RANDOLPH TOWN

MOBILE HOME PARK ORDINANCE

1994

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RANOLPH TOWN

MOBILE HOME PARK ORDINANCE

IT IS HEREBY ORDAINED BY the Randolph Town Council as follows:

CHAPTER I

GENERAL PROVISIONS

I-1 TITLE

 This Ordinance shall be known as the “Mobile Home Park Ordinance of Randolph”.

I-2 PURPOSE

 Realizing that the mobile home is now an integral part of the housing supply in Randolph, and realizing that safe and clean housing is a prime concern of this Town, the Randolph Town Council does provide regulations for the establishments, construction, improvement and alteration of private mobile homes; mobile home parks and recreational vehicle parks in the Town of Randolph in order to promote, protect, and secure the public health, safety and general welfare of its inhabitants.

I-3 SEVERABILITY

 Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of said Ordinance shall not be effected thereby.

I-4 AUTHORITY

 These regulations are authorized by Title 10, Chapter 9 of the Utah Code, as amended or subsequently codified.

CHAPTER II

DEFINITIONS

 Accessory Building. A building or structure which supplements a mobile home but is not directly connected thereto. Examples include, but are not limited to, storage structures, carports, covered patios, garages.

 Add-on. A building or structure which is an addition connected to a mobile home. Examples include, but are not limited to, awnings, room additions, free-standing roofs, storage structures, carports.

 Building Official/Inspector. Shall mean any duly appointed officer of the County, or his authorized representative, charge with the enforcement of the provisions of this Ordinance.

 Council. Randolph Town Council.

 Commission. Randolph Town Planning and Zoning Commission.

 Conflicting Use Area. An adjacent area where the mobile home use would be in conflict as determined by the Commission.

 Mobile Home Park. A parcel (or contiguous parcels) of land under unified ownership which has been developed for the purpose of providing two or more mobile home spaces for rent or lease to the general public or use by the ownership.

 Mobile Home Space. A designated parcel of land in a mobile home park designed for the accommodation of one mobile home, its accessory buildings or structures for the exclusively, and containing lots in divided or separate ownership.

 Mobile Home Subdivision. An area of land subdivided for occupancy by mobile homes, exclusively, and containing lots in divided or separate ownership.

 Open Space. Common areas which are open for use by all residents of the park, not to include roads.

 Operational License. An annual license issued by the Building Inspector after inspection and payment of fee.

 Recreational Vehicle. A vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper and motor home.

 Recreational Vehicle Park. A plat of land upon which two or more recreational vehicle spaces are located, established or maintained for occupancy be recreational vehicles or tents for recreation or vacation purposes.

 Recreational Vehicle Park. A plot of ground within a Recreational Vehicle Park intended for the accommodation of either a Recreational Vehicle, tent or other individual camping unit.

CHAPTER III

GENERAL REQUIREMENTS

III-1 MOBILE HOME PAD

 A mobile home pad shall be provided, according to Mobile Home Manufactures recommendations.

III-2 TIEDOWNS

A. Vertical tiedowns shall be provided at not more than twenty-four (24) feet centers beginning from the front line of the pad.

B. Diagonal ties shall be provided in conjunction with each vertical tiedown.

III-3 SKIRTING

 Mobile homes placed in Randolph, Utah shall be completely skirted with a suitable material.

III-4 OFF-STREET PARKING

 Two off-street parking spaces shall be provided for each mobile home.

III-5 MINIMUM SET BACK REQUIREMENTS FOR MOBILE HOME PARKS

 A. Front Set Back: Thirty (30) feet from the public right-of-way.

B. Sideyard and Backyard Setback: No mobile home or add-on shall be located closer than ten (10) feet from side or rear property lines.

C. Accessory buildings shall not be located closer than ten (10) feet from side or read property lines.

III-6 SANITATION

A. A permit from the local Health Department for sanitation facilities shall be required if no community sewerage facilities are provided.

B. Double hook-ups on one individualized sewerage or one connection to a community system is prohibited.

III-7 BUILDING PERMIT

 A building permit must be obtained from the Building Inspector prior to placement of a mobile home.

CHAPTER V

APPLICATION PROCESS FOR MOBILE HOME PARK APPROVAL

V-1 APPLICATION PROCESS FOR MOBILE HOME PARK APPROVAL

A. Pre-Application: A form provided by the Town shall be completed and filed with the Planning and Zoning Commission, by the developer, for the purposes of determining the feasibility of the development and identifying the approval process. If the pre-application must be submitted again.

B. Application, Preliminary Plan: The developer shall file with the Commission.

 1. One (1) complete set shall be provided to each member of the Commission.

 2. A filing and checking fee, per the fee schedule adopted by the Town Council of Randolph, shall be paid to the Town Clerk prior to any action by the Commission on the application.

C. Review by the Planning and Zoning Commission: All mobile home parks are subject to review and approval of the Randolph Planning and Zoning Commission. The review shall be scheduled for the next regular meeting following receipt of the completed application and provided that ten (10) day notice is given to adjacent property owners by the applicant. Proof of said notification shall be presented to the Commission.

 Application for a conditional use permit, as required by the Town Zoning Ordinance, may be simultaneously made at this time providing that all requirements of a Conditional Use Application have been met by the developer. A conditional use permit must be granted prior to any construction or development of a mobile home park.

 In conjunction with Section III-6 of the Randolph Town Mobile Home Park Ordinance, the Developer shall submit to the District Health Department all necessary plans for water and sewage disposal systems in the project.

D. Action Forwarded: The findings and action of the Commission shall be forwarded in writing to the applicant and the Randolph Town Council.

E. Preparation Of Final Plan: Final Plans for the development shall be prepared by the applicant according to the Town requirements and condition of the Commission in such detail to provide checking of construction work. These plans shall be submitted to the Town Council along with the construction permit fee per the fee schedule adopted by the Town Council of Randolph.

F. Town Council Action: The Town Council of Randolph shall at their next regularly scheduled meeting following receipt of complete final plans in due time for agenda placement, review and take action on the plans and the construction permit after considering the following aspects:

 1. Need for the project;

 2. Results of Planning and Zoning Commission action;

 3. Compatibility with adjacent properties and public facilities;

 4. Compatibility with Town Comprehensive Plan.

G. Time Limit: Failure to accomplish substantial work towards completion of the park within one (1) year of the date action was taken shall cause all approvals to be void.

V-2 PRE-APPLICATION

 A. Contents.

 1. Pre-Application form provided by the Town.

2. Vicinity map showing the location of the project in relation to the Town and its boundaries;

3. Narrative statement explaining the proposed size, scope and intent of the project.

V-3 APPLICATION

A. Contents: The contents of the application/preliminary plan and related information shall be in such form as stipulated by the Commission; however, any additional maps or data deemed necessary by the Commission may also be required. The developer shall distribute to each Commission member and the Engineer at least one copy of the application/preliminary plan of the proposed Mobile Home Park drawn in accordance with the requirements hereinafter stated.

 Each copy of the preliminary plan shall be on good quality paper, shall have dimensions of not less than twenty-four (24) inches by thirty-six (36) inches, shall be drawn to a scale of not less than one (1) inch to one hundred (100) feet, shall show the drafting date and shall indicate thereon, by arrow, the generally northern direction.

 The Application/preliminary plan shall contain the following information:

 1. The name of the proposed park;

2. Names, address and phone numbers of the developer and all principle professional people involved in the plan preparation (i.e. engineers, surveyors, etc.);

3. Legal description of the development and proof of ownership;

4. Names and addresses of adjacent property owners within three hundred (300) feet of the development boundary;

5. A statement of intended use of the proposed park (i.e. single or double wide mobile homes, recreational vehicle, camping, combination of uses, commercial;

6. Area of proposed development in acres;

7. Amount, in acres and percentage, of area to be set aside for use-in-common and recreation;

8. Number of spaces or lots intended for development;

9. Mobile Home Park Preliminary/Development Plan with complete drawings showing compliance with applicable provisions of this ordinance and containing at least the following:

 a. Title, scale, north arrow and date as previously stated in this ordinance.

 b. Vicinity map of reasonable size showing the relationship of the proposed development to the surrounding area land uses and existing zoning of the development area.

 c. Map of the entire area under the same ownership if the proposed park is a portion of a larger holding.

 d. The area and dimension of the tract of land.

 f. Layout and width of roadways.

 g. Proposed layout of the park showing the location, size, number and nature of the mobile home spaces, amenities, common areas, permanent structures and landscaping.

 h. Layout and cross section of a typical mobile home space showing all improvements and facilities prepared at a minimum scale o f1/8 inch + 1 foot, (i.e. storm and sanitary sewers, ditches, drainages, bridges, culverts, water mains, fire hydrants).

 i. Location, size of water and sewer line and their connecting ;oints as might be determined by the Town Council.

 j. A site report as required by the appropriate District Health Department showing where wells and or septic tanks are proposed.

 k. A copy of any proposed restrictive covenants or park rules.

 l. Other such details as may be determined by the Randolph Planning and Zoning Commission.

V-4 FINAL PLAN

A. Content. The final plan shall include all information of the application and preliminary plan plus any additional details of the public facilities and utilities to insure proper construction.

CHAPTER VI

SPECIFIC STANDARDS AND REQUIREMENTS

APPLYING TO MOBILE HOME PARKS

Vi-1 1. Not less than ten (10) percent of the gross area of the project shall be designated for parks and playgrounds for use of occupants. The land covered by vehicular roads and off-street parking and the yards surrounding mobile homes which constitute open space pertinent to individual mobile homes and areas devoted to service buildings, shall not be included in computing the required are for parks and playgrounds.

2. All mobile home buildings used for human occupancy when completed shall be served by a water system and sewage disposal system which have been approved by the County Health Department.

3. At least seventy (70) percent of the required yards which abut upon public streets shall be landscaped.

4. A combined area of at least one hundred (100) square feet for each mobile home space shall be provided for the storage of boats, campers, etc. said storage must be enclosed within a sight-obscuring fence of six (6) to eight (8) feet in height.

5. Off-street parking space shall be provided at the rate of two (2) parking spaces per mobile home space contained within the park. One guest parking space shall be provided for every four (4) lots or fraction of four lots within the park.

6. Lighting shall be required along all roadways.

7. All mobile homes shall be set back at least fifteen (15) feet from all roadways which are part of the development and thirty (30) feet from any public street right-of-way.

8. roadways must be of adequate width to accommodate anticipated traffic and shall b constructed in accordance with the standards and specifications adopted by the Town.

9. A strip of land at least fifteen (15) feet wide surrounding the mobile home park (except along public streets) shall be landscaped to afford privacy to the development provided, however, that a sight-obscuring fence six (6) to eight (8) feet in height may be substituted for up to eight (8) feet of the required landscaping strip.

10. No mobile home or add-on shall be located closer than ten (10) feet tot the side or rear yard lines.

11. In additional to mobile homes, the development may include a launderette, club house, and other non-profit or public recreation buildings along with other uses which may be permitted by the Planning and Zoning Commission. In mobile home parks containing fifty (50) or more units, the development may also include a convenience center containing no more than ten (10) square feet per living unit in the development, for the convenience of the occupants.

12. Mobile Home Parks will be restricted to a density of seven (7) per acre; with a minimum lot size of five thousand (5,000) square feet; and a minimum lot width of fifty (50) feet.

13. Fire protection shall be provided in accordance with the adopted Town standards.

14. Provisions must be made by the developer for the storage, collection, and disposal of solid waste.

15. All utilities must be installed underground.

CHAPTER VII

BUILDING PERMIT REQUIRED

 A building permit shall be required before any construction is initiated on a mobile home park. No permit may be issued until complete plans as specified in this ordinance are on file with the Building Official.

CHATPER VIII

GUARANTEE OF COMPLETION OF IMPROVEMENTS

VIII-1 FINANCIAL GUARANTEE ARRANGEMENTS

 In lieu of the actual installation of required pbulci improvements before filing of the final plat, the Counci may permit the sbudivider to provide a financial guarantee of perforamcne in one or a combinations of the following garrangements for those requirements whicha re over and beyond the requirements of any other agency responsible for the administration, operation and maintenance of the applicable public improvement.

VIII-2 SURETY BOND

A. Accrual. The bond shall accrue to the Town covering construction, operation and maintenance of the specific pubic improvement.

B. Amount. The bond shall be in the amount equal to the one hundred ten percent t(110%) of the total estimated cost for completing construction of the specific public improvement, as estimated by a registered engineer and approved by the Council.

C. Term Length. The term length in which the bond is in frce shall be fore a period to be specified by the Council for the specific public improvement.

D. Bonding For Surety Company. The bond shall be with a surety company authorized to do business in the State of Utah, acceptable to the Council.

E. Escrow Agreement. The escrow agreement shall be drawn and furnished by the Council.

VIII-3 CHAS DEPOSIT, CERTIFIED CHECK, NEGOTIABLE BOND OR

 IRREVOCABLE BANK LETTER OF CREDIT

A. Treasurer, Escrow Agent of Trust Company: A cash deposit, certified check, negotiable bond or an irrevocable bank letter of credit, such surety acceptable by the Council shall be deposited with an escrow agent or trust company.

B. Dollar Value. The dollar value of the cash deposit, certified check, negotiable bond or irrevocable bank leter of credit shallb e equal to one hundred ten percent (110%) of the estimated cost of construction for the specific public improvement, as estimated by a registered engineer and approved by the Council.

C. Escrow Time. The escrow tiem for the cash deposit, certified check, negotiable bond or irrevocable bank letter of credit shall be for a eriod specified by the Council.

D. Progressive payment. In the case of cash deposits or certified checks, an agreement between the Council and the sbudivider may provide for progressive payment out of the cash deposit or reduction of the certified check, negotiable bond or irrevocable bank letter of credit to the extent of the cost of the completed portion of the public improvement in accordance with a previously enterd into agreement.

VIII-4 CONDITIONAL APPROVAL OF FINAL PLAT

 With respect to financial guarantees, the approval of all final subdivision plats shall be conditioned on the accomplishment of one of the following:

A. The consruction of improvements required by this ordinance shallb e completed by the subdivider and approved by the Council.

B. Surety acceptable to the Council shall have been filed in the form of cash deposit, certified check, negotiable bond, irrevocable bank letter of credit or surety bond.

VIII-5 INSPECTINO OF PUBLIC IMPROVEMENTS UNDER CONSTRUCTION

 Before approving a final plat and construcitno plans and specifications for public improvements, an agreement between the subdivider and the Council shall be made to provide for ehckcing or inspecting the construction and its conformity to the submitted plans.

VIII-6 PENALTY IN CASE OF FAILURE TO COMPLETE THE CONSTRUCTION

 OF A PUBLIC IMPROVEMENT

 In the event the subdivider shall, in any case, fail to complete such work within the period of tiem as required by the conditions of the guarantee for the completion of public improvements, it shall be the responsibility of the Council to proceed to have such work completed. In order to accomplish this, the Council shall reimburse itself for tehc sot adne xpense thereof by appropriating the cash deposit, certified check, irrevocable letter of credit or negotiable bond which the subdivider may have deposited in lieu of a surety bond, or may take such steps as may be necessary to require performance by the Bonding or surety company and as included in a written agreement between the Council and the subdivider.

CHATPER IX

ADMINISTRATION AND ENFORCEMENT

IX-1 ENFORCEMENT AUTHORITY

 It shall be the duty of the building inspector, and such other officials as may be determined by the Town Council to enforce this ordinance.

IX-2 ANNUAL OPERATION LICENSE REQUIRED FOR MOBILE HOME PARKS

 AND RECREATIONAL VEHICLE PARKS

 In addition to the building permit and checking fees, each operator of a Mobile Home Park or Recreational Vehicle Park shall procure an annual operation license from the County as provided in the following paragraph:

 “This license shall be issued only after inspection of the subject Mobile Home Park or Recreational Vehicle Park by the Building Inspector. It shall be unlawful to operate a Mobile Home Park or Recreational Vehicle Park without obtaining a license and paying a fee, as determined by the Council, for said license to the Building Inspector.”

IX-3 LICENSE – SUSPENSION – HEARING

 Whenever, upon inspection of any Mobile Home Park or Recreational Vehicle Park, the inspector finds that conditions or practices exist which are in violation of any provisions of this ordinance, the inspector shall give notice of such violation of any provision of this ordinance, the inspector shall give notice of such violation writing to the person to whom the license was issued. Said licensee shall have thirty (30) days to correct said deficiency. At the end of the period of correction of said conditions or practices specified in such notice, the inspector shall inspect again said Mobile Home Park or Recreational Vehicle Park and if such conditions or practices have not been corrected he shall give notice in writing to the person to whom the license was issued that the license has been suspended. Upon receipt of notice of suspension, said person shall cease operation of said Mobile Home Park or Recreational Vehicle Park.

 Any person whose license has been suspended or who has received notice from the inspector that his license will be suspended unless certain items are corrected, may request and shall be granted a hearing on the matter before the Randolph Town Council, provided that a petition for such hearing has been filed within ten (10) days following the day upon which the license was suspended or the person was notified of pending suspension

IX-4 INSPECTION OF PARKS

 The County Building Inspector is authorized and directed to make inspections to determine the condition of Mobile Homes in order that he may perform his duty of safeguarding the health and safety of occupants of the parks and of the general public.

IX-5 PENALTIES

 Any person, firm, or corporation, violating any of the provisions of this ordinance shall be guilty of a misdemeanor. Each day that a violation is permitted to exist may constitute a separate offense. The imposition of any sentence or fine shall not exempt the offender from a compliance with the requirements of this ordinance.

IX-6 NONCONFORMING MOBILE HOME PARKS

 The nonconforming Mobile home Parks existing at the time of this ordinance becoming effective may be continued, provided that the annual license shall be obtained, and provided that if such non-conforming use, or any portion thereof, is expanded or extended either on the same property or adjoining property, any future use of such land shall be in conformity with the with the provisions of this ordinance.

IX-7 REPEAL OF CONFLICTING ORDINANCES

 All other ordinances or parts thereof in conflict with this Mobile Home Ordinance or in conflict with these provisions are hereby repealed to the extent necessary to give this ordinance full force and effect.

CHATPER X

EFFECTIVE DATE

X. EFFECTIVE DATE

 This ordinance being necessary for the immediate preservation of the peace, health and safety of the Town of Randolph shall take effect immediately.

Passed and adopted by the Town of Randolph, Utah, this 10th day of August, 1994.

Flora R. Lamborn

Attest:

Lori Cornia

I HEREBY CERTIFY THAT COPIES OF THE FOREGOING ORDINANCE WERE POSTED IN THREE PUBLIC PLACES WITHIN THE TOWN OF RANDOLPH THIS 10TH DAY OF AUGUST, 1994.

Lori Cornia

(Original ordinance and signatures in the City Office.)