ORDINANCE NO. 548

AN ORDINANCE ESTABLISHING MINIMUM STANDARDS AND REQUIREMENTS FOR THE LOCATION, AND OCCUPATION OF MOBILE HOMES AND FOR THE CONSTRUCTION, OPERATION AND ALTERATION OF MOBILE HOME PARKS OR TRAILER COURTS, AND PROVIDING FOR THE IMPROVEMENT OF EXISTING MOBILE HOME PARKS OR TRAILER COURTS AND TRAILER HOUSING; PROVING FOR INSPECTION OF TRAILER COURTS AND HOUSING; PROVIDING FOR EXCEPTIONS AND VARIANCES; PROVIDING FOR THE ENFORCEMENT, SEVERABILITY, CONFLICT WITH OTHER LAWS AND REPEALER; VIOLATION AND PENALTY, DEFINITIONS, AND EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF REXBURG, STATE OF IDAHO:

SECTION 1. DESCRIPTION AND PURPOSE

This chapter establishes minimum standards and requirements for the occupation of mobile homes and for the construction and operation of mobile home parks. It is concerned with the relationship of the mobile home to adjacent land uses in order to protect and secure the public health, safety and general welfare of the City of Rexburg.

The regulations in this chapter are intended to provide a stable, healthful environment, together with the full range of services, for those residents choosing to reside in mobile homes on a permanent or temporary basis or for those people desiring to utilize travel trailers or campers.

SECTION 2. REMOVAL OF WHEELS

Removing the wheels of a mobile home or trailer or setting the mobile home or trailer on posts or footing shall not make the mobile home or trailer exempt from the requirements of this chapter.

SECTION 3. DEFINITIONS

As used in this chapter, unless the contents otherwise requires, the following words and phrases shall have the following meaning:

Accessory building: A building which is subordinate to, and incidental to the principal building on the same lot, but does not include any building containing a dwelling unity as hereinafter defined.

Accessory use: A use incidental and subordinate to the principal use of the premises.

Access way: An unobstructed way of specified which containing a drive or roadway which provides vehicular access within a mobile home park.

Agriculture: Tilling of soil, horticulture, raising crops, livestock, dairying, including all uses customarily accessory and incidental thereto; but excluding slaughter houses and commercial feed lots.

Airport: Any area of land or water which is used or intended for use by aircraft and including the necessary appurtenant structures or facilities located thereon.

Animal hospital: Any building or portion thereof designed or used for the care or treatment of cats, dogs or other animals.

Apartment: A room or suite of rooms in a multiple-family structure which is arranged, designed or used as a single housekeeping unit and has complete kitchen and sanitary facilities permanently installed.

Automobile Sale Lot: Premises on which new or used passenger automobiles, trailers, mobile homes or trucks in operating condition are displayed in the open for sale or trade, and where on repair or service work is done.

Automobile Service Station: Premises used primarily for the retail sale and delivery to the vehicular accessories, and providing vehicular lubrication related services, including minor motor vehicle repairs.

Awning: Any stationary structure used in conjunction with a mobile home, other than a window awning, for the purpose of providing shelter form the elements and having a roof with supports and not more than one wall or storage cabinet substituting for a wall.

Boarding house: A building other than a hotel or restaurant where meals are provided for compensation to three or more persons, bur not more than twelve (12) person who are not members of the householder's family.

Block: The space along one side of a street between the two nearest intersecting streets, or between an intersecting street and a right-of-way, waterway or other similar barrier, whichever is lesser.

Building: Any structure with substantial walls and roof securely affixed to the land and entirely separated on all sides from any other structure by space or by walls in which there are no communicating doors, windows or opening, which is designed or intended for the shelter, enclosure or protection or persons, animals, chattels or property of any kind.

Building, detached: A building surrounded by open space on the same lot.

Building, nonconforming: Any building which does not conform to the requirements of this ordinance.

Building, government: A building owned or used by the Federal, State, County or City government, or any political subdivision, agency or instrumentality thereof.

Business or Commerce: The purchase, sale, exchange or other transaction involving the handling or disposition of any article, substance or commodity for profit or livelihood or the ownership or management of office buildings, offices, recreation or amusement enterprises or the maintenance and use of offices,

recreation or amusement enterprises or the maintenance and use of offices or

professions and trades rendering services.

Cabana: A stationary light-weight structure which may be prefabricated or demountable, with two or more walls, used adjacent to and in conjunction with a trailer, or provided additional living space and meant to be moved with the trailer.

Carport: A stationary structure consisting of a roof with its supports and not more than one wall or storage cabinet substituting for a wall, and used for sheltering a motor vehicle.

City: The City of Rexburg

City Clerk: The City Clerk of the City.

Commission: The planning-zoning Commission of the City. The Planning commission is declared to also be the zoning commission of the City.

Comprehensive General Plan: The Comprehensive General Plan for the City officially adopted by the Council as such.

Conditional use: The term Conditional Use shall mean a use or occupancy of a structure, or use of land, permitted only upon issuance of a Conditional Use Permit and subject to the limitations and conditions specified therein.

Council: The Council of the City.

Drive-in establishment: An establishment, other than an automobile service station, which is designed to accommodate the motor vehicles of patrons in such manner as to permit other occupants of such vehicles, while remaining therein, to make purchase or receive services.

Dwelling: A building, or portion thereof, containing one or more dwelling units. The term dwelling does not include any trailer, motel, hotel, guest house or boarding house ans defined herein.

Dwelling, high rise multiple-family: A multiple-family building or portion thereof, containing five (5) or more stories and which may include off- street parking facilities, and having at least one (1) passenger elevator to serve the dwelling units.

Dwelling, multiple family: A multiple-family building, or portion thereof containing three or more dwelling units.

Dwelling, single family: A building designed for use and occupancy by no more than one family.

Dwelling, two family: a detached building designed for and occupied exclusively by two families living independently of each other.

Dwelling unit: One or more rooms designed for, or used as a residence for not more than one family, including all necessary household employees or such family, and constituting a separate and independent housekeeping unit, with a single kitchen permanently installed. The term does not imply or include such types of occupancy as a lodging or boarding house, club, sorority, fraternity or

a flush toilet, a tub or shower bath and kitchen facilities with plumbing and electrical connection for attachments to outside systems.

2. Designed to be transported after fabrication on its own wheels or on flat bed or other trailers or detachable wheels.
3. Arriving at the site where it is to be occupied as dwelling complete, including major appliances and furniture, and ready for occupancy except for minor and Incidental unpacking and assembly operations, location of foundation support, connection to facilities and the like.

Mobile Home Park: Any area, tract, plot, or site of land, whereupon two or more mobile homes are placed, located and maintained for dwelling purposes on a permanent or semi-permanent basis and for which a fee, rental or contract for payment for such use is collected by or collectable to the person holding the land.

Mobile Home Space: A plot of ground within a mobile home park designed for the accommodation of one mobile home or trailer.

Motel: A building, or group of buildings on the same premises whether detached or in connected rows, containing sleeping or dwelling units independently accessible form the outside, with garage space or parking space located on the premises and designed for, or occupied by, travelers. The terms includes, but is not limited to, any buildings or building groups designated as auto courts, motor lodges, tourist courts or by any other title or sign intended to identify them as providing lodging in motorists.

Nonconforming Use: Any use lawfully occupying a building, structure or land at the effective date of this ordinance, or subsegment amendment thereto, which does not conform to the regulations for the district in which it is located.

Nursery School: An institution providing care, with or without instruction, for more than five (5) children of preschool age.

Nursing Home, Convalescent Home: A building housing any facility, however named, whether operated for profit or not the purpose of which is to provide skilled nursing care and related medical service for two or more individuals suffering from illness, disease, injury, deformity or requiring care because of old age .

Parking Lot: an open, graded and surfaced area, other than a street or public way, to be used for the storage, for limited periods of time, of operable passenger automobiles and commercial vehicles, and available to the public, whether for compensation, free or as an accommodation to clients or customers.

Parking Space: Usable space within a public or private parking area or building not less than one hundred and eighty (180) square feet, (nine feet by twenty feet), exclusive of access drives, aisles or ramps for the storage of one passenger automobile or commercial vehicle.

Ramada: A stationary structure having a roof extending over a mobile home or

hotel.

Floor area, gross: The sum of the gross horizontal areas of the several floors including the exterior walls of a building or portion thereof.

Floor area, net: That portion of the gross floor area of the building occupied by the listed use or uses and shall include hallways, storage and packaging space, dressing or rest rooms and laboratory or work rooms, provided however, that floor space within the building reserved for parking or loading of vehicles, and basement space used only for building maintenance and utilities shall be excluded.

Height, building: The vertical distance from the grade to the highest point of the Coping of a flat roof or to the deck line or a mansard roof or the average height of the height gable of a pitch or hip roof.

Junk Yard: An outdoor space where junk, waste, discarded or salvaged materials are stored or handled, including automobile wrecking yards, and yards for used building materials and places or yards for storage of salvaged building and structural steel materials and equipment; excluding yards or establishment for the sale, purchase or storage of used cars, discard or salvaged materials as part of a permitted manufacturing operation on the same premises.

Kennel, commercial: Any lot or premises or portion thereof, on which three (3) or more dogs, cats and other household domestic animals are maintained, harbored possessed, boarded, bred or cared for in return for compensation or kept for sale.

Loading and unloading space, off-street: An open off-street area of land other than a street or public way, the principal use of which is for the standing, loading and unloading of motor vehicles, tractors and trailers, to avoid undue interference with public streets and alleys.

Lot: A unit of land described by meters and bounds or a part of a recorded subdivision so recorded for transfer of ownership.

Lot, corner: A lot which is bounded on two (2) or more sides by street lines where the angle of intersection does not exceed one hundred thirty-five (135) degrees.

Lot line: The boundary property line encompassing a lot. The front lot line is the boundary line which abuts a public street. For a corner lot, the owner may select either street line as the front lot line. The rear lot line is the lot line or most nearly parallel to and most remote from the front property line. All other lines are side lot lines. An interior lot line is a side line in common with another lot.

Lot, Width: The horizontal distance between side lot lines measured at right angles to the depth at point midway between the front and rear lot lines.

Mobile Home: A detached single-family dwelling unit with all the following Characteristics:

1. Designed for long term occupancy and containing sleeping accommodations,

trailer which may also extend over a patio or parking space for motor vehicle and is used principally for protection from the elements.

Rest home, elderly housing home: The same as a nursing home except that medical care is not administered therein.

Restaurant: Any land, building or part thereof, other than a boarding house where meals are provided for compensation, including, among other, such use as cafe, cafeteria, coffee shop, lunch room, tea room and dining room.

Service Building: A structure containing lavatories , water closets, showers and/or bathtubs, and laundry facilities for the use of mobile home or travel trailer park Occupants.

Set back area: The space on a lot required to be left and unoccupied by buildings or structures, either by the front, side or rear yard requirements of this ordinance, or by delineation on a recorded subdivision map.

Sign: A sign is any structure or natural object, such as a tree, rock, bush and the ground itself, or part thereof or device attached hereto or painted or represented thereon, which shall be used to attract attention to any object, product, place, activity, person, institution, organization or business or which shall display or Include any letter, word, model, banner, flag, pennant insignia, device or representation used as, or which is in the nature of an announcement, direction or advertisement. For the purpose of this definition the work "sign" does not include the flat, pennant or insignia of the nation state, city or other political unit, or any political educational, charitable, philanthropic, civic, professional religious, or like campaign, drive, movement or event.

Stand: That part of a mobile home space reserved for the placement of a mobile home.

Story: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the top-most story shall be that portion of a building included between the upper surface of the topmost floor and ceiling or roof above. It the finished floor level directly above a basement or cellar is more than six (6) feet above grade, such basement or cellar shall be considered a story.

Street: A public right-of-way which provides vehicular and pedestrian access to adjacent properties, acceptance or grant of which has been officially approved by the Council. The term "Street" includes also the terms highway, thoroughfare, parkway, throughway, road, avenue, boulevard, land, place and other such terms.

Structure: Anything constructed or erected, except fences, not exceeding three (3) feet is height, which requires permanent location on the ground or is attached to something having location on the ground.

Tavern or Lounge: A building where alcoholic beverages are sold for consumption on the premises, not including restaurants where the pricipal business is serving food.

Travel Trailer Park: A vehicle or structure eqiopped with wheels for highway use That is intended for temporary human occupancy, is not being used or residential Purposes and is being used for vacation, travel, or recreational purposes.

Yard: An open space on the same lot with a pricipal building or group of buildings, which is unoccupied and unobstructed from its lowest level upward, except as oterwise permitted is this ordinance, and which extends along a lot line and at right angles thereto to a depth or width specified in the yard regualtions for the district in which the lot is located.

SECTION 4.GENERAL REQUIREMENTS

A. Location in Mobile Home Park Required

It shall be unlawful to maintain a mobile home trailer for residential purposes outside a mobile home park or a mobile home subdivision district. Such prohibition shall apply regardless of where other parking site shall be on private or public premises, streets, alleys, or highways.

Exceptions to the foregoing requirements: Mobile homes used for residential quarters for watchman or caretakers and located on the premises of an industrial establishment in any industrial zone shall be permitted.

B. Parking and Storage of Unoccupied Mobile Homes, Trailers or Travel Trailers.

Parking of unoccupied mobile homes is prohibited on public premises, streets, alleys, or highways, at all times, except for emergency purposes.

Storage of any unoccupied mobile homes or trailer shall be permitted on the rear one-half (½) of any lot, provided, that such unoccupied mobile home or trailer shall not extend into any set back area, not shall it be connection with bona fide visit of the owner or occupant of such mobile home with individuals living on the premises and such stay will not exceed thirty (30) days. There shall be no fee for said permit.

SECTION 5. ZONING APPROVAL REQUIRED FOR A NEW MOBILE HOME PARK OR EXPANSION OF AN EXISTING MOBILE HOME PARK

No building permit shall be issued for construction of a new mobile home park or Expansion of an existing mobile home park in any district until the proposed location is approved with the stipulations of the approval stated therein.

At the time of the public hearing the planning Commission may give tentative approval of the use of the proposed location for mobile home park purposes. Final approval of said use shall be contingent upon the submission of acceptable detailed plot plans of the proposed mobile home park development as required by Section 5 (A).

A. Plot Plans Required

The application for a permit to construct a new mobile home park or to expand

an existing mobile homes park shall be accompanied by four (4) copies of the plot plan of the proposed park. The plot plan should show the general layout of the entire mobile home park, and should be drawn to a scale not smaller than one inch (1") representing forty feet (40'). The drawing shall be placed on Substantial tracing paper, or equivalent, and shall show the following information:

1. Name of the person who prepared the plan.
2. Name of the mobile home park and address.
3. Scale and North point of the plan.
4. Vicinity map showing relationship of mobile home park to adjacent properties.
5. Boundaries and dimensions of the mobile home park.
6. Location and dimensions of each mobile home space.
7. Location and dimensions of each existing or proposed buildings
8. Location and width of access ways.
9. Location and with of walkways.
10. Location of each lighting fixture for lighting the mobile home spaces and grounds.
11. Location of recreation areas and buildings, and area of reaction space in square feet.
12. Location and type of landscaping plantings, fence, wall, or combination of any of these or other screening materials.
13. Location of point where mobile home park water and sewer system connects with the public system.
14. Location of available fire and irrigation hydrants.
15. Location of public telephone service for the park.
16. Enlarged plot plan of a typical mobile home space, showing location of the stand, patio, storage space, parking, sidewalk, utility connections and landscaping.

    16 a. Draft of proposed documents including:
    a. Management policies, covenants and restrictions
    b. Maintenance agreement
17. Detail plans required. At the time of application for a license to construct a new mobile home park or to expand an extension park, the applicant shall submit four (4) copies of the following required detailed plans:
    a. New structures.
    b. Water and Sewer systems.
    c. Electrical Systems.
    d. Road, sidewalk and patio construction.
    e. Drainage system.
    f. Recreation area improvements.

18. Before construction of a swimming pool in a mobile home park, two (2) copies of plans must be approved by the building inspector.

SECTION 6. LICENSING OF MOBILE HOME PARKS

A. BUSINESS LICENSE AND FEE REQUIREMENT

No person shall construct, maintain, operate or alter any mobile home park Unless he holds a valid license issued annually, in the name of such person for the specific mobile home park. All applications for license upon compliance by the applicant with provisions of the chapter and of any regulations adopted pursuant thereto, and the payment of a business license fee. Said fee shall be determined as follows:

$2.00 per space for the first twenty (20) spaces.

$1.00 per space in excess of twenty.

B. LICENSING EXISTING MOBILE HOME PARKS

1. An application for a license to operate an existing mobile home park shall be filed with the City Clerk. Upon receipt or the application the building inspector or his representative shall made an inspection of the mobile home park.

   a. A regular license shall be issued after payment of the appropriate fee is provided in the preceding Section 6 (A). If the examination reveals that the conditions and facilities of the park meet the standards herein set forth.
   b. A conditional license shall be issued if the examination of the park

   reveals any condition or facilities which do not meet the standards provided for in Section 6 © . The owner of such an existing park shall Have to meet the required standards within a reasonable period of time Set by the Building Inspector. At the end of such period of time set by the Building Inspector shall reinspect the park and if the requirements have been met, will issue a business license as provided in Section 6 (A). If the required standards have not been met the conditional license shall be suspended according to the procedures set forth in Section 6 (G).

2. Existing mobile home parks developed to standards lower than established by this chapter shall not be reconstructed or enlarged to standards lower than the standards existing on the effective date of this ordinance.

C. Improvement Requirements for Existing Mobile Home Parks

Before a business license can be issued to any existing mobile home parks, the the following improvements have to be met:

1. Sewers
   Existing sewer lines within the park which do not meet the minimum requirements of this chapter may remain in use so long as they function properly and the park conforms of the City and State regulations governing sewage and water. Any replacement of the sewers facilities shall conform to the requirements of new mobile home parks.

2. Water Supply
   An existing water supply system which does not meet minimum requirements of this chapter with respect to general availability, etc., may remain in use so long as it governing water supply. Any replacement of water supply facilities shall conform to the requirements for new mobile home parks.

3. Lighting and Wiring
   The electrical and lighting system shall be made to conform to existing electrical codes.

4. Service buildings
   Service building shall be made to conform to the standards for new mobile home parks by May 1, 1976.

5. Improvement Requirements
   Surfacing for access ways, walkways, patios, and stands will be made to conform to the following standards by May 1, 1976.

A. Access way shall be surfaced to a minimum width of twenty feet (20') with crushed gravel, the minimum depth of which shall be at least eight inches (8").

B. Mobile home stands shall be surfaced with crushed gravel to size equal to or greater than the dimensions of the mobile home located on the stand, but shall not be less than ten feet (10') by thirty feet (30').

C. Patio may have a paved surface area of concrete, asphalt, flagstone or the equivalent, of at least one hundred forth (140') square feet, and a minimum width of ten feet (10'). Deck may be utilized if approved by the Building Inspector.

D. Walkways shall be provided for each mobile home space to the service buildings and from, the patio to the surfaced part of the Access way. Common walkways shall have a minimum width of three (3') feet, and private walkway on individual lots shall have a minimum width of (1 ½') feet. The Access way may be considered as part of the walkway to the service building, provided said Access way had a minimum with of twenty-five (25') feet. Walkways shall have a paved surface of concrete, asphalt or equivalent.

6. Outside Storage

All outside storage in mobile home space shall be in an enclosed building as required for new mobile home parks or fenced storage areas.

7. Plot Plan Required for Existing Mobile Home Parks

The owner or operator of a mobile home park existing at the time of passage of this ordinance shall file with the Building Inspector, plot plans of this park in accordance with Section 5 (A)

d. Penalty of Delinquency: New or Renewal license fee

Any person failing to pay the business license fee before engaging in the mobile home park business shall pay a penalty of twenty per cent (20%) or the business license fee in addition to the fee provided in Section 6 (A).

E. Transfer of license

If a transfer of license for mobile home park under these provisions is desired, a written application for transfer shall be filed with the City Clerk, accompanied by a fee of ten dollars ($10.00). Such application shall be made within twenty-four (24) hours after any change in ownership, interest or control of any mobile home park. The application shall contain the name and address of the present licensee, the applicant, the location of the park. Before the transfer of the license so approved, the application shall be signed by the Building Inspector certifying that the mobile home park conforms to all regulations governing mobile home parks. Upon receipt of approval, the City Clerk shall issue a new license to be valid until the first day of the following January.

If the application for transfer is disapproved, the City Clerk shall set forth in writing the reasons therefore and state the action necessary to receive approval. The applicant may appeal the
ruling to the City Council by filing a written notice of appeal with the City Clerk.

F. Display of License

Any required mobile home park license shall be displayed in a conspicuous place on the mobile home park premises.

B. Revocation of License

1. Whenever, upon inspection of any mobile home park, the Building Inspector finds that conditions or practices exist which are in violation of any provision of this chapter of this chapter, or of any regulation adopted pursuant thereto, the Building Inspector shall give notice in writing to the person to whom the license was issued Inspector shall give notice in writing to the person to whom the license was issued. Inspector shall give notice in writing to the person to whom the license was issued.

2. Such notice shall:

a. Include a statement of the reason for its issuance.

b. Be served upon the owner or his agent or the occupant as the case may require; provided, that such notice or order shall be deemed to have been properly served upon such owner or agent, or upon such occupant, when a copy thereof has been sent by registered mail to his last
known address; or when a copy thereof has been posted in a conspicuous place in or about the dwelling affected by the notice; or when he has been served with such notice by any other method authorized or required by the Laws of this State.

c. Contain an outline of remedial action, which, if taken, will effect compliance of this chapter, and with regulations adopted pursuant thereto.

d. Allow a reasonable time for the performance of the remedial action.

3. At the end of such person, the Building Inspector shall reinspect such mobile home 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, such persons shall cease operation of such mobile home park.

4. Any person whose license has been suspended, or sho has received notice form the Building Inspector that his license shall be suspended unless certain conditions or practices at the mobile home park are corrected, may request and shall be granted a hearing on the matter before the Building Inspector, a written petition request such hearing and setting forth a brief statement of the grounds therefor within (10) days after the day the notice was served.

5. Any such license suspended by a notice shall be deemed to be automatically revoked if a petition for hearing shall not have been filed in the Office of the Building Inspector within ten (10) days after such notice was served.

6. Upon receipt of such petition, the Building Inspector shall set a time and place for such hearing, and shall give the petitioner written notice there. At such hearing the petitioner shall be given an opportunity to be heard, and to show any such notice should be modified.

7. The hearing shall be commenced not later than ten (10) days after the day on which the petition was filed; provided, that, upon application of the petitioner, the Building Inspector may postpone the date of the hearing give a reasonable time beyond such ten (10) days period on his judgement that the petitioner has submitted a good and sufficient reason for such postponement.

8. After such hearing , the Building Inspector shall sustain, modify, or withdraw the notice, depending upon his findings as to compliance or noncompliance with the provisions of his chapter, and of regulations adopted pursuant thereto. If the Building Inspector should sustain or modify such notice, it shall be deemed to be an order.

9. After a hearing in the case of any notice suspending any license required by this chapter, or by any regulation adopted pursuant thereto, when such notice shall have been sustained by the Building Inspector, the license shall be deemed to have been revoked.

10. The proceedings at such hearing, including the findings and decisions of the building inspector, shall be reduced to writing and entered as a matter of public record in the office of the City Clerk. Such record shall include, also, a copy of every notice or order issued in connection with the matter.

11. Any person aggrieved by the decision of the Building Inspector may seek relief there from in any Court of competent jurisdiction, as provided by the laws of this state.

12. Whenever the Building Inspector finds that an emergency exists which requires immediate action, to protect the public health, he may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that any other provisions of this chapter such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately but, upon petition to the Building Inspector, shall be afforded a hearing as soon as possible. After such hearing, depending upon his findings as to compliance or noncompliance with the provisions of this chapter, and of regulation adopted

pursuant thereto, the Building Inspector shall continue such order in effect of modify it or revoke it.

SECTION 7. GENERAL MOBILE HOME AND TRAVEL TRAILER PARK CONDITIONS AND REGULATIONS.

A. PERMITTED USES

No building, structure or land within the boundaries of a mobile home park shall be used for any purpose except for the uses permitted by this section as follows:

Mobile homes for residential use only, together with the normal accessory uses Such as a cabana, ramada, patio, carport or garage, and a storage or wash room building.

Private and Public utilities.

Community recreation facilities, including swimming pools, for residents of the park and guests only.

A mobile home park may have one (1) residence for the use of a caretaker or a manager responsible for maintaining or operation the property.

B. Area

The following area requirements shall be deemed to be the minimum land area necessary to establish a mobile home or travel trailer park:

1. The minimum parcel of land to be used for mobile home park purposes shall contain not less than two (2) acres.

2. The minimum parcel of land to be used for travel trailer park purposes shall contain not less than two (2) acres.

C. Density

In no event shall the density exceed eight (8) mobile home per gross acre. Density requirements shall be established as the minimum square footage of gross site area for each mobile home. If it is determined by the Planning Commission that a street widening or terminating dedication is necessary, the amount of land dedicated shall be subtracted from the gross site area when calculating the proposed density.

D. Setbacks from Park Boundary lines

Mobile home parks shall observe the following setbacks between mobile home stands and development boundary lines:

When abutting any residentially or agriculturally zoned properly fifteen feet (15')

When abutting commercially zoned property - ten feet (10').

The setback from any abutting street shall be at least twenty-five feet (25')

E. Development of Boundaries

An ornamental, sight-obscuring fence or wall of not less than five feet (5') nor more than six feet (6') in height. And/or evergreen planting of not less than five feet (5') in height, shall surround the mobile home park. Such fence, wall or planting may be placed up to the front property line if adequate vision clearance for entrances and exits is maintained.

F. Signs

Signs shall be regulated as provided by uniform code. In addition there shall be adequate signs and marking indicating direction, parking areas, recreation areas and street names shall be established and maintained in the mobile home park.

G. Parking Requirements

1. There shall be one (1) vehicle parking space at least nine feet by twenty feet (9' x 20') in size for each mobile home space, with clear and unobstructed access to an access way. Any parking in the access way shall not fulfill this requirement.

H. Access to a Public Street

A mobile home park shall not be established on any site that does not have access to a public street on which the potential paving width is less than forty (40') feet. No mobile home space shall be located in such a manner that a public street must be used to maneuver the mobile home into the space.

I. Emergency Sanitation Facilities

Each mobile home park shall be provided, for emergency purpose, with the sanitation facilities as prepared by the Idaho State Board of Health.

J.Service Buildings

Every mobile home park that accepts or accommodates travel trailers shall Provide adequate flsh type toilet fixtures and laundry facilities.

Service buildings housing sanitation facilities shall complu with all applicable City and Sate ordinances and statues regualtion buildings, electrical installations and plumbing and sanitation systems.

Service building shall:

1. Be located at least fifteen feet (15') from any mobile home space, but not more Than two humdred feet (200');

2. Be of permanent construciton, and be adequately lighted;

3. Be of moisture-rsistant materail, to permit frequent washing and cleaning.

4. Have adequate heating facilities to maintain a terperature of seventy degees Fahrenheit (70).

5. Have all room well ventilated, with all openings effectively screened.

The following shall be the minimum required facilities:

One (1) water closet for each sex for every five (5) travel trailer spaces (urina may be suvstitiuted for one-third (1/3) of water closets);

One (1) lavatory for each sex for every five (5) travel trailer spaces;

One (1) shower or bathtub for each sex for every ten (10) travel trailer spaces;

One (1) laudry tray for every ten (10) travel trailer spaces.

In no instance shall there be less than one (1) laundry unit, two (2) water closets, one (1) shower or bathtub for women; and one (1) water closet, one (1) urinal, one (1) lavatory, and one (1) shower or bathtub for men.

Each water closer and shower shall be in aseparate compartment with self closing doors on all water closet compartnemts. The shower stall shall be approximately three feet by three feet (3 x 3) in area. Showers shall have a dressing compartment with stool or bench. The room containing the laundry trays shall be separate form the tiolet rooms, and shall have an exterior entrance only.

K. Structures, alteration and additions

Structures located in any mobile home space shall be limited to a storage building, ramada or carport. The permanent storage structure shall contain a minimum of thrity-two (32) square feet of floor area and will not be less than seven feet (7') nor more than nine feet (9') in height. The storage structure, ramada or carprt may be combined as one structure. No structural additions shall be built onto or become a part of anu mobile hme, and no mobile home shall support any building in any manner. The words "struture additions" shall not be construed to exclude the construction of an awning, patio cover, or cabana adjacent to a mobile home.

Skirting of mobile homes is encouraged, but such skirting shall not attach the mobile home permanently to the ground, provide a harborage for rodents, nor create a fire hazard.

The owner or operator of a mobile home park may construct an individual auxiliary storage building on each mobile home space in the mobile home; provided the building has a maximum floor space of twelve (12) square feet; has a maximum height of seven feet (7') above the ground; has a minimum setback of five feet (5') from adjacent mobile home spaces and access roads; and has a minimum setback of fifteen feet (15') from any public street or hightway right-or-way.

The wheels of the mobile home may be removed, but no axles, springs, and other equipment needed to mobilize. Jacks or stabilizers may be placed under the frame of the mobile home to prevent movement on the Springs while the mobile home is parked and occupied.

SECTION 8. SITE REQUIREMENTS

The following shall be considered the minimum site requirements for a new mobile home park or the expansion of an existing mobile home park;

A. Access ways

access ways shall connect each mobile home space to a public street and shall have the following minimum pavement widths:

1. Entrance street and collectors with guest parking on both sides-thirty-six feet (36');

2. Collector street, parking on one side-twenty-eight feet (28');

3. Collector street, no parking-twenty feet (20');

4. Minor street or cul-de-sac, no parking-twenty feet (20');

5. Cul-de-sac diameter- eighty feet (80').

6. Walkways
Walkways shall be provided form each mobile home space to the service building and Recreational area or areas, and from the portion to the access way. Common walkways shall have a minimum width of three (3') feet and private walkways shall have a minimum width of one and one-half (1 ½') feet. The access way may be considered as part of the walkway to the service building and recreation areas, provided said access ways shall be widened by three (3') feet over the minimum width requirements set forth in Section 6 of this chapter.

C. Recreation Area

A minimum of eight (8%) percent of gross mobile home area shall be reserved for recreation. The recreation area may be in one (1) or more locations in the park. At least one (1) recreation area shall have a minimum size of five thousand (5,000) square feet, and be of a shape that will make it usable for its intended purpose.

D. Electricity

An electrical outlet supplying at least 200 amp service shall be provided for each mobile home space. The installation shall comply with al State and Local electrical codes. Such electrical outlets shall be weatherproof. No power line shall be permitted to lie on the ground, or to be suspended less than fifteen (15') feet above the ground.

E. Sewage Disposal

All plumbing in the mobile home park shall comply with State and Local plumbing laws and regulations and must connect to a public sewer or central sewer facilities approved by the City.

Each mobile home space shall be provided with at least a three inch (3") sewer connection. The sewer connection shall be provided with suitable fittings so that a watertight connection can be made between the mobile home drain and sewer connection. Such individual mobile home connections 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 order free condition. Sewer lines shall be constructed with the approval of the Building Inspector, and in accordance with his recommendations. All sewer lines shall be adequately vented, and shall be laid out with sufficient earth cover to prevent breakage form traffic.

F. Water supply

An accessible, adequate safe and potable central supply of water shall be provided in each mobile home park, capable of furnishing a minimum of one hundred twenty-five (125) gallons per day per mobile home space. A public supply of water shall be sued whenever possible and connection shall be made thereto.

The water system of the mobile home park shall be connected by pipes to all buildings and all buildings and all mobile home spaces.

All water piping shall be constructed and maintained in accordance with State and Local law; the water piping system shall not be connected with non-portable or questionable water supplies, nor be subject to the hazards of back flow or back siphonage.

Individual water service connections which are provided for direct use by mobile homes shall be so constructed that they will not be damaged by the parking of such homes. The mobile home park water system shall be adequate to provide twenty (20) pounds per square inch of pressure at all mobile home connections.

The use of ordinary stop and waste valves where back flow can occur into the portable water system is prohibited.

SECTION 9. MOBILE HOME SPACE REQUIREMENTS

The minimum mobile home space requirements for a new mobile home park or the expansion of an existing mobile home park are as follow:

A. Roadways within access ways and sidewalks shall be paved with a crunched rock base and asphaltic or concrete surfacing according to structural specifications established by the City Engineer.

B. Patios may be paved with asphalt, concrete, or suitable hard surfaced material or if decks are used, they shall be of durable, safe construction.

C. All access ways and walkways within the park shall be alighted at night to provide a minimum of 1.5 foot candles of illumination.

D. Wires for service to light poles and mobile home spaces shall be underground.

E. Mobile home stands shall be paved with asphalt or concrete surfacing or with crushed rock contained within concrete curding or pressure-treated wooded screens.

F. The mobile home park shall be well drained. Provisions for drainage shall be made in accordance with plans approved by the City Engineer.

G. Public telephone service may be made available for the mobile home park residents.

H. Adequate and properly equipped laundry room facilities shall be made available to the residents of the mobile home park. Said facilities shall include drying areas of two thousand five hundred (2,500) square feet per one hundred (100) dwellings units.

I. A fenced storage area shall be provided for each mobile home park for the storage of accessory items such as boats, vacations trailers, campers and related equipment owned by the park residents. Such item will be stored in the storage area and not be parker beside the mobile home.

J. Mailboxes provided. Each mobile home site shall be equipped with a receptacle for mail deliveries in accordance with standards recommended by the local postmaster.

SECTION 11. HEALTH, SANITATION, AND MAINTENANCE REQUIREMENTS

A. Refuse Disposal

The storage, collection and disposal of refuse in the park shall be so as to create no health hazards, rodent harborage, insect breeding areas, accident hazards or air pollution.

All refuse shall be stored in fly tight, watertight, rodent proof contain which shall be located not more than one hundred fifty feet (150') from mobile home space. They shall be provided in sufficient number and capacity to prevent any refuse from overflowing.

Racks or holders shall be provided for all refuse containers. Such contains racks or holders shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration, and to facility cleaning around them.

All garbage shall be collected at least twice weekly. Rubbish shall be frequently enough to prevent it form overflowing available containers. Where suitable collection service is not available form municipal or private agencies, the mobile home park operator shall provide this service. All refuse shall be collected and transported in covered vehicles or covered containers.

Incinerators shall be constructed only with approval of the State and Local Health Officers. Such approval shall be based on a review of the plans specifications for such incinerators and approval of the site where they will be located. Such approval shall

specify the type of material which be placed in the incinerators.

Incinerators shall be fired only when attended by some person specifically authorized by the owner or operator of the mobile home park.

Trash Incinerators shall not be used for the disposal of garbage.

B. Insect and Rodent Control

Insect and rodent control measures to safeguard public health, as recommend by the Health Officer, shall be applied in the mobile home park.

Effective larvicidal solutions may be recommended by the Health Officer for fly or mosquito breeding areas which cannot be controlled by other, more permanent measures.

Accumulations of debris which may provide harborage for rodents shall not be permitted in the mobile home park.

When rats or other rodents are known to be in the mobile home park, the park operator shall take definite action, as directed by the Health Officer, to exterminate them.

Suitable measures recommended by the Health Officer shall be taken by the mobile home park operator to control other insects.

C. Fuel

Liquefied petroleum gas for cooking purposes shall not be used at individual home spaces unless the containers are properly connected by copper or other suitable metallic tubing. Liquefied petroleum gas cylinders shall be so fastened in place, and shall be

adequately protected from the weather. Cylinder containing liquefied petroleum gas shall be located in a mobile nor within feet (5') of a door thereof.

D. Fire Protection

The park area shall be subject to the rules and regulations of the City prevention authority.

Mobile home park areas shall be kept free of litter, rubbish, and other flammable materials.

Portable fire extinguishers of a type approved by the fire prevention authority shall be kept in service buildings and in all other locations named by such fire prevention authority, and shall be maintained in good operating condition.

Fires shall be made only in stoves, incinerators and other equipment intended for such purposes.

E. Communicable Diseases

Every person operating a mobile home park shall notify the local Health Offices immediately of any suspected communicable or contagious disease within the mobile home park. In the case of diseases diagnosed by a physician as quarantinable, such person operating a mobile home park shall not permit the departure of a mobile home or its occupants, or the removable therefrom of clothes or other articles which have been exposed to infection, without approval of the Health Officer.

F. Pets

No owner or person in charge of a dog, cat or other per animal shall permit it to run at large, or to commit any nuisance within the limits of any mobile home park.

SECTION 12. TRAVEL TRAILER PARKS

Travel trailer parks are designed for the location of travel trailers, campers, and motorized coaches, used for short-term occupancy. All provisions of this chapter shall apply with the following exceptions:

A. No minimum size requirement for trailer spaces.

B. Trailer stand shall be minimum of eight feet by thirty-two feet (8' x 32') and located at least five (5') form all access ways, and shall be so placed as to maintain at least fifteen feet (15') between all stands in the park.

C. One parking space shall be provided for each trailer space and be within fifty feet (50') thereof.

D. No patio or storage building shall be required

SECTION 13. REGISTRATION OF OCCUPANTS

Every mobile home or travel trailer park owner or operator shall maintain a register containing a record of all mobile homes, trailers and occupants using the park. Such register shall contain; the names and addresses of all mobile home occupants stopping in

the park; the make, model, and license number of each motor vehicle and mobile home; the State Territory, or County issuing the mobile home license, and the dates of arrival and departure of each mobile home.

SECTION 14. INSPECTION OF MOBILE HOME AND TRAVEL TRAILER PARKS

The Building Inspector is hereby authorized and directed to make inspections to determine the condition of mobile home and travel trailer parks within the City, in order that he any perform his duty of safeguarding the health and safety of occupants of mobile home parks and of the general public.

The Building Inspector shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of regulations set forth in the chapter with owners permission.

The Building Inspector shall have the power to inspect the register containing a record of all mobile homes, trailers and occupants using the parks.

It shall be the duty of the owners of occupants of parks and mobile homes and trailers contained therein, or of the person in charge thereof, to give the Building Inspector free access to such premises, upon notice to the management, at reasonable times for the purpose of Inspection.

It shall be the duty of every occupant of a park to give the owner thereof or his agent or employee access to any part of such park or its premises at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this chapter, or with any lawful order issued pursuant to the provisions of this chapter.

SECTION 15. EXCEPTIONS

The Planning Commission may approve a variance to any portion of the standards of design or required improvements set forth herein where the applicant can show that:

A. Because of topographical or other conditions peculiar to the site a departure may be made without destroying the intent of such provisions; and

B. The granting of the variance will not be detrimental to the public welfare not injurious to other property in the vicinity in which the mobile home park is situated.

Application for a variance shall be made to the City Planning Commission.

The reasons for granting any variance shall be stated in writing in the minutes of the Planning Commission. A copy of said minutes shall be transmitted to the City Council for its consideration prior to granting approval or issuance of a business license to operate an existing mobile home park.

ENFORCEMENT, SEVERABILITY, CONFLICT WITH OTHER LAWS AND REPEALER, VIOLATION AND PENALTY, DEFINITIONS AND EFFECTIVE DATE

SECTION 1. ENFORCEMENT

An enforcing officer shall be appointed by the Mayor and City Council and such officer shall be responsible for the enforcement of the provisions of this ordinance.

SECTION 2. SEVERABILITY

If any provisions of this Ordinance or the application thereof to any persons or circumstances are held invalid, the reminder of the Ordinance or the application or provisions to other persons or circumstances shall not be affected thereby.

SECTION 3. CONFLICT WITH OTHER LAWS AND REPEALER

It is not intended by this Ordinance to impair or interfere with other regulation of State or Local law, or with private restrictions on the use of land, improvements, and structures. Where this Ordinance imposes greater restriction than that imposed by other law or private restrictions, this Ordinance shall prevail.

Ordinance No. 422 and all other ordinances or parts or ordinances in conflict herewith are hereby repealed upon the effective date of this ordinance.

SECTION 4. VIOLATION AND PENALTY

A. Any person, firm or corporation violating any of the provisions of this ordinance shall be demand guilty of a misdemeanor, and shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed continued or permitted.

B. upon conviction of any violation of any of the provisions of this ordinances such persons shall be punished by a fine of not more than one hundred (100) dollars, or by imprisonment for not more than thirty (30) days, or both such fine and imprisonment.

SECTION 5. EFFECTIVE DATE:

This Ordinance shall become effective upon its passage and due publication as provided by law.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS 3RD DAY OF FEBRUARY, 1974.

ATTEST: S.S. AFTON ANDERSON
City Clerk

S.S. JOHN C. PORTER
Mayor

STATE OF IDAHO,)
(SS
County of Madison.)

I, AFTON ANDERSON, City Clerk of the City of Rexburg, Idaho, do hereby certify that the above and foregoing is a full, true and correct copy of the Ordinance entitled:

AN ORDINANCE ESTABLISHING MINIMUM STANDARD AND

REQUIREMENTS FOR THE LOCATION, AND OCCUPATION OF MOBILE HOME AND FOR THE CONSTRUCTION, OPERATION AND ALTERATION OF MOBILE HOME PARKS OR TRAILER COURTS, AND PROVIDING FOR THE IMPROVEMENT OR EXISTING MOBILE HOME PARKS OR TRAILER COURTS; PROVIDING FOR THE LICENSING OF MOBILE HOME PARKS OR TRAILER COURTS AND HOUSING; PROVIDING FOR INSPECTION OF TRAILER COURTS AND HOUSING; PROVIDING FOR EXCEPTIONS AND VARIANCES: PROVIDING FOR THE ENFORCEMENT, SEVERABILITY, CONFLICT WITH OTHER LAWS AND REPEALER, VIOLATION AND PENALTY, DEFINITIONS, AND EFFECTIVE DATE.

Passed by the City Council and approved by the Mayor this 3rd day of April, 1974.

S.S. AFTON ANDERSON
City Clerk