

CHAPTER 12

MOBILE HOME PARKS

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Article I. In General.Sec. 12-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Licensee. Any person licensed to operate or maintain a mobile home park under the provisions of this chapter.

Mobile home. A detached single-family dwelling suitable for year-round occupancy, exceeding eight feet in width and thirty-two feet in length, having both a chassis and an axle and capable of being transported. It is equipped with appliances and electrical and sanitary systems that function independently of auxiliary facilities so that only simple utility connections are needed. A mobile home unit may have collapsing or telescoping parts that can be expanded or consist of two separate units joined at the site into a single home (double-wide.)

Mobile home park. Any plot of ground designed, maintained or intended to provide a location or accommodations for mobile homes which are occupied for dwelling or sleeping purposes regardless of whether or not a charge is made therefor.

Nonconforming building or structure. A building or structure lawfully constructed in the mobile home park prior to the passing of this chapter (May 13, 1974), including any revision or amendment thereto, which does not conform to the requirements set forth herein.

Nonconforming use. A lawful use of land, building or structure in the mobile home park existing at the time of the passage of this chapter (May 13, 1974), including any revision or amendment thereto, which does not conform to the requirements set forth herein. (5-13-74, § 1.)

Sec. 12-2. Enforcement officer.

The building inspector is hereby authorized and it shall be his duty to enforce the provisions of this chapter. He shall have the right and is hereby empowered to enter upon any premises on which any mobile home park is located or about to be located and to inspect the same and all accommodations connected therewith at any reasonable time. (5-13-74, § 1.)

Sec. 12-3. Liability of licensee for violations.

The licensee, together with any duly authorized attendant or caretaker, shall be answerable for the violation of this Code or other law or ordinance to which the mobile home park is subjected. (5-13-74, § 1.)

Sec. 12-4. Parking of mobile homes outside of parks.

The parking of mobile homes outside mobile home parks shall be governed by the following regulations:

- (a) No mobile home shall be parked on any street, alley or highway or other public space or on any tract of land owned by any person, occupied or unoccupied, except as provided in this chapter.
- (b) Emergency or temporary stopping or parking is permitted on any street, alley or highway for not longer than one hour subject to any other and further prohibitions, regulations or limitations imposed by any provision of this Code or other ordinance or other law for that street, alley or highway.
- (c) No mobile home shall be parked or occupied on any premises used or zoned for residential purposes; except that one unoccupied mobile home may be parked in an accessory private garage or in a rear yard in any zone described in Chapter 20 of this Code and its perimeter; provided, that a permit for such use must be secured from the building inspector who may not issue a permit for a longer period than three months at any one location without an order from the city council. (5-13-74, § 1.)

Article II. Licenses.Sec. 12-5. Applications.

All persons who were operating a mobile home park on May 13, 1974, or who desire to engage in the business of operating a mobile home park shall apply in writing to the building inspector for a license. The application for a license shall be made upon a form to be provided by the business and shall contain the following:

- (a) The complete and exact name under which the business is proposed to be operated.
- (b) If the business is proposed to be operated by an individual under an assumed name, the name of such individual and his address.
- (c) If the business is a partnership, the name and address of each partner.
- (d) If the business is a corporation, the names and addresses of the officers of the corporation and the location of the principal or registered office.
- (e) A physical survey and legal description of the land upon which the mobile home park is to be located.

- (f) A site plan including the following: Grading, engineering, design, construction size, height, shape and location of buildings, location and design of parking areas, pedestrian and vehicular circulation on site, recreation facilities and areas, means for collecting and depositing storm water and natural or artificial water courses and utilities systems. (5-13-74, § 1.)

Sec. 12-6. Issuance--conditions prerequisite generally.

No license shall be granted to any mobile home park unless:

- (a) The license fee herein imposed is paid.
- (b) The building inspector is satisfied that compliance has been made with the requirements of this Code, other ordinances of the city and the laws of the state.
- (c) The site plan has been approved by the public works director of the city and by the planning director of the city planning and zoning commission; provided, that if the site plan is disapproved, the applicant may appeal such decision to the city council. (5-13-74, § 1.)

Sec. 12-7. Same--Nonconforming existing parks.

A mobile home park which is in existence on May 13, 1974, and which does not meet the standards set forth herein shall be deemed to be nonconforming and shall be subject to the following:

- (a) Nonconforming uses.
 - (1) A nonconforming use shall not be extended unless in conformity with the requirements of this chapter; except, however, a nonconforming use of any building may be extended to any portion or portions of such building which were at the time such use became nonconforming manifestly arranged or designed for such use.
 - (2) No structural alterations shall be made in a building housing a nonconforming use, except those required by law or ordinance or ordered by an authorized officer to secure the safety of the building.
 - (3) The nonconforming use of any building or structure which is damaged to an extent exceeding fifty percent of its then reproduction value, exclusive of foundations, by fire, flood, explosion, earthquake, war, riot, or act of God, shall be

discontinued, and such building or structure shall thereafter be used only in conformity with the provisions of this chapter.

- (4) A nonconforming use shall not be changed to any but a conforming use. When a nonconforming use is changed to a conforming use, it shall not be changed to any nonconforming use.
- (5) When any nonconforming use is discontinued for a period exceeding ninety days, any future use shall conform to the provisions of this chapter.
- (6) No change shall be made in the landscaping, grading of the mobile home park or external appearance of, a nonconforming use without the grant by the board of adjustment of a special exception authorizing such change. The board shall grant such an exception only upon an affirmation finding that the proposed change will have no reverse effect upon neighboring properties or upon the public welfare. The board may impose any appropriate conditions and safeguards upon any such special exceptions which it grants for the further protection of neighboring properties and the public welfare.

(b) Nonconforming buildings or structures. Nonconforming buildings or structures shall be allowed to remain subject to the following provision:

- (1) A nonconforming building or structure shall not be extended unless such extension shall comply with all the requirements of this chapter.
- (2) A nonconforming building or structure which is damaged to an extent exceeding seventy-five percent of its then reproduction value, exclusive of foundations, by fire, flood, explosion, earthquake, war, riot or act of God, shall not be reconstructed except in conformity with the provisions of this chapter.
- (3) Nonconforming signs or billboards shall be eliminated or changed to conform with the provisions of this chapter within eighteen months of the date such signs or billboards become nonconforming.

No license shall be granted for any such existing mobile home park unless the license fee herein imposed is paid and unless the building inspector is satisfied that the business and the area encompassed thereby comply with the requirements of this Code, other ordinances of the city and with the laws of the state, except as otherwise set forth in this chapter. (5-13-74, § 1.)

Sec. 12-8. Display.

Any license issued under this chapter shall be posted conspicuously in the place of business; or if such licensee has no regular place of business, the license shall be kept wherever the business is being operated and where it may be inspected at all times by the proper city officials. (5-13-74, § 1.)

Sec. 12-9. Doing business in more than one place.

Every person operating a mobile home park in more than one place shall secure a separate license for each place of business unless such places of business are contiguous to each other, communicate with and open into each other and are operated as a unit; and such person shall pay the prescribed license fee for each place of business. (5-13-74, § 1.)

Sec. 12-10. Assignment.

No license issued under the provision of this chapter shall be assigned except to the purchaser of a mobile home park who elects to carry on the same business at the same place. Upon delivery to the building inspector of the license properly assigned, the applicant shall be entitled to have a new license issued to him upon payment of a fee of ten dollars. The building inspector shall cancel such assigned license upon the issuance of a new license. (5-13-74, § 1.)

Sec. 12-11. Term.

Any license issued by the building inspector shall expire on June 30 of each year but may be renewed under the provisions of this chapter for additional periods of one year. (5-13-74, § 1.)

Sec. 12-12. Fees.

The annual license fee or renewal thereof for any mobile home park shall be five dollars for each mobile home space improved and available for occupancy.

When any mobile home park is opened and operations commenced after February 1, the licensee shall pay for such business and the privileges of operating the same one-half of the license fee prescribed. (5-13-74, § 1.)

Sec. 12-13. Revocation.

The building inspector is hereby authorized to revoke any license issued pursuant to the terms of this chapter if, after due investigation, he determines that the holder thereof has violated any of the provisions of this chapter or that any mobile home park is being maintained in an unsanitary or unsafe manner or is a nuisance. (5-13-74, § 1.)

Sec. 12-14. Hearing on grant, denial, renewal or revocation.

Any person aggrieved by an order of the building inspector granting, denying, renewing or revoking a license for a mobile home park under this chapter may appeal to the city council within ten days after the issuance of such order by the building inspector. The city council shall fix a reasonable time for the hearing of an appeal and give due notice to the appellant. Any appeal shall have the effect of suspending the requirement of the building inspector until the hearing by the city council. (5-13-74, § 1.)

Article III. Standards.Sec. 12-15. Application required for changes, etc.

Before any change, renovation, addition or alteration is made to any mobile home park, an application in writing to cover such work shall be filed with the building inspector. (5-13-74, § 1.)

Sec. 12-16. Minimum requirements.

The mobile home park shall conform to the following standards:

- (a) Area, etc., of lot. Each space or lot shall contain a minimum of three thousand two hundred square feet, shall be at least thirty-five feet in width and shall have its boundaries clearly defined and numbered.
- (b) Setbacks. No mobile home shall be less than thirty feet from any exterior property line and shall be set back at least twenty feet from the right of way of any private drive. No mobile home shall be less than sixteen feet from another mobile home, and the minimum distance from a mobile home to the nearest interior lot line shall be no less than eight feet. No mobile home space shall have direct vehicular access to a public street.
- (c) Driveways; access. All mobile home spaces shall abut upon a paved driveway of not less than twenty feet in width which has unobstructed access to a public street, alley or highway maintained by the city or by the state highway commission.
- (d) Paving and lighting. All driveways and walkways within the park shall be paved and lighted at night with streetlights of not less than one hundred seventy-five watts, each, spaced at intervals of not more than two hundred fifty feet.

- (e) Buffers. A buffer strip consisting of a durable masonry wall, fence or hedge or other natural planting of comparable opacity shall be provided along the side and/or rear lines of every park. If a durable masonry wall or fence is used, it shall be four feet in height between the street line and the required setback of the zone or district in which the park is located and shall be from four feet to six f@ in height along the side or rear yards of any park.

If a hedge or other natural planting of opacity is used, it shall consist of a planted strip at least ten feet in width and containing a mixture of deciduous evergreen trees spaced in a staggered triangular more than ten feet apart and containing not less than two rows of dense plant materials. The same shall be planted at an initial height of at least three feet and shall be of such variety that an average height of six feet can be expected by normal growth within four years from the time of initial planting. No plant material which would be a host to insects, would affect the plants on adjoining property, or would spread disease can be used; and all plant material must conform to the guidelines set forth in the 1959 edition of American Standard for Nursery Stock published by the American Association of Nurserymen, Inc., including any subsequent amendment thereto or revision or edition thereof. All plant material shall be planted at least three feet from the rear lot lines of the adjoining properties.

- (f) Authority of inspector to waive screening requirements. In case of unusual topography or size of the tract involved or in cases in which screening devices already exist comparable to the general requirements of this section creating a situation whereby the installation of a masonry wall, fence, hedge or other planting of comparable opacity would not be practical and serve no useful purpose, the building inspector is hereby empowered to waive the requirements for screening; provided that the spirit and intent of this chapter and the provisions pertaining to the required buffer strip are adhered to. This section shall not be construed to negate the necessity for establishing screening for uses which are adjacent to vacant properties.
- (g) Area of park; density. No parcel of land containing less than five acres nor less than seven mobile home spaces available at the time of first occupancy shall be used for a mobile home park but in no case shall the density exceed nine mobile homes per acre.
- (h) Recreation areas. All mobile home parks shall have at least one recreation area, located so as to be free of traffic hazards, easily accessible to all park residents and centrally located where topography permits subject to the following:

- (1) Recreation areas and facilities, such as playgrounds, swimming pools and community buildings, shall be provided so as to meet the anticipated needs of the clientele the park is designed to serve. Provision of separate adult and tot lot recreational areas is encouraged.
- (2) Not less than eight percent of the usable land area in a mobile home park shall be devoted to recreational facilities, generally in a central location. In large parks this may be decentralized. Recreational areas shall not include land set aside or used for vehicular parking, commercial, maintenance or utility purposes.
- (3) All recreational areas and facilities shall be maintained in a safe and sanitary condition at all times. (5-13-74, § 1.)

Sec. 12-17. Mobile home additions.

No living compartment shall be added to any mobile home parked within a mobile home park, except for a prefabricated structure specifically designed by the manufacturer for mobile home extension and approved by the building inspector. (5-1374, § 1.)

Sec. 12-18. Water Supply.

- (a) An accessible, adequate, safe and potable supply of water meeting state or city standards shall be provided in each mobile home park. Connection shall be made to the public supply of water where available. The water distribution system shall be governed by the following regulation:
 - (1) It shall be connected by pipes to all mobile home spaces or buildings and other facilities requiring water.
 - (2) All water piping, fixtures and other equipment shall be constructed and maintained in accordance with state and city regulations and standards.
 - (3) The water mains shall be placed within a properly dedicated easement to allow adequate maintenance.
 - (4) One master water meter will be provided by the licensee for each mobile home park when connected to city's water system.

- (b) Individual water riser pipes and connections shall be provided to meet the following standards.
- (1) Individual water riser pipes shall be located within the confined area of the outside perimeter walls of the mobile home at a point where the water connection will approximate a vertical position.
 - (2) Water riser service pipes shall extend at least four inches above ground elevation. The pipe shall be at least three-quarters inch in diameter. The water outlet shall be capped in an approved manner when the space or lot is unoccupied.
 - (3) Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipes. Surface drainage shall be diverted from the location of the riser pipe.
 - (4) A shutoff valve below the frost line shall be provided near each water riser pipe. (5-13-74, 6 1.)

Sec. 12-19. Sewage disposal.

- (a) An adequate and safe sewage system shall be provided in all parks for conveying and disposing of the sewage. The sewer system for a mobile home park shall be constructed in accordance with state and city regulations. Affluents from sewage treatment facilities shall not be discharged into any waters of the state except with prior approval of the county health department and the regulatory agencies of the state.
- (b) All individual sewer connections installed in the mobile home park shall meet the following standards:
 - (1) Each mobile home space shall be provided with a sewer riser pipe at least four inches in diameter. The sewer riser pipe shall be so located in each space at the sewer connection that the mobile home drain outlet will approximate a vertical position.
 - (2) The sewer connection from the mobile home to the sewer riser pipe shall have a nominal inside diameter of at least three inches and the slope of any portion thereof shall be at least one-fourth inch per foot. The sewer connection shall consist of one pipeline only without any branch fittings. All joints shall be water tight. All sewer connections shall comply with city and state requirements.

- (3) All materials used for sewer connections shall comply with city and state regulations.
- (4) Provision shall be made for capping the sewer riser pipe in an approved manner when the space is unoccupied. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least four inches above ground elevation. (5-13-74, § 1.)

Sec. 12-20. Refuse and garbage disposal.

Every mobile home shall be provided with substantial flytight, metal garbage depositories from which the contents shall be removed by an approved private garbage collection service at least weekly. (5-13-74, § 1.)

Sec. 12-21. Electrical and telephone service--Distribution systems.

All electrical and telephone wiring in the mobile home park shall be underground and installed in accordance with city or state regulations governing public or private utilities. The general requirements for such wiring shall be as follows:

- (a) Every mobile home park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances which shall be installed and maintained in accordance with applicable codes and regulations for such systems.
- (b) Main power lines and telephone conductors shall be located underground. All buried conductors or cable shall conform to city and state specifications. Such conductors shall be located not less than one foot radial distance from water, sewer or gas lines. The location of all such underground lines shall be clearly marked by surface signs at approved intervals. (5-13-74, § 1.)

Sec. 12-22. Same--Individual electrical connections.

- (a) For individual electrical connections, the following standards shall be required:
 - (1) Every space shall be served and metered by the private or public utility in the same manner as for a single family residential lot with an underground service line and shall be provided with approved disconnecting device and over current protective equipment. The minimum service per outlet should be 120/240 volts AC, 50 amperes.

- (2) Outlets, receptacles or pressure connectors, shall be housed in an Underwriters' Laboratory approved weatherproof outlet box and shall be located not more than twenty-five feet from the over current protective device in the mobile home. Three pole, four wire, grounding type outlets shall be used.
 - (3) The mobile home shall be connected to the outlet box by an Underwriters' Laboratory approved type of flexible supply cord with a male attachment plug or pressure connectors. If the distance from the receptacle to the mobile home exceeds three feet, the cord shall be installed underground.
- (b) All exposed noncurrent-carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved grounding conductor with branch circuit conductors. The neutral conductor shall not be used as an equipment ground for mobile homes or other equipment and the grounding conductor shall be attached to a permanent ground in an approved (5-13-74, § 1.)

Sec. 12-23. Fire protection.

Every mobile home park shall be equipped at all t fire extinguishing equipment in good working order, at type, size and number and so located within the within the park as to satisfy all applicable regulations of Chapter 7 of and other ordinances of the city. No open fires permitted at any time which may endanger life or property, and no fires shall be left untended at any time. (5-13-74, § 1.)