

Sec. 17 Repealed by Ord. 3402
Repealed by Ord. 3408

ORDINANCE NO. 3334

Sec. 17 Repealed by Ord. No. 3402
Repealed by Ord. 3408

TITLE: An Ordinance providing for the regulation of automobile trailers or house cars, automobile tourist park and automobile trailer courts, amendment of Ordinance No. 2916 by establishment of automobile trailer parks as a conditional use, repealing Ordinance No. 2889, providing for penalties for violation of this Ordinance.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: AMENDMENT

Section 211.019 of Ordinance No. 2916 shall be amended to read as follows:

"Section 211.019. An automobile tourist park, trailer court, mobile home park or camp as defined in the Ordinances of the City of Albany".

Section 2: DEFINITIONS.

(a) **Approved.** The term "APPROVED" when applied to plumbing fixtures, plumbing connections, etc., shall be understood to mean the fixtures, connections, etc. that have been approved by the City Engineer. When the same term as applied to sanitary provisions or measures it shall be understood to mean that the same has been approved by the Fire Marshal.

(b) **Accessway:** An unobstructed way of specified width containing a drive or roadway which provides vehicular access within a mobile home park and connects to a public street.

(c) **Awning:** Any stationary structure used in conjunction with a mobile home, other than a window awning, for the purpose of providing shelter from the sun and rain and having a roof with supports and not more than one wall or storage cabinet substituting for a wall.

(d) **Cabana:** A stationary light weight structure which may be prefabricated or demountable, with two or more walls, used adjacent to and in conjunction with a trailer, to provide additional living space meant to be moved with the trailer.

(e) **Carport:** A stationary structure consisting of a roof with its supports and not more than one wall, and used for sheltering a motor vehicle.

(f) **Mobile Home:** A vehicle or structure constructed with wheels for use on the public highways, that has sleeping, cooking and plumbing facilities, is intended for human occupancy, and is being used for residential purposes.

(g) **Mobile Home Park:** Any privately owned place where two or more mobile homes used for human occupancy are parked within 500 feet of one another on a lot, tract or parcel of land under the same ownership.

(h) **Park:** A mobile home park.

(i) **Ramada:** A stationary structure having a roof extending over a mobile home or trailer which may also extend over a patio or parking space for motor vehicles, and is used principally for protection from sun and rain.

(j) **Stand:** That part of a mobile home space reserved for the placement of a mobile home.

(k) **Trailer:** Either a mobile home or vacation trailer. The term "trailer" or "mobile home" does not apply to any prefabricated section of a factory built home to which wheels may be attached for the purpose of moving it to a permanent location where it becomes affixed to the real property.

(l) **Mobile Home Space:** A plot of ground within a mobile home park designed for the accomodation of one trailer.

(m) **Vacation Trailer.** A vehicle or structure equipped with wheels for highway use that is intended for human occupancy, is not being used for residential purposes, and is being used for vacation and recreational purposes, and using either water, gas or electrical services.

Section 3: LICENSES AND PERMITS REQUIRED FOR MOBILE HOME PARKS.

No mobile home park shall be established or maintained in the City of Albany unless a license has been obtained therefore as herein provided, which license shall not be issued by the City Recorder until after the City Council has approved the issuance thereof. Permits shall be taken out for all buildings, including ramadas, electrical or plumbing work which may be performed in connection with such a court.

Section 4: INFORMATION TO BE FURNISHED BY APPLICANT -- PLOT PLANS REQUIRED.

The application for a permit to construct a new mobile home park or to expand an existing mobile home park shall be accomplished by four (4) copies of the plot plan of the proposed park. The plot plan should show the general layout of the entire mobile home park and should be drawn to a scale not smaller than one inch representing 40 feet. The drawing shall be placed on substantial tracing paper, and shall show the following information:

- (a) Name of the person who prepared the plan.
- (b) Name of the mobile home park and address.
- (c) Scale and North point of the plan.
- (d) Boundaries and dimensions of the mobile home park.
- (e) Location and dimensions of each mobile home space.
- (f) Location and dimensions of each existing or proposed building.
- (g) Location and width of accessways.
- (h) Location and width of walkways.
- (i) Location of each lighting fixture for lighting the mobile home spaces and grounds.
- (j) Location of recreation areas and buildings, and area of recreation space in square feet.
- (k) Location of point where mobile home park water and sewer system connects with the public system.
- (l) Location of available fire and irrigation hydrants.
- (m) Location of public telephone service for the park.
- (n) Enlarged plot plan of a typical mobile home space, showing location of the stand, patio, storage space, parking, sidewalk, utility connections, and landscaping.
- (o) Location of all buried utility services.

Before submitting the plan to the City Council, the City Manager shall require reports from the appropriate city departments and the State Board of Health and shall transmit the application, the plan and said reports and recommendations of the health officer to the Council. If it appears to the Council that the applicant's trailer court complies with the provisions of this Ordinance and establishment of the court will not be detrimental to the city as a whole, the Council may approve the issuance of the license.

Section 5: LICENSE

A mobile home park license shall be valid only for the calendar year in which the license is issued. A trailer court license shall not be transferable. Any failure on the part of the management to comply with any provision of this Ordinance or the laws of the State of Oregon or with the rules and regulations of the State Board of Health shall be sufficient grounds for the revocation of a license by the City Council.

Section 6: ARRANGEMENT OF MOBILE HOME PARK.

(a) **Parking Space Requirement.** A parking space shall be provided for each trailer site on the site. In addition, guest parking spaces shall be provided also within 200 feet of the trailer site served and at a ratio of one parking space for each four (4) trailer sites. Parking spaces shall have durable and dustless surfaces adequately maintained for all weather use and be properly drained.

(b) **Fencing and Landscaping.** The Planning and Zoning Commission may require that an ornamental fence, wall or hedge be established and maintained between the mobile home park and adjoining premises.

(c) **Area and Density:** The minimum area for a trailer park shall be five (5) acres. In no event shall the density exceed ten (10) mobile homes per gross acre. Density requirements shall be established as the minimum square footage of gross site area for each mobile home.

(d) **Access to a Public Street:** A mobile home park shall not be established on any site that does not have access to any public street on which the potential paving width is less than thirty (30) feet.

(e) Emergency Sanitation Facilities: Each mobile home park shall be provided, for emergency purposes, with the sanitation facilities as prescribed by the Oregon State Board of Health.

(f) Service Buildings: Service buildings housing sanitation facilities shall comply with all applicable city and state ordinances and statutes regulating buildings, electrical installations and plumbing and sanitation systems.

(g) Structures: Structures located in any mobile home space shall be limited to a storage building, ramada or carport. The storage buildings, ramada or carport may be combined as one structure. No structural additions shall be built onto or become a part of any mobile home, except for rain flashing, and no mobile home shall support any buildings in any manner. The words "structural additions" shall not be construed to exclude the construction of an awning, patio cover, or cabana adjacent to a mobile home.

(h) Individual driveways from a city street to a trailer shall not be permitted, egress and ingress shall be by established driveways that are adequate and properly surfaced.

(i) Every mobile home park shall have an office and a sign designating the same.

(j) The standards set forth in this section shall be deemed to be minimal and the Planning and Zoning Commission shall have the authority to impose more restrictive standards and/or other conditions to the permit applied for and the Planning and Zoning Commission may further require that the site of the proposed mobile home park abutt a primary or secondary arterial or collector street if the character of the proposed development would result in substantial increases in traffic volumes, and may further require the improvement in the surfacing and/or drainage of a street or streets serving the site.

Section 7: SITE REQUIREMENTS.

The following shall be considered the minimum site requirements for a new mobile home park or the expansion of an existing mobile home park.

(a) Accessways: Accessways shall connect each trailer space to a public street.

(b) Walkways: Walkways of not less than three (3) feet in width shall be provided from each mobile home space to the service buildings and recreational area or areas, and from the patio to the accessway. The accessway may be considered as part of the walkway to the service building.

(c) Electrical: Electrical service equipment complying with the State Electrical Code shall be provided for each mobile home space.

(d) Sewers: Each mobile home space shall be provided with a sewer connection which complies with the State Plumbing Code.

(e) Water Supply: A continuous supply of pure water for drinking and domestic purposes shall be supplied by underground facilities to all buildings and mobile home spaces within the park. Water service equipment shall conform to the plumbing code of the state.

Section 8: MOBILE HOME SPACE REQUIREMENTS.

The minimum mobile home space requirements for a new mobile home park or the expansion of an existing mobile home park are as follows:

(a) No mobile home space shall be smaller than two thousand four hundred (2,400) square feet.

(b) Space devoted exclusively for vacation or travel trailers, shall be a minimum of 600 square feet and minimum of 20 feet in width.

(c) Occupied mobile homes shall be parked only on stands provided, shall be set back a minimum of five (5) feet from the edge of all accessways.

(d) Each mobile home space shall be provided with a patio or a raised deck having a minimum area of 120 square feet. The patio or raised deck shall have a minimum length of twenty (20) feet.

(e) One permanent storage building containing a minimum of 24 square feet of floor area may be provided for each mobile home space. The building height shall not be less than seven (7) feet nor more than nine (9) feet.

(f) Minimum space requirements between mobile homes:

- (1) 10' end to end, 15' side to side, or 5' from property line or 10' from any building (including carports, cabanas and ramadas or storage buildings).

(g) Adjacent to any public street there shall be a yard of at least 20 feet in depth, unless such yard be adjacent to a street with a special set back line.

Section 9: IMPROVEMENT REQUIREMENTS

Improvement requirements for a new mobile home park or the expansion of an existing park are as follows:

(a) Roadways within an accessway and sidewalks shall be hard surfaced with asphalt, or concrete.

(b) The first fifty (50) feet of the accessway measured from the street shall be surfaced to a width of thirty (30) feet and all other streets shall be at least twenty (20) feet in width.

(c) Patios shall be paved with asphalt, concrete, or suitable hard-surfaced material.

(d) Raised Deck - to be built of materials and of a design approved by the building inspector and a minimum of twelve (12) inches above ground level - unless raised deck is concrete.

(e) All accessways and walkways within the park shall be adequately lighted at night.

(f) The mobile home park shall be well-drained.

(g) Public telephone service shall be made available for the mobile home park residents.

(h) Adequate and properly equipped laundry room facilities shall be made available to the residents of the mobile home park.

Section 10: REGISTRATION BOOK.

Every court shall have a registration book, and the names and addresses of all members of the mobile home party shall be entered in the book by a member of the party, together with information relative to the make and year of manufacture and license number of the trailer and the propelling vehicle. The registration book shall show the date of arrival and departure of every trailer and the trailer unit occupied. The registration book shall be available for the inspection of officers or employees of the city, county, state and federal government upon request. The manager of a court shall report without delay to the health officer any illness of any member of a trailer party, if such illness appears to be of a contagious nature.

Section 11: ADOPTION OF STATE LAW AND BOARD OF HEALTH RULES.

(a) Sections 446.002 to and including 446.165 of Oregon Revised Statutes are hereby adopted by reference, and accepted, passed and approved, and made a part of this Ordinance.

(b) General Sanitation Rules: Rules numbered 31-002 to and including 31-046 adopted by the Oregon State Board of Health November 18, 1959, effective January 10, 1960, be and the same by reference are hereby accepted, passed and approved and made a part of this Ordinance.

(c) Design, Construction and Maintenance of Structure in Mobile Home Parks that are not Prefabricated or Manufactured: Rules numbered 31-200 to and including 31-250 adopted by the Oregon State Board of Health April 13, 1962, be and the same by reference are hereby accepted, passed and approved and made a part of this Ordinance.

(d) Mobile Home Park Plumbing: Rules numbered 44-400 to and including 44-466 adopted by the Oregon State Board of Health May 16, 1963, be and the same by reference are hereby accepted, passed and approved and made a part of this Ordinance.

Section 12: LOCATION OF TRAILERS OUTSIDE MOBILE HOME PARK.

(a) It shall be unlawful, within the city limits of the City of Albany, for any person to park any trailer on any street, alley or highway, or other public place or on any tract of land owned by any person, occupied or unoccupied, within the City of Albany, except as provided in this Ordinance.

(b) Emergency or temporary stopping or parking is permitted on a street, alley or highway for not longer than forty-eight (48) hours, subject to any other and further prohibitions, regulations or limitations imposed by the traffic and parking regulations or Ordinances for that street, alley or highway.

(c) No person shall park or occupy any trailer on the premises of any occupied dwelling or any lot which is a part of the premises of any occupied dwelling either of which is situated outside of a mobile home park, except as hereinafter provided, and except the parking of any one unoccupied trailer in an accessory private garage building, or in a rear yard in any district, is permitted, providing no living quarters shall be maintained or any business practiced in said trailer while said trailer is so parked or stored.

(d) Upon application to the Building Inspector, a special permit may be issued for the parking and occupancy of trailer houses on a temporary basis within the city for a period not to exceed fourteen (14) days. The occupancy shall be limited to sleeping purposes only unless satisfactory evidence is presented to indicate that proper sanitary facilities are to be maintained on the premises.

Section 13: PERMANENT OCCUPANCY.

Unless located in a regularly licensed mobile home park as provided in ORS Section 446.006, an automobile trailer shall not be used as a place of abode or as a dwelling for any period of time without first obtaining an occupancy permit from the building inspector. The building inspector shall issue permits only when he has determined that a trailer is properly connected with an adequate water supply and sanitary sewer system and the trailer is not inhabited by a greater number of occupants than that for which it was designed. Permits shall not be issued for permanent occupancy in a residential zone, unless written consent is obtained from adjoining property owners and at least two-thirds (2/3) of the property owners within (200) feet of the lot on which the trailer is to be placed. Applicant for a permit shall be required to pay the sum of \$5.00 to cover the cost of inspection of the premises by the building inspector. The building inspector is hereby authorized to revoke any permit issued by him, pursuant to the terms of this Ordinance, if after due investigation he is determined that the holder thereof has violated any of the provisions of this Ordinance or that any trailer is being maintained in an unsanitary or unsafe manner as a public nuisance. A permit shall be revoked if a trailer is not placed upon a lot within sixty (60) days after issuance of permit. Any person aggrieved by an order of the building inspector granting, denying or revoking a license issued under this Ordinance may file a written request for a hearing before the City Council within ten (10) days after the issuance of such order. The Mayor may appoint a special committee to be known as a Review Board which shall consist of three (3) members. The committee, if approved, shall hold a hearing within five (5) days after the written request for hearing has been made by applicant. At such hearing, the committee shall determine whether the granting, denial, renewal, or revocation of the license was in accordance with the provisions of this Ordinance. The decision of the committee shall be final.

Section 14: REMOVAL OF WHEELS FROM TRAILER.

The removal of wheels from an automobile trailer in the City of Albany unless located in a mobile home park is hereby prohibited, except for the purpose of repair, and in no case shall a wheel or wheels be kept off the automobile trailer for more than twenty-four (24) hours.

Section 15: EXPANSION OR ALTERATION OF MOBILE HOME PARKS.

Existing mobile home parks may be expanded or altered after an expansion or alteration permit is issued by the City Council. The application, filed by the owner or other real party in interest, will be filed and processed in the same manner as an application for a new mobile home park. The City Council, prior to granting a permit for expansion of an existing park may require that those portions of the existing park which do not meet the minimum standards of this ordinance, be brought to these minimum standards.

Section 16: VALIDITY OF ORDINANCE.

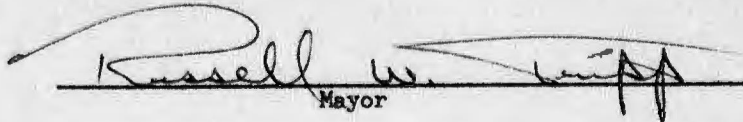
If any part of this Ordinance shall be held void or unconstitutional, it is hereby provided that all other parts which are not held void or unconstitutional shall continue in force and effect.

Section 17: PENALTY.

Any person violating a provision of this Ordinance shall, upon conviction thereof, be punished by a fine of not more than \$250.00 or by imprisonment in the City Jail not to exceed thirty (30) days, or by both such fine and imprisonment.

Passed by the Council: September 27, 1967

Approved by the Mayor: September 27, 1967



Mayor

Effective Date: October 27, 1967

ATTEST:



City Recorder