CHAPTER 2

LICENSING AND REGULATING MOBILE HOME PARKS AND MOBILE HOMES

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2-2-1: DEFINITIONS: For the purpose of this ordinance:

(1) "Licensee" means any person licensed to operate and maintain a mobile home park under this section.

(2) "Licensing Authority" means the city, town, or village wherein a mobile home park is located.

(3) "Park" means Mobile Home Park.

(4) "Person" means any natural individual, firm, trust, partnership, association, or corporation.

(5) "Mobile Home" is that which is, or was as originally constructed, designed, to be transported by any motor vehicle upon a public highway and designed, equipped and used primarily for sleeping, eating, and living quarters, or is intended to be so used and includes any additions, attachments, annexes, foundations, and appurtenances.

(6) "Dependent Mobile Homes" means a mobile home which does not have complete bathroom facilities.

(7) "Non dependent Mobile Homes" means a mobile home equipped with complete bath and toilet facilities, all furniture, cooking, heating, appliances, and complete year-round facilities.

(8) "Unit" means a mobile home unit including double wides.

(9) "Mobile Home Park" means any plot or plots of ground upon which two or more units, occupied for dwelling or sleeping purposes are located, regardless of whether or not a charge is made for such accommodation.

(10) "Space" means a plot of ground within a mobile home park, designed for the accommodation of one mobile home unit.

2-2-2: LICENSE, PERMIT, AND REVOCATION OR SUSPENSION THEREOF:

(1) It shall be unlawful for any person to maintain or operate within the limits of the Town of Lake Mills, any mobile home park unless such person shall first obtain from the Town a license therefore. All such parks in existence on date of passage of this ordinance, shall within ninety (90) days thereafter, obtain such license, and in all other respects comply fully with the requirements of this section except that the licensing authority shall upon application of a park operator, waive such requirements that require prohibitive reconstruction costs if such waiver does not affect sanitation requirements of the Town or create or permit to continue any hazard to the welfare and health of the community and the occupants of the park.

(2) Any license granted under the provisions of this ordinance shall be subject to revocation or suspension for cause by the Town Board upon complaint filed with the clerk signed by any law enforcement officer, health officer, or building inspector after a public hearing upon such complaint, provided that the holder of such license shall be given ten (10) days notice in writing of such hearing, and he shall be entitled to appear and be heard as to why such license shall not be revoked. Any holder of a license which is revoked or suspended by the Town may within twenty (20) days of the date of such revocation or suspension appeal there from to the Circuit Court of the county in which the trailer camp or mobile home park is located filing a written notice of appeal with the

Town Chairman, together with a bond executed to the Town, in the sum of Five Thousand ($5,000.00) Dollars, with two sureties or a bonding company approved by the said Chairman, conditioned for the faithful prosecution of such appeal and the payment of costs adjudged against him.

2-2-3: LICENSE AND MONTHLY MOBILE HOME FEE:

(1) The licensing authority shall exact from the licensee, in advance an annual license fee as follows: $5.00 per space.

(2) The licensing authority may collect a fee of Fifty ($50) Dollars for each transfer of a license.

(3) In addition to the license fee provided in paragraphs (a) and (b) the Town shall collect from each occupied mobile home occupying space or lots in a mobile home park in the Town a monthly parking permit fee computed as follows: the assessor shall determine the total fair market value of each occupied mobile home in the district subject to the monthly parking permit fee. The fair market value, minus the tax-exempt household furnishing thus established, shall be equalized to the general level of assessment on other real and personal property in the district. The value of each occupied mobile home thus determined shall be multiplied by the tax rate established on the preceding January 1 assessment of general property. The parking permit fee shall first be reduced by the credit allowed under Section 77.63. The total annual parking permit fee thus computed shall be divided by 12 and shall represent the monthly mobile home parking permit fee. The fee shall be applicable to occupied mobile homes moving into the tax district any time during the year. The park operator shall furnish information to the tax district clerk and the local assessor on occupied mobile homes added to his park within five (5) days after their arrival, on forms prescribed by the Department of Revenue. As soon as the assessor receives the notice of an addition of an occupied home to a park, he shall determine its fair market value and notify the clerk of his determination. The clerk shall equalize the fair market value established by the assessor and shall apply the tax rate for that year, divide the annual parking permit fee thus determined by 12 and notify the mobile homeowner of the monthly fee to be collected from the mobile homeowner. Liability for payment of the fee shall begin on the first day of the next succeeding month and shall remain on the mobile home only for such months as the occupied mobile home remains in the tax district. A new fee rate and a new valuation shall be established each January and shall continue for that calendar year. The valuation established shall be subject to review as are other values established under Chapter 70. If the Board of Review reduces a valuation on which previous monthly payments have been made, that district shall refund past excess fee payments. The monthly parking permit fee shall be paid by the mobile homeowner to the local taxing authority on or before the 10th of the month following the month for which such parking permit fee is due. No such fee shall be imposed for any space occupied by a mobile home accompanied by an automobile, if the mobile home and automobile bear license plates issued by any other than this state, for an accumulating period not to exceed sixty (60) days in any 12 months or if the occupants of the mobile home are nonresident

tourists or vacationists. Exemption certificates in duplicate shall be accepted by the treasurer of the Town from qualified nonresident tourists or vacationists in lieu of monthly mobile home permit fees. When one or more persons occupying a mobile home are employed in this state, there shall be no exemption from the monthly parking permit fee.

(4) The licensee of a park shall be liable for the monthly parking permit fee for any mobile home occupying space therein as well as the owner and occupant thereof.

(5) This section shall not apply where a mobile home park is owned and operated by a county under the provisions of section 59.07(13) (b).

(6) If a mobile home is located outside of a licensed park, the monthly parking permit fee shall be paid by the owner of the mobile home, the occupant thereof or the owner of the land on which it stands, the same as and in the manner provided for mobile homes located in mobile home parks, and the owner of such land shall be required to comply with the reporting requirements of paragraph (3).

(7) Failure to timely pay the tax hereunder shall be treated in all respects like a default in payment of personal property tax and shall be subject to all procedures and penalties applicable therein under Chapter 70 and 74 of the Wisconsin Statutes.

2-2-4: APPLICATION FOR LICENSE: Original application for mobile home park license shall be filed with the Town Clerk. Applications shall be in writing, signed by the applicant, and shall contain the following:

(1) The name and address of the applicant
(2) The location and legal description of the mobile home park.
(3) The complete plan of the park.

2-2-5: PLANS AND SPECIFICATIONS TO BE FILED: Plans and specifications to be filled with Plan Commission for adoption prior to filing with the Town Board.

(1) Accompanying, and to be filed with an original application for a mobile home park, shall be plans and specifications which shall be in compliance with all applicable Town ordinances and provisions of the State Board of Health. The clerk after approval of the application by the Town Board and upon completion of the work according to plans shall issue the license. A mobile home housing development harboring only non dependent mobile homes as defined in Section 2-2-1 (5) and (7) shall not be required to provide a service building.

(2) The mobile home park shall conform to the following requirements:

(a) The Park shall be located on a well-drained property, properly graded to insure rapid drainage and free from stagnant pools of water.

(b) Each site shall be clearly defined or delineated. Each site shall have an average width of not less than 40 feet and the unit shall not occupy in excess of 25 per cent of the area of the site, provided however, that mobile home parks which, at the time of the adoption of this ordinance, existed lawfully with mobile home sites that do not comply with any of the foregoing minimum area and width or minimum average area and average width requirements, may continue to operate and may be excused from such compliance as provided in Section 2-2-2.

(c) The units shall be so located on each site that there shall be at least a 20 foot clearance between units. No units shall be located closer than 10 feet to any building within the park or to any property line of the park which does not abut upon public street or highway. No unit shall be located closer than 25 feet from property line of Public Street or 50 feet from a trunk highway thoroughfare or such other distance as may be established by ordinance or regulation as front yard or setback requirement with respect to permanently erected buildings in the district in which the mobile home park is located.

(d) All sites shall abut upon a driveway of not less than 40 feet in width, which shall have unobstructed access to a public street, alley, or highway except that sites servicing only touring or recreational type units may abut on a driveway= not less than 25 feet wide.

(e) All driveways and walkways shall be improved or hard surfaced and lighted at night with sufficient lighting that compares with lighting in any residential area of the average city or town. Walkways shall have minimum width of 36 inches.

(f) An electrical outlet supplying at least 100-115/220-25 volts, 50 amperes shall be provided for each mobile home site, or 30 ampere, 100 V for each touring or recreational type housing unit site.

(g) An adequate supply of pure water for drinking and domestic purposes shall be supplied to all buildings and primary housing sites within the park. Each such site shall be provided with a cold water tap, located to be accessible from side of the unit. Pure water supply for tourist or recreational type sites shall meet needs and requirements of occupants of touring or recreational type housing units.

(h) Each primary housing site shall be provided with a sewer receptacle at least four inches in diameter which shall be connected to receive the waste from the shower; bathtub, flush toilet, lavatory, and kitchen sink of the mobile home harbored on such site having any or all of such facilities. The sewer in each site shall be connected to discharge the mobile home waste into a public sewer system in compliance with applicable ordinances or into a private sewer and disposal plant or septic tank system of such construction and in such manner as will present no health hazard. Receptacle shall be located so as to be accessible form side of the unit.

(3) Each site shall be attractively landscaped, and all areas fronting the park and any buildings or recreation areas shall be attractively landscaped.

(4) Renewal of License: Upon application by a licensee and after approval by the Town Board, and upon payment of the annual license fee, the Clerk of the Town shall issue a certificate renewing the license for another year, unless sooner revoked. The application for renewal shall be in writing, signed by the applicant on forms furnished by the Town.

(5) A bond equal to $50.00 per space shall be provided to the town prior to construction, bond will be returned upon final inspection of the Plan Commission.

2-2-6: TRANSFER OF LICENSE: FEE. Upon application for a transfer of a license the clerk after approval of the application by the Town Board shall issue a transfer upon payment of the required fifty ($50.00) dollar fee.

2-2-7: DISTRIBUTION OF FEES: The Town may retain 10 percent of the monthly parking permit fees collected in each month to cover the cost of administration and shall pay to the school district in which the park is located, within twenty (20) days after the end of each quarter, such proportion of the remainder of the fees collected in the preceding month and the credit allowed under Section 77.63 as the ratio of the most recent property tax levy for school purposes bears to the total tax levy for all purposes in the municipality. If the mobile park is located in more than one school district, each district shall receive a share in the proportion that its property tax levy for school purposes bears to the total school tax levy.

2-2-8: TAXATION OF TOURING OR RECREATIONAL TYPE MOBILE HOMES: Touring or recreational type mobile homes shall be registered with the Department of Transportation in similar manner as prescribed for motor vehicles according to fees established in Section 341.25 (1)(i) of the Motor Vehicles Code. Touring or recreational type mobile homes shall be exempt from assessment if such housing unit is used primarily for tourist or vacationing purposes. In the event a touring or recreational type mobile home is used for primary housing, while gainfully employed in the area, such housing unit shall be subject to assessment in the same manner as prescribed for primary housing type mobile homes.

2-2-9: LOCATION: Compliance with State Sanitary Laws and the Jefferson County Zoning ordinances shall be a condition of the granting of any license or permit hereunder.

2-2-10: PARKING OF MOBILE HOMES OUTSIDE OF A MOBILE HOME PARK FOR OCCUPANCY:

(1) Parking of mobile homes outside of a mobile home park for occupancy is not permitted except upon obtaining a special written permit from the Town Clerk and upon payment of the monthly fee as provided herein. Application for a permit to locate a unit outside a park shall be made to the Town Clerk on forms provided by the Clerk. Such application shall be by the owner of the unit and by the owner of the land

upon which such unit is, or will be, located and shall contain such information reasonably necessary for the records of the Town Clerk. Compliance with State Sanitary Laws and the Jefferson County Zoning Ordinance shall be a condition of the granting of the permit.

(2) Time limit on a non foundation trailer home for is 9 months, at the end of the nine months trailer must be removed at the owner's expense or the town will remove and apply a special charge to the parcel.

(3) Trailers on a foundation will have a minimum width of 24 feet and a minimum of 900 square feet

2-2-11: SKIRTING:

(1) Skirting closing of the lower area below the floor level shall be required on all mobile home units, in mobile home parks and those presently parked within the Town. Such skirting or closing up of the area below the floor level to be completed with a period of not more than ninety (90) days of the date of this ordinance or the arrival of mobile home in licensed park. The type of skirting shall be of such material and color that will blend with the original color, material, fabric, and/or design of the original color mobile home itself. A permanent foundation, wall, or basement may be erected to support any mobile home unit in lieu of the above requirements for skirting and blocking.

(2) The minimum size of mobile home units shall be 600 square feet of living space. The hitch area is not to be considered in computing this minimum size requirement.

2-2-12: BUILDING PERMIT: No construction of any additions, windbreaks, car ports permanent garages, utility sheds or any other improvements to a mobile home shall be commenced without first obtaining a building permit as provided for in the Jefferson County Building Regulations.

2-2-13: CONVERTED VEHICLES: No converted vehicles such as, but not limited to, vans, semi trailers, school buses, or trolley cars are to be considered mobile home units within the scope of this ordinance. The parking of such vehicles within the Town of Lake Mills is strictly prohibited.

2-2-14: SHORELAND ZONING: In addition to complying with the terms of this ordinance, the owner of a mobile home shall comply with the conditions of the Jefferson County Shoreland Zoning ordinance, as amended, whenever applicable. If a zoning permit is required under said ordinance, said permit must be obtained prior to the issuance of any permit by the Town Board.

2-2-15: SERVICE BUILDING:

(1) In the event proprietor desire to provide a service building for a community use of permanent residents or temporary tourist residents, design, and facilities of such building are regulated as herein provided.

(2) Service buildings housing sanitation facilities shall be permanent structures complying with all applicable ordinances and statutes regulating buildings, electrical installations, and plumbing and sanitation systems.

(3) The service buildings shall be well lighted at all times of the day and night, shall be well ventilated with screened openings, shall be constructed of such moisture proof material which may be painted woodwork and shall permit repeated cleaning and washing and shall be maintained at a temperature of at least 68 degrees Fahrenheit during the period from October 1st to May 1st. The floors of the service building shall be of water impervious material. Washing and drying machines may be installed according to needs of the park.

(4) All service buildings and the grounds of the park shall be maintained in a clean, sightly condition and kept free of any condition that will menace the health of any occupant or the public or constitute a nuisance.

2-2-16: SANITATION FACILITIES FOR DEPENDENT MOBILE HOME PARKING:

(1) Each park harboring dependent mobile homes shall be provided with the following sanitation facilities:

(a) One flush toilet and one urinal for males, two flush toilets for females, one lavatory for each sex, and one shower or bathtub with individual dressing accommodations for each sex, for the first 25 dependent sites or any less number thereof, and

(b) One additional flush toilet and one additional urinal for males, one additional flush toilet for females, one additional lavatory for each sex and one additional shower or bathtub for each sex, for each additional 25 dependent sites or fractional number thereof in excess of 25 dependent sites.

(2) Each toilet and each shower or bathtub with individual dressing accommodations shall be a private compartment or stall.

(3) The toilet and other sanitation facilities for males and females shall be either in separate buildings or shall be separated, if in the same building, by a soundproof wall. The sanitation facilities for males and females shall be distinctly marked to denote the sex for which they are intended.

2-2-17: GARBAGE AND RECYCLING RECEPTACLES IN MOBILE HOME PARKS: Metal garbage cans with tight fitting covers shall be required in quantities adequate to permit disposal of all garbage and rubbish.

2-2-18: FIRE PROTECTION: Service buildings shall be equipped with fire extinguishers. No open fires shall be started without permission from the fire department. No fires shall be left unattended at any time.

2-2-19: ANIMALS AND PETS: No mobile home owner or person in charge of any dog, cat, or other pet animal shall permit it to run at large or commit any nuisance. All animals must be licensed if required by law.

2-2-20: SUPERVISION: The licensee or permittee or a duly authorized attendant or caretaker shall be in charge at all times to keep the mobile home park, its facilities and equipment in a clean, orderly, and sanitary condition. The attendant or caretaker shall be answerable with the licensee or permittee for the violation of any provision of this ordinance to which the licensee or permittee is subject.

2-2-21: PARKING TOURING OR RECREATIONAL TYPE MOBILE HOMES:

(1) Sites for parking touring or recreational mobile homes in licensed parks may be provided in areas set aside for such service. Such areas shall have improved surface for placement of such units and surrounding area shall be landscaped to be a credit to the area. Service of utilities shall be consistent with needs of type of such units parked and shall meet all requirements of State Board of Health, local plumbing, and electrical codes and the building inspector.

(2) Residents desiring to park a guest's touring housing unit on their premises in excess of five (5) days shall obtain such permission from the Town Board. The Board, after consideration of sanitation facilities, may at its discretion, issue a special permit not exceed thirty (30) days. Although street parking may allow motor vehicles parking, a touring unit shall not be parked on such streets in excess of five (5) hours. After consideration the permit authority may issue a permit for a period not to exceed six (6) months.

(3) The parking of any unoccupied touring unit in any accessory private garage or building, or in a rear yard is permitted, provided no living quarters shall be maintained or any business conducted in such unit while so parked or stored. A special permit may be obtained from permit issuing authority to store in front yard.

2-2-22: MANAGEMENT: Management is the person in charge of said Mobile Home Park.

(1) In every mobile home park, there shall be located, the office of the person in charge of said Mobile Home Park.

(2) It is the duty of the mobile home park owner or operator, together with any attendants or persons in charge of a mobile home park to:

(a) Keep a register of all occupants of mobile homes, to be open at all times to inspection by federal, state, and local officials.

(b) Maintain the mobile home park in a clean, orderly, and sanitary condition at all times.

(c) Report the presence of dogs or other animals running loose in the park.

(d) Report to the local police officer all cases of persons or animals affected or suspected of being affected with any communicable disease.

(e) Post copies of their rules and regulations in one or more conspicuous places in the mobile home park where they can be easily seen by the mobile home park residents or visitors.

2-2-23: POSTING OF LICENSE AND PERMITS: The license certificate or special permit shall be conspicuously posted in the office of, or on the premises of, the mobile home park at all times.

2-2-24: SEPARABILITY OF PROVISIONS: Should any section or provisions of this ordinance be declared invalid, such decisions shall not affect the validity of the remaining portions of this ordinance.

2-2-25: LATE FEES: Any person not paying any license fee or mobile home fee within ten (10) days of its due date shall pay a late fee of one hundred ($100.00) dollars.

2-2-26: PENALTIES FOR VIOLATION OF ORDINANCE: Any person or entity violating any provision of this act may be fined not more than $500.00 on the first offense and $1,000.00 for a second violation of the same or similar offense. Each day shall constitute a separate offense date.

2-2-27: ISSUANCE OF LICENSES OR PERMITS AFTER MAY 13, 1997:

(1) In order to protect and promote the public health, morals, and welfare and pursuant to Wisconsin Statutes in general but including 66.058 specifically the Town hereby declares that no further licenses nor permits shall be issued for the operation of Mobile Home Parks until this ordinance be amended or revoked.

(2) Where this Section is in conflict with previous sections, this section shall rule and conflicting sections shall be deemed revoked.

(3) This Section shall not affect the licensing of existing Mobile Home Parks and they shall continue to be required to abide by all the rules and regulations contained herein.

(4) If a license or a permit is not renewed or for any reason lapses then no reapplication will be allowed.

(Amended May 13, 1997)