

TOWNSHIP OF ELMWOOD

ORDINANCE NO. 152521

MOBILE HOME AND TRAILER COACH ORDINANCE

An Ordinance to protect the public health, safety and general welfare from the potential adverse effects from the use of mobile homes and trailer coaches as temporary dwelling units in the Township and to repeal any ordinances or parts of ordinances in conflict herewith and to provide for an effective date.

TOWNSHIP OF ELMWOOD ORDAINS:

SECTION 1. TITLE.

This Ordinance shall be known and cited as the Elmwood Township Mobile Home and Trailer Coach Ordinance.

SECTION 2. PURPOSE.

Elmwood Township recognizes the need to regulate temporary dwelling units to protect the health, safety and welfare of the public and to minimize adverse impacts on adjacent properties. However, the Township recognizes that, in certain limited circumstances and for a limited duration, temporary dwellings are appropriate and necessary. The purpose of this Ordinance is to protect the public health, safety and general welfare of the residents of the Township from the potential detrimental impacts from the temporary use of mobile homes and trailer coaches as dwelling units in the Township by enacting certain regulations and restrictions.

SECTION 3. DEFINITIONS.

Words used in the present tense include the future; words used in the singular include the plural; and words used in the plural number include the singular; and the word "shall" is mandatory and not merely directory.

For the purpose of this Ordinance, certain terms and words are defined as follows:

"Mobile Home" or "Trailer Coach" means any movable vehicular unit with or without motive power, designed to permit occupancy as a dwelling or sleeping place by one or more persons.

"Trailer Coach Park" means any tract, lot, site, parcel of land, or field arranged or designed to accommodate three or more trailer coaches or mobile homes for either transient, temporary or more or less permanent type of occupancy.

SECTION 4. GENERAL PROVISIONS.

From and after the effective date of this Ordinance, it shall be unlawful for any person to use, within the limits of Elmwood Township, any mobile home or trailer coach for dwelling purposes or any other purpose, except as provided and permitted by this Ordinance.

- A. The Township Board may permit, upon application, the use of a trailer coach or mobile home as a temporary dwelling for a period of one year when the occupant of said trailer coach is definitely engaged in the erection of a permanent dwelling on the same lot and when necessary and proper health, sanitation, plumbing and fresh water facilities are provided. If substantial progress has been made toward the completion of the permanent dwelling the Township Board may grant an extension of an additional period not exceeding one (1) year.
- B. A trailer coach that is used for traveling purposes (and by extension, temporary or transient dwelling) by one or more persons who are not residents of the principal dwelling unit is permitted, provided that (i) only one trailer coach shall be permitted on any tract, lot, site or parcel of land at any time; (ii) the parking or storage of the trailer coach complies with any and all applicable Township ordinances; (iii) the owners or occupants of the trailer coach use the toilets, bathing and laundry facilities of the principal dwelling unit located on the tract, lot, site or parcel of land where the trailer coach is parked or stored; and (iv) no trailer coach used for temporary or transient dwelling shall be located on any tract, lot, site or parcel of land for a period longer than thirty (30) days in one calendar year without a permit from the Township. The Township Board may extend this period at its discretion, provided application is made in writing to the Township Board.
- D. Mobile Homes and Trailer Coaches shall be permitted when located on a farm of forty (40) acres or more under a "Temporary Permit" for the occupancy of migratory farm workers. Said farm owner or Lessee shall first make written application through the Township Clerk, who shall issue a permit for one (1) or more mobile homes or trailer coaches. Mobile homes or trailer coaches permitted by this subsection (i) shall not be located less than two hundred (200) feet away from any public highway and/or boundary of adjoining property; and (ii) shall have adequate fresh water supply and sanitary facilities. A permit issued under this subsection shall be effective for a period of one (1) year.
- E. Mobile Homes and Trailer Coaches shall be permitted when located on a tract, lot, site, or parcel of land approved by the Township under a "Temporary Permit" for the occupancy of construction workers for a specific job. The Employer shall first make written application through the Township Clerk, giving all pertinent data, including description of land to be used and the number of mobile homes or trailer coaches to be used. Mobile homes or trailer coaches permitted by this subsection (i) shall not be located less than two hundred (200) feet away from any public highway and/or boundary of adjoining property; and (ii) shall have

adequate fresh water supply and sanitary facilities. A permit issued under this subsection shall be effective for a period not to exceed one (1) year. The Township Board may extend this period at its discretion, provided application is made in writing to the Township Board establishing good cause for the extension.

- F. A trailer coach shall be permitted to be openly parked on any tract, lot, site, parcel of land, or field, provided that (i) the trailer coach is not used for temporary or permanent dwelling; (ii) the trailer coach shall not be located closer than ten (10) feet to any side or rear property line or less than one hundred (100) feet away from any public highway; and (iii) any open parking or storage of a trailer coach is subject to any rule, restriction or ordinance governing the use of the tract, lot, site or parcel of land.

SECTION 5. REVOCATION OF PERMISSION.

It is hereby provided that should any one or more of the following conditions exist on any tract, lot, site, parcel of land, or field where a mobile home or trailer coach is permitted pursuant to this Ordinance, such permission granted by the Township may be immediately revoked by the Township by written notice to the owner of such tract, lot, site, parcel of land, or field:

- A. More than one mobile home or trailer coach is located on the same tract, lot, site, or parcel of land if not expressly permitted by the Township.
- B. An accessory structure, garage or storage shed is erected adjacent to or in close proximity of a mobile home or trailer coach;
- C. A mobile home is not connected to a fresh water supply and septic tank and drain field sewerage system.
- D. The yards surrounding a mobile home or trailer coach is ill kept and unsightly to the extent of being an eyesore or a nuisance.

SECTION 7. PERMIT REQUIRED.

Except as provided under Section 4.B of this Ordinance, establishment of trailer coach or mobile home for temporary or transient dwelling shall be by permit and under such safeguards and conditions as the Elmwood Township Board shall prescribe.

SECTION 8. VIOLATION - PENALTY.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with any of the provisions of this Ordinance shall be responsible for a municipal civil infraction. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 9. VALIDITY.

Should any section, clause or provision of this Ordinance be declared by any Court of competent jurisdiction to be invalid; the same shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 10. ENFORCEMENT.

Any Township official authorized to issue civil infractions citations and municipal civil infractions violation notices pursuant to the Elmwood Township Code of Ordinances is permitted to enforce the terms of this Ordinance.

SECTION 11 REPEALER CLAUSE

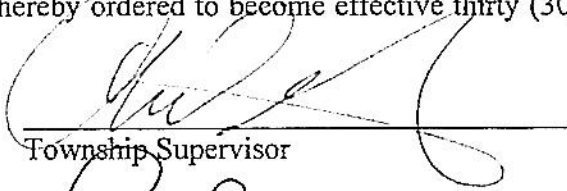
Any other ordinance or parts of ordinances in conflict herewith are hereby repealed but only to the extent necessary to give this Ordinance full force and effect.


SECTION 12 EFFECTIVE DATE

This Ordinance shall be effective thirty (30) days after publication or as otherwise required by law.

The Township Board, the Township Attorney, the County Health Officer, the Prosecuting Attorney of Livingston County, any owner or owners of real estate within the area or any other aggrieved person may institute injunction, mandamus, abatement or other appropriate proceedings to correct violations of this Ordinance.

The provisions of this Ordinance are hereby declared to be necessary for the preservation of the public health, safety and general welfare and are hereby ordered to become effective thirty (30) days after publication.


Township Supervisor


Township Clerk