

ORDINANCE NO. 217

AN ORDINANCE ESTABLISHING MOBILE HOME PARKS, REGULATING THE LOCATION OF MOBILE HOMES, WITHIN THE TOWN OF SUGAR CITY AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SUGAR CITY:

ARTICLE 1 - PURPOSE

SECTION 1. The purpose and intention of this Ordinance is, as herein-after specified, to create mobile home parks and to regulate the location and use of mobile homes.

ARTICLE 11 - GENERAL

SECTION 1. DEFINITIONS

As used in the Ordinance:

(a) "Mobile Home" shall include any complete structure used for living, sleeping, business or storage purposes; having no foundation other than wheels, blocks, skids, jacks, horses, or skirting; and which 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. The term "Mobile Home" shall not include motor homes or recreational type vehicles. The term "Mobile Home" shall include two (2) or more separately towed units which are bolted, otherwise fastened together to form a complete living unit but shall not include modular homes.

(b) "Mobile Home Park" means any park, court, camp, lot, area, piece, parcel, tract or plot of ground upon which mobile homes are used, whether for compensation or not, including all accessory use thereof.

(c) "Independent Mobile Home" means a mobile home having a flush toilet and a bath or shower and a complete sink, and further, is connected to sewerage and water connections located on or adjacent to the mobile home space.

(d) "Dependent Mobile Home" means a mobile home not connected to public water or public sewage and not containing a flush toilet, complete sink, and bath or shower.

(e) "Individual Mobile Home" means a mobile home parked on a private lot and used for living quarters.

(f) "Licensee" means any person licensed to operate and maintain a mobile home park under the provisions of this ordinance.

(g) "Mobile Home Space" means a plot of ground within a mobile home park designed for the accommodation of one (1) mobile home.

(h) "Natural or Artificial Barrier" means any river, pond, canal, railroad, levee, embankment, or major street.

(i) "Permittee" means any person to whom a permit is issued to construct a mobile home park under the provisions of this ordinance.

SECTION 2. LOCATION

(a) An occupied mobile home of any kind shall only be parked in a mobile home space within a mobile home park.

(b) No mobile home of any kind shall be parked in any street, alley, lot or highway within the limits of the Town of Sugar City for more than 24 hours.

(c) Where an individual mobile home is proposed to be parked on a private lot, and used for living quarters, it shall be considered as a "dwelling" and as such, shall comply with applicable zoning, housing, building, safety and health regulations. The structure shall meet minimum construction requirements of the Uniform Building Code and applicable provisions of the electric, plumbing and heating codes. Such a mobile home shall be converted to a permanent improvement or structure supported on a permanent masonry foundation and completely enclosed beneath or skirted with masonry or material matching the mobile home siding, except for necessary openings for access and ventilation, not to exceed 10 percent of the skirt wall.

(d) Two or more mobile homes parked and occupied on any plot of ground shall constitute a Mobile Home Park and all provisions of these regulations in regard to Mobile Home Parks shall be complied with.

ARTICLE III - MOBILE HOME PARKS

SECTION 1. PURPOSE

The intention of a mobile home park is to permit low density mobile home uses in a park-like atmosphere. The mobile home park is intended for those areas where the owner proposes to develop and rent or lease individual mobile home spaces.

SECTION 2. MOBILE HOME PARK REGULATIONS.

In a mobile home park no building shall be used and no building shall be erected, altered or enlarged, which is arranged, intended or designed for other than independent mobile homes, or independent trailer house coaches, and customary service buildings.

SECTION 3. GENERAL REQUIREMENTS

(a) The tract to be used for a mobile home park shall be not less than three (3) acres. Additions to mobile home parks previously approved, constructed and operated pursuant to this Ordinance may be of less than three (3) acres, but all other provisions of this Ordinance shall apply to any such expansion or addition.

(b) The applicant for a mobile home park permit or for a zoning change to permit a mobile home park must satisfy the Planning Commission that he is financially able to carry out the proposed plan and shall prepare and submit a schedule of construction.

1. Mobile home sites
2. Service buildings
3. Off-street parking areas
4. Electrical outlets
5. Sewer outlets
6. Water outlets
7. Water lines
8. Sewer lines
9. Recreational areas
10. Landscaped areas and walls or fences
11. Roadways
12. Sidewalks, or walkways, if provided.

(d) The mobile home park shall conform with the following requirements:

1. The park shall be located on a well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.
2. Mobile home parks shall have a maximum density of eight (8) trailers per gross acre and a minimum space of two thousand eight hundred (2,800) square feet for each trailer.
 - I. In those cases where 3,000 square feet is allocated for each trailer, and each mobile space is separately fenced, no central recreational area will be required.
3. Each mobile home space shall be at least thirty-five (35) feet wide and clearly defined.
 - I. Where the provisions of Paragraph 2 (I) is applicable, then each space shall contain 3,000 square feet.
4. Mobile homes shall be so located on each space that there shall be at least twenty (20) feet of clearance between mobile homes; provided, however, that with respect to mobile homes parked end-to-end, clearance may be less than twenty (20) feet but shall not be less than fifteen (15) feet unless a division fence is erected between mobile home spaces. No mobile home shall be located closer than twenty-five (25) feet from any building within the park. All mobile homes shall be so located on each space so as to have a uniform set back from the front of each space throughout the mobile home park, and in no event shall the distance from the front of the space to the front wall or furthest front wall of the mobile home be less than six (6) feet. Mobile homes shall be located at least fifteen (15) feet from the property line bounding the park.
5. All mobile home spaces shall front upon a private roadway of not less than four feet.

11. Where a mobile home space has a driveway leading to the private roadway, the space need not front on said private roadway.
6. Walkways, not less than thirty (30) inches wide, shall be provided from the mobile home spaces to service buildings.
7. All roadways and walkways within the mobile home park shall be hard surfaced and adequately lighted at night with electric lamps.
8. Laundry facilities for the exclusive use of the mobile home occupants may be provided in a service building.
9. At least one (1) electrical service outlet supplying at least one hundred twenty (120) volts and two hundred forty (240) volts shall be provided for each mobile home space.
10. A recreational area shall be provided at a central location in the mobile home park at the rate of two hundred (200) square feet for each trailer space.
11. A solid fence or wall or chainlink fence shall be provided between the Mobile Home Park and any adjoining property zoned for residential purposes. The fence or wall shall not be less than four (4) feet high nor more than six (6) feet high. The owner shall be responsible for the maintenance of the fence or wall. The requirements of this paragraph may be omitted when a statement is signed by all land owners within two hundred (200) feet of the mobile home park stating that each understands the plans and has received the required plot plans and that each has no objection to the mobile home park.
12. Two parking places for each mobile home space shall be provided off of the private roadway upon which the mobile home space fronts.

SECTION 4. UTILITY SERVICE

All communications, electrical, water and sewage lines shall be placed underground and shall be of such size, nature and character as the Town may prescribe to meet the needs of the Mobile Home Park. Each mobile home space shall have a water meter.

SECTION 5. WATER SUPPLY

An adequate supply of pure water for drinking and domestic purposes shall be supplied by pipes to all buildings and mobile home spaces within the park. Each mobile home space shall be provided with a cold water tap. An adequate supply of hot water

(b) All service buildings and the grounds of the park shall be maintained in a clean, sightly condition and kept free of any debris that will be a menace to the health of any occupant or the public or constitute a nuisance.

SECTION 7. SEWAGE AND REFUSE DISPOSAL

Each mobile home space shall be provided with a trapped sewer at least four (4) inches in diameter, which shall be connected to receive the waste from the shower, bathtub, flush toilet, lavatory and kitchen sink of the mobile home located in such space and having any or all of such facilities. The trapped sewer in each space shall be connected to discharge the mobile home waste into a public sewer system.

SECTION 8. GARBAGE RECEPTACLES

Each mobile home unit shall be provided with at least one 30-gallon plastic or metal trash and garbage can with a tight-fitting cover to permit disposal of all garbage, trash and rubbish.

SECTION 9. ANIMALS AND PETS

No licensee or permittee shall allow the owner or person in charge of any dog, cat or other pet or animal to run at large or commit any nuisance within the limits of any mobile home park.

SECTION 10. REGISTER OF OCCUPANTS

(a) It shall be the duty of each licensee and permittee to keep a register containing a record of all mobile home owners and occupants located within the park. The register shall contain the following information:

1. The name and address of each mobile home owner or tenant occupying a mobile home.
2. The name and address of the owner of each mobile home and motor vehicle.
3. The make, model, year and license number of each mobile home and motor vehicle.
4. The state, territory or country issuing such licenses.
5. The date of arrival and of departure of each mobile home.

(b) The mobile home park owners, managers or caretaker shall keep the register available for inspection at all times by law enforcement officers, public health officials and other officials whose duties necessitate acquisition of the information contained in the register.

(c) The register record for each occupant registered shall not be destroyed for a period of three (3) years following the date of departure of the registrant from the park.

SECTION 11. SUPERVISION

SECTION 12. LICENSE FEE

(a) It shall be unlawful for any person to maintain or operate a mobile home park unless such a person shall first obtain a license from the Town Clerk.

(b) The annual license fee for each mobile home park shall be a minimum of fifty (\$50) dollars or ten (\$10) dollars per developed space, whichever is greater, which is not refundable.

(c) A Mobile Home Park license is not transferrable.

(d) Expiration date of the mobile home park license shall be December 31st of each year.

SECTION 13. APPLICATION FOR PERMIT

(a) A written application for a permit to construct a Mobile Home Park shall be required for any person, firm or corporation constructing the mobile home park. The application shall be filed in duplicate with the Town Clerk and shall include the following items:

1. The name and address of the applicant.
2. The location and legal description of the Mobile Home Park site.
3. The name and address of the manager of the mobile home park.
4. The number of mobile homes the mobile home park will accommodate.
5. A plan showing the location of all mobile homes, buildings, roadways, recreational areas, off-street parking areas, electrical outlets, sewer outlets, water outlets, water mains, sewer mains and other improvements and facilities constructed or to be constructed in the mobile home park. The plan shall be drawn at a scale of one (1) inch equals one hundred (100) feet or larger.
6. Such further information as may be required to determine if the proposed Mobile Home Park will comply with this Ordinance and other town ordinances and requirements.

(b) The application shall be filed by the owner or manager of said mobile home park and sworn to before a notary public. The person or persons filing the application and affidavit shall be the person or persons owning or managing the mobile home park and the person or persons responsible for the upkeep and maintenance and sanitary control. Any change in the management of said mobile home park shall be registered with the Town Clerk by a sworn affidavit by the new manager.

(c) Upon receipt of the completed application, plans and filing fees, the Town Clerk shall transmit a copy of the application and plans to the Town Planning Commission which shall:

(d) If the application is found to be in compliance with this Ordinance and other Town codes and ordinances, and the site is found to be in conformance with sanitary regulations, the Planning Commission shall authorize the Town Clerk to issue a permit for a mobile home park.

SECTION 14. INSPECTION REQUIRED

Upon the issuance of the permit for a mobile home park or court, the Town shall have the authority to have said mobile home park inspected by the proper inspecting officer of the Town, and if it shall be found that the holder of said permit has made any false or misleading statements in his application or has placed or caused to be placed more mobile homes in said mobile home park or court than provided for and set forth in said application for permit, or that said holder of said permit, has violated or caused to be violated any provision of this Ordinance the Town Governing Body shall have the power to revoke said permit.

SECTION 15. REVOCATION OR SUSPENSION

If the Town shall determine, upon proper inspection by the inspecting officer of the Town, that the sanitary condition of the mobile home park shall have become so unsanitary as to endanger health or welfare of occupants of said mobile home park, the Town Governing Body shall have the power to require the holder of said mobile home park license, within ten (10) days, to set said mobile home park in proper sanitary condition. If, upon notice from the Town to the holder of the license as aforesaid the owner or manager of said mobile home park shall fail or refuse to place said park or court in sanitary condition, the Town Governing Body shall have the right to revoke said license.

SECTION 16. ABANDONED USE

(a) When any permittee shall fail to commence or complete construction as specified in Article III, Section 3(b) hereof:

(b) When any licensee shall fail to renew a license as required in Article III, Section 12:

(c) Then the Town Clerk shall give notice to such licensee or permittee by mail to the address shown on the permit that the Town Governing Body will hold a hearing not sooner than ten (10) days from the date of mailing such notice to determine whether the license or permit to operate a mobile home park should be revoked.

ARTICLE IV - VARIANCES

The Town Council may grant a variance to this Ordinance based upon a written application therefore; a variance shall only be granted following a public hearing, notice of which shall be published at least ten (10) days prior to the hearing; no variance shall be granted which will substantially defeat the purposes of this Ordinance; in granting any variance the Town Council shall specify in writing its basis therefore.

ARTICLE V - VIOLATIONS AND PENALTIES

SECTION 2.

(a) Any person who commits, takes part or assists in any violation of this Ordinance or who maintains any building or premise in or upon which a violation has been committed or shall exist, shall be fined not less than \$25.00 nor more than \$300.00 and each and every day that such violation continues shall constitute a separate offense.

(b) In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used, in violation of this regulation, the appropriate authorities of said area, in addition to other remedies may institute injunction, mandamus, or other appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use, or to correct or abate such violation or to prevent the occupancy of said building, structure or land.


SECTION 3.

If any article, section, sub-section, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not effect the validity of the remaining portions hereof.

SECTION 4.

Because the random and unregulated location and installation of mobile homes creates sanitation hazards and fire hazards within the corporate limits, the Board of Trustees find that an emergency exists and that this ordinance shall be in full force and effect five days after its adoption and publication.

INTRODUCED, READ IN FULL, PASSED, ADOPTED AND ORDERED
PUBLISHED THIS 10th DAY OF NOVEMBER, 1986.


George Kaufman, Mayor Pro-Tem

ATTEST:


Gloria A. Miller, Clerk