

ORDINANCE NUMBER 1236

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING SECTION 5.28.192 TO ALLOW NON CONFORMING MOBILE HOMES TO BE REHABILITATED IN ACCORDANCE WITH IDAHO CODE AFTER BEING BROUGHT INTO THE CITY; SETTING A DEADLINE; REQUIRING GAS LINE PRESSURE TESTING AFTER BEING INTRODUCED INTO THE CITY; SETTING AN EFFECTIVE DATE; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER; ESTABLISHING A PENALTY; ALLOWING PUBLICATION BY SUMMARY;

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAYETTE, IDAHO;

Section 1. Section 5.28.192 of the Payette Municipal Code is hereby amended to read as follows:

5.28.192 Inspection Criteria For Housing Within the City Limits. A. All manufactured housing, modular housing, or mobile homes, being placed within the City limits of Payette, whether in a mobile home park or on any lot; shall have any and all approval stickers as required by the State of Idaho and shall have either a date of manufacture after June 15, 1976 or a certificate of rehabilitation as described by section 44-2503 Idaho Code. B. All previously owned, used, significantly altered, moved or rebuilt homes, modular homes or mobile homes moved into and placed within the City limits of Payette, shall meet all International Building Codes adopted by the City, all state electrical codes and all state plumbing codes. C. No structures shall be occupied without the approvals outlined in subsections A and B and without a certificate of occupancy first being issued by the building inspector, building official or a designee. D. Manufactured housing, mobile homes or modular homes with a manufacture date after June 15, 1976 may be brought into the City without first having the certificate of rehabilitation under the following conditions: (1) Any mobile or manufactured home built before June 15, 1976 which is being brought into the City without the certificate of rehabilitation, shall not be placed on a permanent foundation, shall not have the tongue nor the wheels removed until the unit is rehabilitated and the certificate of rehabilitation has been issued. (2) The rehabilitation of any unit brought into the City shall be done at the site where the unit will be permanently located and shall be completed within sixty (60) days of the units move into the City. (3) If rehabilitation is not completed within 60 days the unit shall be removed forthwith. If such unit is not removed immediately, the City, or its designee, without any liability to the City, may remove or have the unit removed from the City. The unit shall not be returned to the City until rehabilitation is complete, a certificate of rehabilitation is issued by the State of Idaho, and the unit has been inspected by the City Building Inspector or Building Official. Pressure testing of the gas system shall be done after the unit has been placed onto a foundation. Before moving any pre

1976 mobile or manufactured unit into the city, the person seeking to move the unit into the City shall pay to the City a \$1,000.00 fee to guarantee that rehabilitation shall occur within the 60 day time limit. In the event the rehabilitation occurs within the 60 day time limit, the \$1,000.00 shall be refunded. In the event the unit has not been rehabilitated within the 60 day period, the City shall use the fee to defray the cost of removing the unit. In the event the owner moves the unit within the 60 day period and the City incurs no cost to remove the unit, the \$1,000.00 fee shall be refunded.

Section 2. This Ordinance shall be in full force and effect immediately upon passage and publication as required by law.

Section 3. Any ordinances or resolutions which are in conflict with this ordinance are hereby repealed, but only insofar as the conflict exists.

Section 4. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall constitute Ordinance Number 1236.

Section 5. Any violation of this ordinance shall be a misdemeanor punishable in accordance with the misdemeanor statutes of the State of Idaho.

Dated this 20th day of December, 2004.

CITY OF PAYETTE

By Mark L. Heliker
Mayor

ATTEST: John P. Franks
City Clerk