

TITLE XV: LAND USAGE

Chapter

150.BUILDING REGULATIONS; CONSTRUCTION

151.TRAILER AND MOBILE HOME COURTS

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CHAPTER 150: BUILDING REGULATIONS; CONSTRUCTION

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REGULATORY CODES**§ 150.001 BUILDING CODE ADOPTED BY REFERENCE.**

To provide certain minimum standards, provisions, and requirements for safe and stable design, methods of construction, and uses of materials in buildings hereafter erected, constructed, enlarged, altered, repaired, relocated, and converted, the International Building Code, 2003 edition, recommended by the International Conference of Building Officials, and printed in book or pamphlet form, is hereby incorporated by reference in addition to all amended editions as though printed in full herein insofar as that code does not conflict with the statutes of the state. One copy of the Building Code is on file at the

office of the Municipal Clerk and is available for public inspection at any reasonable time. The provisions of the Building Code shall be controlling throughout the municipality and throughout its zoning jurisdiction.

(Neb. RS 17-1001, 18-132, 19-902, and 19-922) (1986 Code, § 9-501)

§ 150.002 HOUSING CODE ADOPTED BY REFERENCE.

To provide certain minimum standards, provisions, and requirements for safe and stable design, methods of construction, and uses of materials in houses hereafter erected, constructed, enlarged, altered, repaired, relocated, and converted, the Uniform Housing Code, 1997 edition, published by International Conference of Building Officials and printed in book or pamphlet form, is hereby incorporated by reference in addition to all amended editions as though printed in full herein insofar as that code does not conflict with the statutes of the state. One copy of the Housing Code is on file at the office of the Municipal Clerk and is available for public inspection at any reasonable time. The provisions of the Housing Code shall be controlling throughout the municipality and throughout its zoning jurisdiction.

(Neb. RS 17-1001, 18-132, 19-901, and 19-922) (1986 Code, § 9-502)

§ 150.003 PLUMBING CODE ADOPTED BY REFERENCE.

To provide certain minimum standards, provisions, and requirements for safe and stable installation, methods of connection, and uses of materials in the installation of plumbing and heating, the International Plumbing Code, 2003 edition, published by the International Conference of Building Officials, and printed in book or pamphlet form, is hereby incorporated by reference in addition to all amended editions as though printed in full herein insofar as that code does not conflict with the statutes of the state. One copy of the Plumbing Code is on file at the office of the Municipal Clerk and is available for public inspection at any reasonable time. The provisions of the Plumbing Code shall be controlling throughout the municipality and throughout its zoning jurisdiction.

(Neb. RS 17-1001, 18-132, 19-902, and 19-922) (1986 Code, § 9-503) (Am. Ord. 816, passed 1-11-1993)

§ 150.004 ELECTRICAL CODE, STATE RULES AND REGULATIONS, ADOPTED BY REFERENCE.

To provide certain minimum standards, provisions, and requirements for safe and fireproof installation, methods of connection, and uses of materials in the installation of electrical wiring and appliances, the National Electrical Code, 2002 edition, as recommended and published by the National Fire Protection Association, and printed in book or pamphlet form, is hereby incorporated by reference in addition to all amended editions as though printed in full herein insofar as that code does not conflict with the statutes of the state. In addition, the rules and regulations adopted by the State Electrical Board, which exceed the minimum standards of or are not covered by the National Electrical Code, are also adopted by reference in the aforementioned manner. One copy of the Electrical Code and of those rules

and regulations is on file at the office of the Municipal Clerk and is available for public inspection at any reasonable time. The provisions of the Electrical Code and of the rules and regulations shall be controlling throughout the municipality and throughout its zoning jurisdiction.

(Neb. RS 17-1001, 18-132, 19-902, 19-922, and 81-2104) (1986 Code, § 9-504)

§ 150.005 MECHANICAL CODE ADOPTED BY REFERENCE.

To provide certain minimum standards, provisions, and requirements for the installation and maintenance of heating, ventilating, cooling, and refrigeration systems, the Uniform Mechanical Code, 2000 edition, published by the International Conference of Building Officials and printed in book or pamphlet form, is hereby incorporated by reference in addition to all amended editions as though printed in full herein insofar as that code does not conflict with the statutes of the state. One copy of the Mechanical Code is on file at the office of the Municipal Clerk and is available for public inspection at any reasonable time. The provisions of the Mechanical Code shall be controlling throughout the municipality and throughout its zoning jurisdiction.

(Neb. RS 17-1001, 18-132, 19-901, and 19-922) (1986 Code, § 9-505)

§ 150.006 ONE AND TWO FAMILY DWELLING CODE ADOPTED BY REFERENCE.

To provide certain minimum standards, provisions, and requirements for safe and stable design, methods of construction, and uses of materials in houses hereafter erected, constructed, enlarged, altered, repaired, relocated, and converted, the International One and Two Family Dwelling Code, 2000 edition, published by the International Conference of Building Officials and printed in book or pamphlet form, is hereby incorporated by reference in addition to all amended editions as though printed in full herein insofar as that code does not conflict with the statutes of the state. One copy of the One and Two Family Dwelling Code is on file at the office of the Municipal Clerk and is available for public inspection at any reasonable time. The provisions of the One and Two Family Dwelling Code shall be controlling throughout the municipality and throughout its zoning jurisdiction.

(Neb. RS 17-1001, 18-132, 19-902, 19-922, and 81-2104) (1986 Code, § 9-506)

§ 150.007 UNIFORM ADMINISTRATIVE CODE ADOPTED BY REFERENCE.

To provide certain minimum standards, provisions, and requirements for code administration in connection with adoption of the Uniform Building Code, the Uniform Administrative Code, 1997 edition, recommended by the International Conference of Building Officials, and printed in book or pamphlet form, is hereby incorporated by reference in addition to all amended editions as though printed in full herein insofar as that code does not conflict with the statutes of the state. One copy of the Administrative Code is on file at the office of the Municipal Clerk and is available for public inspection at any reasonable time. The provisions of the Administrative Code shall be controlling throughout the municipality and throughout its zoning jurisdiction.

(Neb. RS 17-1001, 18-132, 19-902, 19-922, and 81-2104) (1986 Code, § 9-507)

§ 150.008 UNIFORM SIGN CODE ADOPTED BY REFERENCE.

To provide certain minimum standards, provisions, and requirements for safe and stable design, methods of construction, and uses of materials in signs hereafter erected, constructed, enlarged, altered, repaired, relocated, and converted, the Uniform Sign Code, 1997 edition, recommended by the International Conference of Building Officials and printed in book or pamphlet form, is hereby incorporated by reference in addition to all amended editions as though printed in full herein insofar as that code does not conflict with the statutes of the state. One copy of the Sign Code is on file at the office of the Municipal Clerk and is available for public inspection at any reasonable time. The provisions of the Sign Code shall be controlling throughout the municipality and throughout its zoning jurisdiction.

(Neb. RS 17-1001, 18-132, 19-901, and 19-922) (1986 Code, § 9-508)

§ 150.009 PLUMBING CODE; PROHIBITION OF LEAD PIPES, SOLDER, AND FLUX.

(A) Any pipe, solders, or flux used in the installation or repair of any residential or nonresidential facility which is connected to the public water supply system shall be lead free.

(B) For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

LEAD FREE.

(a) For solders and flux: not more than 0.2% lead; and

(b) For pipe and pipe fittings: not more than 8% lead.

(Neb. RS 71-5301) (1986 Code, § 9-509) (Ord. 761, passed 10-24-1988) Penalty, see § 150.999

§ 150.010 UNSAFE BUILDING CODE ADOPTED BY REFERENCE.

To provide certain minimum standards, provisions, and requirements for remedying dangerous buildings, the Uniform Code for the Abatement of Dangerous Buildings, 1997 edition, published by the International Conference of Building Officials, and printed in book or pamphlet form, is hereby incorporated by reference in addition to all amended editions as though printed in full herein insofar as that code does not conflict with the statutes of the state. One copy of the Unsafe Building Code is on file at the office of the City Clerk and is available for public inspection at any reasonable time. The provisions of the Unsafe Building Code shall be controlling throughout the municipality and throughout its zoning jurisdiction.

(Neb. RS 17-1001, 18-132, 19-901, and 19-922) (1986 Code, § 9-401)

§ 150.011 INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED BY REFERENCE.

To provide certain minimum standards, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the city, the International Property Maintenance Code, 2012 edition, published by the International Code Council, and printed in book or pamphlet form, is hereby incorporated by reference in addition to all amended editions as though printed in full herein insofar as that code does not conflict with the statutes of the state. One copy of the International Property Maintenance Code is on file at the office of the City Clerk and is available for public inspection at any reasonable time. The provisions of the International Property Maintenance Code shall be controlling throughout the municipality and throughout its zoning jurisdiction. (Ord. 1185, passed 2-22-2016)

BUILDING PERMITS AND REGULATIONS**§ 150.025 REQUIREMENT.**

Any person desiring to commence or proceed to erect, construct, repair, enlarge, demolish, or relocate any building or dwelling, or cause the same to be done, or erect a fence, shall file with the Zoning Enforcement Officer an application for a building permit. The application shall be in writing on a form to be furnished by the municipality for that purpose. Every application shall set forth the legal description of the land upon which the construction or relocation is to take place, the nature of the use or occupancy, the principal dimensions, the estimated cost, the names of the owner, architect, and contractor, and the other information as may be requested thereon. The application, plans, and specifications so filed with the Zoning Enforcement Officer shall be checked and examined, and if they are found to be in conformity with the requirements of this chapter and all other ordinances applicable thereto, the Zoning Enforcement Officer shall issue the applicant a permit upon the payment of the permit fee set by resolution of the Governing Body. Whenever there is a discrepancy between permit application procedures contained herein and those contained in any building code adopted by reference, the provisions contained herein shall govern.

(1986 Code, § 9-201) (Am. Ord. 9-201, passed 9-11-2000) Penalty, see § 150.999

§ 150.026 LIMITATION.

If the work for which a permit has been issued shall not have begun within 6 months of the date thereof, or if the construction is discontinued for a period of 6 months, the permit shall be void. Before work can be resumed, a new permit shall be obtained in the same manner and form as an original permit.

Penalty, see § 150.999

§ 150.027 DUPLICATE TO COUNTY ASSESSOR.

Whenever a building permit is issued for the erection, alteration, or repair of any building within the city's jurisdiction and the improvement is \$2,500 or more, a duplicate of that permit shall be issued to the County Assessor.

(Neb. RS 18-1743) (1986 Code, § 9-202)

§ 150.028 BARRICADES AND LIGHTS.

It shall be the duty of the owner, tenant, or lessee causing the construction, demolition, or moving of any building or improvement within the municipality to have during the work all excavations, open basements, building materials, and debris protected by suitable guards or barricades by day, and by warning lights at night. The failure, neglect, or refusal of those persons to erect these guards shall

constitute a violation of this section, and the municipal police or the Building Inspector shall stop all work until guards are erected and maintained as required.

(1986 Code, § 9-106) Penalty, see § 150.999

§ 150.029 ONE CALL NOTIFICATION.

The city uses the one call notification system, and anyone doing earthwork and found in violation of the One Call Notification System Act of 1994 (Neb. RS 76-2301 through 76-2330) will be required to pay for all damages caused by his or her noncompliance, in addition to any penalties provided in this chapter.

(Ord. 1005, passed 10-25-1999) Penalty, see § 150.999

§ 150.030 COMPLIANCE WITH ORDINANCES REQUIRED.

(A) Prior to any approval or issuance of any construction permits or zoning approval by the City Council, City Clerk, Building Inspector or other city boards and commissions, the subject property must be in compliance with the existing ordinances of the city.

(B) Compliance with existing ordinances includes, but is not limited to, ordinances covering nuisances, animal licenses, junked or inoperable vehicles, the parking and storage of vehicles and public safety.

(Ord. 1145, passed 4-23-2012)

MOVING OF BUILDINGS

§ 150.040 REGULATIONS.

It shall be unlawful for any person, firm, or corporation to move any building or structure within the municipality without a written permit to do so. Application may be made to the Building Inspector and shall include the present and future location of the building to be moved, the proposed route, the equipment to be used, and other information as the City Council may require. The application shall be accompanied by a certificate issued by the County Treasurer to the effect that all the provisions regulating the moving of buildings have been complied with on the part of the owner of the real estate upon which the building is presently located. The Building Inspector shall refer the application to the municipal police for approval of the proposed route over which the building is to be moved. Upon approval, the Building Inspector shall then issue the permit; provided that a good and sufficient corporate surety bond, check, or cash in an amount set by motion of the City Council and conditioned upon

moving the building without doing damage to any private or municipal property is filed with the Municipal Clerk prior to the granting of any permit. No moving permit shall be required to move a building that is 10 feet wide or less, and 20 feet long or less, and when in a position to move, 15 feet high or less. In the event it will be necessary for any licensed building mover to interfere with the telephone or telegraph poles and wires, or a gas line, the company or companies owning, using, or operating the poles, wires, or line shall upon proper notice of at least 24 hours, be present and assist by disconnecting the poles, wires, or line relative to the building moving operation. All expense of the disconnection, removal, or related work shall be paid in advance by the licensee unless the disconnection or work is furnished on different terms as provided in the company's franchise. Whenever the moving of any building necessitates interference with a water main, sewer main, pipes, or wires belonging to the municipality, notice in writing of the time and route of the building moving operation shall be given to the various municipal officials in charge of the municipal utility departments who shall proceed in behalf of the municipality and at the expense of the mover to make those disconnections and do that work as is necessary.

(1986 Code, § 9-301) Penalty, see § 150.999

Statutory reference:

Authority to regulate moving of buildings, see Neb. RS 17-142

§ 150.041 DEPOSIT.

At such time as the building moving has been completed, the Building Inspector or other designated official shall inspect the premises and report to the Municipal Clerk as to the extent of damages, if any, resulting from the relocation and whether any municipal laws have been violated during the operation. Upon a satisfactory report from the Building Inspector or other designated official, the Municipal Clerk shall return the corporate surety bond, cash, or check deposited by the applicant. In the event the basement, foundation, or portion thereof is not properly filled, covered, or in a clean and sanitary condition, the City Council may apply the money deposited for the purpose of defraying the expense of correcting the conditions. If the expense of correcting the hazardous condition is greater than the amount of the deposit set by the City Council, as required herein, the City Council may recover the excess expense by civil suit or otherwise as prescribed by law.

(1986 Code, § 9-302)

UNSAFE BUILDINGS

§ 150.060 SPECIAL ASSESSMENTS.

(A) If any owner of any building or structure fails, neglects, or refuses to comply with notice by or on behalf of the municipality to repair, rehabilitate, or demolish and remove a building or structure

which is unsafe and a public nuisance, the municipality may proceed with the work specified in the notice to the property owner. A statement of the cost of that work shall be transmitted to the City Council.

(B) The City Council may:

(1) Levy the cost as a special assessment against the lot or real estate upon which the building or structure is located; or

(2) Collect the cost from the owner of the building or structure and enforce the collection by civil action in any court of competent jurisdiction.

(C) Any such special assessment shall be a lien on the real estate and shall be collected in the manner provided for special assessments.

(1986 Code, § 9-402) (Ord. 786, passed 12-10-1990)

BUILDING INSPECTOR**§ 150.075 POWER AND AUTHORITY.**

The Building Inspector shall be the municipal official who shall have the duty of enforcing all building and housing regulations as herein prescribed. He or she shall inspect all buildings repaired, altered, built, or moved in the municipality as often as necessary to ensure compliance with all municipal ordinances. He or she shall have the power and authority to order, at the direction of the City Council, all work stopped on any construction, alteration, or relocation which violates any provisions prescribed herein. He or she shall, at the direction of the City Council, issue permission to continue any construction, alteration, or relocation when the City Council is satisfied that no provision will be violated. If the stop order is an oral one, it shall be followed by a written stop order within 1 hour. The written order may be served by any municipal police officer. In the event that the City Council fails to appoint a Building Inspector, the Municipal Clerk shall be the Building Inspector ex officio.

(1986 Code, § 9-101)

§ 150.076 RIGHT OF ENTRY.

It shall be unlawful for any person to refuse to allow the Building Inspector entry into any building or structure where the work of construction, alteration, repair, or relocation is taking place for the purpose of making official inspections at any reasonable hour.

(1986 Code, § 9-102) Penalty, see § 150.999

§ 150.077 PERMIT CARDS.

Upon the issuance of a building permit, the Building Inspector shall furnish to the applicant a permit card which shall be a distinctive color and shall contain the nature of the work, the location of the building, the number of the permit, and the date of issuance. The card shall be prominently displayed on the principal frontage of the building site close to or upon the building or structure and shall so remain until the final inspection has been made.

(1986 Code, § 9-103) Penalty, see § 150.999

§ 150.078 TIME OF INSPECTION.

The Building Inspector, upon notification from the permit holder or his or her agent, shall make the following inspections of the building or structure and shall either approve that portion of the construction as completed or shall notify the permit holder or his or her agent that the work fails to comply with the requirements of this municipal code: foundation inspection shall be made after trenches are excavated and the necessary forms erected; frame inspection shall be made after the roof, framing, fire-blocking, and backing is in place and all pipes, chimneys, and vents are complete; and final inspection shall be

made after the building is completed and ready for occupancy. It shall be unlawful for any person to do work or cause work to be done beyond the point indicated in each successive inspection without the written approval of the Building Inspector.

(1986 Code, § 9-104) Penalty, see § 150.999

§ 150.079 APPEAL FROM DECISION.

In the event it is claimed that the true intent and meaning of the code of ordinances has been wrongly interpreted by the Building Inspector, that the time allowed for compliance with any order of the Building Inspector is too short, or that conditions peculiar to a particular building make it unreasonably difficult to meet the literal requirements prescribed by the code and by the Building Inspector, the owner, his or her agent, or the occupant may file a notice of appeal within 10 days after the decision or order of the Building Inspector has been made. The City Council shall hear all appeals and shall have the power and authority, when appealed to, to modify the decision or order of the Building Inspector. Such a decision shall be final, subject only to any remedy which the aggrieved person may have at law or equity. Applications for review shall be in writing and shall state the reasons why the variance should be made. A variance shall be granted only where it is evident that reasonable safety and sanitation is assured and may include conditions not generally specified by this code to achieve that end. A copy of any variance so granted shall be sent to both the Building Inspector and the applicant.

(1986 Code, § 9-105)

ELECTRICAL INSPECTOR

§ 150.095 GENERAL AUTHORITY.

The Electrical Inspector shall have general supervision over and is hereby authorized, empowered, and directed to regulate and determine the placing, stringing, and attaching of all telegraph, telephone, or electric light and power or other wires in the city so as to prevent fires, accident, or injury to persons or property; and he or she shall cause wires and all electrical appliances to be so placed, constructed, and guarded as not to cause fires or accidents or endanger life or property, and whenever, in the judgment of the Electrical Inspector, any electric wire or appliance shall be defective by reason of improper or insufficient insulation, or for any other cause, the Electrical Inspector or his or her deputy shall at once notify the owner thereof of the defect, and order him or her to repair, rearrange, or remove the same, and upon the owner's failure or refusal so to do, he or she shall be deemed guilty of a violation of the provisions of this subchapter. Each and every day which shall elapse after the expiration of that reasonable time until the order of the Electrical Inspector is fully complied with, shall be considered a separate offense.

(1986 Code, § 9-601) Penalty, see § 150.999

§ 150.096 RIGHT OF ACCESS; EMERGENCIES.

The Electrical Inspector, or any competent person delegated to assist him or her, shall, upon proper identification, have the right during reasonable hours to enter any building, manhole, or subway, in the discharge of his or her official duties, or for the purpose of making any test of the electric apparatus or appliances therein contained, and for that purpose he or she shall be given prompt access to all buildings, private or public, and to all manholes and subways, on application to the company or individual owning or in charge or control of the same. The Electrical Inspector shall have the authority to cause the turning off of all electric current and to cut or disconnect, in case of emergency, any wire where the electric current is dangerous to life or property or may interfere with the work of the Fire Department. The Chief of the Fire Department or person in charge at times of fires, as well as the Electrical Inspector, or either of them, shall have power to at once cause the removal of all wires or the turning off of all electric current where the circuits interfere with the work of the Fire Department during the progress of fire.

(1986 Code, § 9-602)

§ 150.097 ASSISTANTS.

The Electrical Inspector, if authorized by the Mayor and Council, is hereby authorized to delegate any competent person or persons to assist in the enforcement of all the provisions of this subchapter; and it shall be unlawful to interfere with the Electrical Inspector or any competent person or persons delegated by him or her while in the performance of duty.

(1986 Code, § 9-603) Penalty, see § 150.999

§ 150.098 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ELECTRIC APPARATUS. Includes all wires, wiring, material, machinery, appliances, equipment, fluorescent lighting, neon sign, lighting or display facility, fixtures, and apparatus used or designed to be used in the utilization of electricity when connected with a source of electromotive force for the purpose of producing light, heat, or power.

ELECTRICIAN. The person licensed under the provisions of Chapter 115 to install electric apparatus.

INSTALL, INSTALLED, or INSTALLATION. Include the construction and placing in position for service and use of any new electric apparatus, and the alteration, modification, or repair of existing electric apparatus.

(1986 Code, § 9-604)

§ 150.099 INSPECTIONS MANDATORY; MINOR WORK EXCEPTED.

All electrical installations in buildings within the corporate limits of the city and its lawful zoning limits shall be subject to inspection as provided in this subchapter; provided, nothing in this subchapter shall be construed so as to require the securing of a construction permit for minor repair work such as repairing flush and snap switches, replacing fuses, changing lamp sockets and receptacles, taping bare joints, and repairing drop cords.

(1986 Code, § 9-605) Penalty, see § 150.999

§ 150.100 PLAN REQUIRED.

Before a permit for the installation of any electrical apparatus may be issued, the applicant shall submit to the Electrical Inspector a plan thereof, and, if the same complies in all respects with this subchapter, the Electrical Inspector shall issue a permit for the installation thereof.

(1986 Code, § 9-606) Penalty, see § 150.999

§ 150.101 NONCOMPLIANT INSTALLATION; ORDER TO CONDEMN OR DISCONNECT; CORRECTION.

(A) If the Inspector finds that any installation is not in compliance with the accepted standards of construction for safety to life and property, based upon minimum standards set forth in the National Electric Code, he or she shall by written order condemn the installation or noncomplying portion thereof, or order service to that installation disconnected, and shall send a copy of this order to the City Council and the supplier involved. If the installation or the noncomplying part thereof is such as to seriously and proximately endanger human life and property, the order of the Inspector when approved by his or her superior shall require immediate condemnation and disconnection by the applicant. In all other cases, the order of the Inspector shall permit a reasonable opportunity for the installation to be brought into compliance with accepted standards of construction for safety to life and property prior to the effective time established in the order for condemnation or disconnection.

(B) A copy of each condemnation or disconnection order shall be served personally or by U.S. mail upon the property owner at his or her last known address, and the electrician or installer making the installation, and those other persons as the City Council, by rule or regulation, may direct.

(1986 Code, § 9-607) Penalty, see § 150.999

§ 150.102 NEW NONCOMPLIANT INSTALLATION, NOT ENERGIZED; CORRECTION.

When an Electrical Inspector finds that a new installation or part of a new installation that is not energized is not in compliance with accepted standards of construction, based upon minimum standards set forth in the National Electrical Code, he or she shall, if the installation of the noncomplying part thereof is such as to seriously and proximately endanger human life and property if energized, order, with the approval of the City Council, immediate condemnation of the installation or noncomplying part.

When the person responsible for making the installation so condemned is notified, he or she shall promptly proceed to make the corrections cited in the condemnation order.

(1986 Code, § 9-608) Penalty, see § 150.999

§ 150.103 NEW NONCOMPLIANT INSTALLATION, ENERGIZED; CORRECTION.

If the Electrical Inspector finds that a new installation that is energized is not in compliance with accepted standards of construction, he or she shall, if the installation or the noncomplying part thereof is such as to seriously and proximately endanger human life and property, order immediate disconnection of the installation or noncomplying part. When the person responsible for making the installation so ordered disconnected is notified, he or she shall promptly proceed to make the correction cited in the order.

(1986 Code, § 9-609) Penalty, see § 150.999

§ 150.104 NONCOMPLIANT INSTALLATION, NOT DANGEROUS; CORRECTION ORDER.

When a noncomplying installation, whether energized or not, is not proximately dangerous to human life and property, the Inspector shall issue a correction order, ordering the owner or electrician to make the installation comply with accepted standards of construction for safety to life and property, based upon minimum standards set forth in the National Electrical Code, noting specifically what changes are required. The order shall specify a date, not less than 10 nor more than 17 calendar days from the date of the order, when a final inspection shall be made. If, at the time of the final inspection, the installation has not been brought into compliance, a condemnation or disconnection order may be issued by the Inspector with the approval of the City Council. The City Council may assist the owner in retaining another person licensed and qualified to correct the deficiencies noted. When the installation is brought into compliance to the satisfaction of the Inspector, the correction order shall be immediately countermanded. Any supplier of electrical service complying with any order of an Electrical Inspector shall be relieved of all liability in cases of subsequent damage or loss arising from any cause, except acts of gross negligence by the supplier.

(1986 Code, § 9-610) Penalty, see § 150.999

§ 150.105 CERTIFICATE OF APPROVAL.

When all the provisions of this subchapter have been complied with, then the Electrical Inspector shall issue a certificate of approval, which certificate of approval shall certify that the electric apparatus has been installed in accordance with the provisions of this subchapter.

(1986 Code, § 9-611)

§ 150.106 FEES.

For each electrical inspection, the person, firm, or corporation or their agents installing same and applying for inspection shall pay a fee for the inspection and each reinspection as set out in the Uniform Administrative Code. All inspection fees shall be paid to the Treasurer at the time of inspection and before certificates of satisfactory inspection are issued and before current is turned on; and these fees shall be credited to the city's Electrical Department for the inspection.
(1986 Code, § 9-612) Penalty, see § 150.999

§ 150.107 RECORDS.

The Electrical Inspector shall keep a full and complete record of applicants for construction permits made and granted as required by this subchapter. The applications shall be the property of the city and shall be filed in the office of the Treasurer.
(1986 Code, § 9-613)

§ 150.108 REINSPECTION.

The Electrical Inspector shall make periodically a thorough reinspection of all the installation in building of all electric wiring, electric devices, and electric materials now installed or that may be hereafter installed within the corporate limits of this city, and when the installation of any such wiring, devices, or materials is found to be in dangerous or unsafe condition, the person, firm, or corporation owning, using, or operating the same shall be notified in writing and shall make the necessary repairs or changes required to place the wiring, devices, and materials in a safe condition, and have the work completed within 15 days, or any longer period specified by the Electrical Inspector in the notice. The Electrical Inspector is hereby empowered to disconnect or order the discontinuance of electrical service to wiring, devices, or materials so found to be defectively installed until the installation of the wiring, devices, or materials has been made safe as directed by the Electrical Inspector.
(1986 Code, § 9-614) Penalty, see § 150.999

§ 150.109 REVIEW OF CONDEMNATIONS.

When the Electrical Inspector condemns all or part of any electrical installation, the owner may, within 5 days after receiving written notice from the Electrical Inspector, file a petition in writing for review of that action of the Electrical Inspector with the City Council, upon receipt of which the City Council shall at once proceed to determine whether the electrical installation complies with this subchapter and within 3 days shall make a written decision in accordance with its findings, and shall file a copy of the decision signed by at least a majority of the members of the City Council with the City Clerk and with the Treasurer.
(1986 Code, § 9-615)

AWNINGS, SIGNS, AND MARQUEES**§ 150.120 AWNINGS IN SIDEWALK SPACE; CONSTRUCTION REQUIREMENTS.**

All awnings hereafter erected or suffered to remain in the sidewalk space shall be of canvas on iron frames. All awnings shall be elevated at least 7 feet at their lowest part from the top of the public sidewalk and shall not project over the sidewalk to exceed 3/4 of the width thereof. They shall be supported without posts by iron brackets or by an iron framework attached firmly to the building, so as to leave the sidewalk wholly unobstructed thereby.

(Neb. RS 17-131 and 17-555) (1986 Code, § 9-701) Penalty, see § 150.999

§ 150.121 MARQUEES; PERMIT REQUIRED.

Nothing in this subchapter shall be construed to prevent the owner of any building from constructing a marquee of noncombustible material supported without posts over the sidewalk space if a building permit shall have first been secured for the construction of the same as provided in § 150.124.

(Neb. RS 17-131) (1986 Code, § 9-702)

§ 150.122 SIGNS PROJECTING BEYOND LOT LINE; PERMIT REQUIRED.

It shall be unlawful for any person, firm, or corporation to place or hang any commercial or business sign or advertisement, whether illuminated or not, upon or in a manner so as to project wholly or in part over any street, avenue, alley, or sidewalk of the city, or to permit any such sign owned by him or her to so remain except as provided in this subchapter.

(Neb. RS 17-131 and 17-555) (1986 Code, § 9-703) Penalty, see § 150.999

§ 150.123 ILLUMINATED AND ELECTRICAL SIGNS; REQUIREMENTS.

It shall be unlawful for any person to connect any fluorescent lighting, neon sign, or other lighting or display facility having similar load characteristics to the electrical distribution system of the city, or to permit a connection already made to continue, unless that fluorescent lighting, neon sign, or other lighting or display facility having similar load characteristics, is connected with capacitors or other auxiliaries of sufficient size to maintain a power factor of 90% or more lagging, whenever the fluorescent lighting sign or other display equipment is in operation. Each day that the fluorescent lighting, neon sign, or other lighting or display facility shall remain illegally connected to the electrical distribution system of this city shall be deemed and shall constitute a separate and distinct offense.

(Neb. RS 17-555) (1986 Code, § 9-704) Penalty, see § 150.999

§ 150.124 SIGNS AND MARQUEES; PERMIT APPLICATION.

Any person, firm, or corporation wishing to erect and maintain any marquee or sign upon or projecting wholly or in part over any street, avenue, alley, or sidewalk shall file in the office of the City Clerk a written application for a permit to do so, giving full information as to size, weight, and character of the sign or marquee and the distance it will project outside the lot line, together with drawings or other data showing the method of securing and fastening the same. The City Clerk shall forthwith refer the application to the Police Chief and to the Utilities Superintendent, and if the Police Chief and Utilities Superintendent shall find that the sign is or will be of reasonable size, safe and secure, and not a menace to the public passing along the thoroughfare, that the building to which it is or will be attached is of sufficient strength and size safely to support the marquee or sign, and, if a fluorescent lighting, neon sign, or other lighting or display facility, that it complies with § 150.123 of this code, they shall endorse their findings on the application to that effect. The City Clerk shall then refer the application to the Governing Body at its next regular or special meeting, and the Governing Body may direct the City Clerk to grant the permit; otherwise it shall refuse the same. Any such permit shall be revocable at any time by the Governing Body for cause.
(Neb. RS 17-555) (1986 Code, § 9-705) Penalty, see § 150.999

§ 150.125 INSPECTIONS; VIOLATIONS; REMOVAL.

(A) All above described signs and marquees shall be periodically inspected, under the direction of the Police Chief and the Utilities Superintendent. If it appears that any sign or marquee is insecure or unsafe or that it fails to conform with the requirements of § 150.123, it shall be ordered, by notice in writing, to be made safe or removed forthwith by the person maintaining the sign, or the Police Chief shall cause the same to be removed as an unlawful sign or awning as provided below.

(B) Every awning, marquee, or sign erected or maintained in conflict with the provisions of this subchapter is hereby declared to be a public nuisance and shall be removed by the Police Chief or any police officer by order of the Chief at the expense of the owner of the building, or his or her agent or tenant, to which the awning, marquee, or sign is attached, or at the expense of either of them, after notice in writing to them or either of them to remove the awning, marquee, or sign shall have been given to them or either of them. All commercial signs where the owner or lessee has moved or is out of business and any such sign which has become dead or valueless for advertising purposes are hereby declared to be public nuisances and shall be removed as provided in this section. The actual cost or expense of removing any unlawful sign, awning, or marquee shall be taxed as costs by the court as part of the judgment of conviction.

(Neb. RS 17-555) (1986 Code, § 9-706) Penalty, see § 150.999

§ 150.999 PENALTY.

(A) *General.* Any person who shall violate any provision of this chapter for which no other penalty is provided shall, upon conviction, be subject to penalties as provided in § 10.99 of this code.

(B) *One call notification.*

(1) Any person found in violation as described in § 150.029 shall be fined for noncompliance as follows:

- (a) First offense: \$100;
- (b) Second offense: \$300; and
- (c) Third offense: \$500.

(2) Further, after the third offense, any city contractor license the individual holds will be revoked and a request will be forwarded to the state to revoke his or her state contractor license. A copy of the request will also be forwarded to the individual's insurance company and bondholder, if he or she is a licensed contractor.

(Ord. 1005, passed 10-25-1999)

CHAPTER 151: TRAILER AND MOBILE HOME COURTS

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GENERAL PROVISIONS**§ 151.001 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Where no definition is specified, the normal dictionary usage of the word shall apply.

BUILDING INSPECTOR. The legally designated building authority of the city or his or her authorized representative.

CERTIFICATE OF COMPLIANCE. A written statement by the Health Officer or Zoning Enforcement Officer certifying compliance with the requirements of this chapter.

DEPENDENT TRAILER. A trailer which does not have a built-in flush toilet and a bath or shower.

ELECTRICAL INSPECTOR. The legally designated electrical authority of the city or his or her authorized representative.

FIRE INSPECTOR. The legally designated Fire Chief of the city or his or her authorized representative.

INDEPENDENT TRAILER. A trailer which has a built-in flush toilet and a bath or shower in serviceable condition.

MOBILE HOME, AUTOMOBILE TRAILER, or TRAILER COACH. A dwelling unit, factory-built and factory-assembled, designed for conveyance, after fabrication, on streets and highways on its own wheels or on flatbed or other trailers, of less than 23 feet in width, and arriving at the site where it is to be occupied as a dwelling unit complete and ready for occupancy, except for minor and incidental unpacking and assembly operations such as locating on jacks or other foundation, or connection to utilities. A prefabricated home or structure shall not be included in this definition.

MOBILE HOME COURT. A contiguous parcel of land under single ownership containing 2 acres (87,120 square feet) or more, which has been developed for the placement of mobile homes and approved by special permit of the City Planning Commission and is owned by an individual, firm, partnership, or corporation that has received a permit from the city. This term shall include any park, trailer park, trailer camp, camp site, lot, parcel, or tract of land designated, maintained, or intended for the purpose of supplying a location or accommodations for 2 or more mobile homes and upon which 2 or more mobile homes are parked and shall include all buildings used or intended for use as part of the equipment thereof, whether a charge is made for the use of the **MOBILE HOME COURT** and its facilities or not. **MOBILE HOME COURT** will not include auto or trailer sales and repair lots on which unoccupied trailers are parked for the purpose of inspection, sale, or repair; nor shall it include property upon which an unoccupied mobile home or trailer is situated when that unoccupied mobile home or

trailer is used by the owner of the real estate upon which the trailer is parked for camping or other temporary living facilities away from the place it is parked. Each mobile home unit within the **MOBILE HOME COURT** shall consist of at least 4,000 square feet, and no mobile home unit within the **MOBILE HOME COURT** shall be located closer than 25 feet at any point from the mobile home located in an adjacent unit.

PERSON. Includes persons, partnerships, firms, companies, corporations, tenants, owner, lessee or licensee, their agent, heirs, or assigns.

PLUMBING INSPECTOR. The legally designated plumbing authority of the city or his or her authorized representative.

SERVICE BUILDING. A building housing toilet facilities for men and women, and other facilities as may be required by this chapter.

TRAILER. Any vehicle, without motive power, designated for living quarters and for being drawn by a motor vehicle and is suitable for recreational, vacation, or travel purposes and which is not more than 8 feet in width nor more than 32 feet in length including hitch; provided, the length shall not apply if the gross weight does not exceed 4,500 pounds.

TRAILER COURT or TRAILER CAMP. Any plot of ground approved by the City Planning Commission upon which 2 or more trailers or mobile homes occupied for dwelling or sleeping purposes are located and which has received a special permit for its location from the City Planning Commission.

TRAILER SPACE. A plot of ground within a trailer court designated for the accommodation of 1 trailer or mobile home and reserved for exclusive use of its occupants.

UNIT. A section of ground shown and platted according to scale on the mobile home permit application of a mobile home court comprising not less than 4,000 square feet of space upon which 1 mobile home is to be located.
(1986 Code, § 10-1101)

§ 151.002 CONFLICT OF ORDINANCES.

In any case where a provision of this chapter is found to be in conflict with a provision of any zoning, building, fire, safety, or health ordinance or code of the city, existing on the effective date of this chapter, the provision which, as applied to trailers, trailer courts, mobile homes, or mobile home courts, establishes the higher standard for the promotion and protection of the health and safety of the public 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 established a lower standard for the promotion and protection of the health and safety of the public, the provisions of this chapter shall be deemed to prevail, and those other ordinances or codes are hereby declared to be repealed to the extent that they may be found in conflict with the chapter.
(1986 Code, § 10-1145)

PERMITS**§ 151.015 PERMIT REQUIRED.**

(A) It shall be unlawful for any person to construct, maintain, or operate any trailer court or mobile home court within the limits of the city or within 1 mile beyond the city limits of the city, unless he or she holds a valid permit issued by the Zoning Enforcement Officer, and approved by the City Planning Commission, in the name of that person for the specific trailer court or mobile home court. Applications for permits shall be made to the Zoning Enforcement Officer who shall issue a permit upon compliance by the applicant with provisions of this chapter, as evidenced by a certificate of compliance, which certificate shall show compliance with applicable legal requirements. No permit shall be transferable. Every person holding a trailer court or mobile home court permit shall give notice in writing to the Zoning Enforcement Officer within 72 hours after having sold, transferred, given away, or otherwise disposed of any interest in or control of any trailer court or mobile home court. This notice shall include the name and address of the person succeeding to the ownership or control of the trailer court or mobile home court.

(B) Presently licensed trailer courts and mobile home courts as of the effective date of this chapter may continue their operation; provided, they meet the court development standards herein provided, and further, that they fully comply with the mobile home or trailer stand requirements of this chapter. (1986 Code, § 10-1102) Penalty, see § 151.999

§ 151.016 APPLICATION FOR PERMIT OR RENEWAL.

(A) Application for original trailer court or mobile home court permits shall be in writing and verified. The application shall contain the following:

- (1) The name and address of the applicant;
- (2) The interest of the applicant in the trailer court or mobile home court and the location;
- (3) The legal description of the trailer court or mobile home court; and

(4) A complete plan and supplemental specifications of the trailer court or mobile home court showing compliance with all applicable provisions of the city ordinances.

(B) An application for renewal of a permit shall be required and that renewal issued by the Zoning Enforcement Officer before any changes are made in the trailer court or mobile home court which deviate from the plans and specifications as approved in the original permit or the latest renewal thereof. Applications for renewals of permits shall be in writing and verified by the holder of the permit and shall set out any proposed changes in the trailer court or mobile home court.

(C) Once a mobile home court design and layout have been approved and a license issued by the city, the design and layout shall remain unchanged by the owner of the court except as provided herein. If a change in design or layout is desired by the owner, he or she shall prepare a new design and layout drawn to scale and present the same to the City Planning Commission for its approval or disapproval. The Planning Commission, within 30 days after the proposed new plan and design is presented to it, shall either approve or disapprove the proposed new plan or layout. In the event the new design and plan is approved in writing by the Planning Commission, then the proposed changes may be made without further action. In the event the proposed changes are disapproved, the Planning Commission shall state in writing the reasons for its disapproval, and the proposed changes shall not be made. (1986 Code, § 10-1104) Penalty, see § 151.999

§ 151.017 PLANS AND SPECIFICATIONS.

The plans and specifications of the trailer court or mobile home court shall show:

- (A) The area, dimensions, and location of the tract of land;
 - (B) The number, location, dimensions, and size of all trailer or mobile home spaces;
 - (C) The location and widths of roadways and walkways;
 - (D) The location of service buildings and any other proposed structures as required;
 - (E) The location and construction details of water and sewer lines and service outlets;
 - (F) The source of water service, if a public supply; construction and location details if a private supply. An adequate supply of sure drinking water must be available;
 - (G) The type of sewage disposal, including construction and location details, if a private system;
 - (H) The plans and specifications of all buildings and other improvements constructed or to be constructed within the trailer court or mobile home court; and
 - (I) All plans and detail drawings drawn to scale.
- (1986 Code, § 10-1105) Penalty, see § 151.999

§ 151.018 APPLICATION AND ANNUAL PERMIT FEES.

(A) When other requirements for approval of an original application for a permit or a renewal thereof, as described above, have been satisfied, the applicant shall pay to the City Treasurer the following permit fees, and upon presentation of payment receipt to the Zoning Enforcement Officer that original permit or renewal thereof shall be issued:

(1) For trailer courts or mobile home courts designated to accommodate 1 to 10 trailers or mobile homes, the fee shall be \$25; or

(2) For trailer courts or mobile home courts designated to accommodate more than 10 trailers or mobile homes, the fee shall be \$25 for the first 10 trailer or mobile home spaces plus \$2 for each additional trailer or mobile home space thereafter.

(B) A permit fee of \$25 shall be paid annually to the City Treasurer on June 1 of each year, as long as the trailer court or mobile home court continues in operation and in compliance with the provisions of this chapter. A permit shall be valid continuously so long as the annual permit fees are paid and so long as the permit is not revoked.

(C) A new license shall in no event be issued when it is determined by the Zoning Enforcement Officer that any court has not been constructed according to the design and plan layout approved by the City Planning Commission or when it appears that changes have been made subsequent to the initial approval of the city when those changes have not been first presented and approved according to this chapter. All mobile home courts whose license expires without renewal shall automatically cease to exist, and any application filed after the first day of June of each year hereafter shall be considered new applications and shall be subject to all requirements of this chapter, including the square footage requirements set forth herein.

(1986 Code, § 10-1106) Penalty, see § 151.999

REQUIREMENTS AND RESTRICTIONS

§ 151.030 MINIMUM SPACE REQUIREMENTS.

(A) No mobile home court shall be located in or near the city, save and except where the provisions of this chapter are complied with. Those mobile home courts existing prior to the passage of this chapter, however, shall not be required to comply with the 87,120 square feet (2 acres) and 4,000 square feet area requirements of this chapter so long as they comply with the other provisions of this chapter and maintain a mobile home court license pursuant to the terms of this chapter.

(B) All existing mobile home courts shall be required to comply with all of the terms of this chapter, with the exception of the 87,120 and the 4,000 square footage requirement, beginning in 1986. They shall be required to file an application for a mobile home court permit pursuant to § 151.015 of this code prior to June 1, 1986.

(1986 Code, § 10-1103) Penalty, see § 151.999

§ 151.031 LOCATION, SPACE, AND GENERAL LAYOUT.

Any trailer court or mobile home court shall be located on a well-drained site, free from marshes, swamps, or other potential breeding places for insects or rodents, and so that its drainage will not endanger any water supply.

(1986 Code, § 10-1113) Penalty, see § 151.999

§ 151.032 MISCELLANEOUS AREA REQUIREMENTS.

In addition to trailer or mobile home spaces, trailer courts or mobile home courts shall accommodate access roads, parking for motor vehicles, and space for any other facility required by this chapter and any zoning regulation that may be adopted.

(1986 Code, § 10-1114) Penalty, see § 151.999

§ 151.033 ACCESS ROADS.

Access roads shall be provided to each trailer or mobile home space and shall connect with a street or highway and shall have a minimum unobstructed width of 20 feet and shall permit Fire Department apparatus to approach within 200 feet of any part of any trailer or mobile home. In all trailer courts or mobile home courts constructed after the effective date of this chapter access roads shall also provide for continuous forward movement of using vehicles. These access roads shall be at least graveled and maintained in a good condition having proper drainage into the city's drainage system. They shall be properly lighted at night and shall not be obstructed at any time.

(1986 Code, § 10-1115) Penalty, see § 151.999

§ 151.034 POSITIONING OF MOBILE HOMES AND TRAILERS.

All mobile home units or trailer units shall be positioned on a mobile home space or trailer space in compliance with the requirements of the special permit provisions granted by the City Planning Commission or in accordance with the zoning requirements at the time of the establishment of the mobile home court or trailer court as follows: in mobile home courts or trailer courts constructed after the adoption of this code, a distance of at least 25 feet shall be maintained between mobile homes or trailers and mobile homes or trailers and buildings in all horizontal directions unless specifically adjusted by the City Planning Commission upon specific request due to special circumstances as provided in the zoning code.

(1986 Code, § 10-1116) Penalty, see § 151.999

§ 151.035 UNLAWFUL TO OCCUPY UNLESS ON SPACE.

It shall be unlawful to allow any trailer or mobile home to be occupied in a trailer court or mobile home court unless the trailer or mobile home is situated on a trailer space or mobile home space. If a

mobile home, then the mobile home must comply with all the construction standards as set forth in the Standard for Mobile Homes, NFPA No. 501B as designated in Ch. 150 of this code.
(1986 Code, § 10-1117) Penalty, see § 151.999

§ 151.036 PARKING OF MOTOR VEHICLES.

Parking space for motor vehicles shall be provided and the parking area shall be clearly defined. Motor vehicle parking shall be provided on the basis of 1 stall, 9 feet wide by 20 feet long, for each trailer space or mobile home space.
(1986 Code, § 10-1118) Penalty, see § 151.999

§ 151.037 STANDS; SKIRTING.

(A) The area of the mobile home or trailer stand shall be improved to provide an adequate and approved foundation for the placement of the mobile home or trailer, thereby positioning the super structure against uplift, sliding, rotation, or overbearing. The mobile home or trailer stand shall be on basically noncombustible materials and shall not shift or settle unevenly under the weight of the mobile home or trailer due to frost action, inadequate drainage, vibration, or other forces acting upon the super structure. A mobile home or trailer stand may be provided by means of a solid concrete foot or block 16 inches by 16 inches by 4 inches minimum placed on solid uniform soil, upon which are placed and centered standard concrete blocks on top of another with cells placed vertically. A solid 4-inch concrete cap covering the concrete blocks shall be provided as the bearing area to be positioned directly beneath the steel frame of the mobile home or trailer. If blocking shall be provided upon which shall be placed a wooden spacer and wooden shims upon the full length of the mobile home or trailer unit, they shall be placed not more than 10 feet apart and not more than 5 feet from the ends of the unit.

(B) The skirting of all mobile homes and trailers is required. The skirting shall not attach a mobile home or trailer permanently to the ground, but shall be sufficient to withstand wind blow requirements and shall not provide a harborage for junk or rodents nor create a fire hazard. The skirting shall be provided with removable or hinged access panels sufficient to provide easy access to all utility connection points of the mobile home or trailer and its subsequent connection with the utility risers if they are located within the skirted area.

(C) Skirting for trailers, travel trailers, or recreational trailers on authorized overnight trailer spaces shall not be required; provided, that the trailer, travel trailer, or recreational trailer is not parked on that overnight space for more than 30 days. All mobile homes and trailers shall be secured to the ground by being affixed to a minimum of 4 anchors so as to prevent the trailer or mobile home from overturning or the separation of the chassis from the frame due to high winds, within 30 days of location in the mobile home or trailer space.
(1986 Code, § 10-1137) Penalty, see § 151.999

§ 151.038 ALTERATIONS AND ADDITIONS.

No additions or appurtenances shall be built onto or become a part of any trailer or mobile home unless they are approved by the City Planning Commission. All plumbing and electrical alterations shall be in accordance with the National Electrical Code and the Uniform Plumbing Code. (1986 Code, § 10-1138) Penalty, see § 151.999

§ 151.039 LIMITATION ON NUMBER OF OCCUPANTS.

No mobile home may be inhabited by a greater number of occupants than the same will reasonably accommodate. (1986 Code, § 10-1139) Penalty, see § 151.999

§ 151.040 RESTRICTIONS ON ANIMALS AND PETS.

No owner or person in charge of a dog, cat, or other pet animal shall permit it to run at large, or to commit any nuisance within the limits of any trailer court or mobile home court. (1986 Code, § 10-1140) Penalty, see § 151.999

§ 151.041 REGISTER OF OCCUPANTS.

(A) Trailer court or mobile home court owners or operators shall maintain a register which shall be available to any authorized person inspecting the court, and shall be preserved for a period of not less than 1 year.

(B) The above register shall indicate:

(1) The names and addresses of all trailer occupants and mobile home occupants stopping in the court;

(2) The make, model, and license number of the motor vehicle and trailer;

(3) The state, territory, or county issuing the trailer license;

(4) The dates of arrival and departure of each trailer; and

(5) Whether or not each trailer is a dependent or independent trailer.
(1986 Code, § 10-1141) Penalty, see § 151.999

§ 151.042 SUPERVISION.

The person to whom a permit for a trailer court or mobile home court is issued shall provide adequate personnel to maintain the court, its facilities, and equipment in good repair and in a clean and sanitary condition at all times.

(1986 Code, § 10-1142) Penalty, see § 151.999

§ 151.043 RESPONSIBILITIES OF MANAGEMENT AND OCCUPANTS.

(A) *Responsibilities of the court management.* The person, firm, or corporation to whom a license is issued to operate the mobile home court or trailer court shall operate that court in strict compliance with the provisions of this chapter and of the special permit provisions of the City Planning Commission and shall provide adequate supervision to maintain the court, its related facilities, roadways, walkways, open spaces, utilities, and equipment in good repair and in a clean and sanitary condition. That licensee shall be responsible to see that all plumbing, heating, and electrical connections, alterations, and additions comply with the requirements of this chapter. No structural additions of any kind shall be constructed, or become any part of a mobile home, trailer, accessory building, or service facility until it meets the approval of the Building Official and is constructed under proper permit issued by the Building Official. The court licensee shall supervise the placement of each mobile home unit or trailer unit upon its stand and shall be responsible for ensuring its compliance with an approved foundation system and notification to the Building Official when new units are placed.

(B) *Responsibilities of court occupants.* The occupant(s) of any mobile home or trailer shall comply with all applicable requirements of this chapter and shall maintain his or her mobile home space or trailer space, its facilities, and equipment in good repair and in a clean and sanitary condition. The occupants of any mobile home or trailer shall be responsible to see that all plumbing, heating, cooling, and electrical connections, alterations, and additions comply with the requirements of this chapter. No structural additions of any kind shall be constructed, or become any part of a mobile home, trailer, accessory building, or service facility until it meets the approval of the City Planning Commission and is constructed under proper permit issued by the Zoning Enforcement Officer. The mobile home or trailer occupant may be served with notices of noncompliance together with the court licensee.

(1986 Code, § 10-1143) Penalty, see § 151.999

SERVICES; UTILITIES; HEALTH AND SAFETY**§ 151.055 SERVICE BUILDINGS; REQUIRED FACILITIES.**

(A) Trailer courts that accommodate dependent trailers shall provide at least the following facilities within a service building:

(1) For 1 to 10 dependent trailer spaces: 2 flush-type toilets and lavatories, and 1 shower or bathtub for females; 1 flush-type toilet, 1 urinal, 1 lavatory, and 1 shower or bathtub for males; and 1 slop-water closet consisting of at least 1 flush-type toilet bowl receptacle for emptying containers of human excreta, with an adequate supply of hot and cold running water for cleaning those containers; this slop-water closet shall be a separate room of a service building with a single direct opening to the outside; and

(2) For more than 10 dependent trailers, the following additional fixtures shall be provided: 1 lavatory and 1 shower or bathtub for each sex for every additional 10 dependent trailers or fraction thereof; 1 water closet for females for every additional 10 dependent trailers or fraction thereof; 1 water closet for males for every additional 15 dependent trailers or fraction thereof; provided, that urinals may be substituted for not more than 1/3 of the additional water closets required under this paragraph.

(B) Dependent trailer spaces shall be not more than 200 feet from a service building.
(1986 Code, § 10-1119) Penalty, see § 151.999

§ 151.056 SERVICE BUILDINGS; SPECIFICATIONS.

In addition to other requirements listed previously, the service building shall comply with the following specifications:

(A) Be located 25 feet or more from any trailer; provided, however, that this requirement shall not apply to construction lawfully in existence at the effective date of this chapter;

(B) Be of permanent construction, lighted with natural lighting by windows or skylights at least 12% of the floor area and artificial lighting;

(C) Be of moisture-resistant material;

(D) Have adequate heating facilities to maintain a temperature of 70°F at a distance of 3 feet above floor level under ordinary minimum winter conditions, and to supply adequate hot water during time of peak demands. These facilities should be maintained in safe and good working condition; and

(E) Have all rooms well-ventilated and all exterior openings effectively screened with no larger than 16 mesh screen.

(1986 Code, § 10-1120) Penalty, see § 151.999

§ 151.057 LAUNDRY FACILITIES.

(A) Laundry facilities shall be provided in the ratio of at least 1 clothes washing machine and 1 laundry tray to every 30 dependent trailer spaces, and shall be in a separate room of a service building, or in a separate building.

(B) Clothes drying facilities shall be available without charge for all spaces. Facilities may be provided on individual spaces or centrally located for community use; and they may be outdoor clothes drying racks or mechanical drying facilities in a service building.
(1986 Code, § 10-1121) Penalty, see § 151.999

§ 151.058 UTILITIES.

The party occupying each unit in a mobile home court or trailer court shall be primarily responsible for the payment of the delinquent water, sewer, and electrical charges, but in the event that this party shall remove himself or herself from the mobile home court or trailer court without paying those delinquent charges, the mobile home court owner shall be responsible for the delinquent charges and no water, sewer, or electric service shall be reconnected for that unit in that mobile home court or trailer court until those delinquent charges are paid.
(1986 Code, § 10-1122) Penalty, see § 151.999

§ 151.059 WATER SUPPLY.

(A) An accessible, adequate, safe, and potable water supply shall be provided in each trailer court or mobile home court, capable of furnishing a minimum of 150 gallons per day per trailer space. An independent water supply to serve a trailer court shall be developed only after express approval has been granted by the Health Officer. Where a public supply of water of this quality is available, connection shall be made thereto and that supply be used exclusively.

(B) The water system of a trailer court or mobile home court shall be connected and distributed by pipes to all buildings and spaces or mobile home spaces. Each unit within the court shall be supplied with a separate water meter.

(C) Water piping shall be constructed and maintained in accordance with city ordinances. The water system shall not be connected with nonpotable water or water supplies which have not been approved by the Health Officer and the State Health Department, and shall be protected against backflow or backsiphonage.

(D) Individual water service connections shall be constructed so that they will not be damaged by parking trailers or mobile homes. The trailer or mobile home court water system shall be adequate to provide at least 20 pounds per square inch of pressure at all trailer or mobile home connections.
(1986 Code, § 10-1123) Penalty, see § 151.999

§ 151.060 INDEPENDENT WATER SUPPLY.

(A) Where an independent or private water system is used to serve a trailer or mobile home court with water obtained from wells, the well shall have been approved by the Health Officer and the State

Health Department, and shall have been drilled or driven. Other sources of supply shall not be used unless approved by the Health Officer and State Health Department.

(B) Every well which serves a trailer or mobile home court shall be located and constructed in such a manner that neither underground nor surface contamination will reach the water supply from any source. A minimum distance of 150 feet shall be maintained between the water supply and any cesspool. A minimum distance of 100 feet shall be maintained between the water supply and any other possible source of contamination, except that sewers or pipes through which sewage may back up shall be located at least 50 feet from any well or water suction pipeline. Where the sewers or pipes are specifically constructed to provide adequate safeguards, and when specifically authorized by the Health Officer and State Health Department, those sewers or pipes through which sewage may back up may be closer than 50 feet but not less than 30 feet from a well.

(C) No well casings, pumps, pumping machinery, or suction pipes which serve a trailer or mobile home court shall be located in any pit, room, or space extending below ground level, nor in any room or space above ground which is walled in or otherwise enclosed, unless those rooms, whether above or below ground, have free drainage by gravity to the surface of the ground, and the floor of rooms above ground shall be at least 6 inches above grade; those floors shall be watertight, and sloped from the pump pedestal to the drain. The pedestal shall be not less than 12 inches above the floor. (1986 Code, § 10-1124) Penalty, see § 151.999

§ 151.061 WATER RESERVOIRS.

(A) Water reservoirs which serve a trailer or mobile home court shall be watertight, and constructed of impervious material; all overflows and vents of the reservoirs shall be effectively screened. Open reservoirs are prohibited. Manholes of the reservoirs shall be constructed with overlapping covers, so as to prevent contamination. Overflow pipes from a reservoir shall not connect to any pipe in which sewage or polluted water may back up.

(B) Underground stop and waste cocks shall not be installed on any connection. (1986 Code, § 10-1125) Penalty, see § 151.999

§ 151.062 PLUMBING.

Plumbing in trailer or mobile home courts shall comply with the city plumbing ordinances and Uniform Plumbing Code. (1986 Code, § 10-1126) Penalty, see § 151.999

§ 151.063 SEWER CONNECTION.

Each independent trailer space or mobile home space shall be provided with at least a 3-inch sewer connection. The sewer connection shall be provided with suitable fittings as adaptors so that a watertight

connection can be made between a trailer or mobile home drain and the sewer connection. The individual trailer or mobile home connections shall be constructed so that they can be closed when not linked to a trailer or mobile home and shall be capped so as to prevent escape odors. (1986 Code, § 10-1127) Penalty, see § 151.999

§ 151.064 SEWER LINES.

Sewer lines shall be constructed in accordance with plans approved by the State Health Department and the City Council and in accordance with any recommendations of the City Health Officer. All sewer lines shall be adequately vented, and shall be laid with sufficient earth to prevent breakage from traffic. (1986 Code, § 10-1128) Penalty, see § 151.999

§ 151.065 SEWAGE DISPOSAL.

It shall be unlawful to permit any wastewater from sinks, baths, showers, or other plumbing fixtures in any trailer or mobile home court to be deposited upon the surface of the ground, and all such fixtures, when in use, must be connected to the city sewer system. (1986 Code, § 10-1129) Penalty, see § 151.999

§ 151.066 REFUSE DISPOSAL.

Storage, collection, and disposal of refuse in a trailer or mobile home court shall be managed so as not to create health hazards, rodent harborage, insect-breeding areas, accident or fire hazards, or air pollution. (1986 Code, § 10-1130) Penalty, see § 151.999

§ 151.067 REFUSE STORAGE.

Refuse shall be stored in fly-tight, watertight, rodent-proof containers, which shall be located not more than 150 feet from any trailer or mobile home. Containers shall be provided in sufficient number and capacity to store properly all refuse, and otherwise in conformity with Ch. 55 of this code, the garbage and refuse code of the city. (1986 Code, § 10-1131) Penalty, see § 151.999

§ 151.068 REFUSE REMOVAL.

(A) Refuse shall be removed from the trailer court or mobile home court at least once weekly. Where suitable refuse removal service is not available from municipal or private agencies, the trailer court operator or mobile home operator shall provide this service. Refuse shall be removed and transported as required by city ordinance.

(B) Where municipal or private disposal service is not available, the trailer court or mobile home operator shall dispose of the refuse in conformity with the city ordinances.

(C) Refuse and garbage incineration on the trailer court premises is prohibited, unless specifically approved by the Fire Inspector. This approval shall be based on a review of the plans and specifications for the incinerators and approval of the site as well as the type of material placed in the incinerator.

(1986 Code, § 10-1132) Penalty, see § 151.999

§ 151.069 INSECT AND RODENT CONTROL.

(A) Insect and rodent control measures to safeguard public health as required by the City Health Officer shall be applied in the trailer court or mobile home court.

(B) Use of effective larvicidal solutions may be required by the Health Officer for fly or mosquito breeding areas which cannot be controlled by other, more permanent measures.

(C) The Health Officer may require a trailer court operator or mobile home operator to take measures to control insects and obnoxious weeds.

(D) Debris which may harbor rodents shall not accumulate in a trailer court or mobile home court. When rats or other objectionable rodents are detected in a trailer court or mobile home court, the court operator shall take definite action, as described by the Health Officer, to exterminate them.

(1986 Code, § 10-1133) Penalty, see § 151.999

§ 151.070 ELECTRICAL LIGHTING.

(A) Standard 115-volt electrical service shall be provided each trailer or mobile home; additional service may be furnished. Each unit within the court shall be supplied with a separate electric meter.

(B) High voltage distribution power lines in a trailer court or mobile home court shall be supported on poles or buried.

(C) Low voltage service lines (115-230 volts) may be supported on poles or buried.

(D) Illumination of roadways and walkways shall be equivalent to that required for residential areas.

(E) Electrical wiring referred to in this section shall comply with the National Electrical Code as adopted by the city.

(1986 Code, § 10-1134) Penalty, see § 151.999

§ 151.071 FUEL CONTAINER AND SUPPLY.

(A) Piping from fuel storage tanks or cylinders to trailers or mobile homes shall be copper or other acceptable metallic tubing and shall be permanently installed and securely fastened in place. Fuel storage tanks or cylinders shall be set upon a firm foundation or otherwise firmly secured in place, readily available for inspection and located so as to require filling and draining on the outside, and shall be not less than 5 feet from any trailer exit. The possible effect on the outlet piping of settling of containers shall be guarded against by a flexible connection or special fitting.

(B) No empty fuel containers shall be placed under trailers or mobile homes, but shall be left in place if the trailer is so designed for more than 1 container. If not so designed, the empty containers shall be stored in an area which the trailer court operator or mobile home operator shall designate for the storage of these containers.

(C) The National Fire Protection Association Pamphlet 501A for Trailer Courts, as it presently exists or may hereafter be amended, is hereby incorporated by reference and shall apply to all trailer courts and mobile home courts, except that no filling plant for liquefied petroleum gases shall be constructed, maintained, or operated within a trailer court or mobile home court.
(1986 Code, § 10-1135) Penalty, see § 151.999

§ 151.072 FIRE PROTECTION.

(A) Trailer courts or mobile home courts shall be subject to the Fire Prevention Code of the city.

(B) Trailer courts or mobile home courts shall be kept free from litter, rubbish, dry brush, and other flammable materials.

(C) Portable fire extinguishers of a type approved by the Chief of the Fire Department shall be kept in service buildings and at other locations designated by the Chief, and shall be maintained in good operating condition. Appropriate measures shall be taken to prevent freezing of fire equipment.

(D) Where a public water system with a water main of 6 inches or larger is available to the trailer court or mobile home court, standard fire hydrants shall be located within 1,000 feet of each trailer or mobile home or service building.

(E) Where the water supply system does not provide at least a 6-inch water main, a 2-inch frost-protected water riser within 300 feet of each trailer or mobile home or service building shall be provided in trailer courts or mobile home courts.

(F) The person to whom the trailer court permit or mobile home permit is issued shall be responsible for informing all tenants about means for summoning fire apparatus, the Police Department, and trailer court employees, and he or she shall conspicuously post a list of safety rules and regulations,

the form of which is found in Appendix A of the National Fire Protection Association Pamphlet 501A, as it presently exists or may hereafter be amended.
(1986 Code, § 10-1136) Penalty, see § 151.999

TRAILERS AND MOBILE HOMES ON PRIVATE PROPERTY

§ 151.085 LOCATION IN COURT; CURRENT PERMIT REQUIRED.

All trailers and mobile homes shall be located in a trailer court or mobile home court that has received a permit for operation from the city and only so long as that permit is current.
(1986 Code, § 10-1147) Penalty, see § 151.999

§ 151.086 LOCATION ON PRIVATE PROPERTY; PERMIT; CONDITIONS.

It shall hereafter be lawful for the owner or lessee of private property not designated as a trailer court or mobile home court to permit the owner or occupant or occupants of any cabin car, camp car, trailer, or any similar enclosure used for living and sleeping purposes to park the same and camp on that private property after an application has been made therefor, as hereinafter provided, and after the application therefor has been approved by the Mayor and City Council of the city.
(1986 Code, § 10-1148)

§ 151.087 PERMIT APPLICATION.

The application for a permit, provided in § 151.086 of this code, shall be made by the owner, occupant, or occupants of the vehicle desiring to park on that private property, and shall be made to the Zoning Enforcement Officer. Such application shall give the name of the applicant and his or her address, the location where the trailer or camp car is to be parked or kept, the name of the owner or lessee of the premises on which the vehicle is to be located, what water and toilet facilities are available, and how the applicants shall dispose of garbage, sewage, and refuse. The Zoning Enforcement Officer shall, upon receiving the application, refer the same to the City Council and shall not issue a permit therefor until the City Council approves the application. In approving the application, the City Council shall take into account all matters concerning public safety and sanitation; and no permit shall be granted unless 1,000 square feet of space shall be available for the trailer or for each of the trailers parked on that private property.
(1986 Code, § 10-1149) Penalty, see § 151.999

§ 151.088 RULES AND REGULATIONS.

All rules and regulations regulating distances between camp cars and camp trailers, the amount of square feet for each unit, and all other rules and regulations provided in this chapter, as now existing or as hereafter amended, insofar as applicable, shall govern trailers parked on private property. Upon approval by the City Council of the application as in § 151.087, the Zoning Enforcement Officer shall thereupon issue a permit for which no fee shall be charged. The permit shall be valid for 30 days only and shall not be renewable.

(1986 Code, § 10-1150) Penalty, see § 151.999

§ 151.089 PERMIT NONTRANSFERABLE.

Permits issued under the provisions of § 151.086 shall not be transferable.

(1986 Code, § 10-1151) Penalty, see § 151.999

§ 151.090 LIABILITY OF OWNER OR LESSOR.

It shall be unlawful for any person, firm, association, or corporation owning, leasing, or controlling any lot, tract, or parcel of land within the corporate limits of the city to allow or to permit the owner or occupants of any trailer, trailer cabin, camp car, or similar enclosures used for living and sleeping purposes to be parked or camped on that lot, tract, or parcel of land if the owner or occupant of that trailer, trailer camp, trailer cabin, or camp car has failed to procure the permits as provided in §§ 151.087 through 151.089, both inclusive.

(1986 Code, § 10-1152) Penalty, see § 151.999

ADMINISTRATION AND ENFORCEMENT**§ 151.105 INSPECTIONS REQUIRED.**

The Health Officer, upon displaying his or her identification, is hereby authorized and directed to make inspections to determine the condition of trailer courts or mobile home courts in order to perform his or her duty of safeguarding the health and safety of occupants of trailer courts or mobile home courts and of the general public. The Health Officer, Plumbing Inspector, Building Inspector, Fire Inspector, Electrical Inspector, or other authorized inspecting personnel shall have the power to enter at reasonable times upon any private or public property to inspect and investigate conditions affected by this chapter.

(1986 Code, § 10-1107)

§ 151.106 INSPECTION OF RECORDS.

The Health Officer shall have the power to inspect the register containing a record of all trailers and mobile homes and occupants using the trailer court or mobile home court.
(1986 Code, § 10-1108)

§ 151.107 DUTY OF OWNERS AND OCCUPANTS; ACCESS.

It shall be the duty of the owners or occupants of trailer courts and mobile home courts and trailers or mobile homes contained therein, or of the person in charge thereof, to give the Health Officer or other authorized inspecting personnel free access to the premises at reasonable times for the purpose of inspection. The inspecting personnel, before the commencement of any inspection, shall offer to the owner or person in charge of the trailer court or mobile home court the opportunity to accompany the inspecting personnel on the inspection of the premises. The owner shall have a person in charge of the trailer court or mobile home court, and should the person in charge be unavailable to accompany the inspecting personnel at the time of the inspection, this shall in no way delay the inspection.
(1986 Code, § 10-1109) Penalty, see § 151.999

§ 151.108 DUTY OF OCCUPANTS TO OWNER; ACCESS.

Every occupant of a trailer court or mobile home shall give the owner thereof or his or her agent or employee access to any part of the trailer court or mobile home court at reasonable times to make repairs or alterations necessary to effect compliance with this chapter.
(1986 Code, § 10-1110) Penalty, see § 151.999

§ 151.109 NOTICE OF VIOLATION.

(A) Whenever the Health Officer or Zoning Enforcement Officer determines that there are reasonable grounds to believe that there has been a violation of any provisions of this chapter, he or she shall give notice of the alleged violation to the person to whom the permit was issued, as hereinafter provided. This notice shall:

- (1) Be in writing;
- (2) Include a statement of the reasons for its issuance;
- (3) Specify a reasonable time, but not less than 30 days, for the performance of any act it requires;
- (4) Contain an outline of remedial action, which, if taken, will effect compliance with the provisions of this chapter; and

(5) Be served upon the owner or his or her agent; provided that the notice shall have been properly served when a copy thereof has been sent by registered mail to the last known address of the owner or agent, or when the owner or agent has been served with the notice by any other method authorized by the laws of this state.

(B) At the end of such period the Health Officer or Zoning Enforcement Officer shall inspect the trailer court or mobile home court, and if the alleged violations have not been corrected, the City Planning Commission shall revoke the permit and give notice in writing of the revocation to the person to whom the permit is issued. Upon receipt of notice of revocation, the person shall cease operations of that trailer court or mobile home court.

(1986 Code, § 10-1111) Penalty, see § 151.999

§ 151.110 EMERGENCIES.

Whenever the Health Officer or Zoning Enforcement Officer finds that an emergency exists which requires immediate action to protect the public health, he or she may, without notice or hearing, issue an order reciting the existence of an emergency and take action as he or she may deem necessary to meet the emergency, including requiring the revocation of the permit by the City Planning Commission. Notwithstanding any other provisions of this chapter, that order shall be effective immediately, but upon petition to the Mayor and City Council shall be afforded a hearing as soon as possible before the City Council.

(1986 Code, § 10-1112) Penalty, see § 151.999

§ 151.111 NOTICES AND ORDERS.

(A) Whenever the Building Official determines that there has been a violation of this chapter, or has reasonable grounds to believe that there is or has been a violation of any provision of this chapter, he or she shall give notice of the alleged violation to the person, firm, or corporation to whom the mobile home court or trailer court license was issued as hereinafter provided. This notice shall:

(1) Be in writing;

(2) Specify in detail the alleged violation;

(3) Specify a reasonable time, but generally not less than 30 days, for the performance of any act it requires;

(4) Contain an outline of remedial action, which if taken will effect compliance with the provisions of this chapter; and

(5) Be served upon the licensee; provided, that the notice shall have been properly served when a copy thereof has been sent by registered mail to the last known address of licensee, or when same has been served by any other method authorized by the laws of the state.

(B) At the end of the period specified for compliance the Building Official shall inspect the mobile home court or trailer court, and if the alleged violations have not been corrected, the City Planning Commission shall remove the license and shall give notice in writing of the revocation to the person, firm, or corporation to whom the license is issued. Upon receipt of the notice of revocation, the licensee shall cease operation of that mobile home court or trailer court.

(C) Whenever the Building Official finds an emergency exists which requires immediate action to protect the public health, safety, and welfare, he or she may issue an order reciting the existence of the emergency and take action as he or she may deem necessary to meet the emergency. Notwithstanding any other provisions of this chapter, that order shall be effective immediately.
(1986 Code, § 10-1144) Penalty, see § 151.999

§ 151.112 LICENSE REVOCATION AND SUSPENSION.

The City Council is hereby authorized to revoke any license issued pursuant to the terms of this chapter if, after due investigation, it determines that the holder thereof has violated any of the provisions of this chapter or that any mobile home court is being maintained in an unsanitary or unsafe manner.
(1986 Code, § 10-1153) Penalty, see § 151.999

§ 151.999 PENALTY.

(A) Any person who shall violate any provision of this chapter for which no other penalty is provided shall, upon conviction, be subject to penalties as provided in § 10.99 of this code.

(B) Any person found guilty of violating any provisions of this chapter shall be deemed guilty of an offense and shall be fined not less than \$5 and not more than \$100, and every day the violation exists shall constitute a separate and distinct offense and be punishable as such hereunder. The City Council is further authorized to order all municipal services disconnected from any or all units in a mobile home court to enforce compliance with the terms of this chapter.
(1986 Code, § 10-1154)

CHAPTER 152: SUBDIVISION REGULATIONS

Section

152.01 Adoption by reference

§ 152.01 ADOPTION BY REFERENCE.

The subdivision regulations of the city, as they may be amended from time to time, are hereby adopted by reference and shall be a part of this code as if set forth in full herein.

CHAPTER 153: ZONING

Section

- 153.01 Adoption by reference
- 153.02 Nuisance Abatement Plan
- 153.03 Comprehensive Plan

§ 153.01 ADOPTION BY REFERENCE.

The zoning regulations of the city, as they may be amended from time to time, are hereby adopted by reference and shall be a part of this code as if set forth in full herein.

§ 153.02 NUISANCE ABATEMENT PLAN.

The Nuisance Abatement or NAP as approved by the Mayor and City Council on March 26, 2012 is adopted by reference and shall be a part of this code as if set forth in full herein.
(Ord. 1143, passed 3-26-2012)

§ 153.03 COMPREHENSIVE PLAN.

The Superior Comprehensive Plan, as may be amended from time to time, adopted on November 25, 2013 is adopted by reference and shall be a part of this code as if set forth in full herein.
(Ord. 1170, passed 11-25-2013)

