

**ORDINANCE NO. 364**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF SIMLA COLORADO AMENDING SECTIONS 7-4-1 AND 7-4-6 TO THE TOWN CODE OF SIMLA CONCERNING NONCONFORMING SITUATIONS FOR MANUFACTURED HOMES**

WHEREAS, the Board of Trustees desires to amend the Town Code of Simla (the "Code") to add a definition of "occupied dwelling" to Title 7, Chapter 4 Manufactured Homes, and amend nonconforming situations related to manufactured homes.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Trustees of the Town of Simla as follows:

**Section 1.** Section 7-4-1 is hereby amended by the addition of the following definition to be inserted alphabetically:

**Section 7-4-1: DEFINITIONS:**

OCCUPIED DWELLING: A habitable structure designed for full-time, all-weather occupancy that is actually lived in or inhabited by a person (owner, tenant, or lawful resident) on a continuous basis. The structure must have active utilities (electric, water, and sewer) working, and an actual physical presence or the regular use of the structure for sleeping, cooking, and daily living.

**Section 2.** Section 7-4-6(A)(3) is hereby amended as follows:

**Section 7-4-6: NONCONFORMING SITUATIONS:**

A. In those situations where as of the time of the enactment hereof, an owner has a manufactured home situated upon his or her property and the property upon which the manufactured home is located does not meet the minimum lot area, site dimensions or setback requirements as set forth in Section 7-4-3 of this Chapter, or if the manufactured home is more than ten (10) years of age, then the manufactured home may remain in its present location as a nonconforming use, subject to the following conditions.

\* \* \*

3. If the subject manufactured home is not used as an occupied dwelling or is otherwise abandoned for a period of one year, the manufactured home must be removed from its location and any future use of the property must be in strict accordance with this Code.

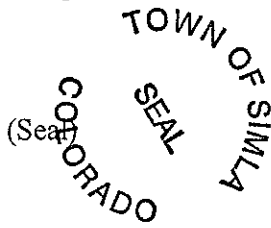
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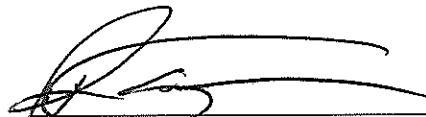
**Section 3. Severability.** If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that anyone, or part, or parts be declared unconstitutional or invalid.

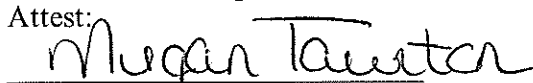
**Section 4. Safety.** The Board of Trustees finds that the adoption of this Ordinance is necessary for the protection of the public health, safety, and welfare.

**Section 5. Effective Date.** This Ordinance shall become effective thirty (30) days after publication.

**Adopted and ordered published this 12<sup>th</sup> day of May, 2026.**



  
Ryan Fulmer  
Mayor

Attest:  
  
Megan Taunton, Town Clerk