

ORDINANCE NO. 098, 2020
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING SECTION 18-6 OF THE CODE OF THE CITY OF FORT COLLINS
REGARDING MOBILE HOME PARK MANAGEMENT AND LIVABILITY

WHEREAS, manufactured housing communities, or “mobile home parks”, are important sources of affordable housing for lower income working families, seniors, and people with disabilities living in Fort Collins; and

WHEREAS, mobile homeowners are in a unique situation because they commonly are both owners of their individual home and tenants of the mobile home park because they do not own the land on which their home is located; and

WHEREAS, residents of manufactured housing communities in Fort Collins may also experience barriers to engagement with the City not experienced by residents of other single-family neighborhoods; and

WHEREAS, City Plan Neighborhood Livability and Social Health Principle LIV 6 is to “Improve access to housing that meets the needs of residents regardless of their race, ethnicity, income, age, ability or background”; and

WHEREAS, City Plan Neighborhood Livability and Social Health Principle LIV 7 is to “Promote a more inclusive and equitable community that encourages and celebrates diversity”; and

WHEREAS, Principles LIV 6 and LIV 7 are supported and advanced by the following policies related to affordable housing and relevant to mobile home parks: LIV 6.4, *Permanent Supply of Affordable Housing*, LIV 6.9, *Prevent Displacement*, LIV 6.10, *Mitigate Displacement Impacts*, and LIV 7.4, *Equity Considerations*; and

WHEREAS, in the 2019 legislative session, the Colorado General Assembly passed House Bill 19-1309 concerning the regulation of mobile home parks (“HB1309”); and

WHEREAS, HB1309 acknowledges that mobile home park tenants and landlords have rights and responsibilities under the state’s Mobile Home Park Act (the “Act”) and encourages local governments to play an active role in ensuring the Act is upheld, by giving counties and municipalities the power to adopt and enforce ordinances and resolutions to provide for the safe and equitable operation of mobile home parks in their jurisdictions; and

WHEREAS, HB1309 states that such ordinances can be enacted within the scope of the Act “and further” as a county or municipality deems necessary “to protect homeowners’ equity in and safe use and enjoyment of the mobile homes and mobile home lots;” and

WHEREAS, Section 18-6 of the City Code regulates the management of mobile home parks, as defined in Section 18-2 of the City Code; and

WHEREAS, in September 2019, a cross-departmental Residents' Rights Technical Team began work to build relationships with residents, owners, and managers of manufactured housing communities; identify and address livability concerns; protect residents from retaliation and abuse; create consistent local investigation and enforcement processes; and assist residents with community organizing; and

WHEREAS, based on the information gathered through that process, City staff has recommended several amendments to City Code Section 18-6 to help create a safe and equitable environment for manufactured housing community residents in Fort Collins and advance Council and community priorities related to manufactured housing residents' rights and neighborhood livability; and

WHEREAS, the proposed changes include requiring park owners to provide additional information about the park manager, in both English and Spanish; specifying that trees on the property are the responsibility of the park owner, not the residents; limiting required upgrades on existing homes; and prohibiting interference with meetings of neighborhood groups; and

WHEREAS, in addition to City Plan, the proposed changes also support Objectives 1.1, 1.5 and 1.8 of the City's Strategic Plan related to neighborhood livability and social health; and

WHEREAS, in consideration of the need to maintain and expand affordable housing in the City, the relevant policies set forth in City Plan and the Strategic Plan, and the regulatory opportunities provided by HB1309, the City Council has determined that the proposed amendments to the City Code are in the best interests of the City and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That Section 18-6(a) of the Code of the City of Fort Collins is hereby amended to read as follows:

(a) *Designation of Manager.* Every mobile home park owner shall designate a person to act as manager of the park for the purpose of providing supervision of such mobile home park. Such manager shall be accessible to park residents and the public during reasonable and convenient times. An emergency telephone number, on-site manager's name, and regular office hours shall be posted in a conspicuous location near the park entrance or on-site manager's office with instructions for emergency contact in both English and Spanish.

Section 3. That Section 18-6(c) is hereby amended by the addition of a new subparagraph (6) which reads in its entirety as follows:

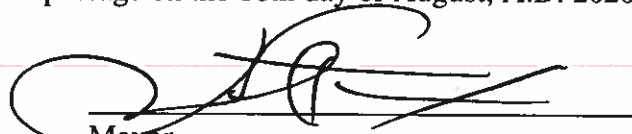
(6) Trees in mobile home parks are the responsibility of park owners. No park owner shall require a resident to bear the expense of maintenance of trees in a mobile home park.

Section 4. That Section 18-6 is hereby amended by the addition of two new subparagraphs (e) and (f) which read in their entirety as follows:

(e) *Limitation on Required Upgrades to Existing Mobile Homes.* No person, including mobile home park owners and property managers, shall require a mobile home resident to make improvements to a mobile home or mobile home lot aside from maintenance, repair, and upkeep related to the mobile home's exterior to ensure that it complies with the mobile home park's rules and regulations, so long as such rules and regulations are in compliance with applicable local, state and federal law.

(f) *Neighborhood and Community Meetings.* No mobile home park owner or property manager shall prohibit or interfere with peaceful assemblies of neighborhood groups and/or community meetings in the mobile home park. A mobile home park owner and/or manager shall not take any retaliatory actions against a resident for participation in community meetings.

Introduced, considered favorably on first reading, and ordered published this 4th day of August, A.D. 2020, and to be presented for final passage on the 18th day of August, A.D. 2020.



Mayor

ATTEST:



City Clerk



Passed and adopted on final reading on this 18th day of August, A.D. 2020.



Mayor

ATTEST:



City Clerk

