

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG) ORDINANCE NUMBER 20220914-1
)
TOWN OF DUNCAN)

AN ORDINANCE TO AMEND CHAPTER 125, ARTICLE I GENERAL, SECTION 125-8 SUPPLEMENTARY REGULATIONS SECTION O MOBILE HOME STANDARDS, OF THE TOWN CODE TO READ SECTION O MANUFACTURED HOME STANDARDS AND MAKE ADDITIONAL AMENDMENTS AS IT RELATES TO MANUFACTURED HOME STANDARDS THAT MUST BE MET BEFORE ANY MANUFACTURED HOME IS ALLOWED TO BE SETUP INSIDE THE MUNICIPAL LIMITS; AND OTHER MATTERS RELATED THERETO.

WHEREAS, The Town of Duncan, South Carolina (the “Town”), a body politic and corporate and a municipal corporation and political subdivision of the State of South Carolina (the “State”), acting by and through its governing body, the Town Council of Duncan (the “Town Council”), has adopted multiple ordinances for the effective, efficient governance of the Town, which, subsequent to adoption, are codified in the Town of Duncan Code of Ordinances (the “Code of Ordinances”), as amended, from time to time; and

WHEREAS, the Town, acting by and through the Town Council, is authorized by Chapter 35 of Title 11, and specifically, but without limitation, Section 11-35-50 of Chapter 35 of Title 11 of the South Carolina Code, 1976, as amended (the “S.C. Code”), among other sources, to adopt and implement a procurement code and procedures for the Town, not inconsistent with the South Carolina procurement code, as set forth in the S.C. Code; and,

WHEREAS, it is the desire of the Mayor and Council of the Town of Duncan, S.C. to amend Chapter 125, Article I General, Section 125-8 Supplementary Regulations Section O Mobile Home Standards, and

WHEREAS, the amendment of this section of the code is needed to update the compliance standards required for Manufactured Homes to be in compliance before being setup within the municipal areas of the Town of Duncan, and

WHEREAS, the specific applicable Codes to be amended are listed as follows: Section 125-8 Manufactured Home Standards (formerly named Mobile Home Standards).

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF DUNCAN, SOUTH CAROLINA, DULY ASSEMBLED THAT:

1. The section of the Codes enumerated and listed above are hereby adopted by reference as though copied and included herein fully.

2. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed to the extent of the conflict or inconsistency.
3. This ordinance shall take effect immediately upon its adoption by the Mayor and Council of the Town of Duncan.

Sec. 125-8. - Supplementary regulations.

- (o) *Manufactured home standards.* All manufactured homes brought into the town or relocated within the town subsequent to the adoption of this chapter, whether placed in a mobile home park or on an individual parcel inside a Mobile Home subdivision, shall be required to be in compliance with each of the following requirements:
 - (1) No certificate of occupancy shall be issued for any manufactured home brought into the Town or relocated within the Town subsequent to the adoption of this chapter unless a certificate of zoning compliance shall have been issued by the zoning administrator, to certify that the manufactured home is in full compliance with this chapter and any ordinances adopted by the town to comply with the provisions of federal law for flood plain management.
 - (2) All manufactured homes subject to this chapter shall meet or exceed the construction standards promulgated by the National Manufactured Housing Construction and Safety Standards Act.
 - (a) The pitch of the roof must have a minimum vertical rise of Two and One Half (2.5) feet for every twelve (12) feet of horizontal run, and the roof must be finished with a type of shingle or metal that is commonly used in conventional residential site-built dwellings.
 - (b) The exterior siding shall consist of wood, hardboard, or vinyl comparable in composition, appearance and durability to the exterior siding commonly used in conventional residential site-built dwellings.
 - (c) Skirting or a curtain wall, unpierced except for required ventilation and access door, must be installed and maintained so that it encloses the area under manufactured multi-section homes and modular porches, decks, or other additions to ground level. The foundation skirting or curtain wall may be of brick, masonry, or vinyl or similar materials designed and manufactured for permanent outdoor installation. Materials used for skirting should be erected so as not to create a fire hazard and shall be maintained in a state of good repair. The skirting or curtain wall must be installed before a certificate of occupancy may be issued. An access opening of Eighteen (18) by Twenty-Four (24) inches shall be provided to under floor space.
 - (3) No Manufactured homes built before 1976 will be allowed to be brought into the town or relocated within the town limits.
 - (4) All Manufactured homes must be in compliance with the rules and regulations issued by Spartanburg County before being allowed to be brought into the town or relocated within the town limits. Refer to the Spartanburg County Mobile Home Setup and Permitting guidelines. All set backs shall meet the zoning requirements for the Town of Duncan.

ORDAINED in meeting, duly assembled, this ____ day of _____, 2023.

ATTEST:

Clerk, Town of Duncan

Mayor, Town of Duncan

First Reading: September 14, 2022

Second Reading: _____

Public Hearing: _____

As currently written

Sec. 125-8. - Supplementary regulations.

- (o) *Mobile home standards.* All mobile homes brought into the town or relocated within the town, whether placed in a mobile home park or on an individual parcel, shall be required to be in compliance with each of the following requirements:
 - (1) No certificate of occupancy shall be issued for any mobile home originally brought into the town or relocated within the town subsequent to the adoption of this chapter unless a certificate of zoning compliance shall have been issued by the zoning administrator, to certify that the mobile home is in full compliance with this chapter and any ordinances adopted by the town to comply with the provisions of federal law for flood plain management.
 - (2) All mobile homes subject to this chapter shall comply with the manufacturer's installation manual or the regulations established by S.C. Code 1976, § 40-29-5 et seq.