

TITLE VIII

Housing

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CHAPTER 1

Housing Code of Pueblo

Sec. 8-1-1. Legislative finding.

It is hereby found that there exist and may in the future exist, within the City, buildings, dwellings, dwelling units, rooming units or parts thereof, which by reason of their structure, equipment, sanitation, maintenance, use or occupancy, affect or are likely to affect adversely the public health, including the physical, mental and social well-being of persons and families, safety and general welfare. To correct and prevent the existence of such adverse conditions, and to achieve and maintain such levels of residential environmental quality as will protect and promote public health, safety and general welfare, it is further found that the establishment and enforcement of minimum housing standards is required. (1957 Code, §14A-3; Ord. No. 3550, §1, 5-22-72; Ord. No. 6292 §1, 2-23-98)

ED. NOTE: Ordinance No. 3550, final passage and approval May 22, 1972, effective 12:01 o'clock a.m., June 1, 1972.

Sec. 8-1-2. Legislative purpose.

It is hereby declared that the purpose of this Chapter is to protect, preserve and promote the physical and mental health and social well-being of the people, to prevent and control the incidence of communicable diseases, to regulate privately and publicly owned buildings and dwellings for the purpose of maintaining adequate sanitation and public health, to protect the safety of the people and to promote the general welfare by legislation which shall be applicable to all dwellings now in existence or hereafter constructed. It is hereby further declared that the purpose of this Chapter is to insure that the quality of housing is adequate for protection of public health, safety and general welfare, including: establishment of minimum standards for basic equipment and facilities for light, ventilation and thermal conditions, for safety from fire and accidents, for the use, location and amount of space for human occupancy, and for an adequate level of maintenance, determination of the responsibilities of owners, operators and occupants of dwellings, and provision for the administration and enforcement thereof. (1957 Code, §14A-2; Ord. No. 3550, §1, 5-22-72; Ord. No. 6292 §2, 2-23-98)

Sec. 8-1-3. Adoption of Housing Code.

(a) The Uniform Housing Code, 1997 edition, published and promulgated by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601-2298, herein referred to as the Housing Code or U.H.C., as amended by Section 8-1-4 of this Code, is hereby adopted and enacted by reference and made a part hereof as if set out herein in full, and all references and footnotes to the Uniform Building Code contained in the Housing Code shall be construed to be and shall be references and footnotes to the 1997 edition of the Uniform Building Code as amended and adopted by Chapter 2, Title IV of this Code.

(b) Three (3) copies of the Housing Code, all certified to be true copies, shall be on file in the office of the City Clerk. Copies of said Housing Code shall be available for sale in the office of the Pueblo Regional Building Department. (Ord. No. 3550, §§4 and 9, 5-22-72; Ord. No. 4063, 8-11-75; Ord. No. 4113, 12-22-75; Ord. No. 4803, 10-27-80; Ord. No. 5367, 12-8-86; Ord. No. 6292 §3, 2-23-98)

Sec. 8-1-4. Amendments.

(a) Section 201.1 entitled "Authority" of the U.H.C. is amended to read as follows:

"Authority. Authority or Building Official shall mean the Building Official of the Pueblo Regional Building Department or the Building Official's duly authorized representative for inspection or enforcement of the provisions of the Uniform Housing Code."

(b) Section 201.2 entitled "Right of Entry" of the U.H.C. is amended by the addition of the following paragraph:

"The Municipal Court or any judge thereof shall have power, upon complaint made before it by the Building Official or the Building Official's authorized representative that any person has refused the Building Official or the Building Official's duly authorized representative entrance into or upon the building or premises owned or occupied by such person for the purpose of inspecting the same to determine the condition thereof, to issue a warrant commanding such building or premises to be inspected in the daytime, upon any day of the week except Sunday; and said search warrant shall be issued pursuant to Sections 1-6-24 through 1-6-26 of the 1971 Code of Ordinances."

(c) Section 201 of the U.H.C. is amended by the addition of a new Section to read as follows:

"201.2.1 Notwithstanding the provisions of Section 201.2 of the Housing Code to the contrary, neither the Building Official nor the Building Official's authorized representatives shall enter any building or structure occupied by the owner thereof without the consent of said owner except pursuant to a search warrant issued by a Judge of the Municipal Court upon affidavit made by:

a. A person over eighteen (18) years of age that he has personally observed conditions inside said building or structure which make such dwelling substandard as defined in Section 202 of the Housing Code; or

b. The Building Official or the Building Official's authorized representative that the exterior of said building or structure or the area adjacent to said building or structure is in such poor repair and condition that he has reasonable cause to believe that there exists in said building or structure conditions which make such building or structure substandard as defined in Section 202 of the Housing Code."

(d) Section 203 entitled "Housing Advisory and Appeals Board" of the U.H.C. is amended to read as follows:

"The authority and power to provide for final interpretation of the provisions of this Code and to hear appeals provided for hereunder is vested in the Building Board of Review of the Pueblo Regional Building Department (herein "Board"). The Building Official shall be an ex-officio member of and shall act as Secretary to said Board. The Board may adopt reasonable rules and regulations for conducting its business and shall render all decisions and finding in writing to the appellant with a copy to the Building Official. Appeals to the Board shall be processed in accordance with the provisions contained in Section 1201 of this Housing Code. Copies of all

rules or regulations adopted by the Board shall be delivered to the Building Official who shall make them freely accessible to the public."

(e) Section 204 entitled "Violations" of the U.H.C. is amended to read as follows:

"No person, firm or corporation, whether as owner, agent, lessee, sublessee or occupant, shall erect, construct, enlarge, alter, repair, move, improve, remove, demolish, equip, rent, use, occupy or maintain any building or premises, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this Housing Code or any order issued by the Building Official hereunder. Any person convicted of violating the provisions of this Section shall be punished as prescribed in Section 8-1-7 of the 1971 Code of Ordinances of the City of Pueblo."

(f) The following definition contained in Section 401 of the U.H.C. are amended to read as follows:

"Health Officer. *Health Officer* shall be the Director or acting Director of the Pueblo City-County Health Department or the Health Officer's duly authorized representative."

(g) Section 1101.3 entitled "Service of Notice and Order" of the U.H.C. is hereby amended to read as follows:

"The notice and order, and any amended or supplemental notice and order, shall be served upon the record owner or, if unknown or unable to be served within the City, the order and notice shall be posted on the property and a copy thereof mailed by first class mail, postage prepaid, to the record owner at his last known address as shown in the records of the County Assessor; and one (1) copy thereof shall be mailed by first class mail, postage prepaid, to each of the following if known to the Building Official or disclosed from the County Assessor's records: the occupant of the property; the holder of any mortgage or deed of trust or other lien or encumbrance of record; the owner or holder of any lease of record; and the holder of any other estate or legal interest of record in or to the building or the land on which it is located. The failure of the Building Official to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed on him by the provisions of this Section or any other Section of the Housing Code."

(h) Section 1101.4 entitled "Method of Service" of the U.H.C. is hereby amended to read as follows:

"Method of Service. Service of the notice and order shall be made upon all persons entitled thereto either personally or in the manner set forth in Section 1-1-11(5) of the 1971 Code of the City of Pueblo, or by mailing a copy of such notice and order by first class mail to each such person at their address as it appears on the records of the County Assessor. If no address of any such person so appears or is not known to the Building Official, then a copy of the notice and order shall be so mailed, addressed to such person, at the address of the building involved in the proceedings. The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this Section. Service by certified mail in the manner herein provided shall be effective on the date of mailing."

(i) Section 1104.2 entitled "Compliance" of the U.H.C. is hereby amended to read as follows:

"Whenever such notice is posted, the Building Official shall include a notification thereof in the notice and order issued by him under Section 1101.2, reciting the emergency and specifying the conditions which necessitate the posting. No person shall remain in or enter any building which has been so posted, except that entry may be made to repair, demolish or remove such building under permit. No person shall remove or deface any such notice after it is posted until the required repairs, demolition or removal have been completed and a Certificate of Occupancy issued pursuant to the provisions of the Uniform Building Code. Any person who shall be convicted of a violation of this Section shall be punished as prescribed in Section 8-1-7 of the 1971 Code of Ordinances of the City of Pueblo."

(j) Section 1202 entitled "Effect of Failure to Appear" of the U.H.C. is hereby amended to read as follows:

"Failure of any person to file an appeal in accordance with the provisions of Sections 1101 and 1201 of this Housing Code shall constitute a waiver of that person's right to an administrative hearing and adjudication of the notice and order, or to any portion thereof; provided, however, that the Building Board of Review by majority vote upon good cause shown may hear a written appeal duly filed within thirty (30) days from the date of service of such order under Section 1101.2(5)."

(k) Section 1301.3 entitled "Reporting" of the U.H.C. is hereby amended to read as follows:

"The proceedings at the hearing shall also be reported by a certified reporter if requested by any party thereto in writing delivered to the Secretary of the Board at least five (5) days prior to the hearing. A transcript of the proceedings shall be made available to all parties upon request and upon payment of the fee prescribed therefor. Such fees may be established by the Board, but shall in no event be greater than the direct cost involved plus fifteen percent (15%) for expenses directly incurred."

(l) Section 1303.4 entitled "Penalties" of the U.H.C. is hereby amended to read as follows:

"Any person who refuses without lawful excuse to attend any hearing, or to produce material evidence in his or her possession or under his or her control as required by any subpoena served upon such person as provided for herein shall be deemed to have violated this Section and upon conviction shall be punished as prescribed in Section 8-1-7 of the 1971 Code of Ordinances of the City of Pueblo."

(m) Section 1305.8 entitled "Effective Date of Decision" of the U.H.C. is hereby amended to read as follows:

"The effective date of decision shall be stated therein. The decision may be reviewed by the District Court, Tenth Judicial District, under Rule 106(a)(4), Colorado Rules of Civil Procedure. Petition for review shall be filed within thirty (30) days after the effective date of the decision."

(n) Section 1401.1 entitled "General" of the U.H.C. is hereby amended to read as follows:

"After any order of the Building Official or the Building Board of Review made pursuant to this Code shall have become final, no person to whom any such order is directed shall fail, neglect or refuse to obey any such order. Any person who shall be convicted of violating this Section

shall be punished as prescribed in Section 8-1-7 of the 1971 Code of Ordinances of the City of Pueblo.

(o) Section 1401.3 entitled "Failure to Commence Work" Subsection 1 is hereby amended to read as follows:

"1. The Building Official shall cause the building described in such notice and order to be vacated by posting at each entrance thereto a notice reading:

"SUBSTANDARD BUILDING

DO NOT OCCUPY

It is a violation of the Housing Code to occupy this building or to remove or deface this notice.

Building Official" _____

(p) Section 1501.1 entitled "Procedure" of the U.H.C. is hereby amended to read as follows:

"When any work of repair or demolition is to be done pursuant to Section 1401.3 Subsection 3 of this Code, the Building Official may issue a request therefor to the Director of Public Works, and the work may be accomplished by City personnel or by private contract under the direction of said Director. Plans and specifications therefor may be prepared by said Director, or he may employ such architectural and engineering assistance on a contract basis as he may deem reasonably necessary. If any part of the work is to be accomplished by private contract, standard Public Works contractual procedures shall be followed."

(q) Section 1501.2 entitled "Costs" of the U.H.C. is hereby deleted.

(r) Section 1502.1 entitled "General" of the U.H.C. is hereby amended to read as follows:

"The City Council may annually, out of the general fund of the City, budget funds to defray the costs and expenses which may be incurred by the City in doing or causing to be done the necessary work of repair or demolition of dangerous buildings. Said funds shall be designated Repair and Demolition Funds and shall be expended and paid upon the request of the Director of Public Works."

(s) Section 1502.2 entitled "Maintenance of Funds" of the U.H.C. is hereby deleted.

(t) Section 1605.1 entitled "General" of the U.H.C. is hereby amended to read as follows:

"The City Council may thereupon order that said charge shall be made a personal obligation of the property owner, or assess said charge against the property involved, or order that said charge be both a personal obligation and assessment. Upon recording in the County Clerk and Recorder's office a statement under oath of the City Manager or the City Manager's designee showing the cost of repairs or demolition and describing the land, such costs and interest thereon at the rate of ten percent (10%) per annum shall be and constitute a perpetual lien on the land having priority over

all other liens except general tax liens. Such lien shall remain in full force and effect until such costs and interest have been paid in full. The remedies of the City hereunder shall be cumulative."

(u) Section 1609 entitled "Report to Assessor and Tax Collector: Addition of Assessment to Tax Bill" of the U.H.C. is hereby amended to read as follows:

"After confirmation of the report, certified copies of the assessment shall be given to the Director of Finance."

(v) Section 1610 entitled "Filing Copy of Report with County Auditor" of the U.H.C. is hereby amended to read as follows:

"The Director of Finance shall file a certified copy of the assessment with the County Treasurer with his warrant for the collection of same. The description of the parcels reported shall be those used for the same parcels on the County Assessor's map books for the current year."

(w) Section 1611 entitled "Collections of Assessment: Penalties for Foreclosure" of the U.H.C. is hereby amended to read as follows:

"The amount of the assessments, penalties and interest shall be collected in the same manner as special assessments for local improvements are collected pursuant to Chapter 1, Title XII of the Municipal Code, and shall be subject to the same penalties, procedure and sale in case of delinquency as special assessments for local improvements. All ordinances applicable to the collection and enforcement of assessments for local improvements and municipal taxes shall be applicable to such assessments."

(x) Section 1612 entitled "Repayment of Repair and Demolition Fund" of the U.H.C. is hereby amended to read as follows:

"All money collected in payment of the charge or assessment or from the sale of the property at foreclosure sale shall be paid to the Director of Finance who shall credit same to the General Fund."

(Ord. No. 3550, 5, 5-22-72; Ord. No. 3714, 6-11-73; Ord. No. 4044, 6-23-75; Ord. No. 4063, 8-11-75, Ord. No. 4113, 12-22-75; Ord. No. 4803, 10-27-80; Ord. No. 5367, 12-8-86; Ord. No. 6292 §4, 2-23-98)

Sec. 8-1-5. Conflict with other ordinances.

In any case where a provision of the Uniform Housing Code or this Chapter is found to be in conflict with any other provision of this Code, or any secondary code adopted thereby, that provision which establishes the higher or more restrictive standard for the promotion and protection of the health, safety and welfare of the people shall prevail. (Ord. No. 3550, 6, 5-22-72; Ord. No. 6292 §5, 2-23-98)

Sec. 8-1-6. Severability.

If any part, section, subsection, sentence, clause or phrase of this Chapter or of the Housing Code is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Chapter or of the Housing Code. (Ord. No. 6292 §6, 2-23-98)

Sec. 8-1-7. Offenses; criminal penalties; permit revocation; other enforcement.

(a) It shall be unlawful and a Class 1 municipal offense for any person to knowingly violate, disobey, omit, neglect, refuse or fail to comply with or resist the enforcement of any provision of this Chapter or the Uniform Housing Code, and, upon conviction thereof, the punishment therefor shall be a fine of not more than one thousand dollars (\$1,000.00) or imprisonment for not more than one (1) year, or both such fine and imprisonment.

(b) It shall be unlawful and a Class 1 municipal offense for any person to refuse or fail to timely comply with any order issued by the Building Official, the Director of the Pueblo Regional Building Department or other designated building inspector pursuant to the provisions of this Chapter or the Uniform Building Code, and, upon conviction thereof, the punishment therefor shall be a fine of not more than one thousand dollars (\$1,000.00) or imprisonment for not more than one (1) year, or both such fine and imprisonment.

(c) It shall be unlawful and a Class 1 municipal offense for any person to knowingly make any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to any requirement of this Chapter or the Uniform Housing Code, and, upon conviction thereof, the punishment therefor shall be a fine of not more than one thousand dollars (\$1,000.00) or imprisonment for not more than one (1) year, or both such fine and imprisonment.

(d) Any permit issued pursuant to the provisions of this Chapter or the Uniform Housing Code may be suspended, terminated or revoked by the Building Official for (1) any of the reasons stated in Subsection 106.4.5 of the Uniform Building Code, or (2) any material violation of the terms of said permit or requirements applicable thereto.

(e) In the event that any owner or occupant of premises within the City shall refuse entry to the Building Official or any building inspector, or if any premises are locked and the Building Official or any building inspector has been unable to obtain permission of the owner or occupant to enter, the Municipal Court is authorized to issue a search warrant authorizing such entry in accordance with the procedures set forth in the Colorado Municipal Court Rules.

(f) In the event that any owner or occupant of premises within the City, or any licensed contractor or any permittee, shall fail or refuse to comply with any provisions of this Chapter, the Uniform Housing Code, or any permits issued thereunder, the City may initiate an action for injunctive relief in any court of competent jurisdiction to compel compliance with said Chapter, Uniform Housing Code or permit.

(g) The enforcement remedies set forth in this Section are hereby expressly declared to be cumulative, and the exercise of any one (1) or more of them is not dependent upon the exercise of any

other remedy, nor does the exercise of any one (1) or more of them constitute any bar or limitation to the exercise of any other. (Ord. No. 6292 §7, 2-23-98; Ord. No. 7937 §17, 12-8-08)

Sec. 8-1-8. Emergency Housing Rehabilitation Program.

(a) A special housing rehabilitation revolving fund to be designated Emergency Housing Rehabilitation Fund is hereby established. Appropriations to said Fund may be made by the City Council by resolution. Payments out of said Fund shall be made by the Director of Finance upon the written request of the Director of the Department of Housing and Community Services based upon applications for assistance submitted and approved in accordance with the provisions of this Section.

(b) The owner of any building who receives a Notice and Order under Sec. 1101.2 of the Uniform Housing Code shall be entitled to make application for emergency housing rehabilitation assistance within thirty (30) days after receipt of said Notice and Order. Applications shall be timely made to the Department of Housing and Community Services upon forms prepared by said Department. The Notice and Order given under said Sec. 1101.2 shall include reference to the emergency housing rehabilitation program and shall advise the owner of the right to make application for assistance under said program specifying the minimum qualifications and the thirty-day-period within which application must be made.

(c) The owner of a building receiving a Notice and Order under said Sec. 1101.2 may apply for housing rehabilitation assistance if the income and assets, excluding the value of the building in question, of such owner, or of a family the head of which or whose spouse is the owner, are within the limits prescribed for persons or families occupying public housing in the City financed pursuant to Chapter 8, Title 42 United States Code. The Department of Housing and Community Services shall certify all owner-applicants meet such qualifications. The department will prepare an estimate of the costs of repairs required to rehabilitate said building to meet the standards of the Housing Code.

(d) The City Council shall appoint seven (7) persons to a committee to be known as the Housing Rehabilitation Committee. Said appointments shall be for terms of three (3) years. The Committee shall be reorganized annually and a chairman and vice chairman elected for the coming year at a meeting of the Committee to be held in July of each year. The Committee shall meet at the request of the Director of the Department of Housing and Community Services and shall act upon matters referred to the Committee by the Director. All grants of assistance shall be used only for repairs and rehabilitation of a building which will abate the conditions which make the building substandard.

(e) The Department of Housing and Community Services shall not approve any application for assistance until after the Director of Finance shall certify in writing to the Director of the Department of Housing and Community Services that there are sufficient monies in the Emergency Housing Rehabilitation Fund for such grant of assistance and until after the Department of Housing and Community Services receives proof that the applicant-owner is the fee owner of said land and building.

(f) The owner of any building who receives housing rehabilitation assistance shall enter into an agreement with the City, on forms to be approved by the City Attorney, to repay to the City such financial assistance based on existing loan formulas and criteria used within the Department of Housing and Community Services. Such repayment agreement shall be placed of record and shall become and remain a lien and encumbrance on the building and land upon which the building is

located until paid in full. Said grant of assistance shall become due and payable immediately upon the transfer of title to said land and building by the owner, or, upon the death of the owner, unless title to said land and building shall pass to the spouse of or an issue of such owner who meets the qualification of Subsection (c) hereof, and the Department of Housing and Community Services shall certify the same in writing to the Director of Finance within sixty (60) days after the death of such owner. Failure of the surviving spouse or issue of the deceased owner to request and obtain such certification from the Director of the Department of Housing and Community Services within said sixty-day-period shall conclusively constitute a waiver of all rights of such surviving spouse or issue to further defer repayment of the grant of assistance.

(g) All repayments of rehabilitation grants of assistance shall be credited to the Emergency Housing Rehabilitation Fund.

(h) Nothing contained in this Section shall obligate the City Council to appropriate funds to the Emergency Housing Rehabilitation Fund. (Ord. No. 6292 §8, 2-23-98)

CHAPTER 8

Mobile Home Parks

Sec. 8-8-1. Definitions.

For the purpose of this Chapter, the following words and terms shall be defined as follows:

(1) *Mobile home park* shall mean any plot of ground upon which one (1) or more mobile homes occupied for dwelling or sleeping purposes are located, regardless of whether or not a charge is made for such accommodation, and shall include any structure used or intended for use as part of such park.

(2) *Mobile home* shall mean a vehicle equipped as a permanent or temporary dwelling for human occupation or for commercial use.

(3) *Mobile home, dependent; travel trailer; camper* shall mean a mobile home dependent upon toilet and/or bathing or washing facilities provided in a service building.

(4) *Mobile home, independent* shall mean a mobile home independent of toilet and/or bathing or washing facilities provided in a service building.

(5) *Mobile home lot* shall mean a plot of ground in a mobile home park plainly marked to accommodate one (1) or more occupied mobile homes and accessory building or uses.

(6) *Planning Commission or Commission* shall mean the Planning and Zoning Commission.

(7) *License Officer* shall mean the Director of Finance. (1957 Code, §27-1; Ord. No. 3366, 8-10-70; Ord. No. 3419, 1-25-71; Ord. No. 3536, 3-13-72)

Sec. 8-8-2. Parking outside mobile home park; requirements.

It shall be unlawful within the limits of the City for any person to park any mobile home of any kind on any street, alley, highway or other public place, except in conformity with Title XV of this Code, as the same may be now or hereafter altered, amended or superseded; and it shall be unlawful to park a mobile home on any lot or tract of ground within the City, with the following exceptions:

- (1) A mobile home may be parked for human occupancy within a licensed mobile home park.
- (2) A mobile home may be stored in the open or under cover in the rear yard of the main building on a residential property, provided that it meets the yard setback requirements for detached accessory buildings, and provided further that it is not used for living or sleeping quarters.
- (3) A mobile home may stand in the open on trade sales lots when permitted by the zoning district in which it is located.
- (4) A mobile home may be used for temporary commercial or noncommercial purposes as set forth in the Building Code adopted by Title IV of this Code, as the same may be now or hereafter altered, amended or superseded. (1957 Code, §27-2; Ord. No. 3366, 8-10-70; Ord. No. 3536, 3-13-72)

Sec. 8-8-3. Permit; fees.

(a) Application for Permit. Applicants for a permit to construct, substantially reconstruct, alter or enlarge a mobile home park shall submit the same in writing, upon forms provided by the Chief Building Inspector. The form shall state the name and address of the applicant and a legal description of the property whereon or wherein it is proposed to construct a mobile home park. Each application shall be accompanied by three (3) sets of plans of the proposed park containing the required information. Said application shall also be accompanied by an inspection fee of twenty-five dollars (\$25.00).

(b) Such application may be presented at the same time as an application for rezoning if such rezoning is necessary for the establishment of a mobile home park. The two (2) applications may be treated concurrently by the Commission. The Commission shall deny or grant, or grant upon condition of zoning or upon conditions of performance, the permit within ten (10) days after the date of the meeting upon which the application is first received by the Commission. If the application for a park permit is denied, the Commission shall set forth its reasons for denial in writing. Upon approval of a permit for a mobile home park, the City License Officer shall issue a license and collect any license fees due. If, however, the Commission issues a permit subject to the condition of successful rezoning, or subject to the conditions of performance, the City License Officer shall not issue a license until such time as the City Council passes on final presentation an ordinance rezoning the land in question to an appropriate zone for mobile home park purposes or until such time as all conditions of performance have been fully complied with.

(c) Investigation of Premises. Upon filing the application and plans accompanied by the inspection fee, it shall be the duty of the Building Inspector to place the application on the next Planning Commission agenda in accordance with its rules and regulations and with the Fire Chief and

the City Health Officer, who shall investigate the premises and determine whether said proposed mobile home park, or the site proposed therefor, conforms with the requirements of this Chapter, the ordinances of the City, the rules and regulations of the Health Department and the laws of the State. The findings of said investigation shall be in writing and shall be transmitted to the Planning Commission for its consideration. No permit shall be issued by the Commission unless such mobile home park or the proposed site complies with all the requirements of this Chapter, the ordinances of the City, the rules and regulations of the Health Department, and the laws of the State.

(d) No license issued hereunder shall be transferable. (1957 Code, §27-3; Ord. No. 3366, 8-10-70; Ord. No. 3417, 1-11-71; Ord. No. 3536, 3-13-72)

Sec. 8-8-4. Permit application; required plans.

(a) Preparation of Plans. Prior to the issuance of a permit to construct, substantially reconstruct, alter or enlarge a mobile home park and prior to any construction or installation of any buildings or utilities in a new or proposed mobile home park, or additions, extensions and enlargement of any existing mobile home park, the owner or operator thereof shall file with the Building Inspector three (3) complete plans of the mobile home park. All plans required to be submitted with an application for construction, reconstruction, alteration or enlargement of a mobile home park shall be prepared by a licensed architect, landscape architect or engineer.

(b) Refusal to Examine Incomplete Plans. The Building Inspector may refuse to examine any incomplete, unintelligible or indefinite drawings.

(c) Information Required. The mobile home park plan shall be drawn to scale and completely dimensioned on a certified plat prepared from a survey of the property by a registered surveyor. Such plans shall clearly set forth the following information:

(1) Name and address of the owner and/or operator.

(2) Address, location and legal description of the mobile home park.

(3) Extent of the area and dimensions and topography with existing and finished contour at two-foot intervals.

(4) Size, location and number of mobile home lots, including areas of dependent and independent trailers when both are accommodated.

(5) Entrances, exits and driveways.

(6) Number, size and location of automobile parking accommodations.

(7) Number, location and detailed floor plans including elevation of all service buildings.

(8) Method and plans of stormwater drainage.

(9) Plan of water system.

(10) Method and plan of sewage disposal.

(11) Lighting plan of outside areas and service outlets.

(12) Location and type of fire-fighting facilities. (1957 Code, §§27-4, 27-6; Ord. No. 3366, 8-10-70; Ord. No. 3536, 3-13-72)

Sec. 8-8-5. Street access requirements.

Every mobile home park shall have direct access to a public street having a right-of-way of at least sixty (60) feet. (1957 Code, §§27-5, 27-6; Ord. No. 3366, 8-10-70; Ord. No. 3536, 3-13-72)

Sec. 8-8-6. Registry; required information.

(a) The park shall keep a record, noting:

(1) Name and address of each occupant.

(2) License numbers of all units.

(3) State issuing such licenses.

(b) The park shall keep a copy of the registry available for inspection at any time by any authorized person, and shall not destroy such registry until the expiration of twelve (12) months following the date of the last registration therein. (1957 Code, §27-13; Ord. No. 3366, 8-10-70; Ord. No. 3536, 3-13-72)

Sec. 8-8-7. Unlawful occupancy.

It shall be unlawful for any person to occupy any mobile home which does not have displayed upon it a current yearly license issued by a state or foreign vehicle licensing or registration agency. (1957 Code, §27-14; Ord. No. 3366, 8-10-70; Ord. No. 3536, 3-13-72)

Sec. 8-8-8. Obstructions prohibited.

(a) No obstruction of any kind shall be erected, placed or maintained on or about the mobile home lot which would impede the movement of a mobile home to or from a site or prevent inspection of plumbing or electrical facilities. No permanent structure or addition shall be made or affixed to a mobile home.

(b) In the event a mobile home is skirted, an opening or removable partition of sufficient size to permit inspection or repair of utilities and connections shall be provided. The responsibility of providing such opening or removable partition shall be that of the person owning or occupying the mobile home and not the licensee of the mobile home park. (Ord. No. 3366, 8-10-70; Ord. No. 3536, 3-13-72)

Sec. 8-8-9. Poultry and livestock not permitted.

Poultry and livestock shall not be permitted in any mobile home park. (Ord. No. 3366, 8-10-70; Ord. No. 3536, 3-13-72)

Sec. 8-8-10. Nonresidential uses restricted.

Any commercial use of property in a mobile home park shall be clearly subordinate and accessory to the residential use and character of the property. (Ord. No. 3366, 8-10-72; Ord. No. 3536, 3-13-72)

Sec. 8-8-11. Available sites; limitation.

A mobile home park shall not accommodate any occupied mobile home for which there are no available sites. (Ord. No. 3366, 8-10-70; Ord. No. 3536, 3-13-72)

Sec. 8-8-12. Surface drainage.

Mobile home parks shall provide adequate facilities for drainage of surface and subsurface waters from the entire park site, including such waters as originate on the site as well as such waters that flow onto the site from outside the mobile home park. Grading of the entire park site shall be such as to facilitate the safe and efficient drainage of surface waters; provided, however, that existing natural drains, ditches, arroyos or watercourses through a proposed park site shall not be filled or interfered with in any way without prior written permission of the Planning Commission. (Ord. No. 3366, 8-10-70; Ord. No. 3536, 3-13-72)

Sec. 8-8-13. Site planning and improvements.

(a) Protection From Adverse Influences. A view-obscuring fence or plant materials shall be established and maintained around that part of the mobile home park which abuts upon a street or highway with a minimum sixty-foot right-of-way or is adjacent to residentially zoned property.

(b) Lot Limits.

(1) The limits of each mobile home lot shall be clearly marked.

(2) Location of lot limits on the ground shall be approximately the same as shown on the accepted plans.

(c) Driveways; Streets.

(1) Driveways; General. All driveways (streets) and other vehicular accessways within a mobile home park shall be private ways and shall be paved with a smooth, hard and dense surface which shall be durable and well-drained. Pavement shall be properly maintained. Openings for driveway purposes onto public streets shall not exceed forty (40) feet.

(2) Gradient. Maximum street grades shall be eight percent (8%). Short runs with maximum grade of twelve percent (12%) may be permitted, provided that traffic safety is assured by

appropriate paving, adequate leveling areas and avoidance of lateral curves. Minimum street grades shall be one percent (1%) in order to effect proper drainage.

(3) Widths. All driveways (streets) shall have a minimum paved width of forty (40) feet, unless adequate off-street parking for residents and guests is provided, in which case driveways (streets) must have a minimum thirty-foot paved width and be conspicuously signed to prohibit parking thereon.

(d) Parking Spaces. Automobile parking spaces shall be provided in sufficient number to meet the needs of the occupants of the park and their guests without interference with normal movement of traffic.

(e) Utilities.

(1) General. All utilities shall have sufficient capacity to supply the requirements of the mobile home park and for the maximum number of connected mobile homes. All utilities shall conform to this Code.. All utilities in new, expanded or enlarged mobile home parks shall be placed underground.

(2) Supply.

a. Water Supply. A supply of safe and potable water meeting the approval of the Health Officer for quality, and sufficient in quantity and under adequate pressure, shall be provided to all plumbing fixtures in mobile home parks and to individual water connections provided at each mobile home.

b. Private Water Supply. The development of a private water supply to serve the mobile home park shall be made only after express approval in writing has been granted by the Health Officer. Such supply shall meet the minimum standards as prescribed by the Health Officer.

c. Water and Sewer Connections and Piping. Water and sewer connections for independent mobile home shall be provided on each lot in accordance with the requirements of the appropriate department of the City.

(3) Sewage Disposal.

a. General. Wherever possible, all sewage and wastewater from toilets, urinals, slop sinks, bathtubs, showers, lavatories, laundries and all other sanitary fixtures in a mobile home park shall be drained to a public sewage collection system.

b. Private Sewage Disposal System. The development of a private sewage disposal system to serve a mobile home park shall be permitted only after express approval in writing has been granted by the Health Officer. Such disposal system shall meet the minimum standards prescribed by the City Plumbing Code.

c. Plumbing Requirements. All plumbing in the mobile home park shall comply with the City Plumbing Code.

d. Sewer Connections. A sewer connection to each mobile home shall be provided with a tight connection.

e. Construction of Sewer Lines. Sewer lines shall be constructed in accordance with the City Plumbing Code.

(4) Electrical systems. Electrical systems shall be designed to provide adequate capacity and shall comply with the City Electrical Code.

(f) Lighting. All community areas, including driveways, shall be adequately lighted at all times from one-half (1/2) hour after sunset until one-half (1/2) hour before sunrise.

(g) Fire Protection.

(1) Waste Disposal. Each mobile home park shall provide an adequate system of collection and safe disposal of trash, garbage, rubbish and all other solid and liquid wastes.

(2) Fire hydrants attached to the public water supply system shall be located no more than one thousand (1,000) feet apart, and each mobile home site shall be within five hundred (500) feet of a fire hydrant.

(h) Tenant Storage. Storage facilities shall be provided on or conveniently near each mobile home lot for the storage of outdoor equipment, furniture or tools, and such other materials as are used only seasonally or infrequently by the typical tenant and which cannot be conveniently stored in a typical mobile home. There shall be a minimum of ninety (90) cubic feet provided for general storage for each mobile home lot. Storage facilities shall be provided on the lot or in compounds located within a reasonable distance, but not more than five hundred (500) feet from each mobile home stand serviced, and located no closer to driveways (streets within the mobile home park) or public streets than the mobile home unit itself. Storage facilities shall be designed in a manner that will enhance the appearance of the mobile home park and shall be constructed of suitable weather-resistant materials appropriate for the use and maintenance contemplated.

(i) Recreation Areas. A recreation area shall be provided of a size not less than eight percent (8%) of the gross mobile home park area, generally provided in a central location, including suitable landscaping, fencing and benches. In larger parks, decentralization will be allowed. Recreation areas shall include space for community buildings and community use facilities, such as adult recreation, child playgrounds and natural open space. (1957 Code, §§27-5, 27-6, 27-8, 27-17; Ord. No. 3366, 8-10-70; Ord. No. 3536, 3-13-72)

Sec. 8-8-14. Mobile home lots or spaces.

(a) Lot Space Requirements. Mobile home lot space minimums shall be:

(1) Independent mobile home: three thousand four hundred (3,400) square feet.

(2) Dependent mobile home: one thousand (1,000) square feet.

(b) Vehicular access. Each mobile home lot or space shall abut on a driveway or other unobstructed area.

(c) Parking of Mobile Homes. No part of a mobile home shall be parked within five (5) feet of any exterior boundary of the lot space upon which it is parked. (1957 Code, §27-5; Ord. No. 3366, 8-10-70; Ord. No. 3536, 3-13-72)

Sec. 8-8-15. Service buildings.

(a) Required. Every mobile home park providing rental space for dependent mobile homes shall be provided with one (1) or more service buildings adequately equipped with flush-type toilet fixtures, lavatories, showers and laundry facilities. Service buildings shall not be required in mobile home parks providing rental space to independent mobile homes exclusively. It shall be unlawful for a mobile home park without service building facilities as set forth in this Section to rent mobile home space to any dependent mobile home, trailer or camper.

(b) Location. Service buildings shall be conveniently located not more than two hundred (200) feet from any dependent mobile home space and not less than twenty (20) feet from any mobile home lot.

(c) Construction and Maintenance. Service buildings shall be of permanent construction with an interior finish of light colored moisture-resistant material which will stand frequent washing and cleaning.

(d) Floors. The floors shall be water-impervious material, easily cleanable and sloped to floor drains connected to the sewage system. The service building shall be maintained in a clean condition at all times.

(e) Ventilation and Openings. The buildings shall be well-ventilated; all exterior openings for toilet rooms shall be covered with sixteen-mesh screens during the fly seasons. Toilet rooms shall be provided with self-closing doors.

(f) Toilet, Shower and Laundry Rooms. Toilet, shower and laundry rooms shall be well-lighted at all times. Window area shall be provided equivalent to at least twelve percent (12%) of the floor area.

(g) Temperature. During periods of use, service buildings shall be maintained at seventy degrees (70°) Fahrenheit, minimum temperature.

(h) Hot Water. Hot water shall be provided for lavatory, bathing and laundry room fixtures, with facilities of sufficient capacity to supply three (3) gallons per hour per dependent mobile home space.

(i) Number of Facilities. Service buildings shall have toilet, shower and lavatory facilities separate for the sexes, with a minimum of two (2) toilets for females, one (1) toilet for males, one (1) urinal for males, two (2) lavatories and one (1) shower for each sex, and one (1) laundry facility.

(j) Additional Facilities for Capacity Over Twenty Mobile Homes. For those mobile home parks that have a capacity of more than twenty (20) dependent mobile homes, additional fixtures shall be

provided. One (1) additional toilet for each sex shall be provided for every ten (10) additional dependent mobile homes or fractions thereof. (Urinals may be substituted for one-third [$\frac{1}{3}$] of the additional toilets required exclusively for male use.) One (1) additional lavatory for each sex shall be provided for every ten (10) additional dependent mobile homes or fractions thereof, and one (1) additional shower for each sex for every twenty (20) additional dependent mobile homes or fractions thereof. There shall be one (1) laundry facility for every twenty (20) mobile home spaces or fractions thereof.

(k) Separation of Laundry Facilities. The room containing the laundry facilities shall be separate from the toilet rooms, and shall have an exterior entrance.

(l) Toilet Paper in Toilet Rooms. Toilet rooms shall be provided with toilet paper.

(m) Walkways to be Lighted. Lighted walkways shall be provided to all service buildings.

(n) Laundry Facilities Requirements. Laundry facilities, together with laundry drying facilities, shall be provided. No less than one (1) double laundry tray or automatic washing machine shall be provided for each twenty (20) mobile home lots in the mobile home park. Laundry facilities shall be in a room or rooms separate from the toilet facilities and such room shall have an exterior door.

(o) Toilet and Shower Facilities Requirements. Separate toilet and shower facilities for males and females shall be plainly marked with appropriate signs, and individual toilets shall be flush-type fixtures maintained in a workable and sanitary condition and located in stalls at least three (3) feet wide in the smallest dimension and separated from other water closets.

(p) Shower Stalls. Shower stalls shall be not less than three (3) feet wide in the smallest dimension, be provided with a waterproof draw curtain or door and be maintained in a clean and sanitary condition.

(q) Dressing Area in Shower Rooms. A suitable dressing area shall be provided in each shower room, and the dressing area shall be maintained in a clean and sanitary condition at all times. (1957 Code, §§27-5, 27-9, 27-10; Ord. No. 3366, 8-10-70; Ord. No. 3536, 3-13-72)

Sec. 8-8-16. Garbage disposal receptacles, dependent mobile homes.

A mobile home park providing facilities for dependent mobile homes shall provide fly-tight metal depositories with tight fitting covers for disposition of solid and liquid wastes from such dependent homes, which depositories shall be conveniently located not farther than two hundred (200) feet from any dependent mobile home. Depositories shall be kept in sanitary condition at all times. (1957 Code, §27-12; Ord. No. 3366, 8-10-70; Ord. No. 3536, 3-13-72)

Sec. 8-8-17. Inspection; annual license.

(a) Renewal of License. Before any renewal of a mobile home park license, an inspection shall be made by the Health Officer to determine that all the requirements of this Chapter and other City ordinances and State laws and regulations have been complied with.

(b) Annual Fee. The license fee for each mobile home park for each year or portion of a year in operation shall be fifty dollars (\$50.00), or two dollars and fifty cents (\$2.50) for each developed mobile home lot, whichever is greater. It shall be unlawful for any person to operate a mobile home park or rent any lot or space therein for any purpose whatsoever without first having obtained a license therefor from the City License Officer and having paid the annual fee. Such fee shall be due and owing on January 10 of each calendar year. A penalty of one dollar (\$1.00) shall be added to the license fee for each day thereafter that the same shall remain unpaid; provided, however, that if such license fee and all accrued penalties shall not be paid by March 1, the City License Officer shall cause the mobile home park license to be summarily revoked without hearing and such park to be closed, and a new license shall be issued only upon new application and payment of all overdue fees and penalties. (1957 Code, §27-15; Ord. No. 3366, 8-10-70; Ord. No. 3536, 3-13-72)

Sec. 8-8-18. Sanitation inspection; revocation; suspension of licenses, permits

(a) The Health Officer shall have the authority, at any reasonable time, to enter and inspect for health and sanitation purposes any facility licensed hereunder.

(b) If it shall be found that the licensee has violated any provision of this Chapter, the Municipal Court Judge, in addition to the power to impose a fine or jail sentence as provided in Section 1-2-1 of this Code, shall have power to revoke or suspend any license or permit and order all mobile home parking removed or the mobile home park closed. (1957 Code, §27-16; Ord. No. 3366, 8-10-70; Ord. No. 3536, 3-13-72)

Sec. 8-8-19. Application.

(a) All of the provisions of this Chapter shall apply to mobile home parks constructed after August 10, 1970.

(b) Mobile home parks constructed and in existence prior to August 10, 1970, which mobile home parks, for purposes of this Subsection are called existing parks, shall be subject to all the provisions of this Chapter except as herein limited or modified:

(1) Section 8-8-5 of this Chapter shall not apply to existing parks, provided that all existing parks shall have a well-marked entrance and exit.

(2) Existing parks shall not be subject to the requirements of Sections 8-8-13(a) and (i) of this Chapter until January 1, 1974.

(3) Existing parks shall not be subject to the requirements of Sections 8-8-13(d)(1) and (2) of this Chapter until January 1, 1976, provided that all driveways and streets in existing parks shall be surfaced, not less than twenty (20) feet wide, well-drained, plainly marked in daytime and adequately lighted at night.

(4) Existing parks shall not be subject to the requirements of Sections 8-8-13(d)(3), 8-8-13(h)(2), 8-8-13(j) and 8-8-14(a)(1) and (2) of this Chapter, provided that mobile home lot spaces in existing parks shall not be less than eight hundred (800) square feet with a minimum width or depth of twenty (20) feet.

(c) In the event a mobile home park in existence prior to August 10, 1970, is substantially reconstructed, altered, expanded or enlarged, all the provisions and requirements of this Chapter shall apply to such mobile home park, except that the requirements of Section 8-8-13(j) of this Chapter shall apply only to the area of expansion. (Ord. No. 3536, 3-13-72)