

ORDINANCE 2016-3-1

AN ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES PASSED on November 20, 2012.

Chapter 31 of the Code of Ordinances shall be amended as follows:

31.01.00 Definition

31.01.01 Must Obtain a Building Permit

31.01.02 Standards

31.01.03 Penalties

31.01.04 Changes by Resolution

31.01.00 Definition of a Modular or Mobile Home: A moveable unit designed to be connected to utilities for year round occupancy, which is designed and furnished prior to delivery; and has a manufacturers serial number which is reported to the County Director of Equalization for tangible personal property taxation differentiating it from other types of dwelling structures. A detachable hitch assembly and/or a perimeter frame or the placement of such unit upon a permanent foundation shall not be construed as creating a dwelling unit as described in the 2012 International Building Codes.

This term includes:

1. Units containing parts that may be folded, collapsed or telescoped when being towed and that may be expanded to provide additional cubic capacity;
2. Units composed of two or more separately towable components.

(Source: Ordinance 388)

31.01.01 Must Obtain a Building Permit. Any person desiring to move or tow a Modular or Mobile Home to any lot within the City must first obtain a Building Permit from the City Official. The City Official will inspect both the Mobile Home or Modular Home Unit and the building lot prior to the placement of a Modular or Mobile Home on said lot in order to insure all requirements of this Ordinance are met or can be met.

31.01.02. Standards. The following standards and rules shall apply for all Mobile Homes placed on any residential building lots within the City of Edgemont.

1. All requests for placement of a Mobile Home on a residential building lot shall be accompanied by written consent of all property owners within a one hundred (100) foot radius of said property. Conflicts shall be referred to the City Planning & Zoning Board for resolution. Size and dimension of the Mobile Home shall be stated and shall be accompanied with storage accessory of structure plans. All provisions of this Ordinance regarding placement of Mobile Homes on residential building lots shall be met within 4 months, or not less than one hundred and twenty-two (122) days.

2. All Mobile Homes shall be positioned with their long dimension perpendicular to the access street and shall meet the 2012 International Building Codes standards for construction of foundation.

3. All Mobile Homes shall be set back from the street right of way lines and lot lines to comply with the following requirements:

A. A minimum depth of front yard and back yard shall be twenty-five (25) feet each and an accessory building cannot be located to extend into the front yard, except; in a residential district, if fifty (50) percent or more of the lots on one side of the street between two intersecting streets are improved with buildings all of which have observed an average set back of less than twenty-five (25) feet and no building line varies more than five (5) feet from this average setback line, then a building may be erected observing the average setback so established.

B. Each side yard shall not be less than eight (8) feet in width.

C. Unattached buildings for accessory use shall not be located closer than five (5) feet to any rear lot line. Dimensions other than these shall be referred to the City's Variance Board.

D. Corner lots with frontage on more than one (1) street shall provide the required 'yard setbacks' along both streets as stated in section 3 (A) herein.

4. The minimum size of the mobile home shall be not less than fifty (50) feet long by fourteen (14) feet wide.

5. There shall be allowed only one mobile home per lot.

6. Mobile Homes shall be skirted with durable material within (30) days of placement and be maintained.

7. All yard areas and spaces shall be maintained.

8. If off street parking is desired, acceptable materials for a parking area shall include: base coarse, gravel, paving stones, asphalt paving or concrete paving.

9. All Mobile Homes shall be connected to public water and sewer systems and comply with Standard plumbing and electrical codes adopted by the City.

10. The Mobile Homes shall have been manufactured within the past 15 (fifteen) years.

11. Any Mobile Home having been placed prior to January 2015, older than 15 years (fifteen), will not be affected, providing it is maintained and meets City Codes at this time; March 1, 2016.

12. If any mobile home becomes abandoned and/or unmaintained so as to create a public nuisance, the City shall have the option of beginning condemnation proceedings.

13. Mobile Homes may be placed in areas not formerly designated for mobile homes provided that they are placed on a permanent foundation.

31.01.03 PENALTIES: It shall be unlawful to use any land within the City of Edgemont in violation of any of the regulations contained within this Chapter.

31.01.04: The City Council of Edgemont, South Dakota shall reserve the right to change any of the regulations in this Chapter by resolution.

ANY ORDINANCE OR PARTS OF ORDINANCES, IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED.

This ordinance shall be effective upon its passage and publication.

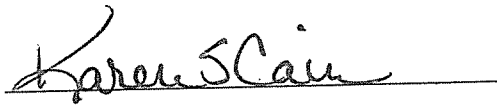
Dated this 1st day of March, 2016.

(SEAL)

EDGEMONT COMMON COUNCIL

ATTEST:

Edgemont, South Dakota



Karen S Cain, Finance Officer



Carl A Shaw, Mayor

First Reading: March 1, 2016

Second Reading: May 17, 2016

Published: May 26, 2016

Effective: June 15, 2016

Cullen: aye

Schepler: aye

Strozewski: aye

West: aye

Woodward: aye