

~CHAPTER 13-A~

MANUFACTURED HOMES & MOBILE HOME PARKS

Contents:

- 13-A.01. Purpose and Intent
- 13-A.02. Definitions
- 13-A.03. Manufactured Homes, General Regulations
- 13-A.04. Existing Mobile Homes Parks
- 13-A.05. Manufactured Homes Outside of Mobile Home Parks
- 13-A.06. Existing Mobile Homes Parks Area Regulations

13-A.01. Purpose and Intent.

The purpose of this ordinance is to establish regulations for manufactured homes placed outside of manufactured home subdivisions and for mobile home parks that are in existence in the city at the time of this ordinance revision. Mobile home parks within the city limits that are in existence at the time of this ordinance revision are non-conforming uses in the districts in which they are located and are subject to the existing non-conforming regulations in the Zoning Ordinance. [27-A.07]

13-A.02. Definitions.

13-A.02.010. Definitions.

- A. **Accessory Structure** - A storage shed or carport, or combination thereof, that is subordinate to and located on the same lot as the manufactured home.
- B. **Carport** - A temporary or permanent unenclosed detached accessory structure, without doors, used for the sheltered parking of vehicles. Carports enclosed on more than two sides shall be considered a garage and shall be constructed in accordance with adopted building codes.
- C. **Enclosed Porch or Deck** - Porches or decks that are enclosed on more than two sides shall be considered 'enclosed'.
- D. **Manufactured home** - Sometimes referred to as a 'mobile home' or 'trailer home'. A portable dwelling unit, designed and constructed to be towed on its own chassis, comprised of frame and wheels, and designed to be connected to utilities for year-round occupancy. The term shall include units composed of two (2) or more separately towable components designed to be joined into one (1) integral unit, capable of being separated again for repeated towing.
- E. **Mobile Home Park** - An existing, non-conforming use of land whereupon manufactured homes as herein defined are placed, located, or maintained on a property under one ownership to include all approved accessory buildings thereof.

- F. **Manufactured Home Subdivision** - Any areas, tracts, or sites or plots of land, of not less than two (2) acres, whereupon manufactured homes as herein defined are placed, located, or maintained, or intended to be placed, located, or maintained.
- G. **Manufactured Home Space** - A plot of ground within a mobile home park with full utility hook-ups which is designed for and designated as:
 - 1. The location for two (2) automobiles and one (1) mobile home and not used for any other purposes other than the customary accessory structures or uses thereof.
 - 2. The location for the temporary parking of two (2) automobiles and one (1) RV, permitted between the months of April 1st and October 31st of any given year.
- H. **Nonconforming Use** - A building, structure or use of land existing at the time of enactment of this ordinance and which does not conform to the regulations of the district in which it is situated.
- I. **Recreational Vehicle (RV); Camper** - For the purpose of this Chapter a recreation vehicle shall mean a motorized or towed self-contained vehicle manufactured for the purpose of temporary human occupancy away from the place of the occupant's permanent residence.
- J. **Recreational Vehicle (RV) Park** - For the purpose of this chapter a mobile home park shall be deemed to be an RV Park when twenty-five percent (25%) or more of the spaces for which the mobile home park is licensed for are available for the temporary parking of Recreation Vehicles. RV Parks may be permitted through the Use Permit on Review process as provided in *Chapter 27-A Zoning Ordinance*.

13-A.03. Manufactured Homes, General Regulations.

13-A.03.010. General Regulations

- A. Manufactured homes are not permitted to be placed in the city except in Residential 'B' Zone as described in 27-A.04.02.
- B. Recreational Vehicles are not permitted to be placed in the city except as allowed per 13-A.04.04. This does not affect a private citizens' right to store their own recreational vehicle on their own residential property nor does it override the right to have someone visit per zoning district allowances in the RA and RB zones (27-A.04.01B8).
- C. All manufactured homes placed in the city, regardless of age, shall meet the minimum health and safety standards in effect at the time of manufacture of that manufactured home. For manufactured homes built prior to June 15, 1976 a label certifying compliance to the standard for Mobile Homes NFPA 501 in effect at the time of manufacture is required.
- D. Required Inspection and repairs for Relocated Manufactured homes: (Does not apply to manufactured homes relocated within the same mobile home park) The Code Official shall be authorized to inspect, or to require approved professionals to inspect at the expense of the owner, the various structural parts of a relocated manufactured home to verify that

structural components and connections have not sustained structural damage during transport. Any repairs required by the code official as a result of such inspection shall be made prior to the final approval.

- E. Floodplains:
 - a. Any manufactured home moved to a manufactured home space located within a floodplain must be anchored to a permanent foundation that raises the living area and all supporting mechanical equipment to one foot above the base flood elevation. The anchoring must meet all Building Code requirements and may require an Elevation Certificate.
 - b. No manufactured home or recreation vehicle can be located to a manufactured home space located within a floodway. A 'floodway' is the portion of a floodplain with the highest velocities.

13-A.04. Existing Mobile Home Parks.

13-A.04.010. License Required for Mobile Home Parks

- A. Mobile Home Parks existing at the time of the adoption of this ordinance shall be subject to the inspection and license requirements of this Chapter.
- B. Mobile Home Parks in existence and operation at the time of the enactment of this ordinance shall be considered to be an existing non-conforming use. The ordinance provisions for mobile home parks have been replaced by Manufactured Home Subdivision requirements in the Zoning Ordinance.

13-A.04.020. Application for Annual License Renewal for Mobile Home Park

- A. Any person desiring to continue to operate a mobile home park within the City of Hot Springs shall make application annually on a form provided by the City.
- B. Any person, company, corporation or entity having been issued a Mobile Home Park License shall be responsible for the condition of the properties upon which manufactured homes are placed.

13-A.04.030. Annual License Fee for Mobile Home Park; Inspections

- A. The license fee for operating a mobile home park shall be Twenty (\$20.00) per year for every such park which can accommodate ten (10) or less manufactured homes spaces and Forty Dollars (\$40.00) per year for every such park which can accommodate more than ten (10) manufactured homes spaces up to and including twenty (20) manufactured home spaces plus One Dollar (\$1.00) per year for every space over twenty (20) in such park.
- B. Before such license may be renewed, the premises shall be inspected by the City in order to ensure that the mobile home park conforms to the ordinances of the City and the laws of the State of South Dakota.
- C. Mobile home parks that are found to be in non-compliance shall be given thirty (30) days to correct the non-compliance issues. If non-compliances continue beyond thirty (30) days the Mobile Home Park License shall be denied and the applicants notified by certified letter or personal service, or both.

13-A.04.040. Recreation Vehicles in Mobile Home Parks.

- A. Where lots or spaces are rented out by the day or week for RV or camper placement, the mobile home park shall be subject to the following licenses and permits:
 - a. Use Permit for the operation of an RV Park from the City of Hot Springs, and
 - b. Campground License as required by the South Dakota Department of Health.
- B. Lots or spaces within mobile home parks that are rented or leased for the placement of RVs and campers shall be rented or leased for a period of time of not less than twenty eight (28) days and not greater than one hundred and eighty (180) days.

13-A.05. Manufactured Homes Outside of Mobile Home Parks

13-A.05.010. Manufactured Homes

- A. A building permit shall be required for any manufactured home being moved into or within the City of Hot Springs. Exception: A building permit shall not be required for moving a manufactured home from one lot to another within a mobile home park.
- B. Any manufactured home placed outside of a mobile home park shall comply with the regulations of the district where it is to be placed. The home location must meet all area requirements of the zone district and must include a permanent foundation with anchor system to secure the home from movement and give a more permanent visual image within the residential district.

13-A.05.020. Uninhabitable Manufactured Homes

Uninhabitable manufactured homes within mobile home parks shall be removed within sixty (60) days of being abandoned and the home site is to be restored to original condition.

13-A.05.030. A building permit shall be required for:

- A. any accessory structure over 200 square feet in area,
- B. any deck or porch where the walking surface is over thirty inches (30") above grade at any point,
- C. any deck or porch supporting a roof system,

13-A.06. Existing Mobile Home Parks Area Regulations

13-A.06.010. Area Regulations for Existing Mobile Home Parks.

- A. Manufactured homes or accessory structures shall not be placed closer than twenty-five feet (25') to any property line adjacent to a street except as provided for as in Section 27-A.06.04 of the Zoning Ordinance.
- B. Manufactured homes or accessory structures shall not be placed closer than five feet (5') to any alley.
- C. Where a mobile home park borders another district, the side yard set-back shall be in accordance with the stricter of the two districts.
- D. A manufactured home space shall be of sufficient size to provide at least ten feet (10') of clear space end-to-end, and twenty feet (20') side-to-side, to any other structure or placement, except that:

1. Unenclosed porches or decks may encroach up to six feet (6') into the required side set-back provided that the porch or deck is not greater than sixty (60) square feet in total area.
 2. In no case shall the exterior of a detached carport be closer than three feet (3') to any other structure.
- E. Accessory structures for a mobile home park space shall be limited to:
1. One (1) storage shed not to exceed one-hundred and twenty (120) square feet in area and
 2. One (1) carport not to exceed four-hundred (400) square feet in area and twelve feet (12') in total height, and shall be required to meet all applicable set-back requirements.
 3. A combination carport/storage shed where the aggregate area does not exceed the area and height restrictions above.

13-A.06.020. Area Regulations for Recreation Vehicles.

Recreation vehicles (RVs) shall comply with the same area regulations as manufactured homes.

[Ord. 1156, Eff.10/2015]