

TITLE 10
ZONING REGULATIONS

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CHAPTER 1

RESIDENTIAL BUILDINGS

SECTION:

10-1-1 : Regulation

10-1-1: REGULATION: It shall , after November 3, 1947, be unlawful for any owners of real property located in the following properties located in blocks 5 and 6 of Donlan's addition to the city, to erect or maintain, or permit the erection or maintenance of, buildings for other than residential purposes or purposes directly incidental to residential uses . This prohibition shall extend to all types of commercial and trade buildings and structures, including stores, garages, tourist camps and service stations, but shall apply only as against lands within the said blocks 5 and 6 of Donlan's addition to Thompson Falls, Montana. (1985 Code § 11 .02.01)

CHAPTER 2

SETBACKS

SECTION:

10-2-1:	Purpose
10-2-2:	Setbacks Established
10-2-3:	Application
10-2-4:	Exception
10-2-5:	Penalty

10-2-1: **PURPOSE:** It is the purpose of this chapter to regulate the location of mobile homes, buildings, residences and other improvements (hereinafter collectively called "improvements") a sufficient distance from the exterior boundaries of parcels of land, to provide sight distance at intersections, fire protection for adjoining land, not allow encroachments upon adjoining city property, and to protect the safety of the residents of the city. (Ord. 324,7-14-2008)

10-2-2: **SETBACKS ESTABLISHED:** All improvements shall be set back fifteen feet (15') from streets and ten feet (10') from adjoining property lines and alleys for corner lots, and ten feet (10') from streets, and ten feet (10') from adjoining property lines and alleys for noncorner lots . For the purposes of measurement, setbacks from streets and alleys shall be from property lines. This requirement shall not apply to fences, provided the fence does not block the view of traffic at an intersection. (Ord. 324 , 7-14-2008)

10-2-3: **APPLICATION:** Prior to locating an improvement on property in the city, the owner shall make application to the city superintendent at city hall. There shall be an application fee as determined from time to time by resolution of the city council. This fee may be waived or modified in the discretion of the city superintendent, if he determines that it only requires a summary review. The application shall include the property description, the owner of the property, and a narrative description

of the proposed improvement. A sketch shall show distances from the improvement to the property boundary. The applicant shall be required to establish property boundaries to the satisfaction of the city superintendent. The construction permit shall be displayed in a visible place on the building site until the project is completed. There shall be a fifty dollar (\$50.00) fine for not having a permit to construct within the city limits. (Ord. 324, 7-14-2008 ; amd. 2010 Code)

10-2-4: EXCEPTION: Section 10-2-2 of this chapter shall have no application on the south side of Main Street on lots abutting Main Street. (Ord. 324, 7-14-2008)

10-2-5: PENALTY: An improvement placed in violation of the setback distances shall be relocated by the owner to fit the distances required herein. Anyone who places an improvement on his property in violation of this chapter shall be deemed guilty of a misdemeanor. (Ord. 324, 7-14-2008)

CHAPTER 3

MOBILE HOMES

SECTION:

10-3-1 :	Purpose
10-3-2:	Definition
10-3-3:	Mobile Homes Prior To June 2, 1977
10-3-4:	Restrictions

10-3-1: PURPOSE: The purpose of this chapter is to provide a minimum standard (R-1) ordinance, whereby the health, neighborhood property and public welfare of others are considered and protected. (1985 Code § 11 .04.01)

10-3-2: DEFINITION: A "mobile home" is defined as any vehicle or similar portable structure designed for use as a conveyance upon highways, so designed or constructed as to permit occupancy for dwelling or sleeping purposes. (1985 Code § 11.04.03)

10-3-3: MOBILE HOMES PRIOR TO JUNE 2, 1977: Nothing in this chapter will have any effect or pertain to the licensed mobile home courts now in operation in the city, or to mobile homes presently located within the city and presently assessed on the tax rolls, but will pertain to all mobile home installations occurring hereafter. (1985 Code § 11.04.02)

10-3-4: RESTRICTIONS: Any and all mobile homes permitted in the city shall be subject to the following provisions:

- A. Application : Application must be made , in writing, to the city clerk-treasurer on forms provided by the city for the placement of any mobile home in the city.

- B. Legal Description; Septic Tank And Drain Field Permit: On forms provided, a full legal description will be made by applicant of both the mobile home and property involved. Also, at the same time , a septic tank and drain field permit will be received.
- C. Septic Tank And Drain Field Required; Inspection: One septic tank and one connection drain field must be installed for each mobile home, and no backfill must be made until an inspection has been completed by the building inspector. The mobile home can then be moved onto the lot. (Minimum 750 gallon septic tank; or connection be made to the city sewer.)
- D. Number Limited Per Lot: There will be no more than one mobile home per lot and each shall be of single (single-family) occupancy only (R-1).
- E. Minimum Floor Area: Each mobile home shall have a floor area exclusive of carport, garage, open porch or breezeway, of at least four hundred (400) square feet.
- F. New Construction: All building erected or permitted near mobile home must be of new construction.
- G. Loss Or Destruction: In the event of fire or any act of God, which may destroy the mobile home, or any part thereof , the same must be rebuilt or the debris removed from the property within ninety (90) days.
- H. Off Street Parking: All mobile homes must provide at least one off street parking area.
- I. Setback Regulations: Refer to state law on trailer courts.
- J. Storage Of Auto Trailer: Nothing in this chapter shall be deemed to prohibit the storage of one auto trailer on the home premises of its owner for any length of time when not used for living, sleeping or business purposes; provided, that the owner of the trailer will call at the office of the county sanitarian and sign a form to that effect. (1985 Code § 11.04.04; amd . 2010 Code)