

**RESOLUTION 22-03-01 – RESOLUTION REGULATING MOBILE HOMES, CONEX  
BOXES AND OTHER STRUCTURES**

**BE IT RESOLVED** by the Emmons County Commission, the governing body of the County of Emmons, North Dakota;

**WHEREAS**, the Emmons County Commission acts as the Emmons County Zoning Commission; and

**WHEREAS**, the Emmons County Commission has previously approved and adopted the Emmons County Zoning Ordinance; and

**WHEREAS**, the Emmons County Commission seeks to amend the above-described Emmons County Zoning Ordinance, as follows:

[1] The current, applicable provision in Article I(I.A.)(3), on page 4, reads as follows:

**ARTICLE I, § I.A. (3)** – “Single-family dwellings (permanent-type construction) including mobile homes on permanent foundations.”

The Emmons County Commission seeks to amend the above-described Emmons County Zoning Ordinance, to add the following subsections to paragraph 3, to read as follows:

a. In order to comply with this section, mobile homes must meet the following minimum standards:

- 1) An Affidavit of Affixation must be previously filed or must accompany any new building permit, and any provisions on the Affidavit must be followed;
- 2) The mobile home must be set on a permanent foundation, using earth anchors and either piers, footings, or a basement;
- 3) The structure must be actively connected to basic utilities, including power, water and sewer.
- 4) Mobile homes must be skirted.

[2] The above-described regulations on mobile homes shall be applicable to the following zoning districts: RA – Recreation District; A – Agricultural District; and R – Residential District.

[3] The Emmons County Commission further seeks to specifically regulate Conex boxes or similar structures, by adding the following provisions to the Emmons County Zoning Ordinance:

- a. "Conex Box" means any cargo container, shipping container, intermodal or freight container, or similar structure, typically used as a tool or storage shed.
- b. This section shall be applicable in the following Zoning Districts: RA – Recreation District.
- c. A Storage Unit Permit is required for the use or installation of any Conex Box.
- d. Conex Boxes must have a paint color that matches all other structures on the property. If no structures are on the property, the paint color must be beige, and must not include lettering.
- e. There shall be a limit of one Conex Box per Lot.
- f. Conex Boxes are required to comply with any applicable set-back for structures within the district.
- g. The following is a non-exclusive list of storage structures that are not permitted within the RA – Recreation District: Semi Trailers; Reefer Containers or Trailers; Buses; Trailers or other Vehicles used for storage; and any non-licensed or junk vehicles or trailers.


- [4] Notice of Violation. The County, or an agent thereof, is hereby authorized and empowered to notify, in writing, the owner of any lot or area within the County or the agent of such owner, to remove or bring into compliance, any Mobile Home, Conex Box, or non-permitted storage structure [(3)(g)], if the structure is determined to be in violation of this Resolution or any other applicable section of the Emmons County Zoning Ordinance. The notice shall be by registered or certified mail addressed to said owner or agent of said owner at their last known address, or by personal service, and shall include the penalty \$100.00 for each violation, including the failure to secure a Storage Unit Permit prior to placement of any Conex Box on any RA – Recreation District lot.
- [5] Action Upon Non-Compliance. Upon the failure, neglect, or refusal of any owner or agent to comply with the terms of the above-described notice, after 30 days have elapsed from the date of service of such notice, or after 45 days from the date of mailing said notice, whichever is soonest, the County, or an agent thereof, is hereby authorized and empowered to remove or bring the structure into compliance, or order the removal or repair of the non-compliant structure. If the violation continues after 30 days, a \$100.00 fine shall be issued.
- [6] Cost Assessed to Property. When the County has affected the removal or repair of such structure, or has paid for the same, the actual cost thereof, if not paid by said owner prior thereto, including any fines assessed, shall be charged and assessed against the property upon which the structure or violation was located.
- [7] Compliance: The Resolution is effective as of the date of its passing, and shall be immediately enforced on new construction. Properties with existing violations shall have until September 1, 2022 to bring their properties into compliance with this Resolution.

**IT IS HEREBY RESOLVED** that the Emmons County Commission hereby adopts Resolution No. 22-03-01 pertaining to the Regulation of Mobile Homes, Conex Boxes and Other Structures.

Dated this 5 day of July, 2022, in Linton, North Dakota.

ATTEST:

APPROVED:

  
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Marlys Ohlhauser,  
County Auditor

  
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Erin Magrum, Chairman  
Emmons County Commission



ADOPTED the 5 day of July, 2022.