

gm CODIFIED
Date 1/19/10

ORDINANCE NO. 1981

(An ordinance amending Chapter 13.48—Parking and Storage of Mobile Homes and Recreational Vehicles of the Hood River Municipal Code)

WHEREAS, the City regulates the parking and storage of recreational vehicles, mobile homes, residential trailers and boat trailers in HRMC Chapter 13.48;

WHEREAS, the City regulates commercial trucks, tractor-trailers, buses, and trailers (over 20 feet in length) in HRMC Chapter 10.36;

WHEREAS, the City has encountered difficulty in enforcing the restrictions in Chapter 13.48 with respect to boat trailers and other types of trailers;

WHEREAS, Chapter 13.48 does not apply to other types of trailers not regulated in Chapter 10.36, but which nevertheless pose the same problems as boat trailers and RVs with respect to parking in the rights of way;

WHEREAS, the problems posed by trailer parking is that trailers take up valuable on-street parking spaces for storage purposes;

WHEREAS, the City does not currently regulate the placement of storage containers on public right of way, which should be regulated similarly to other trailers;

NOW, THEREFORE, THE CITY OF HOOD RIVER ORDAINS AS FOLLOWS:

Chapter 13.48 of the Hood River Municipal Code is amended to read as follows [additions in underline and deletions in strikeout]:

CHAPTER 13.48- PARKING AND STORAGE OF MOBILE HOMES, RECREATIONAL VEHICLES, TRAILERS, AND STORAGE CONTAINERS

Deleted: AND

SECTIONS:

- 13.48.010 Purpose
- 13.48.020 Definitions
- 13.48.030 Exclusion Zone Restrictions
- 13.48.040 Storage in Streets and Public Parking Areas
- 13.48.050 Unlawful Storage or Parking - Time Limit - Exception
- 13.48.060 Emergency Use for Sleeping or Living - Permit Requirements, Fees and

Deleted: All Other Zones -

- Other Conditions
- 13.48.070 Use for Live-In at Construction Site - Permit Requirements, Fees and Other Conditions
- 13.48.080 Violation - Penalty

13.48.010 Purpose. The purpose of this chapter is to regulate the parking and storage of mobile homes, recreational vehicles, residential trailers, trailers, and storage containers in the city.

Deleted: boats and boat

13.48.020 Definitions. For the purpose of this chapter, certain words and terms are defined as follows:

"Exclusion zone" means all lots contiguous to or lying between: (1) Twelfth, Thirteenth, May and Nix Streets and (2) State Street, Columbia Avenue, Front Street, and Seventh Street.

Comment [A1]: Boat trailers now covered in definition of "trailer."

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"Human occupancy" means any use of a mobile home, recreational vehicle, residential trailer or travel trailer.

Deleted: . . . "Boat trailer" means a portable unit, used for and equipped for the transport of a boat, when the boat or the trailer, or the combined length of the boat and trailer is more than ten feet in length.

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"Mobile home" means a vehicle or structure constructed for movement on public highways that has sleeping, cooking and plumbing facilities, is intended for human occupancy and suitable for being used for residential purposes.

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"Mobile home park" means any place where four or more mobile homes are located within five hundred feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person.

"Recreational vehicle" or "RV" means a vacation trailer or other vehicular or portable unit which is intended for human occupancy and is designed for vacation or recreation purposes but not residential use.

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Comment [A2]: This part of definition deleted so that it covers camper tops.

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"Residential trailer" means a portable residence that is transportable on public highways by permanently attached axles, the dimensions of which do not exceed forty-two feet in length, or eight feet in width, or any equivalent dimension combination.

"Storage container" means a container designed for the temporary storage of commercial, industrial, or residential household goods, that does not contain a foundation or wheels for movement. Examples include piggyback containers that can be transported by mounting on a chassis, and "POD" type boxes that can be transported on a flatbed or other truck.

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"Trailer" means a portable unit used for and equipped to transport vehicles, boats, building materials, dirt, or any other goods, that can be hitched to a motor vehicle for use on the public right of way.

Comment [A3]: This definition will cover pods or containers that are trailer-type—i.e., can be hitched.

13.48.030 Exclusion Zone Restrictions.

A. It is unlawful to park or place any mobile home, recreational vehicle or residential trailer in use for human occupancy within the exclusion zone either on private or public property, including on the public rights of way.

B. Notwithstanding Section 13.48.040(A), it is unlawful to park or place any mobile home, recreational vehicle, residential trailer, other trailer, or storage container overnight within the exclusion zone except on the private property of family residences or on the private property of a licensed recreational vehicle dealership, subject to the provisions herein.

13.48.040 Storage in Streets and Public Parking Areas.

A. **Extended Parking Prohibited** It is unlawful to park or place any unhitched mobile home, recreational vehicle, residential trailer, trailer, or storage container upon a public right of way. Mobile homes, recreational vehicles, residential trailers, trailers, and storage containers may be parked on a public right of way for a period of not more than seventy two (72) hours if self-propelled, hitched or otherwise attached to a vehicle, and only for the purpose of loading, unloading or otherwise preparing the mobile home, recreational vehicle, residential trailer, or trailer for use.

B. **Human Occupancy.** Human occupancy of mobile homes, RVs, residential trailers, and storage containers is not permitted on public rights of way.

C. **Compliance with State Provisions Required.** It is unlawful for any person to do any act within the city which fails to comply with Chapter 446 of the Oregon Revised Statutes or the Rules and Regulations issued by the State Board of Health as the same now or may be hereafter adopted or promulgated pertaining to the operation of mobile home parks or the parking of mobile homes, recreational vehicles, or residential trailers within the city.

C. **Conditions for Permitted Storage.** The storage of mobile homes, recreational vehicles, residential trailers, trailers, or storage containers not in use for any form of human occupancy is permitted within the city outside the limits of the exclusion zone subject to the following conditions:

1. Provided they are located within a garage or carport; or
2. Provided they are parked or placed in accordance with the lot coverage, yard setback and area standards for structures as required by the city's zoning ordinance; and
3. Provided they are maintained in a structurally safe condition and not permitted to become unsafe by reason of inadequate maintenance, dilapidation, obsolescence or abandonment.

D. **Use for Sleeping or Living-Permit Required-Fee-Time Limit.** Subject to the restrictions stated in this section, recreational vehicles in use for sleeping or living purposes may be parked in the city for a period not to exceed ten days, after the owner or occupant thereof has secured a permit from the City Recorder and has paid a fee set by council resolution for each permitted recreational vehicle or travel trailer. This permit shall not be issued unless the applicant shows to the satisfaction of the City Recorder that the proposed parking and use of the recreational vehicles and travel trailers will comply with subsections (1) and (2) of ORS 446.125. A second temporary permit may be granted, but no more than two temporary permits per property owner are allowed in any one calendar year except in the case of permitted carnivals or festivals held on appropriately zoned commercial property.

13.48.050 Unlawful Storage or Parking - Time Limit - Exception. It is unlawful to park or place any mobile home, recreational vehicle or residential trailer in use for human occupancy within the city for any period of time exceeding seventy-two hours except in a regularly licensed mobile home or RV park which has been issued a valid certification of sanitation required under the provisions of Chapter 446 of the Oregon Revised Statutes and local zoning and land use regulations, or for which a permit has been issued as provided in this chapter.

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Comment [A4]: This subsection deleted because duplicative of subsection (A), as amended.
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Deleted: Use of mobile home, RV's or residential trailers for human occupancy on public streets within exclusion zone is prohibited.
Comment [A5]: The changes in this section are to prohibit the parking of trailers (RVs, etc., and all trailers) on the street, unless they are hitched or attached to a vehicle, or self-propelled, and are being readied for use or loading or unloading.
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Comment [A6]: There is no definition of travel trailer, and it is part of residential trailer or mobile home,
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13.48.060 Emergency Use for Sleeping or Living - Permit Requirements, Fees and Other Conditions. A mobile home or residential trailer referred to in this section as the "unit" may be used for temporary living purposes outside of a mobile home park by the victims of a presidential or a governor's declared major disaster area, subject to the following:

- A. The unit is located upon the site of the victim's destroyed or damaged dwelling or upon a site designated by the city council for the location of such victim's temporary housing.
- B. The unit is occupied by only the victim and his family.
- C. The unit is adequately served by electric, water and sewer connections.
- D. A permit is obtained from the City Recorder by the victim and he has paid a fee set by council resolution. The permit shall not be issued unless applicant shows to the satisfaction of the City Recorder that the proposed parking and use of the mobile home will comply with subsections (1) and (2) of ORS 446.125. The permit shall be for a period of six months. Not more than two six-month period permits shall be allowed as the result of any one major disaster.

13.48.070 Use for Live-In at Construction Site - Permit Requirements, Fees and Other Conditions. A mobile home or residential trailer, referred to in this section as "unit," may be used for temporary living purposes outside of a mobile home park for a watchman on the construction job of any church, school, public building, commercial or industrial structure for which a building permit of more than two hundred thousand dollars is issued, provided and subject to the following conditions:

- A. Not more than two such units are on the job at any one time.
- B. After the contractor for the job has secured from the City Recorder a permit and paid a fee in an amount set by council resolution. This permit shall not be issued unless applicant shows to the satisfaction of the City Recorder the proposed parking and use of the mobile home will comply with subsections (1) and (2) of ORS 446.125 and the city engineer and the city planner have approved its issue. The permit shall be for a period of one year. An extension permit may be issued for an additional six months upon payment of an additional ten dollars.
- C. The unit is used only for the purposes of providing living conditions for a watchman and the unit is located upon the construction site.

13.48.080 Violation - Penalty. Any person, firm or corporation or other entity who violates any provision of this chapter shall be punished upon conviction by a fine of not more than five hundred dollars. Each day that violation is permitted to exist shall constitute a separate offense.

Deleted: or by imprisonment for not more than fifty days or both

Read for the first time: Dec 14th, 2009.

Read for the second time and passed: DEC 14th, 2009, to become effective thirty (30) days hence.

Signed DEC 14th, 2009.


Arthur Babitz, Mayor

ATTEST:


Jennifer McKenzie, City Recorder