

TITLE III-COMMUNITY DEVELOPMENT AND SERVICES

ARTICLE VIII
MOBILE HOMES, MANUFACTURED HOMES AND MODULAR HOMES

3-8.1 DEFINITIONS.

A. FOUNDATIONS: The minimum requirements for the foundation of a manufactured home, placed outside of an approved mobile home park, shall be a perimeter trench footing that is no smaller than the width and length of the proposed home. The minimum trench footing width shall be four (4) inches but in no event less than the width of the foundation wall. The trench footing depth shall be forty-two (42) to forty-eight (48) inches. No reinforcement is required. The foundation wall shall be four-, 6-, or eight inch block, brick, or a poured concrete wall with reinforcing rod. An access door to the under floor space shall be provided. All other state support and tie-down requirements shall be met.

It is the intent herein to provide a foundation which is compatible with the structural design of a manufactured home, and ensures visual compatibility with surrounding site-built residential structures. (Ordinance No. 1996 - 1)

B. MANUFACTURED HOME: A factory built, single-family structure which is manufactured or constructed under the authority of 42 USC Section 5403, Federal Manufactured Home Construction and Safety Standards; and displays a seal from the United States Department of Housing and Urban Development; and was constructed on or after June 15, 1976; and is to be used as a place for human habitation; and is not constructed or equipped with a permanent

hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site; and which does not have permanently attached to its body or frame any wheels or axles.

For the purpose of these regulations, a manufactured home shall be considered the same as any site-built, single-family detached dwelling. (Ordinance No. 1996 - 1)

C. MOBILE HOME: Any vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public street or highways and so designed, constructed or reconstructed as will permit the vehicle to be used as a place for human habitation by one (1) or more persons; but shall also include any such vehicle with motive power not registered as a motor vehicle in Iowa. A mobile home is not built to mandatory building code, contains no state or federal seals, and was built before June 15, 1976. A mobile home shall not be construed to be a travel trailer or other form of recreational vehicle. (Ordinance No. 1996 - 1)

D. MOBILE HOME OR TRAILER PARK: A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use. (Ordinance No. 1991 - 3)

E. MODULAR HOME: Factory-built structure built on a permanent chassis which is manufactured to be used as a place of human habitation; is constructed to comply with Iowa State building code for modular factory-built structures; and displays the seal issued by the state building code commissioner. Once certified by the state, a modular home shall be subject to the same standards as a site-built home. Ordinance No. 1996 - 1)

F. MOTORIZED HOME: A portable dwelling designed and constructed as an integral part of a self-propelled vehicle. (Ordinance No. 1991 - 3)

G. PERSON: Any individual, firm, trust, partnership, public or private association or corporation. (Ordinance No. 1991 - 3)

H. PICKUP COACH: A structure designed primarily to be mounted on a pickup or truck chassis and with sufficient equipment to render it suitable for use as temporary or permanent dwelling. (Ordinance No. 1991 - 3)

I. PUBLIC STREET: A public way which affords principal means of access to abutting properties. (Ordinance No. 1991 - 3)

J. TRAVEL TRAILER: A vehicular, portable structure on a chassis, designed to be used as a temporary dwelling, or sleeping place for one or more persons. (Ordinance No. 1991 - 3)

3-8.2 MOBILE HOME OR TRAILER PARK PROHIBITED. No mobile home or trailer park shall be permitted in the City of Salem, Iowa. (Ordinance No. 1991 - 3)

3-8.3 PROHIBITED LOCATION OR PARKING. No mobile home, manufactured home, modular home, trailer coach, motorized home, or pickup coach shall be located or parked in the City of Salem, Iowa, as follows:

1. On any street, alley, highway, or other public place for a period of time in excess of twenty-four (24) hours.

2. On any private property for any purpose.

3. This Section shall not apply to the following:

- a) A motorized home, pickup coach, or a travel trailer parked for the limited purpose of a personal visit to a resident of the City of Salem, Iowa.

b) A mobile home, manufactured home, modular home, motorized home, pickup coach, or travel trailer used as a temporary office or storage space incidental to construction of a building for the period of time such construction is actively under taken provided said unit is located on the same lot or on a contiguous lot to the building being constructed.

c) The storage of a motorized home, pickup coach, or a travel trailer on private property owned or rented by the owners of the motorized home, pickup coach, or travel trailer. While stored, said motorized home, pickup coach, or travel trailer shall not be occupied or used for residential purposes except for temporary occupancy or residential purposes not to exceed a total of thirty (30) days in any one calendar year.

d) A manufactured home or a modular home having a width of 22 feet or more and further provided:

i. If a manufactured home it shall be located in accordance with the set back, lot size, minimum square footage and hookup requirements for site - built, single family detached dwelling on the same lot and shall be installed with a permanent foundation system for a manufactured home as described in this Ordinance under "Foundations";

ii. If a modular home it shall be located in accordance with the set back, lot size, minimum square footage and hookup requirements for site - built, single family dwelling or multi family dwelling on the same lot, whichever is

applicable and shall be installed with a permanent foundation system as required by codes for a site built single family or multi family detached dwelling or with a permanent foundation system for a manufactured home as described in this Ordinance under "Foundations", whichever is applicable. (Ordinance No. 1996 - 1)

- 3-8.4 RESIDENTIAL USE ONLY. Mobile homes, manufactured homes and modular homes shall be used only for residential, single family purposes and no trade, business, or occupation shall be conducted therein or on the property. Ordinance No. 1991 - 3 and 1996 - 1)
- 3-8.5 BUILDING CODE AND FEES APPLICABLE. If at any time the City of Salem has in affect a building code, then all alterations, additions, improvements, including porches and/or decks, or other buildings whether attached to the mobile home or unattached to the mobile home shall be subject to the provisions of the building code, and further all fees contained in that building code shall be applicable to any such additions, alterations, or improvements. (Ordinance No. 1991 - 3)
- 3-8.6 EXISTING MOBILE HOMES. On the effective date of this Article, all mobile homes located in the City of Salem, Iowa, that do not conform to the provisions of this Article are declared to be legal non-conforming use and may be continued as such except as otherwise provided herein. However, any mobile home that was placed in the City of Salem pursuant to the provisions of Ordinance No. 1991 - 3 (passed July 2, 1991) shall be continued to be governed by the provisions of that Ordinance. The provisions of that Ordinance that would apply to such mobile homes now appear as part of the appendix of this Code.

1. Normal maintenance of a mobile home, including necessary non-structural repairs and incidental alterations, may be made. Structural alterations shall not be made except in the following situations:

- a) When the alteration is required by law.
- b) When the alteration will actually result in the elimination of the non-conforming use.
- c) When the alteration is in any way made to improve livability, provided no such alteration shall be made which would increase the number of dwelling units or the bulk of or the dimensions of the mobile home.

2. Any appurtenances, whether new or replacement of an existing appurtenance shall not be placed upon a non-conforming use property unless the placement will comply with the following provisions:

- a) Every mobile home shall be separated from any other residential structure and from appurtenances on adjacent lots by a minimum distance of twenty-five (25) feet.

- b) Appurtenances attached to a mobile home shall be provided with a minimum separation of twenty-five (25) feet from:

- i. Any other attached appurtenance on an adjoining lot.

- ii. Any other residential structure on an adjoining lot.

- c) There shall be provided and maintained a minimum distance of ten (10) feet between any detached appurtenance and:

- i. Any other detached appurtenance on the same lot.

- ii. Any detached appurtenance on an adjoining lot.

- iii. Any other residential structure on an adjoining lot.

d) There shall be provided and maintained a minimum distance of twenty-five (25) feet between any detached appurtenance on adjoining lots.

e) A mobile home shall be separated from any other residential structure on opposing sides of a public street a minimum of forty-five (45) feet provided that in no event shall the required front yard be less than set forth in this Article. No appurtenance shall be permitted in the required front yard or in the required separation between the mobile home or any other residential structure on opposing sides of a public street.

3. Whenever the use of non-conforming mobile home has been discontinued for a period of six (6) consecutive months or when there is evidence of a clear intent on the part of the owner to abandon the non-conforming mobile home, such use shall not, after being discontinued or abandoned be re-established and the owner shall remove the mobile home from the land upon which it is situated in order to abate and terminate the non-conforming use. If said mobile home is not removed, then the continuation of the mobile home upon said property shall constitute a public nuisance which may be abated pursuant to the City Code of Salem or the laws of the State of Iowa.

In order to maintain its status as a legal non-conforming use, a mobile home shall remain at its exact present location on the effective date of this Article. A mobile home shall not be moved to a different location on the existing property or to a different

property. If so moved the non-conforming use exception shall terminate and the owner shall remove the mobile home and out of the City of Salem. If said mobile home is not removed, then the continuation of the mobile home upon said property or in the City shall constitute a public nuisance which may be abated pursuant to the City Code of Salem or the laws in the State of Iowa.

4. If a mobile home or other structure which constitutes non-conforming use is damaged or destroyed by any means to the extent of fifty-five (55) per cent or more of its replacement value at that time, said mobile home must be removed from the premises and the non-conforming use exception shall be terminated.

In the event the damage or destruction is less than fifty-five (55) per cent of its replacement value, the mobile home may be restored to its original condition and the non-conforming use may continue provided there has been no replacement of structural components of the mobile home and further provided that the mobile home has not been enlarged in any way from that which existed at the time of such destruction. If the mobile home is to be repaired, said repairs shall be started within thirty (30) days from the date of the damage or destruction and said repairs must be diligently continued to its completion. In the event the necessary repairs have not been commenced within said 30 days, the mobile home shall be deemed to have been damaged or destroyed in excess of fifty-five (55) per cent of its replacement value at that time and the owner shall remove the mobile home from the premises and the non-conforming use exception

shall terminate. If said mobile home is not removed, then the continuation of the mobile home upon said property shall constitute a public nuisance which may be abated pursuant to the City Code of Salem or the laws of the State of Iowa.

5. Any repairs, alterations or maintenance to such a mobile home shall be made pursuant to the rules and regulations as contained in the City's Building or Zoning Ordinance. (Ord. No. 1991 - 3 and 1996 - 1)

3-8.7 PENALTY. Any person who violates the provisions of this Article is guilty of a public offense and upon conviction therefore shall be subject to a fine not to exceed one hundred dollars (\$100.00) or imprisonment not to exceed thirty (30) days for each day of violation. (Ordinance No. 1991 - 3)

(Ordinance No. 1991 - 3 was passed July 2, 1991. That Ordinance repealed the existing Article 8 of Title III entitled Mobile Home Parks of the City of Salem, Iowa. Ordinance No. 1996 - 1 was passed April 25, 1996 and revised the Ordinance in particular by adding new definitions for manufactured home, modular home and foundations and revising the definition of a mobile home.)