

ORDINANCE NO. 1316

AN ORDINANCE AMENDING SECTIONS OF CHAPTER 4, ARTICLE 8 OF THE CITY OF GIRARD, KANSAS PERTAINING TO REGULATING THE LOCATION AND INSTALLATION OF MANUFACTURED HOUSING.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GIRARD, KANSAS:

Section 1. Definitions.

The following definitions are hereby established for purposes of this article:

- a) Manufactured Home means a dwelling unit substantially assembled in an off-site manufacturing facility for installation or assembly at a dwelling site, which bears a label certifying that it was built in compliance with the adopted Manufactured Home Construction and Safety Standards established by 42 U.S.C. ss5403, and generally known as the HUD Code.
- b) Mobile Home means a transportable, factory-built structure designed to be used as a year-round residential dwelling, built prior to or not in conformance with the Manufactured Home Construction and Safety Standards (HUD Code) which became effective June 15, 1976.
- c) Residential Design Manufactured Home means a manufactured home constructed after June 15, 1976, that meets or exceeds the construction standards established pursuant to 42 U.S.C. ss5403 that were in effect at the time of construction and that satisfies the following additional criteria:
 - 1) The manufactured home has a minimum width of 22 feet and a minimum of 1,100 square feet of enclosed and heated living area.
 - 2) The pitch of the roof of the home has a minimum vertical rise of 2.2 feet for each 12 feet of horizontal run.
 - 3) All roof structures shall provide an eave projection of no less than six inches, which may include a gutter. Roofing materials shall consist of composition asphalt shingle, fiberglass shingle, wood shake shingle, baked tile or crushed rock.
 - 4) The exterior siding shall consist predominantly of vinyl, stucco, brick, horizontal lap aluminum, horizontal lap vinyl, rock, or wood comparable to composition, appearance and durability to the exterior siding commonly used in residential construction of single family homes.
 - 5) The foundation is permanent.

A residential design manufactured home shall be considered a single-family dwelling. The structure shall be comparable to site-built housing with regard to overall design and exterior finish materials, and shall have the following:

- a) A roof overhang of at least one (1) foot on at least the two longer sides of the structure and the roof guttering may be included in that one (1) foot of overhang;
- b) Siding materials that extend to the foundation; and
- c) A front porch with a minimum of twenty-five (25) square feet.

Section 2. Location.

- a) Residential design manufactured homes are permitted to be located in R-1 single family residential district as designated in the zoning ordinances of the City of Girard, Kansas.
- b) Manufactured homes shall be located only in mobile home parks.

Section 3. Residential Design Manufactured Home Siting and Installation Standards. It is the purpose of these siting standards and aesthetic criteria to ensure that a residential design manufactured home when installed, shall have substantially the appearance of an on-site, conventionally built, single-family dwelling in this city.

- a) All residential design manufactured homes and manufactured homes placed on individual lots within the City of Girard, Kansas, shall comply with the density requirements of the Girard City Code.
- b) All residential designed manufactured homes placed on individual lots within the City of Girard, Kansas, shall be oriented on the lot so that its long axis is parallel with the street indicated by the address of the lot. If a lot is on a corner and has no associated address, the City may determine which street the residential design manufactured home must face by referencing (i) the last address associated with the lot and (ii) the orientation of the homes on surrounding lots in the immediate vicinity. After November 26th, 2018, new perpendicular placements may be permitted if (i) there is a building addition or substantial landscaping so that the narrow dimension of the unit, so modified and facing the street, is no less than 50% of the unit's long dimension, (ii) the dimension of the unit facing the street has an obvious entryway, and (iii) such a placement is compatible with the design and orientation of homes on surrounding lots in the closest vicinity, including those across the street.
- c) Placement of residential-designed manufactured homes at an angle to the street shall be avoided if at all possible. Placements at an angle must be approved by the Governing Body.
- d) The home shall be installed in accordance with the recommended installation procedures of the manufacturer and the standards set by the International Conference of Building Officials (ICBO) and published in the most current edition of "Guidelines for Manufactured Housing Installation." A continuous, permanent concrete or masonry foundation or masonry curtain wall, unpierced except for required ventilation and access which may include walk-out basements and garages, shall be installed under the perimeter of the home, also in accordance with the above-referenced ICBO "Guidelines for Manufactured Housing Installation."
- e) Stairs, porches, entrance platforms, ramps and other means of entrance and exit to and from the residential-design manufactured home shall be installed or constructed firmly to the primary structure and constructed in compliance with the Building Codes adopted by the Governing Body.
- f) The moving hitch, wheels and axles, and transporting lights shall be removed.

Section 4. Zoning compliance documents and utility connections.

- a) A zoning compliance permit must be secured by the owner of a residential design manufactured home or manufactured home from the designated city official or employee before it may be placed on a lot zoned for residential purposes. A building permit must also be secured by the owner of the home. The building permit shall state all applicable conditions and requirements and state that any violation will be subject to appropriate enforcement action. Once installation and construction is complete and necessary inspections have been performed, and before occupancy and use, a certificate of occupancy must be secured from the city. The certificate shall state that the home owner is responsible for assuring that all applicable conditions and requirements continue to be satisfied, and that appropriate enforcement actions will be taken if violations occur. The permits required under this article shall be in addition to any other permits required under the law of the city.
- b) No city employee or official of the City of Girard, Kansas shall issue a building permit or certificate of occupancy for a residential design manufactured home or a manufactured home, which is not in compliance with this article. Any permit or certificate issued in violation of this article shall be considered void.
- c) No city employee or official of the City of Girard, Kansas, shall connect a residential design manufactured home or a manufactured home to the utility services of the City of Girard consisting of sewer, electric and water if the home and the installation of such home does not comply with the provisions of this article.
- d) The mobile and manufactured homes listed in Exhibit A attached to Ordinance No. 1199 and made a part of hereof are located on individual lots within the corporate limits of the City of Girard, Kansas. Such mobile homes and manufactured homes shall be allowed to remain on such individual lots but shall be removed upon the occurrence of any of the following conditions:
 - 1) The mobile home or manufactured home is destroyed by wind, fire, or demolition;
 - 2) The mobile home or manufactured home does not comply with the minimum housing code under Article 5 of the Code of the City of Girard, Kansas;
 - 3) If the mobile home or manufactured home situated on the individual lot at the time of the adoption of this ordinance is removed for any reason, then no substitute or other mobile home or manufactured home can be placed on such individual lot;
 - 4) The mobile home or manufactured home is unoccupied for a continuous period of six months and is without utility service by the City of Girard, Kansas for the continuous six-month period.
 - 5) In an effort to ensure compliance with its Code without undue hardship on the owners of the mobile and manufactured homes listed in Exhibit A attached to

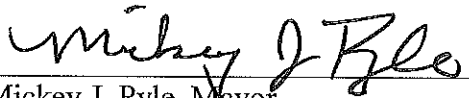
Ordinance No. 1316, all such mobile and manufactured homes are to be removed from the individual lots on or after December 31, 2015 and upon transfer of the present ownership of the underlying real estate by voluntary deed, intestate succession, will, trust, termination of joint tenancy, or by operation of law.

Section 5. Penalty.

Any person, firm or corporation who violates, neglects or refuses to comply with any provision of this article, or who shall maintain, use or construct any building or premises in violation of any of the provisions of this article shall, upon conviction, be fined a sum not exceeding \$1,000.00 for each offence. Each day that a violation is committed, caused or continued to exist shall constitute a separate offense.

Section 6. This Ordinance shall be in full force and effect upon its passage, approval and publication according to law.

PASSED AND APPROVED THIS 26TH DAY OF NOVEMBER.



Mickey J. Pyle, Mayor

ATTEST:



Karen E. Buck, CMC, CPM, City Clerk

Exhibit A

Legal Description and Street Address

- The West Half of Lot Number Ten (10) in Block Number Six (6) in Hull's Addition to the City of Girard, Crawford County, Kansas, according to the recorded Plat thereof.
 - 104 W. Willow
- Lot 4, Block 2, South Girard to the City of Girard, Crawford County, Kansas
 - 707 S. Ozark
- Lot Seventeen (17), Block Two (2), Perry's East Addition to the City of Girard
 - 201 N. Burnett
- Sixty-five (65) feet of Lot number six (6), Block Number Eight (8) of Playter's Subdivision of the North half of the South West Quarter of the South East Quarter of Section Twenty-four (24), Township Twenty-Nine (29), Range Twenty-Three (23), more particularly described as follows:

Beginning at a point Ten (10) Feet North of the South West corner of said Lot Number Six (6), running thence East parallel with the South line of said Lot, Two Hundred Ninety Two and seven-tenths (292.7) Feet, more or less, to the East line of said Lot, thence North along the East line of said Lot Sixty-five (65) feet, thence West parallel with the South line of said Lot Two Hundred Ninety Two and Seven Tenths (292.7) feet, more or less, to the West line thereof, thence South Sixty-five (65) feet to the place of beginning.

 - 710 S. Cherokee
- The East Half (E ½) of the Southeast Quarter (SE¼) of Lot Twelve (12) Block Two (2), West Addition to the City of Girard, Crawford County, Kansas
 - 316 W. Forest
- The East Half (E ½) of the East Half (E ½) of Lot Numbered Four (4), Block Numbered Three (3), West Addition to the City of Girard
 - 409 W. Forest
- The West Half (W ½) of the West Half (W 1/2) of Lot Number Ten (10) in Block Number Five (5) in West Addition to the City of Girard (Crawford. County, Kansas), according to the recorded Plat thereof.
 - 502 W. Antelope
- Lot Three (3), Block Fifteen (15), Original Town of Girard, Crawford County, Kansas
 - 105 S. Osage
- Lots Numbered Twenty (20) and Twenty-one (21) in Block Number One (1) in South Girard, (an addition to the City of Girard), according to the recorded Plat thereof.
 - 708 S. Ozark
- Lots Numbered Six (6), Seven (7), Eight (8), Nine (9), Ten (10) and Eleven (11) in Gaitskill's Addition to Girard, (Crawford County, Kansas), according to the recorded Plat

thereof. EXCEPT the West One Hundred and Eighty (180) feet of all the above described Lots.

- 306 E. Maple
- Lot Number One (1) in Block Number Twenty-Two (22) in the City of Girard, Crawford County, Kansas, according to the recorded Plat thereof, LESS the East One Hundred Ten (110) feet thereof.
 - 209 E. Buffalo
- Lot Six (6) in Block Two (2) of South Girard Addition to the City of Girard.
 - 711 S. Ozark
- Lot Five (5) in Block Two (2) in South Girard, (an Addition to the City of Girard), according to the recorded Plat thereof.
 - 709 S. Ozark
- Part of Lots Numbered One (1) and Two (2), in Block Number Eight (8) in South Addition to Girard, Crawford County, Kansas, according to the Recorded Plat thereof, bounded and described as follows:

Beginning at the Northeast Corner of said Lot One (1); Thence South Seventy (70) feet; Thence West Two Hundred (200) feet; Thence North Seventy (70) feet to the North line of said Lot 2; Thence East Two Hundred Feet (200) feet to the point of beginning

 - 601 S. Cherokee
- Lot Number Twelve (12) in Block Number One (1) in South Girard, (an Addition to the City of Girard, Crawford County, Kansas), according to the recorded Plat thereof.
 - 725 S. Cherokee
- Part of the East Half (E ½) of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section Twenty Four (24), Township Twenty Nine (29) South, Range Twenty-Three (23) East of the Sixth Principal Meridian, according to the United States Government Survey thereof bounded and described as follows; Beginning at a point Three Hundred Thirty (330) feet West and Thirty (3) feet North of the Southeast corner of the Northeast Quarter of said Southeast Quarter (SE¼); Thence West Two Hundred Twenty Five (225) feet; Thence North Two Hundred (200) feet; Thence West Ninety One and Five Tenths (91.5) feet; Thence North Two Hundred Ninety and Five Tenths (290.5) feet; Thence Southeasterly From Hundred Ten (410) feet, more or less to a point Two Hundred Forty Three and Nineteen Hundredths (243.19) feet North of the point of beginning; Thence South Two Hundred Forty Three and Nineteen Hundredths (243.19) feet to the point of beginning.

Grantor, for the Consideration QUITCLAIMS to Grantee, all of Grantor's interest in the Property.

 - 624 E. Willow
- Lots Seventeen (17) and Eighteen (18) in Block One (1) in McNaught and Wayland's Addition to the City of Girard, Crawford County, Kansas according to the recorded Plat thereof.
 - 387 S. Sinnet

- Lots Numbered Four (4) and Five (5) in Block Number Four (4) in Perry' s East Addition to the City of Girard, according to the recorded Plat thereof.
 - 112 N. Burnett
- The South One Hundred (100) feet of Lots Numbered Twenty-One (21) and Twenty-Two (22) in Block Number One (1) in Perry' s East Addition to the City of Girard, Crawford County, Kansas, according to the recorded Plat thereof.
 - 606 E. Walnut
- Lots Numbered Two (2), Three (3), Six (6) and Seven (7) and Lot Ten (10) in Block Number Two (2) in McNaught and Wayland's Addition to Girard, Kansas, according to the recorded Plat thereof.
 - 308 S. Burnett
- Tract I: That part of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE¼) of Section Fourteen (14), Township Twenty-nine (29) South, Range Twenty-three (23) East of the Sixth Principal Meridian, according to the United States Government Survey thereof, bounded and described as follows:

Beginning at the Southeast corner of the Southeast Quarter (SE ¼) of said Section Fourteen (14), running thence North Three Hundred Fifty-four (354) feet; thence West Two Hundred Twenty-two and five-tenths (222.5) feet; thence South Three Hundred Fifty-four (354) feet; thence East Two Hundred Twenty- two and five-tenths (222.5) feet to the point of beginning.

Subject to easement for street and highway purposes to the City of Girard, Kansas, as shown by "Easement" recorded in Miscellaneous Record 29 at Page 601, in the office of the Register of Deeds of Crawford County, Kansas.

Also subject to easement of Rural Water District #7, Crawford County, Kansas, as shown by "Right of Way Easement" recorded in Miscellaneous Record 69 at Page 19, in the office of the Register of Deeds of Crawford County, Kansas

- (commonly known as 602 West St. John, Girard, KS).
- Lot Number Four (4) in Perry's Sub-Division of a part of the Southeast Quarter of the Southwest of the Southeast Quarter of Section Twenty-four (24), Township Twenty-Nine (29) South, Range Twenty-three (23), Crawford County, Kansas.
 - 318 E. Southern
- West 25' of Lot Nine (9) in Dorman's Addition to the City of Girard, Kansas. Lots Numbered Ten (10) and Eleven (11) in Dorman's Addition to Girard, (Crawford County, Kansas), according to the recorded Plat thereof.
 - 618 E. Elm