

- (4) Require within zones AH or AO adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures.

Sec. 3.12.075 Penalties for noncompliance

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this article and other applicable regulations. Violation of the provisions of this article by failure to comply with any of its requirements, including violations of conditions and safeguards established in connection with conditions, shall constitute a misdemeanor. Any person who violates this article or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$200.00 for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

(Ordinance 06-11, sec. 2, adopted 10/9/06)

**ARTICLE 3.13 MOBILE HOMES, MOBILE HOME PARKS AND RECREATIONAL
VEHICLE PARKS**

Division 1. Generally

Sec. 3.13.001 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Dependent mobile home. A mobile home without inside toilets and bath, which are prohibited in a mobile home park as defined in this article.

Doublewide mobile home. A mobile home as defined in this section, except that the width of a doublewide mobile home is at least twenty-four (24) feet.

Hard-surface road. An asphalt or concrete road.

(1987 Code, sec. 13-1)

HUD-code manufactured home.

- (1) Means a structure:

- (A) Constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development;
 - (B) Built on a permanent chassis;
 - (C) Designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities;
 - (D) Transportable in one or more sections; and
 - (E) In the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet;
- (2) Includes the plumbing, heating, air conditioning, and electrical systems of the home; and
 - (3) Does not include a recreational vehicle as defined by 24 C.F.R. section 3282.8(g).

A HUD-code manufactured home is not a mobile home for any purpose under state law.

(Ordinance adopting Code)

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

Manufactured home or manufactured housing. A HUD-code manufactured home or a mobile home.

Mobile home.

- (1) Means a structure:
 - (A) Constructed before June 15, 1976;
 - (B) Built on a permanent chassis;
 - (C) Designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities;
 - (D) Transportable in one or more sections; and

- (E) In the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet; and
- (2) Includes the plumbing, heating, air conditioning, and electrical systems of the home.

A mobile home is not a HUD-code manufactured home for any purpose under state law.

(Ordinance adopting Code)

Mobile home park. Any plot of ground upon which two (2) or more mobile homes or travel trailers occupied for dwelling or sleeping purposes for any length of time are located, regardless of whether or not a charge is made for such accommodation.

Mobile home space. A plot of ground within a mobile home or travel trailer park designed for the accommodation of one (1) mobile home or travel trailer.

Modular home. A structure, transportable in two (2) or more sections, when each section is eight (8) body feet or more in width and is thirty-two (32) body feet or more in length, and which is built on a permanent chassis, and is designed to be used as a dwelling with or without permanent foundation when connected to the required utilities and includes plumbing, heating, air conditioning and electrical systems contained therein.

Motor home. A recreational motorized vehicle that is designed to travel under its own power without the need for any additional outside source to push, pull or tow the motor home. The motor home is designed to have fixed wheels and axles connected to the frame of the motor home.

Park. A mobile home or travel trailer park.

Permittee. Any person to whom a temporary permit is issued to maintain or operate a mobile home or travel trailer park under the provisions of this article.

Travel trailer. A structure, having no foundation other than a permanent chassis with wheels, which is twelve (12) body feet or less in width, and is less than forty (40) body feet in length, and is designed to be used as a dwelling with or without permanent foundation when connected to the required utilities, and includes plumbing, heating, air conditioning and electrical systems contained therein.

(1987 Code, sec. 13-1)

Sec. 3.13.002 Mobile homes or manufactured homes outside licensed parks

Mobile homes or manufactured homes outside licensed parks shall conform to the following requirements:

- (1) It shall be unlawful and a violation of this section for any person to place, lease, use for a commercial or residential purpose or store for any purpose a mobile home, dependent mobile home or doublewide mobile home or manufactured home in any location within the city limits other than in a licensed and lawful mobile home park, except as provided below.
- (2) It shall be legal for an individual to utilize a doublewide mobile home or manufactured home as a residence within the city as long as that person has previously obtained the permit from the city in accordance with subsection (3) of this section and all other applicable zoning and building ordinances of the city.
- (3) Persons desiring to place a doublewide mobile home or manufactured home for occupancy on a private lot, whether the lot is vacant or whether the lot has improvements thereon, shall first secure a permit from the city by filing a written application for such permit with the city building inspector, giving the name and address of the applicant, the size of the doublewide mobile home or manufactured home, and a description of the property upon which the doublewide mobile home is to be located. The doublewide mobile homes or manufactured homes used for residential purposes shall comply with the same building and zoning codes as any other residential building being constructed. In addition, a doublewide mobile home or manufactured home shall be permanently attached to the ground upon which it rests. The doublewide mobile home or manufactured home's axles and wheels shall be removed. Permanent utilities shall be connected and the doublewide mobile home or manufactured home shall be completely skirted.
- (4) It shall otherwise be unlawful for any person to maintain or allow to be maintained, on any premises owned by him or under his control, within the corporate limits, any mobile home or manufactured home for occupancy, storage or as a commercial business, upon the tract on which it rests.
- (5) If on March 25, 1985, there is in existence a mobile home, dependent mobile home or manufactured home which is being used for dwelling or sleeping purposes that is not located in a licensed mobile home park or there is a mobile home, dependent mobile home or manufactured home being used for commercial purposes, then such use of the mobile home, dependent mobile home or manufactured home may continue; however, if such nonconforming use of a mobile home, dependent mobile home or

manufactured home is discontinued for a period of thirty (30) days, the use and location of the same shall thereafter conform to the provisions of this article unless otherwise approved by the city council.

- (6) A nonconforming use if changed to a conforming use may not thereafter be changed back to the nonconforming use.
- (7) It shall be unlawful for any person to keep a mobile home, dependent mobile home, doublewide mobile home, or manufactured home in the city other than in a mobile home park, which is being stored and not used as a residence or a commercial business.
- (8) It shall be legal for an individual to store a motor home or manufactured home within the city as long as the motor home or manufactured home is not used for any other purpose except storage, and the placement of the motor home or manufactured home on a lot in the city must be in compliance with section 13 of the zoning code of the city.
- (9) It shall be legal to place a mobile home or manufactured home on any private lot, whether the lot is vacant or has improvements thereon, outside a licensed mobile home park, provided that:

(1987 Code, sec. 13-2; Ordinance adopting Code)

- (A) Such mobile home or manufactured home utilized solely in conjunction with commercial air ambulance services or operations or governmental emergency medical services or operations; and (Ordinance 09-02 adopted 3/23/09)
- (B) The person desiring to place such mobile home or manufactured home shall first secure all applicable permits and follow all other applicable sections of this article and all other applicable ordinances. (1987 Code, sec. 13-2; Ordinance adopting Code)

Sec. 3.13.003 Modular homes

It shall be permissible to place for occupancy on any private lot, whether the lot is vacant or whether the lot has improvements thereon, a modular home, provided that the person desiring to place the modular home shall first secure all applicable permits and follow all other applicable sections in this article and all other applicable ordinances. A modular home shall be treated as, and with the same regard as, a conventionally constructed residence. (1987 Code, sec. 13-3)

Sec. 3.13.004 Tiedown standards adopted

Any mobile home, manufactured home, or modular home within the corporate limits shall conform to the tiedown standards as contained in the International Building Code, which are hereby adopted as if copied in full in this section, with the exception that H-3 in appendix H of the International Building Code is hereby deleted, and the definition of a mobile home as contained in this article is thereby substituted. Travel trailers located in a licensed park are not required to be tied down but shall conform to applicable provisions of the International Building Code. (1987 Code, sec. 13-4; Ordinance adopting Code)

Sec. 3.13.005 Mobile home address numbering

Each mobile home or manufactured home within the jurisdiction of the city shall have a conspicuously displayed address number which contrasts in color to the background of the portion of the mobile home where it is displayed. The address numbers shall be placed on the side of the mobile home or manufactured home which faces the street. The size of each address number is to be at least four (4) inches in height and no less than two (2) inches in width. The address numbers shall be visible from the street. (1987 Code, sec. 13-5; Ordinance adopting Code)

Secs. 3.13.006–3.13.030 Reserved

Division 2. Mobile Home and Manufactured Home Parks

Part I. In General

Sec. 3.13.031 Location; screening

Mobile home parks may be located in an area zoned for such use; any other area location will require a special use permit. Where any boundary of a park directly abuts property which is improved with a permanent residential building located within twenty-five (25) feet of such boundary, or directly abuts unimproved property which may under existing laws and regulations be used for permanent residential construction, a fence, wall or hedge shall be provided along such boundary. (1987 Code, sec. 13-16)

Sec. 3.13.032 General requirements

The mobile home park shall conform to the following requirements:

- (1) The park shall be located on a well-drained site, properly graded to ensure rapid drainage and free from stagnant pools of water.