

ORDINANCE

- 33 -

AN ORDINANCE REGULATING MOBILE HOMES AND MOBILE HOME PARKS WITHIN THE CORPORATE LIMITS OF THE CITY OF FARMINGTON AND PROVIDING PENALTIES FOR VIOLATIONS

BE IT ENACTED by the Council of the City of Farmington, Iowa:

SECTION 1 Purpose The purpose of this Ordinance is to provide for municipal regulation of mobile homes and mobile home parks in furtherance of the public health, safety, morals, and welfare.

SECTION 2 Definitions For use in this Ordinance the following terms are defined:

1. The term "mobile home" shall mean any vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed, constructed or reconstructed as will permit the vehicle to be used as a place for human habitation by one or more persons; but shall also include any such vehicle with motive power not registered as a motor vehicle in Iowa.

2. The term "mobile home park" shall mean any site, lot, field or tract of land upon which two (2) or more occupied mobile homes are harbored, either free of charge or for revenue purposes, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of such mobile home park. The term "mobile home park" shall not be construed to include mobile homes, buildings, tents or other structures temporarily maintained by any individual, educational institution or company of their own premises and used exclusively to house their own labor or students.

SECTION 3 Location of Mobile Home It shall be unlawful for any person, firm, or corporation to park or place any mobile home on the streets, alleys, or highways, any public place, or on any private land within this town, except as is provided by state law and this Ordinance. This section shall not apply to mobile homes parked or placed within duly licensed mobile home parks, or upon private property as part of a dealer's or a manufacturer's stock not used as a place for human habitation.

SECTION 4 Special Permits for Location of Mobile Homes Outside Mobile Home Parks The City Council, upon application of a mobile home owner, may issue special permits for the location of mobile homes outside mobile home parks. The Council shall issue such special permits when it appears that location within local mobile home parks is impracticable and public health, safety, and welfare interests will not be seriously affected by granting the permit. Special permits shall not be granted for periods in excess of 5 years, but upon expiration of a special permit reapplication may be made. These special permits shall be issued only to owner-occupiers of mobile homes and shall be non-transferable. Application for the permit shall include:

1. A statement concerning the practicability of location within a local mobile home park.
2. A description of sanitation facilities contained within the mobile home and those facilities available at the proposed location.
3. A statement of the desired duration of the special permit.

SECTION 5 Emergency and Temporary Parking Emergency or temporary parking of mobile homes upon the streets, alleys, or highways or any other public or private place for a period not in excess of 24 hours shall not constitute a violation of Section 3, but such parking shall be subject to any prohibitions or regulations contained in other Ordinances of this City.

SECTION 6 Regulations to Which Mobile Home Park Owners are Subject No person, firm or corporation shall establish, maintain, conduct, or operate a mobile home park within this city without first obtaining an annual license therefore from the State Department of Health. No person, firm or corporation shall construct, expand, remodel or make alterations to the sanitary facilities in a mobile home park within this city without first obtaining a permit therefore from the State Department of Health.

SECTION 7 Penalty Anyone violating any of the provisions of this Ordinance shall, upon conviction, be subject to imprisonment not exceeding thirty (30) days, or a fine not exceeding \$100.00.

SECTION 8 Repealer All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 9 Severability Clause If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 10 When Effective This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed: October 14, 1974

Robert T. Hambright, Mayor
Mary Jo Smith, City Clerk

Reviewed: 1/30/78

AMENDMENT TO ORDINANCE NO. 33 –

**AN ORDINANCE REGULATING MOBILE HOMES
AND MOBILE HOME PARKS
WITHIN THE CORPORATE LIMITS OF THE CITY OF FARMINGTON
AND PROVIDING PENALTIES FOR VIOLATIONS
AMENDED AUGUST 12, 1996**

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2. The term "mobile home park" shall mean any site, lot, field or tract of land upon which two (2) or more occupied mobile homes are

harbored, either free of charge or for revenue purposes, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of such mobile home park. The term "mobile home park" shall not be construed to include mobile homes, buildings, tents or other structures temporarily maintained by any individual, educational institution or company on their own premises and used exclusively to house their own labor or students.

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1. A statement concerning the practicability of location within a local mobile home park.
2. A description of sanitation facilities contained within the mobile home and those facilities available at the proposed location.
3. A statement of the desired duration of the special permit.

AMENDMENT: Addition to Section 4. Special Permits

4. Any person requesting special permit to park a mobile home outside a licensed mobile home park must furnish the City Council proof that the mobile home will have sufficient structural support in place by the time the mobile home is set, as evidenced by one or more of the following:

- (a) Pillars under crossbeams, 4 feet deep
- (b) A slab under the entire structure, at least 8" thick
- (c) Two runners under entire structure, at least 12" thick

5. The mobile home must have been manufactured after 1976, as indicated by the title.

6. Factory skirting or comparable skirting must be used so as not to detract from existing homes in adjacent areas.

7. Tie downs must be used which are at least comparable to industry standards.

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Passed: October 14, 1974

Robert T. Hambright, Mayor
Mary Jo Smith, City Clerk

Reviewed: 1/30/78

Amendment to Ordinance 33: Amendment appears in Section 4
First reading of Amendment to Section 4: July 15, 1996
Second reading of Amendment to Section 4: Waived, August 12, 1996
Third reading of Amendment to Section 4: August 12, 1996

Passed and approved August 12, 1996

Keith Muntz, Mayor
Joan Rohdy, City Clerk

AMENDMENT OF ORDINANCE 33

BE IT ENACTED by the Council of Farmington, Iowa:

Section 4. Part 5 The mobile home must have been manufactured after 1986, as indicated by the title.

Amendment to Section 4. Part 5 The mobile home must be less than (<) 15 years old from the date indicated by the title.

Section 10. When Effective This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

First Reading: March 12, 2012
Second Reading: Waived March 12, 2012
Final Reading: April 9, 2012

Janet Browning, Mayor
Nichole Jarvis, City Clerk

Reviewed: 11/9/15