

ORDINANCE NO. 3408

**TITLE:** AN ORDINANCE AMENDING ORDINANCE NO. 2916, SECTIONS 211.01993 AND 211.01994 BY THE ADDITION OF SECTIONS 211.02 THROUGH 211.027, AS THE SAME PERTAINS TO LOCATION OF MOBILE HOMES OUTSIDE OF LICENSED MOBILE HOME PARKS AND PROVIDING ZONE REQUIREMENTS FOR LOCATION OF MOBILE HOMES, INCLUDING PERMIT THEREFOR, ESTABLISHING CONDITIONS OF MAINTENANCE, LOT SIZE, REVOCATION OF PERMITS, REPEALING ORDINANCES IN CONFLICT THEREWITH AND DECLARING AN EMERGENCY.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

**Section 1:** AMENDMENT OF 211.01993

Section 211.01993 of Ordinance No. 2916 is amended to read as follows:

"Unless located in a regularly licensed mobile home park, a mobile home shall not be used as a place of abode or as a dwelling, except as provided for in Section 211.021 of this ordinance; or unless a mobile home was being used as a place of abode or as a dwelling prior to April 23, 1969, in accordance with laws then existing, it shall be regarded as a non-conforming structure under Section 109.04 of this ordinance, providing said mobile home meets with health, safety and sanitation regulations of the City of Albany, and the State of Oregon."

**Section 2:** REPEAL OF 211.01994

Section 211.01994 of Ordinance No. 2916 is hereby repealed.

**Section 3:** SECTIONS 211.02 through Sections 211.027 are hereby repealed.

"Section 211.02. Placement of mobile homes within special areas in an R-A Multiple Family Dwelling Zone.

"Section 211.021. Special areas for Mobile Homes. A 'Mobile Home', as defined in 211.0191 of this ordinance may be parked, subject to the provisions herein, on a lot which is within an R-A Multiple Family Dwelling zone if said lot is in an area designated by the Planning and Zoning Commission by means of the issuance of a Conditional Use Permit as a special area in which the parking of mobile homes for residential purposes is permitted. Such a mobile home parked on such a lot shall meet all the requirements of Section 202 of this ordinance as a one family dwelling on a residential lot.

"Section 211.022. Application for Special Area Status. An application for an area to be designated by means of a Conditional Use Permit as a special area in which mobile homes may be parked for residential purposes must indicate the following:

- (a) The area described for designation is zone R-A Multiple Family Dwelling, is surrounded by publicly owned property or property owned by a public utility or a combination thereof, and contains not less than 115,000 square feet.
- (b) Signatures of owners of record of at least 2/3 of the property within the described area have been obtained.

"Section 211.023. Term of Permit. A permit granted under 211.021 creating a special area for mobile homes shall be granted for a period no longer than one year; however, such a permit shall automatically renew yearly unless reviewed by the Planning and Zoning Commission. Upon review of the permit, the designation for said purpose may be continued or terminated by the Commission.

"Section 211.024. Appearance and Maintenance. A Conditional Use Permit granted pursuant to 211.021 of this ordinance may be revoked at any time by the Planning and Zoning Commission if any one or more of the following conditions are found to exist:

- (a) Poor or inadequate condition of plant or other protective covering of exterior walls of structures or mobile homes;
- (b) Weeds or rubbish in yards;
- (c) Maintenance on the premises of stagnant water;
- (d) Broken or inadequate walks or steps;

- (e) Inadequate or improper sanitation relative to requirements of City ordinances.
- (f) Any other lack of maintenance or dilapidation found to result from inadequate or improper maintenance, which may constitute a hazard to the welfare of the occupants or which may tend to depreciate the value of adjacent property or the value of the neighborhood.

"Section 211.025. Permit to Park a Mobile Home in a Special Area.

No mobile home may be parked upon a lot in a special area created under 211.021 without a permit signed by the City Building Inspector. Prior to the issuance of such a permit, an applicant shall submit a plan indicating the lot size and shape of the mobile home and any structures to be constructed on the lot, the placement of the mobile home and any such structures on the lot, and how sewer, water and other utilities are to be provided to the residential mobile home. The applicant may also be required to furnish evidence that the mobile home meets the health and safety requirements of the State of Oregon as provided under ORS 446.155. An initial permit fee of \$10.00 shall be paid to the City of Albany prior to the issuance of the permit.

"Section 211.026. Minimum Size Requirements. No permit shall be issued by the Building Inspector pursuant to 211.025 for the purpose of parking a mobile home smaller than 10 feet wide or containing less than 575 square feet.

"Section 211.027. Termination or Revocation of Individual Permit.

A permit issued pursuant to 211.025 will automatically terminate if the mobile home is not parked upon the lot and in use as a residence within sixty (60) days after the permit is granted, if the mobile home is moved off the lot, or if the mobile home is altered or appurtenances attached which would so impair the mobility of the mobile home that it could not be moved in the normal manner within thirty days (30). If the ownership of the mobile home changes, a new permit must be obtained. Each permit shall be granted for a period of not more than one year; however, the permit shall automatically renew yearly unless revoked. A permit may be revoked by the Building Inspector if any one of the appearance or maintenance deficiencies listed in Section 211.024 is found to exist. If a permit is revoked, the owner must remove his mobile home from the lot within thirty (30) days or file an appeal to the Planning and Zoning Commission within ten (10) days after the permit is revoked."

Section 4: EMERGENCY CLAUSE

Whereas, it is necessary for the immediate preservation of public peace, health, and safety of the inhabitants of the City of Albany that this ordinance shall become immediately operative and an emergency is hereby declared to exist and this ordinance shall take effect immediately upon its passage by the Council and approval by the Mayor of the City of Albany.

Passed by the Council: May 14, 1969

Approved by the Mayor: May 14, 1969

*Russell W. [Signature]*  
Mayor

Effective Date: May 14, 1969

ATTEST:

*[Signature]*  
City Recorder