

AN ORDINANCE PROHIBITING THE LOCATION OF OCCUPIED HOUSE TRAILERS OR MOBILE HOMES IN CERTAIN RESIDENTIAL AREAS OF THE CITY OF GLENVILLE; PROVIDING FOR MEANS OF ENFORCEMENT AND FURTHER PROVIDING FOR PENALTIES FOR ITS VIOLATION; REPEAL OF INCONSISTENT ORDINANCES AND ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, it is deemed necessary by the Common Council of the City of Glenville, in order to protect the health, welfare and safety of the citizens of the City of Glenville, to prohibit the location of occupied house trailers or mobile homes in certain residential areas of the City of Glenville; and,

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GLENVILLE, THAT:

FIRST: The Common Council of the City of Glenville makes the following findings of fact:

- (A) numerous house trailers or mobile homes have been located in various areas of the City of Glenville in recent years without adequate regard and consideration for planning for traffic, parking, health and the general welfare of the citizens of Glenville;
- (B) the location and occupancy of said house trailers and mobile homes have created and are creating serious traffic and health problems and endangering the general welfare of the citizens of Glenville;
- (C) it is therefore necessary, in order to protect the public welfare, health and safety of the citizens of the City of Glenville, to prohibit the further location and occupancy of house trailers and mobile homes in certain residential areas of the City of Glenville;
- (D) the Common Council of the City of Glenville has the authority to enact this ordinance under the provisions of Chapter 8, Article 12, Section 5 (30) of the Code of West Virginia, the Charter of the City of Glenville and other statutes and laws of the State of West Virginia.

SECOND: Definitions as used in this ordinance are:

- (A) house trailers or mobile homes mean any vehicle or similar portable structure, having no foundation other than wheels, jacks or skirting, or any vehicle or similar portable structure which originally had no foundation other than wheels, jacks or skirting and which ha been mounted on block

or other foundations, or is otherwise situate and located within the corporate limits of the City of Glenville, and which is so designated or constructed so as to permit occupancy for dwelling or sleeping purposes.

- (B) residential area means any block or area in the City of Glenville which has fifty (50) per cent, or more, of its buildings occupied and used for residential or dwelling purposes, or any vacant land which has been platted or laid off for residential sub-division purposes, or which adjoins a residential area.
- (C) person means any natural individual, firm, trust, partnership, co-partnership, association, group or corporation.

THIRD: It shall be unlawful hereafter for any person to place or locate any house trailer or mobile home in any residential area of the City of Glenville.

FOURTH: The location and occupancy of house trailers or mobile homes in non-residential and therefore non-prohibited areas of the City of Glenville shall be in accordance with the provisions of any ordinance of the City of Glenville, now in existence or hereinafter enacted, regulating trailer or mobile home parks, and, in no event, shall any house trailer or mobile home be placed on a lot containing less than five thousand square feet (5,000 sq. ft.) for each house trailer or mobile home and not having available city sewerage and water facilities.

FIFTH: The prohibition against locating house trailers or mobile homes in residential areas of the City of Glenville, as herein contained, shall not effect any house trailer or mobile home which is located upon any lot or other area in the City of Glenville on the effective date of this ordinance; provided, however, this provision notwithstanding, that no person shall hereafter locate or place any additional house trailers or mobile homes on any lot or other location being used for house trailers or mobile homes after the effective date of this ordinance in any prohibited residential areas of the City of Glenville, and further provided that the owner of any house trailer or mobile home which is located upon any lot or other area in the City of Glenville on the effective date of this ordinance may replace said house trailer or mobile home with another house trailer or mobile home at any time in accordance with the provisions of the existing ordinance requiring permission of the City of Glenville therefor.

SIXTH: Notwithstanding any other provision of this ordinance, one (1) house trailer or mobile home may be placed upon any lot or other area of land

containing residential (75%) percent each three said

at least five thousand square feet (5,000 sq. ft.) and not situate in a area as hereinbefore defined, providing that at least seventy-five of the owners of each and every residential house, having one (1) vote for and every house owned and used for dwelling purposes, situated within hundred feet (300 ft.) of the boundary line of the lot or area of land in any direction, shall consent, in writing, prior to the location and placement of house trailer and/or mobile home,

and providing that said written consent is filed with the Common Council of the City of Glenville, and a permit for the location of said house trailer or mobile home is granted by the Common Council of the City of Glenville.

SEVENTH: Department and this

The City Recorder, assisted by the Chief of Police and the Police of the City of Glenville, shall compile a map showing thereon the location ownership of all house trailers or mobile homes on the effective date of ordinance.

EIGHTH: plumbing or

In order to aid the enforcement of this ordinance, no building, wiring, or other required permits shall be hereafter be granted for any house trailer mobile home which is located, or attempted to be located, on any lot or other area in violation of the provisions of this ordinance and no connections to or with the water system of the City of Glenville for said house trailer or mobile home shall be permitted.

NINTH:

Any person violating any provision of this ordinance shall be fined not more than One Hundred Dollars (\$100.00), or imprisoned in the City Jail, or Gilmer County Jail for a term, not exceeding thirty (30) days, or both, and a further fine of Ten Dollars (\$10.00), shall be imposed for every twenty-four hour period such violation is suffered to remain.

TENTH: require violation

The City of Glenville may enforce the provisions of this ordinance and The removal of any house trailer or mobile home located on any lot in

of this ordinance by injunction proceeding in the Circuit Court of Gilmer County, West Virginia.

ELEVENTH: It is the intent of the Common Council of the City of Glenville that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the Common Council of the City of Glenville that if any provision of this ordinance be declared to be invalid all other provisions therein shall remain valid and in full force and effect, and enforceable.

TWELFTH: All ordinances, or parts of ordinances, in conflict herewith, or inconsistent herewith, are hereby repealed to that extent and no further.

THIRTEEN: This ordinance shall be in effect immediately upon final passage by the Common Council of the City of Glenville.

CERTIFICATE OF ENACTMENT

I, Delbert L. Davidson, Mayor, do hereby certify that the foregoing ordinance was lawfully ordained and the final reading was held at the regular session assembled on June 15, 1976, and said ordinance was enacted by the Council of the City of Glenville and said ordinance shall be in immediate force and effect as of June 15, 1976.

Delbert L. Davidson
Mayor

ATTEST:

Edna White, Recorder