

ORDINANCE NO. 2-2025

**AN ORDINANCE ENACTING CHAPTER 32 OF THE
CODE OF ORDINANCES FOR THE TOWN OF FORDOCHE,
LOUISIANA PROVIDING FOR THE REGULATION OF MOBILE
HOMES AND OTHERWISE PROVIDING WITH RESPECT THERETO**

BE IT ORDAINED by the Town Council of the Town of Fordoche, Louisiana, in regular session convened, that Chapter 32 of the Code of Ordinances of the Town of Fordoche, Louisiana is hereby enacted to read as follows:

Sec 32 – 1 – Mobile Home Minimum Requirements

- 1) No mobile home shall be placed upon a tract of land in the town for use for residential purposes without being issued a permit from the Town of Fordoche.
- 2) The application for a permit to place a mobile home outside of a mobile home park must include a site plan showing the location of the proposed mobile home on the designated tract:
 - a) The mobile home shall be subject to a setback of not less than eight (8) feet on either side and twenty-five (25) feet from the front and rear to the property line; and
 - b) No portion of the mobile home structure shall be less than fifteen (15) feet from any other structure on the tract;
 - c) The mobile home cannot be connected to a sewer system that is being used by another residence unless it is the proper size to accommodate the volume of sewerage. The approval would have to be obtained from the Department of Health and Sanitation via an inspection. The inspector will have to produce a document attesting the approval and the document submitted to the town prior to a town building permit issuance.
- 3) The mobile home shall be deemed safe and habitable by the parish/town building inspector.
- 4) Mobile home shall have been issued a certificate from the Louisiana Health Unit evidencing compliance with the laws with regard to sewerage, including but not limited to property connection.
- 5) The proposed site shall have been issued a base flood elevation certificate.
- 6) The site shall have been issued a 911 address.
- 7) The mobile home shall have been issued an electrical permit.
- 8) The above steps must be complete prior to a building permit being issued by the town.
- 9) In the event that a mobile home does not meet the requirements of this section, the town is authorized to issue a notice to the property owner, at the address provided in the records of the Pointe Coupee Assessor, to cease using the mobile home for residential purposes.
- 10) Failure to comply with a notice to cease as provided for in this section, shall subject the property owner to a fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) for each day of non-compliance, with each day being considered a violation of this section.
- 11) Any mobile home being used for residential purposes on or before January 14, 2025 shall be exempt from the provisions of this section; however, such exemption shall cease if the mobile home is not used for residential purposes, including having a connection to electricity, for a period of thirty (30) or more consecutive days or if the mobile home is replaced.
- 12) The skirting enclosure from the bottom of the mobile home to the ground enclosing the entire perimeter of the mobile home shall be made of vinyl mobile home skirting or other siding product that prevents passage of rodents/vermin.
- 13) For the safety of police, firefighters and first responders, each mobile home shall have structurally sound steps and handrails leading up to any and all entrances and exits.
- 14) Mobile homes shall not be allowed to be utilized for commercial business, as an extension of a commercial business, or as a storage structure for a commercial business, unless separately proposed and meeting all herein stated requirements of the parish and the town.
- 15) Only one mobile home shall be allowed on individual lots, a minimum size as required by the health department for sewage system, unless family circumstances can be shown to ease a temporary burden of housing for related families up to one year, as long as said mobile home(s) meet all other parish and town mobile home ordinances.
- 16) Per parish and/or utility provider, no utilities will be furnished to a mobile home which is in non-compliance with all the requirements enumerated in this ordinance.

- 17) If regulations exist for a subdivision, street, or neighborhood that are stricter than guidelines set forth in this ordinance or parish regulations, the stricter regulations shall apply.
- 18) If a mobile home is moved onto property in the Town of Fordoche without proper parish or town permits, the town will advise the owner of the applicable procedures. The property owner and/or the mobile home owner will be notified at the address provided in the records of the Pointe Coupee Assessor to cease using the mobile home for any purposes until all required permits are secured, as set forth in this section (A. Mobile Home Requirements).
- 19) After forty-five (45) days following the date of the notice to cease use, the property owner and/or the mobile home owner shall be subject to not less than \$100 per day and not more than \$500 for each day of non-compliance, with each day being considered a violation of this section.
- 20) Without exception, the dwelling shall comply with any other current parish, state, federal, and municipal ordinances in place.
- 21) Tents shall not be used as dwellings within the Fordoche Town Limits
- 22) Any mobile home moving inside of the city limits must have a builders permit issued by the Town of Fordoche.
- 23) Before any utility service company allows a utility to be turned on, the owner requesting service must obtain a "Connection Approval Form" issued by the Town of Fordoche.

Sec. 32 – 2 – Exemptions

1. "Grandfather Clause":

If a mobile home is occupied at the time of passage of this ordinance, but does not meet the requirements set forth in Section A, (Mobile Home Requirements), the mobile home will be considered "grandfathered in". If at any time, there is a change in ownership of the mobile home, when the owner or tenant of a grandfathered mobile home vacates the mobile home, the owner/tenant/responsible party, must notify the town to turn off the water to the property. If the owner/responsible party is not available to notify the town, the notification responsibility shifts to the tenant. When the mobile home becomes re-occupied, subsequent to the water being turned off, the new owner/tenant must apply for a new water permit with the town. At this point, the mobile home has lost its grandfathered status, and said mobile home must be inspected to determine if it meets the mobile home requirements set forth in Section A, (Mobile Home Requirements), and said mobile home shall be required to be updated to meet the requirements of this ordinance within forty-five (45) days' time. If said mobile home is not upgraded to meet requirements of this ordinance within forty-five (45) days' time, the **owner/tenant/responsible party** shall be subject to not less than \$100 per day and not more than \$500 for each day of non-compliance, with each day being considered a violation of this section.

2. Variance:

- a. Any individual mobile home owner or owner's representative may request a variance due to hardship or other similar emergency reasons, such as weather or catastrophic or unforeseen conditions. Any such variance will be allowed with a 45 day permit issued by the Town of Fordoche. Any further extensions will be subject to town council approval.
- b. The owner or owner's representative shall make a request for variance in writing and shall submit it to the town clerk. The request may be granted or denied by the town council. A three fifths (3/5) vote of the town council shall be required to grant a variance.
- c. Variance shall be granted only for specific, noted requirements of this ordinance, waived by the town council for an individual mobile home.
- d. A change in ownership, tenant, renter or responsible party of a mobile home shall void any previously granted variance for said mobile home and that mobile home shall subsequently be required to meet all requirements of this ordinance.
- e. No variance shall be granted to any mobile home that is part of a lease agreement, rental agreement, rent-to-own agreement, owner-financed sale agreement, or any other such arrangement.
- f. Travel trailers, motor homes, campers, and any other recreational vehicles are prohibited from being placed on a lot and used as a permanent dwelling, but may be used temporarily in emergency situations, such as weather or other catastrophic or unforeseen conditions. Any such temporary use will be allowed with a 45 day permit issued by the Town of Fordoche. Any further extensions will be subject to town council approval.

Sec. 32 – 3 – Rental Mobile Home Requirements

1. No owner or other person shall occupy or let to another person any rental dwelling, dwelling unit or rooming unit unless it and the premises are clean, sanitary, fit for human occupancy, and comply with all applicable legal requirements of the state and the Town of Fordoche, detailed below in “Detailed Rental Mobile Home Requirements”.
2. Any individual who wishes to use a mobile home for the purpose of rental within the city limits of the Town of Fordoche may do so, if the owner or property controller presents a signature petition to the town council showing a majority of the adjacent property owners have no objection to the rental property. Said petition shall be required prior to renting or moving said mobile home to the location. The petition shall include specific details about the proposed rental dwelling, such as the age and condition of the dwelling, and proposed use of the property. Said petition shall be filed at the Town Hall.
3. Any mobile home that is to be moved onto a lot for the purposes of rental shall also meet the requirements of this ordinance prior to moving said mobile home onto the land where the rental will take place. These requirements shall also be met for a mobile home that is currently being rented prior to moving it to a different location with different adjacent property owners.
4. If said mobile home changes ownership, tenant it shall be required to again meet the requirements of this ordinance prior to continuing its use as a rental dwelling.
5. Transfer of ownership of a rental mobile home that is owned by an individual to a member of his or her immediate family does constitute a transfer of ownership and is not considered grandfathered for the purpose of this ordinance.

Detailed Rental Mobile Home Requirements. No person shall let to another for occupancy any mobile home, for the purpose of living, sleeping, cooking or eating therein, which does not comply with the following: (These requirements will be placed on a comprehensive checklist)

- a. Any mobile home that is to be moved onto a lot for the purposes of rental shall meet the requirements of Section A. prior to moving said mobile home.
- b. The owner of the rental property shall submit to periodic, or “for cause” inspections of the rental dwelling by a qualified inspector duly appointed by the Town of Fordoche.
- c. *Maintenance of yards.* Every owner is responsible for ensuring that each mobile home owned by him/her complies with the applicable ordinance(s) of the Town of Fordoche, with the provision that maximum height of grass not exceed twelve (12) inches.
- d. *Pest extermination.* Every owner of a rental mobile home shall be responsible for the extermination of vermin and rodents on the premises. No owner or occupant of a mobile home shall accumulate fire wood, rubbish, boxes, lumber, scrap metal, or any other materials in such manner that may provide a rodent harborage in or about any dwelling or dwelling unit. No owner or occupant of a mobile home shall store, place or allow to accumulate any material that may serve as food for rodents in a site accessible to rodents.
- e. Every rental mobile home shall have a space in which food may be prepared and cooked, which shall have adequate circulation area, and which shall be equipped with a kitchen sink in good working condition, connected to an approved water supply including hot and cold water and also connected to an approved sewer system, stove, or similar device for cooking food and a refrigerator, or similar device, for the safe storage of food at temperatures less than fifty (50) degrees Fahrenheit, but more than thirty-two (32) degrees Fahrenheit under ordinary maximum summer conditions.
- f. *Toilet facilities.* Within every mobile home there shall be a room which affords privacy to anyone within said room and which is supplied with a flush toilet in good working condition, connected to an approved water and sewer system.
- g. *Lavatory sink.* Within every mobile home there shall be a lavatory sink; said sink may be in the same room with the flush toilet or if located in another room, the sink shall be placed in close proximity to the door leading directly into the room containing the flush toilet; said lavatory sink shall be connected to an approved water system with both hot and cold water and also connected to an approved sewer system.

- h. *Bathtub or shower.* Within every mobile home there shall be a room which affords privacy to a person within said room and which is equipped with a bathtub or shower in good working condition. Said tub or shower can be in the same room with the flush toilet or in another room, shall be properly connected to an approved water system with hot and cold water, and connected to an approved sewer system.
- i. *Egress.* Every mobile home shall have at least two (2) means of egress at each level leading to a safe and open space at ground level.
- j. *Access.* Access to or egress from each mobile home shall be provided without passing through any other dwelling or dwelling unit.
- k. *Door locks.* No owner shall occupy or let to be occupied any mobile home unless all exterior doors of the mobile home are equipped with safe, functioning lock devices.
- l. *Exterior foundations and exterior walls.* The foundation and exterior walls shall be substantially water tight and protected against vermin and rodents and shall be kept in sound condition and repair. The foundation shall adequately support the building at all points. Every exterior wall shall be free of deterioration, holes, breaks, loose or rotting boards or timbers and any other thing that might admit rain or dampness to the interior portion of the walls.
- m. *Facilities to function.* Every facility supplied with equipment, such as chimneys or flues shall be installed and maintained so that it functions effectively in a safe and working condition.
- n. No person shall let to another for occupancy, any mobile home for the purpose of living therein, which does not have heating facilities which are properly installed, and which are maintained in safe condition, and which are capable of adequately heating all habitable rooms at a temperature of at least sixty-eight (68) degrees Fahrenheit at a distance of three (3) feet above floor level and three (3) feet from any exterior wall at any outside temperature of twenty-five (25) degrees Fahrenheit. Gas or electric appliances previously designed for cooking or water heating purposes, shall not be considered as heating facilities under this section. Portable heating equipment using flame and liquid fuel does not meet the requirements of this section and is prohibited.
- o. No person shall let to another for occupancy, any mobile home, for the purpose of living therein, which does not have either a central air conditioning unit and/or window air conditioning unit(s) which are properly installed, and which are maintained in a safe condition, and which are capable of adequately cooling all habitable rooms in every mobile home at a temperature of at least eighty (80) degrees Fahrenheit at a distance of three (3) feet above floor level and three (3) feet from any exterior wall at any outside temperature of ninety-five (95) degrees.
- p. Mobile homes shall not be allowed to be utilized for commercial business, as an extension of a commercial business, or as a storage structure for a commercial business or other similar use within the town limits.
- q. When the mobile home owner's property has met all parish requirements, the property owner shall present evidence of such to the Town of Fordoche to secure a building occupancy clearance. The mobile home owner and/or renter shall then have forty-five (45) days to comply with the Town of Fordoche mobile home requirements, specified in, Section A. Mobile Home Requirements, AND Section C., Rental Mobile Home Requirements. If said mobile home is inspected and not upgraded to meet requirements of this ordinance within forty-five (45) days' time, the property owner shall be subject to fines not less than \$100 per day and not more than \$500 for each day of non-compliance, with each day being considered a violation of this section. Non-payment of fines exceeding \$1,000 will subject the owner to a lien on the property.

Sec. 32 – 4 – Exceptions to Sec. 32 - 3

1. Any individual mobile home being used as a rental dwelling within the city limits of Fordoche at the time of enactment of this ordinance shall be said to be "grandfathered-in". The mobile home will be allowed to continue its current use as a grandfathered rental property on the same site where it is located or parked, unless there is a change in ownership or tenant.
2. If a grandfathered rental mobile home needs to be repaired or replaced, it shall be allowed to continue as rental property after it is repaired. Repairs must be in compliance with parish and town ordinances and any updated utility requirements. Replacement by another mobile home will be allowed at the same site, but must be in compliance with parish and Town of Fordoche Ordinances and any updated utility requirements.

3. In the event of change of ownership, a grandfathered rental mobile home may be allowed to continue its use as a rental dwelling at the same site only, if it is in compliance with parish and Town of Fordoche Ordinances and any updated utility requirements.

Sec. 32 – 5 – Notice of Violations

Whenever the designated town or parish inspector determines that any mobile home meets or fails to meet the applicable requirements set forth in this ordinance, she/he shall issue duplicate notices to the town and the property owner of their findings. If requirements are not met, the notice will include the alleged violations of the ordinance. The notice shall be in writing, and:

- a. Set forth the specific, alleged violation(s) of this ordinance
- b. Reference the owner's Rental Dwelling Occupational License (Number)
- c. Describe the mobile home where the violations are alleged to exist
- d. Specify the period, not to exceed forty-five (45) days, for corrections to be made
- e. Be served by registered or certified mail, addressed to the owner at the address shown on owner's application for mobile home permit. The notice may also be served by the town's chief of police or officer of the town, sheriff, deputy sheriff, or constable, if assigned, having jurisdiction or power to serve legal process where the owner of the building or structure is found.
- f. When any and all attempts at notice have failed, the Town of Fordoche Council will be notified and will vote at the next meeting whether to cut off water to the property. On the date of that cutoff, the owner will then have forty-five (45) days to make corrections. If the mobile home is still not upgraded to meet requirements of this ordinance within forty-five (45) days' time, the property owner shall be subject to fines not less than \$100 per day and not more than \$500 for each day of non-compliance, with each day being considered a violation of this section. Non-payment of fines exceeding \$1,000 will subject the owner to a lien on the property.

2. Notice of Nuisance Incidents

If a property does not meet the mobile home requirements as set forth in Section C. Rental Mobile Home Requirements, and the Parish and/or Fordoche Police Department has been dispatched to the same property a minimum of four nuisance service calls within any twelve (12) month period, the town may issue a written nuisance incident notice to the owner of the property and tenant, as applicable. The nuisance incident notice may be served upon the owner of said property by regular mail, to the mailing address indicated on the last equalized assessment roll of the Pointe Coupee Parish Assessor's Office, or served by the chief of the municipality or by any sheriff, deputy sheriff, police, or constable having jurisdiction or power to serve legal process where the owner of the building or structure is found.

- a. The service of a nuisance incident notice, as provided in this section, shall be prima facie evidence that the owner or tenant served is the person in control of the property and has knowledge of and has permitted repeated violations at or upon the property.
- b. The nuisance incident notice authorized by this section shall:
 - i. Identify the type and specific location of nuisance service call(s), including tenant (if known), where applicable;
 - ii. Summarize the evidence of the nuisance occurring on the property;
 - iii. Provide the dates on which the nuisance calls for service were made and the dates of any prior responses by the Parish and/or Fordoche Police Department to nuisance incidents on the property; and,
 - iv. Warn the owner and tenant of the property that future nuisance service calls may subject them jointly and severally to liability for the cost associated with any response to such nuisance service calls, based upon the actual cost of the response.

3. Revocation of Rental Housing Business License

In addition to the remedies and fees specified in Section E.1 and E.2, in the event the owner fails to pay the amount set forth in the Nuisance Incident Notice, or in the event of a subsequent Nuisance Incident Notice, the owner's Rental Dwelling Occupational License shall be revoked, pursuant to sub-section 3.a. & 3.b below.

- a. Once the rental dwelling occupational license is revoked, it shall be illegal for the owner to rent or lease any dwellings covered by his/her occupational license.
- b. If an owner's rental dwelling occupational license has been revoked, he may reapply for a license only after the prior non-compliance and nuisance fines have been paid, the owner shall submit the following:
 - i. An application accompanied by the proper application fee
 - ii. Payment of an inspection fee of fifty dollars (\$50.00) per rental dwelling covered by the application. (Fee subject to change by town resolution.)
 - iii. Written report from the parish and town inspectors stating that all dwelling units are in compliance with the ordinance
 - iv. All other requirements specified in Section C. Rental Mobile Home Requirements are in compliance.

4. Nuisance, Injunction

In addition to any relief provided in this ordinance, the town attorney may apply to a court of competent jurisdiction for an injunction to prohibit the continuation of any violation of this ordinance. Such application for relief may include seeking a temporary restraining order, temporary injunction, or permanent injunction.

5. Penalty

Any person, firm, or corporation violating any provision of this ordinance is subject to being fined five hundred dollars (\$500.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

6. Grave Public Emergency

Where the condition of the rental unit is such as to cause possible immediate loss or damage to persons or property exists, or when an owner of any mobile home fails, neglects, or refuses to make repairs or take other corrective action as required by this ordinance, and the deadline for making those repairs or taking corrective action specified in the inspectors' notices has passed, and the mobile home is in a dilapidated and dangerous condition which endangers the public welfare, the governing authority may proceed in accordance with the law relating to demolishing dilapidated or dangerous mobile homes.

Sec. 32 – 6 – Definitions

DEFINITIONS - The terms below shall have the following meanings, unless otherwise noted.

- (1) *Adjacent property*: any property immediately in front of, behind, or located on either side of a property in question (including any property directly across any street or roadway).
- (2) *Approved*: complying with all applicable town ordinances and parish codes.

- (3) *Dwelling*: a mobile home or other structure that is being used for one or more persons living-as a single housekeeping unit with cooking facilities, including travel trailers, campers or the like.
- (1) *Dwelling unit*: a single residential accommodation which is arranged, designed, used or, if vacant, intended for use exclusively as a domicile for one (1) family.
- (2) *Flush toilet room*: the room in which a toilet bowl flushes with water where a water sealed trap is located, and connected in accordance with Pointe Coupee Parish ordinance.
- (3) *Garbage*: a perishable or non-perishable substance, whether bagged or un-bagged, that decomposes in contact with air/moisture; including putrescible animal and/or vegetable or similar waste resulting from the handling, preparation, cooking, or consumption of food.
- (4) *Individual mobile home owner*: for purposes of this section, shall refer to an individual who owns the mobile home in question, holds the title to the mobile home, which is in his or her name, utilizes the mobile home as his or her primary residence, and owns the land on which the mobile home is parked.
- (5) *Mobile Home or Trailer*: any structure, covered or uncovered, used for living, sleeping, properly permitted business, or storage purposes; having no foundation other than wheels, blocks, skids, jacks, horses or skirting; and which is, has been, or reasonably may be equipped with wheels or other devices for transporting the structure from place to place, whether by motive power or other means. Mobile homes that fall under classification of "modular homes" shall not be included in this definition.
- (6) *Mobile Home Park*: A piece of land that has at least two or more mobile homes on a single tract or lot of land that have been placed for the purpose of residential habitation or mobile homes for rent or lease. Additionally, the placement of one or more mobile homes for residential habitation on adjacent tracts or lots with common ownership, or LLC, or family partitioning, regardless of density of mobile homes on the aggregate acreage, will be considered a mobile home park and is not allowed.
- (7) *Motor Home*: A motor vehicle built on a truck or bus chassis and is designed to serve as a self-contained living quarter for recreation or temporary shelter.
- (8) *Multiple family dwelling*: a dwelling or portion thereof containing two (2) or more dwelling units, where each dwelling is subject to the requirements of this mobile home ordinance.
- (9) *Operator*: the owner or his agent who has charge, care, control, or management of a mobile or modular home, in which dwelling units or rooming units are let.
- (10) *Owner*: any person, partnership, firm or corporation who, alone, jointly or severally with others, shall be in actual possession of, or have charge, care or control of, any dwelling or dwelling unit within the city as owner, employee or agent of the owner, or as trustee or guardian of the estate or person of the title holder. Any such person representing the actual owner shall be bound to comply with the provisions of this chapter to the same extent as the owner.
- (11) *Parish*: Parish of Pointe Coupee
- (12) *Persons*: an individual, firm, partnership, association, corporation or joint venture or organization of any kind.
- (13) *Plumbing*: all of the following supplied facilities and equipment in a dwelling: gas, pipes, gas burning equipment, water pipes, steam pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents, and any other similar fixtures and the installation thereof, together with all connections to water, sewer and gas lines.
- (14) *Refuse*: all putrescible and non-putrescible waste solids that have the capacity to decay, including garbage and rubbish.
- (15) *Rental (or Rent)*: any rental agreement, rent-to-own agreement, lease, lease-purchase, owner-financed sale agreement, or any other similar agreement between a property owner and another individual, group of individuals, or other entity in which there is no actual transfer of ownership and transfer of title of the property that would constitute a bona fide sale.
- (16) *Rental dwelling*: a mobile home intended to be used for rental purposes.
- (17) *Repair*: modifying to a sound and acceptable state of operation, serviceability, appearance or to meet safety standards.
- (18) *Rodent harborage*: any place where rodents can live, nest or seek shelter.
- (19) *Rubbish*: non-decaying solid wastes, consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, grass and shrubbery clippings, wood, glass, brick, plaster, bedding, crockery, stripped mechanical or machine parts and similar materials.
- (20) *Supplied*: paid for, furnished by, provided by or under the control of the owner, operator, or agent of a dwelling.

- (21) *Tenant*: any person, including owner or operator, living, sleeping, cooking, and eating in a dwelling.
- (22) *Town*: Town of Fordoche.
- (23) *Town Inspector / Parish Inspector*: an inspector, appointed by the town council, or in absence of a town inspector, the parish inspector, for the purpose of inspecting any and all mobile homes, rental dwellings, or other properties that are within the town limits, in accordance with the Inspector's Checklist. The inspector, upon presentation of credentials, may enter, at reasonable times, any premise in the town to inspect for compliance with this ordinance.

Note: Whenever the words "dwelling," "dwelling unit," "premises," or "structure" are used in this section, they shall be construed as though they were followed by the words "or any part thereof."

Said Ordinance having been introduced on November 12, 2024 by Kirk Lacombe, notice of public hearing having been published, said public hearing having been held, the title having been read, and the Ordinance considered, a motion was made by Kirk Lacombe and seconded by Tori Robillard to adopt the Ordinance. A record vote was taken and the following results were had:

YEAS; Beth Lacombe, Kirk Lacombe, Tori Robillard

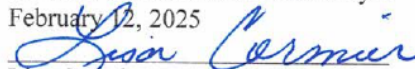
NAYS: none

ABSENT: Cody Gros, Charlie Sonnier

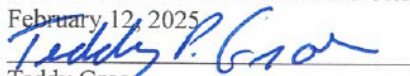
ABSTAIN: none

Whereupon, this ordinance was declared adopted on the 11th day of February, 2025.

ATTEST and delivered to the Mayor
February 12, 2025


Lisa Cormier
Town Clerk, Fordoche, Louisiana

APPROVED and delivered to the Clerk
February 12, 2025


Teddy Gros
Mayor, Town of Fordoche, Louisiana