

ST. PETERSBURG CITY COUNCIL

Meeting of January 8, 2009

- TO:** The Honorable Chair, and Members of City Council
- SUBJECT:** Amendment to City Code Chapter 18 regarding mobile homes and mobile home parks, deleting this chapter from the City Code.
- REQUEST:** Conduct second reading and public hearing for the attached ordinance.

ANALYSIS:

The attached ordinance proposes repealing City Code Chapter 18 regarding mobile homes and mobile home parks. This regulation was adopted in the 1960s and has not been modified since that time. The reasons for repealing are as follows:

* Some of the sections are preempted by State law in Florida Statutes Chapter 513 and 733, and certain rules and regulations adopted pursuant thereto. Certain portions of the Building Code also supersede some of the sections of Chapter 18. Some of these regulations are also duplicative or inconsistent with other City Code sections.

* None of the sections of Chapter 18 are being enforced except those that are required by other regulations.

This matter was discussed with the Building Official and Code Enforcement Director, and they support repealing City Code Chapter 18.

RECOMMENDATION

Administration recommends Council CONDUCT the second reading and public hearing for this ordinance and APPROVE the ordinance.

Attachments: Memo from Mark Winn, Ordinance amending City Code Chapter 18

MEMORANDUM

TO: The Honorable Chair and Members of City Council

FROM: Mark A. Winn, Chief Assistant City Attorney

DATE: October 3, 2008

RE: Repeal of Chapter 18, Mobile Homes

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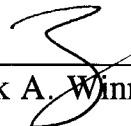
Chapter 18 regulates mobile homes and mobile home parks to a certain extent. This regulation was adopted probably in the 1960s and as far as I can tell has not been modified since that time.

Some of the sections are preempted by State law in Florida Statutes Chapter 513 and 733 and certain rules and regulations adopted pursuant thereto. Certain portions of the Building Code also supersede some of the sections of Chapter 18. Some of these regulations are also duplicative or inconsistent with other City Code sections.

None of the sections of Chapter 18 are being enforced except those that are required by other regulations. Examples of provisions that are covered by other regulations are requirements that the mobile home has to be hooked up to a water supply and the sewer system (both required by Chapter 27 dealing with City utilities). Examples of things that are out of date are requirements for septic tanks, "tightly covered garbage cans," and requirements that the manager keep a record of the name, address and car license number of each occupant.

I have discussed this matter with the Building Official, Development Services Director and Code Enforcement Director and they have no concerns with repealing this Chapter.

Recommendation: Conduct first reading and schedule a public hearing on the proposed ordinance which repeals Chapter 18 and removes it from the City Code.



Mark A. Winn

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Attachment

AN ORDINANCE OF THE CITY OF ST. PETERSBURG REPEALING CHAPTER 18, MOBILE HOME AND MOBILE HOME PARKS; DELETING THIS CHAPTER FROM THE CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 18 regulates Mobile Home and Mobile Home Parks and was originally adopted many years ago; and

WHEREAS, after the adoption of Chapter 18 several statewide regulations were adopted which supercede, in part, much of Chapter 18; and

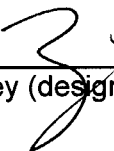
WHEREAS, those regulations that weren't superceded are, in many cases, out of date or no longer necessary and therefore Chapter 18 no longer needed.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section one. Chapter 18, Mobile Home and Mobile Home Parks, Sections 18-1 through 18-78 of the St. Petersburg City Code are hereby repealed, deleted in their entirety and removed from the City Code.

Section two. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall take effect immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:



City Attorney (designee)