

ORDINANCE NO. 592

AN ORDINANCE RELATING TO CAMPERS, MOTOR HOMES, MOBILE HOMES AND TRAVEL TRAILERS; REQUIRING PERMITS FOR OCCUPANCY OUTSIDE OF APPROVED MOBILE HOME PARK; REQUIRING APPLICATIONS AND SPECIFYING REQUIREMENTS FOR USE OF LAND FOR MOBILE HOME PARKS; REPEALING ORDINANCE NO. 408; PRESCRIBING PENALTIES FOR VIOLATIONS; AND DECLARING AN EFFECTIVE DATE.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: DEFINITIONS. As used in this Ordinance and except where the context otherwise requires:

- (1) "Camper" means a structure containing a floor that:
  - (a) Is designed to be mounted upon a motor vehicle, and is not permanently attached thereto;
  - (b) Is designed to provide facilities for human habitation or for camping;
  - (c) Is six feet or more in overall length and five and one-half feet or more in height from floor to ceiling at any one point; and
  - (d) Has no more than one axle designed to support a portion of the weight of the camper.
- (2) "Motor home" means a motor vehicle that:
  - (a) Is originally designed, reconstructed, or permanently altered to provide facilities for human habitation; or
  - (b) Has a camper permanently attached to it.
- (3) "Mobile home" (excluding a modular home, prefabricated home and tent trailer) means a trailer or structure that:
  - (a) Is designed to be transported or used upon the highways;
  - (b) Is capable of being used for human habitation or for business, commercial or office purposes; and
  - (c) Is not a travel trailer.
- (4) "Travel trailer" (including a tent trailer) means a trailer that:
  - (a) Is of a type designed to be used on the highways;
  - (b) Is capable of being used for human habitation;

(c) Is not more than eight feet wide and is six feet or more in height from floor to ceiling. Where a trailer telescopes for travel, or has expansion sides or "tip outs", for the purpose of determining the height, the size shall apply to the trailer as fully extended and for the purposes of determining the width, the size shall apply to the trailer in the usual travel position; and

(d) Except in the case of a tent trailer, has four permanent walls when it is in the usual travel position.

Section 2: INHABITING. Except as provided in Section 3, inhabiting a camper, motor home, mobile home or travel trailer for a period of more than seven consecutive days inside the City limits of Canby is prohibited unless such vehicle is parked in an approved mobile home park.

Section 3: EXCEPTIONS AND PERMITS. A permit for the occupancy of a trailer house or trailer houses may be granted for a longer period of time not exceeding six months upon the filing of the proper application of such purpose with the city superintendent and the subsequent approval of the city council. Any permit issued pursuant to the terms of this section may be revoked 24 hours notice if upon inspection by the city superintendent or city health authorities it is determined that such inhabited house trailer is lacking in proper sanitary facilities, is a menace to public health and is causing or creating a public nuisance.

Section 4: APPLICATIONS AND REQUIREMENTS FOR USE OF LAND FOR MOBILE HOME PARKS.

A. Applications for use of land in the City of Canby for a mobile home park shall be filed with the Canby City Planning Commission and shall be accompanied by a plot plan of the general layout of the entire proposed mobile

home park and together with complete plans and specifications for the park, including all permanent buildings. Such plans shall be to scale of not less than one inch to 50 feet. Such application shall also include a copy of the County Health Department's recommendations issued under the authority of the Oregon State Board of Health.

B. A proposed mobile home park plot plan shall show the following minimum requirements:

1. The location and area of the park which shall be large enough to accommodate:
  - a. The designated number of mobile home spaces.
  - b. Necessary streets and drives.
  - c. Offstreet parking.
  - d. Service areas, playgrounds or open spaces, permanent structures and setbacks.
2. A minimum of 1500 square feet for each mobile home unit with a minimum of 30 feet in width and to abut on an access drive with unobstructed access to a public street. Each mobile home parking space shall be clearly defined, and mobile homes shall be located in such spaces with a minimum of 15 feet between the homes or between a home and any building or addition. All spaces shall have a minimum of 7½ feet setback from all adjacent spaces; all buildings located on common property shall maintain a 7½ foot open space from any adjacent space lot line. Skirting of a mobile home is permissible, but such skirting shall not attach the mobile home to the ground.
3. No mobile home shall be located less than 10 feet from a side or rear property line.
4. No mobile home shall be located less than 25 feet from any street or highway, and shall be located so that no part of such unit will obstruct any drive or walkway.
5. Access drives shall be provided to each mobile home space; shall be continuous; shall connect with a public street; and shall have a minimum width of 25 feet for interior circulation and 36 feet for exterior connections.
6. Walkways not less than two feet in width shall be provided for each mobile home space to service buildings.

7. Access drives and walkways within the mobile home park shall be hard surfaced according to standards established by the City's Superintendent of Public Works.
8. Each mobile home space shall be improved with one concrete patio having a minimum size of 150 square feet.
9. Offstreet parking shall be provided with a minimum of two (2) automobile or truck parking spaces for each mobile home space. Access drives shall not be considered in fulfilling this requirement.
10. Playgrounc or open space areas shall be provided and specified on the plan, and suitable equipment for such purposes shall be specified. Such areas shall be protected from streets, drives and parking areas. A minimum of 100 square feet of playground or open space area for each mobile home space shall be provided in one or more locations within the mobile home park. The minimum size of each such playground or open space shall be 2500 square feet.
11. Permanent structures, other than a recreation hall or utility facility, to be located within the mobile home space shall be specified and for use for storage purposes only; and shall have a maximum area of 100 square feet. Such structure shall be located not less than 7½ feet from any adjacent mobile home space and shall be subject to all of the applicable provisions of the City's Building Code.
12. A sight obscuring fence or landscape screening of not less than six feet or more than seven feet in height with no opening other than the required entrances and exits to streets and public places shall be provided along any lot line which abuts or faces a more restricted residential area.
13. All open areas except as otherwise specified in this Ordinance shall be suitably landscaped according to plans and specifications to be approved by the City Planning Commission. Such areas shall be continuously maintained.

C. The Planning Commission shall review promptly at a public meeting of the Commission all applications for use of land for a mobile home park and the mobile home park plot plan which is submitted in connection with such applications. The Planning Commission may impose additional requirements for the use of land for such purposes and additional requirements for the construction, development and use of a mobile home park on such land. Any additional requirements of the Planning Commission shall be specified in writing and attached to the application. A permit for a mobile home park

shall be issued by the Chairman of the Planning Commission when the requirements of this Ordinance and any additional requirements imposed by the Planning Commission have been met, or the Planning Commission has received such assurances as it may require that the requirements of this Ordinance and any additional requirements of the Commission will be met.

D. After a permit has been approved and issued by the Planning Commission for the use of land for a mobile home park and the construction thereon of a mobile home park facility and after such facility has been constructed, the following additional requirements shall apply:

1. No mobile home shall remain in a mobile home park unless a parking space is available.
2. Any enlargement of or extensions to any mobile home park shall require an application for an occupancy permit as if it were a new establishment.
3. No enlargements or extensions to any mobile home park shall be permitted unless the existing one is made to conform substantially with all of the requirements for new construction for such an establishment as required by the Planning Commission, and any additional requirements of the Planning Commission which may be specified in connection with the original application.
4. A variance may be considered on mobile home parks in existence prior to this ordinance, providing that it can be shown that all of the following conditions exist:
  - a. Exceptional or extraordinary conditions applying to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size or shape, topography, or other circumstances over which the applicant has no control.
  - b. The variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same zone or vicinity.
  - c. The authorization of the variance shall not be materially detrimental to the purposes of this ordinance, be injurious to property in the zone or vicinity in which the property is located, or be otherwise detrimental to the objectives of any city development plan or policy.

(d) The variance requested is the minimum variance from the provisions and standards of this ordinance which will alleviate the hardship.

Section 5: VIOLATIONS AND PENALTIES. Any violation of this Ordinance, including any violation of any condition imposed by the Canby City Council in permits granted for temporary use and occupancy of campers, motor homes, mobile homes and travel trailers, and any violation of lawful requirements of the Planning Commission, in connection with permits it has granted for use of land for the construction and development of mobile home parks shall be punishable on conviction by a fine of not more than \$500 or by imprisonment in the County Jail for not more than ninety (90) days, or by both such fine and imprisonment. In addition, the City Council may file a suit or action in the State Courts to enjoin any violation, and in such event, shall be entitled to recover its costs and disbursements incurred in such matter and a reasonable attorney's fees as may be allowed by the Court having jurisdiction of such suit or action.

Section 6: REPEAL OF ORDINANCE NO. 408. Ordinance No. 408, enacted March 3, 1958, and all other Ordinances or parts of Ordinances in conflict herewith, are hereby repealed.

Section 7: EFFECTIVE DATE. This Ordinance shall take effect at 12:01 a.m. on the first of the month immediately following the final reading and enactment of this Ordinance.

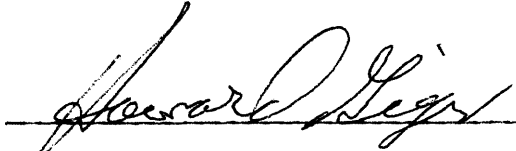
Passed on first reading at a regular meeting of the Canby City Council held on the 22nd day of April, 1975; ordered posted for a period of two (2) full calendar weeks as required by the Canby City Charter; and to come up for final reading and action of the Canby City Council at a meeting thereof to be held on May 19, 1975, at the hour of 8:00 p.m. at the Canby City Hall.

  
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PAUL N. ROTH - Mayor


ATTEST:

  
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NANCY BOGGS, Acting City Recorder

Passed on final reading at a meeting of the Canby City Council held on \_\_\_\_\_ day of \_\_\_\_\_, 1975, by the following vote: Yeas \_\_\_\_\_. Nays \_\_\_\_\_.

  
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HOWARD GIGER - Acting Mayor

ATTEST:

  
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HAROLD A. WYMAN-Acting City Recorder