City of Minden
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The Christmas City
Minden NEBRASKA

ORDINANCE NO. 1290

AN ORDINANCE TO AMEND CHAPTER 46, ARTICLES I & III; OF THE MUNICIPAL CODE OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY AMENDING SECTIONS 46-1, 46-71, AND 46-72; AND ADDING SECTION 46-75; AS THE SAME RELATES TO MANUFACTURED HOMES AND TRAILERS WITHIN THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA.

Section 1. That Section 46-1 be amended in the Municipal Code of the City of Minden, Kearney County, Nebraska, to read as follows:

Sec. 46-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Camper lot means a unit of level, adequately drained ground of definite size, clearly indicated by corner markers for the placing of a trailer or trailer and tow car.

Campgrounds means any lot or tract of ground upon which two or more campers are placed and shall include any building, structure or enclosure used or intended for use as part of the equipment of such park.

Highway operation means fully licensed, on its wheel or jack system, and no permanent additions.

Manufactured home shall mean (a) a factory-built structure which is to be used as a place for human habitation, which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site, which does not have permanently attached to its body or frame any wheels or axles, and which bears a label certifying that it was built in compliance with National Manufactured Home Construction and Safety Standards, 24 C.F.R. 280 et seq., promulgated by the United States Department of Housing and Urban Development, or (b) a modular housing unit as defined in R.R.S. 1943 § 71-1557 bearing the seal of the department of health, and meeting the following standards:

(1) The home shall have no less than 900 square feet of floor area;
(2) The home shall have no less than an 18-foot exterior width;
(3) The roof shall be pitched with a minimum vertical rise of two and one-half inches for each 12 inches of horizontal run;
(4) The exterior material shall be of a color, material and scale comparable with those existing in residential site-built, single-family construction;
(5) The home shall have a nonreflective roof material which is or simulates asphalt or wood shingles, tile or rock; and
(6) The home shall have wheels, axles, transporting lights and removable towing apparatus removed.

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Manufactured home lot means a designated portion of a manufactured home park designed for the accommodation of one manufactured home and one accessory building not to exceed 200 square feet for the exclusive use of the occupants.

Manufactured home park means a parcel or contiguous parcels of land which have been so designated and improved that they contain two or more manufactured home lots available to the general public for the placement thereon of manufactured homes for occupancy. The term "manufactured home" park shall not be construed to include manufactured homes, buildings, tents or other structures temporarily maintained by any individual, corporation, company or other entity on its own premises and used exclusively to house its own labor force.

Permanent Dwelling means a residence for a period longer than one year.

Person means any individual, firm, partnership, corporation, company, association, joint stock company or association, political subdivision, governmental agency or other legal entity, and shall include any trustee, receiver, assignee or other legal representative thereof.

Recreational vehicle means any vehicle used, or maintained for use as a conveyance upon the highways or city streets, so designed and constructed as to permit occupancy thereof as a temporary dwelling or sleeping place for one or more persons, on wheels, temporary foundations or jacks.

(Code 1982, § 5-301; Ord. No. 1000, § 1, 2-20-95; Ord. No. 1232, § 1, 3-5-18)

Cross reference— Definitions generally, § 1-2.

Section 2. That Section 46-71 be amended in the Municipal Code of the City of Minden, Kearney County, Nebraska, to read as follows:

Section 46-71. – Permit required; fee; duration.

(a) It shall be unlawful within the limits of the city for any persons to park any recreational vehicle or manufactured home on any street, alley or highway or other public place or on any tract of land owned by any person, except as provided in this article.
(b) This article shall not apply to persons occupying a manufactured home as a permanent dwelling when such manufactured home is situated on the occupant's own land.
(c) Said recreational vehicle shall be fully licensed with all applicable local, state, and federal authorities and readily suitable for highway operation.
(d) A permit shall be obtained from the city council to: Park a camper on the land of another and outside of a duly established campground.

The permit shall be for a period not to exceed one year and at a fee of $120.00, no part of which shall be refunded if the occupancy is terminated at any time prior to the expiration of the year for which the permit is issued. The permit will be granted only upon the written consent of the owner, legal agent or lessee of the premises for which the permit is issued.

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(Code 1982, §§ 5-302.01, 5-302.03, 5-302.04; Ord. No. 1000, § 1, 2-20-95)

Section 3. That Section 46-72 be amended in the Municipal Code of the City of Minden, Kearney County, Nebraska, to read as follows:

Section 46-72. – Application for permit.

Application for the permit required in section 46-71 shall be made at the city light and water office and on forms furnished by the city. The application shall contain the reason(s) for parking outside of any manufactured home park or campground; the street number or legal description of the property on which the recreational vehicle shall be parked; the name of the owner of such premises and his permission to park; length of stay in months; a statement of the nature and location of sanitary facilities and that all wastewater from the recreational vehicle shall be emptied into proper sewer connected fixtures. A plat of the premises on which the camper is to be parked shall accompany the application showing the location of the recreational vehicle in reference to streets, alleys and nearest buildings.

Section 4. That Section 46-75 be added to the Municipal Code of the City of Minden, Kearney County, Nebraska, to read as follows:

Section 46-75. – Penalty for violation of article.

Any person found guilty of violating any provision of this article, whether or not such violation shall be found sufficient by the city board of health for revocation of any permit or license, shall be punished by fine of not less than $10.00 and not more than $500.00. Every violation of this article shall be considered a separate offense.

Section 5. That any other ordinance or section passed and approved prior to the passage, approval and publication or posting of this ordinance and in conflict with its provisions is hereby repealed.

Section 6. This ordinance shall be known as Ordinance No. 1290 and shall be in full force and effect from and after its passage, approval and publication according to law.

Passed and approved this 6th day of May, 2024.

/s/ Larry Evans
Larry Evans, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk
(SEAL)