

STATE OF ALABAMA

COUNTY OF DEKALB

**TOWN OF SYLVANIA**  
**ORDINANCE NO. 03 - 2**  
**(MOBILE HOMES)**

**AN ORDINANCE FIXING AND ESTABLISHING THE MINIMUM LOT SIZE REQUIREMENTS, NUMBER OF MOBILE HOMES PER LOT, THE MINIMUM LOT FRONT AND BACK SET BACK REQUIREMENTS, THE MINIMUM END LINE REQUIREMENTS, PRE-EXISTING MOBILE HOMES, THE MINIMUM SANITARY AND SEWER REQUIREMENTS AND ESTABLISHING A \$10.00 INSPECTION FEE FOR PERMITS.**

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BE IT ORDAINED BY THE MAYOR AND THE TOWN COUNCIL OF THE TOWN OF SYLVANIA, ALABAMA, AS FOLLOWS:

Definition:

Mobile Home: A structure, transportable in one or more sections which when erected on site measures eight body feet or more in width and thirty-two body feet or more in length, 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. A mobile home can be new. A new mobile home is a mobile home which is still in the possession of the manufacturer, dealer or first purchaser of the mobile home.

Section 1. Lot requirements  $\frac{1}{2}$  acre: No person, corporation, partnership, business or person shall place a mobile home upon any lot within the town limits of Sylvania, Alabama, the corporate limits of Sylvania, Alabama, unless said lot is at least  $\frac{1}{2}$  acre in size. In no event shall there be more than one mobile home (single- wide or double-wide) erected on any one lot.

Section 2. 35 foot front and 25 foot back set back lines: There shall be at least 35 feet from the front of the mobile home to the front line of each lot containing a mobile home. There shall be at least 25 feet from the back of the mobile home to the back line of the lot containing the mobile home.

Section 3. 10 foot end lines: There shall be at least 10 feet from each end of the mobile home to the end lines of the lot containing the mobile home.

Section 4. Pre-existing Mobile Homes:

(a) Any mobile home (no more than one per lot) in existence within the town limits of Sylvania, Alabama, corporate limits of Sylvania, Alabama, on October

1, 2003, or its replacement as hereinafter authorized, which meets the requirements of this ordinance and the location and utilities have been approved by the DeKalb County Health Department in writing may continue to be used for a primary or principal residence until removed, abandoned, destroyed, or otherwise no longer occupied as a principal or primary residence, provided such use complies with the requirements of this zoning ordinance and all other applicable federal, state, and local laws, rules and regulations.

(i) The owner of record on October 1, 2003, herein after referred to as owner, of any such mobile home, may replace such mobile home with a similar mobile home where such mobile home is damaged, destroyed, or otherwise rendered uninhabitable by an event, act or occurrence beyond the control of the owner.

(ii) The owner of any such single-wide mobile home may, at the owner's discretion, replace such single mobile home with a double-wide mobile home, provided such replacement is for the sole purpose of increasing the principal or primary residential living space of the owner.

(iii) Any mobile home (no more than one per lot) in existence within the town limits of Sylvania, Alabama, corporate limits of Sylvania, Alabama, on October 1, 2003, which meets the requirements of this ordinance and which would otherwise qualify for continued use as a primary or principal residence as described above but whose location and utilities have not been approved by the DeKalb County Health Department in writing may continue to be used as a primary or principal residence for a period of forty-five (45) days beyond the effective date of this ordinance while the owner actively attempts to secure written approval of the location and utilities from the DeKalb County Health Department. Upon written approval of the location and utilities by the DeKalb County Health Department within the forty-five (45) day period, such mobile home may continue its use in accordance with the terms of this ordinance.

(b) Any owner of record of a permanent family dwelling subject to this zoning ordinance may, upon obtaining a special use permit from the Town of Sylvania, Alabama, temporarily locate and use a mobile home (no more than one per lot) at the site of such permanent family dwelling for a period of time for repair or replacement not to exceed one (1) year where such permanent family dwelling has been damaged, destroyed, or otherwise rendered uninhabitable, provided, however, the requirements of the ordinance are met and the location and utilities have been approved by the DeKalb County Health Department in writing prior to commencing the use thereof.

Section 5. Mobile Home Parks: Mobile home parks as approved and accepted by the DeKalb County Health Department shall be exempt from the operation and affect of this ordinance.

Section 6. \$25.00 inspection fee for permits: After a mobile home is placed on a lot, the

lot shall be checked at a fee of \$25.00, to insure that the requirements of this ordinance have been followed. If the inspection reveals compliance with the ordinance, a permit shall be issued stating such.

Section 7. Punishment for violation: Any person violating any provision of this ordinance shall be guilty of a misdemeanor and shall, upon correction thereof, be punished by a fine of not more than \$100.00, or may be imprisoned in the municipal jail to hard labor for the Town of Sylvania, Alabama for a period not exceeding ten (10) days, or by both such fine and imprisonment.

Section 8. Conflicting ordinances: All ordinances or parts of ordinance in conflict with this ordinance are hereby repealed to the extent of such conflict.

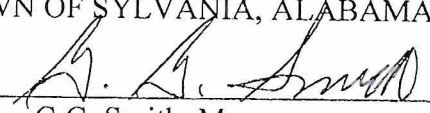
Section 9. Publication: This ordinance amends the zoning ordinance of the Town of Sylvania, Alabama and has been published in a newspaper of general circulation in the Town of Sylvania, Alabama and by posting in four public places within the Town of Sylvania, Alabama and after a public hearing thereon and after adoption by the Town Council of the Town of Sylvania, Alabama.

Section 10. When effective: This ordinance shall become effective immediately upon its passage, approval and publication as provided by law.


Section 11. Adopted and Approved by the Town Council of the Town of Sylvania, Alabama, this the 18<sup>th</sup> day of November, 2003.

TOWN OF SYLVANIA, ALABAMA

BY:

  
G.G. Smith, Mayor

Attested By:

  
Town Clerk



STATE OF ALABAMA \*  
COUNTY OF DEKALB \*  
TOWN OF SYLVANIA \*

ORDINANCE NUMBER 05-4

AMENDMENT TO ORDINANCE NO-03-02  
(MOBILE HOMES)

BE IT ORDAINED BY THE MAYOR AND THE TOWN COUNCIL OF SYLVANIA, ALABAMA AS FOLLOWS:

Section 1. Section 7 of Ordinance No. 03-02 is amended to read the following:

Punishment of violation: Any person violating any provision of this ordinance shall, upon conviction thereof be guilty of a Class C misdemeanor.

Section 2. Any part of the original Section 7 that is in conflict with this amendment is hereby repealed to the extent of such conflict.

Section 3. When effective: This amendment shall become effective immediately upon its passage, approval and publication as provided by law.

Section 4. Adopted and Approved by the Town Council of Sylvania, Alabama, this 5<sup>TH</sup> day of April, 2005.

TOWN OF SYLVANIA, ALABAMA

BY: Benny West  
BENNY WEST, MAYOR

Attested by:

Michael G. Hoff  
Town Clerk