

## CHAPTER 146

# MOBILE HOMES AND MOBILE HOME PARKS

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**146.01 POLICY AND PURPOSE.** In order to promote and protect the health, safety and general welfare of the residents of the City, it is hereby declared to be the policy of the City to strictly regulate the presence and use of mobile homes, recreational vehicles and similar relocatable dwellings so that their presence and use shall not devalue surrounding permanent residences or be unsightly to their neighborhood or to the City as a whole and to ensure that the occupants of mobile homes will have safe, sanitary and modern living facilities, and it is the purpose of this chapter to provide rules and regulations and penalties to implement such policy.

**146.02 DEFINITIONS.** For use in this chapter, the following terms are defined:

1. “Accessory use” means a use incidental to the primary use of a mobile home park, such as a direct service facility building, park management building, maintenance building, community building or other use of a similar nature.
2. “Agricultural equipment” means a vehicle or special mobile equipment manufactured, designed or reconstructed for agricultural purposes and further designed to permit use on the roadway, except for incidental uses, exclusively used in the conduct of agricultural operations.
3. “Appurtenance” means any attached or detached addition to a mobile home, situated on the mobile home lot for the use of its occupants, such as a carport, garage, porch, entry or lawn building.
4. “Board” means the Board of Adjustment created under the provisions of the Zoning Ordinance.
5. “Commission” means the Planning and Zoning Commission of the City.
6. “Common area” means any area or space designed for joint use of tenants occupying mobile home parks.
7. “Developer” means any person developing or proposing to develop a tract of land so as to constitute a mobile home park and including any agent of the developer.
8. “Manufactured home” means a factory-built structure, built under the authority of 42 U.S.C. Sec. 5403, which was constructed on or after June 15, 1976, and is required by Federal law to display a seal from the United States Department of Housing and Urban Development.
9. “Mobile home” means 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 also includes any such vehicle with motive power not registered as a motor vehicle in Iowa. A mobile home means any such vehicle built before June 15, 1976, which was not built to a mandatory building code and which contains no State or Federal seals.

10. "Mobile home lot" means a parcel of land for placement of a single mobile home and the exclusive use of its occupants.

11. "Mobile home park" means any site, lot, field or tract of land upon which three (3) or more mobile homes or manufactured homes, or a combination of any of these homes, are placed on developed spaces and operated as a for-profit enterprise with water, sewer or septic, and electrical services available. The term "mobile home park" is not to 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. The mobile home park shall meet the requirements of any zoning regulations that are in effect.

12. "Mobile home stand" means that part of a mobile home lot which has been reserved for placement of a mobile home and any appurtenances thereto.

13. "Motor home" means a self-propelled vehicle designed and constructed for recreational habitation.

14. "Recreational vehicle" means any vehicle designed for recreational habitation, whether self-propelled, towable or mountable, including a motor home, travel trailer, pickup camper and foldout camper, but not including a mobile home.

15. "Skirting" means the materials and construction around the perimeter of a mobile home between the bottom of the finished side and the grade level of the mobile home stand.

16. "Travel trailer" means a towed structure on a chassis designed to be used for recreational habitation.

17. "Zoning Officer" means the Zoning Administrative Officer referred to in the Zoning Ordinance.

### **146.03 PLACEMENT OF MOBILE HOMES.**

1. It is unlawful to place, locate, occupy or otherwise use a mobile home within the corporate limits of the City except as follows:

A. In a mobile home sales lot for display, sale, repair or use as a sales office, but not for use as a residence.

B. In a mobile home park established and operated in compliance with the provisions of this chapter.

2. A manufactured home may be located outside of a mobile home park, provided the manufactured home is converted to real estate under the provisions of Section 435.26 of the Code of Iowa and meets the minimum front, rear and side yard requirements and all other area, yard and location requirements of a site-built home on the lot in its residential or other permitted zone. Such manufactured home shall be placed on a permanent full foundation of solid concrete blocks set in mortar, on a poured concrete foundation or a pier footing foundation. The footings shall be at least

below the frost line and twelve (12) inches below the top of undisturbed earth unless piling is required, in accordance with the Building Code of the City. If there is no provision in such Code, the frost line shall be deemed to be four and one-half (4½) feet below final finish grade at the foundation and any backfill shall be properly compacted to prevent excessive frost penetration. Footings shall meet the requirements for thickness and width required by the Building Code or be at least twelve (12) inches wide and six (6) inches thick if there are no provisions in such Code. The home shall be firmly anchored to the foundation in accordance with accepted practice in lieu of tie-downs. A permanent type skirting material compatible with the design and color of the manufactured home shall be installed to provide substantial resistance to heavy winds. Skirting shall be maintained in an attractive manner consistent with the exterior of the manufactured home to preserve the appearance of the manufactured home. Sufficient screened ventilating area shall be installed in the skirting to supply the combustion requirements of heating units and ventilating of the manufactured home. Provisions shall be made for easy removal of a section large enough to permit access for inspection of the enclosed area under the manufactured home and for repair of sewer, water and utility connections.

3. A mobile home not in place outside a mobile home park on December 3, 1984, and not complying with the standards required for mobile homes since July, 1976, under the State Building Code, shall not be permitted to be converted to real estate under Section 435.26 of the Code of Iowa. Only those homes complying with the standards of safety and construction required since 1976, with a medallion and certificate of compliance, may be placed outside a mobile home park after December 3, 1984.

**146.04 USE OF RECREATIONAL VEHICLES.** It is unlawful to use for human habitation any recreational vehicle within the corporate limits of the City except when the same is parked upon private property for not more than seventy-two (72) consecutive hours and occupied by the owner of said property, said owner's relatives or friends except when the same is parked in a transient recreational vehicle park existing within the City limits.

**146.05 VEHICLES AND EQUIPMENT OUTSIDE.** No recreational vehicle or agricultural equipment shall be stored in the front yard of any improved property zoned "R-1" or "R-2" or on the front half of any unimproved property so zoned.

**146.06 PERMIT.** It is unlawful for any person to operate a mobile home park within the corporate limits of the City without first obtaining a permit therefor. No person shall be allowed to make application for a mobile home park permit without first having the master plan for such mobile home park approved as provided in this chapter. Application for a permit shall be made in writing to the Zoning Officer on forms provided by the Zoning Officer and shall be accompanied by a fee equal to \$1.00 for each mobile home lot in such park, with a minimum fee of \$35.00. After receipt of an application and the proper fee, the Zoning Officer shall present the same to the Council at its next regular meeting. If the Council is satisfied that all of the applicable rules and regulations of this chapter have been complied with, the Council shall order the Zoning Officer to issue a permit for said park.

**146.07 ENFORCEMENT.** The Zoning Officer shall act as the enforcing agent for this chapter and shall make such inspections of any mobile home park as are necessary to determine continuing satisfactory compliance with all of the requirements of this chapter. The Zoning Officer shall have the power to enter at reasonable times upon the public and private

grounds in any mobile home park for the purpose of inspecting and investigating to determine compliance with this chapter. It is the duty of every resident of a mobile home park to give the management thereof access to any part of such park at reasonable times for the purpose of making such improvements, repairs or alterations as are necessary to effect compliance with this chapter. The Zoning Officer shall notify the operator of any mobile home park of any violations of this chapter, which notification shall be in writing and shall state the violations, state in general the remedial action necessary to effect compliance, and set a specific date by which compliance shall be made.

**146.08 HEARING AND REVOCATION.** Any person affected by any compliance notice issued under the provisions of the preceding section may, within three (3) days after issuance of such notice, file a written request with the Clerk for hearing before the Council, and such hearing shall be held at the Council's next regular meeting, or at a special meeting called for that purpose and held before the next regular Council meeting. After such hearing the Council shall issue an order sustaining, modifying or withdrawing the compliance notice. Upon failure to comply with any notice given under the provisions of the preceding section, and as modified by the Council after hearing, the permit of the mobile home park shall be revoked by the Council. Upon such revocation the Council shall cause to be served, in the manner of service of original notices as provided by the Iowa Rules of Civil Procedure, upon the mobile home park operator and upon the owner and/or occupant of each mobile home in such park, a notice of revocation, which notice shall recite the fact of revocation and shall require all occupants of said park to move and vacate the park premises within thirty (30) days after service of notice. Any person failing to comply with such notice shall be subject to fine and/or jail sentence as provided by this Code of Ordinances and each day of noncompliance shall constitute a separate offense.

**146.09 MASTER PLAN.** No mobile home park shall be permitted to be established or permitted to continue to operate, if in existence on January 1, 2010, without a master plan therefor being first approved as in this section provided.

1. The master plan shall consist of a plat and required schedule to show the proposed site, drawn to a scale of not less than two inches equal to one hundred feet (2" = 100'); the park boundaries; mobile home lot locations; street locations; entrances, mobile home stands; play areas; common spaces; walks; utilities, including electricity, gas, water, sanitary and storm sewer systems; location and identification of all uses; the names and addresses of the park land owners and the developers; the legal description of the park land and such other data necessary to give a full, complete and accurate description of the proposed park.
2. The minimum acreage covered by a master plan for the original establishment of a mobile home park shall be two acres and all land shall be proposed to be developed and none shall be reserved. *(Ord. 518 – Apr. 10 Supp.)*
3. No land within the park shall be used or proposed to be used for any purpose other than residential mobile home and accessory uses and for the safety and convenience of mobile home occupants.
4. The actual physical development of the park may be accomplished in stages as approved by the Commission; however, each stage shall contain a minimum of fifteen (15) mobile home lots with necessary utility services to each lot and with a street in front of each lot.

5. The minimum dimensions for each individual mobile home lot shall be a fifty-foot (50') width and a lot area of five thousand (5,000) square feet for use by mobile homes eighteen (18) feet or less in width and a sixty-foot (60') width and a lot area of six thousand (6,000) square feet for use by all other mobile homes.
6. Mobile home stands and appurtenances shall be so located on each mobile home lot so as to provide a minimum front yard depth of twenty-five (25) feet and a minimum side yard of five (5) feet.
7. If land is to be developed for accessory use, such as recreational areas, laundromats, etc., the master plan shall describe in detail such accessory uses including any proposed improvements to be placed thereon and set a date by which the use will be available to park occupants.
8. A non-use buffer zone, a minimum of twenty-four (24) feet in width, shall be required between the lot boundaries of perimeter lots and the park boundaries, except that a street may be used in lieu thereof, but no parking shall be allowed on the side of the street contiguous to the park boundary.
9. All streets within the park, whether public or private, shall be either twenty-four (24) feet wide or thirty-one (31) feet wide, curb back to curb back. Except as provided in subsection 8 of this section, parking shall be allowed only on one side of a twenty-four-foot (24') street and on both sides of a thirty-one-foot (31') street. No dead-end streets of more than three hundred (300) feet in length shall be permitted and all dead-end streets of two hundred (200) feet or more in length shall end in a circular turn-around with a minimum 100-foot diameter. Streets within the park shall have at least two (2) accesses to non-park public streets, which accesses shall be at least two hundred forty (240) feet apart. The speed limit on all streets within the park shall be fifteen (15) miles per hour and all streets shall be so posted. "No Parking" signs shall also be erected as required. A street lighting system shall be required to provide safe and adequate lighting for all persons and vehicles using the park streets.
10. Streets within the park may be public streets, in which case the same shall be constructed and otherwise conform to the requirements of the City and shall be dedicated to the City for public use, subject to acceptance by the Council.
11. Streets within the park may be private and remain owned by the park owner, in which case the same shall be constructed in an approved manner with approved surfacing materials with approved curbs to provide adequate drainage, shall be maintained free from cracks, holes and other hazards and have a hard, smooth, dust-free surface. Detailed plans for private street construction shall be submitted as part of the master plan.
12. After approval of the master plan, the developer shall cause the boundaries thereof and the streets, common areas, mobile home lots and other areas within the park to be staked on the ground by an Iowa registered land surveyor and the limits of each of such areas shall be clearly marked by permanent steel or iron rods driven into the ground with the top of said rods flush with the finished lot grade and upon completion of a plat certified by the surveyor showing the stakes so set shall be filed with the Zoning Officer.
13. The area of the mobile home stand shall provide an adequate base for the placement and anchoring of the mobile home to secure the superstructure against uplift, sliding, rotation and overturning. The mobile home stand shall be constructed so that it will not shift or settle unevenly under the weight of the mobile home due to

inadequate drainage, vibration or other forces acting on the superstructure. All mobile homes shall be fully skirted and securely anchored to their stand.

14. One permanent, low-illuminated identification sign may be permitted at any entrance to a mobile home park. Such sign shall be of ornamental metal, stone, masonry, wood or other permanent material, and shall indicate only the name of the mobile home park. The sign shall not exceed sixteen (16) square feet in surface area.

15. An adequate and safe water supply system shall be provided to serve all mobile home lots and other uses within the mobile home park and the same shall be constructed and maintained in accordance with State and local laws and the main water supply shall be connected to the City water system.

16. Fire hydrants shall be installed within the mobile home park at locations determined by the Commission and shall be connected to the public water system.

17. An adequate and safe sewage system shall be provided in all mobile home parks for conveying and disposing of all sewage. All sewer mains and laterals shall be constructed according to specifications of the City and connected to the City sanitary sewer system or a sanitary system approved by the City and the system shall be thereafter maintained in accordance with all applicable provisions of this Code of Ordinances.

18. An electrical and telephone wiring system consisting of necessary wiring, fixtures and equipment shall be installed and maintained in accordance with applicable statutes, ordinances and codes governing such systems. Main electrical power lines shall be constructed underground according to local electrical utility specifications. Each mobile home stand shall be provided with an approved disconnect device and over-current protective equipment. Outlet receptacles at each mobile home stand shall be located not more than twenty-five (25) feet from the over-current protective devices in the mobile home, and a three-pole, four-wire grounding type shall be used. Receptacles shall be of weather proof construction and configurations shall be in accordance with *Standard for Mobile Homes, USAS A 119.9* published by United States of America Standards Institute, or similar equipment. The mobile home shall be connected to the outlet receptacle by a flexible cable with connectors and a male attachment plug, with a minimum of 100 ampere supply. Where the calculated load exceeds 100 amperes, or where a permanent feeder is used, the supply shall be by means of a four-wire installation. Telephone distribution lines shall be constructed underground according to local telephone utility specifications. All exposed non-current metal parts of mobile homes and all equipment having electrical connections shall be grounded by means of a grounding conductor with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as a ground for mobile homes or other electrical equipment.

19. Natural gas piping systems, liquefied petroleum gas systems and all fuel oil systems shall be installed and maintained in accordance with applicable statutes, ordinances and codes governing such systems.

20. The master plan in six (6) copies shall be filed with the Council and the Council shall refer the same to the Commission. The Commission shall review the master plan to determine compliance with the requirements of this chapter, this Code of Ordinances, and other applicable Federal, State and local statutes, ordinances and codes. The Commission may waive requirements when strict application would result

in substantial hardship or injustice. The Commission may impose additional requirements for the establishment, development and construction of the park if the Commission determines such additional requirements are necessary for the welfare of the City and its occupants and/or the occupants of the park, to protect the area surrounding the park or to preserve the general intent and spirit of this chapter. The imposition of additional requirements may be appealed by the developer to the Board of Adjustment within five (5) days after imposition and the Board shall meet within ten (10) days after a written notice of appeal is filed with any Board member and the Board shall hear the appeal and enter an order sustaining, modifying or rescinding all or any part of the additional requirements.

21. After review of the master plan, as revised by the additional requirements of the Commission, if any, the Commission shall recommend approval to the Council or shall disapprove the master plan. If disapproved, the reasons therefor shall be set forth in the Commission's minutes.

22. If recommended for approval, the master plan shall be forwarded to the Council at its next regular meeting. The Council shall consider the master plan and if the same is acceptable and in accordance with the provisions of this chapter, the Council shall approve and accept the same, or the master plan may be disapproved and the reasons therefor set forth in the minutes of the Council.

23. If approved and accepted by the Council, the developer may commence construction of the park in accordance with the master plan. During and upon completion of construction the Zoning Officer shall inspect the same to determine compliance with the master plan and with all other applicable statutes, ordinances and codes. If, upon inspection, the Zoning Officer finds noncompliance, said officer shall list the variances and give the list to the developer. The developer may appeal the listed variances to the Council in the same manner as provided in Section 146.08 and the Council shall hear the appeal and decide as provided in said section.

24. The Commission shall not recommend for approval and the Council shall not approve any master plan unless the property adjacent to the proposed mobile home park is adequately safeguarded, the plan is consistent with the intent and purposes of this chapter to promote the public health, safety and welfare and that the buildings in said proposed park shall be used for residential purposes only with the usual accessory uses.

25. A community shelter, defined as a stand-alone shelter that is designed and constructed to protect a number of people from a natural hazard event, shall be erected by the park owner when the sixth (6<sup>th</sup>) unit of the park is leased/rented.

**146.10 STANDARDS FOR MOBILE HOMES.** No mobile home shall be connected to water, sewer, fuel, gas or electrical service unless the mobile home complies with the standards and requirements prescribed by *Standard for Mobile Homes, USAS A 119.1 1963*, and amendments thereto, as published by the United States of America Standards Institute, as applicable, which publication is hereby adopted and by reference made a part of this chapter, a copy of which is and shall remain on file in the office of the City Clerk as part of the records of such office. Compliance with said standards shall be determined by the Zoning Officer. A certificate, if issued by the manufacturer of the mobile home, shall be permanently affixed on a readily visible location on the exterior of the mobile home as prima facie evidence of such compliance.

**146.11 SKIRTING.** A permanent type material of construction compatible with the design and color of the mobile home shall be installed to enclose the open space between the bottom of the mobile home side and the grade level of the mobile home stand and shall be so installed to provide substantial resistance to heavy winds. Skirting shall be maintained in an attractive manner consistent with the exterior of the mobile home to preserve the appearance of the mobile home and of the mobile home park. Sufficient screened ventilating area shall be installed in the skirting to supply the combustion requirements of heating units and ventilating of the mobile home. Provisions shall be made for easy removal of a section large enough to permit access for inspection of the enclosed area under the mobile home and for repair of sewer, water and utility connections.

**146.12 REFUSE DISPOSAL.** The storage, collection and disposal of refuse in a mobile home park shall be the responsibility of the mobile home park owner, and shall be conducted so as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution. Storage or accumulation of any unusable or junk vehicles or machinery is prohibited within mobile home parks. Also prohibited within the mobile home park is auto repair or auto rebuilding, except emergency service.

**146.13 MANAGEMENT.** The person to whom a permit for a mobile home park is issued shall operate the park in compliance with this chapter, and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition. The park management shall notify park occupants of all provisions of this chapter and inform them of their duties and responsibilities hereunder. The management shall be responsible for the proper placement of each mobile home on its stand, including securing its stability and the installation of all utility connections, and shall notify each occupant that required skirting shall be installed after the ground thaws. The park owner or manager shall notify the Zoning Officer within twenty-four (24) hours of any hook-up, installation, or replacement of water, sewer, electrical, gas or fuel connections so that an inspection can be made of the work. If the streets within the park are private streets, the park owner shall keep the streets clean and free of snow, trash and debris.

**146.14 SUBDIVISION.** Once approved and established, no part or parcel or use of any mobile home park shall thereafter be sold, leased, subdivided or otherwise set aside from the park, except that the whole park may be sold or otherwise conveyed to a new owner of the whole and except that mobile home lots within the park may be rented for the placement of mobile homes for residential use.