

ORDINANCE NO. 3527

AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 23, MANUFACTURED HOMES, TRAILERS, MANUFACTURED HOME PARKS, ETC.; ARTICLE I, IN GENERAL, SECTIONS 23-1, DEFINITIONS, 23-3, NOTICE OF VIOLATION; CONTENTS, 23-5, REINSPECTION OF CONDITIONS, SECTION 23-6, INSPECTION OF PARKS AUTHORIZED, SECTION 23-9, WRITTEN ORDER TO BE GIVEN AFTER HEARING, SECTION 23-11 HEARING AUTHORIZED WHEN PERMIT DENIED, SUSPENDED, ETC., SECTION 23-12, HEALTH OR INSPECTION OFFICER MAY TAKE IMMEDIATE ACTION WHEN EMERGENCY EXISTS; ARTICLE II, LICENSES AND PERMITS, SECTIONS 23-25, APPLICATION; CONTENTS, SECTION 23-31, RENEWAL APPLICATIONS; CONTENTS; ARTICLE IV, MANUFACTURED HOME AND TRAVEL TRAILER PARK REGULATIONS, DIVISION I, GENERALLY, SECTION 23-93, WRECKED OR DAMAGED HOMES NOT TO BE KEPT IN PARKS; AND PROVIDING FOR REPEALER AND SEVERABILITY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:

**ORDINANCE**

**Section 1.** That the Midwest City Municipal Code, Chapter 23, Manufactured Homes, Trailers, Manufactured Home Parks, Etc., Article I, In General, Section 23-1, Definitions; is hereby amended to read as follows:

**Section 23-1, Definitions.**

For the purposes of this chapter, the following definitions shall apply:

*Dependent manufactured home* shall mean a manufactured home which does not have a flush toilet and a bath or shower. For purposes of regulation and under this chapter, a dependent manufactured home shall be considered to be the same as a dependent travel trailer unless otherwise specified.

*Dependent travel trailer* shall mean a travel trailer which does not have a flush toilet and a bath or shower.

*Freestanding manufactured home* shall mean any manufactured home or travel trailer not located in a manufactured home park or travel trailer park, respectively, licensed by the city, or in an approved manufactured home subdivision.

*Independent manufactured home* shall mean a manufactured home which has a flush toilet and a bath or shower. Unless otherwise indicated in the text of this chapter, the term "manufactured home" shall mean an independent manufactured home or independent travel trailer.

1            *Independent travel trailer* shall mean a travel trailer which has a flush toilet and a bath  
2 or shower.

3  
4            *Inspection Officer* shall mean the building official of the city or his authorized agent, the  
5 Fire Marshall for the City or authorized agent, a code enforcement officer for the City and/or an  
6 inspector for the Public Works Department for the City.

7  
8            *Licensee* shall mean any person licensed to operate and maintain a manufactured home  
9 park under this provisions of this chapter.

10  
11           *Manufactured home* shall mean a structure, transportable in one or more sections, which  
12 is eight (8) body feet or more in width and thirty-two (32) body feet or more in length, but  
13 contains no less than three hundred twenty (320) square feet, and which is built on a permanent  
14 chassis, and designed to be used as a year-round residential dwelling with or without permanent  
15 foundation, when connected to the required utilities, and includes the plumbing, heating, air  
16 conditioning, and electrical systems contained therein.

17  
18           *Manufactured home park* shall mean any plot of ground upon which two (2) or more  
19 manufactured homes, occupied for dwelling or sleeping purposes, are located regardless of  
20 whether or not a charge is made for such accommodations.

21  
22           *Manufactured home space* shall mean a plot of ground within a manufactured home park  
23 designed for the accommodation of one manufactured home and not located on a manufactured  
24 home sales lot.

25  
26           *Manufactured home subdivision* shall mean a subdivision designed and intended for  
27 residential use where residence is in a manufactured home exclusively and manufactured home  
28 lots are sold for occupancy.

29  
30           *Nonresidential manufactured trailer* shall mean any vehicle having the basic  
31 characteristics of either a manufactured home or travel trailer but which is used for purposes  
32 other than residential and is not being offered for sale, as indicated by a clearly displayed "For  
33 Sale" sign on or near the trailer.

34  
35           *Park* shall mean a manufactured home or travel trailer park.

36  
37           *Permittee* shall mean any person to whom a temporary permit is issued to maintain or  
38 operate a manufactured home park under the provisions of this chapter.

39  
40           *Public water system or public sewer system* shall mean any such system built and owned  
41 by, or dedicated to and accepted by, the city. All other such systems are private.

42  
43           *Rural* shall mean any area shown on the Midwest City Area General Plan for suburban  
44 or rural development and which is zoned agriculturally.

45

1           *Service building* shall mean a building housing toilet and bathing facilities for men or  
2 women, and may also include buildings containing laundry facilities and other facilities as  
3 required by this chapter or desired by the park operator.

4  
5           *Subdivision* shall mean a manufactured home subdivision unless otherwise indicated.

6  
7           *Travel trailer park* shall mean any plot of ground upon which two (2) or more dependent  
8 travel trailers or independent travel trailers, occupied for dwelling or sleeping purposes, are  
9 located regardless of whether or not a charge is made for such accommodations.

10  
11           *Travel trailer space* shall mean a plot of ground within a park designed for  
12 accommodation of one travel trailer.

13  
14           *Urban* shall mean any area shown on the Midwest City Area General Plan for urban  
15 intensity development.

16  
17 **Section 2.** That the Midwest City Municipal Code, Chapter 23, Manufactured Homes, Trailers,  
18 Manufactured Home Parks, Etc., Article I, In General, Section 23-3, Notice of violations; contents;  
19 is hereby amended to read as follows:

20  
21           **Section 23-3, Notice of violation; contents.**

22  
23 Whenever the Inspection Officer determines violations of public health, welfare or safety  
24 regulations exist, he shall notify the licensee or permittee of such alleged violation. Such notice  
25 shall:

- 26  
27           (a) Be in writing;  
28           (b) Include a statement of the reasons for its issuance;  
29           (c) Contain an outline of remedial action which, if taken, will effect compliance with  
30 provisions of this chapter and other pertinent regulations;  
31           (d) Allow a reasonable time not to exceed ninety (90) days for the performance of  
32 any act it requires; and  
33           (e) Be served upon the owner or his agent as the case may require, provided, that  
34 such notice or order shall be deemed as properly served upon the owner or agent when a copy  
35 thereof has been sent by certified mail to his last known address.

36  
37 **Section 3.** That the Midwest City Municipal Code, Chapter 23, Manufactured Homes, Trailers,  
38 Manufactured Home Parks, Etc., Article I, In General, Section 23-5, Reinspection of conditions;  
39 is hereby amended to read as follows:

40  
41           **Section 23-5, Reinspection of conditions.**

42  
43 At the end of ninety (90) days, the Inspection Officer shall reinspect the park and if the conditions  
44 or practices noted in the written notice have not been corrected, he shall suspend the license and  
45 give notice in writing of such suspension to the person to whom the license was issued. Upon

1 receipt of notice of suspension the person shall cease operation of such park, except as provided  
2 in section 23-8.

3  
4 **Section 4.** That the Midwest City Municipal Code, Chapter 23, Manufactured Homes, Trailers,  
5 Manufactured Home Parks, Etc., Article I, In General, Section 23-6, Inspection of parks  
6 authorized; is hereby amended to read as follows:

7  
8 **Section 23-6, Inspection of parks authorized.**

9  
10 The Inspection Officer is hereby authorized and directed to make inspections to determine the  
11 condition of parks located within the city in order to perform their duty of safeguarding the health  
12 and safety of occupants of the parks and of the general public.

13  
14 **Section 5.** That the Midwest City Municipal Code, Chapter 23, Manufactured Homes, Trailers,  
15 Manufactured Home Parks, Etc., Article I, In General, Section 23-9, Written order to be given  
16 after hearing; is hereby amended to read as follows:

17  
18 **Section 23-9, Written order to be given after hearing.**

19  
20 After the hearing provided for by this article, the Inspection Officer shall compile the findings  
21 of the city council as to compliance with this chapter and pursuant regulations and shall issue an  
22 order in writing sustaining, modifying or withdrawing the prior notice which shall be served as  
23 provided in section 23-3, provided, what happens then shall allow the permittee to file an appeal  
24 to the district court.

25  
26 **Section 6.** That the Midwest City Municipal Code, Chapter 23, Manufactured Homes, Trailers,  
27 Manufactured Home Parks, Etc., Article I, In General, Section 23-11, Hearing authorized when  
28 permit denied, suspended, etc.; is hereby amended to read as follows:

29  
30 **Section 23-11, Hearing authorized when permit denied, suspended, etc..**

31  
32 Any person whose permit has been denied or suspended or who has received notice from the  
33 Inspection Officer that his permit will be suspended unless certain conditions or practices at the  
34 park are corrected, may request and shall be granted a hearing on the matter before the city  
35 council; provided, that when no petition for such hearing shall have been filed within ten (10)  
36 days following the day on which notice of suspension was served, such license shall be deemed  
37 to have been automatically revoked at the expiration of such ten-day period.

38  
39 **Section 7.** That the Midwest City Municipal Code, Chapter 23, Manufactured Homes, Trailers,  
40 Manufactured Home Parks, Etc., Article I, In General, Section 23-12, Health or inspection officer  
41 may take immediate action when emergency exists; is hereby amended to read as follows:

42  
43 **Section 23-12, Health or inspection officer may take immediate action when**  
44 **emergency exists.**

1 Whenever an emergency exists, which requires immediate action to protect the public health,  
2 based on an inspection and report from the Inspection Officer, said Officer shall report said  
3 findings to the City Manager, or designee. The City Manager, pursuant to the authority contained  
4 in Article III, Section 3 of the City Charter for the City of Midwest City, may without notice or  
5 hearing issue an order reciting the existence of such an emergency and requiring that such action  
6 be taken as he may deem necessary to meet the emergency, including the suspension of the  
7 permit. Notwithstanding any other provisions of this article, such order shall be effective  
8 immediately. Any person to whom such an order is directed shall comply therewith immediately,  
9 but upon petition to the city council, shall be afforded a hearing at the next regular meeting even  
10 if the agenda has been completed.

11  
12 **Section 8.** That the Midwest City Municipal Code, Chapter 23, Manufactured Homes, Trailers,  
13 Manufactured Home Parks, Etc., Article II, Licenses and Permits, Section 23-25, Application;  
14 contents; is hereby amended to read as follows:

15  
16 **Section 23-25, Application; contents.**

17  
18 Applications for an original license shall be made to the Planning and Zoning Department of the  
19 city and shall be in writing, signed by the applicant, accompanied by an affidavit of the applicant  
20 as to the truth of the application and shall contain the following:

- 21  
22 (a) Name and address of the applicant;  
23 (b) The interest of the applicant in, and the legal description of the park;  
24 (c) A complete plan of the park showing compliance with all applicable provisions of  
25 this chapter and regulations promulgated thereunder; and  
26 (d) Such further information as may be requested by the Inspection Officer.

27  
28 **Section 9.** That the Midwest City Municipal Code, Chapter 23, Manufactured Homes, Trailers,  
29 Manufactured Home Parks, Etc., Article II, Licenses and Permits, Section 23-31, Renewal  
30 applications; contents; is hereby amended to read as follows:

31  
32 **Section 23-31, Application; contents.**

33  
34 Application for renewal of a license shall be made in writing by the holder of the license and  
35 shall contain the following:

- 36  
37 (a) Any change in the information submitted since the time the original license was  
38 issued or the latest renewal granted; and  
39  
40 (b) Other information requested by the Inspection Officer.

41  
42  
43 **Section 10.** That the Midwest City Municipal Code, Chapter 23, Manufactured Homes, Trailers,  
44 Manufactured Home Parks, Etc., Article IV, Manufactured Home and Travel Trailer Park  
45 Regulations, Division I, Generally, Section 23-93, Wrecked or damaged homes not to be kept in  
46 parks; is hereby amended to read as follows:

1  
2 Wrecked, damaged or dilapidated manufactured homes and travel trailers shall not be kept or  
3 stored in a manufactured home park or a travel trailer park. The Inspection Officer shall determine  
4 if a manufactured home or travel trailer is damaged or dilapidated to a point which makes the  
5 manufactured home or travel trailer unfit for human occupancy on either a temporary or permanent  
6 basis. Whenever such a determination is made, the manufactured home or travel trailer shall be  
7 vacated and removed from the premises.

8  
9 **Section 11.** REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby  
10 repealed.

11  
12 **Section 12.** SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for  
13 any reason held to be invalid, such decision shall not affect the validity of the remaining provisions  
14 of the ordinance.

15  
16 PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,  
17 Oklahoma, this 25 day of July, 2023.



**THE CITY OF MIDWEST CITY, OKLAHOMA**

25  
26  
27  
28  
29  
30

\_\_\_\_\_  
MATTHEW D. DUKES, II, Mayor

ATTEST:

31  
32  
33  
34  
35  
36

\_\_\_\_\_  
SARA HANCOCK, City Clerk

Approved as to form and legality this 25th day of July, 2023.

\_\_\_\_\_  
DONALD D. MAISCH, City Attorney