



City of Grand Island

Tuesday, June 13, 2006

Council Session

Item F2

#9050 - Consideration of Amending Chapter 21 of the Grand Island City Code Relative to Manufactured Homes and Manufactured Home Parks

This item relates to the aforementioned Ordinance Item F-1.

Staff Contact: Dale Shotkoski

ORDINANCE NO. 9050

An ordinance to amend Chapter 21 of the Grand Island City Code; to amend Sections 21-1, 21-2, 21-3, 21-5, 21-6, 21-8, 21-10, 21-13, 21-14, 21-22, 21-28, and 21-30 pertaining to housekeeping matters; to repeal Sections 21-1, 21-2, 21-3, 21-5, 21-6, 21-8, 21-10, 21-13, 21-14, 21-22, 21-28, and 21-30 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. Section 21-1 of the Grand Island City Code is hereby amended to read as follows:

§21-1. Definitions

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them in this section:

Chief building official means the legally designated authority of the city or his authorized representative.

Manufactured Home means a structure, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width, and forty body feet or more in length, or when erected on site is three hundred twenty or more square feet in size and which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities.

Manufactured home lot means any individually owned plot of ground zoned and platted so that it is permissible to place a single manufactured home upon it after a permit is issued by the chief building official or his/her designee. The manufactured home may be attached to a permanent foundation or basement built in accordance with approved codes.

Manufactured home park means any lot of ground zoned and licensed as such by the City within which two or more manufactured home spaces are located.

Manufactured home space means an area within a manufactured home park for the placement of a single manufactured home and reserved for the exclusive use of its occupants.

Manufactured home stand means that facility for the placing of a single manufactured home and appurtenant structures thereto onto a foundation system designed to resist horizontal wind pressure of fifteen (15) pounds per square foot minimum and nine (9) pounds per square foot minimum for uplift, or upon a surface foundation system designed to resist the same forces.

Permit means a written permit issued by the chief building official or his/her designee promulgated thereunder.

Recreational Vehicle as defined in ~~Chapter 22, Article IX, Section 22-124~~ of the Grand Island City Code.

Service building means a building housing toilet and bathing facilities for men and women with laundry facilities and such other facilities as may be required by this chapter.

SECTION 2. Section 21-2 of the Grand Island City Code is hereby amended to read as follows:

ORDINANCE NO. 9050 (Cont.)

§21-2. Jurisdiction

It is intended that the provisions of this chapter shall be enforced within the city and in the two mile area beyond its corporate limits ~~insofar as compliance with regulations is possible.~~

SECTION 3. Section 21-3 of the Grand Island City Code is hereby amended to read as follows:

§21-3. Permit Required

It shall be unlawful for any person to open, conduct, establish or maintain any ~~site place or ground~~ for the purpose of a manufactured home park unless a permit ~~so to do~~ so shall have first been issued by the city.

SECTION 4. Section 21-5 of the Grand Island City Code is hereby amended to read as follows:

§21-5. Renewed Permit

~~Applications for r~~Renewal of permits ~~under this chapter~~ shall be made to the City Building Department. in writing by the holder of the permit or authorized agent and shall contain the following:

- ~~— (1) Any change in the information submitted since the time the original permit was issued or the latest renewal granted.~~
- ~~— (2) Such other information as the proper city officials may require.~~

SECTION 5. Section 21-6 of the Grand Island City Code is hereby amended to read as follows:

§21-6. Park Plan to be Filed

The applicant for a permit required by this chapter or authorized agent shall file with the chief building official or his/her designee a complete plan showing:

- (1) The area and dimensions of the tract of land to be used for such manufactured home park.
- (2) The number, location, and size of all manufactured home spaces.
- (3) The location and width of roadways and walkways.
- (4) The location of service buildings and any other proposed structures.
- (5) The location and size of water and sewer lines.
- (6) Plans and specifications of all buildings and other improvements constructed or to be constructed within the manufactured home park.
- (7) Parks may have spaces for recreational vehicles provided that such spaces shall be identified on the park plan filed, and shall not exceed twenty percent (20%) of the total number of spaces. Recreational vehicles shall be limited in duration of stay. No recreational vehicle shall be allowed to remain in a space for more than one hundred eighty (180) days within any consecutive three hundred sixty five (365) day period. Any revisions or additions to such plan must be reviewed and approved by the City Council as provided in Section 21-7 of this chapter.

ORDINANCE NO. 9050 (Cont.)

SECTION 6. Section 21-8 of the Grand Island City Code is hereby amended to

read as follows:

§21-8. Permit Fee

(1) If the city council grants such permit required by this chapter to any such applicant, it shall thereupon direct the chief building official or his/her designee to issue such permit upon prepayment of a permit fee to the building department, in accordance with the City of Grand Island Fee Schedule.

~~(2) Prior to expiration of the annual permit, a permit may be renewed upon prepayment of the annual permit fee in accordance with the City of Grand Island Fee Schedule.~~

~~(3) Failure to obtain a permit renewal by January 31 of each subsequent year, an investigation fee equal to the permit fee shall be paid, in addition to the permit fee, prior to obtaining a renewal of such permit.~~

SECTION 7. Section 21-10 of the Grand Island City Code is hereby amended to

read as follows:

§21-10. Permit; Revocation; Notice; Hearing

If any operator of a manufactured home park to whom a permit has been issued shall continue to violate the ordinances of ~~the a~~ city or the laws of the state pertaining to sanitation, public health and welfare after due notice by the officials of the city or the state of such violation, the city council shall have the right to revoke such permit to operate such park in the following manner:

A notice shall be served on the person holding such permit, setting forth wherein permittee has failed to comply with the ordinances of the city or laws of the state and citing permittee to appear before the city council at a day and hour therein specified, not less than three days after the personal service of such notice of such permittee or agent in charge of such manufactured home park and show cause, if any, why such permit should not be revoked or suspended. At the time and place mentioned in such notice, the permittee shall have the right to appear in person or by counsel and to introduce evidence.

SECTION 8. Section 21-13 of the Grand Island City Code is hereby amended to

read as follows:

§21-13. Parking on Private Property

It shall be unlawful for any person to park or permit the parking of any manufactured home on private or public property unless such property is within an approved zoning district permitting manufactured homes, or within a permitted manufactured home park or an approved space. A permit for the placement of the manufactured home must be issued by the City Building Department prior to placement.

~~Any person engaged in the business of selling manufactured homes and having manufactured home inventory on the site shall be permitted to use one home on the lot or tract of land where such established business is conducted for a business office. Such home may be connected to public utilities.~~

~~Nothing contained in this section shall be construed to prevent the keeping and parking of trailers used for carrying luggage, baggage and boats on private property, nor shall it be construed to prevent the owner of a trailer used for vacation and camping purposes from storing or keeping the same on private property if the same is not used for living or sleeping purposes where kept or stored.~~

ORDINANCE NO. 9050 (Cont.)

SECTION 9. Section 21-14 of the Grand Island City Code is hereby amended to

read as follows:

§21-14. ~~Semia~~Annual Inspections; Reports

It shall be the duty of the chief building official or his/her designee to inspect all manufactured home parks now existing in the city and in the area two miles beyond its corporate limits, and all manufactured home parks hereafter established at least ~~semi~~-annually. No charge shall be made for such inspection, and the owners of such manufactured home parks shall be furnished in writing the results of such inspection.

SECTION 10. Section 21-22 of the Grand Island City Code is hereby amended to

read as follows:

§21-22. Appurtenances; Accessory and Administrative Buildings

All accessory and service buildings shall be detached and located the same as regulations concerning accessory buildings provided in Chapter 36 of the Grand Island City Code, and shall be constructed in conformance with the City Building, Plumbing, and Electrical Codes pursuant to a permit issued by the Building Department prior to construction. No additions shall be permitted onto a manufactured home except an add-on unit constructed by a manufacturer of manufactured homes recognized by the State of Nebraska. Such add-ons shall receive a permit from the Building Department prior to placement and attachment to the manufactured home and shall be placed onto a foundation system equal to that which the manufactured home rests upon.

Exceptions:

(A) A one hundred twenty (120) square foot or less covered entry porch (no living space) which is open on at least two (2) sides;

(B) Carport or patio cover open on at least three (3) sides;

(C) Manufactured home on a private lot placed upon a permanent foundation.

No additions shall be constructed without first obtaining a permit from the Grand Island Building Department.

SECTION 11. Section 21-28 of the Grand Island City Code is hereby amended to

read as follows:

§21-28. Fire Prevention

(1) Fire prevention in all manufactured home parks shall be under the direct supervision of the City Fire Department ~~mayor and city council of the city and its officials charged with the duty of fire prevention in the city.~~

(2) Manufactured home park areas shall be kept free of litter, rubbish, and other flammable materials.

(3) Portable fire extinguishers of a type approved by the fire prevention authority shall be kept in service buildings and at all other places designated by such fire prevention authority and shall be maintained in good operating condition.

SECTION 12. Section 21-30 of the Grand Island City Code is hereby amended to

read as follows:

ORDINANCE NO. 9050 (Cont.)

§21-30. Existing Manufacturing Home Parks

This chapter shall not apply to existing mobile home parks, now referred to as manufactured home parks, in existence prior to March 10, 1975, except in the following instances:

(1) Any installation, reconstruction, remodeling, or reconfiguration of manufactured home spaces, utility connections, streets, sidewalks, or other infrastructure upon which work is commenced after April 30, 1998, shall comply with all provisions of this chapter.

(2) Any placement of a new or different manufactured home on an existing manufactured home space occurring after April 30, 1998, shall comply with all provisions of this chapter. ~~Under no circumstances shall the degree of compliance with this code be increased as a result of the location of a new or different manufactured home on a new or existing manufactured home space.~~

SECTION 13. Sections 21-1, 21-2, 21-3, 21-5, 21-6, 21-8, 21-10, 21-13, 21-14, 21-22, 21-28, and 21-30 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 14. The validity of any section, subsection, sentence, clause, or phrase of this ordinance shall not affect the validity or enforceability of any other section, subsection, sentence, clause, or phrase thereof.

SECTION 14. That this ordinance shall be in force and take effect from and after its passage and publication, in pamphlet form, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: June 13, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk