

Introduced by: Council Present

AN ORDINANCE AMENDING CHAPTER 415, RELATING TO TRAILER PARKS, CHANGING THE TITLE TO "TRAILER PARKING" AND REPEALING SECTIONS 415.010, 415.020, 415.030, 415.040, 415.050, 415.060, 415.070, 415.080, 415.090, 415.100, 415.110, 415.120, 415.130, 415.140, 415.150, AND 415.160

WHEREAS, the Planning Commission heard Case No. 18-16 on December 12, 2018 and do hereby recommend the City Council change the Title of Chapter 415 to "Trailer Parking"; and

WHEREAS, the City does not allow tracts for the purpose of establishing mobile home parks or trailer parks, therefore this section shall be repealed, and renamed.

Now, Therefore, Be it ordained by the City Council of the City of Berkeley, Missouri, as follows:

Section 1. The new title of Chapter 415 shall be "Trailer Parking".

Section 2. The following Sections shall be repealed: 415.010, 415.020, 415.030, 415.040, 415.050, 415.060, 415.070, 415.080, 415.100, 415.110, 415.120, 415.130, 415.140, 415.150, and 415.160.

Section 3. This Ordinance shall be in full force and effect from and after its passage.

1st Reading, this 07th day of January 2019

2nd Reading this _____ day of _____ 2019

3rd Reading, PASSED and APPROVED, this _____ **day of** _____ **2019**

Theodore Hoskins, Mayor

ATTEST:

Deanna L. Jones, City Clerk

Approved As To Form:
Donnell Smith, City Attorney

Final Roll Call:

Mayor Hoskins	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Hoskins	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Mitchell	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Williams	Aye	___	Nay	___	Absent	___	Abstain	___
Councilman-at-Large Greene	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Hindeleh	Aye	___	Nay	___	Absent	___	Abstain	___
Vacant	Aye	___	Nay	___	Absent	___	Abstain	___



REPORT TO CITY COUNCIL

PUBLIC HEARING

TO: The Honorable Mayor and Members of the City Council

FROM: Debra Irvin, City Manager

DATE: December 14, 2018

SUBJECT: **Case No. 18-16 - A request from the City Manager to amend the Zoning Code, Chapter 415, Relating to Trailer Parks.**

We have investigated the Subject item, above, and present the following as our findings:

RECOMMENDATION

Plan Commission recommends approval to repeal and replace Chapter 415 in the Zoning Code, relating Trailer Parks.

BACKGROUND

The ordinance was originally crafted in 1953 and few changes in 1973 and 2014. The city no longer have trailer parks and does not intend to consider new plats for trailer parks.

SUPPORTING DOCUMENTS

- Staff Report
- Section 415, as attached.

OPTIONS OF THE COMMISSION

1. –Recommend approval of the applicant’s request.
2. –Recommend denial of the applicant’s request.

PUBLIC NOTICE AND COMMENT

Public Hearing notification is applicable. Upon recommendation by City Plan Commission to City Council, notices shall be mailed to owners and occupants of property within 185 feet of the site.

Respectfully submitted,

Section 415.010. Definitions. [CC 1961 §35.01; Ord. No. 192, 8-4-1943; Ord. No. 1953, 4-2-1972]

Terms used in this Chapter have the following meanings:

TRAILER COACH — Any vehicle used, or maintained for use as a conveyance upon highways or City streets, so designed and so constructed as to permit occupancy thereof as a temporary dwelling or sleeping place for one (1) or more persons having no other foundation than wheels or jacks. A self-propelled trailer which is not being occupied, is not to be considered a trailer coach.

TRAILER COACH LOT — A unit of level adequately drained ground of definite size, clearly indicated by corner markers for the placing of a trailer coach or a trailer coach and tow car.

TRAILER PARK — Any site, lot, field, or tract of ground upon which two (2) or more trailer coaches are placed, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as a part of the equipment of such park.

Section 415.020. Permit for Parking Outside of Trailer Park. [CC 1961 §35.02; Ord. No. 192, 8-4-1943; Ord. No. 1046, 12-3-1958; Ord. No. 1551 §1, 1-17-1966; Ord. No. 1580, 8-1-1966; Ord. No. 1949 §1, 2-19-1973]

- A. No person shall park any trailer coach on any street, alley, or other public place in the City.
- B. No trailer coach shall be parked, used, or occupied on any tract of ground within the City except as provided in this Chapter.
- C. Trailer coaches may be parked on any lot within the City as long as the trailer is not used as a dwelling, living or sleeping quarters, if a permit therefor is first obtained from the City Council. No person shall permit such parking or use on his/her premises unless the owner or possessor of the trailer coach has a permit as set forth herein. A trailer coach not exceeding twenty-four (24) feet in length, including the hitch, and not over eight (8) feet in height, may be granted a permit for one (1) year at a fee of one dollar (\$1.00). A trailer coach in excess of twenty-four (24) feet may be issued a permit up to six (6) months at a fee of one dollar (\$1.00).
- D. Application to the City Council for the permit shall contain the following information:
 1. Written consent of the owner, legal agent of the owner, or the lessee of the location on which the trailer is to be parked.

Section
415.020

Section
415.040

2. Description of the property on which the trailer is to be parked.
 3. Affidavit to the effect that plumbing facilities will not be used while this trailer is so parked.
 4. Purpose of parking the trailer.
 5. Other regulations required by the Council.
- E. No permit is required for a trailer coach completely garaged and covered by a permanent roof.
- F. A trailer coach, described as a camping trailer, less than twelve (12) feet in length and less than four (4) feet in height, may be parked and stored in the rear yard without a permit.
- G. No trailer shall be licensed or parked in the City of Berkeley unless the trailer is owned by the resident of the property where said trailer is to be parked.

Section 415.030. Permit for Trailer Park. [CC 1961 §35.03; Ord. No. 192, 8-4-1943]

- A. It shall be unlawful within the City for any person to construct or operate a trailer park without first securing a permit.
- B. No trailer park shall be operated within the City of Berkeley, except as provided in this Chapter.
- C. The permit for a trailer park shall be obtained from the City at a fee of ten dollars (\$10.00) for each trailer park lot, and shall be for a period ending on June thirtieth (30th) following. Applications for renewal of permits may be made within thirty (30) days prior to expiration at a fee of ten dollars (\$10.00) for the ensuing year, for each trailer park lot.
- D. Permit for trailer parks must be conspicuously displayed at all times.

Section 415.040. Application for a Trailer Park Permit. [CC 1961 §35.04; Ord. No. 192, 8-4-1943]

- A. Any applicant for a permit to operate a trailer park shall agree, in his/her application, that a responsible attendant shall be in charge of the trailer park at all times. At the time of application, the names of the attendants to be in active charge of the proposed trailer park, and their hours of duty, shall be set forth. Any changes after the permit is granted shall be filed with the

Section
415.040

Section
415.050

authority issuing the permit, within five (5) days from the date of change. Such attendant shall supervise the park and be, together with the licensee, responsible for any violation of the provisions of this Chapter which occurs in the operation of such a trailer park.

- B. With each application a park plan, indicating the information required in Section 415.050, entitled "Park Plan", shall be submitted to the City Manager for inspection and approval by the Director of Public Works. The application for license must include the name and address of the applicant, and a legal description and complete plan of the proposed park, containing the information required by Section 415.050.

Section 415.050. Park Plan. [CC 1961 §35.05; Ord. No. 192, 8-4-1943]

- A. A trailer park shall be located on a well drained site suitable for the purpose; shall have an entrance and exit well marked and easily controlled and supervised; shall have surfaced roads not less than eighteen (18) feet wide, well drained, plainly marked in the daytime, adequately lighted at night, and easily accessible to all trailer coaches; and walkways to the various buildings shall be surfaced and adequately lighted.
- B. The trailer coach park shall provide lots for each trailer coach, boundaries to be indicated by corner markers, with an area not less than eight hundred (800) square feet, with a minimum width of twenty (20) feet and a minimum depth of thirty-five (35) feet. Each trailer coach shall be located:
1. At least ten (10) feet from the building,
 2. At least as far from the building line as the nearest adjacent permanent building on the same lot, and
 3. At least five (5) feet from the property line.
- C. Adequate space shall be provided to afford:
1. Space for clothes drying adjoining laundry facilities,
 2. Locations for burning space, and
 3. A play space for children.
- D. The park plan required by Section 415.040 shall provide a legal description and map clearly setting out the following information:
1. The extent and area to be used for park purposes.

Section
415.050

Section
415.080

2. Driveways at entrances and exits, roadways and walkways.
3. Location of sites for trailer coaches.
4. Location and number of proposed sanitary conveniences, including proposed toilets, washrooms, laundries, laundry drying space, and utility rooms.
5. Method and plan of sewage disposal.
6. Method and plan of garbage removal.
7. Plan of water supply.
8. Plan of electric lighting.
9. Incinerator and burning space.
10. Children's play area.

Section 415.060. Zoning of Trailer Coaches and Trailer Parks. [CC 1961 §35.06; Ord. No. 192, 8-4-1943]

Trailer parks are prohibited within the City except as is permitted under the City zoning regulations.

Section 415.070. Water Supply. [CC 1961 §35.07; Ord. No. 192, 8-4-1943]

- A. A sufficient supply of pure, healthful drinking water, approved by the St. Louis County Department of Health, not more than two hundred (200) feet from any trailer coach shall be provided in convenient locations. No common drinking vessel shall be provided. Waste from this supply shall be emptied into a drain connected to an approved disposal system. An abundant supply of hot water shall be provided at all times for bathing, washing, and laundry facilities. There shall be no drinking water in toilet compartments.
- B. If the water is from a private source, it shall be tested for sanitary quality at intervals of ninety (90) days. Tests shall be made by a laboratory approved by the Health Commissioner. Tests shall be paid for by the permittee.

Section 415.080. Toilets. [CC 1961 §35.08; Ord. No. 192, 8-4-1943]

- A. The park shall provide flush toilets in conveniently located buildings not more than two hundred (200) feet from each trailer

Section
415.080

Section
415.100

coach. The buildings shall be well lighted at all times, ventilated with screened openings, and constructed of moistureproof material permitting satisfactory cleaning. The floors shall be concrete or similar material, slightly pitched to a floor drain.

- B. Toilets shall be enclosed in separate compartments, with fly doors, and have the minimum width of two (2) feet eight (8) inches. Toilets shall be provided for each sex in the ratio of one (1) toilet for every eight (8) females and one (1) toilet for every twelve (12) males.
- C. In addition, every male toilet room shall have one (1) urinal for each sixteen (16) males, but in no case shall any male toilet room be without one (1) urinal.
- D. Toilet rooms shall contain one (1) lavatory with hot and cold running water for each two (2) toilets, but in every case not less than one (1) lavatory with hot and cold running water in every toilet room.
- E. These accommodations shall be based on the total park capacity according to the accepted plans, and shall be computed on the basis of a minimum of three (3) persons to each trailer coach, with the sexes being assumed equal in number.

Section 415.090. Showers, Laundry and Utility Facilities. [CC 1961 §35.09; Ord. No. 192, 8-4-1943]

- A. Separate bathing facilities for each sex shall be provided not more than two hundred (200) feet from the most remote trailer coach. Each section shall contain one (1) shower for each eight (8) families, at least three (3) feet square, with a dressing compartment of nine (9) square feet.
- B. Laundry facilities shall be provided in the ratio of one (1) double tray and ironing board for each ten (10) trailer coaches. When ironing boards are provided, they shall be located in a separate space from the laundry trays.
- C. The construction of the showers, laundry and utility buildings shall be the same or similar to that designated for the toilets by Section 415.080.
- D. If no local means of collection of the trailer coach waste is provided, then slop sinks shall be provided, properly connected to the sewerage system at a maximum distance of not more than one hundred (100) feet from any trailer coach.

Section
415.100

Section
415.130

Section 415.100. Sewerage and Refuse Disposal. [CC 1961 §35.10; Ord. No. 192, 8-4-1943]

- A. Waste from showers, toilets, slop sinks and laundries shall be wasted into a public sewer system in such a manner as approved by the City of Berkeley Health Commissioner or into a private sewer and disposal plant or septic tank system approved by the Health Commissioner.
- B. All kitchen sinks, wash basins or lavatories, bath or shower tubs in any trailer coach located in any trailer park, shall empty into an approved receptacle or disposal system.
- C. Toilets and water closets, not connected with an approved disposal system, shall not be used, and it shall be further unlawful for any person to use or permit the use of such fixtures.

Section 415.110. Garbage Receptacles. [CC 1961 §35.11; Ord. No. 192, 8-4-1943]

The park shall provide supervision and equipment sufficient to prevent littering the ground with rubbish and debris. Flytight metal depositories, with tight fitting covers shall be conveniently located not farther than two hundred (200) feet from any trailer coach. Depositories shall be kept in sanitary condition at all times. Garbage and rubbish shall not be mixed.

Section 415.120. Registration. [CC 1961 §35.12; Ord. No. 192, 8-4-1943]

- A. The park shall keep a record of all guests, noting:
 - 1. Name and address of each occupant.
 - 2. License number of all units.
 - 3. State issuing such licenses.
- B. The park shall keep a copy of the registry available for inspection at any time by any authorized person, and shall not destroy such a registry until the expiration of twelve (12) months following the date of registration.

Section 415.130. Removal of Wheels. [CC 1961 §35.13; Ord. No. 192, 8-4-1943]

Any action towards the removal of wheels except for temporary purposes of repair, or other action to attach the trailer to the ground

Section
415.130

Section
415.160

by means of posts, piers, foundation or skirting, shall subject the trailer to the requirements of the City Building Code as well as this Chapter.

Section 415.140. Miscellaneous Provisions. [CC 1961 §35.14; Ord. No. 192, 8-4-1943]

All plumbing installation, alteration, or repair in the park shall be done in accordance with the provisions of the plumbing regulations of the City of Berkeley. All electrical work shall be in conformity with the Electrical Code of the City of Berkeley. No permanent additions of any kind shall be built onto or become a part of the trailer coach. It shall be the duty of the park attendant to notify immediately the Health Commissioner of any communicable disease in the park.

Section 415.150. Inspection. [CC 1961 §35.15]

- A. Before any renewal of trailer coach parking or trailer park license, an inspection shall be made by the Plumbing Inspector to determine that all the requirements of this Chapter have been complied with.
- B. Wherever in this Chapter certain duties or action are necessary on the part of the Health Commissioner, the City Manager may appoint some competent physician to investigate and report to the City Manager on any question or condition that may affect the health of the inhabitants of the City, if at such time the City is without a Health Commissioner.

Section 415.160. Revocation or Suspension of Permit. [CC 1961 §35.16]

- A. The Health Commissioner shall have the authority to enter and inspect for health and sanitation purposes, any facility licensed hereunder at any reasonable time.
- B. If, upon inspection, it shall be found that the permit holder has violated any provision of this Chapter, the Council shall have the power to revoke or suspend any license and order the trailer coach parking removed, or the trailer park closed after notice and proper hearing.