

**Town of Calamus
Mobile Home Ordinance
6-2001**

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Section 1 Purpose

Whereas, the Town Board recognizes that mobile home parks allow for effective, affordable housing for the citizens of the Town of Calamus, said Board also recognizes that mobile home parks, by virtue of persons living in very close proximity to each other, creates unique concerns regarding safety and health of all of the occupants. Therefore, the Town Board enacts this ordinance enforcing minimum standards for mobile home parks to promote the public health, safety, and welfare; establishing requirements for design, construction, alteration, extension and maintenance of mobile home parks and related utilities and facilities; authorizing the issuance of permits for construction, alteration and extension of mobile home parks; authorizing the inspection of mobile home parks; regulating the location of mobile home; fixing penalties for violations, consistent with 66.0435 and 66.058 of the Wisconsin State Statutes.

Section 2 Definitions

Whenever used in this ordinance, unless a different meaning appears from the context:

1. “**Licensee**” means any person licensed to operate and maintain a mobile home park under this section.
2. “**Licensing Authority**” means the Town Board of the Town of Calamus.
3. “**Park**” means mobile home park.
4. “**Person**” means any natural individual, firm, trust, partnership, association or corporation.
5. “**Mobile Home**” is a vehicle manufactured or assembled prior to June 15, 1976, designed to be towed as a single unit or in sections on the highway by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, with walls of rigid collapsible construction; which has as overall length in excess of 45 feet. Within mobile home parks, “mobile home”

includes a structure, which has been certified and labeled as a manufactured home as defined under Section 2 (7) of this ordinance.

6. “**Unit**” means mobile home unit.
7. “**Manufactured Home**” is a structure which has been certified and labeled as a manufactured home under 42 U.S.C. Section 5401-5426, or which has been certified and labeled as a manufactured home under Section 101.90-101.96 WI State Statutes, and Chapter ILHR 27 of the Wisconsin Administration Code, and is designed to be used as a dwelling, and when placed on-site is off its wheels, properly connected to utilities, and installed in accordance with the manufacturer’s instructions or a plan certified by a registered architect or engineer so as to insure proper support for the home.

Section 3 Mobile Home Parks License and Application

1. It shall be unlawful for any person to establish, operate or maintain, or permit to be established, operated or maintained upon any property owned, leased or controlled by said person a mobile home park within the limits of the Town of Calamus, without having first obtained a license for each such mobile home park from the Town Board pursuant to this ordinance. Such licenses shall expire one year from the date of issuance, but may be renewed under the provision of this ordinance for additional periods of one year. The licensing period for the issuance of any original license or renewal license shall be July 1st to June 30th of the following year.
2. The application for each license or the renewal thereof shall be filed with the Town Clerk and shall be accompanied by a fee of \$100.00 for any one mobile home park containing 50 spaces, or any fraction thereof, together with a surety bond in the sum of \$5, 000.00. This bond shall guarantee the collection by the licensee of the monthly parking permit fee provided for in section 12 of this ordinance, and for the payment of such fees to the Town Clerk/Treasurer, the payment by the licensee of any fine or forfeiture, including legal costs, imposed or levied against said licensee for a violation of the ordinance of the said Town, pursuant to which said license is granted, and shall be for the use and benefit and may be prosecuted and recovery had thereon by any person who may be injured or damaged by reason of the licensee violating the provisions of this ordinance.
3. The Town Clerk/Treasurer, following approval of a transfer of license by the Town Board of the Town of Calamus, shall collect from the transferee a fee of \$10.00 for the transfer of said license.
4. In addition thereto, any mobile home park license fee not paid when due, creates a lien in favor of the Town of Calamus in the delinquent amount upon the real estate parcel where such mobile home park or mobile home is situated at the time when the liability for such fee was incurred, effective as of the first day on the month or year for which such fee was levied. The licensing authority shall provide that all such license fees not paid when due shall be extended upon the tax roll as a delinquent tax against the parcel where such mobile home park or mobile home is or was situated at the time when such liability for such fee was incurred, and all proceedings in relation to the collection, return and sale of property for delinquent real estate taxes shall apply to such delinquent license or permit fee.

5. The application of a license or a renewal thereof shall be signed by the applicant and filed with the Clerk of the Town of Calamus. The application shall include the name and address of the owner in fee of the tract, also the name and address of the applicant, and such legal description of the premises upon which the mobile home park is to be located or is located, as will readily identify and definitely locate the premises. The application shall also contain a time schedule for development of the mobile home park from the date of commencement to the date of completion of the mobile home park plan. The application shall be accompanied by two copies of the mobile home park plan showing the following either existing or as proposed: (1) the extent and area used for mobile home park purposes; (2) roadways and driveways; (3) location of space for mobile homes; (4) method and plan for sewage disposal; (5) method and plan for garbage disposal; (6) method and plan for sewage disposal; (7) plan for water supply; (8) plan for lighting of spaces; (9) designated green space for leisure activities; (10) all other matters required of this ordinance.
6. Every licensee shall furnish the Town Clerk/Treasurer and Town Assessor with information on mobile homes added to the mobile home park within (5) days after arrival on forms prescribed by the Department of Revenue.
7. Prior to approval of a mobile home park, the Town Board shall hold a public hearing on the application. Notice of such hearing shall be mailed to all adjoining property owners of the proposed site.
8. Licenses granted under this ordinance shall be subject to revocation or suspension by the governing body for cause in accordance with Sec. 66.058(2), Wisc. Stats. and the procedures in that section shall be followed. "Cause" as used in this Section, shall include, but be not limited to:
 - (a) Failure of neglect to abide by the requirements of this Ordinance of the laws or regulations of the State of Wisconsin relating to mobile home parks and their operation.
 - (b) Conviction of any offense under the laws of the State of Wisconsin or Town Ordinances relating to fraudulent or misleading advertising or deceptive practices regarding the sale or rental of mobile homes or the leasing or rental of mobile home spaces or sale, lease or operation of park facilities.
 - (c) Operation or maintenance of the mobile home park in a manner inimical to the health, safety, or welfare of park occupants or the inhabitants of the Town including, but not limited to, repeated violations of laws or ordinance relating to health, sanitation, refuse disposal, fire hazards, or morals.
 - (d) Transfer or sale of an ownership interest in any mobile home space or the underlying land other than to another eligible licensee. Such action shall also subject the owner of the underlying land to all requirements of the state or municipal subdivision control laws and regulations regardless of the size or number of lots or spaces so transferred or sold.

Section 4 Inspection and Enforcement

No mobile home park license shall be issued or renewed until the Town Board, or its designee, shall have inspected and reviewed for compliance with this Ordinance each application and the premises on which mobile homes will be located to insure compliance with the regulations, ordinances and laws applicable thereto. No license will be renewed without the re-inspection of the premises. For the purposes of making inspections and securing the enforcement of this Ordinance, such officials or their

authorized agents shall have the right and are hereby empowered to enter on any premises on which a mobile home is located, or about to be located, and to inspect the same and all accommodations connected therewith at any reasonable time.

Section 5 Mobile Home Park Standards

1. Accompanying and to be filed with the original application for a mobile home park shall be plans and specifications which shall be in compliance with all county, and town ordinances, Dodge County and Town of Calamus Land Use Plans, and provisions of the State Board of Health. The Clerk of the Town of Calamus, after approval of the application by the Town Board and upon completion of the work according to the plans, shall issue the license.
2. Each mobile home space within a mobile home park shall be clearly defined and shall contain at least five thousand (5,000) square feet of land area for the exclusive use of the occupant; such space shall be no less the fifty (50) feet in width and no less than one hundred (100) feet in depth. The area occupied by a mobile home shall not exceed fifty percent (50%) of the total area of the mobile home space (including awnings, carports, vehicles or attachments thereto). Each mobile home space shall be landscaped in accordance with the plans approved by the Town Board. The mobile home park shall be so arranged that all the spaces shall face or abut on an approved driveway of not less than 20 feet in width, giving easy access thereto. Public street and driveway shall be blacktopped or paved and maintained in good condition, having natural drainage, be well lighted at night, and shall be free of obstructions, with no over night parking. Each space shall have a fifteen (15) foot by twenty (20) foot paved off-street parking space for vehicles.
3. No mobile home shall be parked in a mobile home park outside of a designated space for no longer than a forty-eight (48) hour period.
4. No mobile home unit that is less than 12 feet wide or less than 50 feet long shall be parked in any mobile home park.

Section 6 Mobile Home Replacement

1. All Manufactures homes, which are replaced, shall be:
 - (a) Units which prior to placement in the park are inspected by the township; at the mobile home owner's expense as stated in the Town of Calamus Fee Schedule; which inspection finds that all mechanical systems are functional, current to the then existing code, that all structural components, including but not limited to, windows, siding, roof, insulation and flooring, are in good, functional repair;
OR
 - (b) They are replaced with the new units.

In addition:

- (c) The replacement manufactured home shall be the same square footage as the original unit, or larger; but shall not exceed sixteen (16) feet in width, nor seventy-six (76) feet in length
 - (d) Setback requirements shall be met within Dodge County Zoning.
 - (e) If the replacement manufactured home has been repaired, the owner shall provide verification acceptable to the Town Board of the Town of Calamus that the repairs are in compliance with the Federal Manufactured Housing Construction Standards.
2. The placement of manufactured homes outside of mobile home parks shall be allowed with the following conditions:
- (a) Is set upon an enclosed permanent foundation meeting the requirements of the State Uniform Dwelling Code upon land which is owned by the manufactured home owner, and
 - (b) Is off its wheels, and
 - (c) Is properly connected to utilities, and
 - (d) Is installed in accordance with the manufacturer's instructions or a plan certified by a registered architect or engineer so as to insure proper support for the home, and
 - (e) Has no tow bars, wheels or axles attached to it
 - (f) Manufactured homes placed outside of the mobile home parks shall comply with section 6.1 above.

Section 7 Accessory Structures

- 1. Accessory structures such as storage sheds, garages, and decks shall be allowed in the mobile home parks and on individual lots. All setbacks for accessory structures shall be in compliance with the Dodge County Zoning Ordinance.
- 2. No accessory structure will be permitted on any lot without a placement of a mobile home unit on that lot.

Section 8 Waste and Garbage Disposal

- 1. All liquid wastes from showers, toilets, laundries, faucets, lavatories, ect., shall be discharged into a sewer system.
- 2. All sanitary facilities in any unit, which are not connected with a County approved sewer system by approved pipe connections, shall be sealed and their use in hereby declared unlawful.
- 3. Every unit shall be provided a substantial fly-tight, watertight metal garbage depository from which contents shall be removed and disposed of in a sanitary manner by the mobile home park custodian at least twice weekly between May 1 and October 15 and otherwise weekly.
- 4. Mobile home residents shall comply with all Town of Calamus refuse disposal and recycling requirements.

Section 9 Limitations on Number of Vehicles

There may be no more than two (2) vehicles parked overnight at each designated mobile home space.

Section 10 Management

1. In every mobile home park there shall be located the office of the attendant or person in charge of said park. A copy of the park license and have this ordinance shall be posted therein and the park register shall at all times be kept in said office.

2. It is hereby made the duty of the attendant or person in charge, together with the licensee, to:
 - (a) Keep a register of all guests, to be open at all times to inspection by the State, and Federal officers and by the Town Board, which shall show for all guests:
 - (1) Name and Address
 - (2) Number of children of school age
 - (3) State of legal residence
 - (4) Dates of entrance and departure
 - (5) License number of all mobile homes and other vehicles
 - (6) State of license issue
 - (7) Purpose of stay in park
 - (8) Place of last location and length of stay
 - (9) Place of employment of each occupant

 - (b) Provide, attach, and maintain fire numbers for each park, and a lot number for each individual mobile home lot or parcel.

 - (c) Maintain the park in a clean, orderly and sanitary condition at all times.

 - (d) Insure the provisions of this ordinance are complied with and enforced and reported promptly to the proper authorities any violations of law which may come to the attendants attention.

 - (e) Report to the Health Officer all cases of persons or animals affected or suspected of being affected with any communicable disease.

 - (f) Maintain in convenient places, hand fire extinguishers in the ratio of one to each eight units.

 - (g) Collect the monthly parking permit fee as provided in Section 12 of this Ordinance.

3. Prohibit the lighting of open fires on the premises.

4. Allow for the inspection of park premises and facilities at reasonable times by Town Officials or their agents or employees.

Section 11 Responsibilities and Duties of Mobile Home Park Occupants

1. Park occupants shall comply with all applicable requirements of this Ordinance and regulations issued hereunder and shall maintain their mobile home space, its facilities and equipment in good repair and in a clean and sanitary condition. That outside storage or accumulations of materials that increase fire hazards, infestation of vermin or safety concerns to children is specifically prohibited. Continued maintenance of said conditions shall be grounds for eviction by the park operator.
2. Park occupants shall be responsible for proper placement of their mobile home on the mobile home stand and proper installation of all utility connections in accordance with the instructions of the park management.
3. No owner or person in charge of a dog, cat or other pet animal shall permit it to run at large or to cause any nuisance within the limits of any mobile home park.
4. It shall be the duty of every occupant of a park to give the park licensee or management, or agent or employee, access to any part of such park or mobile home premises at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this Ordinance or any laws or ordinances of the State, County or Town or lawful regulation or order adopted there under.
5. Park occupants are responsible for the registration and licensing of all vehicles, and there is to be no storage of unlicensed vehicles at any mobile home space.
6. Each mobile home space is allocated a parking pad for two automobiles or pickup trucks. It is the responsibility of each occupant to see that no vehicles in excess of said two-vehicles-per-unit shall be parked overnight on a regular basis. Vehicles parked other than on the designated parking pad—whether parked on lawns or alongside of driveways—are strictly prohibited and shall be subject to citation and towing.
7. No mobile home owner or occupant shall conduct in any unit or any mobile home park any business or engage in any other activity, which would not be permitted in single-family residential areas in the Town.
8. No person shall discharge any wastewater on the surface of the ground within any mobile home park.

Section 12 Monthly Parking Fee

1. There is hereby imposed on any occupied non-exempt mobile home in the Town of Calamus a monthly parking permit fee determined in accordance

with Wisconsin State Statute 66.058. It shall be the full and complete responsibility of the licensee to collect the proper amount from each mobile home owner. Said fee shall be paid to the Town of Calamus Clerk/Treasurer on or before the tenth day of the month following the month for which such fees are due.

2. Licensees of mobile home parks and owners of land on which are parked any occupied nonexempt mobile home shall furnish information to the Town Clerk and Town Assessor on such homes added to their park or land within five days after arrival of such homes on forms furnished by the Department of Revenue in accordance with Wisconsin State Statute 66.058.

Section 13 Additional Regulations on Mobile Homes and Mobile Home Parks

Recognizing the purposes of this Mobile Home Ordinance as set for in Section 1 above and further recognizing many of the concerns of the residents of said mobile homes, this ordinance further provides as follows:

1. Temporary or long-term storage shall not be allowed outside.
2. Each of the mobile homes shall be owner occupied.
3. Fires in the mobile home parks shall be made only in stoves and other cooking or heating equipment intended for such purposes. Outside burning is prohibited.
4. All mobile homes in mobile home parks shall be skirted with foundation siding. Areas enclosed by such skirting shall be maintained free of rodents and fire hazards. Such foundation siding/skirting shall be fire and weather resistant, pre-finished material surrounding the entire perimeter of a home and completely enclosing a space between the exterior wall of such home and the ground. Foundation siding shall be properly vented, harmonious and compatible with the house and installed within sixty (60) days from the date of placement on site.
5. Storage under mobile homes is prohibited.
6. Wrecked, damaged or dilapidated mobile homes or manufactured homes shall not be kept or stored in a mobile home park or upon any premises in the Town. The Town Board shall determine if a unit is damaged or dilapidated to a point, which makes it unfit for human occupancy. Such mobile homes are hereby declared to be a public nuisance. Whenever the Town Board so determines, it shall notify the licensee or landowner and owner of the mobile homes in writing that such public nuisance exists within the park or on lands owned by him/her giving the findings upon which his/her determination are based and shall order such home removed from the park or site or repaired to a safe, sanitary and wholesome condition of occupancy within a reasonable time, but not less than thirty (30) days.

Section 14 Compliance with Plumbing, Electrical and Building Code Ordinances

All plumbing, electric, electrical, building and other work on or at any mobile home park under this Ordinance shall be in accordance with the Ordinances of the Town of Calamus and the requirements of the State Plumbing, Electrical and Building Codes and the regulations of the State Board of Health. Licenses and permits granted under this Ordinance grant no right to erect or repair any structure, to do any plumbing or electric work.

Section 15 Revocation or Suspension

The Town Board is hereby authorized to revoke or suspend any license or permit issued pursuant to the terms of this Ordinance.

Section 16 Penalties for Violation of Mobile Home Ordinance

Any person violating any provision of this ordinance shall, upon conviction thereof, forfeit not less than \$100.00 nor more than \$1000.00 and the costs of prosecution, and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until payment of such forfeiture and costs of prosecution, but not exceeding thirty days for each violation. Each day of violation shall constitute a separate offense.

Section 17 Separability of Provisions

Should any section or provision of this ordinance be declared invalid, such decisions shall not affect the validity of the remaining portions of this ordinance.

Section 18 Effective Date

This ordinance shall take effect from and after its passage and posting as provided by law.

Adopted this _____ day of _____, 2001 by the Town Board of Supervisors of the Town of Calamus, Dodge County.

Town Chairman

Filed this _____ day of _____, 2001

Town Supervisor

Town Clerk

Town Supervisor