

RESOLUTION NO. 206-04

Date Adopted: November 24, 2004

Date Published: January 14, 2005

**A RESOLUTION AMENDING CERTAIN PROVISIONS OF CHAPTER 6,
ARTICLE VII OF THE SEDGWICK COUNTY CODE**

WHEREAS, on the 25th day of August, 1993, the Board of County Commissioners adopted Resolution No. 159-1993, which resolution adopted the *Sedgwick County Code*; and

WHEREAS, on the 15th day of January, 2003, the Board of County Commissioners adopted Resolution No. 13-2003, effective January 20, 2003, which resolution adopted the current Manufactured Housing Code, Article VII of Chapter 6, Sections 6-350 to 6-399 of the *Sedgwick County Code*.

WHEREAS, the Board of County Commissioners finds that it has been advised by the present Board of Building Examiners, and thereupon deems it necessary to amend the Manufactured Housing Code as contained herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION 1: AMENDMENTS TO CHAPTER 6, ARTICLE VII. Article VII of Chapter 6 of the Sedgwick County Code is hereby amended as follows:

Sec. 6-351 Definitions, is hereby amended by the addition of the following new definitions:

...

Construction trailer or job trailer means a unit that is used for any purpose, except an office or classroom, where members of the public are not invited, and is not used for residential or dwelling purposes, and is not designed or built in compliance with the Federal Manufactured Home Construction and Safety Standards generally known as the HUD code established pursuant to 42 U.S.C. 5403.

...

Portable office or portable classroom means a unit that is used as an office or classroom, or for any purpose where members of the public are invited, and is not used for residential or dwelling purposes, and is not designed or built in compliance with the Federal Manufactured Home

Construction and Safety Standards generally known as the HUD code established pursuant to 42 U.S.C. 5403.

Sec. 6-352. Permits Required for Installation of Manufactured Homes, is hereby amended as follows:

D. *Permit fees.*

- (1) There is hereby established a fee in the amount of \$65.00 for a permit for the installation of each manufactured home installed in a manufactured home community in Sedgwick County.
- (2) There is hereby established a fee in the amount of \$.15 ~~\$.13~~ per square foot for all other permits issued pursuant to this code, except as provided below. This fee is applicable to manufactured homes with no basement and for manufactured homes with an unfinished basement. A fee in the amount of \$.19 ~~\$.17~~ per square foot is hereby established for manufactured homes with finished basements.

SECTION 2: SAVING CLAUSE.

All rights and remedies of Sedgwick County, and the property owners and residents thereof, are expressly saved as to any and all violations of the Sedgwick County Code, Chapter 6, Article VII, Resolution Nos. 25-2000, 13-2003, or any prior manufactured housing code adopted as resolutions that have accrued at the time of the effective date of this resolution. The court shall have all the powers that existed prior to the effective date of this resolution as to all such accrued violations.

SECTION 4: AMENDMENT OF SEDGWICK COUNTY CODE. Chapter 6 of the Sedgwick County Code is hereby amended as set forth herein.

SECTION 5: SEVERABILITY CLAUSE.

Should any section, clause or provision of this resolution be declared by any court of competent jurisdiction to be invalid, the same shall not affect the validity of this resolution as a whole, or any part thereof, other than the part so declared to be invalid.

SECTION 6: PUBLICATION AND EFFECTIVE DATE.

The Sedgwick County Clerk is directed to publish this resolution once in the official county newspaper. This resolution shall take effect on January 1, 2005.

Commissioners present and voting were:

DAVE UNRUH	<u>X</u>
TIM R. NORTON	<u>X</u>
THOMAS G. WINTERS	<u>X</u>
CAROLYN McGINN	<u>absent</u>
BEN SCIORTINO	<u>X</u>

Dated this 24th day of November, 2004.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

THOMAS G. WINTERS, Chairman
Third District

ATTEST:

DAVE UNRUH, Commissioner
First District

DON BRACE, County Clerk

TIM R. NORTON, Commissioner
Second District

APPROVED AS TO FORM:

BEN SCIORTINO, Commissioner
Fifth District

AARON T. BLASE
Assistant County Counselor

CAROLYN McGINN, Commissioner
Fourth District