

CHAPTER XI. MOBILE HOME AND MANUFACTURED HOUSING PARKS

Article 1. Mobile Home and Manufactured Housing Parks

ARTICLE 1. MOBILE HOME AND MANUFACTURED HOUSING PARKS

11-101

DEFINITIONS. As used in this Chapter:

- (A) **Manufactured Home** means a structure which:
- (1) Is transportable in one or more sections which, in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation, when connected to the required utilities, and includes plumbing, heating, air conditioning and electrical systems contained therein; and
 - (2) Is subject to the federal manufactured home construction and safety standards established pursuant to 42 U.S.C. Section 5403.
- (B) **Mobile Home** means a structure which:
- (1) Is transportable in one or more sections which, in the traveling mode, is 8 body feet or more in width or 28 body feet or more in length, and is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein; and
 - (2) Is not subject to the federal manufactured home construction and safety standards established pursuant to 42 U.S.C. Section 5403.
- (C) **Manufactured Home and Mobile Home Park or Park** means any lot upon which are located one or more manufactured homes or mobile homes, occupied for dwelling purposes, regardless of whether or not a charge is made for each accommodation. A "manufactured home and mobile home park" or "park" shall not mean a residential-design manufactured home as used in Chapter 20 of this Code.
- (D) **Unit** means either a manufactured home or mobile home located within a park.
- (E) **Lot** means the parcel of property on which a mobile home or manufactured home is located within a park. (Ord. 6292)

11-102

PARK LICENSE REQUIRED.

It shall be unlawful for any person to operate any mobile home or manufactured home park within the City without a valid license issued by the City in the name of the owner(s) of the park. An application for license shall be made to the City Clerk, who shall issue a license upon compliance by the applicant with provisions of this Chapter. No license issued hereunder shall be transferable. (Ord. 6292)

11-103

SAME; APPLICATION; FEE.

Application for a license shall be in writing by the owner of the park. The license shall be for a term of five (5) years. The application shall contain the following:

- (A) The name and address of the owner(s) of the park and any designated local agent;
- (B) The location and legal description of the park;
- (C) A site plan, layout or map indicating the square footage of all lots, the number of lots currently occupied by units, location of shelters, roads or streets within the park, location of refuse dumpsters, utility connections or hook-ups for each lot. The site plan, layout or map should be annually updated by the park owner, documenting physical changes to the park and providing an annual listing of the number of lots occupied, and filed with the City Clerk. The site plan, layout or map need not be prepared by a professional engineer or architect nor contain a professional seal; and
- (D) Payment of the five (5) year license fee of \$5.00 per lot.

After the adoption of this ordinance, owners of mobile home and manufactured home parks located within the City shall have ninety (90) days to obtain a license. (Ord. 6292)

11-104

PERIODIC INSPECTIONS AND ANNUAL REPORTS.

Complaints of violations of this Chapter shall be forwarded to the Code Enforcement Manager for investigation. The Code Enforcement Manager is hereby authorized and directed to inspect the parks every five years and units on a complaint basis to determine satisfactory compliance with this Chapter. The inspector shall be authorized to enter the unit or premises at reasonable times to inspect for violations of this Chapter pursuant to lawful permission of the occupant. The inspector shall prepare an annual report on compliance for submission to the City Manager and the City Commission. The annual report shall contain a listing of major complaints and violations at units and parks, and the resolution of such complaints and violations found in mobile home parks and units. (Ord. 6292)

11-105

NOTICE OF VIOLATION.

Whenever the inspector determines that there are reasonable grounds to believe that there has been a violation of any provision of this Chapter, the inspector shall give notice of such alleged violation to the person to whom the permit or license was issued as hereinafter provided. Such notice shall:

- (A) Be in writing;
- (B) Include a statement of the reasons for its issuance;
- (C) Allow reasonable time for the performance of any act it requires;
- (D) Be served upon the owner or his or her agent as the case may require. The notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been sent by registered mail to his or her last known address;
- (E) Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Chapter. (Ord. 6292)

11-106

SAME; INSPECTION; SUSPENSION OF LICENSE; PENALTIES FOR NONCOMPLIANCE.

- (A) Whenever, upon inspection of any park the Code Enforcement Manager or his or her designee finds that conditions or practices exist which are in violation of any provision of this Chapter, the inspector shall give notice in writing to the person to whom the license was issued stating that unless such conditions or practices are corrected within the period of time specified in the notice by the inspector, the license shall be suspended. At the end of such period, the inspector shall reinspect such park and, if such conditions or practices have not been corrected, he or she shall suspend the license and give notice in writing of such suspension to the person to whom the license is issued.
- (B) Whenever, upon inspection of any mobile home unit the Code Enforcement Manager or his or her designee finds that conditions or practices exist which are in violation of any provision of this Chapter, the inspector shall give notice in writing to the owner of the unit stating that unless such conditions or practices are corrected within the period of time specified in the notice by the inspector, he or she shall prevent the occupancy of the structure and give notice in writing of such vacation to the owner.
- (C) In addition to suspension of the license, violation of any provision of this Chapter shall be a municipal offense. Any person convicted of a violation of this Chapter shall, upon conviction, be fined not less than \$25 nor more than \$500, or be imprisoned for not less than five (5) days nor more than three (3) months, or be both so fined and imprisoned. Each day during or on which a violation occurs or continues shall constitute a separate offense. (Ord. 6292)

11-107

SAME; EMERGENCY COMPLIANCE.

Whenever the inspector finds that an emergency exists which requires immediate action to protect the public health and safety, the inspector may without notice of hearing issue an order stating the existence of such an emergency and requiring that such action be taken as he or she may deem necessary to meet the emergency including the suspension of the permit or license, and/or the vacation of premises. Notwithstanding 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. (Ord. 6292)

11-108

COMPLIANCE WITH ZONING REGULATIONS.

All mobile home and manufactured housing parks shall comply with all City zoning regulations as provided in Chapter 20 of this Code. Any addition to a park shall comply with the zoning regulations. (Ord. 6292)

11-109

WATER SUPPLY REQUIREMENTS.

In parks with a water supply or water piping system which is owned and maintained by the park licensee or any party other than the City, such water supply or water piping system shall comply with the following requirements:

- (A) The water supply shall be capable of supplying a minimum of 250 gallons per day per unit.
- (B) The water supply system of the park shall be connected by pipes to all units, buildings, and other facilities requiring water.

- (C) All water piping, fixtures and other equipment shall be constructed and maintained in accordance with State and local regulations and requirements and shall be of a type and in locations approved by the City.
- (D) The system shall be so designed and maintained as to provide a pressure of not less than 20 pounds per square inch, under normal operating conditions at units, service buildings and other locations requiring potable water supply. (Ord. 6292)

11-110

SHELTER FROM STORMS.

Each park owner shall either (1) maintain a storm shelter capable of sheltering all park residents in the event of inclement weather; or (2) provide information to park residents at the time rental agreements are executed concerning known available shelters or public places of safety located away from the park. Storm shelters are to be maintained by the park owner. (Ord. 6292)

11-111

GENERAL REQUIREMENTS.

- (A) All utilities provided by the park owner, from the utility line to the point of connection for the unit, shall be installed and maintained according to applicable City Codes.
- (B) The storage, collection and disposal of refuse in the park shall be constructed and maintained in a manner that does not violate City Code nor create a hazard to health or safety. (Ord. 6292)

11-112

STRUCTURAL REQUIREMENTS.

Every unit shall be weather protected so as to provide shelter for the occupants against the elements and to exclude dampness. Also, the interior of the structure therein shall be maintained, structurally sound, be capable of supporting the imposed loads, and be kept free from insects, vermin or rodents infestation. (Ord. 6523)

11-113

MECHANICAL REQUIREMENTS.

Every unit shall be provided with heating facilities capable of maintaining a room temperature of 70 degrees Fahrenheit in all habitable rooms. (Ord. 6523)

11-114

ELECTRICAL REQUIREMENTS.

Every unit shall be electrically served. Also, all electrical equipment, wiring, and appliances shall be installed and maintained in a safe manner. All electrical equipment shall be of a type appropriate to the unit. (Ord. 6523)

11-115

PLUMBING REQUIREMENTS.

Every unit shall contain its own bathtub or shower, lavatory, water closet, and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. (Ord. 6523)

11-116

EXITS.

Every unit shall have access directly to the outside and shall be provided with exits and exitways. (Ord. 6523)

11-117

APPLICABLE CODE COMPLIANCE.

Current compliance with the applicable construction code to the original construction of the unit shall be deemed to comply with the requirements of Section 11-112-116.

The owner shall have the burden of demonstrating that any repair and construction complies with the original construction code for the unit. (Ord. 6523)

11-118

FIRE SAFETY REQUIREMENTS.

Every unit shall be provided with one (1) or more smoke detectors. The detector shall be located outside each bedroom area. The detector shall also be installed in accordance with the approved manufacturer's instructions. The smoke detector may be battery operated when installed. (Ord. 6523)

11-119

INADEQUATE SANITATION AND SUBSTANDARD STRUCTURES.

(A) General. A unit shall be determined to be a substandard structure to the extent that it endangers the life, limb, health, property, safety or welfare of the public or the occupants and to the extent that any of the following conditions exist in the unit.

(B) Inadequate Sanitation and Substandard Structures. Inadequate sanitation and substandard structures shall include but not be limited to the following:

1. Lack of, or improper water closets, lavatory, bathtub or shower in a unit.
2. Lack of, or improper kitchen sink in a unit.
3. Lack of hot and cold running water to plumbing fixtures in a unit.
4. Lack of adequate heating facilities.
5. Lack of proper electrical equipment as determined by building official.
6. Dampness of habitable rooms.
7. Infestation of insects, vermin or rodents as determined by the Code Enforcement Manager.
8. General dilapidation or improper maintenance.
9. Lack of connection to required sewage disposal system.
10. Lack of adequate garbage and rubbish storage and removal facilities as determined by the Code Enforcement Manager.
11. Defective or deteriorated flooring or floor supports.

(Ord. 6523)

11-120

SUBSTANDARD STRUCTURES; REPAIR, VACATION AND DEMOLITION.

Any unit declared a substandard structure under this Chapter shall be made to comply with one of the following:

- (A) The unit shall be repaired in accordance with this Chapter applicable to the type of substandard conditions requiring repair; or
- (B) The unit shall be demolished at the option of the owner; or
- (C) If the unit does not constitute an immediate danger to life, limb, property or

safety of the public it may be vacated, secured and maintained in accordance with the Environmental Code Sec. 9-601 et seq. (Ord. 6523)

11-121

CONFORMITY WITH STATE LAWS; ADDITIONAL PROTECTION AND DUTIES.

The provisions of this Chapter shall be interpreted in a manner that shall not conflict with the rights, responsibilities, duties and protections of the Kansas Mobile Home Parks Residential Landlord and Tenant Act, K.S.A. 58-25,100 et seq. and amendments thereto; the Kansas Residential Landlord and Tenant Act, K.S.A. 58-2540 et seq. and amendments thereto; and the Kansas Manufactured Housing Act, K.S.A. 58-4201 et seq. and amendments thereto including the state law provisions governing the terms and conditions of rental agreements, the duties of landlords and tenants, and the terms and conditions of security deposits. (Ord. 6523)