

ORDINANCE NO. 101

RECEIVED

1 AN ORDINANCE RELATING TO THE PLACING OF MOBILE HOMES IN THE
2 WINNEMUCCA INDIAN COLONY, HOME OF THE WESTERN BAND OF THE WESTERN
3 BANDS OF THE SHOSHONE NATION OF INDIANS; CREATING A MOBILE HOME ZONE
4 AND TO PROVIDE FOR OTHER MATTERS PROPERLY PERTAINING THERETO. THE
5 COUNCIL OF THE WESTERN BAND DO ORDAIN AS FOLLOWS:

SECTION 1: PURPOSE:

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8 The purposes of this Ordinance are to promote the health, safety, and the
9 general welfare of the Winnemucca Indian Colony while at the same time pro-
10 viding for the orderly accomodation of mobile homes within the Winnemucca
11 Indian Colony and to provide certain minimum standards in order to insure
12 and provide a suitable environment for the residents and families of mobile
13 home dwellings. The provisions of this Ordinance shall govern as written
14 until such time this Ordinance may be amended to impose other regulations,
15 requirements, or limitations as may be required.

SECTION 2: DEFINITIONS:

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18 (a) Mobile Home; "Mobile home" means a vehicular structure which is
19 built on a chassis or frame, is designed to be used with or without a per-
20 manent foundation, is capable of being drawn by a motor vehicle and is used
21 as a dwelling when connected to utilities.

22 (b) Mobile Home Zone; "Mobile Home Zone" (MHZ) means a parcel or
23 tract of land having as its principal use the rental, leasing, or occupancy
24 of a designated space as directed by the Western Band Council, including the
25 mobile home site, accessory buildings, or uses incidental thereto.

26 (c) Travel Trailer; "Travel trailer" means a vehicular portable
27 structure built on a chassis and designed as a temporary dwelling for travel,
28 recreational and vacation use.

1 SECTION 3: CREATION OF "MHZ", MOBILE HOME ZONE:

2 (a) Uses Permitted:

- 3 1. Parking of residential mobile homes or trailers for living
4 purposes, however, not for the purpose of accomodating travel
5 trailers.
6 2. Incidental uses related to the convenience and recreational
7 needs of the mobile home residents; provided, however, only
8 those uses relative to a residential area, i.e. laundry fac-
9 ility, grocery store, or such like uses, as approved by the
10 Council of the Western Band. *
11 3. Permanent living quarters for the sole use of the operator or
12 management of the mobile home zone.

13 (b) Establishment of Mobile Home Zone:

- 14 1. It shall be unlawful for any person to establish, enlarge,
15 convert, construct, or maintain a mobile home upon any land
16 or lands except that mobile home site so designated by the
17 Council of the Western Band in the "MHZ".
18 2. The Council of the Western Band shall maintain a site plan
19 which shall show all details of the "MHZ" including the pattern
20 of internal circulation; the location of all buildings and
21 structures; the location and dimensions of all mobile home
22 sites and parking facilities; and other such information and
23 engineering data as may be necessary to properly maintain the
24 "MHZ" for health and safety factors and may establish reason-
25 able conditions which shall assure compliance with the intent,
26 spirit, and purpose of this Ordinance.
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1 (c) Standards for Mobile Home Zone, (MHZ):

2 1. Development Standards: The standards as herein set forth are
3 supplemental to the minimum standards for all construction and
4 sanitation facilities and other necessary facilities for the
5 safety, health and welfare of the occupants.

6 2. Area Requirements:

7 (a) The mobile home shall have a fifteen (15) foot setback
8 adjoining all existing Colony street lines.

9 (b) No structures or mobile home shall be located within the
10 required setback area. Said yard area shall be landscaped
11 and maintained in a manner comparable to a residential
12 front yard.

13 (c) A wall or screen fence not less than three (3) feet nor
14 more than four (4) feet high may be constructed and main-
15 tained as a screen adjoining all Colony streets, and on
16 all property lines adjoining all other zones.

17 (d) The person assigned that mobile home site in the "MHZ"
18 will be responsible for the upkeep and maintenance of the
19 above requirements.

20 3. Mobile Home Sites:

21 (a) The minimum area per mobile home site shall be twenty four
22 hundred (2400) square feet for those trailers classified as
23 "single wide", (less than fourteen (14) foot total width).

24 (b) The minimum area per mobile home site shall be forty eight
25 hundred (4800) square feet for those trailers classified as
26 "double wide", i.e. (any mobile home which is hauled by
27 two separate towing vehicles and joined together at the
28 site).

- 1 (c) The minimum width of a mobile home site shall be not less
2 than thirty (30) feet for a "single wide" trailer and not
3 less than sixty (60) feet for a "double wide" trailer.
- 4 (d) No mobile home shall be closer than fifteen (15) feet to any
5 building or other mobile home.
- 6 (e) No mobile home shall be placed closer than five (5) feet to
7 the boundaries of the mobile home site.
- 8 (f) Each mobile home site shall have one (1) suitably surfaced
9 and maintained off-street parking space of a minimum area of
10 one hundred eighty (180) square feet. *
- 11 (g) Each mobile home shall have solid skirting around the entire
12 structure. Said skirting shall be of an approved material
13 which shall enhance the trailer and the "MHZ", rather than
14 detract from either of them.
- 15 (h) On each mobile home site shall be two (2) concrete runways of
16 appropriate thickness and width with appropriate anchors
17 placed in each runway to accomodate a trailer and meeting
18 the above requirements, and within the purview of the manu-
19 facturer's "anchoring" suggestions.

20 4. YARD REQUIREMENTS:

- 21 (a) Front yard - front yard of not less than fifteen (15) feet
22 is required.
- 23 (b) Rear yard - rear yard shall be not less than eight (8) feet.
- 24 (c) Side yards - each mobile home site shall have two (2) side
25 yards; one shall be not less than five (5) feet; the other
26 shall be not less than ten (10) feet.
- 27 (d) Any tool shed or like outbuilding on any site must first be
28 approved by the Western Band Council.

1 (e) The person assigned that mobile home site in the "MHZ"
2 will be responsible for the proper upkeep of said yard.
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4 SECTION 4: RESIDENT REQUIREMENTS:

5 (a) All residents of the Mobile Home Zone will make every effort to
6 live in harmony with others residing in the MHZ and adjoining lands under
7 the jurisdiction of the Western Band, and make every effort to comply with
8 the spirit, intent, and purpose of this Ordinance.

9 (b) Failure to abide by these rules and regulations, or those changes
10 and/or amendments which may occur, may be cause for eviction and they shall
11 include but are not necessarily limited to:

- 12 1. Any manner, method, or mode of harassment as defined in the
- 13 Sixth Edition of Black's Law Dictionary.
- 14 2. Child neglect or abuse.
- 15 3. Intemperate use of alcohol.
- 16 4. Drug use.
- 17 5. Physical violence.
- 18 6. Any action which can be described as felonious or in the
- 19 classification of gross misdemeanor.
- 20 7. Any action which may adversely affect the health and safety
- 21 of residents.

22 (c) The Council is empowered to issue Notice to Quit orders. Each
23 case will be decided on an individual basis, after the Council has notified
24 the other party by, FIRST, a verbal warning, SECOND, a written request to
25 the other party to comply with the provisions of this Ordinance, or THIRD,
26 the Council will issue Notice to Quit orders. The Council shall state:

- 27 1. The reason
- 28 2. The time all personal property has to be removed.

- 1 3. Any and all property not removed in a timely manner shall
2 become property of the Western Band.
- 3 4. Any damage to property of the Western Band will be billed to
4 the person who receives the Notice to Quit order and will be
5 collected through the usual and established methods of recovery.

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7 SECTION 5: SPECIAL USE PERMITS OUTSIDE THE "MHZ":

8 (a) Except as herein provided, it shall be unlawful within the lands
9 of the Western Band, for any person to park any mobile home on any street,
10 alley, or other place, or on any tract of land assigned to any person,
11 occupied or unoccupied.

12 (b) The Council may allow any trailer or modified mobile home a site,
13 not in the MHZ, provided that trailer or modified mobile home is for com-
14 mercial purposes and the proceeds and/or profits are used for the general
15 welfare, betterment, or improvement towards the lands of the Western Band.

16 (c) Upon approval by the Council, a mobile home may be allowed to be
17 utilized at a residential or other construction site for a non-renewable
18 period of up to one hundred and twenty (120) days.

19 (d) Emergency or temporary stopping or parking of a mobile home will
20 be permitted on any street, alley, or other place for not longer than twenty
21 four (24) hours.

22 (e) Mobile homes now established on any lot, tract, or parcel of land
23 under the jurisdiction of the Western Band and not assigned by the Council,
24 under the provisions of this Ordinance are hereby declared a non-conforming
25 use. At the time these mobile homes are moved from their present location,
26 they must conform to the provisions of this Ordinance. When a mobile home
27 is moved from a lot of such non-conforming use, no further occupation may be
28 made of such lot by a mobile home unless in conformance with this Ordinance.

1 (f) Nothing contained herein shall be deemed to prohibit the storage
 2 of a recreational vehicle on the premises of its owner when not used for
 3 dwelling or sleeping purposes; however, such storage will not be allowed in
 4 the required yard area.

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 6 SECTION 6: PENALTY FOR VIOLATION AND EMERGENCIES:

7 (a) Any person or persons violating any of the provisions of this
 8 Ordinance, upon conviction of any such violation, shall be punished by a fine
 9 of not more than \$300.00. Every day shall be considered a separate violation
 10 of this Ordinance. In addition to prosecuting any such action as described
 11 above, the Council shall have the right by appropriate proceedings in any
 12 Court of competent jurisdiction to prevent the violation of this Ordinance.

13 (b) In the event a situation should arise which will cause immediate
 14 harm to or threaten the safety of the residents of the MHZ or adjoining lands
 15 the Council or a Council member is empowered to:

- 16 1. Respond with immediate action to save life and property.
- 17 2. The immediate eviction of the person(s) when evidence is
- 18 beyond a doubt, showing that person's action(s) are causing
- 19 harm or threatening the safety of the other residents of the
- 20 MHZ and/or lands under the jurisdiction of the Western Band.

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 22 SECTION 7: This Ordinance shall go into effect after passage and
 23 publication; First reading the 9th day of May, 1992.

24 Second reading the 13th day of June, 1992.

25 Passed and adopted this 11th day of July, 1992.

26 Glenn Wasson
 Chairman

Richard S. Tom
 Vice Chairman

27 Larry Lowrey
 Member

Sharon W. Mason
 Member

28 _____
 Member

 ATTEST