

AN ORDINANCE PROVIDING FOR FIRE SAFETY AND PUBLIC HEALTH STANDARDS REGARDING SMALL HOUSES WITHIN THE CORPORATE LIMITS OF THE CITY OF OSBORN, MISSOURI

WHEREAS, the City of Osborn recognizes a need for affordable housing for low and moderate income families; and

WHEREAS, the City of Osborn would like to provide a mechanism whereby such housing could be provided in a manner that will remain consistent with the city's goals of fire protection, maintaining a safe and clean drinking water supply, and maintaining the general health and safety for the residents of the city, as well as preventing public nuisances and unsafe maintenance of small houses; and

NOW, THEREFORE BE IT HEREBY ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF OSBORN, MISSOURI AS FOLLOWS:

SECTION 1: DEFINITIONS

As used in this Ordinance, the following terms shall have the meanings indicated, unless the content requires otherwise:

A. Small House:

A structure not less than one hundred twenty-eight (128) square feet and not to exceed nine hundred (900) square feet and not exceeding two (2) stories in height. Intended for use as a permanent, single family residence. Structure must be connected to public utilities (electric, water, and sewer). A manufactured mobile home or travel unit as defined in Ordinance 2012-02 is not considered a Small House.

B. Small House Development:

Any development, site, parcel or tract of land designated, maintained or intended to be used for the purpose, placement or construction of a Small House, as defined in Section 1.a.

SECTION 2: CONSTRUCTION STANDARDS

The following are minimum requirements for Small House construction and placement:

- A. Height: Maximum structure height two (2) stories or thirty (30) feet.
- B. Living Space: Maximum square footage including all floors (900)
Minimum square footage including all floors (128)
- C. Foundation: Must be frost proof concrete slab, crawl space or basement.

- D. Anchor: House must be anchored to withstand minimum (90) mph wind load.
- E. Roof: Must be pitch roof constructed of metal roofing or composite shingles.
- F. New: Small Houses not built on site, must be new (current year) and not previously lived in.
- G. The Small Houses must meet current standards established by the United States Department of Housing and Urban Development (HUD).
- H. Storage buildings converted to Small Houses are not accepted. Units must have characteristics of a typical home.

SECTION 3: LOT REQUIREMENTS, AND SPACING

- A. Minimum lot width:
 - a. Interior lots: Thirty (30) feet of street frontage.
Corner lots: Forty (40) feet.
- B. Minimum lot depth:
 - a. Seventy-five (75) feet.
- C. Minimum lot area:
 - a. Twelve thousand eight hundred seventy (12,870) square feet.
- D. Minimum yard:
 - a. Front yard. No building shall be located within twenty-five (25) feet of the front property line. No building shall be located in the front yard between the primary building and the front property line.
 - b. Side yard.
 - i. Interior lots. No building shall be located within seven (7) feet of any side property line. No accessory building shall be located within five (5) feet of any side property line.
 - ii. Corner lots. No building or accessory building shall be located within fifteen (15) feet of the side street right-of-way. No building shall be located within seven (7) feet of the interior side property line. No accessory building shall be located within five (5) feet of the interior property line.
 - c. Rear yard. No building shall be located within twenty-five (25) feet of the rear property line. No accessory building shall be located within three (3) feet of any rear property line.

SECTION 4: OFF-STREET PARKING

All small houses setup in the corporate limits of the City of Osborn shall provide at least two off-street parking spaces on the lot on which said structure is setup to be used by the resident of said structure or their guests. Such parking spaces shall have an area of not less than 200 square feet, exclusive of space necessary to provide access to a street. The access road leading to the street must be a properly maintained gravel base.

SECTION 5: UTILITIES

- A. No small houses shall be hooked up to city utilities until it has been inspected by and received approval from a City employee as being in compliance with this ordinance. The City employee may designate or appoint a special building inspector to act in his absence.
- B. Each small house shall be equipped with at least one electrical outlet providing at least 100-ampere service. All electrical service cables shall be placed underground. All small house shall be grounded.
- C. Each small house shall be provided with an adequate supply of potable water. The water system shall be installed in accordance with city specifications.
- D. Each small house shall be provided with a sewer of at least four (4) inches in diameter, which shall discharge waste into the City sewage system. The connection shall be installed in accordance with city specifications.

SECTION 6: ENFORCEMENT

- A. It shall be unlawful for any person to fail to comply with the terms of this ordinance, or to interfere with the City employee or special building inspector in the performance of his duties.
- B. Any person violating or permitting the violation of any other provisions of this ordinance shall be guilty of a Class B Misdemeanor and, upon conviction, be fined not less than \$50.00 or not more than \$500.00 for each violation, or confined for a period of not more than six months, or punished by both such fine and imprisonment; provided that each day's violation thereof shall be a separate offense for the purpose hereof.
- C. Violations of this ordinance shall not require any particular state of mind on part of the Defendant, it being the intent to make all such violations of this ordinance strict liability offenses.

SECTION 7: REPEAL OF CONFLICTING ORDINANCES

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 8: EFFECTIVE UPON PASSAGE

This ordinance shall be in full force and effect from and after its date of passage.

PASSED, SIGNED, AND APPROVED THIS 9TH DAY OF NOVEMBER, 2016.

ABSENT

David E. Meek, Mayor

Jeff McCartney, Mayor Pro Tem

Attest:

Jody Barlow, City Clerk