

ARTICLE 10. MOBILE HOMES

4-1001. FINDING OF PUBLIC NECESSITY. It is hereby found that in order to protect and promote the public health, morals, convenience, safety and welfare, to preserve the appropriate character of each area within the sound principles of the zoning ordinance, it is necessary to provide for the licensing, regulations, permits and fees for the locations and operation of mobile homes and mobile home communities and mobile home parks within the city. (Ord. 330, 4-801)

4-1002. DEFINITIONS. For the purpose of this article, the following words and phrases shall have the meaning ascribed to them in this section:

(a) Dependent Mobile Home--a mobile home which does not have a flush toilet and a bath or shower;

(b) Independent Mobile Home--a mobile home which has a flush toilet and a bath or shower;

(c) Inspector--the legally designated inspection authority of the city, or authorized representative;

(d) Licensee--any person licensed to operate and maintain a mobile home park community or mobile home park under the provisions of this article;

(e) Mobile Home--all vehicles used, or so constructed as to permit being used as conveyances upon the public streets or highways and duly licensable as such, and constructed in such a manner as will permit occupancy thereof for human habitation, dwellings or sleeping places for one or more persons. This definition shall refer to and include all portable contrivances used or intended to be used generally for living and sleeping quarters and which is capable of being moved by its own power, towed or transported by another vehicle;

(f) Mobile Home Community--any area, tract, site or plot of land whereupon a minimum of 25 mobile homes as herein defined are placed, located or maintained, or intended to be placed, located and maintained, for dwelling purposes only and upon a permanent or semi-permanent basis;

(g) Mobile Home Lot or Tract--any lot or tract of land in a designated A-L or CH Mobile Home District whereupon one mobile home as herein defined is placed, located or maintained, or intended to be placed, located and maintained, for dwelling purposes only and upon a permanent or semi-permanent basis, and where the lot or tract is

individually owned or leased from the owner and where the lot or tract shall have its own individual utilities.

(h) Mobile Home Park--any park, court, camp, lot, tract or plot of land or any site whereon mobile homes as herein defined are placed, located or maintained, or intended to be placed, located or maintained, whether for or without compensation and shall include all buildings used or intended to be used as a part of the equipment thereof;

(i) Mobile Home Space--a plot of ground within a mobile home community or part which is designed for and designated as the location for only one mobile home and not used for any other purposes whatsoever other than the customary accessory uses thereof;

(j) Natural or Artificial Barrier--any street, river, pond, canal, railroad, levee, embankment or screening by appropriate fence or hedge;

(k) Permittee--any person to whom a temporary permit is issued to maintain an individual mobile home outside of a licensed mobile home community or park and in accordance with the provisions as hereinafter prescribed;

(l) Person--any natural individual, firm, trust, partnership, association or corporation, whether tenant, owner, lessee, licensee, permittee, agent, heirs or assigns.

(Ord. 330, 4-802; Ord. 719, Sec. 1)

4-1003. LICENSE AND TEMPORARY PERMIT REQUIRED. Licenses and temporary permits for the city shall be as follows:

(a) It shall be unlawful for any person to establish, maintain, operate or permit to be established, maintained or operated any mobile home community or mobile home park within the corporate limits of the city without first having secured a license therefor;

(b) It shall be unlawful for any person to park, place or abandon any mobile home upon any street, alley, highway or other public place or upon any premises or tract of land located within the corporate limits of the city and which is situated outside of a licensed mobile home community or mobile home park without first having secured a temporary permit as herein required;

(c) The parking of one visiting mobile home in an accessory private garage building, or in the rear yard of any premises for a period

not to exceed 14 days shall be permitted: provided, that the temporary permit for such shall not be renewed or another permit issued for such mobile home at the same location within the calendar year that such temporary permit was issued;

(d) This section shall not apply to the following:

(1) Emergency or temporary stopping or parking for 24 hours and subject to any other limitations that may be imposed by other ordinances of the city relative to parking;

(2) Unoccupied mobile homes for demonstration and sales purposes only may be located within any district permitted by the zoning ordinance for such;

(3) The storage of any unoccupied or uninhabited mobile home within the corporate limits of the city shall be permitted in the rear yard of any premises: provided, that all such storage is not in conflict with any other sections of this article, the zoning regulations or other pertinent ordinances of the city.

(Ord. 330, 4-803)

4-1004. LICENSE FEES AND TEMPORARY PERMIT FEES. Fees for licenses and temporary permits shall be as follows:

(a) The annual license fee for each mobile home community or mobile home park shall be \$3 for each mobile home space contained therein;

(b) The cost of a temporary permit for each single mobile home as provided hereinbefore shall be \$1;

(c) All license fees except temporary permit fees, shall be for the calendar year, shall not be prorated, and shall expire on December 31 of each year;

(d) Provided, that a mobile home community or mobile home park license may be transferred to another person during the current year of such license upon payment of \$5 to the office of the city clerk.

(Ord. 330, 4-804)

4-1005. APPLICATION FOR LICENSE, TEMPORARY PERMIT. Application for licenses and temporary permits in the city shall be as follows:

(a) Application for mobile home community or mobile home park license or a temporary permit for an individual mobile home as provided and required in section 4-1003 of this article, shall be filed at the office of the city inspector;

(b) The application for an initial mobile home community or a mobile home park license shall be in writing, signed by the owner and shall include the following:

(1) The name and address of the applicant;

(2) The location and legal description of the mobile home community or mobile home park;

(3) A complete plan of the mobile home community or mobile home park in conformity with all of the requirements for such as contained in this article;

(4) Plans and specifications of all buildings, improvements and other facilities such as electrical wiring, water service pipes, gas service pipes and sewer service, constructed or to be constructed within the mobile home community or mobile home park;

(5) Such further information as may be requested by the city inspector to enable him or her to determine if the proposed mobile home community or mobile home park will comply with all the requirements of this article.

(c) Before any application as required by this section may be approved for a mobile home community or mobile home park, there must be recommendation from the planning commission approving the site, location; design and layout of the mobile home community or mobile home park. Upon the receipt of the recommendation for such from the planning commission, the city inspector shall then investigate and inspect the application and the proposed plans and specifications. If the plans and specifications for the proposed mobile home community or mobile home park are in compliance with all provisions of this article and all applicable ordinances and statutes, the city inspector shall approve the application, and upon completion of the mobile home community or mobile home park according to the approved plans and specifications, the office of the city clerk shall issue a license for such, upon payment of the fee or fees as hereinbefore provided.

(d) The application for a temporary permit shall contain the following:

- (1) The name and address of the applicant;
- (2) The location and legal description of the property or area upon which the mobile home is to be parked temporarily;
- (3) The dates that the mobile home will be temporarily parked;
- (4) The license number of the mobile home;
- (5) Certification by the occupant, owner or tenant that all plumbing fixtures may be sealed by the city inspector or his or her representative. In the event that such plumbing is sealed, the owner or occupant of such mobile home shall not permit such seal to be broken except by the direction of the city inspector or his or her representative.

(e) All applications for a temporary permit as herein required shall be approved by the city inspector. Upon certification by the city inspector that the applicant for a temporary permit is in compliance with the provisions of this article, the office of the city clerk shall issue the temporary permit upon payment of the fee as hereinbefore provided;

(f) Upon application in writing by a licensee for renewal of a license and after reinspection by the city inspector of the mobile home community or mobile home park for conformance with the regulations of this article and upon payment of the annual license fee, the city clerk shall issue a certificate renewing such license for another year.

(g) All existing mobile homes or mobile home communities, parks, spaces or areas not meeting the requirements of this article, shall be declared nonforming and shall not be permitted to add space or make any improvements inconsistent with the terms and conditions of this article, and any such nonconforming mobile home community park, space or area which is not operated for a period of three months, shall not reopen until the conditions of this article shall have been complied with. Except, however, that after the effective date of this article, it shall be unlawful for any person to park, place or abandon any mobile home outside a duly authorized mobile home community or mobile home park, except on a temporary basis as provided by section 4-1003 of this article, unless the person has first complied with all existing ordinances relating to mobile homes, zoning and area requirements applying to a permanent dwelling or residence in the same area.

(h) Upon inspection of any mobile home community or mobile home park, the city inspector finds that conditions or practices exist which are in violation of any provision of this article or of any regulation adopted pursuant thereto, the city inspector shall give notice in writing

to the person to whom the license was issued; and, unless such conditions or practices are corrected within a reasonable period of time, to be determined by the city inspector, he or she shall give notice in writing to the person to whom the license was issued that the license has been revoked. Upon receipt of the notice of revocation, such person or persons shall cease operation of such mobile home community or mobile home park.

(i) Any person whose application for a license has been denied or any person whose license has been revoked may request and shall be granted a hearing of the matter before the governing body, upon filing an application for hearing before such body within three days following the day on which such notice was received or license denied and the governing body shall hold such hearing within 21 days after the filing of such application. The filing of such application shall not suspend any order of the city inspector in denying application for license but shall suspend any order of revocation of the license until the matter has been determined by the governing body.

(Ord. 330, 4-805)

4-1006. LOCATION. Mobile home community or mobile home parks may be located in the city according to the following rules and regulations:

(a) A mobile home community or mobile home park may be located in any district as provided by the zoning ordinance;

(b) Each boundary of any mobile home community or mobile home park must be at least 200 feet from any permanent residential building located outside the mobile home community or mobile home park, unless separated therefrom by a material or artificial barrier, or unless a majority of the property owners according to the area within 200 feet, consent in writing to the establishment of the mobile home community or mobile home park.

(Ord. 330, 4-806)

4-1007. MOBILE HOME COMMUNITY PLAN. The mobile home community shall conform to the following requirements:

(a) Shall be located on a well drained site, properly graded to insure rapid draining and freedom from stagnant pools of water;

(b) Mobile home spaces shall be provided consisting of a minimum of 3,000 sq.ft. for each space and which shall be clearly defined and marked;

(c) Each mobile home space shall be provided with a paved patio of at least 180 sq.ft. and have a storage locker of at least 100 cu.ft.;

(d) Mobile homes shall be harbored on each space so that there shall be at least a 20 foot clearance between mobile homes: provided, that with respect to mobile homes parked end to end, the end to end clearance may be less than 20 feet but not less than 15 feet. No mobile home shall be located closer than 20 feet from any building within the mobile home community or from any property line bounding the mobile home community;

(e) All mobile home spaces shall abut upon a roadway of not less than 30 feet in width where vehicles are permitted to park on the roadway adjacent to mobile homes, otherwise off-street or off-roadway parking lots shall be maintained at a minimum ratio of one and one-half car spaces from each mobile home space, and the roadway may then have a minimum of 20 feet in width. All such roadways shall have unobstructed access to a public street;

(f) All roadways and walks within the mobile home community shall be all weather surfaced, maintained and adequately lighted as per residential street lighting requirements;

(g) A park and recreation area shall be provided having minimum of 150 sq.ft. per mobile home space: provided, that this requirement may be waived when the mobile home community is adjacent to or within 400 feet of a public park or recreation area;

(h) All electrical distribution systems, plumbing systems and telephone service systems to each mobile home space, except outlets and risers, shall be underground. Each mobile home space shall be provided with a 115 volt and 230 volt service with a minimum 100 ampere individual service outlet;

(i) Whenever master television antenna systems are to be installed, the complete plans and specifications for the system must be approved by the city inspector. Distribution to individual mobile home spaces shall be underground and shall terminate adjacent to the electrical outlet;

(j) Only independent mobile spaces shall be provided and no service building shall be required: provided, that if such service building is provided it shall comply with the regulations hereinafter prescribed for service buildings.

(Ord. 330, 4-807)

4-1008. MOBILE HOME PARK PLAN. The mobile home park shall conform to the following requirements:

- (a) Same as contained in section 4-1007a of this article;
- (b) Mobile home spaces shall be provided with 80% of the spaces having a minimum of 2,000 sq. ft. and 20% having a minimum of 1,500 sq.ft. for each mobile home space;
- (c) Each mobile home space shall be provided with a storage locker of at least 50 cu. ft.;
- (d) Mobile homes shall be harbored on each space so that there shall be at least a 15 foot clearance between mobile homes. No mobile home shall be located closer than 15 feet from any building within the mobile home park or from any property line bounding the mobile home park;
- (e) All mobile home spaces shall have adequate access to a driveway of not less than 20 feet in width, which shall have unobstructed access to a public street or highway and the sole vehicular access shall not be by an alley and all dead end driveways shall include adequate vehicular turning space or cul-de-sac;
- (f) Off-driveway parking shall be maintained at a minimum ratio of 1 ? car spaces for each mobile home space;
- (g) All driveways and walkways within the mobile home park shall be all weather surfaced, maintained and lighted at night with electric lamps of not less than 100 watts each, spaced at intervals of not more than 100 feet, or equivalent illumination as may be supplied by other approved sources;
- (h) An electrical outlet supplying at least 115 volts shall be provided for each mobile home space with a minimum 60 ampere individual service;
- (i) Outdoor laundry drying space of adequate area and suitable location shall be provided and equipped with necessary clothes lines and other essentials;
- (j) One or more playgrounds shall be provided which are easily accessible from the mobile homes without encountering traffic hazards.

(Ord. 330, 4-808)

4-1009. MOBILE HOME PARK PLAN, SERVICE BUILDINGS. If independent mobile home spaces only are provided, no service building shall be required. Any mobile home park providing for dependent mobile homes shall have one or more service buildings constructed in accordance with the provisions of the building, plumbing and electrical codes of the city. Such service building shall:

- (a) Be located 15 feet or more from any mobile home space;
- (b) Be adequately lighted;
- (c) Have the interior finished with moisture-resistant material to permit frequent washing and cleaning;
- (d) Provide at least one lavatory, water closet and shower for each sex, one laundry tray, one slop water drain and hot and cold water;
- (e) Have adequate heating facilities for the building and equipment which will furnish an ample supply of heated water during times of peak demands;
- (f) Have all rooms well ventilated with all openings effectively screened.

(Ord. 330, 4-808)

4-1009A. MOBILE HOME LOTS OR TRACTS. An independent mobile home placed on an individual lot or tract of ground as defined in 4-1002(g) shall conform to the following rules and regulations:

- (a) A building permit shall be secured from the city prior to moving a mobile home.
- (b) The mobile home shall be located on the lot or tract of land according to the required set-back and side yard clearances set forth in the zoning ordinances.
- (c) The mobile home shall be securely anchored in place as set forth in K.S.A. 75-1226, 75-1227, 75-1228, 75-1229, 75-1230, 75-1231, 75-1232, 75-1223 and 75-1224, all as amended.
- (d) The mobile home shall be skirted with fire resistive materials from ground up to siding of mobile home. Plywood, wood

siding or combustible siding materials shall not be used, unless fire resistive non-combustible backing material shall be applied behind such siding. Hay bales used as skirting or placed under or around a mobile home for any purpose is prohibited.

(e) Automobile tire, masonry materials or other materials not a factory supplied part of the mobile home shall not be installed or placed on the roof of the mobile home for any purpose. Appropriate straps or ribs may be installed on the roof of the mobile home if approved by the building official, to help prevent wind lift of the roof.

(f) All utilities installed on a lot or tract of land to be occupied by a mobile home, shall comply with all plumbing, mechanical and electrical codes of the city. The gas lines on a mobile home shall be air tested and inspected for leaks prior to gas utility turn on. Air pressure of 30 p.s.i. shall hold for a period of one hour or equivalent test will be acceptable.

(g) Mobile homes moved to an individually owned lot or tract of land after February 9, 1982 shall have a four foot wide concrete sidewalk installed at the curb across the front of the lot and if a corner lot shall have a four foot wide concrete sidewalk installed at the curb along the side street from the front street to the alley line.

(h) Mobile homes moved to an individually owned lot or tract of land shall have one off-street parking space (driveway) minimum nine foot wide by 20 foot in length measured from the property line and extending on owner's property and from property line to city curb with an approved apron. Concrete on city property shall be six inches thick with 6" x 6"-10/10 wire mesh reinforcing.

(i) Utilities shall not be approved for turn on until a final inspection has been made of the mobile home and the mobile home found safe and in compliance with all applicable codes. The final inspection shall cover the following items and all must be complete: All gas connections and gas appliances shall be inspected for leaks, electric service entrance connections shall be inspected and shall be 100 amp service wired directly into breaker panel; except service to a 50 - 60 amp mobile home may consist of a plug and cord connection adequate to carry 60 amp service, electric receptacles, switches and lights shall be correctly wired, water hook up shall be secure and free from leaks, sewer connections shall be secure and shall not allow sewer gas to escape under the mobile home, the sidewalk or sidewalks and driveway must be complete and the mobile home securely anchored to the ground. Skirting as required shall be installed no later than 60 days from date of occupancy of the mobile home.

Exception: Mobile homes moved into an approved mobile home park shall be exempt from the requirement of sidewalks and driveway. (Ord. 719, Sec. 2)

4-1010. WATER SUPPLY. Rules and regulations for the supply of water to mobile homes shall be as follows:

(a) The water supply shall be connected to the municipal water system and all plumbing shall be constructed and maintained in accordance with the city's plumbing code;

(b) Individual water service connections shall be provided for direct use by mobile homes and shall be so constructed that they will not be damaged by the parking of such mobile homes, or as required by the city inspector.

(Ord. 330, 4-809)

4-1011. SEWAGE DISPOSAL. Rules and regulations for sewage disposal for mobile home community or mobile home parks shall be as follows:

(a) All plumbing at the mobile home community or mobile home park shall comply with state and local plumbing laws and regulations;

(b) Each mobile home space shall be provided with at least a four inch sewer connection. The sewer connection shall be provided with suitable fittings so that watertight connection can be made between the mobile home drain and the sewer connection. Such individual mobile home connection shall be so constructed that they can be closed when not linked to a mobile home, and shall be trapped in such a manner as to maintain them in an odor free condition;

(c) Sewer lines shall be constructed with the approval of the city inspector, and in accordance with the plumbing code and in accordance with the recommendation of the city inspector.

(Ord. 330, 4-810)

4-1012. REFUSE DISPOSAL. The storage, collection and disposal of refuse in the mobile home community and mobile home park shall be in compliance with the refuse laws of the city. (Ord. 330, 4-811)

4-1013. ELECTRICITY. All electric installations shall comply with the electrical code of the city. Such electrical outlets shall be weatherproof.

No power line, including service lines to the mobile home shall be permitted to lie on the surface of the ground. All power lines, if on poles, shall be suspended not less than 14 feet above the ground. (Ord. 330, Sec. 4-812)

4-1014. FUEL. Natural and liquefied petroleum gas for cooking purposes may be used at individual mobile home spaces. Installation shall be connected by copper or to other suitable metallic tubing and complies with the fire prevention code of the city. (Ord. 330, Sec. 4-813)

4-1015. FIRE PROTECTION. Fire protection for mobile home communities and mobile home parks in the city shall be as follows:

(a) Each mobile home community and mobile home park shall be subject to the rules and regulations of the city and the fire prevention code;

(b) Portable fire extinguishers of a type approved by the fire chief shall be kept in service buildings and in all other locations named by such fire chief, and shall be maintained at all times in a good operating condition;

(c) Standard fire hydrants shall be located within 400 feet of each mobile home. (Ord. 330, Sec. 4-814)

4-1016. PENALTY. Any person who violates any provision of this article or any provision of any regulation adopted by the city inspector and governing body pursuant to authority granted by this article, shall upon conviction thereof, be fined in any sum not less than \$10, nor more than \$100, and each day's failure of compliance shall constitute a separate offense. (Ord. 330, Sec. 4-815)