

AN ORDINANCE TO REPEAL AND RE-CREATE SECTION 15.16 OF THE CODE OF GENERAL ORDINANCES OF THE TOWN OF DOVER, RACINE COUNTY.

The Town Board of the Town of Dover, Racine County, Wisconsin does hereby repeal and recreate Ordinance 15.16, dealing with mobile home parks in the Town of Dover to read as follows:

Sections:

15.16.010	Intent.
15.16.020	Scope.
15.16.030	Definitions.
15.16.040	Adoption of Wisconsin Administrative Statute and Code.
15.16.050	License and revocation or suspension thereof.
15.16.060	License and monthly mobile home fee.
15.16.070	Mobile home park plan.
15.16.080	Water supply.
15.16.090	Sewage disposal.
15.16.100	Plumbing.
15.16.110	Solid wastes.
15.16.120	Management.
15.16.130	License.
15.16.140	Violations—Penalties.

15.16.010 Intent.

It is the intent of this chapter to provide for the regulation, licensing, and inspection of mobile home parks within the town in accordance with Wisconsin State Statute and Administrative Code.

15.16.020 Scope.

A. Applicability. The provisions of this section shall apply to the owner and to the operator, if other than the owner, of any mobile home park as hereafter defined.

B. Relief. When strict adherence to these regulations is shown to be impractical by proof satisfactory to the licensing authority, the licensing authority may approve modifications as needed consistent with the intent hereof, to safeguard public health, safety, and welfare, subject, however, to the provisions of Section 15.16.040.

15.16.030 Definitions.

As used in this chapter, the following terms are defined:

“Approved” means acceptable to the town, based on its determination as to conformance with appropriate standards and good public health practices and subject to the further provisions incorporated in Section 15.16.040.

“Basic unit” means the mobile home, excluding hitch, awnings, cabanas, storage unit, carport, windbreak, nonwinterized porch, or similar appurtenant structures.

“Licensee” means any person licensed to operate and maintain a manufactured and mobile home park.

“Licensing authority” means the town.

“Manufactured home” has the meaning given in s. 101.91(2) Wis. Stats, and includes any additions, attachments, annexes, foundations and appurtenances.

“Mobile home” has the meaning given in s. 101.91(10), Wis. Stats. and includes any

additions, attachments, annexes, foundations and appurtenances.

“Mobile home park” means any plot or plots of ground owned by a person, state or local government upon which two or more units, occupied for dwelling or sleeping purposes regardless of mobile home ownership, are located, and whether or not a charge is made for such accommodation. This may also be referred to as a mobile home “community”, as that term is now used in s. 66.0435.

“Mobile home park management” means the person legally responsible for the operation of the park.

“Person” means an individual, partnership, firm, company, corporation, whether tenant, owner, lessee, licensee, or their agent, heir or assign.

“Recreational mobile home” means a prefabricated structure that is no larger than 400 square feet, or that is certified by the manufacturer as complying with the code promulgated by the American National Standards Institute as ANSI A199.5, and that is designed to be towed and used primarily as temporary living quarters for recreational, camping, travel or seasonal purposes.

“Site” or “space” means a plot of ground within a mobile home park designed for placement of one mobile home.

15.16.040 Adoption of Wisconsin State Statute and Administrative Code.

The provisions of Wisconsin State Statute and Administrative Code concerning mobile homes and mobile home parks (or communities), in effect at the adoption of this chapter and all subsequent amendments thereto, are adopted by reference herein, including,

without limitation Wis. Stat. secs. 66.0435, 101.91, 101.965, and 218.10 to 218.17.

The town shall have the power to grant variances to portions of this section which are more restrictive than the provisions of state statute or code if such town variance complies with the requirements of the applicable provisions of state statute or code.

15.16.050 License and revocation or suspension thereof.

A. It is unlawful for any person to maintain or operate within the limits of the town any mobile home park unless such person shall first obtain from the town a license therefor. The application for a license shall be on a form prescribed by the town, and shall be given to the town clerk. The initial license fee shall be established by resolution of the town.

B. Any license granted under the provisions of this chapter shall be subject to revocation or suspension for cause by the town board that issued such license upon complaint filed with the clerk of the town signed by any law enforcement officer, health officer (as defined in s. 250.01) or building inspector, and after a public hearing upon such complaint. The holder of such license shall be given ten days’ notice in writing of such hearing, and he or she 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 twenty (20) days of the date of such revocation or suspension, appeal therefrom to the circuit court of the county in which the mobile home park is located by filing a written notice of appeal with the town clerk, together with a bond executed to the town in the sum of five hundred dollars (\$500.00) with two 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 or her.

15.16.060 License and monthly mobile home fee.

A. Each licensee shall pay an annual fee to the town clerk in advance for each calendar year or fraction thereof of one hundred dollars (\$100.00) for each fifty (50) spaces or fraction thereof within each mobile home park within the town limits, except where the park is in more than one municipality the fee shall be in such fraction as the number of spaces in the park within the town bears the entire number of spaces in the park.

B. Each transferee shall pay a fee of ten dollars (\$10.00) in advance to the town clerk for transfer of any license.

C. In addition to the license fee provided in subsections A and B of this section, the town shall collect from each unit occupying space or lots in a mobile home park in the town, except from recreational mobile homes as provided under par. D, from manufactured and mobile homes that constitute improvements to real property, from recreational vehicles as defined in s. 340.01 (48r), and from camping trailers as defined in s. 340.01 (6m), a monthly municipal permit fee computed as set forth in s. 66.0435(3)(c).

D. Recreational mobile homes and recreational vehicles, as defined in s. 340.01(48r) are exempt from the monthly municipal permit fee. The exemption under this paragraph also applies to steps and a platform, not exceeding 50 square feet, that lead to a recreational mobile home or recreational vehicle, but does not apply to any other addition, attachment, patio or deck.

E. The monthly municipal permit fee shall be collected by the licensee (mobile home park operator) from each mobile home

owner in the mobile home park of the licensee, required to pay such permit under this chapter and shall remit the fees to the town treasurer forthwith. The licensee may deduct, for administrative expenses, 2% of the monthly fees collected.

F. The fee for a mobile home located outside of a licensed park shall be paid by the owner of the mobile home, the occupant thereof, or the owner of land on which it stands, the same as and in the manner provided for mobile homes located in a mobile home park, and the owner of such land shall be required to comply with the reporting requirements of subsection C of this section, provided that the fee shall be paid directly to the town treasurer on or before the tenth day of the month following the month for which such parking permit is due.

G. This section shall not apply where a mobile home park is owned and operated by any county under the provisions of s. 59.52(16(b)).

H. Failure to timely pay the fee under this chapter shall be treated in all respects like a default in payment of property tax and shall be subject to all procedures and penalties applicable thereto under Chapters 70 and 74 of state statute.

I. The licensing authority may retain 10 percent of the monthly municipal permit fees collected in each month, without reduction for any amounts deducted under sub. E above, to cover the cost of administration. The licensing authority shall pay to the school district in which the community is located, within 20 days after the end of each month, such proportion of the remainder of the fees collected in the preceding month as the ratio of the most recent property tax levy for school purposes bears to the total tax levy for all purposes in the licensing authority. If the community 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.

15.16.070 Mobile home park plan.

A. General. Every mobile home and mobile home park shall be located on a well-drained area, and the premises shall be properly graded so as to prevent the accumulation of storm and other waters. No mobile home or mobile home park shall be located in any area that is situated so that drainage of contaminated liquids or solids can be deposited on its location.

B. Site.

1. Each site shall be clearly defined or delineated. The basic unit shall not occupy in excess of one-fourth of the area of the site, and the complete unit, local including all accessory structures, shall not occupy more than one-half of the area of the site. Mobile home parks which, at the time of the adoption of these regulations, existed lawfully with mobile home sites that do not comply with the foregoing minimum area requirements may continue to operate. Expansion and modification of such mobile home parks shall, however, be in accord with current regulations.

2. Each unit shall be located on a lot of not less than five thousand (5,000) square feet with a minimum width of forty-five (45) feet. The unit shall be so located on a site that there shall be at least a twenty-foot clearance between basic units. No unit shall be located closer than ten feet to any building within the park or to any property line of the park. No unit shall be located less than twenty-five (25) feet from the right-of-way line of a highway or ten feet to the right-of-way line of a public street or internal private street system of the park. Each lot shall contain a parking space upon which the

unit shall be situated, which parking space shall be graveled or paved with concrete or bituminous material. Each such parking space shall be not less than ten feet wide, nor shorter than the length of the unit to be parked thereon plus five feet.

3. Each mobile home park shall be completely surrounded, except for permitted entrances and exits, by a yard in addition to all other required yards and open spaces which shall not be less than fifteen (15) feet wide and permanently planted in grass, flowers, shrubs, or trees.

C. Street.

1. All sites shall abut upon a street having a width of at least thirty-six (36) feet, either graveled or paved with concrete or bituminous material.

2. All streets and driveways shall be maintained in good condition, have natural drainage, and shall be lighted at night to a minimum of five foot candles.

D. Parking. There shall be parking spaces for automotive vehicles provided within each park, surfaced with gravel, concrete or bituminous material in the ratio of two such parking spaces for each unit site. Each automobile parking space shall be not less than nine feet wide, nor one hundred sixty (160) square feet in area, exclusive of maneuvering and access space.

E. Recreational Area. Each park shall contain a recreation area. A minimum of one-half acre of area for such use shall be provided for each fifty (50) sites or fraction thereof. The minimum area in a park shall be one-half acre.

15.16.080 Water supply.

An adequate supply of pure water for drinking and domestic purposes shall be provided in an amount sufficient to care for the needs of the maximum number which can be accommodated in such park and shall be installed in compliance with the town plumbing and well codes and shall meet the applicable requirements of the Department of Natural Resources as set forth in Wisconsin Administrative Code Chapters NR-108, 111, 112 and 114 and any amendments thereto.

15.16.090 Sewage disposal.

A. Service Availability. The requirements covering the sewage disposal facilities for all mobile home parks are based upon the availability of public utilities as well as the practicability of connection thereto.

B. Public Utilities. When acceptable public sewage facilities are available to the mobile home park, connection and use are required.

C. Private Sewage Disposal.

1. Private sewage disposal systems are permitted when a public sewer facility is not available to the premises. The system shall be located on the premises and be designed and constructed in accordance with Wisconsin Administrative Code Chapter ILHR-83.

2. Plans and installation details covering the design and construction, alteration and/or extension of private sewage disposal systems shall be approved by the section of plumbing and fire protection systems of the Department of Health and Social Services prior to construction.

3. Sufficient area of suitable soils for the initial soil absorption system and one

replacement system, of adequate size to serve the ultimate number of sites to be provided, shall be available in the park.

15.16.100 Plumbing.

A. General. All plumbing shall meet the requirements contained in Wisconsin Administrative Code Chapter ILHR-82 applicable to mobile homes and mobile home parks.

B. Water Connection. A separate valved water service shall extend to each site.

15.16.110 Solid wastes.

A. Garbage. All garbage which is not disposed of through a garbage disposal unit connected with the sewerage system shall be kept in separate, leakproof, nonabsorbent containers equipped with tight-fitting covers unless otherwise protected from flies and insects located within one hundred (100) feet of any site, and the contents shall be disposed of as often as necessary to prevent decomposition or overflow.

B. Cleanliness. Garbage cans should be washed each time they are emptied unless provided with a single-service sanitary removable waterproof liner.

C. Restriction. The use of wooden or paper containers for garbage is prohibited.

D. Rubbish. Fly-tight containers with covers are required for cans, bottles and other rubbish. The contents shall be disposed of as often as necessary to prevent overflow.

15.16.120 Management.

A. Office. The park management shall maintain an office in the park or in close proximity thereto for immediate communication.

B. Duties—Owner. 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:

1. Keep a register, which is to be open at all reasonable times and upon reasonable notice to inspection by appropriate state and local officials, of all owners of mobile homes located in the park;

2. Maintain the mobile home park in a clean, orderly and sanitary condition at all times;

3. Cooperate with local health officers in all cases of persons or animals affected or suspected of being infected with any communicable disease;

4. Post copies of these regulations in one or more conspicuous places in the mobile home park where they can be easily seen by the mobile home personnel and visitors.

C. Duties—Occupants. It is the duty of all occupants of mobile homes to:

1. Maintain their site in a clean, orderly and sanitary condition at all times;

2. Abide by all applicable state and local regulations and the rules established by the park management.

15.16.130 License.

A. Requirement. Before being open for public use, each mobile home park, as defined in Section 15.16.030, shall be licensed by the town. Application for license by the town

shall be made on forms provided by the town clerk. Such fees shall be nonreturnable, non-transferrable and non-prorated.

B. State Fees. The departmental annual fiscal year license fee shall be nonreturnable, non-transferrable and non-prorated as specified in Wisconsin Statutes Section 254.47.

C. Inspection. Prior to the issuance of a license under this chapter and at least one other time during the license year, the County health officer shall conduct a sanitary inspection of each mobile home park and shall complete a report of such inspection and shall submit copies of such report to the town clerk and to the Department of Health and Social Services. Such reports shall be on forms provided by the Department of Health and Social Services.

15.16.140 Violations—Penalties.

A. Any person, firm or corporation violating any provisions of Section 15.16.050 C and E relating to reporting the addition of occupied mobile homes shall, upon conviction thereof, forfeit not more than twenty-five dollars (\$25.00), together with costs of prosecution and each failure to report shall be regarded as a separate offense.

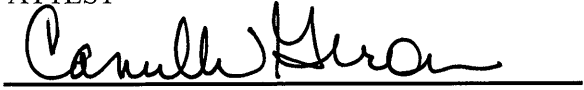
B. Any person, firm or corporation violating any provisions of this chapter, other than those specified in subsection A of this section, shall, upon conviction thereof, forfeit not less than one hundred dollars (\$100.00), together with the costs of prosecution. Every day of noncompliance shall be deemed a separate and distinct offense.

Adopted this ____ day _____, 2025



Town of Dover, by

ATTEST



Town of Dover Clerk