

Ordinance No. 99-02

Be it enacted by the Tribal Council of the Colorado River Indian Tribes that the Land Code of the Colorado River Indian Tribes is hereby amended to include a new Article VIII governing Mobile Homes as follows:

TITLE 15: LAND CODE

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TITLE 15: LAND CODE

ARTICLE I. MOBILE HOMES

CHAPTER 1. GENERAL PROVISIONS

Section 15-1101. Purpose.

This is an ordinance enforcing minimum standards for Mobile Home and Mobile Home Parks. Establishing requirements for the design, construction, alterations, extension and maintenance of the same, which includes all related utilities and facilities. The Ordinance will authorize the issuance of permits and authorizing inspections and fixing penalties for violations. This ordinance is adopted to preserve, protect and promote the public health, safety, prosperity and general welfare of the members of the Colorado River Indian Tribes and the residents of the Reservation.

Section 15-1102. Definitions.

(a) Unless the context specifically requires otherwise, as used in this Article:

- (1) Individual Utilities means the provision for each mobile home of; a separate meter, connection to electrical service; separately tapped water service from an approved public water supply or a separate private water supply; and a separately tapped connection to an approved public sewer system or a separate private sewage disposal system. Water and wastewater systems shall be in compliance with the Safe Drinking Water Act and U.S. Environmental Protection Agency (EPA) rules and regulations.
- (2) Mobile Home or Manufactured Home means a structure designed for permanent habitation and so constructed as to permit its transport on wheels, temporarily or permanently attached to its frame, from the place of its construction to the location or subsequent locations, at which it is intended to be a permanent habitation and designed to permit the occupancy thereof as a dwelling place for 1 or more persons. Any such structure served by individuals utilities and resting on a permanent foundation, with wheels, tongue and hitch permanently removed, shall not be construed as a manufactured home.
- (3) Motor Home means a vehicular unit designed to provide temporary living quarters for recreational, camping, or travel use built on or permanently attached to a self-

propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle (See Recreational Vehicle.)

- (4) Mobile Home Park means tracts of lands upon which independent mobile homes are located for permanent habitation and shall include any building, structure, tent, vehicle, or enclosure used or intended for use as a part of the equipment of such mobile home parks.
- (5) Recreational Vehicle means a vehicular-type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities include, but are not limited to: travel trailer, camping trailer, truck camper, and motor home.
- (6) Recreational Vehicle Park means a plot of land upon which two or more recreational vehicle sites are located, established, or maintained or occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.
- (7) Travel Trailer means a vehicular unit mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, of such size or weight as not to require special highway movement permits when towed by a motorized vehicle, and of gross trailer area less than 320 square feet (29.77 sq m). (See Recreational Vehicles).
- (8) Truck Camper means a portable unit constructed to provide temporary living quarters for recreational, travel, or camping use, consisting of a roof, floor, and sides, designed to be loaded onto and unloaded from the bed of a pick-up truck. (See Recreational Vehicle.)

Section 15-1103. Development Process.

Any and all persons requesting permission to set up a mobile home or develop a mobile home park shall comply with the CRIT Land Code Development Review Process administered by the CRIT Planning Department and contact CRIT Realty for any licenses or leases. Planning and Realty will prepare and submit documents to CRIT Resource Development Committee (RDC) for review and comments. RDC will make recommendations to Tribal Council for final approval.

Section 15-1104. Development Requirements.

(a) To meet the purpose, all uses shall comply with the following minimum standards for the particular type of development:

- (1) Minimum Park Size. The minimum park shall be a minimum of two (2) acres. No parcel or tract of land less than two (2) acres shall be eligible for consideration unless it adjoins an existing Mobile Home (MH) Zoning District and is proposed as an expansion to an existing subdivision, park, or cooperative, which otherwise meets the minimum required development standards specified herein.
- (2) Development Type. The maximum allowable density within the (MH) classification shall be determined according to a minimum lot area of four thousand (4,000) square feet per unit within a subdivision, and a minimum space size of two thousand eight hundred (2,800) square feet per unit within a park or cooperative.

	SUBDIVISION	PARK OR COOPERATIVE
Lot/Space Size	2 acres	2 acres
Lot/Space Width:		
Interior lots/space	50 ft.	40 ft.
Corner lots/spaces	60 ft.	50 ft.
Lot Depth	80 ft.	70 ft.
Street Yard Setback	10 ft.	10 ft.
Interior Yard Setback	7 ft.	5 ft.
Rear Yard Setback	10 ft.	5 ft.
Maximum Lot Coverage	50%	50%
Maximum Building Height	20 ft.	20 ft.

- (3) Setback for Accessory Structures. Any detached accessory structure not containing living quarters may be located up to a side or rear property line within the rear quarter of the lot or space, subject to the applicable requirements of any building code as may be adopted by the Colorado River Indian Tribes. If not located within such rear quarter, such accessory structure(s) shall comply with the minimum setback requirements specified by this section.

- (4) Street Design and Improvements. All streets within any subdivision, park, or cooperative shall have a minimum width of thirty-two (32) feet measured edge to edge, exclusive of any curbing or other pavement border. Plans for such improvements shall be reviewed by Planning Department and, Building Inspector for conformance with the minimum standards for paving as adopted by the Tribal Council. All streets within a subdivision shall be dedicated right of way, while any street within a park or cooperative shall be private. All lots or spaces shall be designed in such a manner to have access and frontage on improved street.
- (5) Storm Drainage. Any site developed as a subdivision, park, or cooperative shall be designed and improved to achieve an adequate means of surface storm water drainage. Plans and details to achieve these provisions shall be submitted to the Tribal Planner and RDC for review and approval.
- (6) Utilities. Water, sewer, telephone and electrical utilities shall be provided to each lot or space within the development, subject to the standards and requirements as may be adopted by the Tribe. Overhead utility lines shall be prohibited.
- (7) Fire Hydrants. Fire hydrant of the type approved by the CRIT Fire Chief shall be provided throughout the interior of the development, subject to the maximum spacing interval as specified by CRIT Fire Department.
- (8) Refuse Collection. Facilities for refuse collection within the development shall be collected by the Tribes Landfill Department at the expense of the MH district lessee. Such facilities shall be screened from view by a solid wall, fence, or dense planting.
- (9) Walls and Fences.
 - (A) The exterior property line of any subdivision, park, or cooperative shall be bounded by a six (6) foot high masonry wall.
 - (B) A maximum three (3) foot height may be established along any street line, or within any street yard setback area as defined herein. A maximum six (6) foot fence height may be established along any side or rear property line or space line, or within any side or rear yard setback area. Any wall or fence enclosure as may be erected shall also be subject to the traffic visibility.

- (10) Signing. Any signs as may be erected shall comply with the standards and requirements of Article VI - Sign Regulations of Land Code.
- (11) Recreational Vehicles. The connection of any recreational vehicle to utilities for occupancy as either a primary or secondary dwelling unit within a subdivision, or as a secondary dwelling unit within a park or cooperative, shall be prohibited.

Section 15-1105. Additional Requirements.

(a) All manufactured dwellings shall be set upon a foundation wherein the exterior arcade material of the dwelling shall be extended to a level not greater than six (6) inches above ground level.

(b) The installation and connection to utilities for any manufactured dwelling on a lot or space shall be subject to a permit and subsequent inspections from CRIT Building Inspector.

© Mobile homes are restricted to model years of twenty(20) years or less from the current year for the Parker Valley and to ten(10) years or less from the current year for the California side of the Reservation.

Section 15-1106. Permits/ Leases/ Licenses.

Installation Permits shall be issued by CRIT Building Inspector. All Mobile Homes/Mobile Home Parks construction plans shall comply with the Uniform Building Code, and Housing and Urban Development (HUD) Manufactured Home Procedural and Enforcement Regulation and Consumer Manual Requirements, 24 CFR 3280.3 (1997).

The Tribal Realty Department shall have the authority to issue all leases and issue any applicable licenses after completion and approval of Section 15-1103 of this Ordinance. All Tribal Realty Department policies and procedures shall apply.

Section 15-1107. Inspections.

The Tribal Council has authorized specific Tribal Departments to enforce this Ordinance. Each department shall have the responsibility for their areas of concern. These departments shall include, but not be limited to, CRIT Planning, Realty Department, CRIT Building Inspector, CRIT Water Department, CRIT Environmental Protection Office, CRIT Fire Department.

Department	Authority
CRIT Planning Department	Land Code Article 2 and 5
Realty	Land Code Article 7.
CRIT Building Inspector	Uniform Building Code, Health and Safety Code, Article 1. Building and Construction Chapter 1 through 8, Housing and Urban Development (HUD) Code of Federal Regulations 24, Parts 1700, revised April 1, 1997, Subpart A-General, 3280.3 Manufactured home procedural and enforcement regulations and consumer manual requirements, Land Code Article 6
The CRIT Water Department	Tribe's Public Utilities Code.
The CRIT Environmental Office (EPO)	Responsible for human safety and the protection of the environment and receives its authority to enforce this Ordinance from the Tribal Council. The EPO is responsible for any and all enforcement activity as a result of Inspections performed by Indian Health Service and Bureau of Indian Affairs who have a trust responsibility to the tribe.
CRIT Fire Department	CRIT Health and Safety Code Article 6 Fire Prevention and Safety Chapter 1 through 5 and the Life and Safety Code.

Section 15-1108. Authority.

The CRIT Tribal Council and its delegates shall have final authority to maintain and enforce this Ordinance.

Section 15-1109. Notices, Hearing/Order.

(a) Whenever the enforcing agency determines that there are reasonable grounds to believe that there has been a violation of any provisions of this Ordinance, the Enforcing Agency shall give notice of such alleged violation to the person to whom the permit or license was issued, as hereinafter provided. Any person affected by any

notice which has been issued in connection with the enforcement of any provision of this Ordinance, may request and shall be granted a hearing on the matter before the enforcing agency. After such hearing the enforcing agency shall make findings as to compliance with the provisions of this Ordinance and shall issue an order in writing sustaining, modifying or withdrawing the notice which shall be served. Upon failure to comply with any Order, the license for whom license was issued shall be revoked.

(b) Whenever the enforcing agency finds that an emergency may exist which requires immediate action to protect the public health, the agency may without notice or hearing issue an order reciting the existence of such an emergency and requiring that such action be taken as may deem necessary to meet the emergency including the suspension of the permit or license.

© All hearings are before the RDC. If a party is not satisfied with RDC's decision, he or she can appeal to the Tribal Council.

Section 15-1110. Environmental, Open Space, Access Requirements.

General - Environmental Compliance requires adherence to any and all Federal and Tribal environmental laws and ordinances adopted by the Tribe. Open Space and Access Requirements shall comply with the Uniform Building Code.

Section 15-1111. Water Supply.

Park water distribution systems shall be designed and installed as set forth in the 1997 Edition of the Uniform Plumbing Code, Chapter 10, and Appendix A of the Uniform Building Code. The Water Supply is maintained and regulated by CRIT Utility in accordance with the Safe Water Drinking Act.

Section 15-1112. Sewage Disposal.

(a) Wastewater systems shall be designed, constructed and maintained in accordance with Federal and Tribal laws and regulations. All raw or partially treated sewage within a mobile home park shall discharge into the joint use sewage system or sewage disposal system approved by CRIT Environmental Protection Office.

(b) Wastewater Collection System. All plumbing and installation in mobile home parks and mobile home lots shall comply with the requirements of the 1997 Edition of the Uniform Plumbing Code, except Part 1 and Appendix B, and as otherwise permitted or required by this article.

Section 15-1113. Electrical Distribution System.

Except as otherwise permitted or required by this Article, all electrical installations outside of permanent buildings in mobile home parks shall comply with the applicable requirements for installations of 600 volts or less of the 1997 Edition of the National Electrical Code, except Articles 550 and 551 enforced by Building Inspector.

Section 15-1114. Service Building/Other Community Serving Facility.

All service buildings and other community serving facility shall be permitted and built in accordance with the Uniform Building Code.

Section 15-1115. Refuse Handling.

Refuse handling shall comply with the Tribal Solid Waste Management Plan and any other applicable laws and regulations. It shall be the responsibility of the Landfill Director and the Tribe's Environmental Protection Office Solid Waste Division to assure compliance with this Ordinance.

Section 15-1116. Fuel Supply/Storage.

Natural Gas liquefied petroleum gas systems, and fuel oil supply systems shall comply with all applicable Tribal and Federal laws and regulations.

Section 15-1117. Fire Protection.

The CRIT Fire Chief and his delegates shall enforce the Health/Safety Code and Life and Safety Code to ensure compliance with this Ordinance. By way of Resolution #178-90 dated 08-20-90 the CRIT Fire Chief was authorized to enter into a Mutual Aid Agreement to occasionally combat fires in non-tribal jurisdiction or near the Reservation and non-tribal fire departments are agreeable to enter into mutual aid agreements with each other.

Section 15-1118. Miscellaneous Requirements.

(a) The persons to whom a license for a single residential mobile home set up and/or mobile home parks are issued shall operate in compliance with this Ordinance and regulations issued hereunder and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in clean and sanitary condition. Owners of mobile homes and park occupants shall comply with all applicable requirements of this Ordinance and regulations issued hereunder and shall maintain his mobile home lot, its facilities and equipment in good repair and in a clean, sanitary condition.

(b) Restrictions on Occupancy. A mobile home shall not be occupied

for dwelling purposes unless it is properly anchored on a mobile home stand and connected to water, sewerage and electrical utilities.

© Special consideration shall be given to Tribal members for those housing units to be used for his/her immediate family. Certain dispensation shall be determined on a case-by-case basis upon recommendation of the Resource Development Committee. Units to be occupied by non-Tribal members shall adhere to all provisions of this ordinance.

Section 15-1119. Incorporated by Reference.

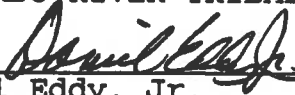
The following codes and ordinances are hereby incorporated by reference. Health and Safety Code, Article 1. Building and Construction Chapter 1 through 8; Article 6 Fire Prevention and Safety Chapter 1 through 5; Land Code Article 2 and Article 5; Public Utilities Code; Uniform Building Code and Life and Safety Code. Housing and Urban Development (HUD) Code of Federal Regulations 24, Parts 1700, revised April 1, 1997, Subpart A-General, 3280.3 Manufactured home procedural and enforcement regulations and consumer manual requirements, and the Indian Health Service (IHS) Environmental Health Guide for Mobile Home Communities.

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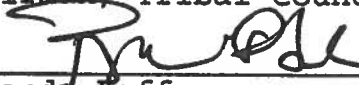
The foregoing Ordinance was enacted on March 5, 1999, duly approved by a vote of 5 for and 1 against, by the Tribal Council of the Colorado River Indian Tribes, pursuant to authority vested in it by Article VI of the Constitution of the Tribes, ratified by the Tribes on March 1, 1975, pursuant to Section 16 of the Act of June 18, 1934 (25 U.S.C. Section 476). This ordinance is effective as of JULY 1, 1999.

COLORADO RIVER INDIAN TRIBES

COLORADO RIVER TRIBAL COUNCIL



Daniel Eddy, Jr.
Chairman, Tribal Council

 ACTING

LaWanda Laffoon
Secretary, Tribal Council

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