

AN ORDINANCE PROHIBITING HOUSE TRAILERS AND MOBILE HOMES
WITHIN CERTAIN AREAS AND REQUIRING PERMISSION FOR THE
PLACING OF HOUSE TRAILERS AND MOBILE HOMES WITHIN THE
MUNICIPALITY.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LUMBERPORT, WEST
VIRGINIA, THAT:

Section 1. No house trailer or mobile home shall be located,
placed, erected, or situated in any residential area of this municipality,
except in recognized trailer courts as established by the Town Council.

Section 2. For the purposes of this ordinance, all land lying
within the municipality shall be considered residential area, except those
portions of land within the municipality which at the time of the
enactment of this ordinance are used for the purposes of manufacturing or
the mining of coal and its related facilities.

Section 3. For the purpose of this ordinance, a trailer court to
be established and recognized must have ample and satisfactory sanitary
facilities, including adequate sewage; available utilities; reasonably
conform with the surrounding environment, and have a minimum of five acres,
and all the trailer or mobile homes to be placed thereon shall be spaced,
not less than 25 feet apart, and a minimum of 2500 square feet shall be
allotted to each trailer or mobile home.

Section 4. No house trailer or mobile home shall be placed or
located upon an established and recognized trailer court within the
municipality unless and until application is made to the Town Council and
permission is granted for said placement or location by the Town Council.
A fee of \$5.00 must accompany the application, which fee will be refunded
in the event the application is rejected.

Section 5. For the purpose of this ordinance, a house trailer or
mobile home shall be defined as follows:

Any vehicle, including the equipment sold as a part of a vehicle,
which is so constructed as to permit its being used as a conveyance upon
streets by either self-propelled or non-self propelled means which is designed,
constructed or reconstructed, or added to by means of an enclosed addition or
room in such manner as will permit the occupancy thereof as a dwelling or
sleeping place for one or more persons, which is both used and occupied as a
dwelling or sleeping place having no foundation other than wheels, jacks,
skirting, or other temporary supports. In addition, if a mobile home, as
described above, is affixed to real estate by means of a permanent or semi-
permanent foundation, such mobile home shall not be considered as a dwelling,
but shall be considered a mobile home.

Section 6. An application, together with the fee of \$25.00, for the
establishment and approval of a trailer court, must be submitted to the
Town Council, which application must contain information with respect to the
location and size, and other pertinent information, for the approval and
establishment thereof; in the event that the said application is rejected,
the above stated fee is to be refunded.

Section 7. In the event that any house trailer or mobile home is located, placed, erected or situated within this municipality in violation of this ordinance, the Town Council may have said house trailer or mobile home removed from said land and transported to an appropriate storage area, without being liable to the owner thereof or any other person for damages incurred in the transportation and storage of said house trailer or mobile home, and the owner or any other person violating the provisions of this ordinance shall be liable and responsible for all costs of removal, transportation, storage, and any other costs incident thereto.

Section 8. Any person who shall violate any section of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in an amount not exceeding \$500.00 for each violation.

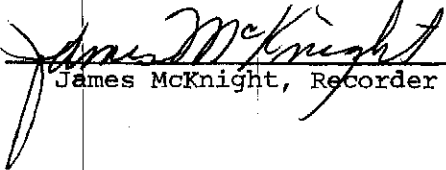
Section 9. In the event of any violation of this ordinance, the Town Council is authorized to institute an action for injunctive relief in the Circuit Court of Harrison County, West Virginia, against the violator, and the violator shall be responsible for all costs and expenses incident to said action.

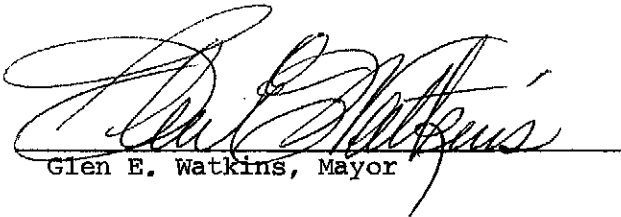
Section 10. Validity. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

Section 11. This ordinance shall be effective immediately after passage.

This Ordinance was passed by the Town Council on the 7th day of February, 1972.


James McKnight, Recorder


Glen E. Watkins, Mayor