

ORDINANCE NO. _____

AN ORDINANCE AMENDING AND RE-ENACTING ARTICLE 21.40 AND ARTICLE 21.50 OF THE CITY CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING TO MOBILE HOME COMMUNITY LICENSE AND CAMPGROUND LICENSE

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF DICKINSON, NORTH DAKOTA, AS FOLLOWS:

Section 1: Article 21.40 of the City Code of the City of Dickinson is hereby amended and re-enacted as follows:

Chapter 21 LICENSES

Last updated May, 2023

Articles:

21.04 In General

21.08 Going out of Business, Fire and Bankrupt Sales - This Article was repealed with Ordinance No. 1312 (March 6, 2006)

21.12 Mobile Home Courts and Trailer Parks - This Article was repealed with Ordinance No. 1312 (March 6, 2006)

21.20 Authority to Sell Tobacco

21.30 Temporary Homeless Shelter

21.40 Mobile Home Community License

21.50 Campground License

Article 21.40 Mobile Home Community License and Campground License

Sections:

21.40.010 Definitions

21.40.020 Mobile Home Community License and Recreational Vehicle Park License

21.40.030 Application for License and Renewal; Fees

21.40.050 Park and/or Campground Standards

21.40.060 Certification Label

21.40.070 Appeal - ~~REPEALED~~

21.40.080 Diagram for Propane Placement

21.40.090 Suspension or revocation of license

21.40.100 Penalty for violations of this article

21.40.010. Definitions

In this article, unless the context or subject matter otherwise requires:

- A. All-Weather Rated shall mean a recreational vehicle that has a manufacturers installed enclosed and heated underbelly and is rated down to zero degrees for safe use in applicable weather and temperatures.

Commented [CW1]: Alphabetized

B. Campground means any parcel of land containing three or more lots intended for occupancy by travel trailers or tents.

C. Carport means a roofed structure, attached or detached, for protection of a vehicle or vehicles, which, if attached to the mobile home is open on at least two sides and, if detached, is open on two or more sides except for necessary roof supports.

A-D. Mobile Home means a structure meeting the definition of mobile home or Class A Mobile Home under Section 39.02.016(M) of this Code.

B-E. Mobile Home Lot means a designated parcel of land, as depicted on a park map or description maintained by the licensee, in a mobile home community designated for the accommodation of one mobile home and its accessory equipment, for exclusive use of the occupants of the mobile home.

C-F. Mobile Home Community means a mobile home community, park, or plot of ground under single ownership or management which has been planned and improved for the placement of mobile homes and meeting the definition of a mobile home park under Section 39.02.016(M) of this Code.

D-G. Recreational Vehicle means a vehicular unit primarily designed as temporary living quarters for recreational, camping, or travel use, which wither has its own motive power or is mounted on or drawn by another vehicle. The basic entities are travel trailer, camping trailer, truck camper, and motor home.

~~E-A. Campground means any parcel of land containing three or more lots intended for occupancy by travel trailers or tents.~~

F-H. Recreational Vehicle Lot means a plot of ground within a recreational vehicle park intended for the accommodation of a recreational vehicle, tent, or other individual camping unit on a temporary basis as depicted on a park map or description maintained by the licensee.

~~G-A. Carport means a roofed structure, attached or detached, for protection of a vehicle or vehicles, which, if attached to the mobile home is open on at least two sides and, if detached, is open on two or more sides except for necessary roof supports.~~

H-I. Service Building means a structure housing shower, bath, toilet, lavatory, and such other facilities as may be required by the North Dakota state plumbing code.

I-J. Tent means a collapsible shelter of canvas or other fabric stretched and sustained by poles and used for camping outdoors.

J-K. Temporary for the application of this Article shall mean a continuous period of time of up to 270 days.

~~K-L. All Weather Rated shall mean a recreational vehicle that has a manufacturer's installed enclosed and heated underbelly and is rated down to zero degrees for safe use in applicable weather and temperatures. (Ord. No. 1661§ 1)~~

21.40.020. Mobile home community license and recreational vehicle park license.

A. It is unlawful for any person to maintain or operate a mobile home community or campground without a valid license issued annually by the Building Official in the name of such person. All applications for licenses must be made to the Building Official and a license issued upon compliance by the applicant with provisions of this chapter.

B. Every person holding a license shall give notice in writing to the Building Official within 30 days after having sold, transferred, given away or otherwise disposed of

interest in or control of any mobile home community or campground. The notice shall include the name and address of the person succeeding to the ownership or control. (Ord. No. 1661§ 1)

21.40.030. Application for license and renewal; fees.

Application for a license for a mobile home community and/or campground must be filed with the Building Official. The application shall contain the following:

- A. Name and address of the applicant and the annual fee.
- B. The location and legal description of the mobile home community and/or campground showing all the mobile home lots, recreational vehicle lots, structures, roads and other service facilities.
- C. The annual fee for mobile home parks and recreational vehicle parks shall be set by resolution of the board of city commissioners.
- D. Any additional supporting documentation requested by the Building Official to document compliance with this article.

Applications for renewal of licenses must be made on forms issued by the Building Official and must be accompanied by the required fee and contain any change in the information submitted since the original license was issued or the latest renewal granted. (Ord. No. 1661§ 1)

21.40.040. Term of license.

Every license issued under the provisions of this chapter is valid for the period of January 1st of each year through December 31 of that year. Licenses must be posted in the office or on the premises of the mobile home community at all times. Any license issued after January 1st of any year shall be valid only until the following December 31st. (Ord. No. 1661§ 1)

21.40.050. Park and/or campground standards.

In addition to the standards located in Chapter 39 of the Dickinson Municipal Code, each licensee shall comply with the following:

- A. The limits of each lot must be marked or clearly defined on the ground. The lot limits must be the same as shown on accepted plans. All lots must be placed in compliance with applicable floodplain requirements.
- B. A mobile home lot must be improved to provide adequate support for placement. The lot may not heave, shift or settle unevenly under the weight of the mobile home due to inadequate drainage. The lot must be graded to provide drainage away from the mobile home. Permanent foundations shall comply with the requirements of the city building code.
- C. Street Standards: Streets in mobile home parks shall be maintained as follows:
 - 1. For any mobile home parks created or expanded after the date of this ordinance all streets shall be paved, such paved streets must meet standards otherwise required in the Dickinson Municipal Code and approved by the City Engineer.
 - 2. For any streets existing in mobile home parks as of the date of enactment of this ordinance, streets that are currently paved must be maintained in good condition and unpaved streets must be constructed or repaired so as to maintain or provide a hard surface adequate to support imposed loads of at least 75,000 in all

- weather conditions by the licensee within 12 months of the date of enactment of this ordinance.
3. Subsequent to the 12 month period provided for compliance under subsection 2, licensees shall maintain all streets as otherwise required by this section and shall repair any street deficiencies within a reasonable time after discovery.
- D. The connection of water, fuel, sanitary sewer and electrical service must be under the supervision of the mobile home community or campground owner or operator or a qualified representative of the utility company supplying fuel or electrical service. A mobile home may not be occupied before an inspection is conducted by the building official of the following items, as applicable, to insure ordinance compliance:
1. Water and sanitary sewer connections;
 2. The electrical service conductors;
 3. The placement of the home to insure sideyard and setback requirements;
 4. A gas line test conducted by the owner or seller of the mobile home unit and certified by the building official;
 5. Heating appliances for transportation damages;
 6. Blocking to approved standards;
 7. The home is secured by approved tie-downs.
- E. Electrical service for each new or altered mobile home or recreational vehicle lot, as applicable, must comply with North Dakota State Electrical Code. Each existing lot must be provided with an electrical service of adequate size to serve the load.
- F. Fuel supply.
1. Gas equipment and installation within a mobile home community and/or campground must be designed and constructed in accordance with the provisions of the city or state code. Each lot must be provided with an accessible, listed gas shutoff valve. The valve may not be located under the mobile home. The connector between the gas supply line and the mobile home must be an approved listed flexible mobile home connector of sufficient capacity to supply gas to the connected load.
 2. Fuel oil equipment and supply must be designed and installed in accordance with the International Fire Code, as adopted by the city.
 3. Propane Use and Placement shall be in compliance with the Fire and Building Code adopted by the City. A diagram describing set-back requirements is included under Section 21.040.080.
- G. A mobile home community must be provided with an adequate supply of potable water complying with the state health department standards for drinking and domestic use.
- H. Each mobile home lot must be provided with sanitary sewer and water connections. Such plumbing facilities shall conform to the North Dakota State Plumbing Code, as adopted by the City.
- I. Any buildings housing toilet rooms and/or laundry facilities must be a permanent structure. The interior surfaces must be moisture resistant and readily cleanable. Such structures shall meet the requirements of the city building code, and North Dakota Century Code Ch. 23-10.
- J. Accessory buildings.
1. Accessory buildings and carports must be of standard construction and shall meet the requirements of the city building code. An attached entryway may not

obstruct any required exit from the mobile home. No more than one entryway is allowed for each mobile home.

2. Individual storm shelters are permitted provided they meet the requirements of the city building code and the consent of the Building Official has been obtained. Such shelters may not be included in lot coverage requirements of the zoning ordinances or be counted as an accessory building to the mobile home lot.
 3. A mobile home park or community owner shall submit an Emergency Management Plan to the Building Official, and make such plan available to all residents of the mobile home community.
 4. Accessory structures must be attached to proper foundations. Exceptions to foundations may be granted by the building official provided the methods used shall render them rodent proof and resistant to wind damage.
 5. Accessory buildings may not be constructed without building permits.
 6. Accessory storage or utility structures shall comply with setback and sideyard requirements of the zoning ordinances.
- K. Occupants and Pet Lists
1. Occupancy record. The owner or manager of a mobile home park and/or campground shall maintain a current record of the names of the occupants of the park or campground.
 2. Pet record. The owner or manager of a mobile home park and/or campground shall maintain a current record of the names of the occupants of the park or campground that maintain pets, and the number and type of pets present.
- L. Temporary and Tie Down requirements for Recreational Vehicles:
1. The licensee shall require any recreational vehicle present in a mobile home and/or campground to be secured to the ground or tied down if such vehicle remains in the park or campground for a period meeting or exceeding 30 days. The licensee shall not permit a recreational vehicle to remain in the park or campground for a continuous period exceeding 270 days. The licensee shall certify that any recreational vehicle present in the park or campground between the months of December through February shall be All-Weather rated. The licensee shall retain a list of occupant compliance with this section. (Ord. No. 1661 § 1)

21.40.060. Certification label.

Each mobile home shall be affixed with a permanent label certifying that the mobile home complies with the requirements of the U.S. Department of Housing and Urban Development and is constructed in conformance with the federal mobile home construction and safety standards. Licensee to retain a list of occupant compliance with this section. (Ord. No. 1661 § 1)

21.40.070. Appeal - REPEALED

~~Any licensee aggrieved by a determination of City staff relating to compliance with this section may appeal such determination in accordance with Appeals shall be conducted in accordance with the requirements of Article 21.04 of the City Code. (Ord. No. 1661 § 1)~~

21.040.080. Diagram for Propane Placement

The diagram for propane placement shall be determined by the Mechanical Code as adopted under Chapter 7. (~~Diagram to be added~~).--(Ord. No. 1661§ 1)

Section 21.040.090 Suspension or revocation of license

The City may deny an application or take disciplinary action, up to and including suspension of a license for a mobile home park or recreational vehicle park, and revocation of a license for a recreational vehicle park, against any applicant or licensee upon the failure of the applicant or licensee to comply with this chapter or with any of the rules and regulations promulgated by the City. Before the City takes disciplinary action against a license, the City shall notify the licensee in writing of the reason disciplinary action is being considered and shall provide a reasonable amount of time for correction to be made. An applicant or licensee may request a hearing with the Board of Appeals in accordance with Article 21.04 of the City Code. Should the corrective action not be taken within the time prescribed by the City or a hearing not be requested by the applicant or licensee, the City may move forward disciplinary action.

Section 21.040.100 Penalty

Any person who maintains or operates a mobile home park or recreational vehicle park without first obtaining a license, or who operates the same during suspension of the license, is guilty of a Class B misdemeanor.

Formatted: Font: Bold

Section 2: Article 21.50 of the City Code of the City of Dickinson is hereby amended and re-enacted as follows:

Article 21.50 Campground License

Sections:

- 21.50.010 Definitions**
- 21.50.020 Campground License**
- 21.50.030 Application for License and Renewal; Fees**
- 21.50.050 Campground Standards**
- 21.50.060 Appeal - ~~REPEALED~~**
- 21.60.070 Diagram for Propane Placement**
- 21.60.080 Suspension or revocation of license**
- 21.60.090 Penalty for violation of article**

21.50.010. Definitions.

In this article, unless the context or subject matter otherwise requires:

- A. All-Weather Rated shall mean a recreational vehicle that has a manufacturers installed enclosed and heated underbelly and is rated down to zero degrees for safe use in applicable weather and temperatures.
- B. Campground means any parcel of land containing three or more lots intended for occupancy by recreational vehicles, travel trailers or tents.
- C. Campground Lot means a plot of ground that is a minimum of 1500 square feet, within a campground intended for the accommodation of a recreational vehicle, tent, or other individual camping unit on a temporary basis as depicted on a park map or description maintained by the licensee.

- D. Recreational Vehicle means a vehicular unit primarily designed as temporary living quarters for recreational, camping, or travel use, which has its own motive power or is mounted on or drawn by another vehicle. The basic entities includes a travel trailer, camping trailer, truck camper, and motor home.
- E. Service Building means a structure housing shower, bath, toilet, lavatory, and such other facilities as may be required by the North Dakota state plumbing code.
- F. Temporary for the application of this Article shall mean a continuous period of time of up to 270 days, with a minimum of 30 days absence before another continuous period shall start.
- G. Tent means a collapsible shelter of canvas or other fabric stretched and sustained by poles and used for camping outdoors. (Ord. No. 1665 § 1)

21.50.020. Campground license.

- A. It is unlawful for any person to maintain or operate a campground without a valid license issued annually by the City in the name of such person. All applications for licenses must be made to the Building Official and a license issued upon compliance by the applicant with provisions of this chapter.
- B. Every person holding a license shall give notice in writing to the Building Official within 30 days after having sold, transferred, given away or otherwise disposed of interest in or control of any campground. The notice shall include the name and address of the person succeeding to the ownership or control. (Ord. No. 1665 § 1)

21.50.030. Application for license and renewal; fees

Application for a license for a campground must be filed with the Building Official. The application shall contain the following:

- A. Name and address of the applicant and the annual fee.
- B. The location and legal description of the campground showing all of the campground lots, structures, roads and other service buildings located on the property.
- C. The annual fee for campgrounds shall be set by resolution of the board of city commissioners.
- D. Any additional supporting documentation requested by the Building Official to document compliance with this article.

Applications for renewal of licenses must be made on forms issued by the Building Official and must be accompanied by the required fee and contain any change in the information submitted since the original license was issued or the latest renewal granted. (Ord. No. 1665 § 1)

21.50.040. Term of license.

Every license issued under the provisions of this chapter is valid for the period of January 1st of each year through December 31 of that year. Licenses must be posted in the office or on the premises of the campground at all times. Any license issued after January 1st of any year shall be valid only until the following December 31st. (Ord. No. 1665 § 1)

21.50.050. Campground standards.

In addition to the standards located in the Dickinson Municipal Code, including Chapter 39, each licensee shall comply with the following standards as applicable to a Campground:

- A. Lot Limits. The limits of each campground lot must be marked or clearly defined. The lot limits must be the same as shown on accepted plans, and be in compliance with applicable municipal, state, and federal requirements. A 10 foot separation must exist between any recreational vehicle or tent.
- B. Campground Street Standards: Streets in campgrounds shall be maintained as follows:
 - 1. For any campgrounds created or expanded after the date of this ordinance, all streets shall be paved, such paved streets must meet standards otherwise required in the Dickinson Municipal Code and approved by the City Engineer.
 - 2. For any campgrounds existing as of the date of enactment of this ordinance, streets that are currently paved must be maintained in good condition and unpaved streets must be constructed or repaired so as to maintain or provide a hard surface adequate to support imposed loads of at least 75,000 in all weather conditions by the licensee within 12 months of the date of enactment of this ordinance.
 - 3. Subsequent to the 12 month period provided for compliance under subsection 2, licensees shall maintain all streets as otherwise required by this section and shall repair any street deficiencies within a reasonable time after discovery.
- C. Water, fuel, sanitary sewer, and electrical connections. The connection of any water, fuel, sanitary sewer and electrical service must be under the supervision of the campground owner or operator or a qualified representative of the utility company supplying fuel or electrical service, and must comply with municipal, state, and federal requirements.
- D. Propane supply.
 - 1. In addition to a manufacturer installed or permitted propane tank on a recreation vehicle occupying a campground lot is subject to the following requirements: 1 additional external propane tank not to exceed 120 gallons is permitted on a campground lot.
 - 2. Any Propane Use and Placement shall be in compliance with the Fire and Building Code adopted by the City. A diagram describing set-back requirements is included under Section 21.050.070.
- E. A campground must be provided with an adequate supply of potable water complying with the state health department standards for drinking and domestic use in accordance with North Dakota Century Code section 23-10-07.
- F. Any Service Building located in the Campground must meet the requirements of the City Code, and North Dakota Century Code section 23-10-07.
- G. Emergency Management Plan. A campground owner shall submit an Emergency Management Plan to the Building Official, and make such plan available to all occupants of the campground.
- H. A Campground owner or manager shall not permit the construction or installation of accessory buildings, structures, or other non-manufacturer installed accessory structures attached to recreational vehicles on Campground lots by occupants.

- I. Occupancy record. The owner or manager of a Campground shall maintain a current record of the names of the occupants in accordance with North Dakota Century Code section 23-10-09.
- J. The owner or manager of a campground shall not permit a recreational vehicle to remain in the park or campground for a continuous period exceeding 270 days. The owner or manager of a campground shall certify that any recreational vehicle present in the campground between the months of December through February shall be All-Weather rated. The owner or manager shall retain a list of occupant compliance with this section. (Ord. No. 1665 § 1)

21.50.060. Appeal REPEALED-

~~Any licensee aggrieved by a determination of the Building Official relating to compliance with this section may appeal such determination to the Building Board of Appeals within 20 days of the date the licensee was notified by the Building Official of the non-compliance. (Ord. No. 1665 § 1)~~

21.050.070. Diagram for Propane Placement.

~~The diagram for propane placement shall be determined by the Mechanical Code as adopted under Chapter 7. (Diagram to be added). (Ord. No. 1665 § 1)~~

Section 21.60.080 Penalty for violation of article

~~The City may deny an application or take disciplinary action, up to and including suspension of a license for a campground, and revocation of a license for a campground, against any applicant or licensee upon the failure of the applicant or licensee to comply with this chapter or with any of the rules and regulations promulgated by the City. Before the City takes disciplinary action against a license, the City shall notify the licensee in writing of the reason disciplinary action is being considered and shall provide a reasonable amount of time for correction to be made. An applicant or licensee may request a hearing with the Board of Appeals in accordance with Article 21.04 of the City Code. Should the corrective action not be taken within the time prescribed by the City or a hearing not be requested by the applicant or licensee, the City may move forward disciplinary action.~~

Section 21.06.090

~~Any person who maintains or operates a campground without first obtaining a license, or who operates the same during suspension of the license, is guilty of a Class B misdemeanor.~~

Section 3: Repeal of Ordinances in Conflict. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 4: Severability. In the event any section of this Ordinance is held invalid by court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Chapter shall continue in full force and effect.

Section 5: Effective Date: This Ordinance shall be in full force and effect upon final passage.

Formatted: Indent: First line: 0.5"

Formatted: Font: Bold

Scott Decker, President
Board of City Commissioners

ATTEST

Dustin Dassinger, City Administrator
First Reading: _____ 2024
Second Reading: _____ 2024
Final Passage: _____ 2024

