.
- 1.03.018 REAR YARD**  
A YARD extending across the full width of the LOT and lying between the rear LOT line and the nearest line of the BUILDING.
- 1.03.019 RECREATIONAL VEHICLE**  
A motorized vehicle, designed and/or maintained for use as a temporary DWELLING or sleeping place for travel or recreation purposes exclusively, having no foundation other than wheels or jacks.
- 1.03.020 SETBACK**  
The minimum horizontal distance between the LOT or property right-of-way line and the nearest front, side or rear line of the BUILDING, including terraces or any covered projections but excluding steps.
- 1.03.021 YARD, SIDE**  
A YARD lying between the side line of the LOT and the nearest line of the BUILDING and extending from the FRONT YARD to the REAR YARD, or in the absence of either of such front or REAR YARDS, to the front or rear LOT lines. SIDE YARD width shall be measured at right angles to side lines of the LOT.

- 1.03.022 STREET**  
A public or private thoroughfare which affords the principal means of ingress and egress to abutting property.
- 1.03.023 STREET, PUBLIC**  
A STREET that is titled by description or deed and vested in Bowman, Georgia.
- 1.03.024 STRUCTURE**  
Anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on the ground. STRUCTURES include, but are not limited to the following: site-built buildings, manufactured, mobile and modular homes, swimming pools, and signs.
- 1.03.025 YARD**  
An open space at grade between a BUILDING and the adjoining LOT lines, unoccupied and unobstructed by any portion of a STRUCTURE from the ground upward. In measuring a YARD for the purpose of determining the width of a SIDE YARD, the depth of a FRONT YARD, on the depth of a REAR YARD, the minimum horizontal distance between a LOT line and the main BUILDING shall be used.

## **Chapter 1.04: Regulations Applying to All Manufactured Homes**

- 1.04.001 Conformance with Ordinance**  
NO MANUFACTURED HOME shall be used or occupied and NO MANUFACTURED HOME or part thereof shall be erected, extended, enlarged, moved, or altered except in conformity with this Ordinance.
- 1.04.002 Lot Area and Lot Size**  
Unless acquired for public use, no LOT shall be reduced in size so that it does not comply with this Ordinance.
- 1.04.003 Reduction in Lot Size**  
No LOT shall be reduced in size so that LOT width or depth, size of YARDS, density, or any other requirement of this Ordinance is not maintained. This limitation shall not apply when a portion of a LOT is acquired for the public purpose.
- 1.04.004 Yards and Other Spaces**  
No part of a YARD required in connection with any MANUFACTURED HOME for the purpose of complying with these regulations shall be included as part of the YARD required for another BUILDING or MANUFACTURED HOME, except as specifically provided herein.
- 1.04.005 Only One Principal Building on a Lot**  
Only one PRINCIPAL BUILDING and its customary ACCESSORY BUILDINGS shall be permitted on any LOT, unless otherwise specified.
- 1.04.006 Street Frontage Requirement**  
NO MANUFACTURED HOME shall be erected on a LOT that does not abut for at least 100 feet upon a STREET which shall be either a PUBLIC STREET, a publically maintained STREET or an approved easement to a PUBLIC STREET. The point of measurements for this requirement shall be the STREET right-of-way line.
- 1.04.007 Substandard Lots of Record**
- A.** Any LOT of record existing at the time of the adoption or amendment of these Regulations, may be used, subject to the following exceptions and modifications:
- 1. Adjoining Lots.** When two or more adjoining lots of record with contiguous frontage are in one ownership at any time after the adoption or amendment of these Regulations and such lots, individually, have an area or width that is less than is required by these Regulations, then such contiguous lots shall be combined into a single LOT or several lots as necessary to meet the minimum LOT size required of this ordinance.
  - 2. Individual LOT Not Meeting Minimum LOT Size Requirements.** Any LOT of record existing at the time of adoption or amendment of these Regulations which has an area, width or depth less than that required by these Regulations may be used as a BUILDING site for a MANUFACTURED HOME only where there is no adjoining LOT of record with contiguous frontage under the same ownership.

**1.04.008 Registration**

All MANUFACTURED HOMES must be registered with the Elbert County Tax Commissioner and approval of the septic system, if no public sewerage system is available, by the Elbert County Health Department must be obtained before an OCCUPANCY PERMIT can be issued.

**Chapter 1.05: Non-conforming Uses**

**1.05.001 Non-conforming Manufactured Homes**

The elimination of existing MANUFACTURED HOMES that do not conform with this Ordinance is as much a subject of health, safety and general welfare as is the prevention of the establishment of new uses that would violate this Ordinance. It is also the intent of this Ordinance to administer the elimination of NON-CONFORMING MANUFACTURED HOMES so as to avoid any unreasonable invasion of established private property rights. It is the intent of these regulations to permit these NON-CONFORMING MANUFACTURED HOMES to continue until they are removed or cease, but not to encourage their survival, nor to allow them to be enlarged, extended, or expanded unless expressly allowed herein.

**1.05.002 Grandfathering**

- A.** Any MANUFACTURED HOME lawfully existing at the time of the enactment of this Ordinance and its amendments, but not in conformity with the Ordinance, may be continued subject to the following provisions.
- 1. Unsafe STRUCTURES**
    - a.** Any STRUCTURE or portion thereof declared unsafe by the CODE ENFORCEMENT OFFICER may be restored to a safe condition, provided the requirements of any applicable codes are met.
  - 2. Alterations**
    - a.** Any change in a lawfully existing NON-CONFORMING MANUFACTURED HOME, BUILDING site or YARD area is subject to the following:
      - (1)** No lawfully existing NON-CONFORMING MANUFACTURED HOME can be structurally altered, except repairs and maintenance, or installation of fixtures required by law, changing of interior partitions, or interior remodeling. Improvements on a lawfully existing NON-CONFORMING MANUFACTURED HOME shall not exceed 50 percent of the value of the BUILDING as reasonably determined by the CODE ENFORCEMENT OFFICER.
      - (2)** No lawfully existing NON-CONFORMING MANUFACTURED HOME used for residential purposes can be substantially added to, moved, or extended in any manner unless such BUILDING or land is changed to conform with this Ordinance.
      - (3)** If a lawfully existing NON-CONFORMING MANUFACTURED HOME is moved or torn down, all NON-CONFORMING YARD requirements, as defined in this Ordinance, must be eliminated.

**1.05.003 Restoration of Damaged Buildings**

Unless otherwise specified, a lawfully existing NON-CONFORMING MANUFACTURED HOME that is destroyed (damage equals or exceeds 50 percent of the STRUCTURE'S replacement value, as reasonably determined by the CODE ENFORCEMENT OFFICER) may not be reconstructed or restored to the same NON-CONFORMING use. However, a lawfully existing NON-CONFORMING MANUFACTURED HOME that is non-conforming solely because of area and minimum YARD requirements may be replaced regardless of extent of damage.

**Chapter 1.06: Individual Manufactured Homes**

**1.06.001 Limitations**

Individual MANUFACTURED HOMES shall comply with the following and other applicable sections of this ordinance.

- A.** All MANUFACTURED HOMES shall meet the definition of "DWELLING."
- B.** No MANUFACTURED HOME, is permitted to be moved to Bowman, Georgia for use as a residential DWELLING if it is more than ten (10) years of age.
- C.** The attachment of a MANUFACTURED HOME to an existing MANUFACTURED HOME is permitted only if both units were engineered and manufactured for such attachment.
- D.** A MANUFACTURED HOME may not be used as an ACCESSORY BUILDING.

## Chapter 1.07: Installation Requirements

### 1.07.001 Installation

- A. All MANUFACTURED HOMES, located to or moved within Bowman, Georgia, at or after the adoption of this ordinance shall be installed by a licensed installer as required by O.C.G.A. §8-2-164, and in accordance with the applicable manufacturer's installation instructions as required by O.C.G.A. § 8-2-165. In the absence of such instructions, installations shall be performed in accordance with the applicable rules and regulations adopted by the Georgia Safety Fire Commissioner. (See O.C.G.A. §8-2-160 et seq.)
- B. No MANUFACTURED HOME shall be located within thirty (30) feet of any permanent BUILDING.
- C. The MANUFACTURED HOME must have wheels and tow tongue removed and must be placed on and anchored to a permanent concrete foundation meeting the applicable Bowman BUILDING codes.
- D. The MANUFACTURED HOME must be skirted with either a plastered concrete foundation, decorative masonry, concrete block, or a continuation of the facing material of the MANUFACTURED HOME that completely encloses the undercarriage.
- E. A vapor barrier must be installed by the dealer or installer.
- F. The soil must be treated for termites and a copy of the termite inspection report must be sent to the CODE ENFORCEMENT OFFICER.
- G. The unit must be connected to public water and/or sewerage, if available. If public sewerage is not available, a private septic system approved by the Elbert County Health Department must be installed prior to issuance of a Certificate of Occupancy.
- H. No MANUFACTURED HOME shall be allowed to be occupied in Bowman, Georgia, unless it bears an insignia issued by the United States Department of Housing and Urban Development.

### 1.07.002 Installation Permit Requirements

- A. It shall be unlawful for any person, firm or corporation to install or place on any LOT, tract or PARCEL within the City of Bowman without first obtaining an INSTALLATION PERMIT and otherwise complying with the terms of this ordinance and all applicable laws of the State of Georgia. A separate permit shall be required for each MANUFACTURED HOME installation.
- B. Applications for INSTALLATION PERMIT shall be filed with the CITY CLERK. The application shall be signed by the owner of the MANUFACTURED HOME or his agent, and if the MANUFACTURED HOME is to be placed outside a MANUFACTURED HOME PARK, the owner of the land on which the MANUFACTURED HOME is to be located. The application shall include the following:
  - 1. A description of the MANUFACTURED HOME by dimensions, manufacturer, and serial or identification number.
  - 2. The name and address of the person having title to the MANUFACTURED HOME.
  - 3. The date of manufacture of the MANUFACTURED HOME.
  - 4. The proposed location of the MANUFACTURED HOME by legal description, site plan, diagram or other means which is adequate to advise the CODE ENFORCEMENT OFFICER of the exact placement and the relationship to property lines or other STRUCTURES.
- C. Applications shall be reviewed by the CODE ENFORCEMENT OFFICER to verify compliance with this ordinance and other applicable laws and ordinances.
- D. The fee for each MANUFACTURED HOME INSTALLATION PERMIT shall be established by the city by resolution.

### 1.07.003 Utilities

- A. Electrical. Each MANUFACTURED HOME must have electrical service that is wired in accordance with the Georgia Electrical Code prior to issuing an OCCUPANCY PERMIT.
- B. Water. If a water main exists adjacent to the property on which the MANUFACTURED HOME is to be located, the MANUFACTURED HOME shall be connected to such main prior to issuing an OCCUPANCY PERMIT. If a water main is not available, the home shall be provided with water in conformance with the requirements of the Elbert County Health Department.
- C. Sewer. If a trunk line exists adjacent to the property of which the MANUFACTURED HOME is to be located, the MANUFACTURED HOME unit shall be connected to such line prior to issuing an OCCUPANCY PERMIT. If a trunk line is not available, the home shall be provided with an individual sewerage disposal system in conformance with the requirements of the Elbert County Health Department.

**1.07.004 Penalties for Improper Installation**

Failure by the owner of a MANUFACTURED HOME to have the MANUFACTURED HOME installed as required under this ordinance shall constitute a misdemeanor, punishable in the City of Bowman Code Enforcement Board or Elbert County State Court.

**1.07.005 Non-conformance**

Any MANUFACTURED HOME which does not meet the requirements in the above paragraphs shall be removed within thirty (30) days after receipt of notice from the CODE ENFORCEMENT OFFICER of its non-conformance.

**Chapter 1.08: Site Requirements**

**1.08.001 Individual Manufactured Home**

- A. Minimum LOT Size: 21,780 sq. ft. (½ acre) where public water and sewerage. If no public sewerage is available, minimum LOT size shall be determined by the Elbert County Health Department as necessary for individual septic systems.
- B. Minimum LOT Width: 100 feet
- C. Minimum YARD SETBACKS:
  - 1. MANUFACTURED HOME
    - a. Front: 30 feet from center line of roadway.
    - b. Side: 30 feet from property line
    - c. Rear: 30 feet from property line
  - 2. Minimum Road Frontage: 100 feet
  - 3. Accessory STRUCTURE
    - a. Side: 15 feet
    - b. Rear: 15 feet
- D. LOT Coverage - No PRINCIPAL BUILDING and ACCESSORY BUILDING (outbuilding), together, shall cover more than sixty (60) percent of the LOT.
- E. Parking and Driveway - A minimum of two (2) off-street parking spaces shall be provided for each individual MANUFACTURED HOME. The off-street parking shall be paved or gravel and shall be accessible from a paved or gravel driveway.
- F. MANUFACTURED HOME shall be oriented parallel to STREET.
- G. Landscaping Requirements
  - 1. A minimum of 2 trees shall be planted per LOT. Trees shall be a minimum of 10' tall, 1 3/4" caliper with a 4' spread.
  - 2. At least one of the required trees must be planted in the FRONT YARD.
  - 3. Permitted species are oak, maple, hickory, redbud, magnolia, birch, or cedar.
  - 4. It shall be the responsibility of the property owner to maintain the tree in a live condition for 3 years. If the tree dies, the property owner shall be responsible for planting a replacement tree.

**1.08.002 Manufactured Home Park**

- A. Minimum Design Standards.
  - 1. MANUFACTURED HOME PARKS may be established and existing parks may be expanded, provided a detailed site plan is submitted to and approved by the MAYOR AND COUNCIL and all other requirements of this ordinance are met.
  - 2. Park Size: The size of the MANUFACTURED HOME PARK shall be no less than 87,120 sq. ft. (2 acres) and no greater than 217,800 sq. ft. (5 acres).
  - 3. The minimum LOT space within the park shall be 21,780 sq. ft. (½ acre).
  - 4. The minimum YARD SETBACKS for the entire park shall be:
    - a. Front: 60 feet from the road centerline.
    - b. Side: 30 feet from adjacent property lines
    - c. Rear: 30 feet from adjacent property lines
  - 5. MANUFACTURED HOMES shall be separated from each other and from other buildings and STRUCTURES by at least thirty (30) feet.
  - 6. All MANUFACTURED HOME sites shall abut upon an interior driveway with not less than a 30 foot right-of-way and have unobstructed access to a PUBLIC STREET or highway.
  - 7. All interior STREETS within the park shall be graded, drained, and based.
  - 8. Two (2) parking spaces shall be provided for each MANUFACTURED HOME LOT.
  - 9. The park STREET system shall be adequately maintained and lighted by the owner. The lighting



units shall be so spaced and equipped to provide for the safe movement of pedestrians and vehicle traffic at night. Lighting shall be FULLY SHIELDED and at not less than 300 foot intervals installed not less than 18 feet above grade. The first light shall be placed one hundred (100) feet from the entrance to the park.

**10. Buffers.**

- a. A minimum buffer strip of at least twenty (20) feet in width shall be located adjacent to each exterior property line of the MANUFACTURED HOME PARK. The buffer strip shall not be included within any individual manufactured home lot. This buffer strip shall be increased to a total width of thirty (30) feet when the MANUFACTURED HOME PARK is located adjacent to a single-family residence.
- b. The required buffer strip shall be planted in the setback area and shall consist of evergreen trees and/or shrubs which will normally obtain a height of eight (8) feet within five years. Maintenance of the buffer strip shall be the responsibility of the property owner. Trees or shrubs planted in the buffer area that die within three (3) years of installation shall be replaced by the property owner no later than the next spring or fall planting season but no later than twelve (12) months from notification by the CODE ENFORCEMENT OFFICER.
- c. If the buffer area is naturally wooded, then it shall be left in its natural state. If not, the buffer area should be planted with trees to diffuse the sound, light transmission, and visual impact. The required planting in the setback area shall be planted in such a manner as to preserve the natural topography of the land and the natural growth. If the natural growth is too dense to allow for preferred growth, the natural growth shall be thinned. Under all circumstances, diseased, dangerous or decayed growth shall be removed.
- d. Any grading, improvements or construction adjacent to the buffer shall be conducted far enough from the buffer area so as not to disturb or encroach upon said buffer area.

**B. Amenities.**

1. Developers of MANUFACTURED HOME PARKS are encouraged to provide one or more recreation areas for family activity. The size of the recreation areas, if provided, shall be based upon a minimum of 100 square feet for each MANUFACTURED HOME space. If recreation areas are provided, they should be located so as to be free of traffic hazards and should, when topography permits, be centrally located.
2. In the event that a swimming pool is developed or planned as a part of the park, this facility shall be enclosed by a chain link, masonry or wood fence not less than four (4) feet high. The entire installation must meet Building Code requirements.

**C. Ground Maintenance.**

1. All park grounds should be maintained with grass, trees, and/or shrubs to enhance the appearance of the park and to prevent soil erosion or the creation of dust during the dry weather.

**D. Park management must maintain a register of all park residents. The register must be available to any authorized person inspecting the park.**

**E. Service Buildings. Accessory STRUCTURES and community service facilities are hereby permitted for the convenience and well-being of park residents. Such STRUCTURES may include, but are not limited to the following uses:**

1. Park management offices, repair shops, and storage.
2. Community sanitary facilities.
3. Community laundry facilities.
4. Indoor community recreation areas.

**F. Water Supply and Disposal.**

1. All MANUFACTURED HOMES must be connected to the public sewerage and public water system.

**G. Installation:**

1. The MANUFACTURED HOME shall be installed as required under §1.07 of this ordinance
2. No MANUFACTURED HOME, ACCESSORY BUILDING, or other STRUCTURE shall be closer than thirty (30) feet to another MANUFACTURED HOME.

**H. Parking and Driveway.**

1. Primary access to the park shall be from a PUBLIC STREET. Primary access shall have a width of not less than thirty-six (36) feet, of which not less than thirty-two (32) shall be paved.
2. Vehicular ways shall be paved with an asphaltic material or concrete, a minimum of thirty feet in width with on-street parking and a minimum of twenty feet in width with no on-street parking, and shall be minimally constructed with four inches of one and one-half minus base rock, two inches of three-fourths-inch minus topped with two inches of asphalt concrete. Vehicular ways shall be

- named and marked with signs which are similar in appearance to those used to identify PUBLIC STREETS, and a map of the vehicular ways shall be provided to the CITY CLERK.
3. Walkways shall connect each MANUFACTURED HOME to its driveway. All walks must be concrete, well-drained, and not less than thirty-six inches in width.
  4. Driveways shall be asphalt or concrete, not less than four inches deep or two inches of asphalt on four inches of three-fourths-inch minus gravel. Driveways shall begin at a vehicular way and extend into the individual space in a manner to provide parking for at least two vehicles. Driveways shall not be directly connected to a city STREET.
  5. Parking space shall be a rectangle not less than eight (8) feet wide and twenty (20) feet long.
- I. The boundaries of each MANUFACTURED HOME space shall be clearly marked by a fence, landscaping or by permanent markers and all spaces shall be permanently numbered.
- J. Landscaping Requirements.
1. Landscaping and screening shall be provided in each MANUFACTURED HOME PARK and shall satisfy the following requirements:
    - a. All areas in a park not occupied by paved roadways or walkways, patios, pads, and other park facilities shall be landscaped.
    - b. Screen planting, masonry walls, or fencing shall be provided to screen objectionable views. Views to be screened include laundry drying YARDS, garbage and trash collection stations, and other similar uses.
    - c. It shall be the responsibility of the park management to see that the park landscaped areas and YARDS are well kept. Failure to do so shall be cause for revocation of the permit to operate the park after hearing as herein provided.
    - d. Each MANUFACTURED HOME site shall be serviced by municipal facilities such as water supply, sewers, concrete sidewalks, and improved STREETS.
    - e. There shall be no outdoor storage of furniture, tools, equipment, BUILDING materials, or supplies belonging to the occupants or management of the park. Storage of any materials or equipment must be in a designated enclosed BUILDING.
- K. Recreational Vehicle.
1. A RECREATIONAL VEHICLE shall not remain overnight in a MANUFACTURED HOME PARK unless it is parked in a MANUFACTURED HOME space or in an area specifically designated for such use. No more than one RECREATIONAL VEHICLE will be parked at one time in a MANUFACTURED HOME space.
- L. Signs.
1. One identification sign per street frontage not to exceed 4 feet by 6 feet (4' x 6') and maximum height from ground of five (5) feet shall be permitted for each entrance to the MANUFACTURED HOME PARK. If the sign is lighted, lights shall be non-reflective and shall not shine directly into any residence. Lights must be "spot" type lights, located in the ground, and must illuminate the sign only. No identification sign or sign STRUCTURE shall be placed upon any street or highway right-of-way.

## **Chapter 1.09: Occupancy Permit**

No MANUFACTURED HOME shall be occupied for any purpose without the owner first having applied for and received an OCCUPANCY PERMIT from the CITY CLERK and a fee, as determined by MAYOR AND COUNCIL, has been paid.

## **Chapter 1.10: Temporary Use of Manufactured Homes**

### **1.10.001 When Permitted**

- A. Where the property owner desires to construct a DWELLING provided the following requirements are met:
1. The MANUFACTURED HOME must be located on the same LOT OR PARCEL as the DWELLING to be constructed, and
  2. The permit to allow temporary use of a MANUFACTURED HOME is not issued until after a INSTALLATION PERMIT for the DWELLING has been issued.
- B. Where, due to health circumstances, a hardship would occur if the APPLICANT was not permitted to locate a MANUFACTURED HOME adjacent to the residence of the one who is either providing care or is in need of care.
- C. As an office in a subdivision.
- D. By a contractor during construction or development.

**1.10.002 Installation**

A. The installation of a MANUFACTURED HOME used temporarily shall be installed in accordance with §1.07 of this ordinance.

**1.10.003 Permit Duration**

A. A Temporary Use Permit may be issued by the CITY CLERK, at the direction of the MAYOR AND COUNCIL for a period not to exceed one (1) year upon showing of good cause. The permit may be renewed by the CITY CLERK, at the direction of the MAYOR AND COUNCIL, for an additional one-year period upon a showing of good cause.

**1.10.004 Permit Expiration**

A. Upon expiration of the Temporary Use Permit, the MANUFACTURED HOME and all appurtenances shall be removed from the property by the permit holder.

**Chapter 1.11: Code Enforcement**

The CODE ENFORCEMENT OFFICER shall have the authority and responsibility to administer and enforce the provisions of this Ordinance. The CODE ENFORCEMENT OFFICER does not have the authority to take final action on applications or matters reserved for public hearings. The CODE ENFORCEMENT OFFICER is authorized to take the following actions to administer and enforce this ordinance including without limitation to make inspections, to issue permits, to reasonably interpret this ordinance following the spirit and intent thereof, to issue citations for violation of this ordinance, and to be heard in the Municipal Court. The CITY CLERK shall keep records of any and all permits, the Certificates of Occupancy issued, and all submitted subdivision plats, with notations of all special conditions involved. She/He shall file and safely keep copies of all sketches and plans submitted, and the same shall form a part of the records of the City and shall be made available as public records.

**Chapter 1.12: Variance**

**1.12.001 Criteria**

- A. A VARIANCE to the provisions of these regulations shall be made upon application to the MAYOR AND COUNCIL where the MAYOR AND COUNCIL determines:
1. The VARIANCE is required due to specific site conditions (property configuration, topography, soil conditions, etc.), which causes unnecessary hardship to the landowner;
  2. Granting the VARIANCE will not result in a hazard to public health or safety; and,
  3. Granting the VARIANCE will not result in a grant of special privilege to the property owner (in other words, any other property owner with similar site conditions could obtain a similar VARIANCE).
  4. Under no situation will a variance be granted on land less than ½ acre except where a lawfully existing NON-CONFORMING MANUFACTURED HOME must be replaced due to damages sustained from acts of God and through no intent of the owner.

**Chapter 1.13: Appeals**

**1.13.001 Appeal from Code Enforcement Officer.**

Any aggrieved party may appeal a decision under this ordinance of the Code Enforcement Office to the MAYOR AND COUNCIL within thirty (30) days of said decision.

**1.13.002 Appeal from Mayor and Council**

Any aggrieved party may appeal a decision under this ordinance of the MAYOR AND COUNCIL to the Elbert County Superior Court within thirty (30) days of said decision.

**Section 39-109 Wetlands Protection**

The Wetlands Protection Ordinance adopted October 18, 2000 is incorporated by reference as if fully set out herein.

**ORDINANCE NO. 2012 – 002**  
**OF THE CITY COUNCIL OF THE CITY OF BOWMAN**

**City of Bowman Manufactured Home Ordinance**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF BOWMAN, GEORGIA TO REVISE THE STANDARDS FOR INSTALLATION OF PRE-OWNED MANUFACTURED HOMES.

WHEREAS, the General Assembly of the State of Georgia has declared that no city shall impose any health or safety standards or conditions based upon the age of a manufactured home;

WHEREAS, under authority of the Constitution of the State of Georgia and O.C.G.A. § 36-66-1 *et seq.*, a city may establish standards, conditions, and an inspection program for pre-owned manufactured homes which are relocated; and

WHEREAS, promotion and maintenance of property values within the jurisdiction and the health and general welfare of the citizens of Bowman, Georgia are furthered when standards for the condition of structures, including pre-owned manufactured homes, are established and enforced.

NOW, THEREFORE, BE IT RESOLVED by the Bowman City Council that all manufactured homes relocated to or within the jurisdiction shall comply with the provisions of this ordinance.

**Section 1. Definitions.** The following words, terms, or phrases, when used in this ordinance, shall have the meanings ascribed to them in this Section.

- (a) *Applicant* means any person seeking to install a manufactured home in the City of Bowman, Georgia.
- (b) *Building Inspector* means the person appointed, employed, or otherwise designated as the director of planning, permits and inspections; the city building official or any of his or her assistants.
- (c) *Certificate of occupancy* means a document issued by the building inspector certifying that a pre-owned manufactured home is in compliance with applicable requirements set forth by this ordinance, and indicating it to be in a condition suitable for residential occupancy.
- (d) *Guarantee of Condition Bond* means a surety bond to guarantee that the affidavit and photographs required by paragraphs (1) and (2) of subsection (a) of Section 3 of this ordinance reasonably portray or represents the existing condition of the pre-owned manufactured home proposed for relocation. In lieu of the bond, a cash deposit may be deposited with the City.
- (e) *Install* means to construct a foundation system and to place or erect a manufactured home on such foundation system. Such term includes, without limitation, supporting, blocking,

leveling, securing, or anchoring such manufactured home and connecting multiple or expandable sections of such manufactured home.

(f) *Jurisdiction* means the incorporated areas of Bowman, Georgia.

(g) *Manufactured home* means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is at least 12 feet in width and 56 feet in length and containing 672 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or 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 which 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 of housing and urban development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, *et seq.*

(h) *Pre-owned manufactured home* means any manufactured home that has been previously used as a residential dwelling and has been titled.

**Section 2. Conditions.** All pre-owned manufactured homes located in the jurisdiction shall bear a label certifying it was constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, *et seq.* (the HUD Code) and shall be installed in accordance with O.C.G.A. § 8-2-160, *et seq.*

**Section 3. Permitting, Inspection, Certificate of Occupancy and Fees.** A permit shall be required to locate a pre-owned manufactured home in the jurisdiction. All permits shall be issued within 30 days of receipt of all items listed in subsections (a)(1)-(4) of this Section.

(a) Permit. To obtain a permit, Applicants shall provide to the building inspector:

(1) An affidavit signed by the applicant that the pre-owned manufactured home meets health and safety standards required by this Act;

(2) Photographs of the interior and exterior of the pre-owned manufactured home providing evidence that home meets the minimum health and safety standards of Section 4 of this ordinance;

(3) A \$100.00 refundable guarantee of condition bond or \$100.00 refundable cash deposit; and

(4) The permit and inspection fee required by subsection (d) of this Section.

(b) Inspection. Upon receipt of a permit, Applicants may relocate the manufactured home on a residential site for the purposes of inspection. Applicant shall arrange for an inspection to be held once the installation of the manufactured home is complete.

(c) Certificate of Occupancy. A certificate of occupancy shall be issued to the Applicant at such time that the building inspector certifies that the requirements of this ordinance have been met.

- (d) Fee. A permit and inspection fee of \$100.00 shall be charged to the applicant to cover the cost to the City to process the permit application and inspect the pre-owned manufactured home. Such fee shall cover the initial inspection and one followup inspection. The applicant shall be charged \$100.00 for each additional followup inspection that may be necessary.
- (e) Alternative Inspection. At the request of the Applicant, the building inspector may, at his or her discretion, inspect a pre-owned manufactured home prior to its being relocated. If the building inspector travels outside the jurisdiction for an inspection, an additional fee of \$100.00 shall apply.

**Section 4. Minimum Health and Safety Standards.** All preowned manufactured homes shall comply with the following before being issued a certificate of occupancy by the building inspector:

- (a) HUD Code. Every pre-owned manufactured home located in the jurisdiction shall be in compliance with the Federal Manufactured Housing Construction and Safety Standards Act, 42 U.S.C. 5401-5445 (the HUD Code) and shall not have been altered in such a way that the home no longer meets the HUD Code.
- (b) Properly Prepared Stand. The manufactured or mobile home shall be placed on properly prepared stand. The site shall have a grade that will allow water to drain away from the home stand, and all organic matter, debris, grass, grass sod and other foreign matters shall be removed where footings or pier foundations are to be installed. A written contractual agreement between the homeowner, the retailer, retail broker and/or installer shall determine which party is to perform the site preparation which shall include proper drainage of water away from the home. The existence of said contractual agreement shall not relieve the installer of the responsibility of set up on a properly prepared stand. Installations of manufactured or mobile homes shall not be performed on improperly prepared stands.
- (c) Interior Condition. Every floor, interior wall, and ceiling of a pre-owned manufactured home shall be in sound condition. Doors and windows shall be operable, watertight and in good working condition. The floor system shall be in sound condition and free of warping, holes, water damage, or deterioration.
- (d) Exterior Condition. The exterior of all pre-owned manufactured homes shall be free of loose or rotting boards or timbers and any other conditions that might admit rain or moisture to the interior portions of the walls or to occupied spaces. The exterior shall be free of rot, rust, and mildew. Roofs shall be structurally sound and have no obvious defects that might admit rain or cause moisture to collect on the interior portion of the home.

- (e) Skirting. All mobile homes shall be skirted with new, fireproof material such as metal or brick and shall be installed in accordance with the skirting manufacturer's instructions or Rule 120-3-7-.21(13)(d) of the Georgia Rules and Regulations of the Office of Commissioner of Insurance Safety Fire Division.
- (f) Stairs and landings. Stairs and landings shall be constructed in accordance with the provisions of the State Minimum Standard Building Codes.
- (g) Sanitary Facilities. Every plumbing fixture, water, and waste pipe of a pre-owned manufactured home shall be in a sanitary working condition when properly connected, and shall be free from leaks and obstructions. Each home shall contain a kitchen sink. Each bathroom shall contain a lavatory and water closet. At least one bathroom shall contain a tub and/or shower facilities. Each of these fixtures shall be checked upon being connected to ensure they are in good working condition.
- (h) Heating Systems. Heating shall be safe and in working condition. Un-vented heaters shall be prohibited.
- (i) Electrical Systems. Electrical systems (switches, receptacles, fixtures, etc.) shall be properly installed and wired and shall be in working condition. Distribution panels shall be in compliance with the approved listing, complete with required breakers, with all unused openings covered with solid covers approved and listed for that purpose. The home shall be subject to an electrical continuity test to assure that all metallic parts are properly bonded.
- (j) Hot Water Supply. Each home shall contain a water heater in safe and working condition.
- (k) Egress Windows. Each bedroom of a manufactured home shall have at least one operable window of sufficient size to allow egress if necessary.
- (l) Ventilation. The kitchen in the home shall have at least one operating window or other ventilation device.
- (m) Smoke Detectors. Each pre-owned manufactured home shall contain one operable battery-powered smoke detector in each bedroom and in the kitchen, which must be installed in accordance with the manufacturer's recommendations.

#### **Section 5. Enforcement.**

- (a) Permanent connection to utilities shall not be approved until the building inspector has issued a certificate of occupancy.



- (b) Owners of pre-owned manufactured homes that are not in compliance upon a third inspection shall have their permit revoked and shall be required to remove the home from the jurisdiction at their own expense.
- (c) The guarantee of condition bond or cash deposit will be forfeited after 90 days from the date of inspection, unless all conditions and standards are met prior to the end of the 90 days or an extension has been issued in writing by the building inspector.

**Section 6. New Manufactured Homes.** A permit shall be required to locate a new manufactured home within the jurisdiction. A permit fee of \$100.00 shall apply.

**Section 7. Camper Trailers.** Camper trailers shall be allowed only on a temporary basis. They shall operate only by generator power; connection to permanent power will not be allowed. Campers must have a self contained effluent storage tank (not a septic tank) for human waste in accordance with Health Department regulations. They must also have a current license plate.

**Section 8. Entry/Relocation Permit.** It is a violation of this ordinance for any mover, hauler, person, or other entity to move a mobile home into Bowman, Georgia or relocate an existing mobile home in Bowman, Georgia without the owner first obtaining all necessary permits from issuing authority.

**Section 9. Exit Permit.** It is a violation of this ordinance for any mover, hauler, person, or other entity to move a mobile home from Bowman, Georgia to another jurisdiction without the owner first obtaining a mobile home exit permit from the issuing authority. Exit permits carry a fee of \$5.00.

**Section 10. Transfer of Ownership Permit.** It is a violation of this ordinance for any person or legal entity to transfer the ownership and/or title of a mobile home presently located within Bowman, Georgia, but which is not being moved or relocated by virtue of the transfer of ownership/title, without first obtaining a permit from the issuing authority. Such permits carry a fee of \$50.00.

**Section 11. Additional Requirements.** All mobile home owners shall obtain an electrical permit from the issuing authority and obtain a sewage permit from the City of Bowman for each mobile home prior to being used as a residential unit.

**Section 12. Penalties.** Failure to remove a pre-owned manufactured home from the jurisdiction upon failure to receive a certificate of occupancy shall be punishable by a fine of \$1,000.00. Each day any violation under this ordinance continues shall be considered a separate offense.

**Section 13. Repealer.** All ordinances or parts of ordinances in conflict with this ordinance are repealed, except that nothing in this ordinance shall be construed to permit the location of manufactured homes in areas where they are not authorized by applicable zoning and land use regulations.

**Section 14. Severability.** Should any provision of this ordinance be rendered invalid by a court of law, the remaining provisions shall continue in force and effect until amended or repealed by action of the City Council

So resolved this 24<sup>th</sup> day of September, 2012.

**AUTHENTICATION:**

Read first time on August 27, 2012.

Adopted by Council on September 24, 2012.

  
\_\_\_\_\_  
**PAMELA JOHNSON, MAYOR**

  
\_\_\_\_\_  
**CONNIE RILEY, CITY CLERK**

**ORDINANCE NO. 2011 – 001**  
**OF THE CITY COUNCIL OF THE CITY OF BOWMAN**

ESTABLISHING FUND BALANCE DEFINITIONS.

WHEREAS, the City of Bowman code of ordinances does not provide for the definitions of certain fund balances.

WHEREAS, it is necessary for fiscal soundness of the City of Bowman for the various fund balances for the City be defined; and

WHEREAS, it is the desire of the Council of the City of Bowman to establish definitions for the various fund balances.

NOW, THEREFORE, be it resolved, that the Council of the City of Bowman establishes the following fund balance definitions, as follows:

10.0 Fund Balance Classifications

10.1.1 Nonspendable Fund Balance are amounts that cannot be spent because they are either (a) not in a spendable form such as inventories, prepaid amounts, or items held for resale or (b) legally or contractually required to be maintained intact.

10.1.2 Restricted Fund Balance are amounts restricted for a specific purpose when constraints placed on the use of resources are either, externally imposed by creditors or statute.

10.1.3 Committed Fund Balance are amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the City Council. These amounts cannot be used for any other purpose unless the specified use is changed by resolution adopted by the City Council. The City's fund balance at each year end is determined through the application of its accounting policies and considers restricted and unrestricted amounts to be spent when no expenditure is incurred for purposes for which both restricted and unrestricted amounts are available.

10.1.4 Assigned Fund Balances are amounts constrained by the government's intent to be used for a specific purpose and are neither restricted nor committed. By the authority vested in the City Council by the State of Georgia Constitution, only the City Council, or its designee may assign such amounts from time to time. The City's fund balance at each year-end is determined through the application of the accounting policies and considers restricted and unrestricted amounts to be spent when an expenditure is incurred for purposes for which both restricted and unrestricted amounts are available.

10.1.5 The City has not established a minimum fund balance policy other than that called for by Georgia statues. The City adopted a spending authorization policy whereby committed amounts would be reduced first, followed by assigned amounts, and the unassigned amounts, when expenditures are incurred for purposes for which amounts in any of these unrestricted fund balance classifications could be used.

**AUTHENTICATION:**

Read first time on July 25, 2011, 2011.

Adopted by Council on August 22, 2011, 2011.

  
\_\_\_\_\_  
PAMELA JOHNSON, MAYOR

Pat Winslett  
\_\_\_\_\_  
PAT WINSLETT, CITY CLERK

ORDINANCE APPROVING (A) EXECUTION AND DELIVERY OF  
AN AMENDMENT TO LEASE WITH THE  
MUNICIPAL GAS AUTHORITY OF GEORGIA AND  
(B) FOR OTHER PURPOSES

WHEREAS, Bowman, Georgia (the "City"), a municipal corporation of the State of Georgia, has determined that it is in the best interest of the City to lease from the Municipal Gas Authority of Georgia (the "Gas Authority") certain replacements of and additions, extensions and improvements to the City's gas distribution system; and

WHEREAS, in order to lease the Project from the Gas Authority and provide for its acquisition, construction and installation, the City has enter into a certain Lease, dated as of April 1, 2011 (the "Lease"), between the City and the Gas Authority, to finance the acquisition, construction and installation of certain additions, extensions and improvements to the City's gas distribution system (the "System") in locations more particularly set forth in Exhibit "A" to the Lease (the "Original Project"; capitalized terms used herein, but not defined, shall have the meaning set forth in the Lease); and

WHEREAS, the Authority and the City desire, upon the return of certain amounts from the Acquisition Fund to the Authority, to amend the Lease such that Phase II and III (as described in Exhibit A to the Lease) of the Original Project will no longer be part of the financing under the Lease and substitute a new schedule of Base Rentals reflecting the reduction in the amount financed under the Lease as amended;

THE COUNCIL OF THE CITY OF BOWMAN, GEORGIA HEREBY ORDAINS as follows:

Section 1. The Mayor, or Mayor Pro Tem, and the Clerk of the City be and are hereby authorized and directed to execute and deliver the Amendment to Lease, a form of which is attached hereto as Exhibit "A" and, by this reference thereto, incorporated herein as a part hereof. The Amendment to Lease shall be in substantially the form attached hereto as Exhibit "A," subject to such changes, insertions and omissions as may be approved by the Mayor, or Mayor Pro Tem, of the City. The rental payments for the Lease, as amended by the Amendment to Lease, of the Project from the Gas Authority by the City shall be as set forth in Schedule I to the Lease, as so amended, subject to adjustment as provided in the Lease, as so amended. The execution of the Amendment to Lease by the Mayor, or Mayor Pro Tem, as herein authorized shall be conclusive evidence of any such approval.


Section 2. All actions of the City, its officers and staff in connection with the execution, delivery and performance of the Amendment to Lease are hereby approved, ratified and confirmed. In order to carry out the transactions contemplated by the Lease, as amended by the Amendment to Lease, the Mayor, or Mayor Pro Tem, and the Clerk are hereby authorized and directed to execute and deliver any closing papers and certificates, or to take any other actions as may be necessary to effect performance of the Lease, as amended, consistent with the terms of this Ordinance.

Section 3. This Ordinance shall take effect immediately upon its adoption. Any and all ordinances, or parts of ordinances, or any prior proceedings in conflict with this Ordinance this day will be and are repealed, and this Ordinance shall be in full force and effect from and after this adoption, the welfare of the City requiring it.

SO ADOPTED and APPROVED by the Mayor and City Council this 19<sup>th</sup> day of Dec., 2011.

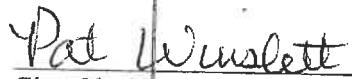
APPROVED:

BOWMAN, GEORGIA


By:   
Mayor

(SEAL)

ATTEST:

  
City Clerk

Approved as to Form:

  
City Attorney

First Reading Date: Dec. 15, 2011

Second Reading Date: Dec. 19, 2011

MINUTES  
City of Bowman  
Special/Called Meeting  
Friday, May 29, 2009  
1:30 PM

*Mayor Roberta Rice called the meeting to order at 1:30 PM.*

*Council Member Ben Rice offered the prayer.*

*Council Member Wilbert Williams and Attorney John Clark had other commitments and were not able to attend this meeting.*

*Mayor Roberta Rice swore Richard Pickren in as Code Enforcement Officer for the City of Bowman at the beginning of this meeting.*

*Mayor Rice advised Council, Lee Carmon had made the change in Section 1.07.004 **Penalties for Improper Installation**, and the proper wording "Elbert County State Court" was now in place.*

*Mayor Rice inquired as to whether or not there were any more changes the Council would like to make to the Manufactured Home Ordinance, or if everyone was satisfied with the final version. No one had any further changes/additions.*

*Therefore, on a motion made by Council Member Kevin Thompson and seconded by Council Member Gwen Bryant, the motion carried to approve and adopt the new Manufactured Home Ordinance for the City of Bowman, effective June 1, 2009.*

*Council Member Kevin Thompson made the motion to adjourn the meeting, seconded by Council Member Gwen Bryant, motion carried and the meeting was adjourned at 1:55 PM.*

Attest: Pat Winslett  
Pat Winslett, Bowman City Clerk

**CITY OF BOWMAN  
MANUFACTURED HOME REGULATIONS**

Northeast Georgia Regional Development Center  
Planning Department





# City of Bowman

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# Manufactured Home Regulations

## Chapter 1.01: General

### 1.01.001 Preamble

The MAYOR AND COUNCIL of the City of Bowman hereby declare it to be the purpose and intent of this regulation to establish uniform standards and procedures for siting and permitting of MANUFACTURED HOMES within the City of Bowman.

### 1.01.002 Legislative Authority

The MAYOR AND COUNCIL of Bowman, Georgia, under the authority of Article IX, Section 2, Paragraph 4 of the Constitution of the State of Georgia and Chapter 66, Title 36 of the Official Code of Georgia Annotated, and for the purpose of promoting the health, safety, morals, convenience, order, prosperity, or the general welfare of the city and designed to lessen congestion in the STREETS; to secure safety from fire, panic, and other dangers; to promote health and avoid overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other requirements, ordains and enacts into law the MANUFACTURED HOME Regulations for Bowman, Georgia.

### 1.01.003 Method of Regulation

The MAYOR AND COUNCIL of Bowman, Georgia, as authorized by the Constitution of the State of Georgia, adopts MANUFACTURED HOME regulations for the following purposes: to define certain words used therein; to regulate the density in distribution of population; to provide for the gradual elimination of NON-CONFORMING USES of land, buildings and STRUCTURES; to provide for the method of administration, amendment and enforcement; to provide for the imposition of penalties for violations; to repeal conflicting ordinances and resolutions; and for other purposes.

## Chapter 1.02: Words Definitions

### 1.02.001 Defining Words

Words used in the Ordinance have their normal dictionary meaning unless they are otherwise defined. All words specifically defined in §1.03 are represented in all capital letters.

### 1.02.002 Use of General Terms

#### A. Use of "shall" and "may"

1. "Shall" means mandatory. The word "shall" means that the directives or requirements are mandatory and may not be waived or modified. If used within the text, "will," and "must," also mean "shall."
2. "May" means permissive. The word "may" means that the directives or requirements are permissive and are imposed at the option of the decision-maker. "Can" and "should" also mean "may."

#### B. Use of "and" and "or"

1. "And" means that each item identified shall be required.
2. "Or" means any combination of one or more of the identified items may be required.

#### C. Definition sources for words not defined within the Ordinance

1. Development terms not defined within this Ordinance shall have the meaning contained within The New Illustrated Book of Development Definitions, by Moskowitz and Lindbloom, published by the Center for Urban Policy Research of Rutgers University, Piscataway, New Jersey.
2. Terms not defined in any cited sources shall have the meaning as established in the current edition of the Websters Unabridged Dictionary, published by Merriam-Webster, Inc.

## Chapter 1.03: Definitions

Except as otherwise provided herein, all words shall have their customary dictionary meaning. The present tense includes the future tense. The singular number includes the plural and the plural includes the singular. The word "person" includes a firm, corporation, association, organization, trust or partnership. The word "LOT" includes "tract," "plot" or "PARCEL". The word "BUILDING" includes "STRUCTURE". The word "used" or "occupied", as applied to any land or BUILDING, shall be construed to include the words "intended, arranged, or designed to be used or occupied". The word "used" shall be deemed also to include "designed", "intended", or "arranged to be used". The term "erected" shall be deemed also to include "constructed", "reconstructed", "altered", "placed", or "moved". The word "land use" and "use of land" shall be deemed also to include "BUILDING use" and "use of BUILDING". The word "adjacent" means "nearby" and not necessarily "contiguous".

**1.03.001 ACCESSORY BUILDING**

A subordinate BUILDING, the use of which is incidental to, and reasonably related to, a main BUILDING on the same LOT or to the primary use of the property. The ACCESSORY BUILDING shall be of a size and nature customarily incidental and subordinate to the PRINCIPAL BUILDING. A "detached" ACCESSORY BUILDING shall be one that does not have a common wall with the main BUILDING on the same LOT.

**1.03.002 APPLICANT**

Any person who applies for a zoning action and any attorney or other person representing or acting on behalf of a person who applies for a zoning action.

**1.03.003 BUILDING**

Any STRUCTURE, either permanent or temporary, for the support or shelter of any use or occupancy.

**1.03.004 BUILDING, PRINCIPAL**

A BUILDING in which the primary use of the LOT on which the BUILDING is located is conducted.

**1.03.005 CITY CLERK**

The individual appointed by the MAYOR AND COUNCIL to serve as CITY CLERK for the City of Bowman, Georgia.

**1.03.006 CODE ENFORCEMENT OFFICER**

The individual designated by the MAYOR AND COUNCIL to serve as the CODE ENFORCEMENT OFFICER for Bowman, Georgia.

**1.03.007 DWELLING**

A residential STRUCTURE that contains one (1) DWELLING unit designed for residential use that is surrounded by open space on the same LOT, which meets or exceeds the following standards:

- A. Minimum width in excess of sixteen (16) feet;
- B. Minimum of 1100 square feet of heated space;
- C. The roof has a minimum roof pitch greater than 4:12 and shall have a surface of wood shakes, asphalt composition, wood shingles, concrete, fiberglass, metal tiles, or slate.
- D. The roof overhang must be at least 1 foot when measured from the vertical side.
- E. The exterior siding materials shall consist of wood, masonry, concrete, stucco, or masonite.
- F. Be provided with permanent stairs (front and back entrance) and covered porch (front entrance only), constructed of pressure treated lumber or masonry sufficient to provide safe ingress and egress from the front exterior door of the unit. The covered porch shall meet Bowman's BUILDING codes; shall be a minimum size of 8' x 8'; shall be roofed with the same materials as the MANUFACTURED HOME; and, be underpinned with masonry construction or other materials manufactured for such purpose.

**1.03.008 FRONT YARD**

An open, unoccupied space on the same LOT with the PRINCIPAL USE, extending the full width of the LOT and situated between the right-of-way line and the BUILDING line projected to the side lines of the LOT. On corner lots, the FRONT YARD is considered parallel to the STREET upon which the LOT has its largest dimension.

**1.03.009 FULLY SHIELDED LIGHTING**

A lighting fixture constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal (straight down to the ground) as determined by photometric test or certified by the manufacturer. Any structural part of the light fixture providing this shielding must be permanently affixed.

**1.03.010 INSTALLATION PERMIT**

A permit required for the installation of any MANUFACTURED HOME.

**1.03.011 MANUFACTURED HOME**

A STRUCTURE defined by and constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 as amended, 42 U.S.C. §5401, et seq. The definition at the date of adoption of this part is as follows:

"MANUFACTURED HOME" means a STRUCTURE, transportable in one or more sections, which in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a DWELLING with or 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 which 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 and complies with the standards established under this title.

**1.03.012 MANUFACTURED HOME PARK**

A PARCEL of land under single ownership that has been planned and improved for the placement of manufactured housing for residential DWELLING purposes under a rental or lease agreement for the individual LOT spaces.

**1.03.013 MAYOR AND COUNCIL**

MAYOR AND COUNCIL of Bowman, Georgia

**1.03.014 NON-CONFORMING**

Any lawfully existing MANUFACTURED HOME which does not conform to these ordinances governing the type, bulk, location, height or size of buildings or STRUCTURES permitted in the district prior to the adoption of this ordinance but which is in full compliance with all applicable federal, state and local laws, rules and ordinances, and for which all required federal, state and local permits have been issued.

**1.03.015 OCCUPANCY PERMIT**

A permit issued by the CITY CLERK to establish that the property is suitable for habitation by meeting certain safety and health standards

**1.03.016 PRINCIPAL USE**

The primary purpose for which land or a BUILDING is used.

**1.03.017 PARCEL**

A tract or plot of land.

**1.03.018 REAR YARD**

A YARD extending across the full width of the LOT and lying between the rear LOT line and the nearest line of the BUILDING.

**1.03.019 RECREATIONAL VEHICLE**

A motorized vehicle, designed and/or maintained for use as a temporary DWELLING or sleeping place for travel or recreation purposes exclusively, having no foundation other than wheels or jacks.

**1.03.020 SETBACK**

The minimum horizontal distance between the LOT or property right-of-way line and the nearest front, side or rear line of the BUILDING, including terraces or any covered projections but excluding steps.

**1.03.021 YARD, SIDE**

A YARD lying between the side line of the LOT and the nearest line of the BUILDING and extending from the FRONT YARD to the REAR YARD, or in the absence of either of such front or REAR YARDS, to the front or rear LOT lines. SIDE YARD width shall be measured at right angles to side lines of the LOT.

**1.03.022 STREET**

A public or private thoroughfare which affords the principal means of ingress and egress to abutting property.

**1.03.023 STREET, PUBLIC**

A STREET that is titled by description or deed and vested in Bowman, Georgia.

**1.03.024 STRUCTURE**

Anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on the ground. STRUCTURES include, but are not limited to the following: site-built buildings, manufactured, mobile and modular homes, swimming pools, and signs.

**1.03.025 YARD**

An open space at grade between a BUILDING and the adjoining LOT lines, unoccupied and unobstructed by any portion of a STRUCTURE from the ground upward. In measuring a YARD for the purpose of determining the width of a SIDE YARD, the depth of a FRONT YARD, on the depth of a REAR YARD, the minimum horizontal distance between a LOT line and the main BUILDING shall be used.

**Chapter 1.04: Regulations Applying to All Manufactured Homes**

**1.04.001 Conformance with Ordinance**

No MANUFACTURED HOME shall be used or occupied and no MANUFACTURED HOME or part thereof shall be erected, extended, enlarged, moved, or altered except in conformity with this Ordinance.

**1.04.002 Lot Area and Lot Size**

Unless acquired for public use, no LOT shall be reduced in size so that it does not comply with this Ordinance.

**1.04.003 Reduction in Lot Size**

No LOT shall be reduced in size so that LOT width or depth, size of YARDS, density, or any other requirement of this Ordinance is not maintained. This limitation shall not apply when a portion of a LOT is acquired for the public purpose.

**1.04.004 Yards and Other Spaces**

No part of a YARD required in connection with any MANUFACTURED HOME for the purpose of complying with these regulations shall be included as part of the YARD required for another BUILDING or MANUFACTURED HOME, except as specifically provided herein.

**1.04.005 Only One Principal Building on a Lot**

Only one PRINCIPAL BUILDING and its customary ACCESSORY BUILDINGS shall be permitted on any LOT, unless otherwise specified.

**1.04.006 Street Frontage Requirement**

No MANUFACTURED HOME shall be erected on a LOT that does not abut for at least 100 feet upon a STREET which shall be either a PUBLIC STREET, a publically maintained STREET or an approved easement to a PUBLIC STREET. The point of measurements for this requirement shall be the STREET right-of-way line.

**1.04.007 Substandard Lots of Record**

A. Any LOT of record existing at the time of the adoption or amendment of these Regulations, may be used, subject to the following exceptions and modifications:

1. **Adjoining Lots.** When two or more adjoining lots of record with contiguous frontage are in one ownership at any time after the adoption or amendment of these Regulations and such lots, individually, have an area or width that is less than is required by these Regulations, then such contiguous lots shall be combined into a single LOT or several lots as necessary to meet the minimum LOT size required of this ordinance.
2. **Individual LOT Not Meeting Minimum LOT Size Requirements.** Any LOT of record existing at the time of adoption or amendment of these Regulations which has an area, width or depth less than

that required by these Regulations may be used as a BUILDING site for a MANUFACTURED HOME only where there is no adjoining LOT of record with contiguous frontage under the same ownership.

In the case of such a LOT, when it is not possible to provide the required SIDE YARDS and at the same time locate a MANUFACTURED HOME that complies with this Ordinance, the MAYOR AND COUNCIL is authorized to grant a VARIANCE reducing the SIDE YARDS for such LOT the minimum amount necessary, but in no case shall any SIDE YARD be less than 12 feet.

#### **1.04.008 Registration**

All MANUFACTURED HOMES must be registered with the Elbert County Tax Commissioner and approval of the septic system, if no public sewerage system is available, by the Elbert County Health Department must be obtained before an OCCUPANCY PERMIT can be issued.

### **Chapter 1.05: Non-conforming Uses**

#### **1.05.001 Non-conforming Manufactured Homes**

The elimination of existing MANUFACTURED HOMES that do not conform with this Ordinance is as much a subject of health, safety and general welfare as is the prevention of the establishment of new uses that would violate this Ordinance. It is also the intent of this Ordinance to administer the elimination of NON-CONFORMING MANUFACTURED HOMES so as to avoid any unreasonable invasion of established private property rights. It is the intent of these regulations to permit these NON-CONFORMING MANUFACTURED HOMES to continue until they are removed or cease, but not to encourage their survival, nor to allow them to be enlarged, extended, or expanded unless expressly allowed herein.

#### **1.05.002 Grandfathering**

A. Any MANUFACTURED HOME lawfully existing at the time of the enactment of this Ordinance and its amendments, but not in conformity with the Ordinance, may be continued subject to the following provisions.

1. Unsafe STRUCTURES

a. Any STRUCTURE or portion thereof declared unsafe by the CODE ENFORCEMENT OFFICER may be restored to a safe condition, provided the requirements of any applicable codes are met.

2. Alterations

a. Any change in a lawfully existing NON-CONFORMING MANUFACTURED HOME, BUILDING site or YARD area is subject to the following:

(1) No lawfully existing NON-CONFORMING MANUFACTURED HOME can be structurally altered, except repairs and maintenance, or installation of fixtures required by law, changing of interior partitions, or interior remodeling. Improvements on a lawfully existing NON-CONFORMING MANUFACTURED HOME shall not exceed 50 percent of the value of the BUILDING as reasonably determined by the CODE ENFORCEMENT OFFICER.

(2) No lawfully existing NON-CONFORMING MANUFACTURED HOME used for residential purposes can be substantially added to, moved, or extended in any manner unless such BUILDING or land is changed to conform with this Ordinance.

(3) If a lawfully existing NON-CONFORMING MANUFACTURED HOME is moved, all NON-CONFORMING YARD requirements, as defined in this Ordinance, must be eliminated.

#### **1.05.003 Restoration of Damaged Buildings**

Unless otherwise specified, a lawfully existing NON-CONFORMING MANUFACTURED HOME that is destroyed (damage equals or exceeds 50 percent of the STRUCTURE'S replacement value, as reasonably determined by the CODE ENFORCEMENT OFFICER) through no intent of the owner, may not be reconstructed or restored to the same NON-CONFORMING use. However, a lawfully existing NON-CONFORMING MANUFACTURED HOME that is non-conforming solely because of area and minimum YARD requirements may be replaced regardless of extent of damage.



## Chapter 1.06: Individual Manufactured Homes

### 1.06.001 Limitations

Individual MANUFACTURED HOMES shall comply with the following and other applicable sections of this ordinance.

- A. All MANUFACTURED HOMES shall meet the definition of "DWELLING."
- B. No MANUFACTURED HOME, is permitted to be moved to Bowman, Georgia for use as a residential DWELLING if it is more than ten (10) years of age.
- C. The attachment of a MANUFACTURED HOME to an existing MANUFACTURED HOME is permitted only if both units were engineered and manufactured for such attachment.
- D. A MANUFACTURED HOME may not be used as an ACCESSORY BUILDING.

## Chapter 1.07: Installation Requirements

### 1.07.001 Installation

- A. All MANUFACTURED HOMES, located to or moved within Bowman, Georgia, at or after the adoption of this ordinance shall be installed by a licensed installer as required by O.C.G.A. §8-2-164, and in accordance with the applicable manufacturer's installation instructions as required by O.C.G.A. § 8-2-165. In the absence of such instructions, installations shall be performed in accordance with the applicable rules and regulations adopted by the Georgia Safety Fire Commissioner. (See O.C.G.A. §8-2-160 et seq.)
- B. No MANUFACTURED HOME shall be located within thirty (30) feet of any permanent BUILDING.
- C. The MANUFACTURED HOME must have wheels and tow tongue removed and must be placed on and anchored to a permanent concrete foundation meeting the applicable Bowman BUILDING codes.
- D. The MANUFACTURED HOME must be skirted with either a plastered concrete foundation, decorative masonry, concrete block, or a continuation of the facing material of the MANUFACTURED HOME that completely encloses the undercarriage.
- E. A vapor barrier must be installed by the dealer or installer.
- F. The soil must be treated for termites.
- G. The unit must be connected to public water and/or sewerage, if available. If public sewerage is not available, a private septic system approved by the Elbert County Health Department must be installed prior to issuance of a Certificate of Occupancy.
- H. No MANUFACTURED HOME shall be allowed to be occupied in Bowman, Georgia, unless it bears an insignia issued by the United States Department of Housing and Urban Development.

### 1.07.002 Installation Permit Requirements

- A. It shall be unlawful for any person, firm or corporation to install or place on any LOT, tract or PARCEL within the City of Bowman without first obtaining an INSTALLATION PERMIT and otherwise complying with the terms of this ordinance and all applicable laws of the State of Georgia. A separate permit shall be required for each MANUFACTURED HOME installation.
- B. Applications for INSTALLATION PERMIT shall be filed with the CITY CLERK. The application shall be signed by the owner of the MANUFACTURED HOME or his agent, and if the MANUFACTURED HOME is to be placed outside a MANUFACTURED HOME PARK, the owner of the land on which the MANUFACTURED HOME is to be located. The application shall include the following:
  - 1. A description of the MANUFACTURED HOME by dimensions, manufacturer, and serial or identification number.
  - 2. The name and address of the person having title to the MANUFACTURED HOME.
  - 3. The date of manufacture of the MANUFACTURED HOME.
  - 4. The proposed location of the MANUFACTURED HOME by legal description, site plan, diagram or other means which is adequate to advise the CODE ENFORCEMENT OFFICER of the exact placement and the relationship to property lines or other STRUCTURES.
- C. Applications shall be reviewed by the CODE ENFORCEMENT OFFICER to verify compliance with this ordinance and other applicable laws and ordinances.
- D. The fee for each MANUFACTURED HOME INSTALLATION PERMIT shall be established by the city by resolution.

**1.07.003 Utilities**

- A. Electrical. Each MANUFACTURED HOME must have electrical service that is wired in accordance with the Georgia Electrical Code prior to issuing an OCCUPANCY PERMIT.
- B. Water. If a water main exists adjacent to the property on which the MANUFACTURED HOME is to be located, the MANUFACTURED HOME shall be connected to such main prior to issuing an OCCUPANCY PERMIT. If a water main is not available, the home shall be provided with water in conformance with the requirements of the Elbert County Health Department.
- C. Sewer. If a trunk line exists adjacent to the property of which the MANUFACTURED HOME is to be located, the MANUFACTURED HOME unit shall be connected to such line prior to issuing an OCCUPANCY PERMIT. If a trunk line is not available, the home shall be provided with an individual sewerage disposal system in conformance with the requirements of the Elbert County Health Department.

**1.07.004 Penalties for Improper Installation**

Failure by the owner of a MANUFACTURED HOME to have the MANUFACTURED HOME installed as required under this ordinance shall constitute a misdemeanor, punishable in the Elbert County Superior Court.

**1.07.005 Non-conformance**

Any MANUFACTURED HOME which does not meet the requirements in the above paragraphs shall be removed within thirty (30) days after receipt of notice from the CODE ENFORCEMENT OFFICER of its non-conformance.

**Chapter 1.08: Site Requirements****1.08.001 Individual Manufactured Home**

- A. Minimum LOT Size: 21,780 sq. ft. (½ acre) where public water and sewerage. If no public sewerage is available, minimum LOT size shall be determined by the Elbert County Health Department as necessary for individual septic systems.
- B. Minimum LOT Width: 100 feet
- C. Minimum YARD SETBACKS:
  - 1. MANUFACTURED HOME
    - a. Front: 20 feet from center line
    - b. Side: 30 feet from property line
    - c. Rear: 30 feet from property line
  - 2. Minimum Road Frontage: 100 feet
  - 3. Accessory STRUCTURE
    - a. Side: 15 feet
    - b. Rear: 15 feet
- D. LOT Coverage - No PRINCIPAL BUILDING and ACCESSORY BUILDING (outbuilding), together, shall cover more than sixty (60) percent of the LOT.
- E. Parking and Driveway - Off-street parking shall be provided for each individual MANUFACTURED HOME. The off-street parking shall be paved or gravel and shall be accessible from a paved or gravel driveway.
- F. MANUFACTURED HOME shall be oriented parallel to STREET.
- G. Landscaping Requirements
  - 1. A minimum of 2 trees shall be planted per LOT. Trees shall be a minimum of 10' tall, 1 3/4" caliper with a 4' spread.
  - 2. At least one of the required trees must be planted in the FRONT YARD.
  - 3. Permitted species are oak, maple, hickory, redbud, magnolia, birch, or cedar.
  - 4. It shall be the responsibility of the property owner to maintain the tree in a live condition for 3 years. If the tree dies, the property owner shall be responsible for planting a replacement tree.

**1.08.002 MANUFACTURED HOME PARK**

- A. Minimum Design Standards.
  - 1. MANUFACTURED HOME PARKS may be established and existing parks may be expanded, provided a detailed site plan is submitted to and approved by the MAYOR AND COUNCIL and all other requirements of this ordinance are met.
  - 2. Park Size: The size of the MANUFACTURED HOME PARK shall be no less than 87,120 sq. ft. (2 acres)

- and no greater than 217,800 sq. ft. (5 acres).
3. The minimum LOT space within in the park shall be 21,780 sq. ft. (½ acre).
  4. The minimum YARD SETBACKs for the entire park shall be:
    - a. Front: 60 feet from the road centerline.
    - b. Side: 30 feet from adjacent property lines
    - c. Rear: 30 feet from adjacent property lines
  5. MANUFACTURED HOMES shall be separated from each other and from other buildings and STRUCTURES by at least thirty (30) feet.
  6. All MANUFACTURED HOME sites shall abut upon an interior driveway with not less than a 30 foot right-of-way and have unobstructed access to a PUBLIC STREET or highway.
  7. All interior STREETS within the park shall be graded, drained, and based.
  8. Two (2) parking spaces shall be provided for each MANUFACTURED HOME LOT.
  9. The park STREET system shall be adequately maintained and lighted by the owner. The lighting units shall be so spaced and equipped to provide for the safe movement of pedestrians and vehicle traffic at night. Lighting shall be FULLY SHIELDED and at not less than 300 foot intervals installed not less than 18 feet above grade. The first light shall be placed one hundred (100) feet from the entrance to the park.
  10. Buffers.
    - a. A minimum buffer strip of at least twenty (20) feet in width shall be located adjacent to each exterior property line of the MANUFACTURED HOME PARK. The buffer strip shall not be included within any individual manufactured home lot. This buffer strip shall be increased to a total width of thirty (30) feet when the MANUFACTURED HOME PARK is located adjacent to a single-family residence.
    - b. The required buffer strip shall be planted in the setback area and shall consist of evergreen trees and/or shrubs which will normally obtain a height of eight (8) feet within five years. Maintenance of the buffer strip shall be the responsibility of the property owner. Trees or shrubs planted in the buffer area that die within three (3) years of installation shall be replaced by the property owner no later than the next spring or fall planting season but no later than twelve (12) months from notification by the CODE ENFORCEMENT OFFICER.
    - c. If the buffer area is naturally wooded, then it shall be left in its natural state. If not, the buffer area should be planted with trees to diffuse the sound, light transmission, and visual impact. The required planting in the setback area shall be planted in such a manner as to preserve the natural topography of the land and the natural growth. If the natural growth is too dense to allow for preferred growth, the natural growth shall be thinned. Under all circumstances, diseased, dangerous or decayed growth shall be removed.
    - d. Any grading, improvements or construction adjacent to the buffer shall be conducted far enough from the buffer area so as not to disturb or encroach upon said buffer area.
- B. Amenities.**
1. Developers of MANUFACTURED HOME PARKS are encouraged to provide one or more recreation areas for family activity. The size of the recreation areas, if provided, shall be based upon a minimum of 100 square feet for each MANUFACTURED HOME space. If recreation areas are provided, they should be located so as to be free of traffic hazards and should, when topography permits, be centrally located.
  2. In the event that a swimming pool is developed or planned as a part of the park, this facility shall be enclosed by a chain link, masonry or wood fence not less than four (4) feet high. The entire installation must meet Building Code requirements.
- C. Ground Maintenance.**
1. All park grounds should be maintained with grass, trees, and/or shrubs to enhance the appearance of the park and to prevent soil erosion or the creation of dust during the dry weather.
- D. Park management must maintain a register of all park residents. The register must be available to any authorized person inspecting the park.**
- E. Service Buildings. Accessory STRUCTURES and community service facilities are hereby permitted for the convenience and well-being of park residents. Such STRUCTURES may include, but are not limited to the following uses:**
1. Park management offices, repair shops, and storage.
  2. Community sanitary facilities.

3. Community laundry facilities.
  4. Indoor community recreation areas.
- F. Water Supply and Disposal.**
1. All MANUFACTURED HOMES must be connected to the public sewerage and public water system.
- G. Installation:**
1. The MANUFACTURED HOME shall be installed as required under §1.07 of this ordinance
  2. No MANUFACTURED HOME, ACCESSORY BUILDING, or other STRUCTURE shall be closer than thirty (30) feet to another MANUFACTURED HOME.
- H. Parking and Driveway.**
1. Primary access to the park shall be from a PUBLIC STREET. Primary access shall have a width of not less than thirty-six (36) feet, of which not less than thirty-two (32) shall be paved.
  2. Vehicular ways shall be paved with an asphaltic material or concrete, a minimum of thirty feet in width with on-street parking and a minimum of twenty feet in width with no on-street parking, and shall be minimally constructed with four inches of one and one-half minus base rock, two inches of three-fourths-inch minus topped with two inches of asphalt concrete. Vehicular ways shall be named and marked with signs which are similar in appearance to those used to identify PUBLIC STREETS, and a map of the vehicular ways shall be provided to the CITY CLERK.
  3. Walkways shall connect each MANUFACTURED HOME to its driveway. All walks must be concrete, well-drained, and not less than thirty-six inches in width.
  4. Driveways shall be asphalt or concrete, not less than four inches deep or two inches of asphalt on four inches of three-fourths-inch minus gravel. Driveways shall begin at a vehicular way and extend into the individual space in a manner to provide parking for at least two vehicles. Driveways shall not be directly connected to a city STREET.
  5. Parking space shall be a rectangle not less than eight (8) feet wide and twenty (20) feet long.
- I. The boundaries of each MANUFACTURED HOME space shall be clearly marked by a fence, landscaping or by permanent markers and all spaces shall be permanently numbered.**
- J. Landscaping Requirements.**
1. Landscaping and screening shall be provided in each MANUFACTURED HOME PARK and shall satisfy the following requirements:
    - a. All areas in a park not occupied by paved roadways or walkways, patios, pads, and other park facilities shall be landscaped.
    - b. Screen planting, masonry walls, or fencing shall be provided to screen objectionable views. Views to be screened include laundry drying YARDS, garbage and trash collection stations, and other similar uses.
    - c. It shall be the responsibility of the park management to see that the park landscaped areas and YARDS are well kept. Failure to do so shall be cause for revocation of the permit to operate the park after hearing as herein provided.
    - d. Each MANUFACTURED HOME site shall be serviced by municipal facilities such as water supply, sewers, concrete sidewalks, and improved STREETS.
    - e. There shall be no outdoor storage of furniture, tools, equipment, BUILDING materials, or supplies belonging to the occupants or management of the park. Storage of any materials or equipment must be in a designated enclosed BUILDING.
- K. Recreational Vehicle.**
1. A RECREATIONAL VEHICLE shall not remain overnight in a MANUFACTURED HOME PARK unless it is parked in a MANUFACTURED HOME space or in an area specifically designated for such use. No more than one RECREATIONAL VEHICLE will be parked at one time in a MANUFACTURED HOME space.
- L. Signs.**
1. One identification sign per street frontage not to exceed 4 feet by 6 feet (4' x 6') and maximum height from ground of five (5) feet shall be permitted for each entrance to the MANUFACTURED HOME PARK. If the sign is lighted, lights shall be non-reflective and shall not shine directly into any residence. Lights must be "spot" type lights, located in the ground, and must illuminate the sign only. No identification sign or sign STRUCTURE shall be placed upon any street or highway right-of-way.

## Chapter 1.09: Occupancy Permit

No MANUFACTURED HOME shall be occupied for any purpose without the owner first having applied for and received an OCCUPANCY PERMIT from the CITY CLERK and a fee, as determined by MAYOR AND COUNCIL, has been paid.

## Chapter 1.10: Temporary Use of Manufactured Homes

### 1.10.001 When Permitted

- A. Where the property owner desires to construct a DWELLING provided the following requirements are met:
  - 1. The MANUFACTURED HOME must be located on the same LOT or PARCEL as the DWELLING to be constructed, and
  - 2. The permit to allow temporary use of a MANUFACTURED HOME is not issued until after a INSTALLATION PERMIT for the DWELLING has been issued.
- B. Where, due to health circumstances, a hardship would occur if the APPLICANT was not permitted to locate a MANUFACTURED HOME adjacent to the residence of the one who is either providing care or is in need of care.
- C. As an office in a subdivision.
- D. By a contractor during construction or development.

### 1.10.002 Installation

- A. The installation of a MANUFACTURED HOME used temporarily shall be installed in accordance with §1.07 of this ordinance.

### 1.10.003 Permit Duration

- A. A Temporary Use Permit may be issued by the CITY CLERK, at the direction of the MAYOR AND COUNCIL for a period not to exceed one (1) year upon showing of good cause. The permit may be renewed by the CITY CLERK, at the direction of the MAYOR AND COUNCIL, for an additional one-year period upon a showing of good cause.

### 1.10.004 Permit Expiration

- A. Upon expiration of the Temporary Use Permit, the MANUFACTURED HOME and all appurtenances shall be removed from the property by the permit holder.

## Chapter 1.11: Code Enforcement

The CODE ENFORCEMENT OFFICER shall have the authority and responsibility to administer and enforce the provisions of this Ordinance. The CODE ENFORCEMENT OFFICER does not have the authority to take final action on applications or matters reserved for public hearings. The CODE ENFORCEMENT OFFICER is authorized to take the following actions to administer and enforce this ordinance including without limitation to make inspections, to issue permits, to reasonably interpret this ordinance following the spirit and intent thereof, to issue citations for violation of this ordinance, and to be heard in the Municipal Court. The CITY CLERK shall keep records of any and all permits, the Certificates of Occupancy issued, and all submitted subdivision plats, with notations of all special conditions involved. She/He shall file and safely keep copies of all sketches and plans submitted, and the same shall form a part of the records of the City and shall be made available as public records.

## Chapter 1.12: Variance

### 1.12.001 Criteria

- A. A VARIANCE to the provisions of these regulations shall be made upon application to the MAYOR AND COUNCIL where the MAYOR AND COUNCIL determines:
  - 1. The VARIANCE is required due to specific site conditions (property configuration, topography, soil conditions, etc.), which causes unnecessary hardship to the landowner;
  - 2. Granting the VARIANCE will not result in a hazard to public health or safety; and,

3. Granting the VARIANCE will not result in a grant of special privilege to the property owner (in other words, any other property owner with similar site conditions could obtain a similar VARIANCE).
4. Under no situation will a variance be granted on land less than ½ acre.

## **Chapter 1.13: Appeals**

### **1.13.001 Appeal from CODE ENFORCEMENT OFFICER.**

Any aggrieved party may appeal a decision under this ordinance of the Code Enforcement Office to the MAYOR AND COUNCIL within thirty (30) days of said decision.

### **1.13.002 Appeal from MAYOR AND COUNCIL**

Any aggrieved party may appeal a decision under this ordinance of the MAYOR AND COUNCIL to the Elbert County Superior Court within thirty (30) days of said decision.