

ORDINANCE NO. 08-01

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE ZONING ORDINANCES OF THE CITY OF HEBRON, MORTON COUNTY, NORTH DAKOTA OF 1982

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HEBRON, COUNTY OF MORTON, STATE OF NORTH DAKOTA, AS FOLLOWS:

- I. That Title 1.7 **Definition**, Section 1.7.2 **Specific Terms**, **Dwelling - Mobile Home**, be amended to read as follows:

Dwelling - Mobile Home - a transportable, factory built home, designed to be used as a year-round residential dwelling and built prior to the enactment of the HUD Manufactured Home Construction and Safety Standards Act of 1974 (24 CFR 3280).

- II. That Article 1.7 **Definition**, Section 1.7.2 **Specific Terms**, **Dwelling - Multi-Family**, be amended to read as follows:

Dwelling - Multi-Family - buildings containing multiple dwelling units. Dwelling units are defined as buildings or portions thereof providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

- III. That Article 1.7 **Definition**, Section 1.7.2 **Specific Terms**, **Dwelling - Single-Family**, be amended to read as follows:

Dwelling - Single-Family - buildings containing only one dwelling unit designed to be located on a permanent perimeter foundation and, if site built, constructed in accordance with the provisions of the applicable City codes governing construction; or if manufactured off site, constructed in accordance with either the City codes governing construction or the HUD Manufactured Home Construction and Safety Standards Act of 1974. All single-family dwellings shall be considered and taxed as real property as provided by law. Each single-family dwelling shall have a minimum overall front width of 24 feet, minimum overall depth of 20 feet, a minimum main floor living space square footage of 900 square feet, and a minimum ceiling height of 7 feet 6 inches. A manufactured home that meets all of the requirements herein is classified as a single-family dwelling. A dwelling unit is defined as a building or portion thereof providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

IV. That Article 1.7 **Definition**, Section 1.7.2 **Specific Terms**, **Dwelling - Two-Family**, be amended to read as follows:

Dwelling - Two-Family - buildings containing only two dwelling units. A dwelling unit is defined as a building or portion thereof providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

V. That Article 1.7 **Definition**, Section 1.7.2 **Specific Terms** be amended to include a definition for **Dwelling - Manufactured Home** as follows:

Dwelling - Manufactured Home - 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 the HUD Manufactured Home Construction and Safety Standards Act of 1974.

VI. That Title IV. **Special Provisions** be amended to include Section 4.4 **Moving of Buildings and Structures**, which shall read as follows:

4.4 **Moving of Buildings and Structures**

The following moved-in buildings and structures that have been previously located for use may be permitted in any zoning district as a special use,

1. Principal buildings and structures; and
2. Accessory buildings and structures that are twelve hundred (1200) square feet or larger in size.

The above described principal buildings and structures may be permitted, provided:

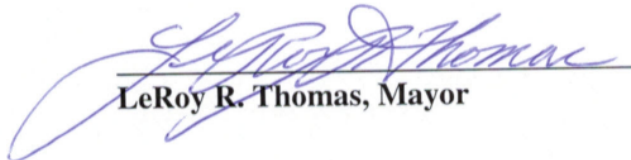
- a. The moved-in building or structure is a permitted use and complies with all requirements of the zoning district in which it is to be located.
- b. All provisions of the City Building Code as well as any ordinances regarding the moving of buildings; and if applicable, the Manufactured Home Construction and Safety Standards Act of 1974 (24 CFR 3280) have been complied with.
- c. The moved-in building or structure shall be compatible with the surrounding neighborhood.

VII. **Severability**. All ordinances or parts of ordinances in conflict herewith are hereby repealed and rescinded.

VIII. **Effective Date.** This Ordinance shall be in full force and effect upon its final passage.

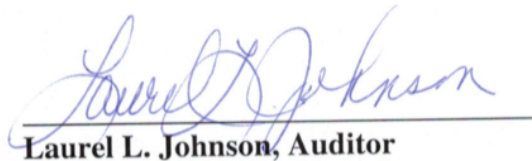
IX. **Savings Clause.** If any portion of this Ordinance or its application to any persons or circumstances is held invalid, the remainder of the Ordinance or the application of the provisions to other persons or circumstances is not affected.

CITY OF HEBRON



LeRoy R. Thomas, Mayor

ATTEST:



Laurel L. Johnson, Auditor

Introduction and First Reading: 6 Oct 08
Second Reading and Final Passage: 3 Nov 08
Publication: Not Required
Effective Date: 3 Nov 08