



PROPOSED ORDINANCE #2022-08

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

3
4 That Chapter 66 - Manufactured Homes, Mobile Homes, and Land Lease Communities – Section 66-3
5 Manufactured and mobile homes, be amended by inserting the text indicated in bold, blue font and
6 deleting the text indicated in red strikeout as follows:

7
8 **Section 66-3 – Manufactured and mobile homes.**
9

- 10 (a) *Placement permit.* Every owner of a manufactured home shall apply for and obtain from the city
11 planner or his/her authorized agent a placement permit for such manufactured home prior to
12 placement of the home within the city. The owner of the manufactured home shall pay a fee for
13 such permit as provided for in Appendix F—Fees and Fines. No certificate of occupancy shall be
14 issued for a newly placed manufactured home that has not also been issued a placement permit.
15
- 16 (b) *Inspection.* Prior to the issuance of a certificate of occupancy for any manufactured home, the
17 home shall pass inspection by a city building inspector licensed as a manufactured home inspector
18 by the state. The owner of the manufactured home shall cause a manufactured home installer
19 licensed by the state to firmly attach the home to the ground by means of a permanent foundation
20 or anchors, and cause any open space beneath the unit to be skirted or enclosed with material
21 approved by the building inspector.
22
- 23 (c) *License.* The owner of any mobile home or manufactured home that is not placed on a permanent
24 foundation shall obtain an annual license for it. The owner of the mobile home or manufactured
25 home shall pay an annual fee for such license as provided for in Appendix F—Fees and Fines.
26 **Any Manufactured Home owned by the Community Owner or Assignee that is purchased or**
27 **repossessed by the Community Owner or Assignee in the Community must be re-inspected**
28 **for habitability before being sold or rented to any person to remain in the Community and**
29 **no Certificate of Occupancy or license shall be approved unless inspected and certified by a**
30 **city building inspector. This is the sole responsibility of the Community Owner or Assignee**
31 **and if this subsection is not complied with, the Community Owner or Assignee shall be**
32 **assessed fees and fines in accordance with Appendix F, each day the home is occupied**
33 **without it being approved for resale or rental.** If such manufactured home is newly moved into
34 the city, the owner of the manufactured home shall obtain the license and shall pay the license fee
35 within seven days of issuance of a certificate of occupancy for the home. Payment of the license
36 fee shall be prorated on a quarterly basis for each fractional part of a year during which the
37 manufactured home is in the city.
38
- 39 (d) *Conditions for license.* No license for a new manufactured home shall be issued until the home has
40 passed inspection and received a certificate of occupancy as required by this section.

- 41
- 42 (e) *Moving within or out of city.* When the owner of a mobile home or manufactured home removes
- 43 the home from its current site or lot, the owner shall obtain a demolition permit for the removal.
- 44
- 45 (f) *Use of city utilities.* Owners of all types of manufactured homes shall coordinate with city
- 46 departments during the permitting and licensing process regarding the appropriate times to transfer
- 47 responsibility for utilities and activate service.
- 48
- 49 (g) **The owner of the home will have in their possession a Delaware Motor Vehicle Title. The**
- 50 **Community owner or Assignee will have on file all Delaware Motor Vehicle Titles for rental**
- 51 **homes owned by said community.**
- 52
- 53 (h) **In addition to City fines for violations, should the City uncover any fraudulent practices it**
- 54 **must be reported to the Department of Justice for investigation.**

55 (Ord. No. 2018-01, 9-24-2018)

56 **BE IT FURTHER ORDAINED:**

57 That Appendix F - Fees and Fines, Chapter 66 - Manufactured Homes, Mobile Homes, and Land

58 Lease Communities be amended by inserting the text indicated in bold, blue font and deleting the

59 text indicated in red strikethrough, as follows:

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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

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64 **ADOPTED: ***

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SYNOPSIS

69 Community Owners repossess homes for several reasons including the failure to pay the lot rent, four

70 late rent payments in a year, or other lease offenses. They also buy new homes, used homes, and a shell

71 of a house with no requirement that the home buyer use licensed or competent labor to make the home

72 habitable. The city cannot interfere with a homeowner selling to a prospective buyer. Manufactured

73 Homes leave the factor with a unique registration number as do vehicles. Delaware requires each home

74 to have a Title and sales and resales are handled as if the home was a vehicle. As indicated by Deputy

75 Attorney Brian Eng, and evidenced at Kings Cliffe, homes are being sold without Titles transferred to
76 the buyer, an illegal act.

77
78 The intent of this amendment is to ensure that any home sold by the community owner, or any re-seller
79 of homes, including a Straw owner, from selling a home that would be a health or safety hazard for an
80 unsuspecting buyer.

81
82 (SPONSORS: NEIL AND ANDERSON)

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85 Actions History:
86 September 27, 2022 – Introduced at Legislative, Finance, and Administration Committee

DRAFT