

ORDINANCE NO. 5-08

**AN ORDINANCE TO PROVIDE REGULATIONS FOR THE USE OF "MOVEABLE HOUSING STRUCTURES" WITHIN THE VILLAGE OF DUNKIRK, OHIO AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.**

**WHEREAS**, the Village Council has previously passed an ordinance regarding the use and/or occupancy of moveable housing structures within the Village, and

**WHEREAS**, the Village Council has deemed it necessary for the health, safety and welfare of the citizens of the Village to regulate the use and occupancy of said moveable housing structures, and

**WHEREAS**, the Village of Dunkirk, County of Hardin and State of Ohio desires to provide guidance for the residents of the Village regarding the use and/or occupancy of moveable housing structures within the Village.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF DUNKIRK, OHIO:**

**SECTION I.** Title 11, Chapter 1 of the Ordinances of the Village of Dunkirk, Ohio shall be amended as follows:

Section 1101.04 (10) No permit shall be issued for nor any placement be made of any house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure with a manufacture date earlier than fifteen (15) years from the date of application. Such house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure shall comply with federal manufactured housing standards as evidenced by appropriate seals affixed to the outer skin.

Section 1101.04 (11) Upon application for a permit for a house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure the Mayor shall cause said house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure to be inspected as to its compliance with the rules and regulations contained herein as well as its impact upon the health, safety and welfare of the residents of the Village. No permit shall be issued for, nor any placement made of, any house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure until said inspection has been completed and the Village Council has approved its placement.

**SECTION II.** That the following language shall be added to Title 11, Chapter 1 of the Ordinances of the Village of Dunkirk, Ohio:

**Sec. 1101.08 Replacement of Trailers**

Any trailer, as defined in Section 1101.04, now located within the Village but outside of a trailer park, may be replaced by another trailer as hereinafter provided.

- (a) Upon application made to Village Council, which contains the reason for the proposed replacement, a description of the replacement trailer and other such information that the Council may require.
- (b) Upon application for a permit for replacement of a house trailer, the Mayor shall cause said house trailer to be inspected as to its compliance with the rules and regulations contained herein as well as its impact upon the health, safety and welfare of the residents of the Village.
- (c) No permit shall be issued for the replacement of any house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure until said inspection has been completed and the Village Council has approved its replacement.

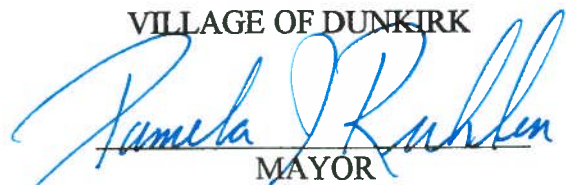
**SECTION III.** All other ordinances in conflict are hereby expressly repealed.

**SECTION IV.** That this Ordinance is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health and safety in said Village. Therefore, this Ordinance shall be in immediate force from and after its passage and approval.

Passed 5-1

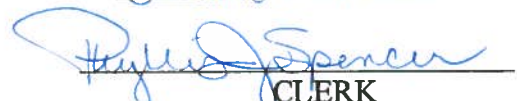
ATTEST:

  
CLERK

VILLAGE OF DUNKIRK  
  
MAYOR

**CERTIFICATION**

I, Phyllis Spencer, Clerk of the Village of Dunkirk, Ohio, hereby certify that the foregoing is a true, accurate and correct copy of Ordinance No. 5-08 passed by the Council of said Village and approved by the Mayor thereof on December 1, 2008.

  
CLERK

## **TITLE 11 – HOUSING**

### **CHAPTER 1 – MOVEABLE HOUSING STRUCTURES**

#### **Sec. 1101.01 Permitted Uses**

It shall be unlawful within the corporate limits of the village for the owner, agent, or any other person, firm or corporation to park any house trailer, mobile home, house car, camp car or similar type vehicle or structure, occupied or unoccupied, on any tract of land owned by any person, firm or corporation, within the Village except as provided in this chapter.

#### **Sec. 1101.02 Limitations**

No person shall park or occupy any house trailer, mobile home, house car, camp car or similar type vehicle or structure on the premises of any occupied dwelling either of which is situated outside of an approved mobile home park in accordance with Chapter 3733 of the Ohio Revised Code; provided that the parking of only one unoccupied house trailer, mobile home, house car, camp car or similar type vehicle or structure, in any accessory private garage building or in a rear yard in any district, is permitted providing no living quarters shall be maintained in such house trailer, mobile home, house car, camp car or similar type vehicle or structure is so parked or stored.

#### **Sec. 1101.03 Exceptions**

That notwithstanding section 1101.01, nothing contained in this chapter, shall in any way effect any such house trailer, mobile home, house car, camp car so similar type vehicle or structure now parked or used by any person as such living quarters, or any house trailer which was used for such purpose prior to the effective date of this chapter.

#### **Sec. 1101.04 House Trailers**

(1) Each house trailer, mobile home, house car, camp car or similar structure having been built with wheels site shall contain at least 6,000 square feet per house trailer, mobile home, bus, house car, camp car or similar structure to be situated thereon. If more than one house trailer, mobile home, house car, camp car or similar structure having been built with wheels is situated on a single parcel of real estate, each house trailer, mobile home, house car, camp car or similar structure must occupy no less than 6,000 square feet of land and meet all requirements set forth in this chapter. No more than two house trailers, mobile homes, house cars, camp cars or similar structures may occupy any one parcel of real estate unless such parcel is a designated mobile home park meeting all requirements as set out in Ohio Revised Code 3733.01 through 3733.08.

(2) Each site shall have a suitable parking area set aside for off street parking for at least two automobiles.

(3) Each house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure having been built with wheels shall have placed around the perimeter of it skirts or panels, constructed of a suitable material so as to screen the area beneath said house trailer, mobile home, house car, camp car or similar type vehicle or structure from view.

(4) Each house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure having been built with wheels shall be properly connected to an individual sewer system and the Village water system in compliance with all requirements of the Ordinances and Regulations as may be in existence in the Village of Dunkirk in regard to a dwelling.

(5) Each house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure having been built with wheels shall not be inhabited by a greater number of occupants than that for which it was designed.

(6) Each house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure having been built with wheels to be used as a permanent place of abode or as a permanent dwelling or for indefinite periods of time shall first obtain from the Village of Dunkirk a permit as hereinafter provided. A fee of \$75.00 shall be charged for said permit.

(7) No part of any house trailer, mobile, home, bus, house car, camp car or similar type of vehicle or structure having been built with wheels shall be nearer than 10 feet to the property lines of said lot or parcel of land or other building or structure on said lot. All measurements shall be made at the most extreme projection of said building or structure on said lot.

(8) If a structure is attached to or built around or near the house trailer, it shall be constructed of such material which shall blend harmoniously with the house trailer and be generally of the same style and design.

(9) No permit shall issue for nor any placement be made of any house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure having been built with wheels that is less than 14 feet in width to be placed upon any site within the Village limits.

(10) No permit shall be issued for nor any placement be made of any house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure with a manufacture date earlier than fifteen (15) years from the date of application. Such house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure shall comply with federal manufactured housing standards as evidenced by appropriate seals affixed to the outer skin.

(11) Upon application for a permit for a house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure the Mayor shall cause said house

trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure to be inspected as to its compliance with the rules and regulations contained herein as well as its impact upon the health, safety and welfare of the residents of the Village. No permit shall be issued for, nor any placement made of, any house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure until said inspection has been completed and the Village Council has approved its placement.

(12) Before a house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure can be occupied, the owner must satisfy the building official for the Village that the unit is located according to the following standards:

(A) Only one house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure per approved trailer park lot or two house trailers, mobile homes, buses, house cars, camp cars or similar type of vehicles or structures per parcel of real property. Each house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure must comply with the Village of Dunkirk housing ordinances and building codes.

(B) The house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure will be occupied only as a single-family dwelling.

(C) All other building permits are obtained.

(D) All lot size and setback requirements imposed on non-mobile home structures have been met.

(E) A minimum of 18 inches crawl space under the house trailer, mobile home, bus, house car, camp car or similar type of vehicle shall be provided.

(F) Permanent steps are affixed to all exits of the house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure.

#### **Sec. 1101.05 Prohibition**

The building or placement of any house trailer, mobile home, house car, camp car or similar type of vehicle or structure on Main Street in the Village of Dunkirk is prohibited.

#### **Sec. 1101.06 Permits**

The Mayor of the Village shall issue a permit to an applicant according to the requirements of this chapter upon satisfactory proof that said requirements as set forth in this chapter have been complied with.

### **Sec. 1101.07 Special Definition**

For the purpose of this chapter, a house trailer, mobile home, house car, camp car or similar type of vehicle or structure shall be defined as follows: house trailer means any vehicle or structure so designed and constructed in such manner as will permit occupancy thereof as sleeping quarters for one or more persons.

### **Sec. 1101.08 Replacement of Trailers**

Any trailer, as defined in Section 1101.04, now located within the Village but outside of a trailer park, may be replaced by another trailer as hereinafter provided.

- (a) Upon application made to Village Council, which contains the reason for the proposed replacement, a description of the replacement trailer and other such information that the Council may require.
- (b) Upon application for a permit for replacement of a house trailer, the Mayor shall cause said house trailer to be inspected as to its compliance with the rules and regulations contained herein as well as its impact upon the health, safety and welfare of the residents of the Village.
- (c) No permit shall be issued for the replacement of any house trailer, mobile home, bus, house car, camp car or similar type of vehicle or structure until said inspection has been completed and the Village Council has approved its replacement.

### **Sec. 1101.99 Penalties**

Any person who violates the terms of this chapter as above set forth shall be fined not more than \$25.00 per day and not less than \$25.00 per day every day said person is in violation of this Ordinance. It shall be deemed to be a violation under the terms hereof when any person uses the house trailer, mobile home, house car, camp car or similar type of vehicle or structure as above defined for occupancy without the permit from the Village of Dunkirk as provided. Each day the trailer is occupied shall be considered a separate violation.