

ORDINANCE NO. 82-6

AN ORDINANCE REGULATING MOBILE HOME PARKS; SETTING UP PROCEDURES FOR OPERATION OF MOBILE HOME PARKS WITHIN THE CITY OF GALENA; PROVIDING THE METHOD OF APPLICATION FOR APPROVAL OF MOBILE HOME PARKS; PROVIDING FOR PERMITS AND LICENSING FEES TO BE CHARGED, IN CONNECTION THEREWITH; PROVIDING MINIMUM WIDTH, DEPTH AND AREA OF LOTS; THE EXTENT IN WHICH STREETS SHALL BE GRADED AND IMPROVED, AND THE EXTENT TO WHICH UTILITY SERVICE LINES AND CONNECTIONS ARE TO BE INSTALLED, AND ALSO PROVIDING FOR OPEN SPACES, SAFETY AND RECREATIONAL FACILITIES WITHIN THE PARK AREA, AND FURTHER PROVIDING A PENALTY CLAUSE FOR VIOLATION OF THIS ORDINANCE; AND REPEALING ORDINANCE # 990 IN ITS ENTIRETY.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GALENA, KANSAS:

Section 1: Definitions.

- (1) "MOBILE HOME" means any vehicle or portable structure having no foundation other than wheels, jacks, or blocks and designed or constructed as a self-contained single family dwelling unit.
- (2) "CAMPER TRAILER" means any vehicle or portable structure capable of being towed by a private vehicle and intended for recreational purposes or for temporary living quarters.
- (3) "MOBILE HOME PARK" means any plot of ground containing mobile home spaces, regardless of whether or not a charge is made for the occupation of such space.
- (4) "CAMPER TRAILER PARK" means any plot of ground of one acre or more in size and containing camper trailer spaces, regardless of whether or not a charge is made for the occupation of such spaces.
- (5) "MOBILE HOME SPACES" means a plot of ground designed for the accomodation of one mobile home within a mobile home park, which plot shall be clearly and permanently marked and designated by iron rods, pipes, or pins not less than one-half inch in diameter and extending at lease twenty-four inches below grade.
- (6) "CAMPER TRAILER SPACE" means a plot of ground designed for the accomodation of one camper trailer within a camper trailer park.
- (7) "PERSON" means any individual, firm, trust, estate, partnership, association, or corporation.

Section 2: Location of Mobile Homes and Camper Trailers.

No person shall occupy any mobile home or camper trailer on any premises within the City limits of the City of Galena, Kansas, outside a mobile home park or camper trailer park. The parking of an unoccupied mobile home or camper trailer in a garage or in a rear yard shall be permitted anywhere within the City Limits, provided that no living quarters shall be maintained or any business conducted in such a mobile home or camper trailer while so parked. No camper trailer shall be permitted to remain in a mobile home park, and no mobile home shall be permitted to remain longer than thirty days in a camper trailer park.

Section 3: License or Temporary Permit Required.

It shall be unlawful for any person to maintain or operate a mobile home park or camper trailer park within the City Limits after the 26th day of May, 1982, unless such mobile home park or camper trailer park is licensed according to the terms of this article, except that the maintenance or operation of a mobile home park or camper trailer park as herein defined, in existence on the effective date of this article, may be continued under a temporary permit for such period of time and under such conditions as are hereinafter prescribed.

Section 4: Application for License.

Application for a license shall be filed with the Building Inspector. Such application shall include:

- (1) The name and address of the applicant;
- (2) The location and legal description of existing or proposed mobile home park or camper trailer park.
- (3) A drawing at a scale of not less than 1":20' that shall show:
  - (a) Accurate dimensions of the existing or proposed mobile home park or camper trailer park;
  - (b) All roads and approaches and the method of ingress and egress from public streets;
  - (c) The complete installations for electric service, gas service, water service, sanitary-sewer service, street lighting and telephone service;
  - (d) Location, dimensions, construction, and surfacing of all interior streets, parking areas, patios, and other all-weather surfaces;
  - (e) The location and dimensions of all buildings and structures;
  - (f) The locations and dimensions of all mobile home spaces;
  - (g) The specific location of camper trailer spaces provided with electric service, potable water, and sanitary facilities.

If the Building Inspector determines that such mobile home park or camper trailer park is in compliance with the provisions of this article and with the provisions of other ordinances of the City of Galena, he shall issue to applicant a license that shall be valid for a period of one year from the date of its issuance. Any enlargement of an existent park shall require that prior application for enlargement be submitted to and approved by the Building Inspector.

Section 5: Renewal of License.

Such license shall be renewed each year upon determination of the Building Inspector that operation and maintenance of the mobile home park or camper trailer park has been in accordance with the provisions of this article. Application for renewal of license shall be filed not less than sixty or more than ninety days prior to date of expiration of current license. Any deficiencies in construction, operation, or maintenance provided to the applicant in written form by the Building Inspector shall be corrected within sixty days of the date of such written notice. Failure to correct said deficiencies within sixty days of written notification shall void the current license.

Section 6: License Fees.

The annual license fee shall be \$25.00, plus \$2.00 per mobile home space. The annual license fee for a camper trailer park shall be \$25.00. The fee for re-instatement of a mobile home park shall be \$15.00, plus \$1.00 per mobile home space, and the fee for re-instatement of a camper trailer park shall be \$15.00.

Section 7: Temporary Permit.

A temporary permit shall be issued by the Building Inspector, upon written request therefore, for every mobile home park or camper trailer park in existence on the 26th day of May, 1982. A temporary permit shall permit the mobile home park or camper trailer park to be operated and maintained for one year without being subject to the provisions of this article, provided further that such operation and maintenance does not conflict with any ordinance of the City of Galena. No more than four additional temporary permits shall be issued for any park, and thereafter any mobile home park or camper trailer park shall be required to be licensed.

Section 8: Temporary Permit Fees.

The fee for a temporary permit shall be the same as that set forth in Section 6. License Fees.

Section 9: Mobile Home Park Requirements.

Mobile home parks shall be designed, constructed, and maintained in accordance with the following requirements, except that Section 9 subsections (1, 4, 7, 9, 10, 11, 15, and 17) shall not be applicable within the perimeters of mobile home parks existent at the time of the passage of this article; provided that when an existent park is expanded in area, subsequent to passage of this article, the expansion area shall be subject to all of the requirements of Section 9.

(1) Construction permits shall be required in conformance with the Building Code and Public Works Manual of the City of Galena, Kansas.

(2) The minimum mobile home park established after the passage of this article shall have an area of at least two acres.

(3) Land that the Council, with the recommendation of the Director of Public Works finds to be detrimental to the public interest if developed because of exposure to fifty-year floods, standing water because of infeasibility of proper drainage, potential damage because of excessive or rapid run-off, or other problems shall not be developed as a mobile home park until such objectionable features are corrected.

(4) Mobile home spaces shall be provided and shall each contain a minimum lot size of fifty feet (50') in width by one-hundred feet (100') in length.

(5) Mobile homes shall be so harbored on each space that there shall be at least fifteen feet (15') between mobile home and other buildings.

(6) Mobile homes and accessory structures shall be located not closer than five feet (5') to the perimeter line of any mobile home space.

- (7) There shall be along the side and rear property lines of the park a buffer zone of at least twenty feet (20') in width, which buffer zone shall be free of mobile homes, buildings, and structures, and which shall be landscaped with two (2) belts of shrubs and two belts of trees of varieties approved and placed in accordance with standards prescribed by the Public Works Director. There shall be along the front property line a set-back, free of buildings, structures, and mobile homes, of at least fifteen feet (15').
- (8) Each mobile home park shall abut upon a public street.
- (9) Each mobile home space shall have direct access to a hard surface drive. The minimum width of one-way interior drives serving enclaves of mobile home spaces and permitting no parking shall be ten feet (10'). The minimum width of two-way interior drives permitting no parking shall be twenty feet (20'). The minimum width of one-way interior drives permitting parking on one side only shall be eighteen feet (18'). The minimum width of interior two-way drives permitting parking, shall be twenty-eight (28'). All interior drives and public streets shall be designed and paved according to City specifications for residential streets and maintained in good condition. Street lights approved by the Council upon recommendation by the Electric Utility Director, shall be installed to provide 0.2 horizontal foot-candle maintained average with a maximum uniformity ratio of one to six. There shall be at least two paved off-street parking spaces for each mobile home.
- (10) There shall be four-foot sidewalks installed along one side of all drives serving more than one mobile-home space, such sidewalks to be designed and constructed according to City specifications.
- (11) Each mobile home shall be provided with at least one electrical outlet providing at least 100-ampere service. All electrical service cables shall be placed underground. All mobile homes shall be grounded.
- (12) Each mobile home shall be provided with an adequate supply of potable water. The water system shall be installed in accordance with City specifications.
- (13) Each mobile home shall be provided with a sewer of at least four inches in diameter, which shall discharge mobile home waste into a public or approved sanitary sewer system.
- (14) Each mobile home in a park the perimeter of which is within five hundred (500) feet of a source of natural-gas service, shall be provided with a natural-gas outlet. If natural gas is not available within five hundred feet of the perimeter of a mobile home park, each mobile home shall be provided with a compounded-gas outlet.
- (15) Each mobile home shall be provided with an underground telephone cable if telephone service is made available.
- (16) Fire hydrants shall be located in accordance with the specifications of the supervisor of the Department of Public works.
- (17) Common recreation areas of at least ten percent of the total mobile home park area shall be provided. Required buffer zones shall not constitute recreation area.
- (18) Sufficient storm shelters shall be provided for all mobile home residents.

Section 10: Mobile Home Stands.

A. The mobile home stands shall be improved to provide adequate support for the placement and tie down of mobile home. The stand shall not heave or settle unevenly, under the weight of the mobile home, due to frost action, inadequate drainage, vibration, wind, or their forces, acting on the structure. Anchors or tie-downs, if provided, such as cast-in-place concrete "dead men", eyelets imbedded in concrete, screw augers or arrow head anchors shall be placed at each corner of the mobile home stand and at intervals of at least 20 feet. Each device shall be able to sustain a minimum load of 4,800 pounds. Every mobile home shall be skirted with non-combustible material that is approved by the City Building Inspector.

B. Every owner of a mobile home purchased prior to the effective date of this ordinance shall have 180 days to anchor and tie down the mobile home in accordance with this ordinance. All others shall, within thirty (30) days after the date of occupancy, anchor and tie down the mobile home in accordance with this ordinance.

Section 11: Enforcement of Minimum Standards.

(A) It shall be the duty of the Building Official to enforce the provisions of Section 10 of this article in accordance with the interpretations thereof contained in "Regulations Relating to Minimum Standards for Mobile Home Tie-Down Systems", of the American National Standard Code. ANSI No. A119, and amendments thereto.

(B) The Building Official or his authorized representative shall inspect all mobile homes within the City as often as he deems necessary to insure the enforcement of the provisions of Section 10 of this article.

Section 12: Penalty.

Any person violating any of the provisions of Section 10 of this article shall upon conviction thereof, be punished by a fine of not less than Fifty Dollars (\$50.00) and not more than Five Hundred Dollars (\$500.00). Each and every day upon which such violation continues shall be deemed a separate offense.

Section 13: Variance.

The Governing Body of the City of Galena, Kansas may grant variances from requirements of Section 9 of this article, said variances to be applicable only to mobile home spaces existent before passage of this article, in the event that such variance is justified by one or more of the following hardships: unusual topographical or geological problems that can be satisfactorily overcome by specific variance; or substantial, but not complete, conformity of the existent park as a whole with the requirements of this article, so that the alleviation of particular requirements would result in the rest of the mobile home park being in full compliance with this article; or inability to meet certain requirements because of factors beyond the applicant's control. Variance shall be granted only upon receipt by the Board of Adjustment of adequate documentation that a hardship as herein defined does exist and of a plan fully setting forth the exact nature of the variance or variances requested. A variance may be limited in time of applicability and shall become void by any construction not specifically described in the application for variances. Financial hardship is not sufficient ground for the granting of a variance.

Section 14: Camper-Trailer Park Requirements.

Camper Trailer Parks shall be designed, constructed and maintained in accordance with the following requirements:

- (1) Construction permits shall be required in conformance with the Building Code of the City of Galena, Kansas.
- (2) The minimum camper trailer park shall have an area of at least one acre.
- (3) Land that the Council, with the recommendation of the Director of Public Works, finds to be detrimental to the public interest if developed because of exposure to fifty-year floods, standing water because of infeasibility of proper drainage, potential damage because of excessive or rapid run-off, or other problems shall not be developed as a camper trailer park until such objectionable features are corrected.
- (4) Camper trailer spaces shall be provided and shall each contain a minimum size of twenty-five feet in depth by forty feet in width.
- (5) Camper trailers shall be so harbored on each space that there shall be at least twenty-five feet between camper trailers or camper trailers and other buildings.
- (6) There shall be along all exterior property lines a buffer zone of at least twenty feet in width, which buffer zone shall be free of camper trailers, buildings, and structures, and shall be landscaped with two belts of shrubs and two belts of trees of varieties approved and placed in accordance with the standards prescribed by the City Public Works Director.
- (7) Each camper trailer space shall have direct access to a hard surface drive. The minimum width of one-way interior drives serving enclaves of camper trailer spaces and permitting no parking shall be ten feet. The minimum width of two-way interior drives permitting no parking shall be eighteen feet. The minimum width of one-way interior drives permitting parking on one side only shall be eighteen feet. The minimum width of interior two-way drives permitting parking shall be twenty-eight feet. All interior drives and public streets shall be designed and paved according to City specifications for residential streets and maintained in good condition. Street lights approved by the Council upon recommendation by the Electric Utility Director shall be installed to provide 0.2 horizontal foot-candle maintained average with a maximum uniformity ratio of one to six.
- (8) Each camper trailer space shall be hard surfaced.
- (9) At least thirty percent of all camper trailer spaces shall be equipped with one electrical outlet per space, one outlet for an adequate supply of potable water per space, and a hook-up to a sanitary sewer system per space.
- (10) Camper trailers without sanitary facilities shall not be located farther than two hundred feet from a service building containing sanitary facilities and an adequate supply of potable water. Service buildings shall provide separate toilet facilities for each sex and shall be constructed in accordance with the Building Code of the City of Galena, Kansas.
- (11) Tip-proof garbage cans with tight-fitting covers shall be provided in quantities to permit disposal of all garbage and rubbish. Garbage cans shall be located not farther than 100 feet from any camper trailer space. The cans shall be kept in sanitary condition at all times. Garbage and rubbish shall be collected and disposed of as frequently as may be necessary to insure that the garbage cans shall not overflow.

Section 15: Condition.

The grounds of the mobile home park or camper trailer park and all buildings and structures shall be maintained in a clean, sightly condition and kept free of any condition that will menace the health of any occupant or the public or create a nuisance. All areas not used for access, parking, circulation, building, and service shall be completely and permanently landscaped.

Section 16: Penalty.

Any person violating any provision of this article shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred dollars (\$500.00). Each day that such violation is permitted to continue shall constitute a separate offense.

Section 17: Temporary Uses.

(A) Temporary use of house and travel trailers and mobile homes as living quarters for those persons temporarily deprived of the use of their permanent living quarters by fire, flood, tornado, windstorm, or other catastrophe, shall be authorized subject to the following terms, conditions and limitations:

(1) That said use of said trailer or mobile home shall be limited to the time required for repairs of said permanent living quarters provided that such period shall not exceed six months.

(2) That said trailer or mobile home shall be located during the period of said temporary use on the same lot as the damaged permanent quarters.

(3) That said permanent living quarters damaged by such catastrophe shall have been occupied as the permanent residence by the person or persons requesting temporary use of a trailer or mobile home as living quarters at the time of such catastrophe.

(4) That persons so deprived of the use of their permanent living quarters and wishing to make use of a trailer or mobile home as temporary living quarters shall make written application to the City Inspector. Said application shall set forth the circumstances which necessitated such application.

(5) That the City Inspector may authorize the use of said temporary living quarters for a period not to exceed thirty (30) days. When it is evident that the time required to effect repairs on the permanent living quarters involved, will exceed thirty days, the City Inspector shall refer the application to the City Council, at a regularly scheduled meeting, within the thirty day period, for their consideration and action.

Section 18: Savings Clause.

Should any provision of this article be declared by any court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portion of this ordinance.

Section 19: Repealing Clause.

Ordinance No. 990 is hereby repealed in its entirety and any other ordinance or section thereof in conflict herewith.

Section 20: Publication.

This ordinance shall take effect and be in full force from and after its publication in the official city paper, The Galena Sentinel-Times.

Passed by the Council this 18th day of May, 1982.

Approved by the Mayor

Thomas L. Wade  
Thomas L. Wade

ATTEST:

Barbara Wilkins  
Barbara Wilkins, City Clerk

(SEAL)

VOTE  
5 yeas  
5 nays  
Mayor cast the deciding vote