

Section 450 - Manufactured Home Parks

450.01. Purpose. The purpose of Section 450 is to establish standards to protect and provide for the public health, safety and general welfare of residents of the City of Hopkins pursuant to powers granted under Minnesota Statutes Section 145.911 - 145.922 and 327.10 - 327.29.

450.03. Objectives. The general objectives include the following:

- a) Correct and prevent conditions that may adversely affect persons utilizing manufactured home parks.
- b) Provide minimum standards for the design, construction, operation and maintenance of manufactured home parks.
- c) Meet consumer expectations of the quality and safety of manufactured home parks.

450.05. Jurisdiction. Any person, firm or corporation owning or operating a manufactured home park in the City of Hopkins or any person, firm or corporation owning, operating or residing in a manufactured home in a manufactured home park in the City of Hopkins shall be required to meet the provisions of Section 450.

450.07. Relation to other laws. Where the conditions imposed by any provisions of Section 450 are either more restrictive or less restrictive than comparable conditions imposed by any other provision of Section 450, or any other applicable law, ordinance, rule or regulation, the provision which establishes the higher standards for the promotion of the public health, safety and general welfare shall prevail.

450.09. Separability. The provisions of Section 450 shall be separable. Should any section, paragraph, sentence, clause, phrase or portion of Section 450 be declared invalid for any reason, the remainder of said Section shall not be affected thereby.

450.11. Definitions. For purposes of Section 450, the terms defined in this subsection have the meaning given them.

Subd. 2. Manufactured Home: Means a structure, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein; except that the term includes any structure which meets all the requirements and with respect to which the manufacturer voluntarily files all required certifications and complies with the standards established under The Minnesota Building Code and Minnesota Statutes Chapter 327.

Subd. 3. Manufactured Home Park. "Manufactured home park" means any site, lot, field or tract of land upon which two or more occupied manufactured homes are located, either free of charge or for compensation and includes any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of the manufactured home park.

Subd. 4. Municipality. Shall mean the City of Hopkins and any of its Commissions, Boards or regulating officers.

Subd. 5. Recreational Camping Vehicle. "Recreational camping vehicle" includes the following:

- a) any vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses;
- b) any structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation;
- c) any portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle;
- d) any folding structure, mounted on wheels and designed for travel, recreation and vacation use.

450.13. General Requirements. Subdivision 1. Spacing. No manufactured home shall be parked closer than three feet to the side lot lines of a manufactured home park if the abutting property is improved property or closer than ten feet to a public street or alley or Right of Way. Each individual manufactured home site shall abut or face on a driveway, roadway or clear unoccupied space of not less than 15 feet in width, which space shall have unobstructed access at all times to a public road.

Subd. 2. Roads. Roads provided shall be maintained in good condition to be free of holes and depressions. There shall be an open space of at least 10 feet between the sides of adjacent manufactured homes including their attachments, and at least three feet between manufactured homes when parked end to end. The space between manufactured homes may be used for parking of motor vehicles or other property provided such vehicle or other property is parked at least 10 feet from the adjacent manufactured homes or abutting structures.

Subd. 3. Accessory Structures. Any accessory structure such as attached awnings, car ports or individual storage facilities shall, for the purpose of this separation requirement, be considered to be part of the mobile home.

Subd. 4. Parking. Each mobile home park shall provide on park property parking space for at least one (1) automobile conveniently located to each mobile home. Additional spaces at a rate of one per mobile home shall be provided on park property to provide for visitor and overflow parking for residents of the park. Each space shall be a minimum 9' X 20'. Twenty-five percent (25%) of overflow parking shall be designated and signed as visitor parking.

Subd. 5. Electrical Wiring. Mobile home parks whose wiring system is inconsistent with the State Electrical Code shall attain conformance within three years of February 6, 1990. All electrical connections from the park utility service to the manufactured home shall be provided by underground service. Above ground electrical cords shall be prohibited. All existing manufactured buildings with above ground electrical supply cords shall be brought into conformance with this section within three (3) years of February 6, 1990.

Subd. 6. Utilities. Every manufactured home park shall obtain a safe, adequate supply of water from a public community water supply system which shall be capable of supplying a minimum of 150 gallons per day per manufactured home. All manufactured home parks established before December 1, 1989 shall by February 6, 1991 provide the City Inspection Department with a plan showing the size and location of all water and sewer piping systems including the location of all valves and shall provide evidence that said systems meet the minimum standards as detailed in Subdivisions 6, 8 and 9 of Section 450.13. If the existing sewage disposal or water supply systems fail to meet the minimum standards established, they shall be upgraded to meet these standards within three (3) years of February 6, 1990.

Subd. 7. Surface Drainage. Every mobile home park shall be located on a well drained area and the premises shall be properly graded and equipped with storm sewers if necessary so as to prevent the accumulation of storm or other waters on the lots and roadways.

Subd. 8. Piping System. The water piping system shall be protected against the hazards of backflow and back siphonage. The system shall be so designed and maintained as to provide a pressure of not less than 20 pounds per square inch under normal operating conditions at service buildings and other locations requiring a potable water supply. A City approved shutoff valve shall be affixed at each branch line.

There shall be a horizontal distance of at least 10 feet between water and sewer pipes provided that where the sewer pipe and the water pipe are constructed of an approved material the distance between may be less than 10 feet. Plumbing systems in manufactured home parks shall be installed in accordance with the provisions with the rules of Commissioner of Health entitled "The Minnesota Plumbing Code" (parts 4715.0100 - 4715.5600).

Subd. 9. Sewage Treatment and Disposal. All sewage and other water carried wastes shall be discharged into a public sewage system. Individual site sewer connections shall be at least a four inch diameter sewer riser pipe. The sewer connections shall consist of one pipeline only without branch fittings. All joints shall be watertight and all materials used for sewer connections shall be corrosion resistant nonabsorbent and durable and installed in accordance with the state plumbing code. All sewage disposal piping shall be maintained to prevent back-flow and blockage. Sewage may not be allowed to flow or be deposited onto the surface of the ground. The sewer riser pipe shall be properly capped when a manufactured home does not occupy the site.

Subd. 10. Insect and rodent harborage, infestation control. Manufactured home parks including storage areas, shall be maintained free of accumulations of debris or other materials, which may provide rodent harborage or breeding places for flies, mosquitoes and other pests.

Subd. 11. Garbage and Refuse - Handling and Disposal. The owner of a manufactured home park shall be responsible for the storage, collection and disposal of refuse and garbage in the home parks. It shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution. All refuse and garbage shall be stored in fly-tight, watertight, rodent proof containers which shall be located convenient to any manufactured home. Refuse and garbage collection shall be made at least once per week and more often where necessary to prevent nuisance conditions.

Subd. 12. Night Lighting. The walkways, drives and other used portions of manufactured home parks shall be lighted during the hours of darkness.

Subd. 13. Fire Protection and Fire Extinguishers. Fire protection shall be provided in accordance with the requirements of the State Fire Marshal. Each manufactured home owner shall provide each manufactured home with a fire marshal approved type extinguisher kept in constant usable condition. No manufactured home may be parked in a manufactured home park more than three days without a usable fire extinguisher in the manufactured home.

Subd. 14. Fuel Oil/Bottle Gas. Above ground storage tanks for fuel oil and LP (bottled gas) shall be prohibited, except for portable LP gas storage tanks not exceeding twenty (20) pounds per lot and used for outdoor cooking or in recreational camping vehicles.

Subd. 15. Landscaping. All manufactured home parks shall be landscaped to control dust. Landscaping shall be maintained clean and free of refuse, garbage, rubbish or debris. Landscaped areas shall be so maintained to prevent the growth of noxious weeds as defined in the city code.

Subd. 16. Skirting. Manufactured homes shall be skirted between the bottom of the manufactured home and the ground with a non-combustible material harmonious with the appearance of the manufactured home. Plywood, hardboard, cardboard or baled hay or straw shall be prohibited. Ventilation covers shall be provided at approximate opposite corners to provide for cross ventilation.

Subd. 17. Speed Limit. It shall be unlawful for any type motor vehicle to travel at a rate in excess of 10 miles per hour while within the limits of a manufactured home park.

Subd. 18. Park Shelter. All manufactured home parks shall provide a storm shelter or a plan of sheltering for the residents of the park in times of severe weather conditions such as tornadoes, high winds and floods. The plan shall be developed with the input and approval of the City of Hopkins and shall be posted at conspicuous locations throughout the park. The shelter must be available to all residents of the park at any time of the day or night.

Subd. 19. Caretaker. A responsible attendant or caretaker shall be in charge of every manufactured home site at all times, and the duty of said attendant shall be to maintain the park, its facilities and equipment in a clean, orderly and sanitary condition. The caretaker or attendant shall be the owner or operator of the park or his appointed representative. In any manufactured home park containing more than fifty lots, the attendant and/or caretaker, or other responsible park employee shall be readily available at all times in case of emergency.

Subd. 20. Manufactured Home Lots. The limits of each manufactured home lot shall be clearly marked on the ground by permanent flush stakes, markers, or other suitable means, said lot limits shall be approximately the same as shown on the parks approved plan. All existing manufactured home parks shall submit a plan showing the layout and location of all roads, lots, utilities, landscaping and other permanent improvements within 1 year of February 6, 1990. All manufactured home lots shall be permanently marked on the ground as provided herein and in conformance with the park plan within 2 years of February 6, 1990.

Subd. 21. Recreational Camping Vehicles. Recreational camping vehicles shall not be allowed to be occupied or used as temporary, or permanent living quarters. The occupancy of all existing recreational camping vehicles shall cease and the vehicles removed within six months of February 6, 1990.

Subd. 22. Vehicle Storage. An area for storage of large items such as boats, boat trailers, recreation vehicles, etc., shall be provided in a separate secured and screened area of the park. No parking of such vehicles or equipment shall be permitted on the housing site.

Subd. 23. Plowing, Sanding and Shoveling. When snow depth exceeds two inches, it shall be promptly plowed from all internal, private streets in any mobile home park and promptly shoveled from sidewalks steps and other areas used by pedestrians in the park. All ice which has formed on internal streets, sidewalks, and other areas used by pedestrians in the park shall be promptly sanded.

Subd. 24. Uses and Structures. A lot and manufactured home located upon it which do not meet minimum requirements set forth in Section 450 as to area, dimensions, setbacks, size and seals may be continued as a nonconforming use in the manner of utilization existing upon February 6, 1990. In all other respects, nonconforming uses and structures arising upon February 6, 1990 shall be governed by Hopkins Code Section 520.

450.15. Occupancy Requirements. Subdivision 1. Registration. It shall be the duty of the operator of the manufactured housing park to keep a record of all homeowners and occupants located within the park. The register shall contain the following information:

- a) The name and address of each unit resident.
- b) The name and address of the owner of each unit.
- c) The name and address of an individual other than the owner and designated by the owner as responsible for maintenance and code compliance of the unit.
- d) The make, model and year of the unit.
- e) The state, territory or county issuing the license.
- f) The date of arrival and departure of each unit.

Subd. 2. The Register. The park operator shall keep the register on park property available for inspection at all times by authorized City, State and County officials, public health officials and other public offices whose duty necessitates acquisition of the information contained in the register. The register shall not be destroyed until after a period of (3) years following the date of departure of the registrant from the park.

Subd. 3. Permits. Permits are required for the installation of manufactured homes, their support systems, utility structures, fences, utility hook ups and anchoring systems. All manufactured homes must be installed in conformance with the City Building Code. It shall be the responsibility of the park owner prior to granting approval for the moving of any manufactured home into the park to ensure that all necessary construction permits have been obtained.

Subd. 4. Certification and Occupancy Certificates. All manufactured homes moved into the park after February 6, 1990 shall have a construction seal of code and construction compliance and installation seal as issued by the State of Minnesota as required under Section 1350.400 of the State Building Code. No manufactured home may be used or occupied until the city building official has issued a certificate of occupancy as provided in the City Building Code.

Subd. 5. Exits. All manufactured homes located in manufactured home parks shall be provided with a landing and steps complying with the City Building Code from each doorway leading from a manufactured home. Doors shall be maintained unobstructed and openable from the inside at all times.

Subd. 6. Anchoring. All manufactured homes installed in a manufactured home park after February 6, 1990 shall be anchored to the ground. The anchoring system shall be installed in conformance with Section 1350.2800 of the State Building Code.

450.17. Housing Code Requirements. Subdivision 1. Uniform Housing Code. Manufactured homes located in the City of Hopkins shall comply with the 1988 edition of the Uniform Housing Code as adopted and amended in this Section.

Subd. 2. Amendments. The Uniform Housing Code 1988 edition published by the International Conference of Building Officials is adopted by reference except as amended in this Section.

- a) Section 104(a) of the Uniform Housing Code is amended to read: For additions, alterations or repairs, see the City Building Code.
- b) Section 104(b) of the Uniform Housing Code is amended to read: Wherever the term building is used in this code, it shall include manufactured homes as defined herein.
- c) Section 202 of the Uniform Housing Code is amended to read: All buildings or portions thereof which are determined to be substandard as defined in this Code are declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in Section 450.19 of the City Code and all other applicable ordinances or statutes pertaining thereto.
- d) Section 401 of the Uniform Housing Code is amended by adding the following definition: Uniform Housing Code is the 1988 edition of the Uniform Housing Code as promulgated by the International Conference of Building Officials.
- e) Section 401 definition of Building Code is amended to read: Building code is the current edition of the Minnesota State Building Code as adopted by the City of Hopkins in Chapter IV of the City Code.
- f) Section 401 definition of Mechanical Code is amended to read: Mechanical code is the current edition of the Minnesota State Mechanical code as adopted by the City of Hopkins in Chapter IV of the City Code.
- g) Section 401 definition of Plumbing Code is amended to read: Plumbing Code is the current edition of the Minnesota State Plumbing Code as adopted by the City of Hopkins in Chapter IV of the City Code.
- h) Sections 501, 502, 503 and 504 of the Uniform Housing Code are deleted in their entirety.

- i) Section 801 of the Uniform Housing Code is amended to read: Every dwelling unit or guest room shall have access directly to the outside. All buildings or portions thereof shall be provided with exits, exitway and appurtenances as required by the applicable provisions of the City Building Code.
- j) Chapters 11 through 16 of the Uniform Housing Code are deleted in their entirety.

450. 19. Enforcement. Subdivision 1. Inspection. The City of Hopkins may inspect every manufactured home park as frequently as may be necessary to assure compliance with Section 450. The person operating a manufactured home park shall upon request of the City of Hopkins and after proper identification permit access to all parts of the park at any reasonable time for the purpose of inspection and shall exhibit and allow copying of any records necessary to ascertain compliance with Section 450.

Subd. 2. Enforcement. The City is authorized to enforce compliance with the provisions set forth in Section 450 which shall include but not be limited to all matters necessary to protect the health, safety and welfare of the residents of the park. The City shall appoint officials to perform the duties specified herein and for such purposes said officials shall have the powers of law enforcement officers. Such officials shall have the power to render interpretations of Section 450.

Subd. 3. Right of Entry. The City official may enter any property or structure whenever there is reasonable cause to believe there exists any condition and violation of Section 450 to inspect and perform any duty imposed upon said official by Section 450.

Subd 4. Notification. Upon determination by the City or its official that a violation exists, a written Order of Compliance shall be served personally upon the park owner and upon the owner, occupant or resident of the manufactured home found to be in violation of Section 450 or by mail if personal service is unavailable in any instance. The particular property found to be in violation may also be posted by affixing to the property a notice specifying said violation. The written Order shall contain the following information:

- a) A description of the real estate sufficient for identification;
- b) A description and location of the violation;
- c) The remedial action necessary to cure the violation;
- d) A reasonable time in which the violation must be cured;
- e) A statement that the City will undertake the remedial action required unless otherwise corrected within the time frame indicated and charge all costs incurred against the real estate as a special assessment or against the responsible party unless a request for an appeal has been filed in accordance with Section 450.19, Subd. 6.

Subd. 5. Abatement. In the event the remedial action required in the Order is not corrected and compliance with the Order has not occurred and no appeal noted, the City may undertake any one or more of the following remedies:

- a) Issue a misdemeanor citation for each of the violations found to exist;
- b) Order immediate vacation of the property;
- c) Correct or abate the violation by undertaking repair, removal or demolition of the property, structure or manufactured home.
- d) In the event the City undertakes the remedies described in ii) and iii) above, due notice shall be served upon the parties and in the manner described in Section 450.19, Subd. 4 that such remedial action will occur on or after 10 days following receipt of said notice.

Subd. 6. Appeal. Any person receiving the notice set forth in Section 450.19, Subd. 4 may appeal therefrom by filing at the office of the Hopkins City Clerk a written appeal describing the reasons for objecting to the violation and order of the City. The appeal shall be filed within 10 days from the receipt of the notice outlined in Paragraph D above.

Subd. 7. Hearing on Appeal. In the event an appeal is filed with the City Clerk, the Council shall within two weeks fix a date for a public hearing and notice thereof by the City Clerk shall be mailed to all responsible parties indicating the date, time, place and subject of the hearing.

Subd. 8. Hearing Procedure. At the time of the public hearing, City Council shall hear from its representatives and all other parties who wish to be heard. Following the hearing, the City Council shall adopt a resolution describing such action or imposing such remedies deemed appropriate and necessary. A copy of the resolution shall be delivered to the appealing party personally or by certified mail.

Subd. 9. Costs of Enforcement. Costs incurred as a result of enforcement of the terms of Paragraph E above by the City may be charged against the property as a special assessment to be assessed and collected in the manner provided in M. S. Section 429.101 or in any alternative manner provided elsewhere in Minnesota Statutes. Such costs may include the costs of inspection, investigation, repairs, demolition and removal or storage of property.

450.21. Penalties. Any person violating a provision of Section 450 shall be guilty of a misdemeanor.

450.23. Minnesota Department of Health. The requirements contained in Section 450 are intended to be comparable to the laws and regulations concerning manufactured home parks of the State of Minnesota. Whenever the Minnesota Department of Health amends regulations or adopts new regulations setting higher sanitary standards than the ones established in Section 450, the standards set by the Minnesota Department of Health shall govern and will be considered in the enforcement procedure as part of Section 450.

(Added, Ord. No. 89-662)