

**ORDINANCE NO. 22-08-02**

AN ORDINANCE GOVERNING THE CONSTRUCTION, INSTALLATION, AND PLACEMENT OF MOBILE/MANUFACTURED HOUSING IN THE VILLAGE OF SHERWOOD, DEFIANCE COUNTY, OHIO. REPEALING ALL ORDINANCES AND ZONING AND PARTS THEREOF IN CONFLICT HERewith AND DECLARING THE SAME AN EMERGENCY.

*WHEREAS*, the Council of the Village of Sherwood, Defiance County, Ohio has deemed it necessary to repeal all prior Sherwood Village Ordinance, Resolutions or Zoning inconsistent herewith regarding the installation and placement in the Village of Sherwood of mobile homes, manufactured homes, campers and other recreational vehicles, or any homes requiring a trailer license or permit, and to adopt a new Ordinance regarding the same, and

*WHEREAS*, Council is satisfied that this ordinance is necessary for the immediate preservation of the public safety, health, peace, and welfare of the Village of Sherwood, Ohio and its citizens.

*NOW THEREFORE BE IT ORDAINED* by the Village Council fo the Village of Sherwood, Defiance County, State of Ohio as follows:

SECTION 1: It is the intent of this Ordinance to regulate, in the Village of Sherwood, the location of and to encourage, stabilize, and protect the development, installation, and placement of mobile homes, manufactured homes, homes requiring a trailer license or permit from the County Treasurer, and campers/motor homes recreational vehicles used in the Village for residential purposes for more than twenty (20) days in any six (6) month period, whether such homes or structures are located inside or outside of mobile/manufactured home parks. Unless clearly indicated otherwise, when used in this Ordinance, the terms "home to which this Ordinance applies" and "structure to which this Ordinance applies" includes any home or other structure referend in this section.

SECTION 2: No mobile home, manufactured home, other home to which this Ordinance applies, or other structure to which this Ordinance applies shall be permitted in the Village of Sherwood unless such home is made permanent as delineated in the following sections.

SECTION 3: The following requirements apply to the installation or placement in the Village of any mobile home, manufactured home, other home to which this Ordinance applies, or other structure to which this Ordinance applies.

- a. For any of the abovementioned homes/structures, a permit to install, construct, or place such home or structure shall be applied for to Village Council by the owner of the real property where the home/structure is sought to be placed and shall be issued prior to installation. A \$150 advance deposit is required prior to the issuance of said permit. The permit shall be valid for 90 days from issuance. There is no extension of this time, unless written authorization is received from Council, and the applicant assumes all risk related to any delays caused by weather or other conditions. A site plan shall accompany the application showing the location of the home on the lot in compliance with applicable

setbacks, hookups, and all other legal requirements. No variance from the site plan shall be permitted without prior written approval of Council.

- b. The home/structure being used as a residence shall consist of a minimum of 980 square feet of gross living area, which excludes front porches and garages. The residence must have a pitched roof. The residence shall be newer than twelve (12) years old when installed or placed, unless variance is granted by Council.
- c. All hitches, axles, wheels, tongues, and conveyance mechanisms shall be removed from the home/structure; the owner of the home/structure shall surrender the title to the County Auditor, and upon the Auditor's assessing the structure as a part of the real estate, the home will then be considered a permanent fixture (i.e. the home/structure has been made permanent for purposes of this Ordinance).
- d. The home/structure shall be installed, tied down, or affixed to a permanent foundation system with either a concrete slab or a concrete footer that provides adequate support of the structure's vertical and horizontal loads and transfers these and other imposed forces, without failure, from the structure to the undisturbed ground below the frost line, per State of Ohio Code. There shall be a minimum of two (2) runners under the structure. The concrete slab or footer shall be a minimum of twelve inches (12") deep with a minimum of size inches (6") of stone and six inches (6") of concrete comprising the twelve inches (12") of depth.
- e. Skirting must be soundly and permanently affixed to the bottom of the home/structure and to the top of the foundation upon which the home/structure sits.
- f. The home/structure shall be so oriented on the site that its long axis is parallel with the street unless the frontage doesn't permit, at which time it shall be placed perpendicular to the street and shall have an entranceway facing the street, except when perpendicular thereto or when diagonal placement is permitted by Variance from Council.
- g. The site of the home/structure shall comply with all applicable parking requirements.
- h. The site shall be served and connected to all available public utilities including water. Sewer, and gas, or if a certain public utility is unavailable, the site shall comply with all State, County, and Local laws, ordinances, resolutions, and any and all legal requirements and regulations for such utility type.

SECTION 4: The premises shall be subject to inspection by the Village, either by Council or zoning committee within 30 days after the expiration of the permit reference in Section 3 of this ordinance. If the requirements of this Ordinance are fully complied with at the time of inspection, \$75 of the \$150 deposit shall be returned to the applicant, with \$75 of the deposit being retained by the Village for the permit fee. If the requirements of this Ordinance are not met in a timely fashion, the \$150 deposit shall be forfeited in full and applicant and/or violator shall be subject to a fine of \$100 per day and the structure shall be removed forthwith.

SECTION 5: Installation or placement of a home to which this Ordinance applies or a structure to which this Ordinance applies without a permit shall subject the owner of the real property, the owner of the home/structure, and the installer of the home/structure to a fine of up to \$500 and the home shall be removed forthwith.

SECTION 6: This Ordinance shall apply to mobile homes, house trailers, manufactured homes, and any other home which first requires a trailer license or permit from the County Treasurer or any other county or state governmental entity prior to its installation or placement. This Ordinance shall also apply to campers, motor homes, or other recreational vehicles when such camper, motor home or recreational vehicles is used in the Village of Sherwood as a person's resident or dwelling for more than twenty (20) days in a six (6) month time period.

SECTION 7: In the event that any home to which this Ordinance applies or any other structure to which this Ordinance applies is situated, installed, or placed in the Village of Sherwood and is destroyed or damaged by fire, wind, accident, or other catastrophe or act of God, the owner and person who has control of said home/structure shall be permitted sixty (60) days from said incident to repair or remove the structure so as to bring the home/structure and property in compliance with all applicable Village Ordinances, Resolutions and laws.

SECTION 8: In the event that a person seeks a Variance of any of the terms of this Ordinance, such person shall file an application for variance with Village Council identifying the variance(s) sought. Village Council shall establish the form and procedure for requesting such variance.

SECTION 9: This Ordinance is hereby declared to be an emergency measure necessary for immediate preservation of the public safety, health, peace, and welfare of the Village of Sherwood, Ohio, and its citizens, and for the further reason that it will maintain and/or improve the existing health and sanitary conditions in the Village; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage.

VOTE ON THE EMERGENCY MEASURE      YEAS 6      NAYS 0

VOTE ON PASSAGE OF ORDINANCE      YEAS 6      NAYS 0

DATE OF PASSAGE August 17, 2022

Scott Rohrs  
President of Council

ATTEST  
Sherri Ramey  
Sherri Ramey, Administrator/Fiscal

Jack Stantz  
Jack Stantz, Mayor

