

ORIGINAL ORDINANCE NO.: 1922B
ENROLLED ORDINANCE NO.: _____

INTRODUCED BY: Henry

AN ORDINANCE AMENDING TITLE 8 OF LARAMIE MUNICIPAL CODE FOR THE PURPOSES OF CREATING HEALTH AND SAFETY STANDARDS FOR MOBILE HOMES, MANUFACTURED HOMES, RECREATIONAL VEHICLES AND TENTS.

WHEREAS, on August 21, 2007, the City Council adopted the Laramie Comprehensive Plan which lists as one of its recommendations to create a unified development code that would combine the zoning and subdivision ordinances in into a single, unified document consisting of multiple parts or sections, including administrative procedures, zoning, subdivision regulations and improvement standards;

WHEREAS, on June 22, 2009 the Laramie Planning Commission affirmatively voted to recommend to the Laramie City Council adoption of the Unified Development Code subject to modifications;

WHEREAS, on March 2, 2010, the City Council adopted the unified development code with an effective date of July 1, 2010;

WHEREAS, 15.02.050 of the Laramie Municipal Code (LMC) calls for the Unified Development Code to be amended from time to time so as to become or remain consistent with the Comprehensive Plan, and should be regularly reviewed, evaluated and amended, if necessary, based on private and city economic conditions, vision for the community, changing planning and zoning principles, frequent difficulty in implementing or enforcing any specific standard(s), or changes in the state, federal or case law;

WHEREAS, City staff recommends that health and safety standards for mobile homes, manufactured homes, recreational vehicles and tents are more approximately addressed in Laramie Municipal Code Title 8 (Health and Safety);

WHEREAS, on June 22, 2015, the Laramie Planning Commission affirmatively voted to recommend to the Laramie City Council adoption of amendments to Laramie Municipal Code as shown in this ordinance; and

WHEREAS, the Laramie City Council held a public hearing on _____ to take and consider public comments;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE:

Section 1. That LMC Section 8.68 is **created** to read as follows:

“Mobile homes, manufactured homes, recreational vehicles and tents”

8.68.010 – Purpose.

It is found that in order to protect and promote the public health, morale, convenience,

safety and welfare and to preserve the appropriate character of each area within the sound principles of the comprehensive plan, it is necessary to provide for the licensing, regulation, permits and fees for the locations and operation of manufactured home communities, recreational vehicle parks and campgrounds within the city.

8.68.020 – Compliance with Title.

It is unlawful for any person to occupy a mobile home, manufactured home, recreational vehicle, or tent except in compliance with the provisions of this chapter.

8.68.030 – Definitions.

- A. “Mobile home” and “Manufactured home” are used interchangeably and shall mean a transportable, single-family dwelling unit, suitable for year-round occupancy that contains the same water supply, waste disposal and electrical conveniences as immobile housing, that has no foundation other than wheels or removable jacks for conveyance on highways, and that may be transported to a site as one or more modules, but the term does not include "travel trailers," "campers," "camper buses," or "motor homes," recreational vehicles as defined in subsection C. below, or modular homes designed to be placed on a foundation.
- B. “Manufactured home community” shall mean a site containing spaces, improvements and utilities that are leased for the long-term placement of manufactured homes, ~~or~~ mobile homes, or recreational vehicles.
- C. “Recreational vehicle” shall mean any of the following:
 - 1. "Travel trailer" means a vehicular, portable structure built on a chassis designed to be used as a temporary dwelling for travel, recreation and vacation, and manufactured or built to be towed behind a vehicle.
 - 2. "Pick-up coach" means a structure designed to be mounted on a truck for use as a temporary dwelling for travel, recreation and vacation.
 - 3. "Motor home" means a portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.
 - 4. “Camping trailer” means a portable, folding or collapsible structure, mounted on wheels and designed for travel, recreation and vacation.
- D. “Recreational vehicle park” shall mean a development on a lot or parcel of land in which one or more spaces are occupied or intended for occupancy by recreational vehicles for or camping trailers for transient dwelling purposes.
- ~~D-E.~~ “Self-Contained Recreational Vehicle” shall mean a vehicular, portable structure built on a chassis designed to be used as a temporary dwelling for travel, recreation and vacation; and manufactured with a toilet, sink and electrical system capable of being hooked up to city water and sewer systems.

8.68.040 Residential manufactured homes required to be in a manufactured home park or land zoned for manufactured homes.

- A. Except as provided in this section, no person shall park or locate any manufactured home or use a manufactured home as a dwelling permanently, temporarily or for indefinite periods of time, unless the manufactured home is located in a manufactured home park or land zoned for manufactured homes.
- B. A person may park a manufactured home for transportation or inspection on a manufactured home sales lot if the manufactured home is property-properly secured.

8.68.050 Installation and Relocation of Manufactured Homes – Certification required.

- A. Installation and relocation of any manufactured home built before June 15, 1976, to standards other than the National Manufactured Home Construction and Safety Standards Act, 42 U.S.C. Section 5400 et seq., within the City of Laramie shall be prohibited except as provided in LMC 8.68.050.B below.

- B. Pre-existing manufactured homes built before June 15, 1976, to standards other than the National Manufactured Home Construction and Safety Standards Act, 42 U.S.C. Section 5400 et seq. may be relocated within a licensed Manufactured Home Community provided they are relocated in conjunction with an application to convert a portion of the Manufactured Home Community to a Recreational Vehicle Park ~~pursuant~~ in accordance with the provisions of LMC 15.14.140.D

8.68.060 - Nonresidential use of manufactured home.

- A. A person may use a manufactured home as an office or other nonresidential use on a temporary basis during construction or remodeling connected with a use permitted on the lot, if the use and location of the manufactured home comply with all applicable zoning and building provisions of this code and other ordinances of the city, but only if the manufactured home is removed from the site upon completion of the construction or remodeling and only if the home is adequately secured against damage and overturning by winds while on the premises.

- B. A person may use a manufactured home for nonresidential purposes outside of a manufactured home park for other than construction or remodeling if the person requests a special exception for such use from the board of adjustment. The board may grant a special exception if it finds that:
 - 1. The use of the manufactured home is a temporary and accessory use necessary to enhance the principal use of the property;
 - 2. The use is limited to no more than twenty-four months, unless the board finds good cause for a longer use;
 - 3. The manufactured home installation meets all of the requirements of this chapter relating to tie-down and wind security;
 - 4. The applicant has demonstrated an undue hardship and the need for the temporary use pending permanent construction of other facilities; and
 - 5. If granted, the special exception will not adversely affect the character of the neighborhood in which the manufactured home is proposed to be located nor substantially impair the appropriate use and development of adjacent property.

8.68.070 – Occupation of Spaces within Manufactured Home Communities

A. - Sites within a manufactured home community shall be occupied as follows:

- 1. Up to 100 % of a manufactured home community may be occupied manufactured homes.
- 2. Two (2) spaces or up to 30% of total spaces within the manufactured home community, whichever is greater, may be occupied by or self-contained recreational vehicle provided that:

- a. Each recreational vehicle space shall provide a minimum of 48 sq. ft. of enclosed storage space within an accessory structure that complies with the standards of LMC section 8.68.080 on the space to be occupied by a self-contained recreational vehicle. ;
- b. The self-contained recreational vehicle within the Manufactured Home Community shall be skirted pursuant to the following standards:
 - i. Skirting materials shall be durable, suitable for exterior exposures and installed in accordance with the manufacturer’s installation instructions.
 - ii. On-site fabrications of the skirting by the owner or installer of the home shall be acceptable, provided that the skirting is securely fastened or anchored to the ground and vehicle, the materials meet the requirements of this code and are colored to match the recreational vehicle.
 - iii. As used in this section “skirting” shall mean a weather resistant material used to enclose the space from the bottom of recreational vehicle to the ground and shall not be interpreted to mean unfinished or unpainted wood, plywood, particle board or wood panels.
- c. ~~are~~The self-contained recreational vehicle shall display a valid license plate with current state registration in accordance with local ordinance(s).

8.68.~~070~~080 - Accessory Structures.

- A. The following accessory structures to an individual manufactured home or self-contained recreational vehicle are permitted if they comply with all applicable provisions of this code and other ordinances of the city: unenclosed carports and porches; awnings; and detached storage cabinets that do not exceed one hundred fifty square feet in floor area. Such structures:
 - 1. Shall not obstruct required openings for light and ventilation of the manufactured home or prevent inspection of manufactured home or self-contained recreational vehicle equipment and utility connections; and
 - 2. Shall be located at least ten feet from any adjacent manufactured home or self-contained recreational vehicle.
 - 3. Existing accessory structures not in compliance with the requirements of this section may remain in place only until the manufactured home or self-contained recreational vehicle to which the structures are accessory to is removed or replaced. When such manufactured home is replaced, ~~no~~a person owning or occupying the manufactured home or using the accessory structure shall not fail to remove all such accessory structures or bring them into compliance with the applicable provisions of this chapter.

8.68.~~080~~090 – Recreational Vehicles, and Tents.

- A. Occupation Outside of Licensed Recreational Vehicle Parks or Campgrounds. It is unlawful for any person to occupy or inhabit a recreational vehicle or tent upon any premises or tract of land located within the city which is outside a licensed recreational vehicle park, manufactured home community or campground, except that one visiting travel trailer or recreational vehicle may be parked on privately owned, residential property, and may be inhabited for a period not to exceed fourteen days in any one calendar-year period.
- B. Any property owner desiring to furnish temporary facilities for a group of trailers, recreational vehicles or tents may be granted permission pursuant to LMC 15.10.030.B, Temporary Uses.
- C. It is unlawful for any person to occupy or inhabit ~~a recreational vehicle or tent~~ within a licensed ~~recreational vehicle park or~~ campground within the City for a period exceeding 180 calendar days, except that a person visiting person may be occupy or inhabit a tent on privately owned, residential property, for a period not to exceed fourteen days in any one calendar-year period.
- D. Subsections ~~a-A~~ and ~~b-B~~ of this section do not apply to temporary parking of recreational vehicles when parked in a privately owned lighted and paved parking lot (plant-mix bituminous or concrete paving) which has at least two hundred lined parking stalls and is appurtenant and adjacent to an occupied retail business. Parking is limited to one day for each recreational vehicle. Such parking shall be without charge. Utility hookups shall not be provided. The business owner's permission shall be required. No sewage disposal shall be permitted unless the business owner provides a dump station designed and operated according to law.

~~C. License Required.~~

~~It is unlawful for a person to operate a recreational vehicle park or campground in the city without securing and maintaining a valid license as required by LMC section 8.68.100, Licenses.~~

8.68.090-100 – Safety Standards.

The intent of this section is to provide for basic life safety provisions related to Recreational Vehicle Parks, Campgrounds Manufactured Home Communities.

A. Storage and Location of Liquefied Petroleum Gas.

~~1. Liquefied petroleum gas containers installed on a manufactured home, travel trailer, recreational vehicle or campground space shall be securely but not permanently fastened to prevent accidental overturning. Such containers shall not be more than sixty (60) U.S. gallons gross capacity.~~

~~2. No liquefied petroleum gas vessel shall be stored or located inside or beneath any storage cabinet, carport, trailer or any other structure, unless such installations are approved by the fire department. (Prior code § 37A-47).~~

Liquefied petroleum gas containers installed on a travel trailer recreational vehicle, or campground or manufactured home community space shall be installed in accordance with International Fire Code Chapter 61, as adopted in Title 15 of Laramie Municipal Code, and referenced standards of NFPA Chapters 58, 1194 and 1192.

B. Storage of Fuel Oil.

1. All fuel oil storage tanks or cylinders shall be securely fastened in place and shall not be located inside or beneath any manufactured home or less than five feet from any manufactured home exit.

2. Storage tanks located in areas subject to traffic shall be protected against physical damage. (Prior code § 37A-48).

C. Fire Protection.

1. Generally.

Each manufactured home, travel trailer, recreational vehicle or campground shall be subject to compliance with NFPA Standard 1194 and relevant development standards of the International Fire Code as adopted by the city. All plans and specifications therefore will be approved by the office of the city fire marshal.

2. Recreational Fires.

No recreational fire shall be permitted on an individual travel trailer, recreational vehicle or campground site except in facilities approved by the city fire inspector and in conformance with applicable NFPA standards. No open fire shall be left unattended. No fuel shall be used and no material burned which emits dense smoke or objectionable odors. (Prior code § 37A-53).

D. Maintenance.

Each manufactured home community, recreational vehicle park or campground to ~~whom~~ which a license is issued, shall at all times operate the facility in compliance with this code and shall provide adequate supervision to maintain its facilities and equipment in good repair and in a safe, clean and sanitary condition at all times. This

shall include lighting of common areas, snow removal, lawn maintenance, maintenance of drive aisles and parking lots, maintenance of recreational equipment and community facilities.

E. Recreational Facilities.

Recreational facilities, including playgrounds, basketball courts and picnic areas shall not be abandoned or neglected to the point of abandonment without approval from the City.

8.68.~~100~~110 – Licenses.

A. Required.

It is unlawful for any person to establish, maintain, operate or permit to be established, any manufactured home community, recreational vehicle park, or campground within the city without first obtaining a license. The license shall be renewed once every two years and may be transferred to another entity provided the license is for the same property and the City is provided in writing of the new entity's name and contact information within 30-days of transfer.

B. Fees.

The initial and ~~biennial~~annual license fee for a manufactured home community, recreational vehicle park, and campground is non-refundable and is required at the time of application. Fees shall be paid in accordance with fee schedules adopted by the City.

C. Term.

All manufactured home community, recreational vehicle park, and campground licenses shall be valid for a period of two years, shall not be prorated and shall expire on June 30th of the second year. A complete renewal application shall be filed with the city manager or designated representative prior to license expiration.

8.68.~~110~~120 – Initial License:

A. Application for manufactured home community, recreational vehicle park or campground license shall be filed with the city manager or designated representative.

B. At minimum, the following information shall be provided with the license application:

1. The name and address of the applicant.
2. The location, street address and legal description of the community/park,
3. A site plan drawn to scale of the community, park or campground. The site plan shall show: the boundaries of the community; the park or campground's individual spaces; space numbers; common open space and recreation facilities; the locations of common facilities; mailbox location(s); parking spaces and drive aisles; fences and walls and a description of their construction;
4. A landscaping plan showing the location of trees, bushes, grasses, hardscaped areas and any landscape features;
5. Locations of all site lighting features with reference to type; signage location, dimensions and illumination; refuse areas and facilities; storage sheds; fire lanes and fire hydrants; adjacent rights-of-way and property owners; scale and north arrow.

- C. Multiple licenses shall be allowed for individual properties with a mixture of uses provided that licenses should be limited to contiguous areas of the community, park or campground and shall not overlap.

8.68.~~120~~130 – License Renewal Criteria:

A.B. ~~Manufactured Home Community, Recreational Vehicle Park and Campground Licenses.~~

Upon application in writing by a licensee for renewal of a license required by this chapter ~~and after re-inspection by~~ the city manager or designated representative shall inspect the manufactured home community, recreational vehicle park and/or campground for compliance with the regulations of this code and upon payment of the license fee, shall issue a certificate renewing such license for another two years.

B.C. ~~Application Contents.~~

At minimum, the following information shall be provided with the license renewal application: the name and address of the applicant; the name and contact information of property manager; the location, street address and legal description of the community, park or campground; total number of spaces; total number of occupied spaces; number of sites and specific site numbers of abandoned manufactured homes or vehicles; a summary of prior years' improvements; any proposed improvements/major maintenance or scheduled maintenance; and any modifications proposed to recreational amenities on the property.

C.D. ~~City Review of Application for License Renewal.~~

The city manager or designated representative shall review each application and, as ~~deemed~~ necessary, distribute the application to other reviewers. Taking into account results of those reviews, city manager or designated representative shall take final action on the application and approve or deny, based on the applicable renewal criteria in this section. The city manager or designated representative review and decision, including referral to other agencies and bodies, shall be completed within 30 calendar days of receipt of a complete application. Failure to complete such review in 30 calendar days shall not constitute deemed approval of the application; however if the city manager or designated representative does not act on the application within 30 calendar days, the applicant may request the City Manager or designated representative move the application to the City Council agenda for review, which the City Manager or designated representative shall do upon such request. No license shall be deemed to have lapsed pending final action on a timely filed renewal application.

D.E. ~~Requirements for Renewal.~~

All Manufactured Home Communities, Recreational Vehicle Parks and/or Campgrounds shall meet or exceed the following requirements to be eligible for an annual license:

1. Site Numbering.

All individual site numbers shall be consistently labeled pursuant to the following standards:

- a. Site numbers shall be consistently displayed on a mailbox, mailbox post or

post, unit, or similar mechanism, and shall be easily visible from internal access roads ~~when traveling~~ in either direction. The site number display shall be minimum height of three feet and maximum height of five feet above the road grade as measured from the midpoint of the sign. Alternatively, if displayed on the mailbox post, the site number display may be mounted directly below the mailbox so long as the midpoint of the sign is no less than two and one-half feet above road grade.

- b. All site numbers shall be white reflective lettering on a color contrasting or nearly contrasting with the background. All site number identification signs shall be consistently designed and consistently located on each space within a manufactured home community. There shall be no obstructions to preclude the site numbers from being visible from access drives.
- c. All address numbers shall be a minimum of three (3) inches in height and one and one-half (1 & 1/2) inches in width.

2. Street Labeling.

a. For communities with multiple internal streets, all internal streets shall be labeled. All signage shall be white reflective lettering on a color contrasting or nearly contrasting with the background. All signage shall be consistently designed and consistently located at each intersection within a manufactured home community. There shall be no obstructions to preclude the signage from being visible from interior roadways. All sign letters and numbers shall be a minimum of three (3) inches in height and one and one-half (1 & 1/2) inches in width.

3. Safety.

The property shall conform to the safety standards of LMC section 8.68.~~090~~.100

4. Nuisances.

The property shall not constitute a nuisance violation as defined in LMC Title 8.

5. Site Occupation

a. Sites within the manufactured home community shall be occupied in accordance with LMC section 8.68.070

b. Sites within the recreational vehicle park shall only be occupied by recreational vehicles and travel trailers.

a.c. Sites within the campground shall only be occupied by recreational vehicles, tents or cabins (as approved on a site plan).

~~Sites within a manufactured home community shall only be occupied by manufactured homes. Sites within a recreational vehicle park shall only be occupied by recreational vehicles and travel trailers. Sites within a campground shall only be occupied by recreational vehicles, tents or cabins (as approved on a site plan).~~

8.68.~~130~~.140 – Enforcement.

Violations of the provisions of this section shall be subject to the enforcement provisions of Chapter 15.26 of this code, including but not limited to civil penalties and abatement of said violations.

Section 2. That if any section, subsection, sentence, clause, phrase, graphic, or portion of this ordinance is for any reason held invalid or deemed unconstitutional by any court of competent

jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall be deemed a separate and distinct and independent provision and such holding shall not affect the validity of the remaining provisions of this ordinance; and

Section 3. That this ordinance shall become effective after its passage, approval and its publication.

Passed and approved this ____ day of _____, ~~2015~~2016.

David A. Paulekas, Mayor and President of the
City Council

Attest: _____
~~Sue Morris Jones, MMC~~
Angie Johnson
City Clerk

First Reading: July 21, 2015

Public Hearing: August 11, 2015

Second Reading: November 17, 2015

Third Reading and Final Action: ~~March 1, 2016~~July 19, 2016

Duly published in the Laramie Boomerang this _____ day of _____, ~~2015~~2016.