

ORDINANCE No. 5981

**AN ORDINANCE AMENDING CERTAIN PROVISIONS
IN RAPID CITY MUNICIPAL CODE CHAPTER 15.48
CONCERNING LICENSES FOR MANUFACTURED HOME PARKS**

WHEREAS, the City of Rapid City (“the City”) has adopted Chapter 15.48 of the Rapid City Municipal Code to govern manufactured homes and manufactured home parks within city limits; and

WHEREAS, that chapter requires lots or parcels on which more than two manufactured homes exist are required to obtain an annual license to operate a manufactured home park; and

WHEREAS, for ease of regulation and enforcement, the City wishes to require an “operating permit” instead of a “license” for such conduct and to replace all references to “license” with “operating permit” within Chapter 15.48 of the Rapid City Municipal Code; and

WHEREAS, Section 15.48.220 discusses a right to appeal decisions of the code official under Chapter 15.48 to the International Property Maintenance Code Board of Appeals; and

WHEREAS, in adopting Chapter 15.04 of the Rapid City Municipal Code, the Common Council instead designated the Building Board of Appeals as the entity which reviews all matters falling within Title 15;

WHEREAS, the City believes it is in the best interests and general welfare of its citizens to amend certain provisions in the Rapid City Municipal Code concerning manufactured home park licenses.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that RCMC Section 15.48.010 is hereby amended as follows:

15.48.010 Definitions.

For the purpose of this chapter, the following definitions shall apply:

~~**LICENSE.** A written license issued by the City Council pursuant to this chapter and regulations promulgated under this chapter.~~

MANUFACTURED HOME. A movable living unit designed for year-round occupancy, having no foundation other than wheels, jacks, piers or skirtings, and which is capable of being moved, towed or transported by another vehicle. Sometimes referred to as a trailer home. Manufactured homes shall comply with the requirements of the Manufactured Home Construction and Safety Standards effective June 15, 1976.

MANUFACTURED HOME ACCESSORY BUILDING OR STRUCTURE. Any awning, cabana, ramada, storage cabinet, carport, fence, windbreak, or porch established for the use of the occupant of the manufactured home on a manufactured home space.

MANUFACTURED HOME PARK. A contiguous parcel of land that is used for the accommodation of occupied manufactured homes.

MANUFACTURED HOME SPACE. A designated portion of a manufactured home park designed for the accommodation of 1 manufactured home and its accessory buildings or structures for the exclusive use of its occupants.

OPERATING PERMIT. A written permit issued by the Finance Office pursuant to this chapter and regulations promulgated under this chapter.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that RCMC Section 15.48.020 is hereby amended as follows:

15.48.020 Manufactured home parks—~~License~~Operating Permit required.

Every lot or parcel where there exist more than 2 manufactured homes shall apply for and obtain an licenseoperating permit annually. The licenseoperating permit application shall be provided by the Finance Officer. The applications shall be due by July 30 of every year. The fee shall be \$50 for each manufactured home park having up to 10 manufactured homes, and an additional \$2 for each manufactured home in excess of 10. For any manufactured home park found not to be in compliance, there shall be a re-inspection fee as provided in Table 100C of the International Building Code. This re-inspection fee shall be charged each time a manufactured home park is re-inspected. The number of manufactured homes in the park shall be the same as the number of manufactured homes indicated on the application. Increasing the number of manufactured homes within a manufactured home park shall be done in compliance with §15.48.240 and § 17.50.110 of this code. Manufactured home parks shall be in compliance with all the requirements of this chapter prior to the issuance of an licenseoperating permit by the Finance Officer.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that RCMC Section 15.48.030 is hereby amended as follows:

15.48.030 Expiration.

All manufactured home park licensesoperating permits shall expire on July 31, 2011 and every July 31 thereafter. A 60 day grace period may be requested in writing to the Finance Officer. Such extensions may be granted for good cause.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that RCMC Section 15.48.040 is hereby amended as follows:

15.48.040 Refunds.

Manufactured home park ~~license~~operating permit fees are non-refundable.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that RCMC Section 15.48.220 is hereby amended as follows:

15.48.220 Appeals.

A. Any person directly affected by a decision, notice or order of the code official under this code shall have the right to appeal to the ~~International Property Maintenance Code Board of Appeals, provided that a written application for appeal is filed with the city Building Official or their authorized designee within 20 days after the day the decision, notice or order was served~~ Building Board of Appeals as discussed in §§ 15.04.120 and 15.04.130. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

B. Appeals of notice and orders (other than imminent danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the ~~Appeals Board.~~

~~C. All hearings before the Board shall be open to the public. The appellant, the appellant's representative, the code official, any member of the city staff, or any person whose interests are affected shall be given an opportunity to be heard.~~

~~D. The decision of the code official shall only be modified or reversed upon a majority vote of the members present. The decision of the Board shall be final.~~

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: