ARTICLE 24

EXISTING MOBILE HOME & MOBILE HOMES PARKS

1. DEFINITIONS:

A. “Tie down” means any device designated for the purpose of anchoring a mobile home to ground anchors.

B. “Ground anchor” means any device designed to secure a mobile home to the ground.

C. “Pier” means one of the structural supports required for a mobile home which is not secured to the ground on a permanent foundation.

D. “Roof protector” means a device designed to prevent over the top tie downs from damaging or penetrating the roof material.

E. “Mobile home” means a structure which is transportable in one or more sections which, in the traveling mode, is 8 body feet or more in width and 36 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.

F. “Camping Trailer” means any vehicle used or so constructed as to permit its being used as a conveyance upon the public streets or highways and duly licensable as such, and constructed in such a manner as will permit occupancy thereof as a dwelling or sleeping place for one or more persons.

2. EXISTING MOBILE HOMES NOT LOCATED IN A LICENSED MOBILE HOME PARK:

A. No mobile home shall be permitted within the City limits of Carbondale, Kansas. Any mobile home located in the City legally, prior to the enactment of this ordinance and continually used and continually occupied as a residential dwelling shall be allowed to remain, but shall not be replaced with another mobile home under any circumstance.

B. No camping trailer shall be permitted to be used as a permanent or semi-permanent residence within the City limits of Carbondale, Kansas.

3. LICENSES FOR EXISTING MOBILE HOME PARKS:

A. It shall be unlawful for any person, firm or corporation, their agents or employees to operate, continue to operate, or provide parking space for two or more mobile homes on any lot or tract of land within the City limits of Carbondale, Kansas, unless such owner has first made application for and secured a valid license to operate a mobile home park issued by the City in compliance with this ordinance. The application for a mobile home park license shall contain the following information.

1. The name(s) and address(es) of the applicant(s);

2. A legal description of the property on which the mobile home park exists;

3.Telephone numbers where the applicant(s) may be contacted:

B. The application shall be accompanied by a non-refundable fee of $25.00 payable to the City of Carbondale, Kansas. Any license issued hereunder shall be valid for one year, and the owner(s) of such mobile home park shall be required to apply annually for a renewal of the license from the City. The City Council is hereby designated with the power to administer the licensing program and to grant or deny all licenses.

C. These regulation does not make unlawful any mobile home park which is already in place and in conformance with all laws at the date this ordinance becomes effective, provided such mobile home park shall make application within 60 days of publication of these regulations and annually thereafter for license used by the City as required herein.

D. Should a vacancy occur in an existing mobile home space, such space may not again be occupied unless and until such vacant space, the mobile home and the mobile home park conforms to these regulations. It is the intent of these regulations, that existing mobile home parks be brought up to the minimum standards contained in this article.

E. Any mobile home park license issued under this section is not transferable and is limited solely to the approved applicant(s). Should an additional owner be added, or the mobile home park transfer or change ownership in any form, the new owner(s) must make application to the City for a new license.

4. PERMIT FOR PLACEMENT IN EXISTING, LICENSED MOBILE HOME PARK.

A. It shall be unlawful for any person, firm or corporation, their agents or employees to park or place a mobile home in an existing, licensed mobile home park unless a permit has first been obtained from the Zoning Administrator. The application for a permit shall contain the following:

1.The name and address of the applicant;

2.The license number of the mobile home park;

3.A complete description of the mobile home unit, including the maker and dimensions;

4.Documentation of ownership, including Kansas title and

registration.

B. The application must be accompanied by a non-refundable permit fee of $25 payable to the City of Carbondale, Kansas. The application for a permit will be forwarded to the Zoning Administrator, or his designee, who will then monitor all phases of the actual placement of the applicant’s mobile home and inspect tie downs, roof protectors, over the top tie downs, foundations for piers and the construction of piers.

C. No permit will be issued until the inspection has been completed and the final placement of the mobile home has been approved by the Zoning Administrator, or designee.

5. MINIMUM REQUIREMENTS FOR PLACEMENT IN MOBILE HOME PARKS.

A. Beginning September 1, 2009, any mobile home placed in a licensed mobile home park shall meet all minimum safety and placement requirements contained in Sections 7 and 8 of this ordinance and the following:

1. All newly placed mobile homes must be a minimum of 14' x 70' and not more than 10 years old.

2. An application for a permit shall be obtained prior to placement in an existing mobile home park. The Zoning Administrator or designee shall monitor actual placement of the mobile home in a licensed mobile home park. A final permit will be granted after all phases of the actual placement of the mobile home has been approved.

3. The mobile home shall have a minimum of a 3' x 12' pitched shingled roof on a double wide and a 2' x 12' pitched shingled roof on a singlewide.

4. The mobile home shall have standard home-style siding, 4' x 8' Masonite, or lap type siding.

5. The mobile home shall be anchored to a permanent foundation as indicated in Section 8 below.

6. The mobile home shall be completely enclosed around the entire perimeter with concrete block or anchored metal skirting within 45 days, and the unit shall be set no more than 4' from the bottom of the frame to the ground.

7. The tongue will be completely removed and stored under the mobile home.

8. Each mobile home space shall be at least 40 feet wide and be clearly defined and have off street parking space for 2 vehicles.

9. Mobile homes shall be so located on each space as to maintain a setback of no less than 20 feet from any public street, highway right-of-way, or mobile home park district boundary; as to maintain a setback of no less than ten (10)feet from the edge of a park roadway or sidewalk or a rear boundary line when such boundary line is not common to any public street, highway right-of-way, or mobile home boundary; and as to maintain a setback of no less than five (5) feet from any side boundary line of a mobile home space.

10. All mobile homes shall be so located as to maintain a clearance of not less than twenty (20) feet from another mobile home and as to maintain a clearance of not less than twenty (20) feet between any mobile home and any appurtenance to a mobile home. No mobile home shall be located closer than 25 feet from any building within the park**.**

6. PLACEMENT OF APPROVED TIE DOWNS, ROOF PROTECTORS, OVER THE TOP TIE DOWNS:

A. Tie downs must comply with the provisions of K. S. A. 75-1228 and shall be placed on a mobile or manufactured home as follows: (See page 231 for KSA 75-1228)

1. On any mobile home 70' in length, four frame tie downs shall be placed on each side, or four over the top tie downs shall be used or any combination thereof, as approved by the Zoning Administrator or designee.

2. On any mobile home more than 70 feet in length, five frame tie downs shall be placed on each side, or five over the top tie downs shall be used or any combination thereof, as approved by the Zoning Administrator or designee.

3. On any doublewide mobile home, four frame tie downs shall be used on each side or four over the tope tie downs shall be used or any combination thereof, as approved by the Zoning Administrator or designee.

7. FOUNDATIONS FOR PIERS, CONSTRUCTION OF PIERS, REQUIREMENTS:

A. Foundations for piers and construction of piers must comply with the provisions of K. S. A. 75-1231: (See page 232 for KSA 75-1231) Foundations for piers shall be installed directly under the mainframe or chassis of the mobile home. All grass and organic material shall be removed and the pier foundation placed on stable soil. The piers shall not be farther apart than 10' on centers, and the main frame, front or face of the mobile home shall not extend farther than one foot beyond the centerline of the end of the piers. Each pier foundation shall consist of two concreted blocks, and such block shall be eight inches wide, eight inches high and 16 inches long.

B. Piers shall be constructed of either open cell or solid concrete blocks, each of which shall be eight inches wide, eight inches high and 16 inches long, with open cells vertical or in combination with solid concrete blocks which are two inches thick, eight inches high and 16 inches long placed above the foundation block. A wood plate which is at least one inch in actual thickness, eight inches wide and 16 inches long shall be placed on top of the pier, with weather proof wood shims, when needed, fitted and driven tightly between the wood plate and the main frame. Such shims shall not occupy more than one inch of vertical space. Piers shall be installed perpendicular to the I-beam. All piers over 30 inches in height, measured from the top of the foundation block to the I-beam, shall be double tiered with blocks interlocked and capped with a solid concrete block, which shall be four inches high, 16 inches wide and 16 inches long, and cushioned with wood blocking as required. Piers shall not exceed 48 inches in height.

8. ALTERATIONS OR ADDITIONS: No mobile home shall be attached to or connected to any other mobile home or to any other structure or building. Accessory structures not exceeding one hundred (100) square feet in size, carports and residential patio and deck structures may be constructed adjacent to mobile homes so long as such structures comply in all respects to the applicable provisions of the building code, if any, and the appropriate permits are secured from the City.

9. LIABILITY: The City, the Carbondale Planning Commission and the Zoning Administrator do not assume any liability by reason of any permit authorized herein.

10. CONTROLLING ORDINANCE: These regulation shall control over any conflict of the terms of any other ordinance and/or regulations, except as may be otherwise stated herein.

11. SEVERABILITY: If any part, section, clause, or phrase of these regulations are for any reason held to be illegal or unconstitutional, such invalidity shall not affect the remaining portions of this ordinance.