

Revised and Effective July 15, 2020

BEFORE THE RANKIN COUNTY, MISSISSIPPI, BOARD OF SUPERVISORS

AMENDMENT TO

**AN ORDINANCE PROHIBITING THE LOCATING, RELOCATING OR
ESTABLISHMENT OF OCCUPANCY IN ANY
MANUFACTURED/MOBILE/MODULAR HOUSING UNIT ANYWHERE IN RANKIN
COUNTY, MISSISSIPPI, WITHOUT ISSUANCE OF A PERMIT BY RANKIN COUNTY
AND ESTABLISHING PENALTIES FOR VIOLATION**

WHEREAS the Rankin County Board of Supervisors desires to address safe, clean and livable housing located in Rankin County, Mississippi, and realizing that manufactured/mobile/modular housing is an integral part of the housing supply in Rankin County, Mississippi; and

WHEREAS frequently residents of Rankin County, and more particularly sellers, retailers, lessors, transporters, installers and developers of manufactured/mobile/modular housing, locate or relocate manufactured/mobile/modular housing on property of Rankin County, Mississippi, without a permit having been issued by the County; and

WHEREAS, the locating or relocating of manufactured/mobile/modular housing on property of Rankin County often results in undue hardships on unsuspecting residents of Rankin County who may face the prospect of displacement, zoning violation penalties and delays in occupancy of the unit until a zoning hearing may be scheduled; and

WHEREAS, sellers, retailers, lessors, transporters, installers, and developers of manufactured/mobile/modular housing are fully aware of the permit requirements of Rankin County and are in a position to know or determine whether a permit has been issued for the locating, relocating or occupancy of a manufactured/mobile/modular housing unit prior to causing a unit to be located, relocated or occupied on property of Rankin County; and

WHEREAS it is important for the health, safety and welfare of the residents of Rankin County, Mississippi, that residents of Rankin County obtain, and sellers, retailers, lessors, installers, transporters and developers of manufactured/mobile/modular housing confirm, that a permit from Rankin County authorizing the locating, relocating or occupancy of a manufactured/mobile/modular housing unit on property in Rankin County, Mississippi, and that violators face penalties for violations of this Ordinance;

WHEREAS, on the 26th day of November, 2013, the Rankin County Board of Supervisors adopted the original version of this Ordinance which has remained in force and effect from said date until the date upon which this Amended Ordinance is adopted, and the Board of Supervisors having found that the amendments hereto are in the best interest of the health, welfare and safety of the citizens of Rankin County;

IT IS THEREFORE, RESOLVED AND ORDAINED by the Board of Supervisors of Rankin County, Mississippi, that the original Ordinance adopted November 26, 2013, shall be amended and replaced in its entirety with the following:

1. No Person, Firm or Corporation may locate, relocate or occupy a manufactured/mobile/modular housing unit on any property in Rankin County, Mississippi without a written permit authorizing the locating, relocating or occupancy of said manufactured/mobile/modular housing unit;
2. Any manufactured/mobile/modular housing unit located in Rankin County that is located, relocated or occupied without a written permit authorizing the locating, relocating or occupancy of the manufactured/mobile/modular housing unit shall immediately be vacated (if occupied) and shall immediately be removed from Rankin County, Mississippi, until such time as a written permit has been issued by Rankin County;

3. Any seller, retailer, lessor, installer, transporter, and/or developer of a manufactured/mobile/modular housing unit who locates or relocates a manufactured/mobile/modular housing unit onto property in Rankin County without a permit having been issued for the locating, relocating or occupancy thereof, shall, in addition to other penalties listed herein, be required to immediately remove said manufactured/mobile/modular housing unit from Rankin County at its sole and exclusive expense until such time as a valid written permit has been issued by Rankin County and then said seller, retailer, lessor, installer, transporter, and/or developer shall return the unit at its sole and exclusive expense upon request of the purchaser/resident after a permit has been issued by Rankin County;

IT IS FURTHER RESOLVED AND ORDAINED by the Board of Supervisors of Rankin County, Mississippi that the following penalties shall apply for violations of this Ordinance:

- A. This Ordinance shall be enforced by the Rankin County Office of Community Development;
- B. Violations of this Ordinance shall first be the subject of a written notice of violation issued from the Rankin County Office of Community Development, or the Board Attorney, to the owner, seller, retailer, lessor, installer, transporter, and/or developer which shall serve as establishment of the violation and shall afford an opportunity for the violator to comply with the permit requirement and other provisions hereof, including payment of the required fine of \$500 for the violation.
- C. In the event that the Office of Community Development is not satisfied that a violation or violations of this Ordinance will be satisfactorily resolved through a voluntary process, the Director of the Office of Community Development, or his/her designee, may make an affidavit sworn before an officer of the court and directed to the Rankin County Justice

Court for prosecution;

- D. Any person, corporation or business entity, and/or Retailer violating the provisions of this Ordinance shall, upon notice of the violation by the Office or Community Development or, upon conviction by a court of competent jurisdiction, shall be guilty of a misdemeanor and shall be fined in an amount of \$500.00. In addition to the monetary fine levied herein, a person found guilty of a violation of the provisions of this Ordinance by a court of competent jurisdiction may also be imprisoned for a period of not less than zero (0) days nor more than one hundred eighty (180) days.
- E. Any seller, retailer, lessor, installer, transporter, and/or developer of manufactured/mobile/modular housing units that violates this Ordinance a second time shall, in addition to the monetary fines/levies and potential jail time set out above, be foreclosed and estopped from locating any manufactured/mobile/modular housing unit within Rankin County without first appearing before the Rankin County Board of Supervisors at a public meeting thereof for the setting of conditions and requirements deemed appropriate at the discretion of the Board of Supervisors, including, but not limited to, the setting of an appropriate cash bond and other requirements of collateral that may be appropriate to secure compliance with this Ordinance. No permit shall be issued until such time as the Board of Supervisors has authorized the issuance thereof.
- F. For the purpose of this Ordinance, the term "Seller" as used herein shall include (in addition to retailers, lessors, transporters, installers, and/or developers) lending institutions and/or their agents or assigns that offer repossessed or otherwise recovered manufactured housing for sale to the public.

SO AMENDED and ADOPTED as an official ordinance of the Rankin County Board of Supervisors, this 15th day of July, 2020.

RANKIN COUNTY BOARD OF SUPERVISORS

BY: *J. Bishop*
PRESIDENT OF THE BOARD

ATTEST:

Larry Swales
CLERK
by: *A. Hood* DC



CLERK'S CERTIFICATE

The above and foregoing Ordinance was adopted upon the Motion of Supervisor Cross, said Motion was seconded by Supervisor Calhoun, with the following Supervisors voting in favor of the

Motion:

Bishop, Gaines

The following Supervisors voted in opposition to the Motion:

N/A

WITNESS my signature this the 15th day of July, 2020.

Larry Swales
CLERK
by: *A. Hood* DC

