

AN ORDINANCE AMENDING SECTION 5-5.3(4) OF APPENDIX A TO THE CODE OF ORDINANCES OF THE CITY OF MARIETTA REGARDING THE PLACEMENT OF MOBILE HOMES IN R-1 AND R-2 ZONING LOTS; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MARIETTA, OKLAHOMA:

SECTION 1. Section 5-5.3(4) of Appendix A to the Code of Ordinances of the City of Marietta shall be amended as follows:

(4) Storage and parking of trailers.

a. Individual mobile homes may be permitted to occupy a zoning lot in R-1 or R-2 residential districts upon approval of the planning commission and the city council.

b. Prior to permitting a mobile home to occupy a zoning lot in R-1 or R-2 residential districts, the planning commission shall set the matter for public hearing and give at least 15 days' notice of the date, time, and place of the hearing by publication in a newspaper of general circulation and by regular mail to all owners of property within a two hundred (200) foot radius of the subject property, with the addresses of such owners and said radius being as shown by the Office of the Love County Assessor.

1. Protests against proposed changes shall be filed at least three (3) days before the date of the public hearing. If protests are filed by the owners of fifty percent (50%) or more of the area of the lots within a two hundred (200) foot radius of the exterior boundary of the territory included in a proposed change; then the proposed change or amendment shall not become effective except by the favorable vote of three-fourths of all the members of the city council.

c. The permit granted by the planning commission, with the approval of the city commission, may be withdrawn at any time if the individual or entity which is permitted to move the individual mobile home upon a lot zoned R-1 or R-2, is not in compliance with the requirements placed on said permit by the planning commission or the city commission council. Any and all requirements shall be prescribed at the discretion of the city commission council but shall include, at a minimum, the following:

a.1. The mobile home is compatible with the other residential improvements in the neighborhood as to both value and exterior appearance.

b.2. The roof shall be pitched, at a minimum, of 1 1/2 feet in 12 feet.

1.3. Reserved.

- e.4. ~~Written agreement is secured from 75 percent of the owners of property within 200 feet and from all owners of abutting property. Reserved.~~
- e.5. The wheels or other transporting devices of all mobile homes permitted in R-1 or R-2 zoned residential districts shall be removed.
- e.6. Any and all mobile homes located in R-1 or R-2 zoned residential districts shall be securely anchored to the ground so as to attain the same resistance to wind as a fixed residence of comparable size.
- e.7. As a condition of any permit allowing a mobile home in a R-1 or R-2 zoned residential district, the owner or entity shall be required to skirt the mobile home so as to enclose the underneath area.
- e.8. Reserved.
- e.9. The individual or entity which is permitted to move the individual mobile home upon a lot zoned R-1 or R-2 shall have 90 days from the date the mobile home is moved onto the lot to comply with requirements contained in this section. In the event that all requirements are not met within the 90 day period, said permit granted by the planning commission or city ~~commission~~ council shall be withdrawn and the mobile home shall be moved within 30 days of notice to the individual or entity placing said mobile home on the lot. Failure to remove said mobile home within the 30-day period shall result in the City of Marietta enforcing this regulation and ordinance by an injunction and court order for said removal, all at the expense of the individual or entity as referred to herein.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, repealed.

SECTION 3. If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

PASSED by the City Council and **SIGNED** by the Mayor of the City of Marietta, Oklahoma on this 12th day of November 2019.

ATTEST: 
 DOTTIE GWIN, CITY CLERK

 CITY OF MARIETTA
 BY: 
 KIMBERLY FRAIRE, MAYOR