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World

ORDINANCE NO 1413

AN ORDINANCE AMENDING ZONING ORDINANCE #1247 OF THE CITY OF BALDWIN CITY, KANSAS AND AS SET FORTH IN CHAPTER 16 OF THE MUNICIPAL CODE OF THE CITY OF BALDWIN CITY, KANSAS, BY ADDING A NEW SECTION 26-113, CITY OF BALDWIN CITY, KANSAS, DOUGLAS COUNTY, KANSAS

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BALDWIN CITY, KANSAS, THAT:

SECTION 1

Zoning Ordinance #1247 of the City of Baldwin City, Kansas, and as set forth in Chapter 16 of the Municipal Code of the City of Baldwin City, Kansas be and the same is hereby amended as follows:

Article 26, Section 26-113 is hereby added as follows:

MANUFACTURED AND MOBILE HOMES

Section 26-113

1. Purpose. This Code is intended to serve the following purposes:
 - a) Promote the health, safety, morals, comfort, and general welfare of the citizens of the City of Baldwin City, Kansas.
 - b) Establish standards for the placement of existing and future manufactured homes and mobile homes within the City of Baldwin City, Kansas.
2. Applicability. This Code shall be applicable to the placement of all existing and future manufactured homes and mobile homes within the City of Baldwin City, Kansas.
3. Definitions. As used in this Code, the following definitions shall apply unless the context clearly requires otherwise:
 - a) Accessory Detached Building or Structure – A subordinate building or structure, which is an addition to a manufactured or mobile home, such as storage sheds and other structures.

- b) Inspection Officer – The Codes Administrator of the City of Baldwin City, or the Community Development Director’s authorized representative.
- c) Manufactured Home – A dwelling unit substantially assembled in an off-site manufacturing facility for installation or assembly at the dwelling site, bearing a label certifying that it was built in compliance with the adopted version of the National Manufactured Home Construction and Safety Standards Act established by 42 U.S.C. 5401, and amendments thereto, and generally known as the HUD Code.
- d) Manufactured Home or Mobile Home Installation Contractor. A contractor who has been licensed by the State of Kansas to obtain the required permits to perform footing and pier installation, anchorage, and tie-down installations, and skirting installation as required by this Code.
- e) Manufactured Home or Mobile Home Lot – A plot of ground within a park for the placement of one manufactured or mobile home for single-family occupancy and the exclusive use of its occupants, and which provides the necessary utility services for water, sewage, and electricity. This term is synonymous with manufactured home space and is not an individual lot as defined under the subdivision regulations.
- f) Manufactured Home, Noncompliant – A manufactured home, as defined herein, which was built prior to the adopted version of the National Manufactured Home Construction and Safety Standards Act established by 42 U.S.C. 5401, and amendments thereto, and generally known as the HUD Code.
- g) Manufactured Home or Mobile Home Pad – That portion of a lot on which the Manufactured Home or Mobile Home and any attached structure or awning is placed.
- h) Manufactured Home or Mobile Home Park – An area, parcel, tract, or plot of ground equipped as required for support of Manufactured Homes or Mobile Homes and used or intended to be used by two or more occupied Manufactured Homes or Mobile Homes, provided the Manufactured Home or Mobile Home spaces shall not be sold or offered for sale individually. The term “Manufactured Home or Mobile Home Park” does not include sale lots on which unoccupied Manufactured Homes or Mobile Homes, whether new or used, are parked for the purpose of storage, inspection or sale as described in Baldwin City Zoning Regulations.
- i) Manufactured Home Sales Area – An open space, other than a street or alley, used for display or sale of new or used manufactured homes, and where no repair work is done except minor incidental repair of manufactured homes to be displayed and sold on the

premises as described in the Baldwin City Zoning Regulations Article 14, Section 102.

- j) Manufactured Home Skirting – The enclosing of the area between the manufactured home and the ground with a material designed to obscure from view the chassis of a manufactured home.
- k) Manufactured Home, Residential-Design – A manufactured home on a permanent foundation which has (A) minimum dimensions of 20 feet in width (B) a pitched roof, and (C) siding and roofing material which are customarily used on site-built homes. A residential-designed manufactured home shall be considered a single-family dwelling.
- l) Mobile Home – A transportable, factory-built structure designed to be used as a year-round residential dwelling, built prior to or not in conformance with the National Manufactured Home Construction and Safety Standards Act, which became effective June 15, 1976.
- m) Modular Home – A structure consisting of one or more components manufactured off-site in conformance to the standards of the building code of the City and related technical codes and moved to the construction site for final assembly as a dwelling unit, and placed on a permanent foundation as required for permanent structures.
- n) Occupy Occupancy, or Occupied – The use of any mobile home, manufactured home or recreational vehicle by any person for living, sleeping, cooking or eating purposes for any period of (7) consecutive calendar days or longer.
- o) Operator – The person or business that has charge, care or control of a licensed or unlicensed park or portion thereof; and/or the person or business that holds the license for a park.
- p) Park – A Manufactured Home or Mobile Home Park, including any nonconforming Manufactured Home or Mobile Home located within a Park.
- q) Person – Any individual, firm, trust, partnership, association or corporation.
- r) Pier – One of the structural supports, required by the Uniform Standard Code for Manufactured Homes and Recreational Vehicles Act, for a manufactured home which is not secured to the ground on a permanent foundation.
- s) Recreational Vehicle (RV) – A vehicular-type unit built on or for use on a chassis and designed as living quarters, both permanent and temporary, for recreational, camping or travel use, and which has its own motive power, or is mounted on, or which can be drawn by another vehicle. The term recreational vehicle shall include, but not be limited to,

motor homes, travel trailers, camper trailers, house trailers, pickup truck campers, hauling trailers, camper buses and other similar vehicles and equipment.

- t) Roadway – Any private street located within a park providing for unobstructed vehicular and/or pedestrian circulation within the park. Also known as a Drive Aisle.
 - u) Service Building – A building housing all of the following: separate toilet facilities for men and women, laundry facilities and separate bath or shower accommodations. Such building may also include other associated uses such as an office and recreational facilities for the Park.
 - v) Storm Shelter – A common storm shelter capable of providing adequate shelter from severe weather for all Park residents. Storm shelters must have a minimum floor area of eight square feet for each manufactured home space and be designed and constructed in accordance with plans prepared by a licensed structural engineer or architect. If the shelter is within a floodway fringe, the shelter must be designed and constructed in accordance with all requirements and guidelines of the Federal Emergency Management Agency (FEMA) and be designed and constructed in accordance with all applicable requirements of the Americans with Disabilities Act (ADA). The shelter must be located no further than 1,320 feet from the furthest manufactured home space within the park.
4. Manufactured Homes and Mobile Homes: Where Permitted. All new placements of Manufactured Homes and Mobile Homes shall be done in conformance with the provisions of this Code and in conformance with the Zoning Regulations of the City of Baldwin City, Kansas. Placement of Residential-Designed Manufactured Homes shall be treated the same as the establishment of a single-family dwelling under the terms of the Zoning Regulations, but shall comply with the siting provisions of this Code.

Exceptions:

- a) A Manufactured Home may be occupied other than within a park, and a recreational vehicle may be occupied other than an RV park, for a period not to exceed six (6) months for the purpose of providing temporary housing following a local disaster such as fire, wind or flood damage; provided a permit is secured in accordance with this Code and approved by the Governing Body. Any person desirous of locating a Recreational Vehicle or Manufactured Home in accordance with Sections 105 above shall make an application to the Inspection Officer for a permit. Such application shall be in writing, signed by the applicant, and shall include the name, address and telephone number of the applicant; the location and legal description of the property on which the Recreational Vehicle or Manufactured Home is requested to be located; and all other applicable information as follows:

- 1) The reason(s) such application is being applied for; the number of days the recreational vehicle or manufactured home is intended to be parked, which in no event shall exceed six (6) months for an administrative placement as authorized by the City Zoning Regulations; and a site or plot plan of the property in question which shows the location of all existing buildings and where the Recreational Vehicle or Manufactured Home will be installed.
 - 2) The connection of the Recreational Vehicle or Manufactured Home to any utility shall be in accordance with all applicable regulations of the City of Baldwin City.
5. Manufactured Home or Mobile Home Park License. All persons operating a Park within the City of Baldwin City shall obtain a Manufactured Home or Mobile Home Park License from the City after approval by the Inspection Officer and the payment of the required fee. Such license shall expire on June 30th of the year of issuance, but may be renewed for additional periods of one (1) calendar year after approval by the Inspection Officer and the payment of the required fee, subject to the provisions of this Code. No person shall operate a Park without a current Manufactured Home or Mobile Home Park License.
6. Permits Required for Installation of Manufactured Homes and Mobile Homes. A Manufactured Home or Mobile Home installation permit shall be obtained from the Inspection Officer for every Manufactured Home or Mobile Home placed or relocated within the City of Baldwin City. The purpose of such manufactured home installation permit is to assure the Manufactured Home or Mobile Home is placed in conformance with the requirements of this Code. Manufactured Home or Mobile Home installation permits shall be obtained at least five (5) full business days prior to installation of any Manufactured Home or Mobile Home within the City of Baldwin City. Manufactured Home or Mobile Home installation permits may only be obtained by a licensed Manufactured Home or Mobile Home Installation Contractor (as defined in this Code).
7. Inspections. All construction or work for which a Manufactured Home or Mobile Home installation permit is required shall be subject to inspection by the City of Baldwin City, Kansas. The City may, in its discretion, require a survey of the lot in question to verify that the Manufactured Home or Mobile Home is located on the lot in accordance with the approved plan.

It shall be the duty of the permit applicant to cause the work to be accessible and exposed for inspection by the City. The City shall not be liable for expense entailed in the removal or replacement of any material required to allow inspection.

It shall be the duty of the person doing the work authorized by the Manufactured Home or Mobile Home installation permit to notify the City that such work is ready to be scheduled for inspection.

8. Required Inspections. The Manufactured Home or Mobile Home shall not be occupied prior to obtaining final inspection approval of the City of the following:
- a) Footings before any concrete is poured.
 - b) Stem wall, if required, before any concrete is placed.
 - c) Blocking, pursuant to K.S.A. 75-1231, as amended.
 - d) Tie down, pursuant to K.S.A. 75-1227 through 75-1230, inclusive, as amended.
 - e) Electrical service connection as required by the City and the electrical service supplier.
 - f) Fuel gas connection as required by the City and the gas supplier.
 - g) Handrails and outside stairs at each exit as required by this Code.
 - h) Electric and gas meters shall not be released to the utility company until the manufactured home is blocked and tied down as set forth by this Code and by K.S.A. 75-1227 through 75-1230, inclusive, as amended.
 - i) Skirting shall be of a durable type of material and construction shall be installed on each manufactured home to enclose the open space between the bottom of the manufactured home floor and the grade level of the manufactured home pad. Such skirting shall be constructed of material consistent with the exterior surface of the manufactured home and maintained in a manner to enhance the appearance of the Park.
 - j) Other requirements as deemed necessary by the City to meet the intent of this Code.

When the inspections set forth above have been approved by the City, a temporary occupancy certificate will be issued. The owner shall then have forty-five (45) days to have the home skirted as required by this Code before the final inspection. It shall be a violation of this Code to occupy a Manufactured Home or Mobile Home prior to the issuance of a temporary occupancy certificate.

9. Inspection Record Card. An inspection record card shall be posted in a conspicuous location on the property by the person requesting inspection(s) at the time of the first site visit.
10. Manufactured Home Installation Contractor; License. No Manufactured Home or Mobile Home installation permit shall be issued to any Manufactured Home Installation Contractor who has not first provided the City of Baldwin City a copy of the Manufactured Home Installer's License from the State of Kansas, as provided under the provision of the Manufactured Home Act (K.S.A. 58-4201 et seq, as amended.)

11. Reserved.

12. Residential-Designed Manufactured Home Siting Standards. In order for residential-designed manufactured homes, when installed on individual lots, to be substantially compatible with the appearance of an on-site, conventionally built, single-family dwelling, the following aesthetic criteria and siting standards shall apply:

- a) Any person intending to place a Residential-Designed Manufactured Home on an individual lot within the City of Baldwin City is expected to be sensitive to the overall size of the lot on which the Residential-Designed Manufactured Home is to be placed in relationship to the size of the Residential-Designed Manufactured Home proposed to be placed. The setback requirements of the Zoning Regulations will apply to the same extent as for a site-built home. Acquisition of a Residential-Designed Manufactured Home too large for the lot in question shall be considered a self-imposed hardship and will not be eligible for a variance.
- b) The intent of this Code is to encourage Residential-Designed Manufactured Home placement within the community in such a manner to be the least disruptive in appearance to the neighborhood. Every Residential-Designed Manufactured Home shall be placed on a lot in a manner consistent with the orientation of the homes on surrounding lots in the immediate vicinity, including those across the street. Where ranch-style homes predominate, the placement of a Residential-Designed Manufactured Home shall be such that the greatest length of the home faces the street and shall be a minimum width of twenty (20) feet. No on-street parking is allowed. Where home styles in the neighborhood are other than ranch-style, the placement of the Residential-Designed Manufactured Home shall be designed to be as compatible as possible with the neighborhood.
- c) Every Residential-Designed Manufactured Home shall have a roof pitch with a minimum 3/12 pitch, and the roof shall be finished with a type of shingle that is commonly used in standard residential construction in the City. All roof structures shall provide an eave projection of no less than one (1) foot, which may include a gutter.
- d) The exterior siding shall consist predominantly of vinyl or metal horizontal lap siding (whose reflectivity does not exceed that of gloss white paint), wood, or hardboard and the exterior siding shall be comparable in composition, appearance and durability to the exterior siding commonly used in residential construction.
- e) Each Residential-Designed Manufactured Home shall be placed on a permanent foundation and shall be set up in accordance with the recommended installation procedures of the manufacturer. If those standards are not available, the standards set by the National conference of States on Building Codes and Standards and published in

“Manufactured Home Installations, 1994” shall be followed. Further, a continuous, permanent masonry curtain wall, unpierced except for required ventilations and access, which may include walk-out basement and garages, shall be installed under the perimeter of the manufactured home.

- f) Stairs, porches, entrance platforms, ramps and other means of entrance and exit to and from the manufactured home shall be installed, constructed, and anchored securely to the ground. All such structures shall comply with all adopted building codes and other applicable rules, regulations and ordinances of the City.
- g) The moving hitch, wheels and axles, and transporting lights shall be removed.

13. License and Permit Fees. All persons operating existing Parks shall obtain the appropriate license as required by this Code by June 30th of each year. The fees for the licenses and permits required by this Code shall be designated and described in the City’s fee schedule.

14. Existing Parks – Amortization Period. All persons operating a Park at the time of the adoption of this Code shall be permitted to continue to operate said Park without obtaining a conditional use permit until March 31, 2022, but the requirements of this Code shall apply immediately to modifications, enlargements or creation of new lots within an existing Park or other sections of this Code.

15. Existing Parks – Design Standards and Approval Process. It is the intent of this provision to promote the health, safety, morals, comfort, and general welfare of the citizens of the City of Baldwin City, Kansas. Furthermore, each existing Park in operation as of the date of the adoption of this ordinance shall meet the following design standards on or before March 31, 2022:

- a) All Manufactured and/or Mobile Homes shall be separated from each other a minimum distance of 15 feet. Open stairs may encroach no more than 3 feet in the Manufactured and/or Mobile Home separation distance of 15 feet.
- b) All roadways and drive aisles shall be graveled or hard surfaced approved by the City and must be a minimum 20 foot in width and unobstructed at all times.
- c) All accessory structures, including but not limited to, sheds and other storage structures shall have a minimum 10 foot separation distance from any other structure.
- d) All existing Parks shall obtain a conditional use permit from the Governing Body irrespective of prior approvals.
- e) Gravel on-street and off-street parking spaces are allowed for existing Parks in operation prior to the adoption of this ordinance.

16. Park Design Standards. It is the intent of this provision to promote the health, safety, morals, comfort, and general welfare of the citizens of the City of Baldwin City, Kansas. The location of Manufactured Homes, Mobile Homes, common facilities and service buildings

should be arranged within the Park in a manner which provides optimum open space and accessibility and compatibility of uses. Likewise, the size and orientation of individual lots within a Park should be designed to provide maximum outdoor living area and a compatible relationship between the Manufactured or Mobile Home, parking, and storage building area, utility corridor and outdoor living space.

The following minimum requirements shall be observed in all new Parks:

- a) A Conditional use permit must be approved by the Governing Body prior to any new Park or expansion of existing Parks.
- b) The Park shall not have a gross density greater than seven (7) Manufactured/Mobile Homes for every one (1) gross acre of land.
- c) No part of any Manufactured Home, Mobile Home, or other building or structure shall be located within 25 feet of any public road right-of-way, nor within 25 feet of any exterior property line of a Park, unless the above provision is modified by the Governing Body.
- d) In all Parks, there shall be one or more recreational areas, which shall be easily accessible to all Park residents by a hard-surfaced walkway. A minimum of ten (10) percent of the gross site area shall be devoted to recreational uses. The topography of the recreation area shall be suitable for recreational uses. Recreational areas shall be located so as to be free of traffic hazards and, where topography permits, be centrally located. Recreation areas shall be maintained by the Park management and may include space for community buildings(s) and community use facilities such as indoor recreation, meeting rooms and similar uses, unless the above provision is modified by the Governing Body.
- e) Each lot may have a storage building not to exceed 120 square feet.
- f) Individual Manufactured Home or Mobile Home Lot shall be designed to meet the following standards:
 - 1) Each Manufactured Home or Mobile Home Lot shall consist of at least 5,000 square feet, with a minimum width of 50 feet and a minimum length of 100 feet.
 - 2) Each Manufactured Home or Mobile Home Lot shall have a front yard of at least 20 feet measured from the edge of the drive aisle or roadway pavement to the closest point of a Manufactured/Mobile Home.

- 3) Each Manufactured Home or Mobile Home Lot shall have a side and rear yard a minimum of 7 feet on each side of the lot, excluding the front, provided a minimum of 15 feet shall be maintained between Manufactured Homes or Mobile Homes on adjoining lots.
 - 4) All detached accessory structures must be a minimum 10-foot separation distance from any other structures in accordance with Section 15 (c).
- g) In addition to compliance with all adopted codes, rules, regulations and ordinances of the City, the minimum requirements pertaining to structural, design, utility service, and maintenance features within a Park shall be as follows:
- 1) Utilities. Sanitary sewer and water facilities shall be provided for each lot within the Park. All Manufactured Homes or Mobile Homes within the Park shall be served by a central water supply adequate to provide fire protection by hydrants, and by a public sanitary sewer system. Individual electrical service and/or fuel gas service shall be provided to each lot with the Park. The service so provided shall be separately metered for each lot; each lot shall have separate disconnect points from any other lot, and shall not be provided service from any other home or lot.
 - 2) Roadways or Drive Aisles. All roadways or drive aisles shall be unobstructed, a minimum width of twenty (20) feet, constructed of asphalt or concrete surface and shall be durable and well drained under normal use and weather conditions. The surface shall be maintained free of cracks, holes and other hazards by the Park management.
 - 3) Manufactured Home Pad. Concrete runners shall be provided on every Manufactured Home or Mobile Home Lot to accommodate the Manufactured Home or Mobile Home and its attached accessory structures. The runners shall be constructed to provide anchoring facilities for the placement and tie-down of the unit to secure it against accidental uplift, sliding, rotation and over-turning. Runners shall be installed before any Manufactured Home or Mobile Home is occupied.
 - 4) Recreation. One or more recreation areas shall be provided within every Park. The size of such recreation area(s) shall not be less than 10 percent of the gross area of the Park and shall be located so as to be easily accessible to all Park residents by hard surfaced walkways. The topography of the recreation areas shall be suitable for recreational uses, and shall be located free of traffic hazards and should, where topography permits, be centrally located. Recreation areas shall be maintained by the Park management and may include space for community buildings(s) and

community use facilities such as indoor recreation, meeting rooms and similar uses, unless the above provision is modified by the Governing Body.

- 5) Exposed Ground Surface. All areas not used for access, parking, circulation, buildings, Manufactured Homes, Mobile Homes or utility service shall be landscaped according to an approved landscape plan. The landscape plan shall include trees and other vegetation that are consistent with landscaping found throughout the community. Park management shall maintain the entire site in good condition including all grounds, shrubs, trees or any other landscaping.
- 6) Parking. Adequate parking shall be provided for the use of Park residents and guests. A minimum of two (2) paved off-street parking spaces shall be provided for each Manufactured Home or Mobile Home Lot. The parking spaces may be provided on-street or off-street depending on the width of the roadway. A parking space shall be a minimum of 9 feet by 19 feet.
- 7) Skirting. Skirting of a durable type of material and construction shall be installed on each Manufactured Home or Mobile Home to enclose the open space between the bottom of the floor and the grade level of the Manufactured Home or Mobile Home Pad. Such skirting shall be constructed of material consistent with the exterior surface of the unit and maintained in a manner to enhance the appearance of the Park.
- 8) Screening. Effective screening, at least six (6) feet in height, shall be provided along the boundary lines of the Park to serve as a buffer through the use of plantings, berms or other landscaping features. Screening shall include an opaque fence or wall a minimum height of six (6) feet.
- 9) Lighting. Adequate lighting shall be provided for all roadways, streets, walkways, service buildings and other facilities subject to night-time use.
- 10) Storm Shelter. A common Storm Shelter capable of providing adequate shelter from severe weather for all Park residents shall be provided. Storm Shelters must have a minimum floor area of eight square feet for each Manufactured Home or Mobile Home Lot, be designed and constructed in accordance with plans prepared by a licensed structural engineer or architect, and be located no further than 1,320 feet from the furthest Manufacture Home or Mobile Home Lot within the park.
- 11) Access to Shelters. The Park owner, or such owner's designated agent or representative, shall be responsible for making the Storm Shelter accessible and useable in times of need by sidewalks, improved pathways or other pedestrian-friendly surfaces. It shall be unlawful for any required Storm Shelter to be used

for storage purposes if such storage reduces the minimum floor area available for shelter of persons below the requirements established in Code.

- 12) Lot Identification. Each Manufactured Home or Mobile Home Lot within the Park shall be numbered in an orderly fashion and in a secure and consistent manner throughout the Park. The lot number shall be displayed on the lot and be visible at all times.
- 13) Space. No space shall be rented for residential use of a Manufactured Home or Mobile Home in any Park except for periods of thirty (30) days or more.
- 14) Management. Each Park shall be operated in a sanitary, orderly, and efficient manner, and shall maintain a neat appearance at all times. No damaged or deteriorated Manufactured Homes or Mobile Homes shall be permitted to remain, and suitable and effective rules for regulating the outside storage of equipment, the removal of wheels and installation of skirting, the collection of trash and garbage, and the attachment of appurtenances to the units shall be continually enforced by Park owners. All drives, playground areas and equipment, lawn and trees, and any recreation or accessory buildings shall be maintained at a level at least equal to the average residential neighborhood in the City. All portions of the Park shall be open and accessible to fire, law enforcement, and other emergency and protective vehicles and personnel, including City, state inspectors and utility meter readers.
17. Recreational Vehicles. All recreational vehicles shall be prohibited for residential use in a Park, and recreational vehicle storage shall be situated in an approved Park storage area or parking space. Any existing recreational vehicles, used for residential use, must be removed from the Park within six months after the adoption of this ordinance.
18. Garbage and Refuse. Provisions for garbage and refuse storage, collection, and disposal shall be maintained by the operator for a licensed Park so as not to create health hazards, rodent harborage, insect breeding areas, accident hazards or air pollution.
19. Rodents and Insects. Parks shall be maintained free of excessive insect or rodent infestation. The Park management shall keep all areas outside the confines of the individual manufactured homes reasonably free of breeding, harboring and feeding places for rodents and insects. Such areas shall be kept free of litter, trash, salvage material, junk and weeds or other obnoxious vegetation growths in excess of twelve (12) inches in height. Individual Mobile Home or Manufactured Home occupants shall be responsible for the extermination of any rodent or insect infestations occurring within the unit.

20. Register. It shall be the duty of the person operating each Park to keep a register containing a record of all Mobile Homes or Manufactured Home owners and tenants located within each Park. The register shall contain the name and address of the Park manager and each occupant; the make, model, year and manufacturer of each unit; and the dates of arrival and departure of each unit, including the name of the contractors responsible for connections to the utilities. The person operating each Park shall provide a copy to the City and keep the register available for inspection by law enforcement officers, assessors, public health officials and other officials whose duties necessitate acquisition of the information contained in the register.

It shall be the responsibility of the person operating each Park to notify the City of every new or relocated Manufactured Home or Mobile Home to be installed a minimum of five (5) working business days prior to the date of installation so that the appropriate inspections can be made for compliance with this Code and all other applicable rules and regulations of the City.

21. Alterations or Additions to Manufactured Homes or Mobile Homes. No alterations or additions of any kind shall be built onto or become a part of any Manufactured Home, unless such alteration or addition is certified by a HUD Inspector to meet the HUD Code. Alterations, additions or conversions of a Manufactured Home or Mobile Home to other uses may occur if the entire structure is brought into compliance with the adopted building codes of the City of Baldwin City. Skirting of Manufactured Homes or Mobile Homes is permissible only with noncombustible material.

22. Ground Anchors. Every new or relocated Manufactured Home or Mobile Home installed after the effective date of this code shall be anchored in accordance with the manufacturer's printed instructions complying with the National Manufactured Home Construction and Safety Standards Act and any regulations promulgated thereunder. It shall be the responsibility of the Manufactured Home or Mobile Home owner or licensed Manufactured Home or Mobile Home Installer to demonstrate compliance with this anchoring requirement. In the event the owner or licensed Manufactured Home or Mobile Home Installer is unable to do so, the unit shall be anchored in the following manner:

- a) Ground anchors shall be attached both to the frame and to straps or cables that pass from one side over the top and down the opposite side.
- b) Ground anchors shall be clearly marked with identification as required by K.S.A. 75-1228, as amended, and as noted on approved certificates issued by the Director of the Architectural Services Division of the State Department of Administration.
- c) Each ground anchor shall be capable of withstanding a vertical pull force of four thousand seven hundred fifty (4,750) pounds in place.

- d) The number of anchors required shall be:
- 1) Three (3) on each lengthwise side for a unit not less than thirty-two (32) feet nor more than fifty (50) feet in length.
 - 2) Four (4) on each lengthwise side for units more than fifty (50) feet but not more than seventy (70) feet in length.
 - 3) Five (5) on each lengthwise side for units more than seventy (70) feet in length.
- e) The anchors shall be spaced such that each anchor will resist approximately the same force as the others.
- f) Strap or cable tie-downs used to connect the unit to its anchors shall be of a type that is marked with identification as required by K.S.A. 75-1228, as amended, or as determined by the Inspection Officer.
- g) Corner roof protectors shall be used with over-the-top cables or straps which are not factory-installed with the unit.

23. Appeals. Appeals from the interpretation or application of any provision contain herein or enforcement provisions of this code may be made to the Governing Body. Such appeals shall be made to the Community Development Director or his designee and such appeals may be referred to an appropriate board, commission, committee or department for recommendation prior to placing the matter on the agenda for Governing Body consideration.

24. Penalties. Any person who is found guilty of violating any provision of the code is guilty of a misdemeanor and shall be punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment in jail for a period not exceeding (6) months or by both such fine and imprisonment. Each day that a violation of this code occurs constitutes a separate offense and is punishable hereunder as a separate violation.

SECTION 2 EFFECTIVE DATE OF ORDINANCE. This Ordinance shall take effect on its passage and upon its publication as required by law.

Passed by the City Council this 19 day of November, 2019.



Casey Simoneau, Mayor

ATTEST:

Laura E. Hartman, CMC

Laura E. Hartman, CMC
City Clerk



(Approved as to Form):

BLG

Blake Glover, City Attorney