

(First published the ____ day of September 2011 in the Official City Newspaper.)

ORDINANCE NO. 1298

**AN ORDINANCE ESTABLISHING GUIDELINES FOR PLACEMENT, SETUP
OR MOVING OF MANUFACTURED HOMES AND MOBILE HOMES
WITHIN THE CITY LIMITS OF COLUMBUS, KANSAS.**

**BE IT ORDAINED BY THE GOVERNING BODY OF
THE CITY OF COLUMBUS, KANSAS:**

SECTION 1. STATEMENT OF PURPOSE. The purpose of this Ordinance is to establish guidelines for the placement, setup and moving of Mobile Homes and Manufactured Homes within the city limits of Columbus, Kansas.

SECTION 2. DEFINITIONS. As used in this Ordinance:

(A) "Manufactured Home" means a structure which:

- (1) Is transportable in one or more sections which, in the traveling mode, is 8 feet or more in width or 40 feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein; and
- (2) Is subject to the Federal Manufactured Home Construction and Safety Standards established pursuant to 42 U.S.C. §5403.

(B) "Mobile Home" means a structure which:

- (1) Is transportable in one or more sections which, in the traveling mode, is 8 feet or more in width and 36 feet or more in length and is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein; and
- (2) Is not subject to the Federal Manufactured Home Construction and Safety Standards established pursuant to 42 U.S.C. §5403.

(C) "Tie down" means any device designed for the purpose of anchoring a Mobile Home to ground anchors.

(D) "Approved Tie Downs" means any tie down approved by the Kansas Secretary of Administration pursuant to K.S.A. 75-1229.

(E) "Ground Anchor" means any device designed to secure a Mobile Home to the ground.

(F) "Roof Protector" means a device designed to prevent over-the-top tie downs from damaging or penetrating the roof material.

SECTION 3. PUBLIC OFFICER. The Mayor shall designate a public officer to be charged with the administration and enforcement of this Ordinance.

SECTION 4. PLACEMENT OF APPROVED TIE DOWNS, ROOF PROTECTORS AND OVER THE TOP TIE DOWNS.

(A) Approved tie downs shall be placed on a Mobile Home as follows:

(1) On any Mobile Home not less than 36 feet in length and not more than 50 feet in length, three frame tie downs shall be placed on each side, or three over the top tie downs shall be used or any combination thereof approved by the Kansas Secretary of Administration.

(2) On any Mobile Home more than 50 feet in length and not more than 70 feet in length, four frame tie downs shall be placed on each side, or four over the top tie downs shall be used or any combination thereof approved by the Kansas Secretary of Administration.

(3) On any Mobile Home more than 70 feet in length, five frame tie downs shall be placed on each side, or five over the top tie downs shall be used or any combination thereof approved by the Kansas Secretary of Administration.

(4) On any double wide Mobile Home not more than 50 feet in length, three frame tie downs shall be placed on each side or three over the top tie downs shall be used, or any combination thereof approved by the Kansas Secretary of Administration; and on any such Mobile Home more than 50 feet in length, four frame tie downs shall be used on each side or four over the top tie downs shall be used or any combination thereof approved by the Kansas Secretary of Administration.

(B) Whenever over the top tie downs are required on any Mobile Home, one tie down shall be placed as close to each end of the Mobile Home as practicable, and the center tie down, if any, shall be located as closet to the center of the Mobile Home as possible. The distance between all such adjacent tie downs shall be as nearly equal as practicable.

(C) Roof protectors shall be used with all over-the-top tie downs securing Mobile Homes not equipped with such tie downs by the manufacturer. Roof protectors shall be made of rust-resistant material and placed at stud and rafter locations on a Mobile Home.

(D) Over the top tie downs may be attached to the same ground anchor as frame tie downs.

SECTION 5. PLACEMENT, SETUP, MOVING, PROHIBITIONS AND RESTRICTIONS.

(A) Requests and permission for placement, setup or moving of Mobile Homes or Manufactured Homes shall be submitted to the governing body of the city of Columbus, Kansas before and prior to arrangements being made for placement, setup or moving.

(B) All Mobile Homes and Manufactured Homes placed, setup or moved after the passage of this Ordinance and located within the city limits of Columbus, Kansas shall be, within sixty (60) days of placement, setup or moving, have concrete footing and be set up on a permanent or masonry foundation. No sewer or water services by the City shall be available to the Mobile Home or Manufactured Home until the sewer and water tap or connection fees are paid and all requirements of this Ordinance are complete. If the requirements of this Ordinance are not complete within sixty (60) days of placement, setup or moving of the Mobile Home or Manufactured Home, the Mobile Home or Manufactured Home must be removed by the owner at the owner's expense. If the owner does not remove the Mobile Home or Manufactured Home, the City will remove the Mobile Home or Manufactured Home at the owner's expense.

(C)Any Mobile Home or Manufactured Home granted permission for placement, setup or moving shall within 60 days of placement, setup or moving meet and continuously comply with all requirements of this Ordinance and comply with the following specifications for manufacture and installation:

- (1) The Mobile Home or Manufactured Home shall have a manufacture date within ten (10) years immediately preceding the request or application presented to the governing body for placement, setup or moving.
- (2) Any Manufactured Home or Mobile Home shall be placed so there will only be one Manufactured Home or Mobile Home per city lot with a minimum lot dimensions of fifty (50) feet by one hundred fifty (150) feet.
- (3) The Manufactured Home or Mobile Home shall not be placed within ten (10) feet of any property line or twenty (20) feet from any other structure located within the city limits of the City of Columbus, Kansas.
- (4) The Manufactured Home or Mobile Home shall not be placed on any lot which contains any other dwelling place occupied by persons or from which a business is operated.
- (5) The Manufactured Home or Mobile Home shall not be left vacant for a period in excess of ninety (90) days.
- (6) The Mobile Manufactured Home or Mobile Home shall be blocked, skirted, leveled and tied down prior to occupancy.
- (7) The Manufactured Home or Mobile Home shall have water, sewer and electric connected.
- (8) The Manufactured Home or Mobile Home shall have the proper registration and personal property taxes paid annually.
- (9) The Manufactured Home or Mobile Home shall be maintained continuously in accordance with this Ordinance.
- (10) The Manufactured Home or Mobile Home shall be installed in accordance with the recommended installation procedures of the manufacturer. The running gear, tongue, axles and wheels shall be removed from the unit at the time of installation, placement or moving.
- (11) The Manufactured Home or Mobile Home shall be equipped with skirting on all sides. Skirting is to be of material harmonious to the Manufactured Home or Mobile Home's structure.
- (12) No Manufactured Home or Mobile Home will be allowed for storage purposes.
- (13) A Manufactured Home or Mobile Home may be permitted by the governing body for the purpose of temporary relief from a local disaster, such as fire, wind, or flood damage, provided such a Manufactured Home or Mobile Home is removed from the premises within six (6) months of its original placement.
- (14) The owner of the real property must appear before the governing body and receive permission prior to the placement, setup or moving of the Manufactured Home or Mobile Home on the real property, pay all sewer and water connection or tap fees and comply with all Ordinances of the City concerning set backs, yard size and all other lot restrictions.

SECTION 6. INSPECTION, INQUIRY AND COMPLAINTS. The public officer shall make inquiry and inspection, of premises if a violation of this Ordinance exists, or is informed that a violation of this Ordinance may exist. The public officer may make such inquiry and inspection when he or she observes conditions which appear to constitute a violation of this Ordinance. Upon discovering a violation this Ordinance the public officer shall file a complaint in the municipal court of the city against such owner, user or occupant of the Mobile Home or Manufactured Home that is in violation of this Ordinance.

SECTION 7. RIGHT OF ENTRY. It shall be a violation of this Ordinance to deny the public officer the right of access and entry upon private property at any reasonable time for the purpose of making inquiry and inspection to determine if a violation of this Ordinance exists.

SECTION 8. APPLICATION. This Ordinance does not apply to any Manufactured Home or Mobile Home now in existence and properly setup in the city of Columbus, Kansas at the time of publication. However, should any existing Manufactured Home or Mobile Home be moved around on their existing lot, moved from the lots where situated, then this Ordinance will become effective for the Manufactured Home or Mobile Home and the vacated or existing lots.

SECTION 9. UNLAWFUL ACTS, PENALTY. Any owner who knowingly permits the use or occupancy of a Mobile Home or Manufactured Home in violation of this Ordinance, and any person who uses or occupies a Mobile Home or Manufactured Home in violation of this Ordinance, shall be guilty of a Class C misdemeanor, shall be fined a minimum of \$100.00 per day and/or incarcerated up to 30 days in jail. Each day's violation of this Ordinance shall be considered a separate violation.

SECTION 10. SEVERABILITY. The provisions hereof are hereby declared to be severable, and if any section, paragraph, sentence or clause of this Ordinance is for any reason held invalid or inoperative by any court of competent jurisdiction, such decision shall not affect any other section, paragraph, sentence, or clause thereof.

SECTION 11. REPEAL. All Ordinances, or parts thereof, in conflict with the terms of this Ordinance be, and the same are, hereby repealed.

SECTION 12. EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its adoption and publication in the official city newspaper.

PASSED BY THE GOVERNING BODY AND APPROVED this 19th day of September 2011.

ATTEST:

Janice Blancett
Janice Blancett, City Clerk

(SEAL)

APPROVED:

Marie Nepple
Marie Nepple, Mayor