

**Ordinance No. 08-59**

**AN ORDINANCE OF THE VILLAGE OF PLEAK AMENDING ARTICLE III, SECTION A (2) AND REPEALING IN ITS ENTIRETY ARTICLE III, SECTION B OF ORDINANCE NUMBER 45 ADOPTED OCTOBER 20, 2004 WHICH PROHIBITS THE PLACEMENT OF MOBILE HOMES AND MANUFACTURED HOMES WITHIN THE VILLAGE OF PLEAK.**

**WHEREAS**, it is the intention of the Village Council with this amendment to provide clarification to the original intent of the Village of Pleak's manufactured home ordinance, Article III Section A (2);

**WHEREAS**, it is the intention of the Village Council with this amendment to repeal Article III, Section B of the Village's manufactured home ordinance;

**WHEREAS**, it is the Village Council's intention with this amendment to provide for the orderly, safe, and healthful development of the Village regarding the placement of manufactured homes within the Village and its extraterritorial jurisdiction and to promote the health, safety, morals and welfare of the community;

**WHEREAS**, it is the Village Council's intention to have the remainder of ordinance number 45 to continue in effect with the added amendment;

**NOW, THEREFORE BE IT ORDAINED BY THE VILLAGE COUNCIL FOR THE VILLAGE OF PLEAK** the following amendment to the Village manufactured home ordinance is hereby adopted and included in the original ordinance.

**Section 1. Current wording of Article III, Section A (2).**

Article III, Section A (2) currently reads as follows:

2. This provision is prospective and shall not apply to any mobile homes used and occupied as residential dwellings in the city on the effective date of this ordinance.

**Section 2. Amended wording of Article III, Section A(2).**

Article III, Section A (2) shall be amended to read as follows:

2. This provision is prospective and shall not apply to any mobile home or manufactured home legally located on a site and occupied as residential dwellings in the Village on the effective date of this ordinance.
  - a. Any mobile home or manufactured home legally located on a site and occupied in the Village prior to the adoption of this ordinance shall be allowed to remain on the site that it is currently located on, but shall not be moved to another site or replaced with another mobile home or manufactured home under any circumstance.

**Section 3. Current wording of Article III, Section B.**

Article III, Section B currently reads as follows:

**Exception. Replacement of mobile homes.**

A permit may be granted by the city for **replacement** of a mobile home or a HUD-code manufactured home, provided that the mobile home or manufactured home being replaced has been used or occupied continuously as a residential dwelling. In addition, such replacement must be made within six (6) months of the date the mobile home or manufactured home being replaced has been removed, damaged or destroyed.

**Section 4. Repeal of Article III, Section B.**

This section hereby repeals Article III, Section B in its entirety.

**Section 5. Adoption of ordinance.**

This ordinance shall become effective upon its approval and passage.

PASSED by a majority vote of the members of the Village Council this \_\_\_\_\_ day of February 2008.

APPROVED:

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Mayor, Margie Krenek

ATTEST:

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City Secretary, Ruth Elster