

Chapter 16

MOBILE HOMES AND TRAILERS*

- Art. I.** In General, §§ 16-1—16-15
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ARTICLE I. IN GENERAL

Secs. 16-1—16-15. Reserved.

ARTICLE II. MOBILE HOME PARKS†

Sec. 16-16. Compliance with state Mobile Home Commission Act.

All mobile home developments shall comply with Act 419 of 1976 (MCL 125.1101 et seq.), as amended.

(Code 1969, § 114.27(B))

Sec. 16-17. Permit required.

No land shall hereafter be utilized for the erection, construction, operation or maintenance of a mobile home park as defined by state law, except on application for a permit and approval from the city signed by the person seeking the permit and by the owner and legal title holder of the property to be used for the purpose. No site may be occupied by other than self-contained trailers as defined by state law.

(Code 1969, § 114.20)

State law reference—Mobile home park defined, MCL 125.1102.

Sec. 16-18. Plans and sketches required.

Every application for a permit shall be accompanied with a sketch or plan indicating the location of roadways, mobile home sites, sanitary requirements, service facilities, and the like, and in sufficient detail to allow the city to determine compliance with the various sections of this article. All applications shall be submitted to the planning commission for approval of the permit.

(Code 1969, § 114.21)

***Cross references**—Buildings and building regulations, Ch. 6; fences and hedges, Ch. 11; flood damage prevention, Ch. 13; garbage and waste, Ch. 14; parks and recreation, Ch. 19; planning, Ch. 21; streets, sidewalks and other public places, Ch. 24; subdivision regulations, Ch. 25; traffic and motor vehicles, Ch. 27; utilities, Ch. 28; zoning, App. A.

State law references—State law references—Mobile Home Commission Act, MCL 125.1101 et seq.; campgrounds, MCL 333.12501 et seq.

†State law reference—Mobile Home Commission Act, MCL 125.1101 et seq.

Sec. 16-19. General park site and development standards.

(a) All mobile home parks shall have at least one property line abutting a thoroughfare having an existing or planned right-of-way as indicated on the city's thoroughfare plan.

(b) All park sites shall be well drained and so graded as to ensure rapid drainage and prevent the accumulation of stagnant pools of water.

(c) The park site shall contain sufficient land to provide sites for at least forty (40) mobile homes.

(Code 1969, § 114.22)

Sec. 16-20. Roadways and pavement widths.

(a) All roadways in a mobile home park shall be paved with a dust-free, hard surface.

(b) Drives and other principal or collector roads, as determined by the city shall have a minimum width of thirty (30) feet or any larger width as may be determined by the planning commission and city engineer. Entrance-way pavements separated by an island or planting area shall have a minimum width of twenty (20) feet in each direction.

(c) All access to a mobile home park site shall be from a major or secondary thoroughfare, as shown on the city's major thoroughfare plan, except that where in the opinion of the city, additional points of access are needed for adequate fire protection and other public services, they shall be permitted and required.

(d) All local roadways with the mobile home park shall be constructed thirty (30) feet in width, of which twenty-four (24) feet dust-free, hard surfaced material, the outer three (3) feet on each side of the pavement may be constructed for pedestrian circulation.

(e) The local roadway system shall be so designed as to prevent the use of the roadway for through traffic.

(f) Culs-de-sac, when utilized, shall not exceed two hundred fifty (250) feet in length. This maximum length may be exceeded, however, where in the opinion of the city physical conditions justify and warrant a greater length.

(g) All roadways within the property are to be private roads for the trailer court site. All construction and maintenance shall be the responsibility of the owner.

(Code 1969, § 114.23)

Sec. 16-21. Recreation space, greenbelts and landscaping.

(a) There shall be provided a recreation area equivalent to not less than five hundred (500) square feet for each mobile home site in the mobile home park or one acre, whichever is the greater. Each recreation or open space area shall have a minimum area of not less than

twenty thousand (20,000) square feet, and shall be seeded or sodded with grass or lawn and landscaped with trees and shrubs and thereafter maintained so as to provide a utilitarian and healthful area for the residents of the mobile home park.

(b) A greenbelt planting strip of not less than ten (10) feet in width shall be placed or located along the perimeter of the mobile home park where it abuts a public right-of-way or an area zoned in any other residential classification. The greenbelt shall be developed with a mixture of hardy deciduous and coniferous plant material and maintained thereafter in a neat and orderly manner. Withered or dead plant material shall be replaced within a reasonable period of time but no longer than one growing season.

(Code 1969, § 114.24)

Sec. 16-22. Sanitary and service facilities.

(a) Each mobile home park and individual mobile home site shall be serviced and connected to a public water and sanitary sewer system having adequate capacity to serve the proposed development.

(b) Permits for the construction of water mains and sewer lines shall be obtained from the city following the review and approval of the plans and specifications by the state department of public health.

(c) All energy and telephone lines, within the mobile home park shall be installed underground and in accordance with policies, specifications and other requirements of the specific public utility company involved.

(d) The use of individual fuel oil or propane gas storage tanks to supply each mobile home separately is prohibited.

(e) A central storage tank or tanks for fuel oil or propane gas shall be placed in an area no closer than fifty (50) feet to any occupied dwelling and surrounded by a six (6) foot woven steel fence with a locked gate.

(f) All energy supply systems shall be so designed and installed as to meet current standards of health and safety.

(g) Street and yard lights, attached to standards approved by the city, shall be approved in sufficient number and intensity to permit the safe movement of vehicles and pedestrians at night, shall be provided and effectively related to buildings, trees, walks, steps and ramps.

(h) Facilities for the storage and disposal of trash and garbage in a sanitary manner shall be provided in each mobile home park, and in accordance with state law. The manner in which this service is to be provided must be in accordance with the policies of the city applicable to developments with similar residential unit densities.

(i) All sanitary and service facilities (including sewers, water lines, and garbage storage and removal) provided within the boundaries of the park shall be the responsibility of the owner for installation, maintenance and replacement.

(Code 1969, § 114.25)

Sec. 16-23. Individual mobile home site standards and requirements.*(a) Minimum site size and yard requirements:*

- (1) All mobile home sites shall have a minimum area of at least three thousand four hundred (3,400) square feet with the exception of double wide sites which shall have a minimum area of four thousand (4,000) square feet. The area of such mobile home site shall be computed exclusive of service roads, other required facilities and recreation space. All sites shall have a minimum of forty (40) feet of frontage along the roads.
- (2) There shall be required front, side and rear yards, free and clear of structures and open to the sky, excepting required utility meters and the like, in the following minimums:
 - a. Side yard: three (3) feet one side, total twenty (20) feet.
 - b. Front yard: twenty (20) feet.
 - c. Rear yard: ten (10) feet.

(b) Parking:

- (1) There shall be provided a minimum of two (2) parking spaces per mobile home site. At least one parking space shall be located within the immediate proximity of the mobile home site but not within the required roadway or front yard space heretofore mentioned. The remaining required parking spaces equal to one for every one mobile home site may be provided in one or more parking compounds conveniently located and readily accessible to the sites which they are intended to serve.
- (2) Each parking space shall have a minimum width of eight (8) feet and twenty (20) feet in depth. All parking spaces, parking compounds, connections to roadways shall be surfaced with an asphaltic, concrete or dust-free, hard surfacing, such facilities shall be so drained so as to dispose of all surface water accumulated in the parking area within the confines of the parking area.

(c) Plumbing and utility standards:

- (1) Only mobile homes with toilet and plumbing fixtures approved by the National Underwriters or the American Standards Association shall be permitted.
- (2) All plumbing fixtures shall be connected to the aforementioned public sanitary sewer in accordance with the specifications and standards of the state department of public health.
- (3) When separate meters are installed for electric, gas or oil readings, each meter shall be located on a uniform standard post of uniform height. Wiring, piping and meters shall be those prescribed and installed in accordance with the requirements of the utility company involved.

- (d) *Utility cabinets.* Each mobile home may be provided with one utility cabinet, which

shall be uniform as to size, material and location throughout the mobile home park site. All cabinets shall be kept clean and shall be maintained in good condition and kept painted.

(e) *Skirting, canopies and awnings:*

- (1) Each mobile home must be skirted within ninety (90) days after establishment in a mobile home park.
- (2) When a mobile home is skirted, the skirting shall be so constructed and attached to the mobile home so as to deter and prevent the entry of rodents, flies, bugs or other insects.
- (3) Canopies and awnings may be attached to any mobile home and be enclosed and used for recreation or sunroom purposes but not as a bedroom or sleeping quarters. Canopies or awnings must be made of materials which may be screened or glassed in with visual contact from three (3) sides, but shall not exceed twelve (12) feet in width, length or height of the mobile home.
- (4) A permit shall not be required for construction or erection of canopies or awnings which are open on three (3) sides. However, a permit shall be required before construction or erection of any screened, glassed-in or otherwise enclosed awning or canopy.
- (5) Permits for the construction or erection of enclosed canopies and awnings shall be required from the building department.

(f) *Pads, mats or platforms.* Each mobile home site shall be provided with a hard surfaced, dust-free mat or platform. Minimum pad dimensions for single mobile homes shall be twelve (12) feet by fifty (50) feet, and for double wide mobile homes, twenty-four (24) feet by fifty (50) feet, not including required parking area.

(g) *Fire extinguishing equipment.* Every mobile home park shall be equipped at all times with fire extinguishing equipment in good working order, of such type, size, and number and so located within the park as to satisfy applicable regulations of the state fire marshal. No open fires shall be permitted at any place which may endanger life or property. No fires shall be left unattended at any time.

(Code 1969, § 114.26)

Sec. 16-24. Enforcement.

The city building official or other agents authorized by the city are hereby granted the power and authority to enter upon the premises of the mobile home park or site at any time for the purpose of determining or enforcing any provision of this article or any other city ordinance applicable to the conduct and operation of mobile home parks.

(Code 1969, § 114.27(A))

Secs. 16-25—16-35. Reserved.

ARTICLE III. TRAILERS*

Sec. 16-36. Purpose.

This article is for the purpose of preserving the peace, health and safety of the residents of the city and the surrounding community.

(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-37. Definitions.

The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them:

Boat shall mean a vessel propelled by oars or paddles or by sail or power.

Boulevard shall mean the space between the inside of the curb and edge of the sidewalk located within the public right-of-way.

Business trailer shall mean a trailer used for business purposes and not occupied as living quarters.

Nonmotorized recreation vehicle shall mean a towable recreational vehicle that can be unhitched. Examples include conventional travel trailer, fifth-wheel travel trailers, travel trailers with expandable ends, folding camping trailers. Pickup camper shells that have been removed from the vehicle and stored are considered nonmotorized recreational vehicles.

Recreational vehicle shall have the same meaning as trailer coach.

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

Trailer coach shall mean 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 or more persons and is designed for vacation or recreational purposes and having no other foundation than wheels, jacks or skirting.

Trailer coach storage area shall mean any lot, field or tract of land used for the storage of unoccupied trailer coaches.

(Ord. No. 1132, Ch. I, 3-21-13)

Cross reference—Definitions and rules of construction generally, § 1-2.

***Editor's note**—Ord. No. 1132, Ch. I, adopted Mar. 21, 2013, amended Art. III in its entirety to read as herein set out. Former Art. III, §§ 16-36—16-45, pertained to similar subject matter, and derived from: Code 1969, §§ 114.01—114.05, 114.08—114.12.

State law reference—Campgrounds, MCL 333.12501 et seq.

Sec. 16-38. Enforcement.

It shall be the duty of the department of public safety or the community preservation department through its proper officials and agents, to enforce the provisions of this article.
(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-39. Parking of nonmotorized recreational vehicles, recreational vehicles/ travel coaches, boats and trailers in residential zoning districts.

Boat trailers, business trailers, nonmotorized recreational vehicles, recreational vehicles, trailers and trailer coaches (as defined in section 16-37 Definitions of this chapter) may be parked in the street, avenue or road on a temporary basis, as follows:

- (1) For a period not to exceed forty-eight (48) hours prior to a trip for purpose of loading, unloading, and cleaning or twenty-four (24) hours following a trip.
- (2) Not parked directly across the street from another boat trailer, business trailer, nonmotorized recreational vehicle, recreational vehicle, trailer and trailer coach.
- (3) In front of the owner's residence and not across the street or in front of any other person's residence.
- (4) A sight distance clearance at junctures of streets, alleys, driveways and any combination thereof of twenty-five (25) feet must be maintained. The site distance triangle is determined by measuring twenty-five (25) feet along each curb or edge of pavement from the juncture of the streets, alley, etc., forming two (2) sides of a triangle, with the third side connecting the ends of the two (2) lines.

(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-40. General living purposes restricted.

No boat, business trailer, nonmotorized recreational vehicle, recreational vehicle or trailer coach shall be used for living purposes in any district to include any right-of-way including a boulevard.

(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-41. Business use of trailers.

A business trailer, not used as living quarters, may be parked indefinitely in commercial or manufacturing districts, provided setback and storage requirements are met.

(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-42. Plumbing fixtures.

All kitchen sinks, wash basins or lavatories, bath or shower tubs in any trailer coach shall empty into an approved receptacle or disposal system. No toilet or water closet in any trailer coach shall be used except in accordance with the state department of public health regulations.

(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-43. Trailers displayed for sale; no permit required.

A permit will not be necessary for a trailer displayed for sale by a licensed motor vehicle dealer in commercial or manufacturing district.

(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-44. Removal of wheels from trailers; application of building code.

Any action towards removal of wheels except for temporary purposes of repair, or for storage in specifically designated trailer coach storage areas, as provided in section 16-22 or any other action to attach the trailer to the ground by means of posts, piers or foundation, shall subject the trailer to the requirements of the building code as well as this article.

(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-45. General storage.

Storage of boat trailers, business trailers, recreational vehicles, trailers and trailer coaches must be maintained in a structurally safe condition and not permitted to become unsafe by reason of inadequate maintenance, dilapidation, obsolescence or abandonment. No person shall park or store any recreational vehicle that does not carry a current year license and/or registration.

(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-46. Front yard space.

Storage of boat trailers, business trailers, recreational vehicles, trailers and trailer coaches may not occupy front yard space or boulevard other than in a bonafide driveway or permanent parking pad which is incorporated into a bonafide front yard driveway. No portion of a parked trailer shall approach nearer to a side lot line than five (5) feet.

(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-47. Side yard storage.

Storage of boat trailers, business trailers, recreational vehicles, trailers and trailer coaches may occupy that portion of the side yard which is in excess of the primary building side yard requirements. No portion of any stored trailer shall approach nearer to a side lot line than three (3) feet.

(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-48. Rear yard storage.

Storage of boat trailers, business trailers, recreational vehicles, trailers and trailer coaches may occupy that portion of the rear yard which is in excess of the primary building rear yard requirements. On a corner lot, storage of boat trailers, business trailers, recreational vehicles, trailers and trailer coaches shall not occupy any part of that portion of the rear yard lying

nearer to the street than the width of the side yard required for the same lot and abutting on such street. No portion of any stored trailer shall approach nearer to a rear lot line than five (5) feet.

(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-49. Safety hazard.

A boat trailer, business trailers, nonmotorized recreational vehicles, trailer and trailer coach parked on a public right-of-way shall be moved upon the request of a public safety officer when the officer has deemed the boat trailer, business trailer, recreational vehicle, trailer or trailer coach as parked to be a traffic or safety hazard. All public sidewalks, nonmotorized bike paths and similar rights-of-way shall be maintained free from power cords, hoses or similar trip hazards. No portion of any boat trailer, business trailer, nonmotorized recreational vehicle, trailer or trailer coach shall encroach into or over a public right-of-way.

(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-50. Notice to owner or to person or persons responsible.

Whenever the code official or department of public safety has determined that there has been a violation or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible.

Such notice prescribed in section 16-50 shall:

- (1) Be in writing;
- (2) Include a description of the real property sufficient for identification;
- (3) Include a statement of the reason or reasons why the notice is being issued; and
- (4) Include a correction order allowing a reasonable time to compliance with the provisions of this article.

(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-51. Appeal.

Any person withstanding, aggrieved or affected by any decision of the department of public safety, or the code official or their agent(s) shall be permitted to appeal to the traffic safety advisory board or board of appeals by written request. An appeal shall only be considered if filed with three (3) working days after the cause arises or the appeal shall not be considered. If such an appeal is not made, the decision of the public safety department or code official or their agent(s) shall be considered final. An appeal stays all proceedings from further action unless there is immediate danger to public health and safety.

(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-52. Process and procedure.

The traffic safety advisory board or the board of appeals shall follow such procedures as are established by statute, ordinance and resolution of the board(s). These procedures shall include:

- (1) *Appeals generally.* For purposes of these rules of procedure, an appeal shall include applications for appeals, interpretations, variances, exceptions and matters involving nonconforming matters.
- (2) *Initiating appeals.* Appeals shall be filed with the city clerk within three (3) working days after written notice is given of the action being appealed. An appeal must be submitted at least fifteen (15) business days before the board meeting at which it will be considered. A petition for variance may be initiated only by the owner of the affected property, an agent authorized in writing to act on the owner's behalf, or a person having a written contractual interest in the affected property.
- (3) *Filing fees.* The filing fee for appeals shall be established by resolution of the city council.
- (4) *Advertisements.* One advertisement in a local newspaper of general circulation indicating the nature of the appeal and the date of the hearing will be placed between seven (7) and twenty (20) days before the hearing. A minor deviation in the notice published in the newspaper or in the time of appearance of such notice in the newspaper shall not affect the validity of the proceedings of the board unless there is a clear demonstration of prejudice as a result of such minor deviation.
- (5) *Application contents.* In addition to all other requirements of statute and ordinance, applications shall be on a form determined by the city clerk. Such applications shall also include the following:
 - a. A site plan or site diagram reflecting accurate dimensions of the property, the location of structures on the property and the location of buildings on adjacent properties.
 - b. The name, address and telephone number of the applicant and the authorized agents of the applicant.
 - c. The application must be signed by the owner or someone acting upon written consent of the owner, which written consent must be submitted with the application.
 - d. All previous appeals involving the property noted on the application as to the subject, date and outcome of the appeal.
- (6) *Conflict of interest.* Members shall disqualify themselves from deliberating and voting on any matter in which a member has any personal, professional, or financial interest (direct or indirect). Before deliberating any appeal, the chairperson shall ask if any member has such a conflict. Any member must clearly state the conflict for the record.

- (7) *Representation at hearing.* The applicant or the applicant's authorized agent must be present at the public hearing to properly answer questions concerning the appeal. If the applicant or agent is not present, the appeal may be deferred until the next meeting or dismissed, at the direction of the board.
- (8) *Reconsideration.* An applicant may re-appeal a decision after twelve (12) months from the decision of the board. The board will not reconsider any appeal within twelve (12) months from the date of the decision unless it can be shown by the applicant that there have been substantially changed circumstances affecting the appeal, which circumstances were not known to the board at the previous hearing. The substantial change in circumstances shall be described, in writing, by the applicant at the time of the application.

(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-53. Notice.

The traffic safety advisory board or the board of appeals shall fix a reasonable time for the hearing of the appeal and give due notice thereof to all persons to whom any real property within three hundred (300) feet of the premises in question is assessed, and to the occupants of within three hundred (300) feet. The notice shall be delivered personally or by mail addressed to the respective owners and tenants at the address given in the latest assessment role, at least five (5) days before the hearing of an appeal. If a tenant's name is not known, the term occupant will be used. Upon the hearing, a party may appear in person, or by agent, or by attorney. Meetings of the traffic safety advisory committee or the board of appeals shall be held at the call of the department of public safety or the community preservation department or their agent(s) and at such other times as the board(s) may determine. There shall be a fixed place of meeting and all meetings shall be open to the public. The board(s) shall follow rules of procedure and keep a public record of its proceedings showing the action of the board(s) and the vote of each member upon each question considered. The presence of four (4) members shall be necessary to constitute a quorum and a majority vote of the members of the board(s) shall be necessary to reverse an order, requirement, decision or determination of an administrative official or to decide in favor of the applicant in the case of a variance, exception or interpretation, except that the concurring vote of four (4) of the members shall be necessary to grant a variance permitted by this article.

(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-54. Board power.

The board(s) shall have the power to hear and decide on appeals where it is alleged that there is an error in any order, requirement, decision, determination or interpretation by the department of public safety or the code official or their agent(s). The traffic safety advisory board or the board of appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination of appeal from and shall make an order, requirement, decision, or determination as in the board's opinion ought to be made in the premises. If there are practical difficulties or unnecessary hardship in carrying out the strict letter of the

ordinance, the traffic safety advisory board or the board of appeals may, in passing on appeals, grant a variance in any of the provisions relating to the use of land so that the spirit of the ordinance shall be observed, public safety secured, and substantial justice done. Any person, whether or not a previous party of the appeal, shall have the right to appeal to the city council any determination or decision of the traffic safety advisory board or the board of appeals if such appeal is made to the city council within ten (10) days after rendering the decision.

(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-55. Variance review criteria.

(a) The board(s) shall have the power to authorize specific variances or departures from this article, if all of the basic conditions are satisfied, and if there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this article. A variance from the requirements of this article may only be granted if it is determined that all basic conditions have been satisfied and that there is a practical difficulty in carrying out the requirement.

(b) *Basic conditions.* Any variance granted from this article shall meet the following basic conditions:

- (1) The spirit of the ordinance shall be observed, public safety secured and substantial justice done.
- (2) There is no substantial adverse effect upon property values in the immediate vicinity or in the district.
- (3) The difficulty or hardship relating to the property is not so general or recurrent in nature that the formulation of a general regulation for such conditions is preferable.
- (4) The practical difficulties or unnecessary hardships are unique to the property under consideration and not to the general neighborhood or self-created, and shall apply only to property that is under the control of the applicant.
- (5) It shall be necessary for the preservation of a substantial property right possessed by other properties in the same neighborhood.
- (6) There is a clear showing of an unnecessary hardship in that the property as a whole cannot reasonably be used.
- (7) The alleged hardship or difficulty is not solely economic, and is based on the reasonable use of a particular parcel of land.
- (8) It may be denied where the alleged practical difficulties or unnecessary hardships resulted from an act of the applicant, or a person in privity or concert with the applicant.

(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-56. Practical difficulties and unnecessary hardships.

In order to determine if there are practical difficulties or unnecessary hardships which prevent carrying out the strict letter of this article the following shall apply:

- (1) *Variance.* A practical difficulty shall exist where there are exceptional or extraordinary circumstances or physical conditions, such as narrowness, shallowness, shape or topography of the property involved, that do not generally apply to other property or uses in the same zoning district.

(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-57. Decisions.

The board shall not have the authority to alter or change the ordinance from which this article derives to allow a situation which would be inconsistent with the requirements of this article. Provided, however, that in interpreting and applying the provisions of this article, the requirements shall be deemed to be the spirit and intent of the ordinance and does not constitute the granting of a special privilege.

(Ord. No. 1132, Ch. I, 3-21-13)

Sec. 16-58. Penalty.

Any person who violates any provision of the ordinance from which this article derives is responsible for a municipal civil infraction subject to payment of a civil fine of not less than fifty dollars (\$50.00) or more than five hundred dollars (\$500.00), plus costs and other sanctions of each infraction. Increased civil fines may be imposed for repeated violations by a person of any requirement or provision of this article or any ordinance. As used in this section, "repeat offense" means a second (or any subsequent) municipal civil infraction violation of the same requirement or provisions: (i) committed by a person within any six-month period (unless some other period is specifically provided by this article or any ordinance); and (ii) for which the person admits responsibility or is determined to be responsible. Unless otherwise specifically provided by any ordinance for a particular municipal civil infraction violation the increased fine for a repeat offense which is a first repeat offense shall be no less than two hundred fifty dollars (\$250.00), plus costs. The fine for any offense which is a second repeat offense or any subsequent repeat offense shall be no less than five hundred dollars (\$500.00), plus costs. Each day on which any violation of this article or any ordinance continues constitutes a separate offense and shall be subject to penalties or sanctions as a separate offense.

(Ord. No. 1132, Ch. I, 3-21-13)

Secs. 16-59—16-80. Reserved.