

ORDINANCE NO. A - 378

AN ORDINANCE REGULATING MOBILE HOMES WITHIN THE CITY OF CONWAY, ARKANSAS; ESTABLISHING REQUIREMENTS FOR MOBILE HOMES AND MOBILE HOME PARKS; DEFINING CERTAIN TERMS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

SECTION 1, Definitions,

(a) "Mobile home" means any vehicle or similar portable structure having no foundation other than wheels, jacks or skirtings and so designed or constructed as to permit occupancy for dwelling or sleeping purposes.

(b) "Mobile home park" means any plot of ground consisting of not less than two acres in area upon which proper space is provided for the maintenance and location of ten or more mobile homes, occupied or to be occupied for dwelling or sleeping purposes, regardless of whether or not a charge is made for such accommodation.

(c) "Mobile home space" means a plot of ground within a mobile home park designed for the accommodation of one mobile home,

(d) "Park" means mobile home park.

(e) "Person" means any natural individual, firm, trust, partnership, association or corporation.

SECTION 2,

It shall hereafter be unlawful for any person to place, park, locate or install any mobile home within the corporate limits of the City of Conway, or to attempt so to do, for the purpose of occupying the same as a dwelling or for sleeping purposes, nor shall any mobile home hereafter so located be occupied as a dwelling or for sleeping purposes, whether such occupancy be by the owner thereof or by a person or persons not the owner, unless the same be placed and located within a mobile home park as herein defined.

SECTION 3. Location,

Mobile home parks may be located within Zone Areas B-2 and/or in Institutional Zones, of the City of Conway, Arkansas, as such zones are now or may be hereafter established. Provided, however, that such parks as shall be situated in Institutional Zones of Conway shall be permitted only insofar as the mobile homes placed therein are

for use and occupancy in furtherance of housing needs of the institution upon whose property situated.

SECTION 4.

(a) No person shall operate or maintain a mobile home park within the limits of the City unless such person shall first obtain a license therefor, except that the maintenance or operation of a park in existence on the effective date of this ordinance may be continued under a temporary permit for such period of time and under such conditions as are hereinafter prescribed.

^{AMENDED}
^{A-379} (b) Any mobile home or mobile home park situated within the limits of the City and in an area other than Zone Area B-2 or an Institutional Zone, shall be permitted to remain indefinitely. It is provided, however, that the owner of each mobile home and/or each mobile home park shall, within thirty days after the effective date of this ordinance, make written request to the Building Inspector of the City of Conway for a temporary permit therefor in the manner hereinafter set forth. In the event any such mobile home shall be removed the Owner of the land upon which said mobile home was theretofore situated shall immediately report such fact to the City Building Inspector and shall surrender to him the permit theretofore issued for such mobile home, and the premises theretofore occupied by the same shall not thereafter be permitted to be occupied by any other mobile home.

(c) Mobile home parks now situated within Zone Area B-2 and/or Institutional Zones of the City shall be permitted to remain indefinitely, whether or not such park shall meet the area and size requirements of such parks as established by this ordinance. Provided, however, the owner or owners of any such park shall, within thirty days after the effective date of this ordinance, make written application to the City Building Inspector, in the manner hereinafter set forth, for a permit for the operation and maintenance of such park. Any mobile home which shall, at the effective date of this ordinance, be situated in such manner so as not to conform to the plat filed by such park owner and the area requirements of this ordinance, shall be permitted to remain, but should any mobile home not so complying be removed no mobile home may be placed or maintained upon the premises

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theretofore occupied by the mobile home so removed unless the mobile home thereafter placed shall meet all requirements of this ordinance and the plat of such park,

SECTION 5.

Any person desiring to operate a mobile home park in the City of Conway shall prepare and submit to the City Planning Commission a plat of the said park showing the location thereof, all mobile home spaces and the dimensions and sizes thereof, roadways within such park, the location, size and nature of **any** and **all** utilities within such park, and such other information as said Planning Commission shall designate. Upon approval of such plat by the Planning Commission the **same** shall be submitted to the City Council of the City for its consideration, and should said Council approve the **same** the owner of such proposed park shall then be permitted to proceed to obtain a permit for said park as in Section 6 of this Ordinance set out.

AMENDED SECTION 6, Application for License ,

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(a) Application for initial license. Application for initial mobile park license **shall** be filed with and issued by the Building Inspector of the City of Conway, which Inspector shall also be the enforcement officer under this Ordinance. The application shall be in writing, signed by the applicant and shall include the following:

- 1, The name and address of the applicant;
- 2, The location and legal description of the mobile home park;
3. A complete plan of the park in conformity with the requirements of Section 5 of this Ordinance;
- 4, Plans and specifications of all buildings, improvements and facilities constructed or to be constructed within the mobile home park;
5. Such further information as may be requested by the Building Inspector to enable it to determine if the proposed park will comply with **legal** requirements,

The application and all accompanying plans and specifications shall be filed in triplicate, The Building Inspector shall investigate the applicant and inspect the application and the proposed plans and specifications. If the applicant is of good moral character, and the proposed mobile home park will, when constructed or altered in accordance with such plans and specifications, be in compliance with all provisions of this ordinance and all other applicable ordinances and statutes, the Building Inspector shall approve the applications, and upon completion of the park according to the plans shall issue the license.

(b) Application for renewal license,

Upon application in writing by a licensee for renewal of a license and upon payment of the annual license fee, the Building Inspector shall issue a certificate renewing such license for another year,

(c) Application for transfer of license.

Upon application in writing for transfer of a license and payment of the transfer fee, the Building Inspector shall issue a transfer if the transferee is of good moral character,

(d) The permit fee for each mobile home shall be \$5.00, which shall be in lieu of all other inspection and permit fees.

SECTION 7. Mobile Home Park Plan.

The Mobile home park plan shall conform to the following requirements:

(a) The park shall be located on a site which abuts upon a public street or highway, which is well-drained and is properly graded to insure rapid drainage and freedom from stagnant pools of water.

(b) Mobile home spaces shall be provided consisting of a minimum of 2100 square feet for each space which shall be at least thirty feet wide and clearly defined.

(c) Mobile homes shall be so harbored on each space that there shall be at least a 10 foot clearance between mobile homes. Provided, however, that a canopy or awning having uninclosed sides shall not be construed as constituting a part of a mobile home, if

such canopy or awning is constructed of noncombustible frame and is covered by canvas or noncombustible materials, Each mobile home shall be harbored at least 25 feet from any public street or highway, and shall be at least 10 feet from any access street within said mobile home park.

(d) All mobile home spaces shall abut upon a driveway of not less than 20 feet in width, which shall have unobstructed access to a public street or highway,

(e) An electrical outlet supplying at least 110 volts shall be provided for each mobile home space,

SECTION 8. Water Supply.

An adequate supply of pure water for drinking and domestic purposes shall be supplied by pipes to all buildings and mobile home spaces within the park to meet the requirements of the park.

SECTION 9. Sewage Disposal.

Each mobile home space shall be provided with a trapped sewer at least **four** inches in diameter, which shall be connected to receive the waste from the shower, bath tub, flush toilet, lavatory and kitchen ~~skink~~ of the mobile home harbored in such space and having any or all of such facilities. The trapped sewer in each space shall be connected to discharge the mobile home waste into a public sewer system in compliance with applicable ordinances or, in the event no public sewer system is situated within 300 feet of said park, into a private sewer disposal plant or septic tank system of such construction and in such manner as **will** present no health hazard. No private sewer disposal plant or septic tank system shall be permitted unless constructed in strict compliance with all applicable rules and regulations of the Arkansas State Health Department. No mobile home shall be occupied for a period in excess of 72 hours unless the connection to the sewage disposal system has been inspected by the City Building Inspector.

SECTION 10. Garbage Receptacles.

Metal garbage cans with tight-fitting covers shall be provided in quantities adequate to permit disposal of all garbage and rubbish. Garbage cans shall be located not farther than 300 feet from any mobile **hone** space. The cans shall be kept in sanitary condition at

times, Garbage and rubbish shall be collected and disposed of as frequently as may be necessary to insure that the garbage cans shall not overflow.

SECTION 11, Register of Occupants,

It shall be the duty of each licensee and permittee to keep a register containing a record of all mobile home owners and occupants located within the park, The register shall contain the following information:

- (a) The name and address of each mobile home occupant;
- (b) The name and address of the owner of each mobile home and motor vehicle by which it is towed;
- (c) The state, territory or country issuing such license;
- (d) The date of arrival and of departure of each mobile home ;

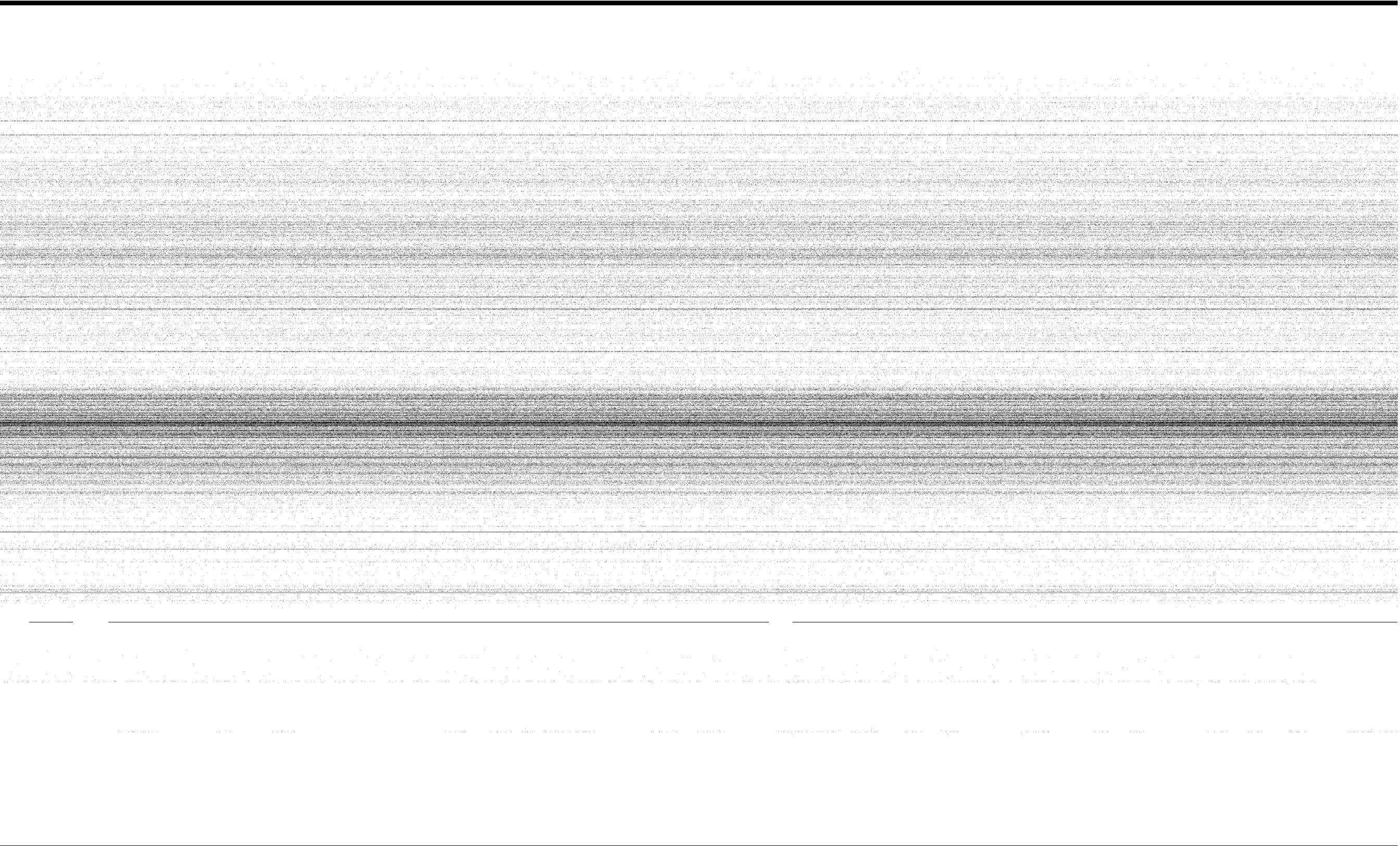
The park shall keep the register available for inspection at all times by law enforcement officers, public health officials and other officials whose duties necessitate acquisition of the information contained in the register. The register record for each occupant registered shall not be destroyed for a period of three years following the date of departure of the registrant from the park,

SECTION 12. Revocation of License.

The building Inspector may revoke any license to maintain and operate a park when the licensee has been found guilty by a court of competent jurisdiction of violating any provision of this ordinance, After such conviction, the license may be reissued if the circumstances leading to conviction have been remedied and the park is being maintained and operated in full compliance with law.

SECTION 13. Severability,

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect the remainder of this ordinance; and that all ordinances or parts of ordinances in conflict herewith are hereby repealed.



SECTION 14. Repealing

All ordinances, parts of ordinances and laws of the City of Conway heretofore enacted, and specifically Article 2-3, A, 3 of Ordinance No. A-319 of the City of Conway, adopted the 27th day of August, 1957, are hereby repealed.

SECTION 15. Penalty

Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be deemed guilty of a misdemeanor and shall be fined in any sum not exceeding \$100.00 for each offense, and each day such violation shall continue shall constitute a separate offense.

SECTION 16.

This ordinance being necessary for the protection of the public health and welfare, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and publication.

PASSED this 24 day of April, 1962.

APPROVED: Walter D. Conway
Mayor

ATTEST: Bill Lunsford
City Clerk



(SEAL)