

ORDINANCE NO. 944

AN ORDINANCE AMENDING THE REQUIREMENTS FOR PLACING UNITS  
IN A MOBILE HOME PARK IN STAYTON MUNICIPAL CODE, TITLE 17

WHEREAS, Oregon Revised Statutes, Chapter 197 requires municipalities to adopt and implement a comprehensive land use planning program in accordance with statewide planning goals established by the Legislature and the Oregon Land Conservation and Development Commission;

WHEREAS, Title 17 of Stayton Municipal Code (SMC; Code), Section 17.20.130 establishes the standards for mobile home parks;

WHEREAS, Title 17 of Stayton Municipal Code (SMC; Code), Section 17.20.130.4.d prohibits any structures in a mobile home park except for manufactured homes, normal accessory structures, utilities and services, community recreation facilities and the residence of a manager or caretaker;

WHEREAS, ORS 197.493(1) provides that a local government may not prohibit the placement or occupancy of a recreational vehicle or imposing any limit on the length of occupancy of recreational vehicle in a mobile home park if the vehicle is occupied as a residential dwelling and is lawfully connected to utility systems;

WHEREAS, ORS 197.493(2) allows local governments to impose other special conditions on the placement or occupancy of a recreational vehicle;

WHEREAS, recreational vehicles are not necessarily manufactured to the same safety and construction standards as manufactured homes

WHEREAS, the determination that a recreational vehicle is lawfully connected to utilities requires an inspection of those connections;

WHEREAS, the Stayton Planning Commission, following a public hearing, has unanimously recommended that the Code be amended to require a building permit before any unit is placed within a mobile home park, that all units be installed in accordance the appropriate state codes, and that all units be manufactured under state or federal safety and construction standards for manufactured dwelling units; and

WHEREAS, following a public hearing, the Stayton City Council deems that the proposed amendments set forth below comply with Oregon law, the City of Stayton Comprehensive Plan and are in the interests of the health, safety and general welfare of the citizens of the City of Stayton.

NOW, THEREFORE, the City of Stayton ordains:

**Section 1. Section 17.04.100 amended.** Stayton Municipal Code, Title 17, Section 17.04.100 is hereby amended by adding the following definition:

**UNIT:** As used in Section 17.20.130.5, any structure intended to be used as dwelling unit within a mobile home park.

**Section 2. Section 17.12.130 amended.** Stayton Municipal Code, Title 17, Section 17.20.130.5 is hereby amended as follows: (additions are underlined, deletions are ~~crossed-out~~)

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5. OPERATIONAL STANDARDS.

d. Alterations and Additions. The owner and management shall be held responsible for all alterations and additions to a mobile home park, and shall make certain that all permits and inspections are obtained from the proper authorities.

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- 1) Prior to the placement of any unit in a mobile home park a building permit shall be obtained from Marion County through the City of Stayton Public Works Department.
- 2) All units shall be installed in accordance with the Oregon Manufactured Dwelling Installation Specialty Code.
- 3) All units shall bear an Oregon insignia of compliance or a Housing and Urban Development Certification Label.

**Section 3. Effective Date.** This ordinance shall become effective 30 days after adoption by the Stayton City Council and the Mayor's signing.

**Section 4. Notification to State.** A copy of this Ordinance shall be furnished to the State of Oregon, Department of Land Conservation and Development forthwith.

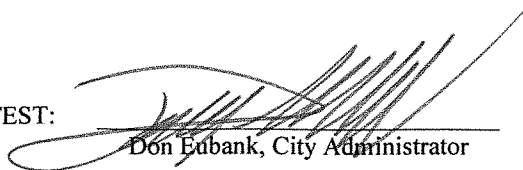
ADOPTED BY THE STAYTON CITY COUNCIL this 6th day of February, 2012.

CITY OF STAYTON

Signed: 2-6-, 2012

BY:   
A. Scott Vigil, Mayor

Signed: 2-6, 2012

ATTEST:   
Don Eubank, City Administrator

APPROVED AS TO FORM:

  
David A. Rhoten, City Attorney