

ORDINANCE NO. 86-6

AN ORDINANCE ESTABLISHING GUIDELINES FOR PLACEMENT OF MOBILE HOMES IN R-1, R-2 AND R-3 ZONED DISTRICTS IN THE CITY OF GALENA AND PROVIDING FOR PENALTIES FOR VIOLATIONS.

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

SECTION 1: Title. Mobile Homes Placement Guidelines.

SECTION 2: Purpose. To state the guidelines and Regulations for the placement of mobile homes.

SECTION 3: Guidelines.

- (1) A request for placement of a mobile home must be initiated by the property owner by obtaining an application for a mobile home permit in the office of the City Clerk. The application must be conspicuously displayed at the intended site for a period of not less than thirty (30) days. Upon obtaining the application, the applicant is to pay to the City Clerk a fee of \$ 50.00, to cover the cost of publishing a notice in the Official City Newspaper, the Galena Sentinel-Times, cost of research & notification of property owners within 200'
 - (a) All applications for placement of mobile homes shall be forwarded to the Planning Commission for review. A date shall be set for the public hearing.
 - (b) The City Clerk will cause a notice to be placed in the Official City Newspaper not less than twenty-one (21) days before the hearing.
 - (c) The City Clerk will also notify the property owners located within two hundred (200) feet of the proposed location of the mobile home by mail, the proposed location of the mobile home, the date of the public hearing, and include a sample of any written protests to the placement of said mobile home.
- (2) A public hearing shall be held on each application for placement of a mobile home in R-1, R-2, & R-3 zoned areas. The following guidelines are to be implemented as a method of determining where mobile homes are located. This does not include recreational vehicles or travel trailers.

SECTION 4: Form and Method of handling protest.

- (1) The Planning Commission shall within 30 days after the hearing is concluded, recommend some action to the Council. More than one half of the members must be present to make a quorum.
- (2) Regardless of whether or not the Planning Commission approves or disapproves a proposed location of a mobile home, if a protest against such location is filed in the office of the City Clerk within fourteen (14) days after the date of the public hearing, duly signed and acknowledged by the owners of twenty per-cent (20%) or more of any real property or by owners of twenty per-cent (20%) of the total area, excepting public streets and ways, located within or without the corporate limits of the City and located within two-hundred (200) feet of the boundary of proposed location of mobile, shall not be passed except by at least three-fourths (3/4) vote of all of the members of the City Council.

SECTION 5: No mobile home permit shall be approved by the Planning & Zoning Commission or Galena City Council unless it is established that all city and public utilities are available for immediate hook-up service. It shall be unlawful to occupy a mobile home unless all utility hook-ups have first been established and inspections made by the City Building Inspector. All mobile homes must have individual meters and hook-ups for all utilities.

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SECTION 6: Mobile home permits will be issued for land owner occupied inhabitation only. Placing of mobile homes for rental purposes shall not be allowed outside a mobile home park. If anyone other than the owner is found to be living in a mobile home, the utilities shall be immediately disconnected and the owner of said property shall be subject to a fine of \$25.00 per day until the mobile home is removed or occupied by the owner.

SECTION 7: Adoption of Standards. In order to protect the health and welfare of the public body of the City of Galena, the body and frame design and construction requirements and the installation of plumbing, heating, and electrical systems of all mobile homes located within the City limits of Galena shall be governed by the standards promulgated by the Southern Building Code on mobile homes.

SECTION 8: All mobile homes shall be secured with tie-downs, ground anchors, and block foundations with piers under the outside frame.

- (a) Tie-downs required.
50-70 feet mobile homes --four over the top type
70 feet and longer -- five over the top type
doublewide 50 feet and longer -- four frame tie downs on each side.
- (b) Ground anchors shall consist of steel auger anchors, cast in place concrete "deadman" eyelets embedded in concrete, or arrowhead augers. Screw augers shall be sunk to a depth of at least four (4) feet.

SECTION 9: No mobile home over ten (10) years old shall be allowed, and all mobile homes allowed shall be subject to the mobile home standards as set forth in Section 7.

SECTION 10: Lot size and coverage and setback requirements for individual mobile homes placed outside mobile home parks shall conform to zoning codes for specified mobile homes areas in R-1, R-2, & R-3 zones. (Refer to Ordinance 82-5 Part 2- Section 5 for lot sizes in R-1 zone, Part 3-Section 5 for lot sizes on R-2 zone and Part 4-Section 5 for lot sizes in R-3 zone.)

SECTION 11: Invalidity. Should any section, clause, or provision of this Ordinance be declared by any court of competent jurisdiction, to be invalid, then the same shall not effect the validity of the ordinance as a whole or any part thereof, other than the part declared invalid.

SECTION 12: Violations. Each violation is a separate offense; Every person, firm, or corporation violating or contributing in any way to the violation of any provision of this Ordinance, shall upon conviction, be deemed guilty of a separate offense for each day during which such violation continues, and shall be punished as hereinafter provided and by fine of not less than \$25.00 nor more than \$150.00 per day.

SECTION 13: Enforcement. The Building Inspector shall have the power and duty to enforce the provisions of this Ordinance. An appeal from a ruling of the Building Inspector shall be made to the Board of Appeals.

SECTION 14: This Ordinance shall take effect and be in full force from and after its passage, approval, and publication in the Official City Newspaper, the Galena Sentinel-Times.

Passed by the Governing Body this 17th day of June, 1986.

APPROVED BY THE MAYOR:

John O. Stephenson
John O. Stephenson

ATTEST:

Cheryl Haines
Cheryl Haines, City Clerk

(SEAL)