

**Ordinance for the Regulation of Mobile Home Parks
Manufactured Homes and Trailers
Ordinance #114-D
Village of Unity, Clark and Marathon Counties, Wisconsin**

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ARTICLE 1: IN GENERAL

Section 1. Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this ordinance, except where the context clearly indicates a different meaning:

Accessory Building: Means all structures constructed upon a mobile home space and used in conjunction with a mobile home. Ex: garage, shed.

Dependent Mobile Home: Means a housing unit that does not contain restroom or laundering facilities, and would depend on locally provided services for such needs.

Licensee and Park Operator: Any person licensed to operate and maintain a mobile home park under this ordinance.

Licensing Authority: Means the governing body of the Village of Unity in which the mobile home park is located.

Manufactured Home: Means a structure certified and labeled as a manufactured home under 42 U. S. C. Sections 5401 to 5406, built since July 15, 1976, that bears a seal indicating it has met the construction and safety standards of the United States Department of Housing and Urban Development (HUD), is used as a permanent, year round, single family residential dwelling, is installed in accordance with the manufacturer's instructions, and is properly connected to all utilities. These can also be referred to as non-dependent mobile homes.

Definitions Continued...

****The term "Mobile Home" technically has two meanings: The following definitions were designed to identify them clearly to distinguish between the differences in their usage.**

Mobile Home (Permanent): Means a single family dwelling built on or before June 15, 1976, designed to be towed or transported and used as a permanent, year round residential dwelling. This type of home is designated for the same usage as a manufactured home, the only difference being the building regulations assigned to them. These can also be referred to as non- dependent mobile homes.

Mobile Home (Temporary): Means any coach, cabin, travel trailer, motor home, house car, travel bus, or other structure which is, or was originally constructed ,designed, or required to have a license plate and is to be transported by a motor vehicle upon a public highway. It is designed for sleeping, eating, and living quarters, or is intended to be so used, whether mounted upon wheels or supports, or is capable of being moved by it's own power, or transported by another vehicle, and includes and attachments, appurtenances thereto, but not intended for use as a permanent residential dwelling. Those that house their own sanitary facilities inside the mobile home can also be referred to as non-dependent mobile homes, as they do not require a need for outside sanitary facilities.

Mobile Home Park: Means any tract of land designed, maintained, or intended to be used for the purpose of supplying a location or accommodations for two or more units occupied for dwelling purposes. This is regardless of whether or not a charge is made for such accommodations, and include all facilities used or intended for use as part of the equipment thereof. The term mobile home park shall not include automobile sales lots, mobile home sales lots (temporary or permanent) on which unoccupied mobile homes are parked for the sole purpose of inspection or sale.

Person: Includes an individual, partnership, firm, company, corporation, whether tenant, owner, lessee, licensee, or other agent, heir, or assign.

Space: Means a plot of ground within a mobile home park designed for the placement of one mobile home (permanent)

Unit: Means one mobile home or manufactured home.

ARTICLE II: LICENSES AND FEES

Section 1. Licensing Requirements For the Construction of new mobile home parks:

(a) Initial Application Required: Individual, partnership, firm, company, corporation, owner, other agent, heir, or assign upon application with the Village of Unity Clerk's Office, after approval by the Board, and upon payment of the annual license fee, the Clerk shall issue a certificate to operate a mobile home park before any units move in or become occupied.

Forms shall include name and address of the owner of the tract of land, if the land is vested in some other person than the applicant, a duly certified statement by that same person that the applicant is authorized to construct a mobile home park and make the application, and such legal description of the premises upon which the mobile home park will be located as will readily identify and definitely locate the premises. The initial application for a new mobile home park shall be accompanied by 5 copies of the park plan showing the following. Either existing or proposed: These same conditions apply if an existing mobile home park will be making revisions or changing the outlay of the park. In no case shall a license be issued for a mobile home park where private or municipal sewer or water utilities are not available, as well as electricity and natural gas.

1. The extent and area for park purposes.
2. Roadways and driveways.
3. Location and designation of mobile home spaces.
4. Location of any service buildings to be used by the occupants of the mobile home park; however any mobile home park harboring only non dependent mobile homes shall not be required to provide sanitary or laundry service buildings.
5. Complete layout of storm shelter, water supply, and any other structures or outbuildings needed for the operation of the mobile home park.
6. Method or plan for garbage and recycling removal. Non dependent mobile home park tenants will be provided weekly curbside pick up of garbage and recycling.
7. Plans and specifications to show compliance with all applicable Village ordinances, and rules and regulations of the State of Wisconsin. These will be furnished to the Village of Unity, if needed, upon request.
8. No mobile home park plan will be considered for the accommodations of dependent mobile homes.

**Section 2. Application, Renewal, and Transfer.
Revocation/Suspension, and Limitations.**

(a). Renewal of License: Upon application by any licensee, after approval by the Board and upon payment of the annual license fee, the 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 Clerk.

(b). Transfer of License: Upon application for the transfer of license, the Clerk, after approval of the application by the Board, shall issue a transfer upon payment of the required fee of \$5.00 as set by the Village Board.

(c). License Revocation/Suspension: Any license granted under the provisions of this chapter shall be subject to revocation or suspension for good cause by the Village upon complaint filed with the Village Clerk, signed by any law enforcement officer, health department official, or building inspector. After a public hearing upon such complaints, provided that the holder of such license shall be given 10 days notice in writing of such hearing and 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 board may within 20 days of the date of such revocation or suspension, shall appeal there to the Circuit Court of the county in which the mobile home park is located by filing a written notice of appeal with the Village Clerk, together with a bond executed to the Village of Unity, the sum of \$500.00 with 2 sureties or a bonding company approved by the Village, conditioned for the faithful prosecution of such appeal and payment of costs adjudged against him/her.

(d). Right to Limit Number of Mobile Homes: In order to protect and promote the public health and welfare and equitably defray the cost of municipal and local educational services required by persons and families using or occupying mobile homes in mobile home parks, the Village of Unity establishes reasonable standards and regulations for every mobile home and mobile home park. The Village of Unity shall require an annual license fee to operate the park. The Village may limit the number of units or mobile homes that may be set up in any mobile home park, and limit the number of licenses for mobile home parks in any one common school district, if the mobile home park would cause the school costs to increase above the state average or if an exceedingly difficult or impossible situation exists with regard to providing adequate and proper sewage disposal in the particular area. The power conferred on the Village of Unity by this chapter is in addition to all other grants and shall be deemed limited only by the express language of this section.

Section 2 Continued...

(e). Special Circumstances: The Village of Unity Board also reserves the right to adjust the number of mobile home (temporary) units allowed per space or lot within a mobile home park. (not to exceed 2) The owner of the mobile home park may, in writing describe any circumstances that should arise the need to allow more than one unit/home per space or lot. The request should include the following criteria:

1. Describe the circumstances for the need to allow more than one unit per space.
2. List the number of occupants who will inhabit said homes.
3. Describe the layout of how the homes will be set up on the lot.
4. Describe how the homes/units will be connected to all utilities.
5. List the time frame for the special accommodations.

The Village Board would review such request and make a determination based on the information provided. A time limit of 90 days will be imposed on the special accommodations at this time. The Village Board reserves the right to limit the length of time allowed for the special accommodations to continue. Owner of mobile home park shall be allowed to apply for in increments of up to 60 days based on further need of special accommodations. These must also be made, in writing to the Village board and reviewed and approved by the Village Board. In no way does this allow for permanent residency of said occupants. Occupants must be charged a residential monthly sewer rate, payable to the park operator.

Section 3. Annual License Fees; Monthly Parking Permit Fees.

(a). Annual License Fees: The annual fee for the operation of a mobile home park shall be \$2.00 for each space in a mobile home park.

(b). In Addition: to the license fee provided in subsection a, of this section, each mobile home occupying a space or lots within a mobile home park shall pay a monthly parking permit fee, except the following shall NOT be subject to the monthly parking permit fee:

1. Mobile homes that constitute improvements to real estate under Wisconsin Statute 70.043 (1);
2. Recreational mobile homes and camping trailers as defined in Wisconsin Statutes 70.111 (19);
3. Mobile homes located in campgrounds licensed under Wisconsin Statutes 254.47; and
4. Mobile homes located outside mobile home parks where the principal residence of the owner of the mobile home is located, regardless of whether the mobile home is occupied during all or part of any calendar year.

(c). Monthly Parking Permit Fees: The monthly parking permit fee shall be computed and administered as follows:

1. On January 1st, of each year, the Village of Unity Assessor shall determine the total fair market value of each mobile home in the Village of Unity subject to the monthly parking permit fee.
2. The fair market value, minus the tax exempt household furnishings thus established, shall be equated to the general level of assessment on other real and personal property in the Village of Unity.
3. The value of each mobile home shall be multiplied by the general property gross tax rate, less any lottery credit, established on the preceding year's assessment of general property.

Section 3 Continued..

4. The total annual parking permit fee thus computed shall be divided by 12 and shall represent the monthly mobile home parking permit fee.

5. The fee shall be applicable to the mobile homes moving into the Village any time during the year. The mobile home park operator shall furnish information to the Village Clerk and Village Assessor on mobile homes added to any mobile home park within 7 working days after their arrival, As soon as the Village Assessor received the notice of an addition of an occupied home to the park, the Village Assessor shall notify the Village Clerk of that determination. The Village Clerk shall equate 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 home owner of the monthly fee to be collected from the homeowner. Liability for payment of the fees shall begin on the first day of the next succeeding month and shall remain on the mobile home only for such months as the mobile home remains in the Village.

6. A new rate and a new valuation shall be established each January and shall continue for that calendar year.

7. The valuation established shall be subject to review as are other values established under Wisconsin Statutes Chapter 70. If the Board of Review, or assessor reduces a valuation on which previous monthly payments have been made, the assessor shall make an adjustment in valuation for the next calendar year.

8. The monthly parking permit fees shall be paid by the mobile home owner to the mobile home park operator, who in turn will pay the Village Clerk/Treasurer on or before the 15th of the month following the month for which such parking permit fee is due.

9. A mobile home park operator who collects monthly parking permit fees may deduct and retain 2% of the monthly fees collected for administrative expenses.

10. The mobile home park operator shall be liable for the monthly parking permit fee for any mobile home occupying space therein, as well as the owner or occupant of the mobile home. The Village Clerk/Treasurer shall have no responsibility to contact the licensee for payment of the monthly parking permit fee. Any violation of this provision shall subject the licensee to the penalties as provided in subsection (e) of this section. Each failure to remit the monthly parking permit fee for each mobile home shall be regarded as a separate offense.

11. The lottery credit under Wisconsin Statutes 79.10 (9) (bm), for the principal dwelling on a parcel of taxable property, applies to the estimated fair market value of a mobile home that is the principal dwelling of the owner. The procedures set forth in Wisconsin Statutes 66.0435 are incorporated in this chapter by reference in order for the owner to obtain the lottery credit. This section does not apply to mobile home parks owned and operated by any county pursuant to Wisconsin Statutes 59.52 (16) (b).

(d). Failure to timely pay the parking permit fees under this section 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 under Wisconsin Statutes Ch. 70 and 74.

(e). Failure to comply with the reporting requirements of this code in subsections of this section, shall be subject to the responsible party to Section 1-8 of this code, except as Wisconsin Statutes 66.0435 limits forfeitures for violations of this chapter to \$25.00, with each failure to report being treated as a separate offense.

Section 3 Continued...

(f). The Village of Unity shall retain 10% of the monthly parking permit fees collected each month to cover the cost of administration, without any reduction for amounts deducted by mobile home park operators as compensation for their administrative expenses. The Village of Unity shall pay the school district in which the mobile home park is located according to State Statute. If the mobile home 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.

Article III: Connections to Utilities

This section relates to the health, welfare and safety of the persons occupying the mobile homes in the Village of Unity.

Section 1. Sewer System. All units in a mobile home park shall be required to connect to the Village of Unity sewer system prior to occupying said home. Owner of the mobile home park shall have sewage access readily available for hook up on the space or lot. All hook up expenses shall be the responsibility of the owner of the mobile home/unit. All occupants must fully comply with guidelines established under Village of Unity Ordinance #127 relating to the Village of Unity's Wastewater System. Each unit will be charged a separate monthly residential flat rate for sewage usage, which is paid monthly to the mobile home court operator.

Section 2. Water. All units in a mobile home park shall be required to connect to the water system provided by the mobile home park in which they are located prior to occupying said home/unit.

Section 3. Other Utilities.

All units in a mobile home park shall be required to connect to the electrical unit furnished by the owner of the mobile home park before occupying said home/unit. If the home is furnished with any type of natural gas appliance, the unit shall be required to connect to the natural gas source furnished by the owner of the mobile home park before occupying said home/unit. Owner of the mobile home is responsible for contacting each utility company notifying them of the need for services. Monthly charges for these services are separate, and are the responsibility of the owner or occupant of the mobile home/unit.

Article IV: Standards

Section 1. Requirements of Mobile Home Parks:

The mobile home parks shall conform to the following requirements:

- (a). The park shall be located on a well drained site, properly graded to ensure rapid drainage, and freedom from stagnant pools of water.
- (b). Mobile home spaces/lots shall be provided consisting of a minimum of 1500 square feet for each space which shall be at least 30 feet wide and clearly defined, provided however that mobile home parks in existence on the effective date of this ordinance which provide mobile home spaces having a width or area of less than that herein above described may continue to operate with spaces of the existing width and area, but in no event shall any mobile home space be less than 25 feet wide and have an area of less than 1000 square feet.
- (c). Mobile homes shall be so harbored on each space that there shall be at least a 15 foot clearance between mobile homes, provided, however that with respect to mobile homes parked end to end, the end to end clearance may be less than 15 feet but shall not be less than 10 feet from any building within the park or from any property line bounding the park, provided however that mobile home parks in existence on the effective date of this ordinance which provide mobile home spaces may continue to operate with having mobile homes parked end to end, the end to end clearance may be less than 10 feet from any building within the park or from any property line bounding the park.
- (d). All mobile home spaces shall abut upon a driveway of not less than 20 feet in width, which shall have unobstructed access to a public street, alley or highway.
- (e). All driving areas of the mobile home park shall be properly lit at night with electric lights.
- (f). An electrical outlet supplying at least 220 volts shall be provided for each mobile home space.
- (g). An adequate supply of pure water for drinking and domestic purposes shall be supplied by pipes to all mobile home spaces within the mobile home park. Alternative methods in case of emergencies is permitted.
- (h). Each mobile home shall be supplied with a trapped sewer at least 4 inches in diameter, which shall be connected to discharge into the Village of Unity Sewer System in compliance with applicable ordinances.
- (i). Trash collection is not the responsibility of the mobile home park owner. All mobile home owners shall place all trash in garbage cans at their driveway's end for weekly collection. One recycling bin is provided free of charge from the Village, and may be replaced as needed.
- (j). No owner or person in charge of any dog, cat or other pet animal shall permit it to run at large or commit any nuisance within the limits of any mobile home park. All persons owning a dog within the mobile home park must comply with Village of Unity Ordinance #2000. Dog Control and Regulation.
- (k). No person shall park or occupy any mobile home on any premises situated outside and approved mobile home park.
- (l). No mobile home site shall be rented for a period of less than 30 days.

Section 2. Mobile Home Value Requirements:

No mobile home shall be permitted in any mobile home park having a value of less than \$8,000.00 at the time of relocating into the mobile home park.

Section 3. Manufactured Homes/Mobile Homes (Permanent):

(a). Mobile homes and manufactured homes permitted: Mobile homes and manufactured homes are permitted in all mobile home parks where single-family and two-family homes are permitted or conditionally permitted.

(b). Set Up: Each mobile home and manufactured home in the mobile home park which is occupied as a residence shall be set up on blocks, according to manufacturer’s, and State of Wisconsin’s guidelines.

(c). Removal of wheels, tires, and hitches: All wheels, tires, and hitches must be removed and not be visible. Mobile homes already in mobile home parks are grandfathered in, and are not required to remove them.

(d). Skirting: Skirting of a permanent-type material and construction shall be installed within 30 days of relocating, to enclose the open space between the bottom of a mobile home floor and the grade level of a mobile home stand, and shall be so constructed to provide substantial resistance to heavy winds, thereby alleviating to the maximum extent possible, lifting action created on the underside of the mobile home by heavy winds. Skirting shall be maintained in an attractive manner consistent with the exterior of the mobile home and to preserve the appearance of the mobile home surroundings.

(e). Access for inspection and repair: Provisions shall be made for easy removal of a section large enough to permit access for inspection of the enclosed area under the mobile home and for repairs on sewer and water riser connections.

(f). Accessory structures: All accessory structures shall be designed in a manner that is harmonious with the principal use and that will enhance the appearance of the park. Detached accessory structures shall be set back from the lot but not less than the setback required of the new structure.

(g). Additions: No person shall construct, erect, attach, or cause to be constructed, erected, or attached an enclosed room wing, annex, entrance, or other similar structure to any mobile home or any mobile home lot unless the same is so designed and constructed of compatible material retaining the basic design of the original mobile home. Such additions shall comply with all side lot, front lot and rear lot restrictions designated by this chapter for mobile home lots. Any persons must first obtain permission from mobile home park owner, and further obtain building permit according to Village of Unity Ordinance # 3100 Relating to Building Permits.

Repeal of Conflicting Ordinances: Ordinance #114 and amendments #114A , #114B And # 114C are hereby repealed.

Effective Date: This ordinance shall be in full force and effect from and after it’s passage and publication as provided by law.

Dated: ___May 9th_____, 2008

Attest:

Angela Edblom
Village President

Tracy Kohl
Village Clerk/Treasurer