

**CITY OF WATHENA, KANSAS**

**ORDINANCE NUMBER 651**

AN ORDINANCE OF THE CITY OF WATHENA, KANSAS DESCRIBING AND REGULATING SMALL AND TINY HOUSES AND PROHIBITING THE USE OF SHIPPING CONTAINERS AS HOUSES/RESIDENCES.

This ordinance and the regulations herein set forth are adopted to enhance the City's residential environment; to preserve and protect property values throughout the City; and to promote the health, safety and general welfare of the City.

**SECTION 1.** For purposes of this ordinance the following words and terms as used herein are defined to mean the following:

- A. Shipping Container: An Intermodal freight container or other large container, in whole or in part designed and manufactured for the reusable storage and transport of materials and products across different modals of transportation— ship to rail to truck, etc.— without unloading and reloading cargo.
  
- B. Tiny House: A living unit which is situated on a trailer that is mobile or transportable. Tiny houses must remain on a trailer at all times. Said trailer must be assigned a Vehicle Identification Number (VIN #). A tiny house must be no smaller than 400 square feet and no larger than 900 square feet. A tiny house shall be built to the nationally recognized construction standards published by the International Conference of Building Officials (ICBO) which the City's zoning code make applicable to modular homes, shall have exterior materials and appearance similar to that required by the City's zoning code for modular homes, and shall be situated on a concrete foundation.

**SECTION 2.** Tiny houses may be placed in any area having a zoning classification which permits mobile homes or manufactured homes as those terms are defined in the City of Wathena, Kansas zoning regulations.

**SECTION 3.** Shipping containers may not be utilized as residences in the City of Wathena, Kansas.

**SECTION 4.** The provisions of this ordinance are intended to


supplement the City's zoning regulations and to the extent possible operate in conjunction therewith. In the event any of the terms and provisions of this ordinance should conflict with the terms and provisions of the City's zoning regulations the terms and provision fo this ordinance shall be controlling.

This Ordinance shall be in full force and effect from and after its publication in the Kansas Chief, the official newspaper of the City of Wathena, Kansas.

Passed by the Council and approved by the Mayor on the 19 day of February, 2019.

  
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John Cluck, Mayor

Attest:  
(City Seal)

  
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James Richardson, City Clerk