

ORDINANCE NO. 189

AN ORDINANCE OF THE VILLAGE OF FREEBURG, MISSOURI, PERTAINING TO MOBILE HOMES LOCATED WITHIN THE VILLAGE OF FREEBURG, MISSOURI, AND ENACTING NEW PROVISIONS PERTAINING TO THE SAME AND PENALTY PROVISIONS FOR THE VIOLATION THEREOF.

BE IT ENACTED by the Board of Trustees of the Village of Freeburg, Missouri, as follows:

Section 1. Mobile Home and Mobile Home Park - Definitions.

- A. Mobile home is defined as any structure affording shelter, used or capable of being used for human habitation and living as a family dwelling which may be comprised of one or more units, which has been designed and manufactured for transportation on its own wheels and arrival at the site ready for occupancy as a dwelling.
- B. Mobile home community is defined as any lot, area, piece, parcel or plot of land, park or other site where mobile homes are placed, located or maintained, whether for or without compensation.
- C. Unit of land is defined as a section of ground for a mobile home or a mobile home community of not less than four thousand (4,000) square feet, designated with a location for an automobile and one mobile home and not for any other purpose whatsoever.
- D. A mobile home as used in this Ordinance does not include a trailer which is equipped for wheels to be used by persons en route from one locality to the other, commonly known as travel trailer, camping trailer or other similar description. The trailers described herein shall not qualify as a residence nor for the permit described in Section 4. herein.

Section 2. Nonconforming Uses.

- A. Mobile homes presently in existence. All presently existing mobile homes have the right to continue at their present location even though they are outside of an area authorized by the Board of Trustees as a mobile home community or a mobile home location.
- B. Abandonment of mobile home located in a non-designated area. Once a mobile home is removed from an area not designated as a mobile home community or a mobile home location another mobile

home may not be placed on that site unless done so within fifteen (15) days of the original removal and then only if the mobile home is occupied or lived in by the owner of the mobile home which was originally moved. This provision shall be applicable to all mobile homes which are not located in a properly designated mobile home community or location on or before the passage of this Ordinance.

Section 3. Use of Mobile Homes.

Mobile homes may be used as a permanent place of abode or a permanent dwelling for indefinite periods of time and may be permitted as a substitute for permanent dwellings erected for residential purposes if such mobile homes are in compliance with this Ordinance.

Section 4. Permit for Use of Land as Mobile Home Community or Mobile Home Location, Hearing and Notice.

- A. It shall be unlawful for any person to establish, place, maintain, operate, permit or locate any mobile home or any mobile home community on any premises within the Village of Freeburg, Missouri, without first securing a permit from the Board of Trustees of the Village of Freeburg, Missouri.
- B. Any person desiring to establish and thereafter maintain a mobile home community or a mobile home location on any premises in the Village of Freeburg, Missouri, shall file a written application with the Board of Trustees of the Village of Freeburg, Missouri. If such application is made by a person other than the owner of the premises in fee, it shall be made by both the owner of the mobile home and the owner of the premises in fee, all of which shall be duly verified by affidavit.
- C. Every application shall state the name and address of the owner of the premises in fee, the owner of the mobile home and shall include a legal description on which the proposed mobile home community or mobile home location is to be located.
- D. Every such application for a mobile home community or a mobile home location shall describe the general size and scope of the community and location which the applicant desires to establish the mobile home community or mobile home location.
- E. No permit for a mobile home community or a single

mobile home location shall be issued until after public hearing in relation thereto at which all parties in interest shall have an opportunity to be heard. At least fifteen (15) days' notice of the date, time and place of such hearing shall be published in a newspaper of general circulation in the Village of Freeburg, Missouri. The notice shall set forth the purpose of the public hearing and the date, place and time of the hearing. The notice will be published once a week for two consecutive weeks with the last publication being at least seven days prior to the hearing.

- F. Each application for such a permit shall be accompanied by a deposit of money sufficient to pay the estimated cost of the newspaper publication. Any excess deposit shall be refunded to the Applicant.

Section 5. Size and Specifications of Mobile Home Communities and Single Mobile Home Locations.

Every mobile home community shall have an area of at least thirty-two thousand (32,000) square feet to permit accommodation for not less than eight (8) mobile homes on units of land each unit having an area of not less than four thousand (4,000) square feet. The width of each unit shall not be less than forty (40) feet. Each mobile home community shall abut a public street. Each unit of land shall be defined on the ground by markers at each corner. Streets and driveways within the mobile home community shall be at least sixty (60) feet in width, shall abut each unit within the mobile home community, shall have hard and dustless streets.

Every single mobile home location shall be on a unit of land as described in Section 1., Paragraph C. herein.

Section 6. Utility Services.

Every unit within the mobile home community and every single mobile home location shall have access to and be connected city water services and such services shall be connected in accordance with the ordinances of the Village of Freeburg, Missouri. Each unit within a mobile home community or single mobile home location shall have access to the city sanitary sewer service and shall be connected to such service in accordance with the ordinances of the Village of Freeburg, Missouri. Arrangements (including all fees) for such connection shall be included in the application and no permit shall be issued in the absence of such assurances as the Board of Trustees of the Village of Freeburg, Missouri, shall determine.

Section 7. Compliance with the Village of Freeburg, Missouri, Ordinances.

All mobile home communities and all single mobile home locations shall comply in all respects with all ordinances of the Village of Freeburg, Missouri. Failure to comply with such ordinances after being given written notice of noncompliance and a reasonable period of time to cure the noncompliance will authorize the Village of Freeburg, Missouri, to terminate the permit for the occupancy of the mobile home not in compliance with such ordinances of the Village of Freeburg, Missouri.

Section 8. Violation.

Every person convicted of a violation of this Ordinance may be sentenced to pay a fine which does not exceed two hundred dollars (\$200.00) for each day of failure to comply with this Ordinance. Both the owner of the mobile home and the owner of the land upon which the mobile home is located shall be jointly and severally responsible for compliance with this Ordinance.

Section 9. Repeal of Existing Ordinances.

Any ordinances as well as any provisions of any other of the ordinances of the Village of Freeburg, Missouri, which are inconsistent herewith, are hereby repealed.

Section 10. This ordinance shall be in full force and effect from and after the date of its passage and approval.

READ THREE TIMES AND PASSED THIS 10 DAY OF March, 2014, IN THE VILLAGE OF FREEBURG, MISSOURI.



DARRYL HALLER
MAYOR

ATTEST:



ALLEN E. GRADEL
CITY CLERK