

ELMORE COUNTY MOBILE HOME  
COMMUNITY AND TRAILER PARK ACT

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AN ORDINANCE CREATING MINIMUM STANDARDS FOR MOBILE HOME COMMUNITIES AND TRAILER PARKS; ESTABLISHING REQUIREMENTS FOR THE DESIGN, CONSTRUCTION, ALTERATION AND EXTENSION OF MOBILE HOME COMMUNITIES AND TRAILER PARKS; PROVIDING DEFINITIONS; PROVIDING FOR PERMITS AND LICENSES; PROVIDING FOR INSPECTION; PROVIDING FOR HEARINGS AND ORDERS; PROVIDING FOR VARIANCES; PROVIDING PENALTIES FOR FAILURE TO COMPLY WITH THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ELMORE COUNTY, IDAHO AS FOLLOWS:

CHAPTER I  
ADMINISTRATION & COMPLIANCE

SECTION 101: SHORT TITLE

This Ordinance shall be known and may be cited as the "Elmore County Mobile Home Community and Trailer Park Act".

SECTION 102: FINDINGS AND POLICY

- (a) The Board of County Commissioners find that properly planned and operated Mobile Home Communities and Trailer Parks:
1. Promote the safety and health of the residents of such communities and other nearby communities.
  2. Encourage economical and orderly development of such communities and other nearby communities.
- (b) It is thereby declared to be the policy of this Board to eliminate and prevent health and safety hazards and to promote the economical and orderly development of land by providing for planning and operating Mobile Home Communities and Trailer Parks and by providing for the standards and regulation necessary to accomplish these purposes.

SECTION 103: DEFINITIONS

Accessory Structure: Any structural addition to the Mobile Home which includes carports, storage cabinets, porches, and other similar structures.

Administrator: The person designated by the Board of County Commissioners to administer this Ordinance.

Alteration: The changing of features or facilities of a Mobile Home Community or Trailer Park, but not to include normal repairs, replacements, and maintenance.

Board: Board of County Commissioners of Elmore County.

Building: Any roofed structure erected for permanent use.

Common Area: Any space or area designed for joint use of tenants occupying Mobile Home Developments or Trailer Parks.

Commission: The Elmore County Planning and Zoning Commission.

Hard Surfacing: A road or parking surface made of concrete, asphalt, or bituminous materials properly placed and compacted.

License: A written license issued by Elmore County allowing a person(s) to operate and maintain a Mobile Home Community and/or Trailer Park under the provisions of this Ordinance and regulations issued hereunder.

Living Unit: A residential unit providing complete, independent living facilities for one family including permanent provisions for living, sleeping, eating, cooking and sanitation.

Mobile Home: A manufactured relocatable living unit built on a permanent metal frame.

Mobile Home Community: A Mobile Home Development and related utilities and facilities, including the Mobile Home and the people living within the development.

Mobile Home Development: A contiguous parcel of land which has been planned and improved for the placement of more than two (2) mobile homes.

Permanent Building: A building, except a mobile home accessory structure.

Permit: A written permit issued by the Elmore County Planning and Zoning Commission permitting the construction, alteration and extension of a Mobile Home Development and/or Trailer Park.

Person(s): Any individual(s), firm, trust, partnership, public or private association or corporation.

Private Streets: A private way which affords principal means of access to abutting individual lots or spaces and auxiliary buildings.

Public Streets: A public way which affords principal means of access to abutting properties.

R. V. Station: A recreation vehicle sanitary station - a facility where waste from trailer holding tanks may be disposed.

Service Building: A building housing toilet, lavatory and such other facilities as may be required by this regulation.

Service Sink: A slop sink with a flushing rim for the disposal of liquid waste from trailers.

Shall: Indicates that which is required.

Should: Indicates that which is recommended but not required.

Trailer: Any of the following:

1. Travel Trailer: A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses, and towed by another vehicle.
2. Pick-up Camper: A structure designed to be mounted on a pick-up for use as a temporary dwelling for travel, recreation, and vacation.
3. Motor Home: A portable, temporary dwelling used for travel, recreation and vacation, constructed as an integral part of self-propelled vehicle.
4. Camping Trailer: A canvas folding structure, mounted on wheels and designed for travel, recreation, and vacation use.
5. Tent: A portable cover of any sort used for camping, recreation, or vacation.

Trailer Park: A parcel of land in which more than two (2) spaces are occupied or intended for occupancy by trailers for transient dwelling purposes. Occupancy time is usually less than a month.

## SECTION 104: PERMITS

### 104.1

It shall be unlawful for any person(s) to construct, alter, or extend any Mobile Home Development or Trailer Park within Elmore County unless he holds a

valid permit issued by the Planning and Zoning Commission in the name of such person(s) for the specific construction, alteration or extension proposed.

#### 104.2

All applications for permits shall contain the following:

- (a) Name and address of applicant(s)
- (b) Complete plot plan and specifications of the proposed development prepared in a manner acceptable to the Commission showing, but not limited to, the following and complying with the standards set forth in this Ordinance:
  1. The area and dimensions of the tract of land.
  2. The number, location and size of all lots or spaces.
  3. Location and width of roadways and walkways.
  4. Location of all utility lines, pipes, risers, etc.
  5. Plans and specifications for the water supply, sewage disposal facilities, solid waste disposal, approved by the Central District Health Department.
  6. Surface drainage plan.
  7. Plans of service buildings and other permanent buildings constructed within the Mobile Home Development or Trailer Park.

#### 104.3

All applications shall be accompanied by the deposit of a fee of twenty-five dollars (\$25.00).

#### 104.4

When upon review of the application, the Commission is satisfied that the proposed plan meets the requirements of this Ordinance, a permit shall be issued.

#### 104.5

Any person(s) whose application for a permit under this Ordinance has been denied may request, and shall be granted a hearing on the matter before the Commission, and failing there, to the Board of County Commissioners.

### SECTION 105: LICENSES

#### 105.1

It shall be unlawful for any person(s) to operate any Mobile Home Community or Trailer Park in Elmore County unless he holds a valid license issued by Elmore County in the name of such person(s) for the specific Mobile Home Community and/or Trailer Park. All applications for licenses shall be made to the Administrator, who shall issue a license upon compliance by the applicant with provisions of this Ordinance, except that existing Mobile Home Developments and Trailer Parks are not required to comply with Section 201 and 202 of this Ordinance.

#### 105.2

Every person(s) holding a license shall give notice in writing to the Administrator within thirty (30) days after having sold, transferred, given away or otherwise disposed of interest in, or control of, any Mobile Home Community or Trailer Park. Such notice shall include the name and address of all persons succeeding to the ownership or control of such Mobile Home Community or Trailer Park. The new owner shall make application for a license in accordance with Section 105.3(b) below.

#### 105.3

- (a) Application for original licenses shall be in writing, signed by the applicant, accompanied by an affidavit of the applicant as to the truth of the application and by the deposit of a fee of ten dollars (\$10.00) and shall contain a plot plan drawn to scale showing:

1. The name and address of all persons owning any interest in the development.
2. The location and legal description of the Mobile Home Community or Trailer Park, showing dimensions.
3. The number, location, and size of all lots or spaces.
4. The location and width of roadways and walkways and the kind of surface.
5. Location of all utility lines, pipes, risers, etc.
6. If not hooked up to public sewer, location and size of septic tank and drain field.
7. Solid waste disposal plan.

(b) Applications for renewal of licenses shall be made in writing by the holder(s) of the license, shall be accompanied by the deposit of a fee of ten dollars (\$10.00) and shall contain any change of information submitted since the original license was issued or the latest renewal granted.

#### 105.4

Any person whose application for a license under this Ordinance has been denied may request, and shall be granted, a hearing on the matter before the Board under the procedure provided in Section 107 of this Ordinance.

### SECTION 106: INSPECTION

#### 106.1

The Administrator of this Ordinance is hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this Ordinance.

#### 106.2

The Administrator of this Ordinance shall have the power to enter, at reasonable times, any Mobile Home Development or Trailer Park for the purpose of inspecting and investigating conditions relating to the enforcement of this Ordinance.

### SECTION 107: NOTICES, HEARINGS, AND ORDERS

#### 107.1

When the Administrator determines that there are reasonable grounds to believe that there has been a violation of any provision of this Ordinance, he shall give notice of such alleged violation to the person(s) to whom the permit or license was issued, as hereinafter provided. Such notice shall (a) be in writing; (b) state the reason for its issuance; (c) contain an outline of the remedial action necessary to effect compliance with the provisions of the Ordinance; (d) state a reasonable time limit for any action required; (e) be served upon the owner(s) or his agent by any method authorized or required by the laws of this State; (f) and informing the licensee that he has the right to request a hearing on this matter before the Board of County Commissioners by applying to the Administrator within ten days after the issuance of such notice.

#### 107.2

Any person(s) affected by any notice which has been issued in connection with the enforcement of any provision of this Ordinance may request and shall be granted a hearing on the matter before the Board: Provided: That such person(s) shall file in the office of the Administrator a written petition requesting such hearing and setting forth a brief statement of grounds therefore within ten (10) days after the notice except in the case of an order issued under Section 107.4. Upon receipt of such petition, the Administrator shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing the petitioner shall be given an opportunity to be heard and show why such

Notice should be modified or withdrawn. The hearing shall be commenced not later than fifteen (15) days after the day on which the petition was filed, or the next regular meeting: Provided: That upon application of the petitioner the Board may postpone the date of hearing for a reasonable time beyond such period when in its judgement the petitioner has submitted good and sufficient reason for such postponement.

#### 107.3

After such hearing the Board shall make findings as to compliance with the provisions of this Ordinance and shall issue an order in writing sustaining, modifying or withdrawing the notice, which shall be served as provided in Section 107.1 (e). Upon failure to comply with an order sustaining, modifying or withdrawing a notice, the license of the Mobile Home Development or Trailer Park affected by the order shall be revoked.

#### 107.4

Whenever the Board finds that an emergency exists which requires immediate action to protect the public health, it may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as it may deem necessary to meet the emergency including the suspension of the license. Notwithstanding any other provisions of this Ordinance, such order shall be effective immediately. Any person(s) to whom such an order is directed shall be afforded a speedy hearing. The provisions of Section 107.3 shall be applicable to such hearing and order issued thereafter.

### SECTION 108: VARIANCES

#### 108.1

Variations from the strict compliance with specific provisions or requirements of this Ordinance may be granted by the Commission upon application by person(s) affected. Applications for variations must be made to the Administrator setting forth the specific variance requested and the reasons for the request, along with other maps, data, and evidence that may be requested by the Commission.

#### 108.2

No variance shall be favorably acted upon by the Commission unless there is a finding that all of the following exists: (A public Hearing may be required).

1. That strict compliance with the requirements of this Ordinance would result in undue hardship to the developer because of physical conditions of the land or other conditions not self-inflicted;
2. That the strict application of the provisions of the Ordinance would be impractical or unreasonable;
3. That the granting of the specified variance will not be detrimental to the public welfare or injurious to other property in the area;
4. That such variance will not have the effect of nullifying the interest and purpose of this Ordinance and the Comprehensive Plan.

#### 108.3

This Ordinance shall not apply to bona fide agricultural lands where mobile homes are used for employee quarters only, owned by the landowner or leaseholder, for his use on his own land, and not for profit.

### SECTION 109: PENALTIES

#### 109.1

Violation of any of the provisions of this Ordinance or failure to comply with any of its requirements shall constitute a misdemeanor under Idaho Statutes. Each day such violation continues shall be considered a separate offense. The

land owner, tenant, subdivider, builder, or any other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided. Nothing herein contained shall prevent the Board or any public official or private citizen from taking such lawful action as is necessary to restrain or prevent any violation of this Ordinance.

SECTION 110: SEVERABILITY CLAUSE

Should any Section, paragraph, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of said Ordinance shall not be affected thereby.

CHAPTER II  
DEVELOPMENT STANDARDS

SECTION 201: ENVIRONMENTAL, OPEN SPACE, DIMENSIONAL, AND STREET REQUIREMENTS

201.1 GENERAL

- (a) A Mobile Home Development or Trailer Park shall be located only upon property designated for that use by the Zoning Commission.
- (b) Nothing contained in this section shall be deemed as prohibiting the sale of a mobile home located on a mobile home lot and connected to the pertinent utilities.
- (c) Conditions of soil, ground water, drainage and topography shall not create hazards to the property or the health or safety of the occupants.

201.1 SANITATION

- (a) All Mobile Home Developments and Trailer Parks shall be supplied with central water and sewer facilities approved by the Central District Health Department. If public sewer or water is not available, the applicant shall submit his plan for sewage and water, approved by the Central District Health Department, before permit is approved.
- (b) A solid waste disposal plan, approved by the Health Department, shall also be a requirement for a permit or license.

201.3 DIMENSIONAL STANDARDS

The following minimum design and dimensional standards must be followed in drawing up the plot plan. These standards must also be met in actual construction before final approval will be given:

- (a) Minimum lot or space size -- All units 3,200 sq. ft.
  - Minimum lot depth 80 ft.
  - Minimum lot width 40 ft.
- (b) Minimum front yard set backs for nearest corner of wall of mobile home
  - Major arterials and collector streets (public use) 30 ft.
  - Minor streets (public Use) 25 ft.
  - All streets within the court boundaries (private use) 5 ft.
- (c) Minimum rear yard set back for nearest corner of wall of mobile home
  - When backing on court boundary 15 ft.
  - When backing on interior lot or common area 10 ft.
- (d) Minimum space between nearest corners of walls of mobile homes or accessory buildings of adjacent lots 20 ft.
- (e) Minimum flanking street set back for nearest corner of wall of

mobile home

Public Streets

20 ft.

All streets within the court boundaries

15 ft.

- (f) Hard stand areas for mobile home parking will be of sufficient size to accommodate proposed occupancy: single wide, double wide, etc.
- (g) Minimum off-street parking at each mobile home site -- hard surfaced or compacted gravel  
Two cars -- Each space -- 10 ft. x 20 ft.

#### 201.5 UTILITIES

All utilities will be underground, designed for safety and convenience by the engineer and following any Health Department and other local or State standards.

#### 201.6 OPEN SPACE AREA

In any development designed to accommodate 25 or more mobile homes not less than five (5) percent of the gross site area shall be devoted to open space for recreation or community purposes. This requirement may be reduced by the Commission where individual lot areas are substantially above minimum standards or there are public recreation areas sufficient in size in close proximity. However, no Mobile Home Development may be built without containing an open space area of at least 3,000 square feet, unless waived by the Commission.

#### 201.6 INTERIOR ROAD AND STREET STANDARDS

- (a) Streets shall be provided on the site where necessary to furnish principal traffic ways for convenient access to the mobile home lots and other facilities on the property. Streets shall be privately owned and maintained.
- (b) The street system shall provide convenient circulation by means of minor streets and properly located collector streets. Closed ends of dead-end streets shall be provided with vehicular turning circles (cul-de-sacs) with a minimum diameter of 80 feet.
- (c) Streets shall be hard surfaced. Standards and specifications will be as determined by the County Engineer and the Administrator, taking into account the kind and amount of use projected for the streets. Standards of the Highway District or adjacent city will normally be required.
- (d) Street widths shall conform to the following:
  - 1. All major streets with mobile homes facing the streets ---- 38 ft. minimum
  - 2. Minor streets with no mobile homes facing the streets ----- 30 ft. minimum
- (e) Street grades shall be sufficient to secure adequate drainage, but should not be more than 7 percent. Short sections of up to 10 percent may be allowed.
- (f) Maintenance: Street surface shall be kept free of hazards and good maintenance must be followed.
- (g) Drainage: Drainage plan must be approved by the Commission, and by the Highway District where they will be affected.

### SECTION 202: SERVICE BUILDING AND OTHER COMMUNITY FACILITIES

#### 202.1 PERMANENT BUILDINGS

- (a) All permanent buildings will be constructed according to adopted building code. Design plans shall be submitted to the Commission along with the application for permit, if such buildings are required.
- (b) All rooms containing sanitary or laundry facilities shall:
  - 1. Have sound resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions around showers, bathtubs, lavatories and other plumbing fixtures shall be constructed of dense, non-absorbent, waterproof material, or covered with moisture resistant material.
  - 2. Have at least one window or skylight facing directly to the outdoors.

The minimum aggregate gross area of windows for each required room shall be not less than 10 percent of the floor area served by them.

3. Have at least one window which can be easily opened, or mechanical device which will adequately ventilate the room.
- (c) Toilets shall be located in separate compartments equipped with self-closing doors. Showerstalls shall be of the individual type. The rooms shall be screened to prevent direct view of the interior when the exterior doors are open.
- (d) Hot and cold water shall be furnished to every lavatory, sink, bathtub, shower, and laundry fixture, and cold water shall be furnished to every water closet and urinal.

## SECTION 203: TRAILER PARKS

### 203.1 GENERAL

Every Mobile Home Development, or other special development, that accepts or accommodates short-term or overnight stops from travel trailers, campers, etc., on a space rental basis, and all developments of Trailer Parks as defined, shall come under the provisions of this Ordinance and the further provisions of this Section. Provided: That the following standards shall apply to Trailer Parks:

- (a) Lot spaces: Designated lot spaces provided with electrical hookup and other facilities shall be established. Lot width may be reduced to a minimum of 20 feet and length a minimum of 30 feet. However, no trailer may be parked in a space that will not allow at least 10 feet between trailers.
- (b) Utilities: Utilities will be underground, but developer has option of providing them to individual spaces. Potable water must be furnished within 100 feet of any space.
- (c) Recreation Vehicle Station: Depending on the location, size of facility, and distance to nearest R. V. Station, existence or non-existence of sewer hookup, the Commission, with recommendation from Central District Health Department, may require that a Recreation Vehicle Station be installed. Plans and specifications and location must meet with Central District Health approval.
- (d) Service Sink: At least one service sink shall be installed in each Trailer Park to take care of liquid wastes from sink in trailer. No liquid wastes from sinks shall be drained onto or allowed to accumulate on the ground surface.
- (e) Roads shall be 24 feet minimum width and shall have, as minimum, a compacted gravel surface. Standards and specifications will be furnished the developer by the Administrator. Roads shall be kept free from holes, ruts, and dust, and maintained in good condition.
- (f) Construction within National Forest Boundaries: Trailer Parks constructed within National Forest Boundaries shall be designed so that existing trees shall be left intact as much as possible and that no excessive cuts or fills will be made in road and space construction.

### 203.1 SERVICE BUILDING

- (a) A central service building containing the necessary toilets and other plumbing fixtures specified below shall be provided in Trailer Parks. Service buildings shall be conveniently located within a radius of approximately 300 feet to the spaces to be served



No. of Spaces	Toilets		Urinals	Lavaotries		Showers	
	Men	Women	Men	Men	Women	Men	Women
1-15	1	1	1	1	1	1	1
16-30	1	2	1	2	2	1	1
31-45	2	2	1	3	3	1	1
46-60	2	3	2	3	3	2	2
61-80	2	4	2	4	4	2	2
81-100	3	4	4	4	4	3	3

For Trailer Parks having more than 100 spaces there shall be provided: one (1) additional toilet and lavatory for each sex per each additional thirty (30) spaces; one (1) additional shower for each sex for each additional forty (40) spaces; and one (1) additional men's urinal per each additional one hundred (100) spaces.

CHAPTER III  
EFFECTIVE DATE

This Ordinance shall be in full force and effect upon publication following passage and approval.

Regularly passed and adopted by the Board of County Commissioners of Elmore County, Idaho, on this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Chairman of the Board of County  
Commissioners, Elmore County, Idaho.

Attested:

\_\_\_\_\_  
Clerk of the Board of County  
Commissioners, Elmore County, Idaho