

Chapter 11

Manufactured and Mobile Homes and Manufactured and Mobile Home Communities

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Cross reference(s) – Buildings and building regulations, ch. 4; numbering system for mobile homes, §4-3; mobile homes and parking of trailers restrictions in parks and recreation areas, §13-86.

State law reference(s) – Mobile homes, W.S.A. §66.058; manufactured housing, W.S.A. §101.90 et seq.

ARTICLE I. IN GENERAL

Sec. 11-1. Purpose of chapter.

The standards and requirements for manufactured and mobile home community design, layout and development contained in this chapter are intended to be the minimum standards necessary to uphold the public’s health, safety and welfare in manufactured and mobile homes and manufactured and mobile home communities in the City. The express enumeration of such standards shall not preclude the Common Council, by resolution or by law, or through express written agreement with the manufactured and mobile home community owner or developer, from

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imposing modifications or additions to the requirements of this chapter. The Council shall only modify or add to such requirements when it is determined that such modifications or additions are more likely to achieve the purpose set out in this section than the requirements set forth in this chapter, and will not conflict with applicable laws of the state.

Sec. 11-2. Definitions.

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

MANUFACTURED AND MOBILE HOMES AND MANUFACTURED AND MOBILE HOME COMMUNITIES

Accessory structure means all structures constructed on a manufactured and mobile home lot apart from the basic manufactured and mobile home unit, and shall include awnings, cabanas, storage cabinets or sheds, carports, windbreaks, attached porches and garages.

Common area means any area or space designed for joint use of tenants occupying the community.

Community means a manufactured and mobile home community.

Community management means the person or entity who owns or has charge, care or control of the community.

Community street means a private way which affords the principal means of access to individual manufactured or mobile home lots or auxiliary buildings.

Driveway means a minor private way used by vehicles and pedestrians on a manufactured or mobile home lot or used for common access to a small group of lots or facilities.

Health Department license means a license issued by the City Health Department under the provisions of this chapter.

License means a written license issued by the City Clerk allowing a person to operate and maintain a community under the provisions of this chapter and regulations issued under this chapter.

Lot means a parcel of land located in a community for the placement of a single manufactured or mobile home and the exclusive use of its occupants.

Lot area means the total area reserved for exclusive use of the occupants of a manufactured or mobile home.

Manufactured and mobile home community means any plot or plots of ground upon which three (3) or more manufactured homes or mobile homes, occupied for dwelling or sleeping purposes, are located, regardless of whether a charge is made for the accommodation.

Manufactured home has the meaning given in W.S.A. §101.91(2) and includes foundations and accessory structures.

Mobile home has the meaning given in W.S.A. §101.91(10) and includes foundations and accessory structures.

Mobile home stand means that part of an individual lot which has been reserved for the placement of one (1) manufactured or mobile home unit.

Municipal permit fee means the fee defined in W.S.A. §66.0435(3)

Permit means any written permit issued by the City in accordance with this chapter, including a special use permit under the provisions of the zoning regulations.

Special use permit means a special use permit issued by the City permitting the construction, alteration and extension of a community under the provisions of this chapter and the regulations issued under this chapter.

Street means the paved or surfaced portion of a roadway between two (2) curbs.

Unit means a manufactured or mobile home.
(Ord 42-92, §1, 4-15-92, Ord 79-08, §1, 4-22-08)

Cross reference(s) – Definitions and rules of construction generally, §1-2.

Sec. 11-3. Manufactured and mobile home municipal permit fee.

(a) There is hereby imposed on each owner of a nonexempt manufactured or mobile home in the City a monthly municipal permit fee determined in accordance with W.S.A. §66.0435(3). It shall be the full and complete responsibility of the community licensee to collect the proper amount from each unit's owner or occupant. Licensees and owners and occupants of units permitted to be located on land outside a community and the owners of land on which such homes are parked shall pay such municipal permit fees to the Director of Finance on or before the tenth (10th) day of the month following the month for which such fees are due, in accordance with terms of this chapter and such reasonable regulations as the Director of Finance may promulgate. Remittances delinquent for seven (7) business days beyond the tenth (10th) day of the month shall be considered in default and shall subject the licensee to revocation of the city license.

(b) Licensees under this chapter and owners of land on which any unit is parked shall inform the assessor of such units as are added to their community or lands within five (5) days after the arrival of such unit on forms furnished by the assessor in accordance with W.S.A. §66.0435(3)(c) and (e).
(Ord 4-93, §1, 1-6-93; Ord 79-08, §1, 4-22-08)

Sec. 11-4. Placement of manufactured or mobile homes outside licensed community prohibited; exceptions.

No person shall park, locate or place any unit outside of a licensed community in the City, except for unoccupied units parked on the lawfully situated premises of a licensed manufactured or mobile home dealer for purpose of sales and display, and units parked on the lawfully situated

premises of a vehicle service business for purposes of servicing or making necessary repairs and portable field offices for construction projects and structures which meet the design requirements of §23-51.

(Ord 120-95, §1, 11-15-95, Ord 79-08, §1, 4-22-08)

Sec. 11-5. Stopping or parking manufactured or mobile home on street.

No person shall stop, stand or park a manufactured or mobile home in any street, alley or highway within the City in violation of W.S.A. chapters 340 and 348 or ordinances or regulations of the City.

(Ord 79-08, §1, 4-22-08)

Sec. 11-6. Damaged or dilapidated manufactured or mobile homes.

Wrecked, damaged or dilapidated manufactured or mobile homes shall not be kept or stored in a community or upon any premises in the City. The building inspector shall determine if a unit is damaged or dilapidated to a point which makes it unfit for human occupancy. Such units are hereby declared to be a public nuisance. Whenever the inspector so determines, he shall notify the licensee or landowner and the owner of the unit in writing that such public nuisance exists within the community or on lands owned by him, giving the findings upon which his determination is based, and shall order such unit removed from the community or site or repaired to a safe, sanitary and wholesome condition of occupancy within a reasonable time.

(Ord 79-08, §1, 4-22-08)

Sec. 11-7. Compliance with building regulations.

All plumbing, building, electrical work, oil or gas distribution and alterations or repairs in a community shall be in accordance with applicable law and the ordinances and regulations of the State and the City and their authorized agents.

(Ord 79-08, §1, 4-22-08)

Sec. 11-8. Skirting; storage under manufactured or mobile homes.

All manufactured or mobile homes in communities shall be skirted within thirty (30) days of placement of the unit unless the unit is placed within one (1) foot vertically of the stand with soil or other material completely closing such space from view and entry by rodents and vermin. Areas enclosed by such skirting shall be maintained and kept free of rodents and fire hazards. All skirts shall be of fire-resistant material. Storage under a unit is prohibited.

(Ord 79-08, §1, 4-22-08)

Sec. 11-9. Construction or alteration of attachments and accessory structures.

Except as otherwise provided in this chapter, no person shall construct, add to or alter any structure, attachment or building in a community or on a manufactured or mobile home space without written permission from the City building inspector. Construction on or addition or alteration to the exterior of a unit shall be of the same type of construction and materials as the unit affected. This section shall not apply to the addition of awnings, antennas or skirting to units. Accessory structures on manufactured or mobile home spaces shall comply with all setback, side yard and rear yard requirements for manufactured or mobile home units.

(Ord 79-08, §1, 4-22-08)

Secs. 11-10 – 11-25. Reserved.

ARTICLE II. MANUFACTURED AND MOBILE HOME COMMUNITIES

DIVISION 1. GENERALLY

Sec. 11-26. Special use permit for construction or expansion.

(a) *Required.* No person shall construct or expand any manufactured and mobile home community without first securing a special use permit from the City.

(b) *Application; issuance.* Application for a manufactured and mobile home community special use permit shall be obtained pursuant to the provisions of the Zoning Code. No such permit shall be issued to applicants in arrears on financial obligations of any kind to the City. (Ord 79-08, §1, 4-22-08)

Sec. 11-27. Responsibilities of management.

(a) In every manufactured and mobile home community, there shall be located an office of the attendant or person in charge of the community. A copy of the community's license and of this chapter shall be posted therein and the community's register shall be kept in the office at all times.

(b) The attendant or person in charge and the community's licensee shall operate the community in compliance with the chapter and regulations and ordinances of the city and state and their agents or officers, and shall have the following duties:

- (1) The management shall maintain a register of all of the community's occupants, to be open at all times to inspection by state, federal and city officers, which shall show the names and addresses of all owners and occupants of each unit.
- (2) The management shall annually provide the Fire, Health and Police Departments with a list of persons who can be contacted in the event of fire, explosion, severe storm damage or other emergency.
- (3) The management shall notify the community's occupants of the provisions of this chapter and inform them of their duties and responsibilities, and report promptly to the proper authorities any violations of this chapter or any violations of law which may come to their attention.
- (4) The management shall supervise the placement of each unit on its stand, which includes securing its stability and installing all utility connections.

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- (5) The management shall maintain community grounds, buildings and structures free of insect and rodent harborage and infestation and accumulations of debris which may provide rodent harborage or breeding places for flies, mosquitoes and other pests.
- (6) The management shall maintain the community free from growth of noxious weeds.
- (7) The management shall maintain the community free of litter, rubbish, and other flammable materials, provide portable fire extinguishers of a type approved by the Fire Chief in any community building used by the public, and cause every area within the community designated as a fire lane by the Fire Chief to be kept free and clear of obstructions.
- (8) No person shall store LP gas containers under a unit. All containers, full or empty, shall be secured in place, and all containers and LP gas service shall comply with all Wisconsin laws and regulations concerning Liquified Petroleum Gas, including Wisconsin Administrative Code SPS Chapter 340..
- (9) The management shall require every unit to be provided with solid waste containers as set forth in §15-28.
- (10) The management shall provide for the sanitary and safe removal and disposal of all refuse and garbage. Removal and disposal of garbage and refuse shall be in accordance with the laws of the state and the ordinances and regulations of the City, including regulations promulgated by the Health Officer and the Fire Chief.
- (11) The management shall collect the municipal permit fee for each occupied nonexempt unit within the community and remit such fees and deposits to the Director of Finance as required by §11-3.
- (12) The management shall allow inspections of community premises and facilities at reasonable times by municipal officials and their agents or employees.
- (13) In cases where the owner of the community is also the owner of a unit and leases the unit to occupant, the unit shall be made available for inspection at reasonable times by City agents, and the owner shall maintain the units in good repair and in a clean and sanitary condition.

(Ord 4-93, §1, 1-6-93; Ord 79-08, §1, 4-22-08)

Cross reference(s) – Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 11-28. Responsibilities of occupants.

(a) Manufactured and mobile home community occupants shall comply with all applicable requirements of this chapter and regulations issued under this chapter and shall maintain their unit's space, its facilities and equipment in good repair and in clean and sanitary condition.

(b) Each owner or occupant of a nonexempt unit within a community shall remit to the licensee or authorized community management the municipal permit fee as required under State Statutes.

(c) Units shall be parked only on the stands provided and shall be placed thereon in accordance with all requirements of this chapter.

(d) No owner or occupant shall conduct in any unit or any community any business or engage in any other activity which would not be permitted by the use regulations of the City Zoning Code.

(e) No person shall erect or place upon any unit's space any permanent or temporary structure intended to be used for dwelling purposes or in connection with any unit, except as specifically authorized by this chapter.
(Ord 79-08, §1, 4-22-08)

Sec. 11-29 – 11-45. Reserved.

DIVISION 2. LICENSES*

Sec. 11-46. Manufactured and mobile home community license – required.

No person shall operate or maintain a manufactured and mobile home community within the city without a valid, unexpired community license issued by the City Clerk and approved by the Common Council.

(Ord 79-08, §1, 4-22-08)

Cross reference(s) – Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 11-47. Manufactured and mobile home community license – term.

Manufactured and mobile home community licenses shall be issued for a fiscal year and shall expire on June 30 next succeeding the date of issue. Licenses may be issued after July 1 of any year, but no rebate or diminution of the fee shall be allowed.

(Ord 79-08, §1, 4-22-08)

Sec. 11-48. Manufactured and mobile home community license – fee; bond.

(a) The license fee for a manufactured and mobile home community license is one hundred dollars (\$100).

(b) The applicant shall furnish a surety bond in the amount of five thousand dollars (\$5,000).

Sec. 11-49. Manufactured and mobile home community license – standards of issuance.

Manufactured and mobile home community licenses shall be granted subject to the following standards:

- (1) Compliance with state law and local ordinances, rules and regulations. Proof of valid Manufactured Home Community permit issued by the Wisconsin Department of Safety and Professional Services is required.
- (2) Compliance with City zoning ordinances and procurement of any permits affecting land use which may be required.
- (3) Compliance with the applicable ordinances of the city, as well as payment of all outstanding obligations due the City as certified by reports from the Inspections Division, Police, Community Development Department, Health, Finance and Fire Departments.

(Ord 79-08, §1, 4-22-08)

Cross reference(s) – Licenses, permits and business regulations, Ch. 9.

DIVISION 3. DESIGN STANDARDS

Sec. 11-50. Manufactured and mobile home community license – appeal of denial.

If an application for a license under this division is recommended for denial, the City Clerk shall forthwith notify the applicant by certified mail, return receipt requested of the denial and the reason therefore. The notice shall indicate the date and time of the review of the denial by the Safety and Licensing Committee and the right of the applicant to appear before the Committee. The Safety and Licensing Committee shall hear any person for or against granting the license and shall report its recommendation to the Common Council, which shall grant or deny the license.

Sec. 11-51. Manufactured and mobile home community license – revocation or suspension.

Licenses granted under this division shall be subject to revocation or suspension by the Common Council for cause in accordance with W.S.A. §66.0435(2)(d). Cause, as used in this section, shall include, but not be limited to:

- (1) Failure or neglect to abide by the requirements of this chapter or the laws or regulations of the state relating to communities and their operation.
- (2) Conviction of any offense under the laws of the state or ordinances of the city relating to fraudulent or misleading advertising or deceptive practices regarding the sale or renting of manufactured or mobile home spaces or sale, lease or operation of community facilities.
- (3) Operation or maintenance of the community in a manner detrimental to the health, safety or welfare of occupants or the inhabitants of the city, including, but not limited to, repeated violations of laws or ordinances related to health, sanitation, refuse disposal, fire hazards, morals or nuisances.

(Ord 79-08, §1, 4-22-08)

Secs. 11-52 – 11-70. Reserved.

Sec. 11-71. Applicability of division.

All new manufactured and mobile home communities or additions, or extensions to communities existing on the effective date of the ordinance adopting this code of ordinances, shall comply with the provisions of this division.

(Ord 79-08, §1, 4-22-08)

Sec. 11-72. Adoption of state law.

Wisconsin Administrative Code, chapters SPS 382 and SPS 326, are hereby made a part of this chapter and incorporated as part of this section by reference as if fully set forth in this section, except that such regulations shall not be deemed to modify any requirement of this chapter or any other applicable law or ordinance of the state or the city which is more restrictive.

(Ord 27-03, §1, 1-21-03; Ord 79-08, §1, 4-22-08; Ord 25-12, §1, 3-7-12)

Sec. 11-73. Site and lots; spacing of units.

The community shall conform to the following standards:

- (1) The community shall be located on a site having a minimum of twenty (20) acres of land.
- (2) Each space shall have an area of not less than four thousand five hundred (4,500) square feet and a width of not less than forty-five (45) feet.
- (3) All manufactured or mobile homes shall be located on a site so that there shall be at least twenty (20) feet of clearance between basic units, at least twelve (12) feet of clearance between units and rear lot lines, and at least ten (10) feet of clearance to side lot lines.
- (4) No manufactured or mobile home unit or accessory structure shall be located closer than twenty-five (25) feet to any common community area, community maintenance building or administrative building within the community, or to any property line of the community.
- (5) Attached accessory structures shall be no closer than six (6) feet to side and rear property lines.

(Ord 79-08, §1, 4-22-08)

Sec. 11-74. Use of city water and sewer service required.

No manufactured and mobile home community shall be

laid out, constructed or operated without city water supply and sanitary sewer service available to the site. All water or sanitary sewer facilities in any unit not connected with public water and sewer systems by approved pipe connections shall be sealed and their use declared unlawful. (Ord 79-08, §1, 4-22-08)

Cross reference(s) – Utilities, ch. 20.

Sec. 11-75. Specifications for water utility.

(a) All water main and water services materials, as well as installation, shall meet existing specifications on file with the utility for single-family residential areas.

(b) Depth of mains and services shall be a minimum of six (6) feet, with each unit supplied with an independent curb box and meter. In lieu of independent meters, a master meter may be installed.

Cross reference(s) – Water utility, §20.31 et seq.

Sec. 11-76. Fire hydrants.

Fire hydrants shall be installed within two hundred fifty (250) feet of every manufactured or mobile home stand and community building. Where these standards do not apply due to the fact that the community was in existence prior to the effective date of the ordinance adopting this Municipal Code or the date it was annexed to the City, the Fire Chief may order the licensee to install fire hydrants within two hundred fifty (250) feet of every manufactured or mobile home stand and community building and provide that the order be complied with within two (2) years, where in his discretion and opinion fire protection cannot otherwise be adequately provided.

(Ord 79-08, §1, 4-22-08)

Cross reference(s) – Fire prevention and protection, ch. 6; water utility, §20.31 et seq.

Sec. 11-77. Specifications for sewer system.

All liquid wastes originating at units or service or other buildings shall be discharged into a sewer system. Such system shall comply with all provisions of the state code and city ordinances relating to plumbing and sanitation. Each individual space shall be provided with a three- (3-) inch watertight sewer connection protected from damage by heating and thawing or parking of the unit, with a continuous grade, which is not subject to surface drainage, so constructed that it can be closed when not in use and sealcapped in such a manner that it can be kept odor-free.

Cross reference(s) – Sewers and wastewater disposal, §4-341, §20-66, et seq.

Sec. 11-78. Electrical distribution system.

Electrical distribution systems shall be new and all parts and installations shall comply with all applicable state and local codes as adopted by §4-341.

(Ord 79-08, §1, 4-22-08)

Cross reference(s) – Electrical code, §4-311, et seq.

Sec. 11-79. Off-street parking spaces.

A minimum of two (2) off-street parking spaces surfaced with bituminous concrete or Portland cement concrete capable of carrying a gross vehicle weight of three thousand (3,000) pounds shall be provided for each manufactured and mobile home space for new areas.

(Ord 79-08, §1, 4-22-08)

Sec. 11-80. Pad; tie-downs.

Each manufactured and mobile home stand shall be provided with an asphalt or concrete pad, concrete footings, or the equivalent, complete with approved tie-downs, which shall be connected when the manufactured or mobile home is placed upon the lot and shall remain connected until the manufactured or mobile home unit is removed from the lot, as determined by the Inspections Supervisor, to provide for solid footing of the unit.

(Ord 79-08, §1, 4-22-08)

Sec. 11-81. Topography of site; exposure to adverse conditions.

The condition of the soil, groundwater level, drainage and topography of the site shall not create hazards to the property, health or safety of occupants of manufactured or mobile home spaces or living unit. The site shall not be exposed to objectionable smoke, noise, odors or other adverse influences, and no portion subject to unpredictable or sudden flooding, subsidence or erosion shall be used for any purpose which would expose persons or property within or outside of the community to hazards.

(Ord 79-08, §1, 4-22-08)

Sec. 11-82. Erosion and dust control.

Exposed ground surfaces in all parts of every manufactured and mobile home community shall be maintained in such a way as to prevent soil erosion and eliminate objectionable dust.

(Ord 79-08, §1, 4-22-08)

Sec. 11-83. Drainage of surface water.

The ground surface in all parts of every manufactured and mobile home community shall be graded and equipped to drain all surface water in a safe, sanitary and efficient manner.

(Ord 79-08, §1, 4-22-08)

Sec. 11-84. Lighting.

All communities shall be furnished with lighting so spaced and equipped with luminaries placed at such heights as will provide the following average maintained levels of illumination for the safe movement of pedestrians and vehicles at night:

- (1) All parts of community street systems shall be illuminated at an average level of six-tenths (0.6) foot-candle, with a minimum of one-tenth (0.1) foot-candle.
- (2) Potentially hazardous locations such as major community street intersections and steps or stepped ramps shall be individually illuminated with a minimum of three-tenths (0.3) foot-candle.

(Ord 79-08, §1, 4-22-08)

Sec. 11-85. Streets generally.

All unit spaces shall abut upon a community street. Widths of streets shall be in accordance with Wisconsin Administrative Code, SPS 326. All community streets shall be constructed in a manner that is consistent with standards established by the Department of Public Works. (Ord 28-03, §1, 1-21-03; Ord 79-08, §1, 4-22-08; Ord 25-12, §1, 3-7-12)

Cross reference(s) – Streets, §16-36 et seq.

Sec. 11-86. Marking of streets and parking areas.

Streets shall be clearly marked by signing at appropriate corners or intersections. Signs should be of standard size and be reflectorized. All fire lanes and restricted parking, standing or stopping areas should be clearly marked with pavement markings and signed according to city ordinance or state law.

Sec. 11-87. Numbering of units.

Each unit shall have a separate or distinct number for ease of identification. Numbers shall meet the size and placement requirements set forth in §4-3.

(Ord 79-08, §1, 4-22-08)

Cross reference(s) – Building marking system, §4-3.

Sec. 11-88. Pedestrian walkways.

All communities shall be provided with pedestrian walks not less than three (3) feet in width between individual manufactured and mobile homes, community streets and facilities.

(Ord 79-08, §1, 4-22-08)

Cross reference(s) – Sidewalks, §16-56 et seq.

Sec. 11-89. Buffer strip.

In addition to standard lot setbacks, all manufactured and mobile home communities shall have a greenbelt or buffer strip not less than fifteen (15) feet wide along all boundaries. Unless adequately screened by existing vegetative cover, all manufactured and mobile home communities shall be provided within such greenbelt or buffer strip with a screening of natural growth. Permanent plantings shall be grown and maintained at a height of not less than six (6) feet. Screening or planting requirements may be waived or modified by the Common Council if it finds that the exterior, architectural appeal, concerns for public safety or functional plan of the community, when completed, will be materially enhanced by modification or elimination of such screen planting requirements.

(Ord 79-08, §1, 4-22-08)

Sec. 11-90. Recreation area.

All manufactured and mobile home communities shall contain one (1) or more recreation areas easily accessible to all community residents. Such areas shall be a minimum of one-half (½) acre for each fifty (50) spaces. Recreation areas shall be so located as to be free of traffic hazards.

(Ord 79-08, §1, 4-22-08)

Cross reference(s) – Parks and recreation, ch 13.

Sec. 11-91. Signs.

No signs more than two (2) square feet in area shall be erected in manufactured and mobile home communities except traffic signs, street signs and markings, signs pertaining to the lease, hire or sale of individual units, and one (1) community identification sign not more than forty-eight (48) square feet in area at each community entrance.

(Ord 79-08, §1, 4-22-08)

Cross reference(s) – Signs, §23-500.

Sec. 11-92. Entrances.

Entrances to manufactured and mobile home communities shall be designed to minimize congestion and traffic hazards and allow free movement of traffic on adjacent streets.

(Ord 79-08, §1, 4-22-08)

Cross reference(s) – Traffic and vehicles, ch. 19

Sec. 11-93. Accessory storage buildings.

Accessory storage buildings shall be placed at least three (3) feet from the rear line of each lot and not closer than three (3) feet to any unit. Persons or parties not in compliance shall be issued a sixty- (60-) day notice to properly place the accessory storage buildings or structures by the Inspections Division.

(Ord 176-93, §1, 10-19-93; Ord 125-96, §1, 12-18-96; Ord 79-08, §1, 4-22-08)

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