

AN ORDINANCE TO AMEND ORDINANCE 99-2 APPROVING AND ADOPTING THAT CERTAIN ZONING DOCUMENTS AND TECHNICAL CODES KNOWN AS THE CHEROKEE VILLAGE ZONING CODE, ESTABLISHING PERMIT FEES AND PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Cherokee Village City Council that the Cherokee Village Ordinance establishing certain zoning documents and technical codes known as the Cherokee Village Zoning Code, establishing permit fees and penalties for violation thereof and for other purposes adopted by Ordinance 99-2 on February 15, 1999, be amended as follows:

**SECTION 1:**

Change Zoning Code SECTION 8 Districts R-1 Standard Single Family Residential District to provide regulations for installation of manufactured homes for the purpose of complying with Act 624 of 2003 by the state of Arkansas entitled "An Act to Provide for the Availability of Affordable Housing within the Municipalities of Arkansas," effective October 1, 2003.

**B. HEIGHT AND AREA REGULATIONS - Add:**

7. MINIMUM DIMENSION: All units constructed in or set up in this district, whether by new construction, addition to an existing unit, placement of a multi-section or one single section manufactured home, shall have a minimum width on each side of at least 16 feet.

Add:

**D. STRUCTURAL REQUIREMENTS**

- 1) UNDERPINNING: All units constructed or set up in this district with a crawl space shall have continuous masonry underpinning around said crawl space.
- 2) ROOF/ROOF PITCH. All units constructed or set up in this district shall have shingle roofs unless specifically approved by the Planning & Zoning Commission and the roof pitch shall be as follows:
  - a) Single section manufactured home must have at least a 3/12 pitch roof.
  - b) All other homes must have a 4/12 pitch or greater roof.
- 3) FOUNDATION: All units constructed or set up in this district shall have foundation systems that meet the city's building code and, in the case of manufactured housing, be anchored in accordance with the manufacturer's instructions or the regulations of the Arkansas Manufactured Home Commission.
- 4) SIDING: Siding materials shall be comparable with conventional built homes, such as vinyl, wood, or other material as approved by the Planning & Zoning Commission.
- 5) TOWING ACCESSORIES: All towing mechanisms (towing bar, axels, wheels) shall be removed prior to installation.
- 6) UNITS: All units moved into this district from off site shall be new and under warranty or inspected by the city's building inspector prior to being moved on site to ensure compliance with the following standards:

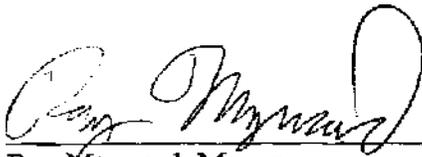
- a) All roofing material shall be secure without gaps or damaged shingles.
- b) All windows shall be operative without broken panes or damaged trim or screening.
- c) All exterior siding shall be in place and undamaged. No dented, torn, burned, loose, or mildewed siding shall be allowed.
- d) All kitchen and bathroom facilities shall be fully operational and all mechanical equipment shall be in good working order.
- e) Any attached gutters shall be secure and functional.
- f) All cornice materials shall be in place and undamaged.
- g) Paint shall be uniform and unblemished.
- h) Doors shall be plumb and fully operational. No damaged screening or door fixtures shall be allowed.
- i) All flooring shall be structurally undamaged, and secure. Holes in the flooring, or flooring that is missing, dented, broken, or in a state of damage or decay will not be allowed.

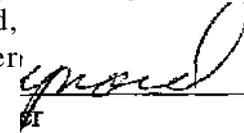
**SECTION 2:** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance, which can be given, effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

**SECTION 3:** IT IS, THEREFORE, declared that an emergency exists and this ordinance being necessary for the preservation of the public peace, health and safety shall take effect and be in force immediately from and after its passage.

PASSED AND APPROVED BY THE CHEROKEE VILLAGE CITY COUNCIL.

DATED: October 9, 2003

APPROVED:   
 \_\_\_\_\_  
 Ray Maynard, Mayor

Susan E. Maynard,  
 Clerk/Treasurer   
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ATTEST: \_\_\_\_\_