

**TOWN OF LOCHBUIE
COUNTIES OF WELD AND ADAMS, COLORADO**

ORDINANCE NO. 2021-666

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF
LOCHBUIE AMENDING CHAPTER 19 OF THE LOCHBUIE
MUNICIPAL CODE CONCERNING REGULATION OF MOBILE AND
MANUFACTURED HOMES, AND MAKING CONFORMING
AMENDMENTS IN CONNECTION THEREWITH**

WHEREAS, the Town of Lochbuie is a Colorado municipal corporation governed by its Mayor and Board of Trustees; and

WHEREAS, the Board of Trustees is authorized by C.R.S. § 31-23-101 *et seq.* to adopt and enforce regulations for the preservation of the public health, safety and welfare, including regulations governing the zoning and development of land; and

WHEREAS, the Board is also authorized to adopt this ordinance pursuant to state law, including but not limited to C.R.S. § 24-67-101 *et seq.* and 31-16-101 *et seq.*; and

WHEREAS, in the exercise of this authority, the Board of Trustees previously adopted comprehensive zoning and development regulations codified in Chapter 19 of the Lochbuie Municipal Code which regulations are known as the Town's Land Development Code ("LDC"); and

WHEREAS, the Board desires to make certain amendments to the LDC to address mobile and manufactured homes more fully; and

WHEREAS, the Board has provided notice of and conducted a public hearing on this ordinance on April 20, 2021.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LOCHBUIE, COLORADO:

Section 1. Code Section 19-7-270 adopted. A new Section 19-7-270 of the Lochbuie Municipal Code is hereby adopted to read as follows:

Sec. 19-7-270. - Manufactured and mobile homes.

Manufactured homes, as defined at Section 19-7-520, must comply with all design and construction standards contained in that definition and as described at Section 31-23-301(5)(a), C.R.S., as well as applicable portions of Article 5 of this Chapter (Flood Damage Protection). The placement of any mobile home, as defined in Section 19-7-520 of this Code, on any lot, tract or parcel of real property in the Town, is prohibited on and after the effective date of Ordinance No 666, which is July 9, 2021.

Section 2. Code Section 19-7-520 amended. Section 19-7-520 of the Lochbuie Municipal Code is amended as follows:

- The following definition is repealed and reenacted in its entirety to read:

Manufactured home shall mean a single family dwelling which:

- (a) Is partially or entirely manufactured in a factory;
 - (b) Is not less than twenty-four (24) feet in width and thirty-six (36) feet in length;
 - (c) Is installed on an engineered permanent foundation;
 - (d) Has brick, wood, or cosmetically equivalent exterior siding and a pitched roof of not less than 3.5/12;
 - (e) Conforms to the Climatic and Geographic Design Criteria set forth in Table 301.2 of the International Residential Code (2018 edition) as adopted and amended by the Town in Section 18-1-20(d)(13) of this Code; and
 - (f) Is certified pursuant to the “National Manufactured Housing Construction and Safety Standards Act of 1974.” 42 USC 5401 et. seq., as amended.
- The following additional definitions are adopted to be inserted within Code Section 19-7-520 in appropriate alphabetical order:

Mobile home shall mean a transportable dwelling unit built on a permanent chassis with attached undercarriage consisting of springs, axles, wheels and hubs, and which is suitable for year-round occupancy and contains the same water supply, waste disposal and electrical conveniences as immobile housing. A mobile home is designed to be transported on streets to the place where it is to be occupied as a dwelling unit and may or may not be attached to a permanent foundation. The term mobile home shall not include travel trailers, campers or self-contained motor homes or camper busses.

Dwelling, single family shall mean a detached building having accommodations for and occupied exclusively by one (1) family.

Section 3. Article II of Chapter 18 repealed and readopted. Article II of Chapter 18 is hereby repealed and readopted to read as follows:

ARTICLE II - Manufactured Homes and Mobile Homes

Sec. 18-2-10. - Manufactured home and mobile home standards.

In accordance with Article 7 of Chapter 19 of this Code, mobile homes shall not be placed on any lot within the Town, and every manufactured home must meet the requirements of a manufactured home set forth therein.

Sec. 18-2-20. - Building (move-in) permit.

A building (move-in) permit must be obtained before a manufactured home enters the Town. A fee in the amount as set by resolution of the Board of Trustees shall be paid

to the Town for building (move-in) permits for each manufactured home be placed within the Town.

Sec. 18-2-30. - Building (move-out) permit.

A building (move-out) permit must be obtained before a manufactured home is demolished, in whole or in part, or removed from the Town. A permit fee in the amount established from time to time by resolution of the Board of Trustees shall be paid to the Town for building (move-out) permits for each manufactured home to be demolished, in whole or in part, or removed from the Town.

Section 4. Severability. If any provision of this Ordinance, or the application of such provision to any person or circumstance, is for any reason held to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable. The Board of Trustees hereby declares that it would have passed this Ordinance and each provision thereof, even though any one of the provisions might be declared unconstitutional or invalid. As used in this Section, the term “provision” means and includes any part, division, subdivision, section, subsection, sentence, clause or phrase; the term “application” means and includes an application of an ordinance or any part thereof, whether considered or construed alone or together with another ordinance or ordinances, or part thereof, of the Town.

Section 5. Safety Clause. The Board of Trustees hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Lochbuie, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the Ordinance bears a rational relationship to the proper legislative object sought to be obtained.

Section 6. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this Ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 7. Effective Date. This Ordinance shall take effect thirty (30) days after publication, as provided by C.R.S. § 31-16-105 and Sections 1-3-60 and 2-2-110 of the Lochbuie Municipal Code.

ADOPTED by a vote of 5 in favor, 0 against and 0 abstaining, AND ORDERED PUBLISHED by title only following public hearing, this 1 day of June, 2021.

TOWN OF LOCHBUIE, COLORADO


Michael Mahoney, Mayor

I hereby certify that the above Ordinance was adopted by the Board of Trustees of the Town of Lochbuie at its meeting of June 1, 2021 and ordered published by title only one time by *The Brighton Blade* newspaper on June 9, 2021.



[SEAL]


Cristal Sanchez, Deputy Town Clerk