

**CHAPTER 11: PLANNING AND DEVELOPMENT**  
**SECTION 1: MOBILE HOME PERMIT**  
**(ORDINANCE 11/03/1998; AMENDED 04/03/2001)**

**A. DEFINITIONS**

1. *Mobile home* means a “mobile home” or “manufactured home” as such term is defined in the *OCGA § 8-2-131(3)*, including such mobile home which is permanently located on property owned by the owner of such mobile home or his or her spouse. “Mobile Home” or “Manufactured Home” as defined in *OCGA § 8-2-131(3)* 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 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. § 5401, et seq.*”

**B. PERMIT REQUIRED**

1. Before a permit shall be issued for the location or relocation of mobile or manufactured home within the limits of Wilkinson County, the applicant must first submit to the Tax Commissioner of Wilkinson County, Georgia, written proof that the Wilkinson County Board of Health has approved the individual water supply system and the individual sewage disposal system used or to be used in connection with said mobile home. This section shall not apply to renewal permits, provided there has been no relocation of the mobile home since the last permit was issued. Upon the establishment of a zoning office and/or building permitting office, all applicable requirements of these offices will be met and confirming written proof of compliance provided to the Tax Commissioner of Wilkinson County.
2. *Proof of compliance* with this section shall mean a written certificate issued by the Wilkinson County Board of Health inspector, or his agent, stating that the individual water supply system and sewage disposal system have both been approved by authorized officials of the health department. The certificate issued by the Health Department must contain a physical location and/or street address of the structure sufficient to enable the Tax Commissioner to verify the location of such structure and issue a permit. The street address must be listed according to the numbering system in effect at the time of the application.

## **C. RESTRICTIONS**

1. No person shall be granted approval to locate or relocate within the limits of Wilkinson County any mobile home constructed prior to June 15, 1976 unless and until responsible County Officials receive proper certifications from the Office of the State Fire Marshall that all applicable requirements of the *National Manufactured Home Construction Act of 1994, 42 U. S.C. 5401, et seq* have been met.
2. No person shall hereafter initially locate any mobile home or relocate any mobile home within the limits of Wilkinson County without a prominently displayed location permit affixed to the unit.
3. No person shall occupy any mobile home as a residence nor permit any other person to occupy the same as a residence unless a permit shall have been obtained and displayed as provided by this ordinance.
4. No owner or operator of a mobile home park shall permit any mobile home to be moved into the confines of such park for residential use unless the permit required by this ordinance shall have been obtained.
5. Every person, firm, partnership, corporation, or other entity owning or operating a mobile home park, and each such entity engaged in the sale or rental of mobile homes or lots upon which to place them, shall furnish the Tax Commissioner of Wilkinson County on January 1 of each year with a complete list of all mobile homes parked, rented or otherwise located upon the property of the entity or in a mobile home park operated by the entity.
6. No person, firm, corporation, utility, city or town supplying electricity, gas or water into, onto, or for the use of any mobile home shall provide utility service for such structure until the owner of same has obtained and is displaying a current year's permit as provided in this ordinance.
7. If any section, sub-section, paragraph, sentence or part thereof of this ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair other parts of this ordinance unless it clearly appears that such other parts are wholly and necessarily dependent upon the part or parts held to be invalid or unconstitutional, it being the intent in enacting this resolution that each section, subsection, paragraph, sentence or part thereof be enacted separately and independently of each other.

## **D. CITATIONS**

1. It shall be the duty of the designated agent so elected and appointed as such under *OCGA §15-10-63* to issue citations to owners failing to properly display mobile home permit decals. The citation will advise the owner, if known, or the occupant, if the owner is not known, of the nature of the violation and will provide the owner/occupant 15 days to

comply with the mobile home location permit requirements. The notice shall also describe the penalty under *OCGA § 48-5-493* for failure to properly display such decal.

**E. TITLE**

1. All permits applied for under this ordinance shall be upon such form as may be provided by the Tax Commissioner of Wilkinson County, Georgia. The Tax Commissioner shall be authorized to provide suitable decals to be issued in conformity with this ordinance.
2. The annual or renewal decal fee under this ordinance shall be based upon the tax assessed value of the structure, which shall be paid to the Tax Commissioner upon the submission of a permit application by the owner of such structure.
3. There shall be no charge for the initial permit issued to the owner of a mobile home for the relocation of such home into or within Wilkinson County and such permit shall be valid for thirty (30) days. Such temporary permit shall be valid only for transportation into Wilkinson County or the relocation of such mobile home within Wilkinson County. If such mobile home is brought into Wilkinson County from another county, the owner same shall present proof, in a form satisfactory to the Tax Commissioner, that ad valorem taxes have been paid for the previous year(s) for which the taxes are due. A paid tax receipt shall be sufficient proof. Upon presentation of satisfactory proof that such taxes have been paid, the owner shall be issued a decal valid for the then current year and the owner shall be assessed taxes in Wilkinson County for the next tax year.

**F. PENALITES FOR VIOLATIONS OF THIS CHAPTER**

1. Any person, firm, corporation, or other entity which does any act prohibited by this ordinance or fails to discharge any duty imposed hereby shall be subject to the imposition of a fine and/or confinement for such offense according to the following schedule:

| ACT OF COMMISSION/OMISSION  | PUNITIVE ACTION  |
|---|--|
| Failure to properly display permit (Violation is corrected within 15 days).   | \$25 fine  |
| Failure to properly display permit(Violation is not corrected within 15 days) | SUMMONS: Fine of \$25 to \$200, as determined by Magistrate Judge  |
| Moving mobile home which does not have the required decal displayed.          | SUMMONS: Fine of not less than \$200 nor more than \$1000 or imprisonment of up to 12 months, or both, as set by the Magistrate Judge. |

2. All violations listed above will be prosecuted in the Magistrate Court of Wilkinson County in the manner prescribed for the enforcement of County Ordinances. Applicable court costs will be payable in addition to imposed fines and other punitive action.

3. The Magistrate Court of Wilkinson County shall have jurisdiction for the disposition of offenses arising out of any violation of this ordinance. The owner or occupier of any mobile home who fails to obtain and display the current certificate shall also be subject to the injunction powers of any court having jurisdiction of the matter.

**G. REPEALER**

1. All ordinances or parts thereof in conflict herewith are hereby repealed.