

Chapter 125
TRAILERS AND TRAILER PARKS

ARTICLE I. IN GENERAL

Sec. 125-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Approved sewer system means and shall include the city sewer system or an individual sewage disposal system constructed in accordance with the specifications of the state department of health.

Approved water system means and shall include the public water system of the city of a private well and water therefrom, which is in all respects constructed in accordance with the rules and regulations of the state department of health.

Trailer means an automobile trailer, trailer coach, or any vehicle or structure so designed and constructed in such a manner as will permit occupancy thereof as office or living quarters for one or more persons, and so designed that it is or may be mounted on wheels and used as a conveyance on highways or streets, propelled or drawn by its own or other motive power. Manufactured homes built in conformance with Minn. Stats. §§ 327.31—327.35 shall not be deemed to be a trailer within the meaning of this chapter.

Trailer coach park means any site, lot, field, or tract of land upon which two or more occupied trailers are harbored, either free of charge or for revenue purposes, and shall include any building, structure, tent, vehicle, or enclosure used or intended to be used as part of the equipment of such trailer coach park.

(Code 1987, § 315.01)

Sec. 125-2. Conflict with state.

Nothing herein contained shall be construed to apply to any manufactured home park in the city which is licensed by the state department of health pursuant to Minn. Stats. §§ 327.14—327.28.

(Code 1987, § 315.40)

Sec. 125-3. Variances.

(a) The Council may grant variances/modifications from this chapter upon a finding that all of the following conditions exist:

- (1) There are special circumstances or conditions affecting said property, such that the strict application of the provisions of this Code would deprive the applicant of the reasonable use of his land.
- (2) The variances/modifications are necessary for the preservation of and enjoyment of a substantial property right of the petitioner.
- (3) The granting of the variances/modifications will not be detrimental to the public welfare or injurious to the other property in the territory in which said property is situated and will not have an adverse effect upon traffic or traffic safety.

(b) Making this finding, the Council shall consider the nature of the proposed use of

the land and existing use of the land in the vicinity, the number of persons who reside or work in the area, and the probable affect of the proposed variance upon traffic conditions in the vicinity.

(c) In granting variances/modifications as herein provided, the Council shall prescribe conditions that it deems desirable where necessary to protect the public interest. In making a determination, the Council shall find that:

- (1) The proposed project will constitute a desirable and stable city development.
- (2) The proposed project will be in harmony with the adjacent areas.
- (3) The application shall be made in writing and addressed to the Planning Commission and the City Council and shall be submitted to the City Clerk.

(d) Such application shall include the specific variances/modifications request, its location, and how it varies from the provisions of this Code. The written application shall be submitted to the Planning Commission for its advice and recommendation, and the Planning Commission shall report on the provisions set forth in this section.

(Code 1987, § 325.05/ Ord. No. 08-2010, 10-31-2010)

Sec. 125-4. Enforcement of chapter.

It is hereby made the duty of the health officer of the city to enforce all provisions of this chapter, and for the purpose of securing such enforcement, the health officer shall have the right to enter upon any premises on which trailers are located, and inspect the same, and all accommodations connected therewith, at any reasonable time, after securing the approval of the City Council under the provisions of this chapter and the zoning ordinance; provided, however, that nothing herein contained shall be construed to apply to manufactured home parks that are licensed by the state pursuant to Minn. Stats. §§ 327.14—327.28.

(Code 1987, § 315.05)

Sec. 125-5. Trailer committee; appeal procedure.

(a) The Council, upon request as provided in subsection (b) of this section, shall sit as the trailer committee to hear the complaint of any person aggrieved under this chapter or by the act of any official under this chapter.

(b) Any person aggrieved by an order of the health officer under this chapter may file a written request with the City Clerk for a hearing before the trailer committee within ten days after the issuance of said order, such request shall be accompanied by an appeal fee as established by the city, and a deposit as set by the Council to defray expenses for providing notices of hearing and other incidental costs. The balance remaining after paying such costs shall be refunded to such person as soon as the amount of such costs has been determined. Upon receiving such written request and deposit, the City Clerk shall then cause to be published notice of hearing before the trailer committee, once at least ten days prior to such hearing, at which hearing all persons having an interest therein shall be given an opportunity to be heard. After such hearing, and upon hearing and considering all matters presented thereat, the trailer committee shall make its findings and recommendations and cause a copy thereof to be presented to the next Council session for action and disposition.

(Code 1987, § 315.35)

Sec. 125-6. Parking or storing in locations outside of park; emergencies.

(a) *Unlawful parking.* It shall be unlawful for any person to park any trailer on any street, alley, highway, or other public place, or on any tract of land owned by any person,

occupied or unoccupied, within the city except as provided in this chapter.

(b) *Emergency parking.* Emergency or temporary parking or stopping is permitted on any alley, street, or highway for not longer than 24 hours, subject to any other and further prohibitions, regulations, or ordinances for that street, alley, or highway.

(c) *Storing of trailers.* No person shall park or occupy any trailer on the premises of any occupied dwelling or in or on any lot which is not a part of the premises of any occupied dwelling either of which is situated outside an approved trailer coach park, except the parking of only one unoccupied trailer in an accessory private garage building, or in a rear yard of any district, is permitted providing no living quarters shall be maintained or any business practiced in said trailer while said trailer is so parked or stored.

(d) *Sales service of trailers.* Any person dealing in the buying and selling of trailers may park or store one or more unoccupied trailers on lands which are zoned within the city so as to permit automobile sales service.

(e) *Storing of trailers, commercial district.* No person shall park or occupy any trailer on the premises of any building or on any lot in the commercial use district which is outside an approved trailer coach park, except that the parking of one unoccupied trailer in an accessory private garage building, public garage building, or in a rear yard and so situated as to not be visible from the street, is permitted providing no living quarters shall be maintained or any business practiced in said trailer while such trailer is so parked or stored.

(f) *Construction shacks.* Notwithstanding the foregoing provisions, the trailer owned by a bona fide contractor or subcontractor is permitted to be parked upon any construction site for use as a construction shack for a job during the period of construction and up to 30 days after completion thereof.

(Code 1987, § 315.10)

Secs. 125-7—125-30. Reserved.

ARTICLE II. PERMITS

Sec. 125-31. Required.

(a) *Temporary permits available.* A trailer shall not be used as a permanent place of abode or as a permanent dwelling or for indefinite periods of time; provided, that any trailer properly connected with an approved water system and with an approved sewer system, and constructed and located in compliance with all requirements of the plumbing, sanitary, health, zoning, and electrical ordinances and regulations effective in the city, and not inhabited for a greater number of occupants than that for which it was designed, may be permitted for a temporary period of time as herein provided under permits issued by the Council and properly secured hereunder and upon compliance with plumbing, electrical, sanitary, health, and zoning ordinances and regulations effective in the city, and then only when parked upon an appropriate cement pad which pad shall be the size of the trailer parked thereon, shall not be nearer than 20 feet to any other trailer or building and shall not be nearer than five feet to any road, alley, or property line.

(b) *Procedure.* Every person seeking a permit pursuant to subsection (a) of this section, or renewal thereof, hereunder shall make an application therefor, in writing, at the office of the City Clerk upon a form provided. The permit applicant shall provide written statement, signed by the applicant, that all property taxes, special assessments, municipal utility fees, including, but not limited to, water and sewer bills, and penalties and interest thereon have been paid for the property for which the permit has been submitted. It shall state the name and address of the applicant and a description of the property upon which the permit is desired. Each such

application shall be filed with the City Clerk not less than ten days before said trailer is ready for occupancy, and shall be accompanied by an inspection fee as established by the city. No permit shall be issued pursuant to this chapter except upon approval of the Council.

(Code 1987, §§ 315.15, 315.20; Ord. No. 105-2000, 2-5-2000; Ord. No. 01-2001, 2-25-2001)

Sec. 125-32. Investigation required before issuance; fee.

Upon filing of an application accompanied by the inspection fee, it shall be the duty of the city health officer, or his authorized representative, to investigate the premises and determine whether such trailer and land upon which it is proposed to be used, conform to the requirements of this chapter and of the rules and regulations of the health officer and the laws of the state. No permit shall be issued for a period in excess of one year.

(Code 1987, § 315.25)

Sec. 125-33. Revocation and inspection.

Upon the notice and hearing, the Council is authorized to revoke any permit issued pursuant to the terms of this chapter if, after due investigation, it determines that the holder thereof has violated any of the provisions of this chapter, or that any trailer is being maintained in an unsanitary or unsafe manner or is a nuisance.

(Code 1987, § 315.30)