

CHAPTER XII

MOBILE HOMES

12.01 INTRODUCTION

(1) Statutory Authorization. This ordinance is established pursuant to the provisions of Sections 66.0435 and 60.61 Wis. Stats.

(2) Purpose. It is the purpose of this ordinance to protect and promote public health, safety, convenience and general welfare; to protect property values and the property tax base; and to equitably defray the cost of municipal and educational services required by persons and families owning or occupying mobile homes.

12.02 DEFINITIONS

(1) Mobile Home: A vehicle or structure designed to be towed as a single unit or in sections upon a highway by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, with walls of rigid, uncollapsible construction, which has an overall length in excess of 45 feet. "Mobile Home" includes the mobile home structure, plumbing, heating, air-conditioning and electrical systems and all appliances and all other equipment carrying the manufacturer's warranty. For purposes of this ordinance, all "Manufactured Homes" and "One and Two Family Dwellings" which do not meet the standards as set forth in 12.02(7) shall be considered a mobile home.

(2) Mobile Home Park. Premises designed and maintained for the location of two or more mobile homes under a continuing local general management and including special facilities for common use by the occupants such as open space areas and recreational areas and buildings.

(3) Mobile Home Site. A mobile home site is a parcel or lot within a mobile home park, designated for the accommodation of not more than one mobile home.

(4) Mobile Home Subdivision. Premises where more than two mobile homes are located for non-transient living purposes and where lots are set aside and offered for sale for use by mobile homes for living purposes.

(5) Manufactured Home: A manufactured home is defined as one of the following:

- (a) A structure, transportable in one or more sections, which in the traveling mode is 8 body feet or more in width or 40 body feet or more in length, or, when erected onsite is 320 or more square feet, and

which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities.

- (b) A structure which meets all the requirements of par.(a) except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under 42 USC 54012 to 5425.

(6) One and Two Family Dwellings:

A structure which is intended for use as a dwelling for one and two families which does not qualify under the definition of "Mobile Home" or "Manufactured Home".

(7) Standards for all Dwellings outside Mobile Home Park or Mobile Home Subdivision:

All structures intended for use as dwellings located outside of a mobile home park or mobile home subdivision, whether a mobile home, manufactured home or one and two family dwellings' shall meet the following construction standards:

- (a) Shall have a permanent foundation meeting the requirements of the State and Town Uniform Dwelling Code which foundation surrounds the entire perimeter of the structure and completely encloses the space between the siding and the finished grade.
- (b) Shall have a non-metallic, wood shake, asphalt or fiberglass singled roof with a minimum slope of 4:12.
- (c) Shall have a core area of with a minimum width of 24 feet and minimum length of 24 feet. The core area is that area including, but not limited to, kitchen, living room, dining room/family room, and bathroom.

12.03 GENERAL PROVISION

(1) No mobile home shall hereafter be moved, placed, used or occupied for dwelling purposes except as follows:

- (a) Mobile homes placed prior to the effective date of adoption of this ordinance.
- (b) Mobile homes after the effective date of adoption of this ordinance as a replacement for a mobile home placed prior to adoption of this ordinance provided

the replacement mobile home is placed on the site within 12 months of removal of original mobile home.

- (c) Mobile homes in a licensed mobile home park.
- (d) Mobile homes in an approved mobile home subdivision.

(e) Mobile homes for temporary occupancy not to exceed twelve (12) months, as a result of the loss of the permanent dwelling.

12.04 MOBILE HOME PARK LICENSES AND FEES

(1) License. No person shall maintain or operate a mobile home park unless such person first obtains a license from the Town Board. The license shall expire one (1) year from the date of issuance. The licenses shall be issued by the Town Clerk.

(2) Application for Mobile Home Park License. An original application for mobile home park license shall be filed with the Town Clerk. Applications shall be in writing and signed by the applicant and shall contain the following:

- (a) The name and address of the applicant.
- (b) The location and legal description of the park.
- (c) A complete plan of the park.
- (d) Plans and specifications in compliance with all applicable county, town, and Department of Health and Social Services ordinances and rules.

(3) License Fee. The annual license fee is \$100.00 for each 50 spaces or sites, or fractions thereof, within each mobile home park, payable upon the original application and/or renewal application.

(4) License Renewal. Upon application by a licensee, after approval by the Town Board, and after payment of the annual license fee, the Town Clerk 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) Transfer of License. Upon application for a transfer of license, after approval of the application by the Town Board, the Town Clerk shall issue a transfer upon payment of a \$10.00 fee.

(6) Revocation. Any license granted 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 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 Board may within 20 days of the date of such revocations or suspension appeal therefrom to the circuit court by filing a written notice of appeal with the Town Clerk, together with a bond executed to the Town, in the sum of \$500.00 with 2 sureties or a bonding company approved by the Clerk, conditioned for the faithful prosecution of such appeal and the payment of costs adjudged against him.

12.05 MONTHLY FEES

(1) Mobile homes occupying spaces or lots in a mobile home park shall be subject to a monthly parking fee as provided by Section 66.0435(3)(c) Wis. Stats.

(2) Mobile homes located outside of a mobile home park shall be subject to a monthly parking fee as provided by Section 66.0435(3)(e) Wis. Stats.

(3) Failure to pay fees 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 thereto under Chapters 70 and 74, Wis. Stats.

(4) Failure to comply with the reporting requirements of Sections 66.0435(3)(c) and 66.0435(3)(e) Wis. Stats., shall result in a forfeiture of \$25.00. Each failure to report shall be considered as a separate offense.

12.06 MOBILE HOME PARK AND SUBDIVISION STANDARDS

(1) Applicability. Each mobile home park and mobile home subdivision shall comply with standards contained in the Outagamie County Zoning Ordinance, 1989 as amended, and Chapter HSS 177, Wis. Admin. Code.

(2) Plans. Plans for mobile home parks and mobile home subdivisions as required by Outagamie County Zoning Ordinance, 1989 as amended and Chapter HSS 177, Wis. Admin. Code, shall be filed with the Town Clerk.

12.07 EFFECTIVE DATE AND VIOLATIONS

(1) This ordinance shall take effect upon passage and posting as provided by law.

(2) Any person who violates a provision of this ordinance shall, upon conviction, forfeit not less than \$25.00 nor more than \$500.00 for each offense, together with the costs of prosecution. Each day that a violation continues to exist shall constitute a separate offense.