

BILL NO. 2012-01

ORDINANCE NO. 2012-01

**AN ORDINANCE ADOPTING PROPOSED BUDGET FOR THE
FISCAL YEAR 2012-2013.**

WHERE AS, adoption of the proposed Budget for the Fiscal Year 2012-2013; and

WHERE AS, authorization of expenditures from general uncommitted tax funds of the City in accordance with the budget so adopted

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSBORN, MISSOURI THAT:

SECTION 1. This ordinance shall be in full force and effect for Fiscal Year April 01, 2012 – March 31, 2013 after its passage and approval.

PASSED by the Board of Aldermen and **APPROVED** by the Mayor this 21st day of March, 2012.

Mayor, Jennifer Burwell

Attest: _____
City Clerk, Jody Barlow

AN ORDINANCE ESTABLISHING WATER USE RESTRICTIONS.

WHEREAS, the City of Osborn Public Utilities municipal; water supply system may reach critical levels due to summer peak usage; and

WHEREAS, a possibility of water shortage is made more critical by hot and dry weather conditions; and

WHEREAS, lack of adequate water pressure could cause serious fire protection problems; and

WHEREAS, it has been determined that a watering ban must be implemented in order to assure the safety and well-being of the residents of the City of Osborn.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF OSBORN, MISSOURI THAT: the City of Osborn, hereby establishes restrictions for all residential, commercial and industrial users of the Utilities' water system;

1. The Superintendent of Public Works shall be given the authority to implement emergency restrictions to restrict water use during emergency periods. The Superintendent of Public Works shall notify municipal system users of a watering ban by publishing notice in the Cameron, Missouri newspaper, the city website and local radio stations, (KKWK and KMRN).
2. Residents shall not water their lawns, flowers, gardens, wash their vehicles and/or fill pools.
3. An exception may be granted for recently established lawns. Those lawns may be watered daily for up to one month after installation.
4. In extreme emergency cases, the Superintendent of Public Works shall have the authority to issue a total watering ban until such time that the emergency situation ceases to exist.
5. The penalty for violating the Utilities' watering ban shall be a warning for the first day of violation, a \$25.00 per day fine for the second violation, and a \$50.00 per day fine for the third violation.

PASSED by the Board of Aldermen and **APPROVED** by the Mayor this 11th day of July, 2012.

Mayor, Jennifer Burwell

Attest: _____
City Clerk, Jody Barlow

Bill No.: 2013-07

Ordinance No.: 2013-07

An Ordinance approving the Public Tax Levy Rate for 2013.

BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF OSBORN, MISSOURI THAT:

The levy for the year 2013 shall be in the sum of 0.7484 (seventy-five) cents per one hundred dollar valuation. The Levy proceeds going to the general fund.

PASSED, SIGNED, AND APPROVED THIS 27th DAY OF AUGUST, 2013.

Scott Bowman, Mayor

Attest:

Jody Barlow, City Clerk

AN ORDINANCE PROVIDING FOR FIRE SAFETY AND PUBLIC HEALTH STANDARDS FOR THE PLACEMENT OF MOBILE HOMES, MANUFACTURED HOMES, AND MODULAR HOMES WITHIN THE CORPORATE LIMITS OF THE CITY OF OSBORN, MISSOURI.

WHEREAS, the City of Osborn recognizes a need for affordable housing for low and moderate income families; and

WHEREAS, the City of Osborn would like to provide a mechanism whereby such housing could be provided in a manner that will remain consistent with the city's goals of fire protection, maintaining a safe and clean drinking water supply, and maintaining the general health and safety for the residents of the city, as well as preventing public nuisances and unsafe maintenance of mobile homes, manufactured homes, and modular homes.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSBORN, MISSOURI, AS FOLLOWS:

SECTION 1: DEFINITIONS

As used in this Ordinance, the following terms shall have the meanings indicated, unless the content requires otherwise:

A. Manufactured Home. A factory-built structure or structures which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site, contains three hundred twenty or more square feet, equipped with the necessary service connections and made so as to be readily movable as a unit or units with or without a permanent foundation. The phrase "without a permanent foundation" indicates that the support system is constructed with the intent that the manufactured home placed thereon may be moved from time to time at the convenience of the owner.

B. Modular Unit. A transportable building unit designed to be used by itself or to be incorporated with similar units at a point-of-use into a modular structure to be used for residential, commercial, educational or industrial purposes. This definition shall not apply to structures less than six hundred fifty square feet used temporarily and exclusively for construction site office purposes.

C. Park Trailer. A modular type unit built on a single chassis mounted on wheels, designed primarily as temporary living quarters for seasonal or destination camping, and having a gross trailer area not exceeding four hundred square feet and not less than two hundred forty square feet in the setup mode.

D. Person. An individual, partnership, corporation or other legal entity.

E. Recreational Vehicle. A vehicular-type unit primarily designed to provide temporary living quarters for recreational camping or travel use, that either has its own motive power, or is mounted on or towed by another vehicle.

F. Seal. A device, label or insignia issued by the Missouri Public Service Commission, U.S. Department of Housing and Urban Development, or its agent, to be displayed on the exterior of the manufactured home, recreational vehicle, or modular unit to evidence compliance with the code.

G. Setup. The operations performed at the occupancy site which renders a manufactured home or modular unit fit for habitation, which operations include, but are not limited to, moving, blocking, leveling, supporting, and assembly multiple or expandable units.

H. Mobile Home. A transportable, factory-built home designed to be used as a residential dwelling and built prior to the enactment of the Federal Manufactured Home Construction and Safety Standards Act of 1974, which became effective June 15, 1976.

SECTION 2: TEMPORARY DWELLINGS

No person may use or occupy a recreational vehicle or park trailer in the corporate limits of the City of Osborn as a temporary living quarters for a period exceeding 30 days in any given calendar year without obtaining a special use permit from the City.

SECTION 3: CONSTRUCTION STANDARDS

- A. All manufactured homes and modular units must be constructed according to the standards established by the United States Department of Housing and Urban Development for constructing such structures and shall bear a seal issued by the U.S. Department of Housing and Urban Development as required by the Revised Statutes of Missouri, Chapter 700 prior to any such structure being setup in the corporate limits of the City of Osborn.
- B. All mobile homes must be constructed according to the standards established by the United States Department of Housing and Urban Development for constructing manufactured homes and modular units and shall have a seal of approval by the Missouri Public Service Commission indicating that repairs and construction to said mobile home have been completed to make it comply with said standards.
- C. All manufactured homes, modular units, and mobile homes must be double-wide manufactured homes.
- D. All manufactured homes, modular units, and mobile homes must have entryways built in a stable and safe manner. All entryways and decks must be a minimum of four feet by six feet wide, with safety railings.

- E. All manufactured homes, modular units, and mobile homes must have the hitch, tongue, wheels, and axles removed.

SECTION 4: CONCRETE PAD REQUIREMENT:

All manufactured homes, modular units, and mobile homes setup in the corporate limits of the City of Osborn shall be set upon a permanent concrete foundation. The permanent concrete foundation must meet the following requirements:

All immobilized mobile homes shall be placed on either a reinforced concrete pad that matches or exceeds the dimensions of the mobile home. The concrete pads shall consist of four (4) inches of reinforced concrete or six (6) inches of concrete. A concrete footing is optional.

SECTION 5: SKIRTING

Insulcrete wall: *Insulcrete systems or its equivalent are allowed in lieu of traditional cement block or cement walls around the outside edge of manufactured homes, modular units, and mobile homes. When this system is used according to manufactured guidelines, the structure shall be set upon a cement slab and footings as described in Section 5. In addition, piers may be put under the load bearing rails, but in all cases the cement slab and footings described above must be constructed. *Insulcrete is a concrete skirting made by Modular Productions.

Traditional skirting in any form is not allowed.

SECTION 6: LIMIT OF UNITS

There shall be only one (1) immobilized manufactured home, modular unit, or mobile home per 12,870 square feet in area lot in the City.

SECTION 7: SPACING AND ACCESS

- A. All manufactured homes, modular units, and mobile homes must be oriented on the lot so that its long axis is parallel with the street.
- B. Mobile homes shall be so harbored on each space that there shall be at least fifteen (15) feet between mobile homes and other buildings.
- C. Mobile homes and accessory structures shall be located no closer than fifteen (15) feet to the perimeter line of any mobile home space.

SECTION 8: OFF-STREET PARKING

All manufactured homes, modular units, or mobile homes setup in the corporate limits of the City of Osborn shall provide at least two off-street parking spaces on the lot on which said structure is setup to be used by the resident of said structure or his guests. Such parking spaces shall have an area of not less than 200 square feet, exclusive of space necessary to provide access to a street. The access road leading to the street must be a properly maintained gravel base.

SECTION 9:

All manufactured homes, modular units, or mobile homes must be setup and maintained in accordance with the provisions of RSMo. Chapter 700 which are not in direct conflict with the provisions of this ordinance.

SECTION 10: UTILITIES

- A. No manufactured home, modular unit, or mobile home shall be hooked up to city utilities until it has been inspected by and received approval from a City employee as being in compliance with this ordinance and RSMo. Chapter 700. The City employee may designate or appoint a special building inspector to act in his absence.
- B. Each manufactured home, modular unit, or mobile home shall be equipped with at least one electrical outlet providing at least 100-ampere service. All electrical service cables shall be placed underground. All mobile homes shall be grounded.
- C. Each manufactured home, modular unit, or mobile home shall be provided with an adequate supply of potable water. The water system shall be installed in accordance with city specifications.
- D. Each manufactured home, modular unit, or mobile home shall be provided with a sewer of at least four (4) inches in diameter, which shall discharge mobile home waste into a public or approved sanitary sewer system.

Section 11: ENFORCEMENT

A. It shall be unlawful for any person to fail to comply with the terms of this ordinance, or to interfere with the City employee or special building inspector in the performance of his duties.

B. Any person violating or permitting the violation of any other provisions of this ordinance shall be guilty of a Class B Misdemeanor and, upon conviction, be fined not less than \$50.00 or not more than \$500.00 for each violation, or confined for a period of not more than six months, or punished by both such fine and imprisonment; provided that each day's violation thereof shall be a separate offense for the purpose hereof.

C. Violations of this ordinance shall not require any particular state of mind on part of the Defendant, it being the intent to make all such violations of this ordinance strict liability offenses.

Section 12: REPEAL OF CONFLICTING ORDINANCES

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 13: EFFECTIVE UPON PASSAGE

This ordinance shall be in full force and effect from and after its date of passage.

PASSED AND APPROVED this 19th day of April, 2012.

Norman Baumgarden, Mayor Pro Tem

ATTEST:

Jody Barlow, City Clerk