

ORDINANCE NO. 907A

AN ORDINANCE REPEALING CHAPTER 28 OF TITLE 5 OF THE MUNICIPAL CODE OF THE CITY OF PAYETTE AND ENACTING A NEW ORDINANCE TO PROVIDE FOR THE REGULATION AND CONTROL OVER THE CONSTRUCTION, INSTALLATION AND OPERATION OF MOBILE HOME PARKS AND FACILITIES THEREON.

Be It Ordained By the Mayor and Council that Chapter 28 of Title 5 of the Municipal Code of the City of Payette be repealed and that the following be adopted and enacted as the new ordinance for the regulation and control of mobile home trailer parks:

5.28.010 DEFINITIONS: For the purposes of this Chapter, the following words and phrases shall have the meaning ascribed to them in this Section:

"Building Inspector" shall mean the legally designated building inspector of the City of Payette, Payette County, Idaho or his authorized representative, or the City Council.

"Driveway" means a minor private way used by vehicles and pedestrians on a mobile home lot or use for common access to a small group of lots or facilities.

"Permit or License" shall mean a written permit issued by the City Council permitting the trailer court to operate under this Chapter, and shall include, extensions, alterations and constructions within the mobile home park.

"Mobile Home" means a manufactured transportable, single-family dwelling unit suitable for year-round occupancy and containing water supply, waste disposal and electrical conveniences and so designed that it is or may be mounted on wheels and used as a conveyance on highways or city streets, propelled or drawn by its own or other motive power.

"Trailer Court or Mobile Home Park" shall mean any plot of ground upon which two (2) or more trailer coaches, occupied for dwelling or sleeping purposes are located and is owned by an individual, a firm, trust, partnership, public or private association or corporation.

"Mobile Home Lot or Trailer Coach Space" shall mean a plot of ground within a trailer court or mobile home park designated for accommodation of one single trailer coach or mobile home and for the exclusive use of its occupants.

"Dependent Trailer Coach or Mobile Home" shall mean a trailer coach or mobile home which does not have a toilet and a bathtub or shower.

"Independent Trailer Coach or Mobile Home" shall mean a trailer coach or mobile home that has a toilet and a bathtub or shower.

"Trailer" See Mobile Home.

"Trailer Park" See Mobile Home Park or Trailer Court.

"Mobile Home Stand Pad" shall mean that part of an individual lot which has been reserved for the placement of one mobile home unit.

"Park Management" shall mean the person or persons who owns or has charge, care or control of the mobile home park or trailer court.

"Park Street" shall mean a private way which affords principal means of access to individual mobile home lots or auxiliary buildings.

"Person" shall mean any individual, firm, trust, partnership, public or private association or corporation.

"Service Building" shall mean a building housing toilet facilities for men and women, with slop-water closet and laundry facilities and with separate bath or shower accommodations and such other facilities as may be required under this Chapter.

"Sewer Connection" shall mean the connection consisting of all pipes, fittings and appurtenances from the drain outlet of the mobile home to the inlet of the corresponding sewer riser pipe of the sewerage system serving the mobile home park.

"Sewer Riser Pipe" shall mean that portion of the sewer lateral which extends vertically to the ground elevation and terminates at each mobile home lot.

"Private Streets" shall mean a street or roadway that is on private property, but allows access to the park and areas within the park. Private streets shall be maintained by the owner.

"Water connection" shall mean the connection consisting of all pipes, fittings and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within the mobile home.

"Water Riser Pipe" shall mean that portion of the water supply system serving the mobile home park which extends vertically to the ground elevation and terminates at a designated point at each mobile home lot.

5.28.020 PERMITS:

5.28.021 It shall be unlawful for any person to construct, alter, extend or operate any mobile home park within the limits of the City of Payette, Payette County, Idaho, unless he holds a valid permit issued by the City Clerk issued annually, in the name of such person for the specific construction, alteration or extension proposed.

(A) Trailer courts may be allowed in Residential Zone A or Residential Zone B as designated in the City by special permit of the Planning Commission and the City Council after public hearing and showing to the satisfaction of the Planning Commission that such action will be compatible to the overall development of the area where the trailer court is proposed to be constructed and will be in accordance with the general purposes of the zoning ordinances of the city and providing that before a permit is issued by the Commission there shall be on file in the office of the Clerk, the written consent of the owners of seventy five percent (75%) of the area of all the property within the boundary line of an area determined by the intersection of lines drawn three hundred feet (300') at right angles out from and parallel to all sides of the tract whereupon such trailer court is to be erected or occupied, or property zoned for this specific purpose after a public hearing.

Where dedicated street rights-of-way are encountered they shall be included in establishing the three hundred foot (300') boundary line around the tract but further they shall not be included in any area calculation.

For a property that is partially within the boundary and partially outside the boundary, only that area within the prescribed three hundred foot (300') boundary is to be included in the percentage of area analysis.

The method as outlined herein, for establishing the three hundred foot (300') boundary line applies for all the tracts of land whether they be rectangular, curvilinear and irregular and furthermore the exterior boundary line may be rectangular, curvilinear and irregular, and will not necessarily be in conformity with any surrounding lot, block and/or property lines.

(B) In any area of the City regardless of the zoning designation, each boundary of any trailer court as defined in this Chapter must be at least two hundred feet (200') from the foundation of any permanent residential building located outside the trailer court unless the trailer court is separate from such permanent residential building by a natural or artificial barrier that meets the approval of the City Council or unless seventy five percent (75%) or more of the property owners of the residential buildings in the area within the said two hundred feet (200') from such trailer court gave consent thereto by a formal petition filed with the Planning Commission and City Council.

5.28.022 It is not necessary to file a complete plan when applying for an annual renewal permit provided there are not to be any remodeling or alterations done.

5.28.023 All applications for new permits shall contain the following:

- (A) Name and address of applicant.
- (B) Location and legal description of the mobile home park.
- (C) Complete engineering plans and specifications of the proposed park showing, but not limited to the following:
 1. The area and dimensions of the tract of land;
 2. The number, location and size of all mobile home lots;
 3. The location, and width of roadways and walkways;
 4. The location of water and sewer lines, riser pipes, electric cable and service, and irrigation lines and conduits.
 5. Plans and specifications of the water supply and refuse and sewer disposal facilities;
 6. Plans and specifications of all buildings constructed or to be constructed within the mobile home park;
 7. The location and details of lighting and electrical systems;
 8. All plans and specifications to indicate distances, depths, setbacks, and separations;
 9. Double frontage lots backing on streets shall be prohibited from using exterior roadway as entrance or exit purposes;
 10. All lot dimensions are to be shown on all lot lines;
 11. Radii at curbs, at street intersections, at lot corners should be rounded with minimum 20' radius;
 12. Exterior boundaries of plat drawings must be tied to at least two County or City monuments;
 13. All lots are to be numbered by progressive numbers in each block separately;

5.28.024 When upon review of the application by the City Planning commission and the City Council is satisfied that the proposed plan meets the requirements of this Chapter, a permit shall be issued. Said permit can be transferred only upon the approval of the City Council.

5.28.030 PERMIT (MOBILE HOMES):

5.28.031 It shall be unlawful for any person to operate any mobile home park within the limits of the City of Payette unless he holds a valid permit by the City Clerk in the name of such person for the specific mobile home park. All applications for permits shall be made to the City Council, who shall issue a permit upon compliance by the applicant with the provisions of this Chapter.

5.28.032 Every person holding a permit shall give notice in writing to the City Council within twenty four (24) hours after having sold, transferred, given away, leased or otherwise disposed of interest in or control of any mobile home park. Such notice shall include the name and address of the person succeeding to the ownership or control of such mobile home park. Upon application in writing for transfer of the permit, the permit shall be transferred if the mobile home park is in compliance with all applicable provisions of this Chapter.

5.28.033

(A) Application for original permit shall be in writing, signed by the applicant, accompanied by an affidavit of the applicant as to the truth of the application and by the deposit of a fee of ten dollars (\$10.00) and shall contain: The name and address of the applicant; the location and legal description of the mobile home park; and a site plan of the mobile home park showing all mobile home lots, structures, roads, walkways and other service facilities.

1. One tentative plat shall be drawn to a scale of one inch (1") to fifty feet (50') or larger, to accompany application.

(B) Applications for renewals of permits shall be made in writing by the holders of the permit shall be accompanied by the deposit of a fee of ten dollars (\$10.00) and shall contain any change in the information submitted since the original permit was issued or the latest renewal granted.

5.28.034 Any person whose application for a permit under this Chapter has been denied may request and shall be granted a hearing on the matter before the City Council under the procedure provided by Section 5.28.050 of this Chapter.

5.28.035 Whenever, upon inspection of any mobile home park, the building inspector finds that conditions or practices exist which are in violation of any provisions of this Chapter, the building inspector shall give notice in writing in accordance with Section 5.28.050 to the person to whom the permit was issued that unless such conditions or practices are corrected within a reasonable period of time specified in the notice by the building inspector, the permit shall be suspended. At the end of such period, the building inspector shall re-inspect such mobile home park and, if such conditions or practices have not been corrected, he shall suspend the permit and give notice in writing of such suspension to the person to whom the permit is issued. Upon receipt of notice of such suspension, such person shall cease operation of such mobile home park except as provided in Section 5.28.050.

5.28.040 INSPECTION OF MOBILE HOME PARKS:

5.28.041 The building inspector is hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this Chapter.

5.28.042 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 Chapter.

5.28.043 The building inspector shall have the power to inspect the register containing a record of all residents of the mobile home park. The management shall maintain an up-to-date daily register of all occupants.

5.28.044 It shall be the duty of the park management to give the building inspector free access to all lots at reasonable times for the purpose of inspection.

5.28.045 It shall be the duty of every occupant of a mobile home park to give the owner thereof or his agent or employee access to any part of such mobile home park at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this Chapter.

5.28.050 NOTICES, HEARINGS AND ORDERS:

5.28.050 Whenever the City Council determines that there are reasonable grounds to believe that there has been a violation of any provision of this Chapter, they shall give notice of such alleged violation to the person to whom the permit was issued, as hereinafter provided.

Such notice shall:

- (A) Be put in writing;
- (B) Include a statement of the reasons for its issuance;
- (C) Be served upon the owner or his agent as the case may require; provided: 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 a copy thereof has been posted in a conspicuous place in or about the dwelling affected by the notice, or when he has been served with such notice by any method authorized or required by the laws of this State;
- (D) Allow a reasonable time for the performance of any act it requires;
- (E) Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Chapter and with regulations adopted pursuant thereto.

5.28.052 Any person affected by any notice which has been issued in connection with the enforcement of any provision of this Chapter, may request and shall be granted a hearing on the matter before the City Council; provided that such person shall file in the office of the City Clerk a written petition requesting such hearing and setting forth a brief statement of the grounds therefor within ten (10) days after the day the notice was served. The filing of the request for a hearing shall operate as a stay of the notice and the suspension except in the case of an order issued under Section 5.28.055. Upon receipt of such petition, the City Council shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn. 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 City Council may postpone the date of the hearing for a reasonable time beyond such ten (10) day period when in its judgment the petitioner has submitted good and sufficient reasons for such postponement.

5.28.053 After such hearing, the City Council shall sustain, modify or withdraw the notice, depending upon its findings as to compliance or noncompliance with the provisions of this Chapter and of regulations adopted pursuant thereto. If the City Council should sustain or modify such notice, it shall be deemed to be an order. Any notice served pursuant to Section 5.28.051(C) of this Chapter shall automatically become an order if a written petition for a hearing shall not have been filed in the office of the City Clerk within ten (10) days after such notice was served. After a hearing in

the case of any notice suspending any permit required by this Chapter, or by any regulation adopted pursuant thereto, when such notice shall have been sustained by the City Council, the permit shall be deemed to have been revoked. Any such permit which shall have been suspended by a notice shall be deemed to be automatically revoked if a petition for hearing shall not have been filed in the office of the City Clerk within ten (10) days after such notice was served.

5.28.054 The proceedings at such a hearing, including the findings and decision of the City Council, 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 City Clerk 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 City Council may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of this State.

5.28.055 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 or license. Notwithstanding any other provisions of this Chapter, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately, but upon petition to the City Council shall be afforded a hearing as soon as possible. The provisions of Section 5.28.053 and 5.28.054 shall be applicable to such hearing and the order issued thereafter.

5.28.060 EXEMPTIONS: It shall be unlawful for any person to park any house trailer on any street, alley or highway or other public place or any tract of land owned by any person, firm or corporation occupied or unoccupied, except as provided in this Chapter.

5.28.061 Where the City Council finds that compliance with provisions of this Chapter would result in undue hardship, an exemption may be granted by the City Council without impairing the intent and purpose of this Chapter. Deviations from design, construction and installation provisions shall be brought into compliance with this Chapter within a reasonable period of time based on economic feasibility of improvement, nature, significance and extent of deviation, depreciation of material, improvement and layout in use and other similar factors; within a minimum period not exceeding six (6) months and a maximum period not exceeding one year.

- (A) Any change of ownership or discontinuance of residential use of any lot now used for residential purposes by a mobile home for a period of thirty (30) days shall result in a voidance of any permitted use of trailer houses outside of a trailer park according to 5.28.170.
- (B) Emergency or temporary stopping or parking shall be permitted for not more than three (3) hours and subject to any other limitations imposed by any other ordinance of the City of Payette.
- (C) Unoccupied mobile homes for demonstration and sales purposes and temporary construction field offices in specified areas, and unoccupied campers shall be permitted.
- (D) The storage of any unoccupied and uninhabited mobile home shall be permitted in the side or rear yard of any premises; provided, that it does not extend into any setback area, not shall it be connected to sewer, water, electricity or gas, and that such storage is not in conflict with any other Section of this Chapter or any other regulation of Payette County or the City of Payette.

5.28.062 Such period shall begin after the building inspector has given notice of a certain and specific deviation from this Chapter to the person to whom the permit or certification was issued.

- 5.28.063 Gradual improvements to a higher degree of conformity shall be permissive provided that there shall be complete conformity at the end of a period prescribed by the City Council.
- 5.28.070 ENVIRONMENTAL, OPEN SPACE AND ACCESS REQUIREMENTS:
- 5.28.071 General requirements shall be that the condition of soil, ground water level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors or other adverse influences, and no portion subject to unpredictable and/or sudden flooding, subsidence or erosion shall be used for any purpose which would expose persons or property to hazards.
- 5.28.072 Soil and ground cover requirements shall be that the exposed ground surfaces in all parts of every mobile home park shall be paved, or covered with stone screenings, or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust.
- 5.28.073 Site drainage requirements shall be that the ground surface in all parts of every mobile home park shall be graded and equipped to drain all surface water in a safe, efficient manner, together with controlling grades and dimensions of all tile lines, culverts, catch basins, drain inlets, turf and masonry gutters and curbs, final drainage disposal including any existing facilities to be used.
- 5.28.074 Park areas for nonresident uses:
- (A) No part of any park shall be used for nonresidential purposes, except such uses that are required for the direct servicing and well being of park residents and for the management and maintenance of the park.
 - (B) Nothing contained in this Section shall be deemed as prohibiting the sale of a mobile home located on a mobile home stand and connected to the pertinent utilities.
- 5.28.075 Required separation between mobile homes:
- (A) Mobile homes shall be separated from each other and from other buildings and structures by at least fifteen feet (15'); provided that mobile homes placed end to end shall have a clearance of fifteen feet (15') where opposing rear walls are staggered.
 - (B) An accessory structure such as an awning, cabana, storage cabinet, carport, windbreak and porch which has a floor area exceeding twenty five (25) square feet shall for purposes of all separation requirements be considered to be part of the mobile home.
- 5.28.076 Required recreation areas:
- (A) In all parks accommodating or designed to accommodate twenty five (25) or more mobile homes there shall be one or more recreation areas which shall be easily accessible to all park residents.
 - (B) The size of such recreation areas shall be based upon a minimum of one hundred (100) square feet for each lot. No outdoor recreation area shall contain less than two thousand five hundred (2,500) square feet.
 - (C) Recreation areas shall be so located as to be free of traffic hazards, and should, where the topography permits, be centrally located.
- 5.28.077 Required setbacks, buffer strips and screening:

- (A) All mobile homes shall be located at least twenty five feet (25') in back of curb from any park property boundary line abutting upon a public street or highway.
- (B) There shall be a minimum distance of five feet (5') between the mobile home stand and abutting park street.
- (C) All mobile home parks shall be provided with screening such as fences or natural growth along the property boundary line separating the park and such adjacent nonresidential uses.

5.28.078 Park street system and car parking:

- (A) General Requirements: All mobile home parks shall be provided with safe and convenient vehicular access from abutting public streets or roads to each mobile home lot. Such access shall be provided by streets or private streets.
- (B) Park Entrance: Entrances to mobile home parks shall be designed to minimize congestion and hazards and allow free movement of traffic on adjacent streets. No parking shall be permitted on the park entrance street for a distance of one hundred feet (100') from its point of beginning, unless approved by the City Council.
- (C) Internal Streets: Surfaced roadways shall be of adequate width to accomodate anticipated traffic, and in any case shall meet the following minimum requirements:
 - 1. All streets except minor streets -- thirty six feet (36') (curb face to curb face).
 - 2. Minor streets -- thirty two feet (32') (curb face to curb face).
 - 3. Dead-end streets shall be limited in length to four hundred fifty feet (450') and shall be provided at the closed end with a turn-around having an outside roadway diameter of at least eighty feet (80') curb face to curb face and a street property line diameter of at least ninety feet (90').
 - 4. Streets shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at less than eighty degrees (80°).
- (D) Trailer Parking:
 - 1. It shall be illegal to park a trailer coach less than fifteen feet (15') from any street or highway right-of-way, or so that any part of such trailer will obstruct any roadway or walkway.
 - 2. It shall be illegal to allow any trailer coach to remain in a trailer court unless a trailer coach space is available.
 - 3. Each trailer coach space shall contain a minimum of either of the following: single unit, two thousand four hundred (2,400) square feet; double unit, three thousand six hundred (3,600) square feet, shall be at least thirty feet (30') in width, and shall be at least eighty feet (80') in length; or large enough to accomodate the size trailer coach so placed that no part of the trailer coach will extend beyond the limits set forth in this Chapter. Each trailer coach shall be placed as to provide the necessary clearance as provided in this Chapter.
 - 4. Each trailer coach space in any trailer court shall be provided with an asphalt or concrete paved area of at least one hundred eighty (180) square feet at the entrance way into the trailer coach itself.

5. No trailer shall be placed on too small a lot.
 6. No trailer shall be placed on any lot in such a manner as to encroach beyond the setback provisions of this Chapter.
- (E) Car Parking: Off-street parking areas or on-street parking lanes shall be provided for the use of park occupants and guests.
1. Off-street parking shall be provided at the rate of two (2) car spaces for each mobile home lot. On-street parking shall be provided at the rate of two (2) car spaces for each mobile home lot.
 2. Off-street parking shall be located within a distance of thirty feet (30') from the mobile home to be served, unless other vehicular access is provided.
- (F) Required Illumination of Park Street Systems: All parks shall be furnished with lighting units so spaced and equipped with luminaries placed at such mounting heights as will provide adequate levels of illumination for the safe movement of pedestrians and vehicles at night at:
1. All parts of the park street systems.
 2. Potentially hazardous locations, such as major street intersections and steps or stepped ramps.
- (G) Street constructions and design standards shall conform to minimum standards of City Codes, in addition to the following standards:
1. Pavements: All streets shall be provided with a smooth, hard and dense surface which shall be durable and well drained under normal use and weather conditions. Pavement edges shall be protected to prevent raveling of the wearing surface and shifting of the pavement base. Street surfaces shall be maintained free of cracks, holes, and other hazards set forth in the Municipal Code.
 2. Grades shall conform to the minimum standards of the City Code. Grades of all streets shall be sufficient to insure adequate surface drainage, but shall be more than minimum street grade of 0.3% with a maximum grade being 7.0% for secondary and major streets and 10.0% for local or minor streets. Where the observance of these standards is impossible, the City Council shall review the situation before an exception may be granted.
 3. Intersections: Within one hundred feet (100') of an intersection, streets shall be at approximately right angles; a distance of at least one hundred twenty five feet (125') shall be maintained between center lines of offset intersecting streets, intersections of more than two (2) streets at one point shall be avoided.
- (H) Fences; Location, Height and Density: In any yard adjacent to a street and within ten feet (10') from the curb line to such street, fences, walls and hedges may be up to forty eight inches (48") in height, when that portion of the fence above twenty four inches (24") is at least seventy five percent (75%) open when measured at ninety degrees (90°) to the fence. Fences located in a yard area other than above described may be up to seven feet (7') in height.
- (I) Measurements of Height of Fences: All fences along a roadway will be measured from and along the sidewalk, or if no sidewalk exists, from and along the curb. All other fences will be measured from and along the finished grade of the property along the fence.

(J) Fences; Use of Hazardous Materials: Fences shall not be constructed of or contain any material which will do bodily harm, such as barbed wire, electric wires, broken glass, spikes and any other hazardous or dangerous material.

→ 5.28.079 Walks:

- (A) General Requirements: All parks shall be provided with safe, convenient, all season pedestrian access of adequate width for intended use, durable and convenient to maintain. Sudden changes in alignment and gradients shall be avoided.
- (B) Common Walk System: A common walk system shall be provided and maintained between locations where a pedestrian traffic is concentrated. Such common walk shall have a minimum width of three feet (3') and shall be constructed of concrete.
- (C) Individual Walks: All mobile home stands shall be connected to common walks, to paved streets or to paved driveways or to parking spaces connecting to a paved street. Such individual walks shall have a minimum width of three feet (3').

5.28.080 Mobile Home Stands: The area of the mobile home stand shall be improved to provide adequate support for the placement and tie-down of the mobile home, thereby securing the superstructure against uplift, sliding, rotation and overturning.

- (A) The mobile home stand shall not heave, shift or settle unevenly under the weight of the mobile home due to frost action, inadequate drainage, vibration or other forces acting on the structure.

5.28.090 WATER SUPPLY:

5.28.091 General Requirements: An accessible, adequate, safe and potable supply of water of satisfactory quantity, quality, and pressure shall be available at the site or at the boundary of the site; connection shall be made thereto and its supply used exclusively.

5.28.092 Source of Supply:

- (A) The park shall be connected to the City Water system.
- (B) Each trailer shall have a water meter to meter the water supplied to it.

5.28.093 Water Distribution System:

- (A) The water supply system of the mobile home park shall be connected by pipes to all mobile homes, buildings and other facilities requiring water.
- (B) All water piping, fixtures and other equipment shall be constructed and maintained in accordance with State and Local regulations, approved by the City Council and shall be of a type and in locations approved by the City Engineer.
- (C) The water piping system shall not be connected with non potable or questionable water supplied and shall be protected against the hazards of backflow or back siphonage.
- (D) The system shall be so designed and maintained as to provide a pressure of not less than twenty (20) pounds per square inch, under normal operating conditions at service buildings and other locations requiring potable water supply, and be of the size required by the City of Payette.

- (E) Fire hydrants shall be required to maintain safe standards of fire protection and shall not be more than five hundred feet (500') from any trailer stand.

5.28.094 Individual water Riser Pipes and Connections:

- (A) Individual water riser pipes shall be located within the confined area of the mobile home stand at a point where the water connection will approximate a vertical position.
- (B) Water riser pipes shall extend at least four inches (4") above ground elevation. The pipe shall be at least three-quarter inch (3/4"). The water outlet shall be capped when a mobile home does not occupy the lot.
- (C) Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipes, and to protect risers from heaving and thawing actions of ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.
- (D) A shut off valve below the frost line shall be provided near the water riser pipe on each mobile home lot.
- (E) Underground stop and waste valves shall not be installed on any water service.

5.28.100 SEWAGE DISPOSAL

5.28.101 General Requirements: All plumbing in the trailer court shall comply with State and Local plumbing laws and regulations and must connect to the public sewer of the City and shall conform to all rules and regulations of the City.

5.28.102 All sewer lines shall be located in trenches of sufficient depth to be free of breakage from traffic or other movements and shall be separated from the park water supply system at a safe distance. Sewers shall be at a grade which will insure a velocity of two feet (2') per second when flowing full. All sewer lines shall be constructed of materials approved by the City, shall be adequately vented and shall have water-tight joints.

5.28.103 Individual Sewer Connections:

- (A) Each mobile home stand shall be provided with at least a three inch (3") diameter sewer riser pipe; the sewer riser pipe shall be so located on each stand that the sewer connection to the mobile home drain outlet will approximate a vertical position.
- (B) The sewer connection (see definition) shall have a minimum fall of one-fourth inch (1/4") per foot. The sewer connection shall consist of one pipe line only without any branch fittings. All joints shall be water tight.
- (C) All materials used for sewer connections shall be semi-rigid, corrosive resistant, nonabsorbent and durable. The inner surface shall be smooth.
- (D) Provision shall be made for plugging the sewer riser pipe when a mobile home does not occupy the lot. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least four inches (4") above ground elevation.

5.28.104 Sewage Treatment and/or Discharge: Effluents from sewage or sewage treatment shall not be discharged into any waters of the State except with prior approval of the City including the County and State Health Departments.

- 5.28.105 Plumbing General Requirements: All plumbing within each trailer or mobile home shall conform to the minimum standards of the State and Local regulations and laws. All plumbing within the trailer park shall comply with State and Local plumbing standards of the State and Local regulations and laws, as well as those of the City of Payette.
- 5.28.110 ELECTRICAL DISTRIBUTION SYSTEM:
- 5.28.111 General Requirements: Every park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances which shall be installed and maintained in accordance with applicable codes and regulations governing such systems.
- 5.28.112 Power Distribution Lines:
- (A) Main power lines shall be installed underground and must comply with all Local and State requirements.
- (B) All direct burial conductors or cable shall comply with all State and local regulations, with a minimum buried distance of eighteen inches (18") below the ground surface, and specially designed for the purpose. Such conductors shall be located not less than a three foot (3') radial distance from water, sewer, gas or communication lines.
- 5.28.113 Individual Electrical Connections: Individual electrical connections shall conform to the requirements of the Electrical Codes of the City of Payette and the State of Idaho.
- 5.28.114 Required Grounding: All exposed non-current carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved grounding conductor with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for mobile homes or other equipment.
- 5.28.120 SERVICE BUILDING AND OTHER COMMUNITY SERVICE FACILITIES:
- 5.28.121 General: The requirements of this Section shall apply to service buildings, recreation buildings and other community service facilities such as:
- (A) Management offices, repair shops and storage areas;
- (B) Sanitary facilities;
- (C) Laundry facilities;
- (D) Indoor recreation areas;
- (E) Commercial uses supplying essential goods or services for the exclusive use of park occupants.
- 5.28.122 Service Buildings: Every trailer court that accepts or accommodates dependent trailer coaches shall provide adequate flush type toilet fixtures and laundry facilities. In no instance shall there be less than one water closet, one lavatory, and one shower or bathtub for men; one water closet, one lavatory, and one shower or bathtub for women, and one laundry unit. The foregoing listed facilities shall be provided for every ten (10) additional dependent trailer coaches. Dependent trailer coaches shall be parked not more than two hundred feet (200') from the service buildings. There shall be one laundry tray for every twenty (20) dependent trailer coach spaces.

5.28.123 Structural Requirements for Buildings:

- (A) Structures shall conform to all rules and regulations of the State codes and codes of the City of Payette. All portions of the structure shall be properly protected from destructive elements. Exterior portions shall be of such materials and be so constructed and protected as to prevent entrance or penetration of moisture and weather.
- (B) All rooms containing sanitary or laundry facilities shall have:
 - 1. Sound resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions around showers, bathtubs, lavatories and other plumbing fixtures shall be constructed of dense non-absorbent, waterproof material or covered with moisture resistant material.
 - 2. At least one window or skylight facing directly to the outdoors. The minimum aggregate gross area of windows for each required room shall be not less than ten percent (10%) of floor space served by them. Such openings shall be adequately screened.
 - 3. At least one window which can be easily opened, or a mechanical device which will adequately ventilate the room, such opening or openings shall be adequately screened, to prevent access by insects.
- (C) Toilets shall be located in separate compartments equipped with self-closing doors. Shower stalls shall be of the individual type. The rooms shall be screened, to prevent direct view of the interior when the exterior doors are open.
- (D) Illumination levels shall be maintained as follows:
 - 1. General seeing tasks, five foot (5') candles;
 - 2. Laundry room work area, forty foot (40') candles;
 - 3. Toilet room, in front of mirrors, forty foot (40') candles.
- (E) Hot and cold water shall be furnished to every lavatory, sink, bathrub, shower and laundry fixtures, and cold water shall be furnished to every water closet and urinal.
- (F) Sanitary and laundry facilities shall have adequate heating facilities to maintain a temperature of seventy degrees (70^o) Fahrenheit during cold weather, and shall have the ability to supply a minimum of three (3) gallons of hot water per hour per coach space during time of peak demand.

5.28.124 Barbeque pits, Fireplaces, Stoves and Incinerators: Cooking shelters, stoves, barbeque pits, fireplaces and incinerators shall be so located, constructed, maintained and used as to minimize fire hazards and smoke nuisance both on the property on which used and on neighboring property. No open fire shall be permitted except in facilities provided. No open fire shall be left unattended. No fuel shall be used, and no material burned which emits dense smoke or objectionable odors.

5.28.130 REFUSE HANDLING:

5.28.131 The storage, collection and disposal of refuse in the mobile home park shall be so conducted as to create none of the following: health hazards, rodent harborage, insect breeding areas, accidents, fire hazards, or air pollution.

- 5.28.132 All refuse shall be stored in fly-tight, water-tight, rodent-proof containers, which shall be located not more than one hundred fifty feet (150') from any mobile home lot. Containers shall be provided in sufficient number and capacity to properly store all refuse and shall conform to the State and local minimum standards, under the health authority.
- 5.29.133 Refuse collection stands shall be provided for all refuse containers. Such container stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration, and to facilitate cleaning around them or as set forth by State and local trash collection regulations.
- 5.28.134 All refuse containing garbage shall be collected in accordance with City of Payette Codes. All refuse shall be collected and transported in covered vehicles or covered containers, according to City Code.
- 5.28.135 Trash incinerators shall not be used for the disposal of garbage and trash.
- 5.28.140 INSECT AND RODENT CONTROL:
- 5.28.141 Grounds, buildings and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and measures to control insects and rodents shall conform with requirements of the health authority.
- 5.28.142 Parks shall be maintained free of accumulations of debris which may provide rodent harborage or breeding places for flies, mosquitoes and other pests.
- 5.28.143 Storage areas shall be so maintained as to prevent rodent harborage; lumber, pipe and other building material shall be stored at least one foot (1') above the ground.
- 5.28.144 Where the potential for insect and rodent infestation exists, all exterior openings in or beneath any structure shall be appropriately screened with wire mesh or other suitable materials.
- 5.28.145 The growth of brush, weeds and grass shall be controlled to prevent harborage of noxious insects. Parks shall be so maintained as to prevent the growth of noxious and unsightly weeds, or those which could be injurious to health. Open areas as well as areas about and under the trailer home shall be maintained free of heavy undergrowth of any description.
- 5.28.150 FUEL SUPPLY AND STORAGE:
- 5.28.151 Natural Gas System:
- (A) Natural gas piping systems shall be installed and maintained in accordance with applicable codes and regulations governing such systems.
- (B) Each mobile home lot provided with piped gas shall have an approved manual shutoff valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.
- 5.28.152 Liquefied Petroleum Gas Systems:
- (A) In the event of the use of liquefied petroleum gas systems, they shall be installed and maintained in accordance with applicable codes and regulations governing such systems.

- (B) The systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.
- (C) The systems shall have at least one accessible means for shutting off gas. Such means shall be located outside the mobile homes and shall be maintained in effective operating condition.
- (D) All LPG piping outside of the mobile homes shall be well supported and protected against mechanical injury. Undiluted liquefied petroleum gas in liquid form shall not be conveyed through piping equipment and systems in mobile homes.
- (E) Liquefied petroleum gas containers installed on a mobile home lot shall be securely, but not permanently, fastened to prevent accidental overturning. Such containers shall not be less than five (5), nor more than two hundred (200) U.S. gallons gross capacity.
- (F) No liquefied petroleum gas vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile home or any other structure, unless such installations are approved by the City Council and placed fifteen feet (15') or more from any adjacent lot line.

5.28.153 Fuel Oil Supply Systems:

- (A) In the event of the use of fuel oil supply systems, they shall be installed and maintained in accordance with applicable codes and regulations governing such systems.
- (B) All piping from outside fuel storage tanks, or cylinders, to mobile homes shall be permanently installed and securely fastened in place.
- (C) All fuel oil storage tanks or cylinders shall be securely fastened in place and shall not be located inside or beneath any mobile home or less than five feet (5') from any mobile home exit.
- (D) Storage tanks located in areas subject to traffic shall be protected against physical damage.

5.28.160 FIRE PROTECTION:

- 5.28.161 Mobile Home parks shall be kept free of litter, rubbish and other flammable materials.
- 5.28.162 Portable fire extinguishers rated for classes B and C fires shall be kept in service buildings. Their capacity shall not be less than two and one-half (2½) pounds.
- 5.28.163 Fires shall be made only in stoves, and other equipment intended for such purposes.
- 5.28.164 Fire hydrants shall be located within five hundred feet (500') of any mobile home, service building or other structure in the park, measured along center line of street. The park area shall be subject to the City of Payette Fire Prevention Codes and Authority.

5.28.170 MISCELLANEOUS REQUIREMENTS:

5.28.171 Responsibilities of the Park Management:

- (A) The person to whom a permit for a mobile home park is issued shall operate the park in compliance with this Chapter and shall provide adequate supervision to maintain the park, its facilities, and equipment in good repair, and in a clean and sanitary condition.

- (B) The park management shall notify park occupants of all applicable provisions of this Chapter and inform them of their duties and responsibilities under this Chapter.
- (C) The park management shall supervise the placement of each mobile home on its mobile home stand.
- (D) The park management shall maintain a register containing the names of all park occupants identified by lot number or street address; such register shall be available to any authorized person inspecting the park.
- (E) The park management shall notify the City Clerk immediately of any suspected communicable or contagious disease within the park.
- (F) The owner or operator of a trailer court may construct an individual auxiliary storage building on each trailer coach space in the trailer park; provided, the building has a minimum setback of five feet (5') from adjacent trailer coach spaces; and has a minimum setback of fifteen feet (15') from any public street or highway right-of-way.

5.28.172 Responsibilities of Park Occupants:

- (A) The park occupant shall comply with all applicable requirements of this Chapter, and shall maintain his mobile home lot, its facilities and equipment in good repair, and in a clean and sanitary condition.
- (B) The park occupant shall be responsible for proper placement of his mobile home on its mobile home stand and proper installation of all utility connections in accordance with the instructions of the park management, and ordinances and regulations of the City of Payette.
- (C) Pets, if permitted in the park, shall be prohibited to run at large or to commit any nuisance within the limits of any mobile home lot. Ordinances of the City shall be complied with.
- (D) Skirting, porches, awnings and other additions may be installed only if permitted and approved by the park management. When installed, they shall be maintained in good repair. The space immediately underneath a mobile home shall be used for storage only if permitted by the park management. If permitted, the following conditions shall be satisfied:
 1. The storage area shall be provided with a base of impervious material.
 2. Stored items shall be located so as not to interfere with the underneath inspection of the mobile home.
 3. The storage area shall be enclosed by skirting.
- (E) The park occupant shall store and dispose of all his rubbish and garbage in a clean, sanitary and safe manner. The garbage container shall be rodent-proof, insect-proof and water-tight, in conformance with City Codes.
- (F) First aid fire extinguishers for class B and C fires shall be kept at the premises and maintained in working condition.
- (G) Prefabricated structures intended for habitation, or mobile homes or trailers from which the wheels have been removed, and placed on any lot or parcel of land shall be subject to all the building codes, electrical codes, plumbing codes and sewer code requirements. Any deficiencies shall prohibit the placement on any lot, parcel or mobile home court within the limits of the City.

5.28.180 PENALTIES: Any person who violates any provision of this Chapter shall upon conviction be punished by a fine of not less than ten dollars (\$10.00) nor more than three hundred dollars (\$300.00); and each day's failure to compliance with any such provision shall constitute a separate violation.

5.28.190 CONFLICT OF ORDINANCES: Effect of Partial Invalidity.

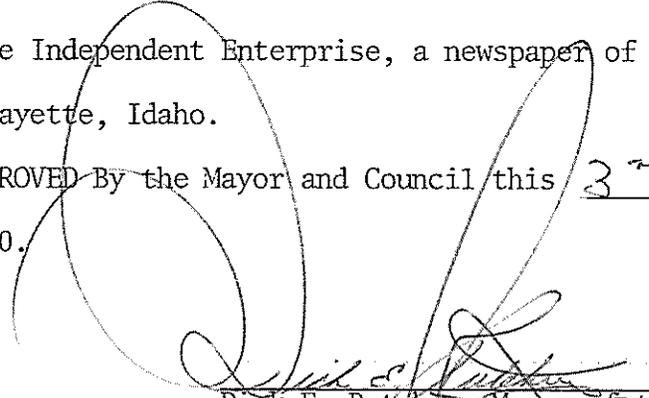
5.28.191 In any case where a provision of this Chapter is found to be in conflict with a provision of any other Ordinance or Code of the City of Payette existing on the effective date of this Chapter, the provision which, in the judgment of the City Council, establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case where a provision of this Chapter is found to be in conflict with a provision of any other Ordinance or Code of the City existing on the effective date of this Chapter which establishes a lower standard for the promotion and protection of the health and safety of the people, the provisions of this Chapter shall be deemed to prevail, and such other Ordinances or Codes are hereby declared to be repealed to the extent that they may be found in conflict with this Chapter.

5.28.192 If any section, subsection, paragraph, sentence, clause, or phrase of this Chapter should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Chapter which shall remain in full force and effect; and to this end the provisions of this Chapter are hereby declared to be severable.

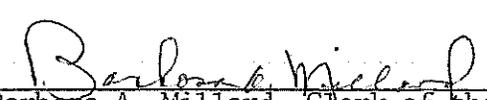
5.28.200 EFFECTIVE DATE: This Chapter shall be effective on and after the 10th day of MARCH, 1980.

That this Ordinance shall take effect and be in force from and after its publication in the Independent Enterprise, a newspaper of general circulation in the City of Payette, Idaho.

PASSED and APPROVED By the Mayor and Council this 3rd day of March, 1980.


Dick E. Butcher, Mayor of the City of Payette, Idaho

ATTEST:


Barbara A. Millard, Clerk of the City of Payette, Idaho

ORDINANCE NO. 907

AN ORDINANCE REPEALING CHAPTER 28 OF TITLE 5 OF THE MUNICIPAL CODE OF THE CITY OF PAYETTE AND ENACTING A NEW ORDINANCE TO PROVIDE FOR THE REGULATION AND CONTROL OVER THE CONSTRUCTION, INSTALLATION AND OPERATION OF MOBILE HOME PARKS AND FACILITIES THEREON.

THE FOLLOWING IS A SUMMARY OF THE ORDINANCE. The full text of the Ordinance is on file in the City Clerk's Office and available for public inspection.

5.28.010: Definitions of terms in ordinance.

5.28.020 thru 5.28.035: Provides for permits to construct, alter, extend, or operate any mobile home park within the limits of City of Payette.

5.28.035 thru 5.28.045: Provides for inspection of mobile home parks as necessary to determine compliance with this Chapter.

5.28.050 thru 5.28.063: Provides for notices, hearings, orders and penalties in the event of a violation of this Chapter.

5.28.070 thru 5.28.080: Sets out regulations concerning environment, open space, and access requirements of mobile home parks.

5.28.090 thru 5.28.094: Provides for requirements of water supply within the park, and separate meters for each trailer.

5.28.100 thru 5.28.105: Provides for requirement of sewer lines and plumbing within the park.

5.28.110 thru 5.28.114: Provides for requirements of electrical distribution system within the park.

5.28.120: Provides for requirements applying to service buildings, recreation buildings and other community service facilities within the park.

5.28.130 thru 5.28.135: Requirements of storage, collection and disposal of refuse within the park.

5.28.140 thru 5.28.145: Provides for insect, rodent and weed control within the park.

5.28.150 thru 5.28.153: Requirements relating to fuel supply and storage within the park.

5.28.160: Requirements for fire protection and fire hydrants within the park.

5.28.170 thru 5.28.172: Sets out requirements for park management and park occupants.

5.28.180: Provides for penalties for violation of this ordinance.

5.28.200: Sets the effective date of this ordinance as March 10, 1980.

PASSED AND APPROVED by the Mayor and Council the 3rd day of March, 1980.

/s/ Dick E. Butcher

Dick E. Butcher, Mayor

ATTEST: /s/ Barbara A. Millard
City Clerk

I, Stephen C. Batt, City Attorney for the City of Payette, Idaho, do hereby certified that the above document is a true summary of Ordinance No. 907, and that it serves as adequate notice to the public.

Stephen C. Batt
City Attorney