

TITLE XV: LAND USAGE

Chapter

150. BUILDING REGULATIONS

151. MANUFACTURED HOMES

CHAPTER 150: BUILDING REGULATIONS

Section

150.01 State Building Code adopted by reference

150.02 State enforcement statutes adopted by reference

§ 150.01 STATE BUILDING CODE ADOPTED BY REFERENCE.

Pursuant to the authority granted under I.C. 22-13-2-3, the town hereby adopts by reference the State Building Code, contained in 675 I.A.C. 13-2.5-1 et seq., including any future amendments.

Statutory reference:

Authority to adopt future building code amendments by reference, see I.C. 22-13-2-3

§ 150.02 STATE ENFORCEMENT STATUTES ADOPTED BY REFERENCE.

(A) Pursuant to the authority granted under I.C. 36-7-9-3, the town hereby adopts by reference I.C. 36-7-9, pertaining to enforcement of building standards.

(B) The enforcement authority responsible for the administration of the statutes adopted under this section shall be the town executive or another executive department as may be established or designated by ordinance.

(C) For purposes of this section, ***SUBSTANTIAL PROPERTY INTEREST*** shall have the same meaning as set forth in I.C. 36-7-9-2.

CHAPTER 151: MANUFACTURED HOMES

See Amended Ordinance No. : 2023-

Section

151.01 Placement requirements

151.02 Establishing separate residences

151.99 Penalty

§ 151.01 PLACEMENT REQUIREMENTS.

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

MANUFACTURED HOME. Has the meaning set forth in I.C. 16-41-27-3.5, I.C. 22-12-1-16, I.C. 36-7-4-1106 and 42 U.S.C. § 5402, as follows: “‘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 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, the 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 chapter; and, except that, the term shall not include any self-propelled recreational vehicle.”

MOBILE HOME. A dwelling, including the equipment sold as a part of the dwelling, that:

- (a) Is factory assembled;
- (b) Is transportable;
- (c) Is intended for year-round occupancy;
- (d) Is designed for transportation on its own chassis; and

(e) Was manufactured before the effective date of the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. §§ 5401 et seq.).

Carbon - Land Usage

(B) It shall be unlawful for any person, firm or corporation to locate any mobile home or manufactured home on any lot within the town, except in a mobile home park, unless it falls under the exemption set forth below.

(C) (1) This section does not apply to manufactured homes constructed after 1-1-1981 and that exceed 23 feet in width and 950 square feet of occupied space which may be installed as a permanent residences on any lot on which any other type of dwelling unit may be placed.

(2) This section does not apply to any mobile home or manufactured homes presently in place on a lot in the town, so long as it is not moved to another location on the lot or another lot within the town.

(Ord. 2007-3, passed 11-5-2007) Penalty, see § 151.99

Statutory reference:

Related provisions, see I.C. 36-7-4-1106(d)

§ 151.02 ESTABLISHING SEPARATE RESIDENCES.

(A) For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

RESIDENCE. A house, house trailer or any structure used as a living quarters.

(B) A house trailer or mobile home placed on a lot within the town must be a new house trailer.

(C) It shall be unlawful for any person or persons to establish two separate residences on the same lot within the town corporation limits. A house trailer or mobile home placed on a lot within the town must be a new trailer and a bill of sale from the dealer must be shown.

(Ord. 1-1998, passed 2-2-1998) Penalty, see § 151.99

§ 151.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) A person who violates § 151.01 shall incur a penalty of \$100 per day, with each day the violation continues being a separate violation.

(C) Violation of § 151.02 shall be punishable by a fine of \$100. Each calendar day which a violation occurs shall be considered a separate offense, punishable by a separate fine.
(Ord. 1-1998, passed 2-2-1998; Ord. 2007-3, passed 11-5-2007)

ORDINANCE NO. 3 - 2017


**ORDINANCE AS TO GARAGE SALES, AND THE LIKE,
FOR THE TOWN OF CARBON, INDIANA**

GARAGE SALE is defined as a sale of various items of personal property by the owner or occupant of premises in the Town of Carbon, Indiana which contains items of tangible personal property which is advertised by any means whereby the public at large is or can be made aware of the sale. The definition includes yard sales, lawn sales, porch sales, patio sales, attic sales, rummage sales, flea markets, moving sales or any other such similar activity, for purposes of this Ordinance being generally referred to as a "garage sale"

- (1) It shall be unlawful for any person, association, organization, business, firm or corporation to conduct, or cause to be conducted a garage sale or any other such similar activity, at any one location for more than three days in duration, or on no more than four separate occasions in any 12-month period.
- (2) A garage sale shall only be conducted during the hours from sunrise to sunset.
- (3) All personal property exhibited outdoors during a garage sale shall be placed within a building or structure or otherwise removed from the premises immediately following the end of the garage sale.
- (4) Violation of this Ordinance shall be punishable by a civil fine of \$250 per day for each day beyond the allowed three-day period up to ten days, and \$500 per day for each additional day of violation thereafter.

ORDAINED AND ESTABLISHED THIS 5th DAY OF SEPTEMBER, 2017.


TOWN COUNCIL FOR THE TOWN OF CARBON, INDIANA:



Mike Bemis, President



James Hayes



Linda Archer

ORDINANCE NO. : 2023-

AN ORDINANCE PERTAINING TO MOBILE HOMES, MANUFACTURED HOMES AND OTHER RESIDENTIAL STRUCTURES IN THE TOWN OF CARBON, INDIANA

WHEREAS, the Town Council for Carbon, Indiana has determined that there should be restrictions upon the placement of mobile homes, certain manufactured homes and other residential structures within the corporate limits of the Town of Carbon, Indiana; and,

WHEREAS, the Town Council for Carbon, Indiana, has determined that such restrictions are necessary and prudent for the welfare of the people and property within the Town,

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of Carbon, Indiana, that:

1. As used in this Ordinance, "mobile home" means a dwelling, including the equipment sold as a part of the dwelling, that:

- (1) is factory assembled;
- (2) is transportable;
- (3) is intended for year-round occupancy;
- (4) is designed for transportation on its own chassis; and
- (5) was manufactured before the effective date of the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.).

2. As used in this Ordinance, "manufactured home" has the meaning set forth in I.C. 16-41-27-3.5, I.C. 22-12-1-16, I.C. 36-7-4-1106 and 42 U.S.C section 5402 as follows:

"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 forty body feet or more in length, or, when erected on site, is three hundred twenty 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 chapter; and except that such term shall not include any self-propelled recreational vehicle.

3. A. All manufactured homes of over 950 square feet and of a minimum 23 feet wide, placed within the Town of Carbon, must be new at the time of placement.
B. This Ordinance does not apply to any mobile home or manufactured home that existed on November 5, 2007, so long as it is not moved to another location on such lot or another lot within the Town of Carbon, Indiana.
4. Absolutely no single wide mobile homes or campers are allowed. Double wide modulars or stick built homes, built to code, with a block foundation and/or basement, that are no less than 950 square feet are allowed.
5. A person who violates this Ordinance shall incur a penalty of One Hundred Dollars (\$100.00) per day with each such day the violation continues being a separate violation.
6. Any provision in a prior Ordinance pertaining to a mobile home or manufactured home contrary to the provisions in this Ordinance is rescinded.

Adopted by the Town Council for Carbon, Indiana on the 5th
day of September, 2023.

Mike Bemis

James Hayes

Linda Archer

ATTEST:

Diana Fields
Clerk-Treasurer

C:\Users\ESomh\Documents\CARBON\Ordinance.MobileHomes.wpd