

An ordinance to establish standards of construction for all mobile homes used for residential or rental dwellings in Caldwell Township, Missaukee County, Michigan, and to have those standards for mobile homes be roughly equivalent to that of all other housing and rental units in the Township.

THE TOWNSHIP OF CALDWELL ORDAINS:

Section 1. Title of Ordinance:

This ordinance shall be known and may be cited as the Caldwell Township Mobile Home Construction Ordinance.

Section 2. Determination of Need:

The Caldwell Township Board of Trustees hereby determines that it is necessary for the best interest of the Township to have a standard of construction for all mobile homes in the Township used for residential or rental units which standard creates a level of construction for mobile homes roughly equivalent to that required of all other homes of other types of construction.

Section 3. Standard of Construction:

All mobile homes moved upon land in Caldwell Township and used for either residential or rental dwellings must be constructed using the standards established by the United States Housing and Urban Development Regulations effective June 15, 1976, as amended, and entitled "Mobile Home Construction and Safety Standards".

Section 4. Mobile Home:

A mobile home is a structure, transportable in one or more sections, which is built on a chassis and designed to be used as a dwelling with or without a permanent foundation.

Section 5. Inspection and Approval:

All mobile homes covered under this Ordinance must be inspected and approved by the Missaukee County Building Inspector or other building official, in the County, who has jurisdiction regarding building permits in Caldwell Township. In giving or denying approval, the building inspector or official shall use the above cited "Mobile Home Construction and Safety Standards" as a basis for his or her decision.

Section 6. Injunction:

No person, corporation, association, partnership, member or members of a partnership, or officer of a corporation or firm shall use or allow a mobile home to be used as either a residence or a rental dwelling without first complying with this Ordinance.

Section 7. Notice and Correction:

All violations of this Ordinance must be corrected within thirty (30) days following the date of issuance of a written notice to correct. If not corrected within that time, the Township Board may proceed with legal action, in any available court or legal jurisdiction, to institute injunction, abatement or any other appropriate action or proceedings to prevent, enjoin, abate or remove any unlawful use. The rights and remedies provided herein are cumulative and in addition to all other remedies provided by law.

Section 8. Criminal Penalties:

In addition to or in the alternative to the above corrective actions, any person, firm, partnership or corporation, or the officer or partner of such firm, partnership or corporation, who violates, neglects, omits or refuses to comply with the provisions of this Ordinance shall be fined not more than \$100.00 together with costs of the prosecution or by imprisonment in the county jail for not more than ninety (90) days, or both, at the discretion of the Court. To promote compliance with this Ordinance, each date that a violation occurs shall be deemed a separate offense.

Section 9. Prior Structures:

This Ordinance does not apply to mobile homes already placed upon land in Caldwell Township and in legal use as an occupied residence or rental dwelling, with the necessary building or other permits, prior to the effective date of this Ordinance.

Section 10. Validation and Enactment:

A. Validity

Should any article, section, or provision of this Ordinance be found unconstitutional or invalid by the courts, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so determined to be unconstitutional or invalid.

B. Enactment

This Ordinance is hereby declared necessary for the preservation of the peace, health, safety, and welfare of the inhabitants of Caldwell Township, Missaukee County, Michigan.

C. Effective Date

This Ordinance is enacted by the Caldwell Township Board on the 17th day of June, 1993, and shall take effect thirty (30) days after publication.

Passed and adopted by the Township of Caldwell on June 17th, 1993.

Motion by: Kay Don Russell

Supported by: Gordon Haver

Yeas: 5 Nays: 0

Daniel L. Mills  
Daniel Mills Supervisor

Nancy Wilson  
Nancy Wilson Clerk

Attached to Ordinance #1  
Nancy Wilson

11/29/93

Amended trailer ordinance.

No trailer, single or double wide, older than 1976  
shall be set or stored in Caldwell Township, Missaukee County,  
except those used explicitly for camping.