

Chapter 13

MANUFACTURED HOMES AND MANUFACTURED HOME PARKS

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ARTICLE I. IN GENERAL Sections 01 through 14. Reserved.

ARTICLE II. MANUFACTURED HOME PARKS

DIVISION 1. GENERALLY

Section 15. Definitions.

For the purpose of this article, the following words and phrases shall have the meanings ascribed to them:

Building Inspector: Shall mean the legally designated Building Inspector of the City or his duly authorized representative.

Dependent manufactured home: Shall mean a manufactured home which does not have a flush toilet and a bath or shower.

Independent manufactured home: Shall mean a manufactured home which does have a flush toilet and a bath or shower .

Manufactured home: "Manufactured home" means a structure, transportable in one or more sections, which in the traveling mode is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which 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; except that the term includes any structure which meets all the requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary and complies with the standards established under Minnesota Statutes, Chapter 327.

Mobile home: "Mobile home" is synonymous with manufactured home whenever it appears in parts 1350.0100 to 1350.6900 and in other documents or on construction or installation seals. It is a structure having three hundred twenty (320) square feet or more of floor space which is so constructed as to provide facilities for person or persons to eat and sleep, has provisions for connecting to central utility system when ready for occupancy, the principal structure having a width of eight (8) feet or having no foundation other than wheels or removable jacks. Except that the principal structure may be greater than fourteen (14) feet.

Manufactured home park: Shall mean any plot of land which is planned and developed to accommodate fifty (50) or more manufactured homes and which has a permit issued by the City.

Manufactured home space: Shall mean a plot of ground within a manufactured home park designated for the accommodation of one (1) manufactured home.

Manufactured home stand: Shall mean that portion of the manufactured home space which the manufactured home enclosed living space is situated and shall include enclosed patios, etc., but such 1 space shall not exceed 50% of the moanufactured home space, eighteen (18) feet by seventy (70) feet in dimension and does not include enclosed patios, cabanas, ramadas, carports, etc. Except that provisions shall not apply to manufactured . homes greater than fourteen (14) feet in width.

Service building: Shall mean a building housing toilet and bathing facilities for men and women with laundry facilities and such other facilities as may be requested by this article. (Ord. No.192, Sec. 1, 02/10/70; Ord. No. 215, Sec. 1, 11/05/73)

Section 16. Objective.

The desired objective of these regulations is to create a home-like atmosphere through excellence of design, development, and maintenance. (Ord. No.192, Sec. 6, 2/10/70)

Section 17. Location restrictions.

(a) No manufactured home shall be permitted except in a manufactured home park located in any area designated and zoned under the Zoning Ordinance of the City as R-2 (one and two-family residential district) .

(b) Manufactured home parks shall be located in such areas as will provide adequate access to a thoroughfare. (Ord. No.192, Secs. 3.1, 3.2, 2/10/70)

Section 18. Authority for Building Inspector to adopt additional regulations.

The Building Inspector is hereby authorized to make and, after public hearing, to adopt such written regulations as may be necessary for the proper enforcement of the provisions of this article. Such regulations shall have the same force and effect as the provisions of this article, and the penalty for violation of the provisions thereof shall be the same as the penalty for violation of the provisions of this article. (Ord. No.192, Secs. 3.1, 3.2, 2/10/70)

Section 19. Higher standards to apply in cases of conflicts.

In any case where a provision of this article is found to be in conflict with provision of any zoning, building, fire, safety, or health ordinance or code of the City existing on the effective date of this article, the provision which, in the judgment of the Building Inspector establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail. (Ord. No.192, Sec. 13.1 , 2/10/70)

Section 20. Existing parks to comply with regulations within a period of time.

Manufactured home courts in existence or presently under construction as of the effective date of this article (February 10, 1970) may continue to operate for a period not to exceed three (3) years from this date at which time all of the provisions contained herein shall have been met except as to street widths, site and density requirements; which may be permitted as a variance in the event that compliance would work an undue hardship upon the owner or operator thereof. (Ord. No.192, Sec. 7.1, 2/10/70)

Section 21. Park owner to provide supervision and maintenance.

The park owner of a manufactured home park shall at all times operate the park in compliance with this article and regulations issued thereunder, and shall provide adequate supervision to maintain the park, its facilities and equipment, in good repair and in a clean and sanitary condition at all times. (Ord. No.192, Sec. 6.3, 2/10/70)

Section 22. Maintenance of park lands.

All park land areas shall be properly maintained, adequately drained, free from dust, and clean and free from refuse, garbage, rubbish or debris. (Ord. No.192, Sec. 6.3, 2/10/70)

Section 23. Office required; operator to be on duty at all times.

Each manufactured home park shall have an office for the use of the operator distinctly marked "Office" and such marking shall be illuminated during all hours of darkness. A responsible adult must be on duty in or about the manufactured home park at all times. (Ord. No.192, Sec. 6.8, 2/10/70)

Section 24. Register to be kept.

The operator of every manufactured home park shall maintain a registry in the office of the manufactured home park showing:

- (a) The name and address of each guest or permanent resident.
- (b) Make, type and year of each manufactured home. (Ord. No.192, Sec. 6.9, 2/10/70)

Section 25. Prospective occupants not required to buy manufactured home from park.

No manufactured home owner or prospective manufactured home owner shall be required to purchase a manufactured home from the owner of the manufactured home park in which said owner desires to locate or from someone designated by said owner of the manufactured home park. This provision, however, shall not prevent the owner of the manufactured home park from establishing certain minimal standards and conditions of quality and design as to manufactured homes permitted in the manufactured home court owned by him. (Ord. No.192, Sec. 6.23,2/10/70)

Section 26. Sales lots prohibited within parks.

No "manufactured home sales lot" shall be permitted in any manufactured home park. This provision shall not, however, prohibit the owner of a manufactured home park from selling a manufactured home which is affixed to a manufactured home stand and otherwise complies with all of the provisions of this article. (Ord. No.192, Sec. 6.24, 2/10/70) t.

Section 27. Minimum period of residence.

No manufactured home may be permitted in any manufactured home park unless it is the bona fide intent of the owner thereof to remain for a period of at least thirty (30) days. (Ord. No.192, Sec. 6.25, 2/10/70)

Section 28. Parks to be designed to accommodate children.

Each manufactured home park shall be designed so that it will accommodate both manufactured home areas with children and without children. (Ord. No.192, Sec. 6.26, 2/10/70)

Section 29. Roadways.

All public or private roadways within a manufactured home park shall:

- (a) Be paved as approved under the Subdivision Ordinance;
- (b) Have a surmountable concrete curb and gutter;
- (c) Have a concrete sidewalk along both sides;
- (d) Have paved access drives off roads to all parking spaces and manufactured home spaces; and
- (d) Be developed as approved by the City. (Ord. No.192, Sec. 6.21, 2/10/70)

Section 30. Off-street parking area.

Each manufactured home shall maintain a paved off-street parking lot for guests of occupants in the amount of one (1) space for each of three (3) manufactured home spaces located within three hundred (300) feet of the unit to be served, if the paved portion of the private road is less than thirty-two (32) feet in width. (Ord. No.192, Sec. 6.20, (2/10/70)

Section 31. Service building.

Each manufactured home court shall provide the minimum of one (1) service building which shall be conveniently located with adequate off-street parking. Such building shall be of permanent construction and shall have central heating and be maintained in a safe, clean, sanitary condition and an artificial light shall be maintained during all hours of darkness. (Ord. No.192, Sec. 6.22, 2/10/70)

Section 32. Hedges or fence required.

A compact hedge, redwood fence, or landscaped area, as approved by the City, shall be installed around each manufactured home park and be maintained in first class condition at all times as approved. (Ord. No.192, Sec. 6.6, 2/10/70)

Section 33. Recreational facilities.

All manufactured home courts shall have at least ten percent (10%) of the land area developed for recreational and park purposes, together with necessary play and recreational equipment, developed and maintained at the owner or operator's expense. (Ord. No.192, Sec. 6.2, 2/10/70)

Section 34. Storage area to be provided; lawn tools, toys, etc. to be stored.

All manufactured home parks must have an area or areas set aside for dead storage. No outside storage of lawn mowers, garden tools, toys and other equipment of this nature shall be permitted unless enclosed within a building. (Ord. No.192, Secs. 4.10, 6.19, 2/10/70)

Section 35. Illuminated map of park to be displayed.

A map of the manufactured home park shall be displayed at the manufactured home park office and be illuminated during all hours of darkness. (Ord. No.192, Sec. 6.10, 2/10/70)

Section 36. Corners to be marked.

The corners of each manufactured home space shall be clearly marked and each site shall be numbered. (Ord. No.192, Sec. 6.11, 2/10/70)

Section 37. Grounds to be lit.

The manufactured home park grounds shall be lit as approved by the City from sunset to sunrise. (Ord. No.192, Sec. 6.12, 2/10/70)

Section 38. Utility installations; owner or operator to pay utility fees to City.

All utility installations to the site and individual manufactured home spaces shall be as approved by the City. The City shall charge for water and electricity supplied to the manufactured home park and payment therefor in accordance with the rates and schedules as determined by the City Council shall be made to the City by the owner or operator. (Ord. No.192, Sec. 6.13, 2/10/70; Ord. No. 192.1, Sec. 2, 2/1/71)

Section 39. Owner or operator to install and maintain utilities; overhead wire restricted.

All utilities in the manufactured home park shall be installed, owned, maintained and operated by the manufactured home park owner or operator and shall be underground; there shall be no overhead wires or supporting poles except those essential for street or other lighting purposes as determined by the City. (Ord. No.192, Sec. 6.14, 2/10/70; Ord. No. 192.1, Sec. 3, 2/1/71)

Section 40. Dogs or animals at large prohibited.

No dog or other animal shall be permitted to run at large within any manufactured home park. (Ord. No.192, Sec. 6.17, 2/10/70)

Section 41. Limitations on advertising

Advertising shall be limited to one name plate not to exceed twelve (12) square feet, with lighting, height and location as approved by the City and shall have a fifteen (15) foot setback from the front hot line.

Section 42. Garbage disposal system to be approved.

The proposed method of garbage, waste, and trash disposal from the park must be as approved by the City. (Ord. No.192, Sec. 6.15, 2/10/70)

Section 43. Location of fire hydrants.

Fire hydrants shall be located within three hundred (300) feet of any unit. (Ord. No.192, Sec. 6.16, 2/10/70)

Section 44. Outdoor loudspeaker systems prohibited.

No outdoor address or loudspeaker system shall be permitted in any manufactured home park. (Ord. No.192, Sec. 6.18, 2/10/70)

Section 45. Laundry to be hung in specified areas.

All laundry and clothes shall be hung to dry only on lines located in approved areas established and maintained exclusively for that purpose. (Ord. No.192, Sec. 4.9, 2/10/70)

Section 46. Speed of vehicles.

M.S.A. 327.27, Sub. 2, regulating the speed of vehicles within a manufactured home park is hereby adopted by reference and incorporated in this chapter the same as if fully set out herein. (Ord. No.192, Sec. 10.2, 2/10/70; Ord. No. 192.2, Sec. 2, 8/20/73)

Sections 47 through 55. Reserved.

DIVISION 2. SITE REQUIREMENTS

Section 56. Requirements for spaces generally.

Each manufactured home space shall have the following features:

- (a) Frontage on an approved roadway;
- (b) A sidewalk along the entire frontage with a sidewalk connecting from the trailer entrance to the frontage sidewalk. Sidewalks shall be concrete;
- (c) Each site shall be properly landscaped with at least one (1) tree, hedge, grass, fences, windbreaks, and the like;
- (d) No manufactured home shall be parked closer than five (5) feet to the side lot line or closer than twenty (20) feet to the front lot line, or within fifteen (15) feet of the rear lot line;
- (e) There shall be an open space of at least ten (10) feet between the sides of adjacent manufactured homes; and
- (f) Manufactured home spaces with frontage to public streets shall conform to all setback and other requirements of the R-2 zoning district. (Ord. No.192, Sec. 4.4,2/10/70)

Section 57. Gross area density.

Each manufactured home park shall have a gross area density exclusive of park lands, public service buildings and streets of six (6) manufactured home spaces per acre or less. (Ord. No.192, Sec. 4.1, 2/10/70)

Section 58. Maximum size of stand.

No manufactured home stand shall exceed fifty percent (50%) of the total area of a manufactured home space. (Ord. No.192, Sec. 4.2,2/10/70)

Section 59. Parking spaces required; landscaping.

Each manufactured home space shall have paved off-street parking space for two (2) automobiles. The yards shall be landscaped, except for driveways and sidewalks, as shown on the approved plan. (Ord. No.192, Sec. 4.3,2/10/70)

Section 60. Fuel sources.

The source of fuel for cooking, heating, or other purposes at each manufactured home space shall be as approved by the City and shall be underground. (Ord. No.192, Sec. 4.5, 2/10/70)

Section 61. Connection to water and sewer systems required.

All manufactured homes and permanent buildings must be connected to the public water and sanitary sewer systems. (Ord. No.192, Sec. 4.6, 2/10/70)

Section 62. Disposal of surface water.

All plans for the disposal of surface storm water must be approved by the City. (Ord. No.192, Sec. 4.7, 2/10/70)

Section 63. Nearness of structures to boundary regulated.

No manufactured home, off-street parking space or building shall be located within twenty (20) feet of the exterior boundary of any manufactured home park, except for the front lot line which shall conform to Section 74(f) of this chapter. (Ord. No.192, Sec. 4.8,2/10/70)

Sections 64 through 70. Reserved.

DIVISION 3. STRUCTURE REQUIREMENTS

Section 71. Structures to be maintained in a safe manner and in good repair.

Every structure within a manufactured home park shall be developed and maintained in a safe, approved, and substantial manner. The exterior of each structure shall be kept in good repair and shall be repainted or refinished when directed by the City. (Ord. No.192, Sec. 5.1, 2/10/70)

Section 72. Prohibited homes.

Manufactured homes shall be prohibited that:

- (a) Do not conform to the requirements of the laws of the State, this article or other ordinances;
- (b) Are in an unsanitary condition or have an exterior in bad repair;
- (c) Are structurally unsound and do not protect the inhabitants against all elements. (Ord. No.192, Sec. 5.2, 2/10/70)

Section 73. Periodic inspections.

Periodic inspection of manufactured homes and manufactured home park structures by health, police, Building Inspectors, and other public personnel may be required. (Ord. No.192, Sec. 5.3, 2/10/70)

Section 74. Obstructions to inspections prohibited.

No obstruction shall be permitted that impedes inspection of the manufactured home, plumbing, electrical facilities, and related equipment. The area beneath a manufactured home shall be enclosed except that such enclosure must be openable for inspection. (Ord. No.192, Sec. 5.4, 2/10/70)

Section 75. Erection of structures without consent and permit prohibited.

No person shall erect, place, construct, reconstruct, relocate, alter, use or occupy a cabana or structure in a manufactured home park without the written consent of the owner or operator of the manufactured home park, and any such erection, placement, construction, etc., shall require a building permit. (Ord. No.192, Sec. 5.5, 2/10/70)

Section 76. Plan for skirting or support required.

A plan shall be submitted with the application for uniform "skirting" of the manufactured home or of depressing the undercarriage so that the principal structure is not supported by wheels or removable jacks. (Ord. No.192, Sec. 5.6, 2/10/70)

Sections 77 through 82. Reserved.

DIVISION 4. INSPECTIONS

Section 83. Authority to make Inspections.

The Building Inspector is hereby authorized and directed to make inspections to determine the condition of manufactured home parks located within the City in order that he may perform his duty of safeguarding the health and safety of occupants of manufactured home parks and of the general public. (Ord. No.192, Sec. 8.1, 2/10/70)

Section 84. Power to enter for inspection

The Building Inspector shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this article or of regulations promulgated thereunder. (Ord. No.192, Sec. 8.2, 02-10-70)

Section 85. Occupants to permit entry for inspections.

It shall be the duty of the owners or occupants of manufactured home parks, and manufactured homes contained therein, or of the person in charge thereof, to give the Building Inspector free access to such premises at reasonable time for the purpose of inspection. (Ord. No.192, Sec. 8.4, 02-10-70)

Section 86. Occupants to permit entry for purpose of making repairs.

It shall be the duty of every occupant of a manufactured home park to give the owner thereof or his agent or employee access to any part of such manufactured home park or its premises at reasonable time for the purpose of making such repairs or alterations as are necessary to effect compliance with this article or with any lawful regulations adopted thereunder or with any lawful order issued pursuant to the provisions of this article. (Ord. No.192, Sec. 8.5, 2/10/70)

Section 87. Authority to Inspect register .

The Building Inspector or his authorized representative shall have the power to inspect the register containing a record of all manufactured homes and occupants and their ages using the manufactured home park. (Ord. No.192, Sec. 8.3, 2/10/70)

Section 88. Installation permit.

Prior to any manufactured home being placed upon a manufactured home space a permit therefore shall be obtained from the City Clerk, which permit shall be applied for prior to installation on forms available from the City; said application shall be accompanied by the manufacturer's installation instructions. (Ord. No.260, Sec. 1 7/1/78)

Section 89. Inspection fees.

At the time of application the applicant shall pay to the City of Chaska, to cover the cost of administration and inspection hereinafter provided, the sum of forty dollars (\$40.00). (Ord. No.260, Sec. 2, 7/1/78)

Section 90. Inspections.

Prior to occupancy of any manufactured home placed upon a manufactured home space after the effective date of this section, the Building Inspector shall inspect said manufactured home for required seals, support system, proper installation, anchoring system if same is provided, water connections, sanitary sewer connection, electrical connection and observe a gas

line pressure test if said home employs the use of gas. It shall be the obligation of the homeowner to obtain the services of a qualified person to administer the gas line pressure test and to arrange said test to be made at such time as the Building Inspector is available to observe same. (Ord. No.260, Sec. 3, 7/1/78)

Sections 91 through 100. Reserved.

DIVISION 5. NOTICES AND HEARINGS

Section 101. Authority to issue notices.

Whenever the Building Inspector determines that there are reasonable grounds to believe that there has been a violation of any provision of this article, or of any regulation adopted pursuant thereto, he shall give notice of such alleged violation to the person to whom the permit was issued. (Ord. No.192, r- Sec. 9.1, 2/10/70)

Section 102. Contents of this notice.

The notice authorization by this division shall:

(a) Be in writing;

(b) Include a statement of the reasons for its issuance:

(c) Allow a reasonable time for the performance of any act it requires;

(d) Be served upon the owner or his agent as the case may require; provided however that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been sent by registered mail to his last known address; or when he has been served with such notice by any other method authorized or required by the laws of this State; and

(e) Contain an outline of remedial action, which, if taken, will effect compliance with the provision of this article and with regulations adopted pursuant thereto. (Ord. No.192, Sec. 9.1, 2/10/70)

Section 103. Hearing.

(a) Any person affected by any notice which has been issued in connection with the enforcement of any provisions of this article, or any regulations adopted pursuant thereto, may request and shall be granted a hearing on the matter before the Building Inspector, provided, that such person shall file in the office of the Building Inspector a written petition requesting such hearing and setting forth a brief statement of the grounds therefore within ten (10) days after the day the notice was served.

(b) The filing of the request for a hearing shall operate as a stay of the notice and of the suspension except in the case of an order issued.

(c) Upon receipt of such petition, the Building Inspector shall set a time and place for such hearing, and shall give the petitioner written notice thereof.

(d) At such hearing, the petitioner shall be given an opportunity to be heard, and to show why such notice should be modified or withdrawn.

(e) The hearing shall be commenced not later than ten (10) days after the day on which the petition was filed; provided, that upon application of the petitioner, the Building Inspector

may postpone the date of the hearing for a reasonable time beyond such ten (10) day period when in his judgment the petitioner has submitted good and sufficient reasons for such postponement. (Ord. No.192, Sec. 9.2, 2/10/70)

Section 104. Findings; issuance of an order.

After the hearing provided for in this article, the Building Inspector shall make findings as to compliance with the provisions of this article and regulations issued thereunder and shall issue an order in writing sustaining, modifying or withdrawing the notice which shall be served as provided in this division. Upon failure to comply with any order sustaining or modifying a notice, the permit of the manufactured home park affected by the order shall be revoked. (Ord. No. 192, Sec. 9.3, 02-10-70)

Section 105. Proceedings and findings to be public record; appeal of decision.

The proceedings at a hearing held pursuant to this division, including the findings and decision of the Building Inspector, and together with a copy of every notice and order related thereto shall be entered as a matter of public record in the office of the Building Inspector but the transcript of the proceedings need not be transcribed unless judicial review of the decision is sought as provided by this section. Any person aggrieved by the decision of the Building Inspector may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of this State. (Ord. No.192, Sec. 9.4, 2/10/70)

Section 106. Authority to issue emergency orders.

Whenever the Building Inspector finds that an emergency exists which requires immediate action to protect the public health, he may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as he may deem necessary to meet the emergency, including the suspension of the permit. Notwithstanding any other provisions of this division, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately but upon petition to the Building Inspector, shall be afforded a hearing as soon as possible. The provisions of Sections 117 and 118 of this chapter shall be applicable to such hearing and the order issued thereafter. (Ord. No.192, Sec. 9.5, 2/10/70)