



ORDINANCE #2022-08

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Chapter 66 - Manufactured Homes, Mobile Homes, and Land Lease Communities – Section 66-3 Manufactured and mobile homes, be amended to read as follows:

Section 66-3 – Manufactured and mobile homes.

- (a) *Placement permit.* Every owner of a manufactured home shall apply for and obtain from the city planner or his/her authorized agent a placement permit for such manufactured home prior to placement of the home within the city. The owner of the manufactured home shall pay a fee for such permit as provided for in Appendix F—Fees and Fines. No certificate of occupancy shall be issued for a newly placed manufactured home that has not also been issued a placement permit.
- (b) *Inspection.* Prior to the issuance of a certificate of occupancy for any manufactured home, the home shall pass inspection by a city building inspector licensed as a manufactured home inspector by the state. The owner of the manufactured home shall cause a manufactured home installer licensed by the state to firmly attach the home to the ground by means of a permanent foundation or anchors and cause any open space beneath the unit to be skirted or enclosed with material approved by the building inspector.
- (c) *License.* The owner of any mobile home or manufactured home that is not placed on a permanent foundation shall obtain an annual license for it. The owner of the mobile home or manufactured home shall pay an annual fee for such license as provided for in Appendix F—Fees and Fines. Any Manufactured Home owned by the Community Owner or Assignee that is purchased or repossessed by the Community Owner or Assignee in the Community must be re-inspected for habitability before being sold or rented to any person to remain in the Community and no Certificate of Occupancy or license shall be approved unless inspected and certified by a city building inspector. This is the sole responsibility of the Community Owner or Assignee and if this subsection is not complied with, the Community Owner or Assignee shall be assessed fees and fines in accordance with Appendix F, each day the home is occupied without it being approved for resale or rental. If such manufactured home is newly moved into the city, the owner of the manufactured home shall obtain the license and shall pay the license fee within seven days of issuance of a certificate of occupancy for the home. Payment of the license fee shall be prorated on a quarterly basis for each fractional part of a year during which the manufactured home is in the city.
- (d) *Conditions for license.* No license for a new manufactured home shall be issued until the home has passed inspection and received a certificate of occupancy as required by this section.

- (e) *Moving within or out of city.* When the owner of a mobile home or manufactured home removes the home from its current site or lot, the owner shall obtain a demolition permit for the removal.
 - (f) *Use of city utilities.* Owners of all types of manufactured homes shall coordinate with city departments during the permitting and licensing process regarding the appropriate times to transfer responsibility for utilities and activate service.
 - (g) The owner of the home will have in their possession a Delaware Motor Vehicle Title. The Community owner or Assignee will have on file all Delaware Motor Vehicle Titles for rental homes owned by said community.
 - (h) In addition to City fines for violations, should the city uncover any fraudulent practices it must be reported to the Department of Justice for investigation.
- (Ord. No. 2018-01, 9-24-2018)

BE IT FURTHER ORDAINED:

That Appendix F - Fees and Fines, Chapter 66 - Manufactured Homes, Mobile Homes, and Land Lease Communities be amended by inserting the text indicated in bold, blue font and deleting the text indicated in red strikeout, as follows:

Chapter 66. Manufactured Homes, Mobile Homes, and Land Lease Communities	Fees and Fines
Sec. 66-3. Manufactured and mobile homes	
Subsec. (a) Required fee from homeowner	\$50.00 each one-time placement permit
Subsec. (c) Required fee from homeowner	\$45.00 each license annually
Subsec. (c) Violations; Penalties	Not less than \$100, nor more than 1,000 for each violation

ADOPTED: OCTOBER 24, 2022

SYNOPSIS

Community Owners repossess homes for several reasons including the failure to pay the lot rent, four late rent payments in a year, or other lease offenses. They also buy new homes, used homes, and a shell of a house with no requirement that the home buyer use licensed or competent labor to make the home habitable. The city cannot interfere with a homeowner selling to a prospective buyer. Manufactured Homes leave the factor with a unique registration number as do vehicles. Delaware requires each home to have a Title and sales and resales are handled as if the home was a vehicle. As indicated by Deputy Attorney Brian Eng, and evidenced at Kings Cliffe, homes are being sold without Titles transferred to the buyer, an illegal act.

The intent of this amendment is to ensure that any home sold by the community owner, or any re-seller of homes, including a Straw owner, from selling a home that would be a health or safety hazard for an

unsuspecting buyer.

(SPONSORS: NEIL AND ANDERSON)

Actions History:

September 27, 2022 – Introduced at Legislative, Finance, and Administration Committee

October 10, 2022 – First Reading at Regular Council Meeting

October 24, 2022 – Final Reading at Regular City Council