

ORDINANCE NO. 115

AN ORDINANCE REGULATING THE LOCATION, CONSTRUCTION, MAINTENANCE, SANITATION AND CONDUCT OF TRAILER PARKS IN THE CITY OF BROOKINGS, PROVIDING PENALTIES FOR THE VIOLATION HEREOF AND REPEALING ORDINANCE NO. 18.

THE CITY OF BROOKINGS ORDAINS AS FOLLOWS:

Section 1: All auto and trailer parks within the City of Brookings shall conform to the electrical, fire, health, building and plumbing ordinances of the City of Brookings, as amended, except as hereinafter specified.

Section 2: For the purpose of this ordinance, certain words and phrases are defined as follows, and certain provisions shall be construed as herein set forth, unless it shall be apparent from the context that they have a different meaning. Words used in the singular include the plural, and the plural the singular. Words used in the present tense include the future.

1. (a) "Trailer coach" means any camp car, trailer or other vehicles, with or without motive power, designed and constructed to travel on the public thoroughfares at the maximum allowable speed limit and in accordance with the provisions of the Oregon vehicle code, and designed or used for human habitation. "Trailer" also means "trailer coach".

(b) A dependent trailer coach is one not equipped with a toilet for sewage disposal.

(c) An independent trailer coach is one equipped with a toilet for sewage disposal.

2. "Auto and trailer park" means any area or tract of land where space is occupied or rented or held out for rent to one or more users or owners of trailer coaches, or where free parking is permitted owners or users of trailer coaches for the purpose of securing their trade. Wherever the term

"trailer park" is used in this ordinance, it shall mean "auto and trailer park".

3. "Trailer site" means any portion of an auto and trailer park designed for the use of occupancy of one trailer coach or camping party.

4. "Approved", when used in connection with any material, appliance or construction, means meeting the requirements and the building code of the City of Brookings.

5. "Building" means public toilets, public baths, laundry rooms or other structures and includes a compartment containing a toilet or bath, or both, constructed for the exclusive use of an occupant of a trailer site.

6. "Liquified petroleum gas" means petroleum hydrocarbons or mixtures thereof, in liquid or gaseous state, having a vapor pressure in excess of 26 p.s.i. at a temperature of 100 degrees F. Whenever the symbol "LPG" is used, it shall mean liquified petroleum gas.

7. In an auto trailer park, "nuisance" includes any of the following:

- (a) Any nuisance known at common law.
- (b) Whatever is dangerous to human life or is detrimental to health.
- (c) Overcrowding of any trailer with occupants.
- (d) Insufficient ventilation or illumination of any room or trailer.
- (e) Inadequate or unsanitary sewage or plumbing facilities.
- (f) Whatever renders air, food or drink unwholesome or detrimental to the health of human beings.

Section 3: It shall be the duty of the Chief of Police,

the Fire Chief and such other city officers as the Council by resolution may designate to enforce all of the provisions of this ordinance within the province of their respective departments, and for the purpose of securing enforcement thereof any duly authorized representative of said officers of the City of Brookings are hereby empowered to enter private property to determine if a trailer park exists and further empowered to enter upon the premises of any auto trailer park which may hereafter be operating within the City of Brookings to inspect the same and all accommodations connected therewith.

Section 4: It shall be unlawful for any person, firm, partnership or corporation, either for himself or itself or for any other person, firm, partnership or corporation to own or operate an auto and trailer park within the corporate limits of the City of Brookings until he or it first obtains the permits required in this ordinance and also obtains a license therefor and pays an annual license fee equal to \$25.00. Licenses hereunder issued shall be issued on a fiscal year basis, July 1 to June 30, and shall be issued for not less than one fiscal year. The annual license fee shall be due and payable on or before July 1 of each year. All licenses shall be paid for in advance, and no rebate given for the unused portion of the term. For new auto and trailer parks the license fee for the first year shall be apportioned as follows: Three-fourths of the annual fee where the auto and trailer park is commenced and open for business between the first day of September and the 31st day of December. One-half of the annual fee where the auto or trailer park is commenced between the first day of January and the 31st day of March, and one-fourth of the annual fee where the auto or

trailer park is commenced between the first day of April and the 30th day of June.

If the licenses in this ordinance provided for shall not be paid on or before the 15th day of the month following the date when they shall become due, then a penalty of twenty-five percent (25%) of the license fee due and payable shall be added thereto and no license shall be issued until such penalty shall have been paid.

Section 5: No trailer park shall be located within the City of Brookings until the location thereof is approved by the Planning Commission of said City in the following manner:

1. The person desiring to locate and operate an auto and trailer park in said City shall file an application therefor with the City Recorder, who shall refer the application to the Planning Commission. Said application shall be accompanied by four copies of a true legal description of the grounds upon which the auto and trailer park is to be constructed and a plot plan showing the trailer sites and locations of any buildings, complete plans and specifications of the proposed construction, and a description of the water supply, ground drainage and method of sewage disposal.

2. Said application shall be accompanied with a filing fee of \$15.00.

3. Upon receipt of such application, the Planning Commission shall fix a time and place for the holding of a public hearing thereof. Notice of such hearing shall be given by at least one publication in a newspaper of general circulation in the City of Brookings. Such notice shall state the

time when the petition will be heard by the Planning Commission, which shall be not less than ten (10) days from the date of publication. At the time of the hearing of said application, the Planning Commission may hear anyone appearing for the purpose of approving or objecting to the granting of the application.

No permit shall be granted by the Council of the City of Brookings unless the Planning Commission, by a majority vote of its members, shall find, from the evidence presented, all of the following facts to be true: (a) That the land is zoned for the proposed use or a zone variance had been duly obtained and is in full force and effect; (b) That the operation and maintenance of a trailer park would not unduly interfere with the enjoyment of adjacent property devoted to existing residential use; (c) That the proposed use would not result in dangerous automobile traffic congestions; (d) That the proposed use would not be materially detrimental to the public welfare or injurious to the property and property improvements in the immediate neighborhood; (e) That it appeared, and on the express condition that, all of the provisions of this ordinance would be complied with.

Any person wishing to appeal the action of the Planning Commission shall also notify the Commission in writing of such action within ten (10) days after the Commission's approval or rejection of the application. The Planning Commission, within thirty (30) days after receipt of notice of appeal, shall communicate its findings and recommendations regarding said application to the City Council. The City Council shall thereupon publicly hear and finally and conclusively determine whether or not such application shall be granted and

whether the above-mentioned facts are true, giving such notice of the hearing upon said application as it deems proper. Upon approval by the City Council, the Building Inspector shall issue a building permit after receipt of application, plan and specifications, as required herein.

Section 6: All permits required in this ordinance for construction of an auto and trailer park shall automatically expire if 90 days have passed from the date of the issuance thereof and the start of construction is not pursued with reasonable diligence to conclusion; provided, however, that the Building Inspector may before said period of 90 days have passed extend the expiration date of said permit for a reasonable time.

Section 7: Upon the completion of any such trailer park, and prior to the use thereof, the owner or operator of such trailer park shall procure the license required by Section 4 of this ordinance. The Building Inspector shall first make a final inspection of the trailer park referred to in said application, and if it is found to be in conformity with the requirements of this and all other ordinances of the City of Brookings and the laws of the State of Oregon, said license shall be issued.

Section 8: The owner or operator of an auto or trailer park in existence in a territory annexed to the City of Brookings after the effective date of this ordinance shall, within 30 days following the effective date of said annexation, make application in writing for a license to maintain said trailer park, accompanied by a description of the grounds upon which buildings are situated and a plot plan showing each trailer site and the location of all buildings.

Section 9: All monies received under the provisions of this ordinance shall be paid into the city treasury and credited to the General Fund.

Section 10: Whenever it is found that any trailer parks are not being conducted in conformity with the provisions of this ordinance or the laws of the State of Oregon, the license to operate same shall be subject to revocation or suspension by the City Council in the following manner, to-wit: (a) Upon failing to comply with any provision of this ordinance, after receiving a notice in writing from the Chief of Police or the Fire Chief setting forth the violations, a notice shall be served by the Chief of Police or other ^{city} police officer on the person holding the license, ordering him to appear before the City Council at a day and hour therein specified, not less than 15 days after the service of said notice on such license holder, and requiring him to show cause at said time and place why said license should not be revoked or suspended. (b) The notice shall be sent by registered mail, postage prepaid, return receipt requested, to the person or persons owning or operating said trailer park as such person's names and addresses appear on the application for said license, or as otherwise known to the department mailing said notice. A copy of said notice shall be posted conspicuously upon the premises of the trailer park alleged to be in violation of this or any other ordinance of said City or the laws of the State of Oregon. The representative of said department, upon giving notice as aforesaid, shall file an affidavit thereof with the City Recorder of said City certifying to the time and manner in which such notice was given. There shall also be filed therewith any receipt cards which may have been

returned in acknowledgment to the receipt of such notices by registered mail. The failure of any owner or operator to receive notice shall not affect in any manner the validity of any proceedings taken thereunder. At the time and place mentioned in said notice, the person holding said license shall appear in person or be represented by counsel and introduce such evidence as he may desire, and the officer of the enforcing department shall confront said license holder with such charges that said department may have against him, and after said hearing the City Council may revoke or suspend the license if the Council determines from the evidence presented that the charges are true. Continued operation of any trailer park after suspension or revocation of the license therefor shall be a violation of this ordinance and each day of such operation shall constitute a separate offense.

Section 11: The transfer of a license to operate or maintain a trailer park may be permitted upon the written application of the new owner or operator of the trailer park to the City Recorder, accompanied by a fee of \$25.00. Within ten (10) days after the receipt of the application for transfer, the Chief of Police shall inspect the trailer park, and if found to be in compliance with this ordinance, the trailer park transfer will be permitted. If found to be in violation of said ordinance or of any laws of the State of Oregon applicable to trailer parks, the owner shall correct the violation within thirty (30) days after receiving notice thereof.

Section 12: It shall be unlawful for any person using a trailer site in any auto and trailer park to use or cause or permit to be used for occupancy:

1. Any trailer coach from which any tire or wheel has been removed, except temporarily for the purpose of making

repairs.

2. Any trailer coach to which are attached any rigid water, gas or sewer pipes; provided, however, that metal tubing not to exceed 1/2 inch inside diameter may be used for water and gas.

3. Any trailer coach which is permanently attached with underpinning or foundation to the ground.

4. Any trailer coach which does not conform to the requirements of the Oregon vehicle code governing the use of trailers on public highways.

5. Any trailer coach in an unsanitary condition.

6. Any trailer coach which is structurally unsound and does not protect its inhabitants against the elements.

7. Any trailer coach to which there is attached or to which there is established less than six feet adjacent thereto any room or rooms or lean-tos; provided, however, that a fire-proofed awning shall be permitted that is not enclosed or subject to enclosure on one-half of one side vertically, and further provided that such semi-enclosure shall not exceed 70 square feet in area, and except as otherwise provided herein.

Section 13: It shall be unlawful for a person owning or operating an auto and trailer park to rent as lessor or hold out for rent any trailer coach in an auto and trailer park.

Section 14: No tents may be erected or occupied in an auto trailer park.

Section 15: It is unlawful to use a trailer for living or sleeping purposes within the City of Brookings except when parked within a licensed trailer park.

Section 16: It is unlawful to camp overnight or to park a trailer coach overnight upon any portion of the right of way of any public street or alley. This provision shall not apply where a trailer coach is parked for the purpose of making

emergency repairs.

Section 17: Each trailer park and auto park shall conform to the following requirements:

1. The auto and trailer park shall be located on a well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.

2. Trailer coach spaces shall be provided consisting of a minimum of 1500 square feet for each space which shall be at least 30 feet wide and clearly defined; provided, however, that trailer parks in existence on the effective date of this ordinance which provide trailer coach spaces having a width or area less than that hereinabove prescribed may continue to operate with spaces of the existing width and area, but in no event shall any trailer coach space be less than 25 feet wide and have an area of less than 1000 square feet.

3. Trailer coaches shall be so parked on each space that there shall be at least a 15 foot clearance between trailer coaches; provided, however, that with respect to trailer coaches parked end-to-end, the end-to-end clearance may be less than 15 feet but shall not be less than 10 feet. No trailer coach shall be located closer than 10 feet from any building within the park and 5 feet from any property line bounding the park.

4. All trailer coach spaces shall abut upon a driveway of not less than 20 feet in width, which shall have unobstructed access to a public street, alley or highway.

5. Walkways not less than 2 feet wide shall be provided from the trailer coach spaces to the service buildings.

6. All driveways and walkways within the park shall be hard surfaced and lighted at night with electric lamps of not

less than 25 watts each, spaced at intervals of not more than 100 feet.

7. Each park shall provide service buildings to house such toilet, bathing and other sanitation facilities and such laundry facilities as are hereinafter more particularly prescribed.

8. An electrical outlet supplying at least 110 volts shall be provided for each trailer coach space.

9. Provide parking space for an automobile of not less than 220 square feet for each trailer coach space and provide a playground area equal to 50 square feet for each trailer coach space.

10. Provide a minimum of a 3-acre area for each trailer park and provide not less than 90 cubic feet of storage lockers per trailer coach space located in or adjacent to the toilet and shower building or buildings.

11. Provide exterior lighting adequate to illuminate the streets, driveways and walkways for the safety of vehicles and pedestrians at night.

Section 18: The toilet and bathing facilities and the use of toilets in trailers shall conform, be installed, operated and maintained in conformity with the laws, rules and regulations of the State of Oregon governing such matters and the same are incorporated herein by reference.

Section 19: Every water closet compartment or compartment containing bathing facilities shall be:

1. Cleaned daily and oftener if necessary and disinfected with a hypochloride solution or equivalent.

2. Kept free from obnoxious odors, flies, mosquitoes or other insects and the interiors shall be kept well painted.

All facilities shall be kept in good repair.

3. Provided with one or more windows having an aggregate area of not less than 6 square feet. However, if the room contains more than one water closet, bath or urinal, the total window area shall be equivalent to 3 square feet for each water closet, bath or urinal, but need not exceed 1/4 of the superficial floor area of the room. Fifty (50) per cent of the required window area shall be openable.

4. Windows and doors shall be protected with fly-tight screening. Self-closing solid doors may be used instead of screen doors.

5. There shall be constructed in every trailer park a laundry compartment with not less than two laundry trays supplied with hot and cold water.

6. The floors and at least 12 inches of the walls above the floor shall be constructed of approved waterproof masonry composition.

7. Each laundry compartment shall have window area equal to at least 1/8th of the floor area, but in no case shall it be less than 9 square feet. Fifty (50) per cent of the required window area shall be openable and all exterior openings shall be screened with 16 mesh.

8. In every auto and trailer park there shall be set aside a space convenient to the laundry facilities for the occupants of the trailer sites to dry clothes.

9. There shall be not less than two lavatories for each sex installed in every building in an auto and trailer park containing public toilets.

Section 20: There shall be in every auto and trailer park an adequate supply of pure water for all the requirements of the trailer park. The water shall be obtainable from faucets installed at each trailer site. Water distribution and pipe sizes shall be designed in accordance with National

Bureau of Standards BMS 79. Each trailer shall be considered as six (6) fixture units.

No drinking vessels or cups for common use are permissible in any auto or trailer park.

Drinking fountains, if installed, shall be kept sanitary and shall be of a type approved by the enforcement agency.

Section 21: In every auto and trailer park a sufficient number of rubbish containers and metal garbage cans with covers, appropriately labeled, shall be provided to contain the refuse produced by the auto trailer park, all in conformity with the statutes and regulations of the State of Oregon.

All garbage, waste and rubbish in every auto and trailer park shall be prepared and removed from the premises and disposed of as prescribed in the statutes and regulations of the State of Oregon.

A flyproof building or room equipped with a sloping concrete floor, a 4-inch drain and running water shall be provided for the storage of garbage and trash containers.

Section 22: No sewage, waste water or any effluent shall be allowed to be deposited on the surface of the ground.

Section 23: The area or tract of land upon which an auto and trailer park is situated and each trailer site shall be:

1. Adequately drained and graded.
2. Driveways shall be surfaced with 2 inches of road mix pavement or better and the surfacing shall be kept in good repair.
3. Kept free from dust.
4. Kept clean and free from accumulation of refuse, garbage, rubbish or debris.
5. The trailer site and the space directly beneath each trailer coach shall be kept clean and free from refuse, rubbish

weeds or other impediments.

6. Public address systems or loudspeakers shall not be installed or permitted in an auto and trailer park which can be heard beyond the boundaries of the park.

Section 24: The location, installation, marking, filing, maintenance and use of LPG tanks and associated equipment shall be in accordance with the industrial safety orders of the State Industrial Accident Commission of the State of Oregon.

Section 25: There shall be in each trailer park at least one hose cabinet installed and equipped with 75 feet of $1\frac{1}{2}$ " linen hose so placed that said hose will reach any and all points of the park. A supply pipe of at least 2 inches in diameter for the hose cabinets shall be installed and shall be connected with at least a 2-inch in diameter pipe to the main of the water supply of the City of Brookings. Each hose cabinet also shall be equipped with a 30# dry chemical extinguisher approved by the National Board of Fire Underwriters.

Section 26: Every person who owns or operates an auto and trailer park shall keep a register in which shall be entered:

1. The name and address of each guest who is the owner or operator of an automobile, and the name and address of each member of his party for which accommodations are afforded or for which space is rented and the identification space of the trailer site the guest occupies.

2. The make, type and license number of the automobile and trailer, the name of the registered owner of the trailer and the state in which such vehicle or vehicles are registered and the year of registration.

3. The registry shall be made available to the Police

Department of the City of Brookings or any of the enforcement officers designated in this ordinance on demand.

Section 27: Dogs and animals shall not be permitted to run at large in any auto and trailer park. Poultry and other barnyard animals shall not be permitted in any auto and trailer park.

Section 28: It is unlawful for any person to operate, occupy or maintain, or cause per permit to be operated, occupied or maintained, any auto and trailer park unless there is a caretaker on duty in or about the trailer park at all times. The caretaker shall enforce within the park provisions of this ordinance governing the operation, occupancy and maintenance of auto and trailer parks.

Section 29: It shall be unlawful for any person, firm or corporation owning or operating a trailer park in the City of Brookings to violate any of the provisions of this ordinance. It shall be unlawful for any person, firm or corporation owning, maintaining or in control of any trailer, or the occupant or tenant of any trailer in whatever capacity, to violate any of the provisions of this ordinance.

Section 30: Any person, firm or corporation violating any of the provisions of this ordinance, or disregarding any lawful order of the enforcement agencies or findings of the City Council with respect to said trailer park or contributing in any way to the violation of this ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof may be punished by a fine not exceeding \$500.00 or by imprisonment for a term not exceeding 6 months, or by both such fine and imprisonment. Every person, firm or corporation violating or contributing in any way to the violation of any provision of this ordinance shall be deemed guilty of a separate offense

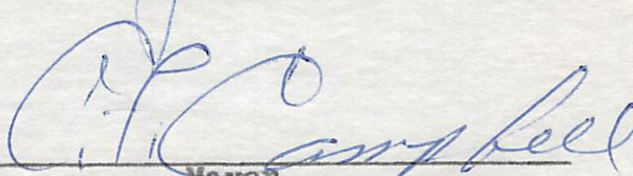
for each day during which such violation continues, and may be punishable therefor as herein provided.

Section 31: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared unconstitutional.

Section 32: Ordinance No. 18 of the City of Brookings, and all other ordinances or parts of ordinances in conflict herewith, are hereby repealed.

PASSED by the Council of the City of Brookings, Oregon, this 10th day of June, 1958.

SUBMITTED to and approved by the Mayor of the City of Brookings, Oregon, this 10th day of June, 1958.



Mayor

ATTEST:



City Recorder

