

TITLE AND PURPOSE:

AN ORDINANCE AMENDING ORDINANCE NO. 1979-1

WHEREAS, on January 9, 1979, the Board of Trustees of the Town of La Jara, Colorado, adopted Ordinance No. 1979-1, an Ordinance relating to the requirements existing within the Town of La Jara, and pertaining to the development and uses of lands located therein and lands proposed to be annexed thereto, and providing for the orderly development of land, and,

WHEREAS, since such adoption, the Board of Trustees of the Town of La Jara hereby finds and declares that, for the purpose of promoting the health, safety, morals, or the general welfare of the community, the Board of Trustees should amend the regulations pertaining to the location and use of buildings, structures, and land used for residence in order to lessen or avoid the hazards to persons and damage to property resulting from dangerous or impermissible uses thereof.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of La Jara, Colorado, as follows:

Section 1 - Amendment: Subsection (D1) Dwelling, Mobile Home, of Section 13-102 Word and Terms of Article 13 - DEFINITIONS - of Ordinance No. 1979-1 as hereinabove referenced shall be amended to read in its entirety as follows:

"(D1)(a) Dwelling, Mobile Home. A detached residential dwelling unit that must meet all of the following criteria in order to be located within the incorporated limits of the Town of La Jara, and then only in a permissible zoning classification zone:

- (1) designed for a long-term occupancy and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, and which has plumbing and electrical connections provided for attachment to outside systems;
  - (2) designed to be transported after fabrication, on its own wheels, or on flatbed or other trailers or on detachable wheels;
  - (3) arrives at the site where it is to be occupied as a complete unit and is ready for occupancy except for minor and incidental unpacking and assembly operation, located on an adequate foundation, supports or jacks previously approved by the Town's Building Inspector, underpinned, with adequate connections to utilities and the like in conformity with applicable building, plumbing, and electrical codes.
  - (4) exceeds either eight (8) feet in body width or thirty-two (32) feet in body length, excluding towing gear and bumpers;
  - (5) is without motive power; and
  - (6) is certified pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, U.S.C. Section 5401, *et. seq.*, as amended, (commonly referred to as the HUD Code; effective 1976) and all regulations enacted pursuant thereto, including any local modifications as are expressly allowed by Federal Law.
- (b) A structure meeting the above definitions and criteria shall be deemed suitable for human habitation on a year-round basis when provided with the required plumbing, heating, and electrical facilities. The structure shall not be occupied as a dwelling unit until such requirements and criteria are met and satisfied. "Mobile Home" shall not include any camping unit such as travel

trailers, campers, or self contained "motor homes" or "camper buses". "Mobile Home" shall also not include any "Manufactured Home" as defined in Colo. Rev. Stat. 31-23-301(5)(a)(I) and subsection D2 of Section 13-102 of Article 13 of Ordinance No. 1979-1 as hereinabove referenced."

Section 2 - Amendment: Subsection (D2) Dwelling, Modular or Pre-Fabricated, of Section 13-102, Word and Terms, of Article 13 - DEFINITIONS - of Ordinance No. 1979-1 as hereinabove referenced shall be amended to read in its entirety as follows:

"(D2) "Manufactured Home" means a single family dwelling which:

- (1) Is partially or entirely manufactured in a factory;
- (2) Is not less than twenty-four (24) feet in width and thirty-six (36) feet in length;
- (3) Is installed on an engineered permanent foundation;
- (4) Has brick, wood, or cosmetically equivalent exterior siding and a pitched roof; and
- (5) is certified pursuant to the "National Manufactured Housing Construction and Safety Standards Act of 1974", U.S.C. 5401 *et. seq.*, as amended.

Section 3 - Amendment: Subsection (F1) Dwelling, One Unit, of Section 13-102 Word and Terms of Article 13 - DEFINITIONS - of Ordinance No. 1979-1 as hereinabove referenced shall be amended to read in its entirety as follows:

"(F1) Dwelling, One Unit. A detached principal building designed for or occupied as a dwelling exclusively by one family as an independent living unit, but not including mobile homes, but including a "Manufactured Home" as defined in Colo. Rev. Stat. 31-23-301(5)(a)(I)."

Section 4 - Amendment: Subsection (3) Mobile Homes, of Subsection A - Permitted Uses - of Section 2-104 of Article 2 - GENERAL DISTRICT ZONING REGULATIONS - of Ordinance No. 1979-1 as hereinabove referenced shall be amended to read in its entirety as follows:

"(A)(3)(i) Mobile Homes, but any mobile home located within the exterior boundaries of this zoning classification shall meet the definitions and criteria as set forth in Subsection (D1) Dwelling, Mobile Home, of Section 13-102 Word and Terms of Article 13 - DEFINITIONS - of Ordinance no. 1979-1 as hereinabove referenced and as hereinabove amended.

Section 5 - Repealer: All orders, by-laws, and ordinances of the Town, or parts thereof, inconsistent or in conflict with this Ordinance are hereby repealed to the extent only of such inconsistency or conflict.

Section 6 - Severability: If any section, paragraph, clause, or provision of the Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

Section 7 - Publication: The Town Clerk shall certify to the passage of this Ordinance and shall cause notice of its contents and passage to be published as provided by law.

Section 8 - Emergency Enactment - Effective Date: Whereas, for the reasons set forth in the Preamble of this Ordinance, the Board of Trustees finds, determines, and declares that an emergency exists and that this Ordinance is necessary for the immediate preservation of the public health and safety and the same shall be in full force and effect immediately upon adoption and the publication thereof as by law provided.

INTRODUCED, READ, APPROVED, ADOPTED AND ORDERED PUBLISHED BY  
THE BOARD OF TRUSTEES OF THE TOWN OF LA JARA AT A REGULAR MEETING  
OF THE BOARD AT WHICH A MAJORITY OF THE BOARD WAS PRESENT THIS 10TH  
DAY OF FEBRUARY, 2000.

TOWN OF LA JARA

By: Larry Buhr  
Larry Buhr, Mayor

(S E A L)

Helen J. Hutchins  
Helen J. Hutchins  
La Jara Town Clerk

Date of Publication: \_\_\_\_\_, 2000.