

CHAPTER IV. BUILDINGS AND CONSTRUCTION

- Article 1. Plumbing and Gas-Fitting Code
- Article 2. Dangerous and Unfit Structures
- Article 3. Mobile Homes

ARTICLE 1. PLUMBING AND GAS-FITTING CODE

- 4-101. DEFINITION OF PLUMBING. The term plumbing as used in this article shall be construed to mean the installation of gas or water pipes, fixtures, apparatus and the necessary connections either for supplying gas or water to premises or for the removing of liquid and water-borne wastes from premises in the city, or both such purposes, and shall also denote installed fixtures, drainage and vent systems and gas or water distribution systems as the case may be. (Code 2003)
- 4-102. UNIFORM PLUMBING CODE INCORPORATED. There is hereby adopted and incorporated by reference, for the purpose of establishing rules and regulations for the practice of plumbing and gas-fitting, including the installation, maintenance, extension and alteration of all pipes, fixtures, appliances and appurtenances in connection with sanitary sewers and public and private water and fuel gas systems, the Uniform Plumbing Code, 2000 Edition, as recommended by the International Association of Plumbing and Mechanical Officials, such code being made as a part of the ordinances and code of the city as if the same had been set out in full herein, all as authorized and in the manner prescribed by K.S.A. 12-3009 through 12-3012 including any amendments thereto. No fewer than three copies of the uniform code shall be marked or stamped "Official Copy as Incorporated by the Code of the City of Kanorado," and shall be filed with the city clerk to be open to inspection and available to the public at all reasonable hours of business.
Any person violating any provisions of such code shall be punished as provided in section 1-116 of this code. (Code 2003)
- 4-103. ADDITIONAL PROVISIONS. The following sections of this article are in addition to the provisions of the standard code incorporated by reference in section 4-102. (Code 2003)
- 4-104. BUILDING OFFICIAL; AUTHORITY. The governing body or its authorized designee shall be responsible for the administration and enforcement of this article and appointment of a plumbing inspector in accordance with section 4-204 of this chapter, which apply in a like manner to this article. (Code 2003)
- 4-105. PLUMBING INSPECTOR; APPOINTMENT. The mayor with the consent of the council may assume the responsibilities of or appoint some qualified officer or employee of the city to be and perform the duties of plumbing inspector as may be required, subject to the consent and approval of the governing body. (Code 2003)

- 4-106. SAME; DUTIES. The plumbing inspector shall have the following duties:
- (a) To enforce all regulations relating to plumbing construction, alteration, repair or removal;
 - (b) May permit, with the approval of the governing body, on the basis of duly authenticated reports from recognized sources, the use of new materials or modes of construction, not provided for in this article, and may, for the purpose of carrying out the intent of this article adopt an accepted standard of material or workmanlike practices of federal or state bureaus, national, technical organizations or fire underwriters;
 - (c) To examine all buildings in the process of erection, construction, alteration or relocation in the city for the purpose of determining whether the work is in compliance with the plumbing permit given and in compliance with the regulations of the city pertaining to such work, including zoning regulations; and
 - (d) To keep comprehensive records of applications, of permits or certificates issued, of inspections made, of reports rendered, and of notices or orders issued. All such records shall be open to public inspection during stated office hours, but shall not be removed from the office of the building official or plumbing inspector without his or her written consent.
- (Code 2003)
- 4-107. SAME; POWERS. The plumbing inspector shall have the following powers:
- (a) To enter any building or structure or premises at any reasonable hour, whether complete or in the process of erection, to perform the duties contained in this chapter;
 - (b) To adopt and enforce all such prudent emergency measures as he or she may deem necessary and expedient for the public safety under the laws of the city;
 - (c) May cause any work done in violation of this chapter to be discontinued until he or she shall have satisfactory evidence that the work will be done in accordance with the plumbing regulations of the city, subject to the right of any plumber, plumbing contractor or owner to appeal to the governing body.
- (Code 2003)
- 4-108. SAME; RIGHT OF ENTRY. The plumbing inspector, or his or her agent, upon proper identification, shall have authority to enter any building, structure or premises at any reasonable hour to perform his or her duties as set out in this chapter. (Code 2003)
- 4-109. CLARIFICATION; MODIFICATION. (a) The governing body shall be the final determiner of the scope and meaning of all provisions of the plumbing code which may be unclear, ambiguous, or requiring interpretation.
- (b) The plumbing inspector shall have power to modify any of the provisions of the plumbing code upon application in writing by the owner or lessee or his or her authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code. In approving modifications, the plumbing inspector shall see that the spirit of the code is observed, public safety secured and substantial justice done. The particulars of a modification when granted or allowed and the decision of the inspector thereon shall be entered upon the records of the plumbing inspector and a signed copy shall be furnished to the applicant. (Code 2003)

4-110. PLUMBING PERMIT REQUIRED; EXCEPTION. (a) It shall be unlawful to install, alter or reconstruct any plumbing or plumbing system, as defined by the plumbing code and section 4-101, in any building in the city without first making application to and receiving a permit therefor from the city clerk, after approval by the chief building official or his or her authorized assistant. The application for such permit shall be made and the permit obtained before any plumbing work is commenced.

(b) No permit shall be required for making minor repairs of any plumbing including repair of leaks in water pipes, traps or cocks, opening up stoppage in waste or supply pipes, traps or drains, replacing fixtures when waste pipes are not disturbed, or replacing frozen pipes inside the building, and like repair work not involving original installation or reconstruction.

(Code 2003)

4-111. SAME; APPLICATION INFORMATION REQUIRED. (a) A plumbing permit shall be issued upon an application in writing to the office of city clerk on a form or forms provided for the purpose. This application shall, among other things, disclose the following:

- (1) The name of the owner of the lot or tract of ground;
- (2) The location of the building or structure;
- (3) The plumbing work proposed;
- (4) The class of occupancy;
- (5) The class of construction;
- (6) The kind of materials to be used;
- (7) The estimated cost of the work;
- (8) The date work will commence;
- (9) Expected date of completion;
- (10) Name and address of plumber, plumbing contractor or contractors doing the work;
- (11) Such other information as may be pertinent to the issuance of the required permit.

(b) An application for a plumbing permit shall be signed by the owner or his or her duly authorized agent, or a plumber or plumbing contractor licensed by the city. If the application is made by the owner or his or her agent, it shall contain the name or names of the licensed plumber, plumbing contractor or contractors doing the work described, or a plumbing permit may be issued to the owner upon his or her application disclosing satisfactory evidence that the proposed work will be performed by the owner, himself or herself and not by a licensed plumber or plumbing contractor, and likewise subject to the final approval of the plumbing inspector for work performed.

(c) Upon approval of the completed application and a determination that a permit should be issued, the chief building official or his or her assistant shall issue a permit to the owner or contractor authorizing the plumbing work covered by the application.

(d) Any permit issued under this section shall be valid and subsisting for a period of not more than six months from the date of issuance unless the permittee shall have commenced, within the period so limited, the plumbing work authorized by such permit. Plumbing work commenced for the purpose of this section shall

mean the beginning of plumbing work other than the preparation of plans or the letting of a plumbing contract.
(Code 2003)

- 4-112. SAME; PLANS AND SPECIFICATIONS. Whenever an application for a plumbing permit is made, the chief building official or the plumbing inspector may, if he or she finds it necessary to determine whether work described in the application will comply with the laws pertaining to such work, require that the applicant file a written description or drawing of the proposed plumbing construction as may be prepared for the purpose. If such drawing or description is insufficient for the purposes of determining whether a permit should be issued, the chief building official or the plumbing inspector may require the applicant to file complete architectural and engineering plans and specifications for such building or construction, or any part thereof, as may be necessary for the inspector to determine compliance with this article. The filing of such plans and specifications and the approval thereof in connection with an application for a permit shall not in any way affect the authority of the city to deny or issue a permit, or to inspect any plumbing work for conformity with this article. (Code 2003)
- 4-113. SAME; FEES. The fee for a plumbing permit shall be as stated on application, however no fee shall be required to obtain a permit where the total estimated cost, the reasonable value of all services, labor and materials required, is under \$500. The fee herein shall be paid to the city clerk upon obtaining a plumbing permit and the same shall be credited to the general operating fund of the city. (Code 2003)
- 4-114. SAME; POSTING. A copy of the plumbing permit shall be kept on the premises for public inspection during the performance of the work and until the completion of the same. The plumbing inspector may require a certified copy of the approved plans to be kept on the premises at all times from the commencement of the work to the completion thereof. (Code 2003)
- 4-115. REQUEST FOR INSPECTION. Upon the completion of any plumbing work covered by this article, it shall be the duty of the person doing such work to notify the plumbing inspector and request that it be inspected; after which such work shall be inspected promptly as hereinafter provided. (Code 2003)
- 4-116. INSPECTION; CONCEALMENT OF PRIOR WORK. (a) When any plumbing is to be hidden from view by the permanent placement of parts of the building, the person, firm or corporation installing the plumbing shall notify the plumbing inspector and such equipment shall not be concealed until it has been inspected, approved or authorized by the plumbing inspector or until 24 hours, exclusive of Saturdays, Sundays and holidays, shall have elapsed from the time of such notification. On large installations, where the concealment of plumbing proceeds continuously, the person, firm or corporation installing the plumbing shall give the plumbing inspector due notice and inspections shall be made periodically during the progress of the work.
(b) The plumbing inspector shall have the authority to require owners or contractors to open such work which, in any manner, conceals plumbing that has been closed without his or her knowledge or permission, and in no case shall the

inspector issue a certificate of approval until satisfied that the work is in accordance with the provisions of this article. The inspector shall also have the right to refuse to issue a certificate of approval on any plumbing, that is concealed in such manner that it cannot be fully determined that it has been done in accordance with this article.

(Code 2003)

4-117. INSPECTION FEE. An initial inspection fee as stated on application, and an inspection fee as stated on application for subsequent inspections required shall be paid before any plumbing will be approved or a certificate of approval issued. (Code 2003)

4-118. CERTIFICATE OF APPROVAL. (a) When the plumbing inspector finds plumbing construction to be in conformity with the provisions of this article, he or she shall issue to the person, firm, or corporation performing the plumbing construction, a certificate of approval, with duplicate copy for delivery to the owner, authorizing the use of the plumbing system and connection to the supply of gas or water, as the case may be.

(b) When a certificate of approval is issued authorizing the connection and use of a temporary gas or water supply, the certificate shall expire at a time to be stated therein and shall be revocable for cause by the plumbing inspector.

(c) In no case shall certificates of approval be issued on plumbing or plumbing systems or parts of systems where the work installed does not conform to the requirements of this article.

(d) If, upon inspection, the plumbing or plumbing system is not found to be fully in conformity with the provisions of this article, the plumbing inspector shall immediately notify the person, firm, or corporation making the installation of the existing defects.

(e) No certificate of approval shall be issued unless the plumbing or plumbing system has been installed in strict conformity with the provisions of this article and unless the plumbing or plumbing system is made in compliance with nationally approved methods of construction for safety to life and property as herein set forth.

(f) The plumbing inspector shall be deemed the judge of whether the plumbing or plumbing system has been made in accordance with the requirements of this article.

(g) No certificate of approval shall be required for making minor repairs of any plumbing including repair of leaks in water pipes, traps or cocks, opening up stoppage in waste or supply pipes, traps or drains, replacing fixtures when waste pipes are not disturbed, or replacing frozen pipes inside the building, and like repair work not involving original installation or reconstruction.

(Code 2003)

4-119. CONNECTION TO GAS OR WATER SUPPLY. It shall be unlawful for any person, firm, or corporation to make connection to a supply of gas or water for which an inspection is required, or which has been disconnected by the order of the plumbing inspector, until a certificate of approval has been issued by the plumbing inspector authorizing the connection and use of such plumbing or plumbing system. The plumbing inspector may, at his or her discretion, authorize a temporary connection. (Code 2003)

4-120. CONDEMNATION; APPEAL. (a) If in the judgment of the plumbing inspector, after inspection, the plumbing or plumbing system in any building are unsafe or dangerous to persons or property, the inspector shall have the power to cause the plumbing or plumbing system to be disconnected from the supply of gas or water and may, at his or her discretion, seal the control valves for the same in a closed or disconnected position, whereupon he or she shall give notice to the owner, or his or her agent, or by posting such notice at the site and shall also notify the utilities serving the premises. Thereafter, it shall be unlawful for any person to cause or permit gas or water to be supplied to the plumbing or plumbing system so sealed until they shall have been made safe and the inspector shall have issued a certificate of approval to that effect.

(b) When the plumbing inspector condemns all or part of any plumbing system, the owner may, within 10 days after receiving written notice thereof, file a petition in writing for review of the action of the plumbing inspector by the governing body, upon the receipt of which the governing body shall at once proceed to determine the facts, and within 10 days from receiving the petition make a decision in accordance with their findings.

(Code 2003)

4-121. PLUMBER OR PLUMBING CONTRACTOR; DEFINED. (a) A plumber or plumbing contractor shall mean:

(1) Any person engaged in the business of installing, altering, maintaining, or repairing plumbing, which shall include all materials and plumbing fixtures, water pipes, portable water treatment equipment, traps, drainage and vent piping, and building drains, including their respective points, connections, devices, receptacles and appurtenances located within the property lines of any premises or in any building.

(2) Any gasfitter or person engaged in the business of installing, altering, or repairing fuel gas piping, gas systems or fixtures.

(b) A plumber or plumbing contractor as defined in subsection (a) of this section shall not mean or include the owner of a residence who personally installs plumbing piping or equipment within and upon his or her own residence and intended for his or her own personal use and permanent occupancy; provided, the owner shall satisfy the plumbing inspector as to his or her ability to install such piping or equipment, secure a permit, pay required fees, do work in accordance with this article, and apply for an inspection and receive approval. Personal installation by an owner under this section shall be himself, herself, for himself or herself on his or her own residence, without compensation and no person shall be employed to assist him or her in any way on such work except a plumber or plumbing contractor licensed by the city.

(Code 2003)

4-122. EXCAVATIONS. When it appears that the laying or repairing of any water or sewer pipes or the making of any connection therewith shall require excavation in any street, alley or public way of the city or the cutting or removal of any pavement, curb or gutter or any sidewalk, during the course of such work, the application for a permit shall so state and describe the location and extent of the excavation, cutting or removal. All excavations shall be barricaded and guarded as provided by the appropriate sections of this code. Before any such excavation shall be

backfilled, new plumbing work therein shall be inspected and the bottom of the excavation holding any sewer, drain or water pipe shall be so filled, leveled and tamped as to properly support the pipe and permit proper drainage when carrying sewage, and the excavation shall be backfilled and all paving, curbing, guttering or sidewalks shall be restored as near as possible to their last condition, subject always to the approval of the plumbing inspector or the superintendent of streets. (Code 2003)

4-123. WORK BY PROPERTY OWNERS. Nothing herein contained shall prohibit any property owner from personally installing plumbing piping or equipment within and upon his or her own residence and intended for his or her personal use and permanent occupancy; provided, the owner shall satisfy the plumbing inspector as to his or her ability to install such piping or equipment, secure a permit, pay required fees, do work in accordance with this article, and apply for an inspection and receive approval. Personal installation by an owner under this section shall be by himself, herself, for himself or herself on his or her own residence, without compensation and no person shall be employed to assist him or her in any way on such work except a plumber or plumbing contractor licensed by the city. (Code 2003)

4-124. APPROVED MATERIALS. No plumbing materials, appliances or equipment shall be installed in the city unless they are in conformity with the provisions of this article and with the approved standards of construction for safety to life and property. Conformity of materials for plumbing materials, appliances and equipment to the standards of the Underwriters Laboratories, Inc. shall be prima facie evidence that the materials, devices, appliances and equipment comply with the requirements of this article. (Code 2003)

4-125. LIABILITY. This article shall not be construed to relieve from or lessen the responsibility or liability of any party owning, operating, controlling or performing any plumbing construction for damages to persons or property caused by any defect therein, nor shall the city be held as assuming any such liability, by reason of the inspection or reinspection authorized herein, or the certificate of approval of any work or equipment authorized herein or by reason of any permit or license granted herein. (Code 2003)

4-126. SEVERABILITY. If any section of the Uniform Plumbing Code or of this article shall be held unconstitutional or otherwise invalid by any court of competent jurisdiction, then such section shall be considered separate and apart from the remaining provisions of the Uniform Plumbing Code or of this article, the section is to be completely severable from the remaining provisions which shall continue in full force and effect. (Code 2003)

ARTICLE 2. DANGEROUS AND UNFIT STRUCTURES

4-201. PURPOSE. The governing body has found that there exist within the corporate limits of the city structures which are unfit for human use or habitation because of dilapidation, defects increasing the hazards of fire or accidents, structural defects or other conditions which render such structures unsafe, unsanitary or otherwise inimical to the general welfare of the city, or conditions which provide a general

blight upon the neighborhood or surrounding properties. It is hereby deemed necessary by the governing body to require or cause the repair, closing or demolition or removal of such structures as provided in this article. (K.S.A. 12-1751; Code 2003)

4-202. DEFINITIONS. For the purpose of this article, the following words and terms shall have the following meanings:

(a) Enforcing officer means the governing body or his or her authorized representative.

(b) Structure shall include any building, wall, superstructure or other structure which requires location on the ground, or is attached to something having a location on the ground.

(K.S.A. 12-1750; Code 2003)

4-203. ENFORCING OFFICER; DUTIES. The enforcing officer is hereby authorized to exercise such powers as may be necessary to carry out the purposes of this article, including the following:

(a) Inspect any structure which appears to be unsafe, dangerous or unfit for human habitation;

(b) Have authority to enter upon premises at reasonable hours for the purpose of making such inspections. Entry shall be made so as to cause the least possible inconvenience to any person in possession of the structure. If entry is denied, the enforcing officer may seek an order for this purpose from a court of competent jurisdiction;

(c) Report all structures which he or she believes to be dangerous, unsafe or unfit for human habitation to the governing body;

(d) Receive petitions as provided in this article.

(Code 2003)

4-204. PROCEDURE; PETITION. Whenever a petition is filed with the enforcing officer by at least five residents charging that any structure is dangerous, unsafe or unfit for human habitation, or whenever it appears to the enforcing officer on his or her own motion that any structure is dangerous, unsafe or unfit for human habitation, he or she shall, if his or her preliminary investigation discloses a basis for such charges, report such findings to the governing body. (Code 2003)

4-205. SAME; NOTICE. The governing body upon receiving a report as provided in section 4-604 shall by resolution fix a time and place at which the owner, the owner's agent, any lienholder of records and any occupant of the structure may appear and show cause why the structure should not be condemned and ordered repaired or demolished. (K.S.A. 12-1752; Code 2003)

4-206. SAME; PUBLICATION. (a) The resolution shall be published once each week for two consecutive weeks on the same day of each week. At least 30 days shall elapse between the last publication and the date set for the hearing.

(b) A copy of the resolution shall be mailed by certified mail within three days after its first publication to each owner, agent, lienholder and occupant at the last known place of residence and shall be marked "deliver to addressee only."

(K.S.A. 12-1752; Code 2003)

- 4-207. SAME; HEARING, ORDER. If, after notice and hearing, the governing body determines that the structure under consideration is dangerous, unsafe or unfit for human use or habitation, it shall state in writing its findings of fact in support of such determination and shall cause the resolution to be published once in the official city newspaper and a copy mailed to the owners, agents, lienholders of record and occupants in the same manner provided for the notice of hearing. The resolution shall fix a reasonable time within which the repair or removal of such structure shall be commenced and a statement that if the owner of such structure fails to commence the repair or removal of such structure within the time stated or fails to diligently prosecute the same until the work is completed, the governing body will cause the structure to be razed and removed. (Code 2003)
- 4-208. DUTY OF OWNER. Whenever any structure within the city shall be found to be dangerous, unsafe or unfit for human use or habitation, it shall be the duty and obligation of the owner of the property to render the same secure and safe or to remove the same. (Code 2003)
- 4-209. SAME; FAILURE TO COMPLY. (a) If, within the time specified in the order, the owner fails to comply with the order to repair, alter, improve or vacate the structure, the enforcing officer may cause the structure to be repaired, altered, improved, or to be vacated and closed.
(b) If, within the time specified in the order, the owner fails to comply with the order to remove or demolish the structure, the enforcing officer may cause the structure to be removed and demolished.
(Code 2003)
- 4-210. SAME; MAKE SITE SAFE. Upon removal of any structure, the owner shall fill any basement or other excavation located upon the premises and take any other action necessary to leave the premises in a safe condition. If the owner fails to take such action, the enforcing officer may proceed to make the site safe. (Code 2003)
- 4-211. ASSESSMENT OF COSTS. (a) The cost to the city of any repairs, alterations, improvements, vacating, removal or demolition by the enforcing officer, including making the site safe, shall be reported to the city clerk.
(b) The city shall give notice to the owner of the structure by restricted mail of the cost of removing the structure and making the premises safe and secure. The notice shall also state that payment of the cost is due and payable within 30 days following receipt of the notice.
(c) If the costs remain unpaid after 30 days following receipt of notice, the city clerk may sell any salvage from the structure and apply the proceeds or any necessary portion thereof to pay the cost of removing the structure and making the site safe. Any proceeds in excess of that required to recover the costs shall be paid to the owner of the premises upon which the structure was located.
(d) If the proceeds of the sale of salvage is insufficient to recover the costs, or if there is no salvage, the balance shall be collected in the manner provided by K.S.A. 12-1,115, and amendments thereto, or shall be assessed as special assessments against the lot or parcel of land on which the structure was located and the city clerk, at the time of certifying other city taxes, shall certify the unpaid portion of the costs and the county clerk shall extend the same on the tax rolls of the

county against such lot or parcel of land and it shall be collected by the county treasurer and paid to the city as other city taxes are collected and paid. The city may pursue collection both by levying a special assessment and in the manner provided by K.S.A. 12-1,115, and amendments thereto, but only until the full cost and applicable interest has been paid in full. (K.S.A. 12-1755; Code 200___)

4-212. IMMEDIATE HAZARD. When in the opinion of the governing body any structure is in such condition as to constitute an immediate hazard requiring immediate action to protect the public, the governing body may direct the enforcing officer to erect barricades or cause the property to be vacated, taken down, repaired, shored or otherwise made safe without delay. Such action may be taken without prior notice to or hearing of the owners, agents, lienholders and occupants. The cost of any action under this section shall be assessed against the property as provided in section 4-611.
(K.S.A. 12-1756; Code 2003)

4-213. APPEALS FROM ORDER. Any person affected by an order issued by the governing body under this article may, within 30 days following service of the order, petition the district court of the county in which the structure is located for an injunction restraining the enforcing officer from carrying out the provisions of the order pending final disposition of the case. (Code 2003)

4-214. SCOPE OF ARTICLE. Nothing in this article shall be construed to abrogate or impair the powers of the courts or of any department of the city to enforce any provisions of its charter or its ordinances or regulations, nor to prevent or punish violations thereof; and the powers conferred by this article shall be in addition to and supplemental to the powers conferred by the constitution, any other law or ordinance. Nothing in this article shall be construed to impair or limit in any way the power of the city to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise or to exercise those powers granted specifically by K.S.A. 12-1750:1756. (Code 2003)

ARTICLE 3. MOBILE HOMES

4-301. DEFINITIONS. (a) Building. Any structure built for the support, shelter, or enclosure of persons, animals, chattel, or property of any kind.
(b) Camp. A trailer camp.
(c) Health Officer. The County Health Officer of Sherman County, Kansas.
(d) House Trailer. A vehicular, portable dwelling unit designed especially for short term occupancy, such as: travel trailers, campers, converted buses and other similar units whether self-propelled, pulled or hauled and are designed primarily for highway travel without a special permit; and/or does not comply with all the requirements under the minimum housing code now in effect or hereafter adopted.
(e) Inspection Officer. The Planning Committee designated by the City Council of Kanorado.
(f) Mobile Home. A movable, detached single-family dwelling unit with all of the following characteristics:

(1) Designed for long-term occupancy, and containing accommodations of a flush toilet, a tub or shower bath, kitchen facilities, and having plumbing and electrical connections provided for attachments to outside systems.

(2) Designed and constructed on a chassis that is capable of being transported after fabrication on its own wheels (or detached wheels).

(3) Arrive at the site where it is to be occupied as a dwelling complete, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on supports, connections to utilities and the like.

(g) Mobile Home, Single Wide. A mobile home, as defined above, and being of a width of not more than 18 feet, or less than 14 feet, measured between the permanent sidewalls thereof.

(h) Mobile Home, Double Wide or Sectional. A mobile home, as defined above, and having been built in two sections, approximately of equal length, at the factory, which two sections are transported over the road separately, with assembly into one structure of a width of not less than 20 feet occurring at the destination. Small room or porch additions shall not be defined as double wide.

(i) Modular Home. A residential structure, assembled total or in several sections. A modular home, as distinct from a mobile home shall have exterior building materials and appearance similar to the customary single family structures to the neighborhood and shall be permanently situated on a concrete slab or foundation and meet all state building codes.

(j) Mobile Home Park. A tract of land containing at least two lots or more, with each lot at least 6,000 square feet, and one lot per single wide mobile home, with suitable drives, utilities and other supporting elements, and devoted to the sole purpose of accommodating mobile homes and modular homes. With a minimum of 25 feet between any adjoining structures.

(k) Mobile Home Space. That area of land containing a minimum of 6,000 square feet set aside for use as a site for one mobile home, including the open spaces around the mobile home, as are required in this article.

(l) Occupy, Occupancy, or Occupied. The use of any mobile home or house trailer by any person for living, sleeping, cooking or eating purposes for any period of four or more consecutive days.

(m) Person. Any individual, firm, trust, partnership, association limited liability company or corporation.

(n) Trailer Camp. A tract of land containing sites for the overnight or short term (30 days) parking of house trailers. A trailer camp must have service facilities located within 400 feet of each site.

(o) Trailer Camp Service Facilities. Separate toilet facilities for men and women, and a separate bath or shower facilities for men and women. Such building may also include other associated uses such as an office and recreational facilities for use in park.

(p) Planning Committee. A group of residents comprised of three people appointed by the city council.

(Ord. 200-A, Sec. 1)

4-302.

LOCATION OF MOBILE HOMES AND HOUSE TRAILERS. (a) Within the city limits, a single wide mobile home may be permitted only in an approved mobile home park or mobile home space. A double wide or sectional mobile home may be

permitted in an approved mobile home park or on a separate lot, with a foundation that meets all of the state codes.

A mobile home may also be permitted by the governing body after a public hearing, for purposes of temporary relief from a local disaster, such as fire, wind or flood damage, provided such mobile home shall be removed from the premises within six months of its original placement.

All persons operating mobile home parks or trailer camps shall obtain a park license, with license being issued only after approval by the city, and payment of the required fee. The licenses shall be renewed annually, 12 months from the date of the previous license, after approval by the city and payment of the required fee. No person shall operate a mobile home park or trailer camp without a current park license.

A mobile home shall not be temporarily or permanently parked or located on any public street or alley nor on any lot containing a residential or business structure.

(b) Within the city limits, a house trailer may be permitted only in a mobile home park or mobile home space and then only on the following terms and conditions. A house trailer may occupy a mobile home space in a park for a period not to exceed 30 days, provided a service building is within 400 feet of the space so occupied. Under no circumstance shall the number of mobile home spaces within a park be occupied by house trailers in excess of five percent of the total number of mobile home spaces provided.

(Ord. 200-A, Sec. 2)

4-303.

APPLICATION FOR MOBILE HOME PARK, MOBILE HOME SPACE OR TRAILER CAMP. Any person desirous of locating a mobile home park, mobile home space or trailer camp within the city shall make an application to the governing body. The following requirements should be met:

(a) Application should be made in triplicate form.

(b) A plan shall be developed by the applicant and accompany the application.

(c) Area to be provided or allotted the mobile home shall contain not less than 6,000 square feet for a single family dwelling. This shall not in any way interfere with any structure already located in the area. The clearance of 25 feet from the front, 10 feet from the back and 12½ feet from the sides of all property lines.

(Ord. 200-A, Sec. 3)

4-304.

APPLICATIONS FOR LICENSE FOR MOBILE HOME PARKS, MOBILE HOME SPACES OR TRAILER CAMPS. All persons developing a mobile home park, mobile home space or trailer camp shall make application to the city. Applications may be made only after a development plan has been approved by the governing body. A plan showing the relationship of the mobile home spaces or trailer spaces to the roadways, parking, open space and other information affecting the overall environment must be provided to the governing body for their approval of application.

The application shall be in writing, signed by the applicant and shall include the following: name, address and telephone number of the applicant; the location and legal description of the park or camp; a complete set of plans showing compliance

with all applicable provisions of this ordinance, including a plot plan showing the park, space or camp dimensions; number and location of mobile home or camp spaces; location and width of roadways, sidewalks, off-street parking and easements; location, size and specifications of buildings. sewer and water supply systems. Submitted plans will be reviewed at a scheduled meeting of the planning committee and/or the governing body. The adjoining residents and/or landowners within 200 feet of the boundary of the subject property shall be given seven days written notice of this meeting by certified mail return receipt requested. The certified mail postage shall be paid for in advance by the applicant. The acceptance or rejection of the plan shall be reviewed for approval or rejection by the council.

The issuance of a park, camp or space license shall not be issued until the completion of construction is in accordance with the plan submitted. No permanent city utilities will be provided until application and installation are approved by the city council.

An application for any addition to an existing park, space or camp shall also need a plan approved by the planning committee and by the governing body. (Ord. 200-A, Sec. 4)

4-305.

LICENSE FEES.

(a) The annual license fee for a park or space shall be as follows:

One mobile home space	\$15
Two mobile home spaces	30
Three to 10 mobile home spaces	40
Over 10 mobile homes spaces will be \$10 for each additional space.	

(b) The annual license fee for a trailer camp shall be as follows:

Two house trailer spaces	\$30
Three to 10 trailer spaces	40
Over 10 trailer spaces will be \$10 for each additional space.	

(c) A temporary license may be issued for a house trailer to be occupied other than within a park or camp, not to exceed 30 days, upon payment of \$5 and approval by the governing body. A temporary license may be renewed for a 30 day period.

(d) A temporary license may be issued for a mobile home or house trailer to be occupied other than within a park, space or camp, if it is due to a disaster as described in section 4-702(a). Upon approval by the governing body. (Ord. 200-A, Sec. 5)

4-306.

MODULAR HOME PERMITS. Prior to placing a modular or sectional home, approval must be obtained from the governing body of the city. Upon approval all state codes must be met. (Ord. 200-A, Sec. 6)

4-307.

ALTERATIONS AND ADDITIONS. (a) No additions of any kind shall be built onto or become a part of any mobile home or house trailer located in a mobile home park, space or trailer camp without approval by the planning committee and/or the governing body.

(b) Every mobile home regulated by this article shall be anchored to the ground. This anchorage shall be adequate to withstand the minimum horizontal

wind and uplift pressures as set forth by the state building codes. This regulation shall apply to all new mobile home parks and individual installations, and shall also thereafter apply whenever a mobile home is moved in, relocated or replaced.

(c) Skirting of the mobile home shall be done within 30 days of anchoring.

(d) Any single wide mobile home owner who maintained a single wide mobile home on a tract of land either owned by him or her or rented by him or her on the day of passage of this ordinance, may continue to maintain such mobile home. Upon said tract of land, he or she may replace the mobile home by another mobile home. The tract of land which includes a permanent installed mobile home may be sold as one unit and does not have to comply with this article. However, if the mobile home is removed from the property and tract of land is sold, leased or rented, the tract of land must meet all requirements of this article.

(Ord. 200-A, Sec. 7)

4-308. WATER SUPPLY (a) Required— An accessible, safe and potable supply of water shall be provided in each park, space or camp. If city water is available to the park or camp it shall be used.

(b) Service Connections — Individual water service connections shall be provided at each mobile home space. With the licensee being responsible for the deposits and bills for each space.

(Ord. 200-A, Sec. 8)

4-309. SEWER AND SEWAGE DISPOSAL. (a) Individual sewer connections for each mobile home space shall be provided. Individual connections of similar construction shall also be provided for house trailers.

(b) All sewage system shall connect to the city sewer system if available and shall be in compliance with the city's codes.

(c) Camps shall provide sanitary stations for the sole purpose of removing and disposing of wastes from holding tanks in a clean, efficient and convenient manner.

(Ord. 200-A, Sec. 9)