

Title 17

ZONING

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Chapter 17.04

TRAILER COURTS AND TRAILERS

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17.04.010 Definitions. Whenever in this chapter the following terms are used they shall have meaning respectively ascribed to them in this section.

A. "Depndent trailer coach" means a trailer coach which does not have a toilet and bathtub or shower.

B. "Independent trailer coach" means a trailer coach which does have a toilet and bathtub or shower.

C. "Person" includes a natural person, firm, corporation, partnership, cooperative organization or association, mutual or joint stock company.

D. "Trailer coach" means any vehicle, whether self-propelled or drawn by another vehicle used and maintained for use, or originally designed and intended for use, as a conveyance upon the streets and highways, and so designated and so constructed as to permit occupancy thereof as a dwelling or sleeping place for one or more persons.

E. "Trailer coach space" means a plot of ground within a trailer court, designated for the accommodation of one trailer coach.

F. "Trailer court" means any plot of ground upon which two or more trailer coaches, occupied for dwelling or sleeping purposes are located. (1957 Rev. Ord. §11.0101)

17.04.020 Overnight trailer coach parking. No person shall park or cause to be parked, any trailer coach overnight on any street, alley, highway or other public place. No more than one trailer coach shall be used or occupied on the premises upon which any dwelling is located. No dependent trailer coach shall be used or occupied as a dwelling or sleeping place, unless the same shall be parked in a trailer court as herein defined. No independent trailer coach shall be used or occupied as a dwelling or sleeping place, unless the same shall be parked in a trailer court as herein defined or the same shall be directly connected with the public sanitary sewer system and public water supply. (1957 Rev. Ord. §11.0102)

17.04.030 Layout of trailer courts. Any trailer court, as herein defined, shall be located on a well drained site, and shall be so located that its drainage will not endanger any water supply, and shall be in any area free from any marsh, swamp, or other potential breeding place for insects or rodents. The area of any trailer court shall be large enough to accommodate the designated number of trailer coaches, necessary streets and roadways, service buildings, and a parking area for motor vehicles. Each trailer coach space shall contain a minimum of six hundred square feet, shall be at least twenty feet wide, and shall abut on a driveway or other clear area with unobstructed access to a public street. There must be a minimum of twelve feet between trailer coaches. It is illegal to allow a trailer coach to remain in a trailer court unless a trailer coach space is available. It is illegal to park a trailer coach less than twenty feet from any street or highway, or so that any part of such trailer coach will obstruct any roadway or walkway. Access roads shall be provided to each trailer coach. Areas shall be

provided for the parking of motor vehicles. Such areas shall accommodate at least the number of vehicles equal to the number of trailer coach spaces provided. (1957 Rev. Ord. §11.013)

17.04.040 Service buildings. Each trailer court, as herein defined shall be provided with one or more service buildings adequately equipped as herein specified.

A. Each service building shall contain two toilets for females, one for males, one lavatory and shower for each sex, one urinal for men, one laundry tray and one slop water closet.

B. Dependent trailer coaches shall be parked not more than two hundred feet from such service building.

C. Such service building shall be of permanent construction and adequately lighted at all times.

D. Such service building shall be of moisture-proof materials to permit frequent washing and cleaning.

E. Such service building shall have adequate, safe heating facilities to maintain a temperature of not less than seventy degrees Fahrenheit during cold weather, and to supply a minimum of three gallons of hot water per hour per coach space during periods of peak demand.

F. Such service building shall have all rooms well ventilated with all openings effectively screened.

G. Such service building shall be located fifteen feet or more from any trailer coach space. (1957 Rev. Ord. §11.0104)

17.04.050 Waste and garbage disposal. No person, as herein defined, shall deposit or drain any waste water, liquid waste, sewage or garbage of any kind, or permit the same to be done, upon the ground or upon any paved or graveled area within any trailer court nor upon any street, alley, or any lot within the corporate limits of the city. The storage, collection and disposal of refuse in the trailer court shall be so managed as to create no health hazards, rodent harborage, insect breeding areas, accident hazards, or air pollution. All refuse shall be stored in flyweight, watertight, rodent-proof containers, which shall be located no more than one hundred fifty feet from any trailer coach space.

They shall be provided in sufficient number and capacity to prevent any refuse from overflowing. (1957 Rev. Ord. §11.0105)

17.04.060 Water supply and disposal. Each trailer space shall be directly connected with the public water system and public sanitary sewer system. The water system shall be connected by pipes to all buildings and trailer coach spaces, and water service connections which are provided for direct use by trailer coaches shall be constructed so that they will not be damaged by parking of such coaches. Each trailer coach space shall be provided with at least a three-inch sewer connection, and provided with equitable fittings so that a watertight connection can be made between the trailer coach drain and sewer connection, and so constructed that they can be closed when not linked to a coach, and shall be trapped in such a manner as to maintain them in an odor-free condition. (1957 Rev. Ord. §11.0106)

17.04.070 Permit required. It is unlawful for any person to construct, maintain, operate or alter any trailer court within the limits of the city unless he shall hold a valid permit issued annually by the city council, upon approval of application. All applications shall be made to the city council. No permit shall be transferable, and permits shall expire on April 1st, in each year. (1957 Rev. Ord. §11.0107)

17.04.080 Permit--Contents of application. Each applicant for a permit to operate a trailer court shall make such application in writing, signed by applicant, and accompanied by affidavit, as to truth of application and shall contain the following information:

- A. The name and address of applicant;
- B. Location and legal description of trailer court premises;
- C. A complete plan of trailer court, showing compliance with all applicable provisions of the ordinance, and regulations promulgated thereunder;
- D. A complete plan, for purpose of obtaining a permit to be issued by the city council, shall show:
 - 1. The area and dimensions of the tract of land;
 - 2. The number, location, and size of all trailer coach spaces;

3. The location and width of roadways and walkways;
4. The location of service buildings and any other proposed structures;
5. The location of all water and sewer lines.
(1957 Rev. Ord. §11. 0108)

17.04.090 Transfer of business. Any person operating a trailer court under permit as provided in this chapter, who disposes of his business shall give notice to the city within one week of such transfer and the new owner shall make application for a permit within one week after taking possession. (1957 Rev. Ord. §11.0109)

17.04.100 Investigation of application. The public health officer of the city shall inspect every trailer court or proposed trailer court upon application being made for permit as herein defined, for purposes of determining compliance with the provisions of this chapter, and no permit shall be issued by the city council, except upon recommendation of the public health officer, that such trailer court or proposed trailer court complies with the requirements of this chapter. (1957 Rev. Ord. §11.0110)

17.04.110 Permit fee. There shall be collected for each application for new permit or application of renewal permit, the sum of one dollar per trailer coach space, payable to the city, which application fee shall accompany the application. (1957 Rev. Ord. §11.0111)

17.04.120 Trailer court inspection. The public health officer is authorized and directed to make inspections to determine the condition of trailer courts located within the limits of the city, in order that he may perform his duty of safeguarding the health and safety of the occupants of trailer courts and of the general public. The public health officer shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the compliance with this title, or any regulations promulgated thereunder. It shall be the duty of the owners or occupants of trailer courts, and trailer coaches contained therein, or of persons in charge thereof, to give the public health officer free access to such premises at reasonable times for the purposes of inspection. (1957 Rev. Ord. §11.0112)

17.04.130 Permit revocation. Any permit may be revoked by the city council, at any time, for any violation of this

title or regulations promulgated thereunder, upon the signed report of the public health officer, after inspection showing violation. (1957 Rev. Ord. §11.0113)

Chapter 17.08

FLOOD DAMAGE PREVENTION

Sections:

17.08.010 Authorization--Purpose--Objectives

17.08.020 Definitions.

17.08.030 General provisions.

17.08.040 Administration.

17.08.050 Provisions for flood hazard reduction.

17.08.010 Authorization--Purpose--Objectives.

A.

AUTHORIZATION--The Legislature of the State of South Dakota has in its Codified laws delegated the responsibility to local government units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. SDCL Chapter 9-36-15 and Chapter 9-36-16 grant municipalities the power to enter into agreements for cooperation in flood control projects and their implementation. Therefore, the council does ordain as follows:

1. The flood hazard areas of the City of Gettysburg are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
2. These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately flood proofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

B. PURPOSE -- It is the purpose of this chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions to specific areas by provisions designed:

1. To protect human life and health;
2. To minimize expenditure of public money for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and

generally undertaken at the expense of the general public;

4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
6. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
7. To ensure that potential buyers are notified that property is in an area of special flood hazard; and
8. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

C. METHODS OF REDUCING FLOOD LOSSES--In order to accomplish its purposes, this ordinance includes methods and provisions for:

1. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
2. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
4. Controlling filling, grading,, dredging, and other development which may increase flood damage; and
5. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.(Ord. 1997-2-1(part))

17.08.020 Definitions. Unless specifically defined below, words or phrases used in this section shall be interpreted so as to give this section its most reasonable application.

A. "Base flood" means the flood having a one percent chance of being equaled or exceeded in any given year.

B. "Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

C. "Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of waters, and/or
2. The unusual and rapid accumulation or runoff of surface waters from any source.

D. "Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

E. "Structure" means a walled and roofed building or manufactured home that is principally above ground.

F. "Substantial improvement" means any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or
2. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure". (Ord. 1997-2-1 (part))

17.08.030 General Provisions. A. LANDS TO WHICH THIS SECTION APPLIES -- This ordinance shall apply to all areas within the jurisdiction of the city.

B. COMPLIANCE -- No structure or land shall hereafter be constructed, located, extended, or altered without full compliance with the terms of this section and other applicable regulations.

C. ABROGATION AND GREATER RESTRICTIONS -- This section is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this section and other sections relating to easement, covenant, or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

D. INTERPRETATION--In the interpretation of this section, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body;
3. Deemed neither to limit or repeal any other powers granted under State statute.

E. WARNING AND DISCLAIMER OF LIABILITY -- This section shall not create liability on the part of the city, any officer or employee thereof, or the Federal Emergency Management Agency for any flood damages that result from reliance on this section or any administrative decision lawfully made thereunder. (Ord. 1997-2-1 (part))

17.08.040 Administration. A. ESTABLISHMENT OF DEVELOPMENT PERMIT -- A development permit shall be obtained before construction or development begins within the city. Application for a development permit shall be made on forms furnished by the City Finance Office and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing.

B. DESIGNATION OF THE BUILDING ADMINISTRATOR AS LOCAL ADMINISTRATOR -- The Gettysburg city finance officer is hereby appointed to administer and implement this section by granting or denying development permit applications in accordance with its provisions.

C. DUTIES AND RESPONSIBILITIES OF THE LOCAL ADMINISTRATOR -- Duties of the Local Administrator shall include but not be limited to:

1. Permit Review

(a) Review all development permits to determine that the permit requirements of this section have been satisfied and to determine whether proposed building sites will be reasonably safe from flooding.

(b) Review all development permits to determine that permits have been obtained from those Federal, State or local government agencies from which prior approval is required.

(c) Review all development permits to determine if the proposed development adversely affects the flood carrying capacity of the flood-prone area. For the purposes of this ordinance, "adversely affects" means damage to adjacent properties because of rises in flood stages attributed to physical changes of the channel and the adjacent overbank areas.

(i) If it is determined that there is no adverse effect and the development is not a building, then the permit shall be granted without further consideration.

(ii) If it is determined that there is an adverse effect, then technical justification (i.e., a registered professional engineer's certification) for the proposed development shall be required.

(iii) If the proposed development is a building, then the provisions of this section shall apply. (Ord. 1997-2-1 (part))

17.08.050 Provisions for flood hazard reduction. A.

GENERAL STANDARDS - If a building site is located in a flood-prone area, all new construction and substantial improvements (including the placement of manufactured homes) shall conform to the following standards:

1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure and capable of resisting hydrostatic and hydrodynamic loads

2. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
3. All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and /or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

B. New and Replacement Water Supply, Sanitary Sewage and Waste Disposal Systems -

1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
2. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and
3. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

C. All subdivision proposals shall be consistent with the need to minimize flood damage. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage. (Ord. 1997-2-1 (part), 1997)