

# Chapter 8

## Mobile Home Ordinance

### REGULATING PARKING, LOCATION AND LICENSING OF MOBILE HOMES PURSUANT TO 66.0435 WISCONSIN STATUTES AND PROVIDING PENALTIES.

WHEREAS, the Town Board of the Town of Springfield has adopted an ordinance providing for the regulation of mobile homes and mobile home parks in the Town of Springfield, Dane County, Wisconsin,

AND WHEREAS, the Town Board of the Town of Springfield has determined that it is in the best interest of the Town of Springfield that said ordinance providing for the regulation of mobile homes and mobile home parks provide for an exemption to the ordinance for certain mobile homes used in conjunction of construction of projects,

THE TOWN BOARD OF THE TOWN OF SPRINGFIELD, DANE COUNTY, WISCONSIN HEREBY ORDAINS AS FOLLOWS:

#### 8.01 DEFINITIONS. In this section:

(a) "Dependent mobile home" means a mobile home which does not have complete bathroom facilities.

(b) "License" means any person licensed to operate and maintain a mobile home park under this section.

"Licensing authority" means the town wherein a mobile home park is located.

"Mobile home" is that which is, or was as originally constructed, designed to be transported by any motor vehicle upon a public highway and designed, equipped and used primarily for sleeping, eating and living quarters, or is intended to be so used; and includes any additions, attachments, annexes, foundations and appurtenances.

(e) "Mobile home park" means any plot or plots of ground upon which 2 or more units, occupied for dwelling or sleeping purposes are located, regardless of whether a charge is made for the accommodation.

(f) "Nondependent mobile home" means a mobile home equipped with complete bath and toilet facilities, all furniture, cooking, heating, appliances and complete year round facilities.

"Park" means mobile home park.

"Person" means any natural individual, firm, trust, partnership, association, corporation or limited liability company.

"Space" means a plot of ground within a mobile home park, designed for the accommodation of one mobile home unit.

"Unit" means a mobile home unit.

#### 8.02 GRANTING, REVOKING OR SUSPENDING LICENSE.

It is unlawful for any person to maintain or operate a mobile home park within the limits of the town unless the person has received a license from the town.

In order to protect and promote the public health, morals and welfare and to

equitably defray the cost of municipal and education services required by persons and families using or occupying trailers, mobile homes, trailer camps or mobile home parks for living, dwelling or sleeping purposes the town board will:

1. Establish and enforce by ordinance reasonable standards and regulations for every trailer and trailer camp and every mobile home and mobile home park in the town.
2. Require an annual license fee to operate a mobile home park per ss. 66.0435(2)(2).
3. The town board under authority of ss.66.0435(2)(d) may revoke any license or permit issued under the provisions of this ordinance.

### **8.03 LICENSE AND MONTHLY MOBILE HOME FEE; REVIEW.**

The Clerk-Treasurer shall collect from the licensee an annual license fee of not less than \$25 nor more than \$100 for each 50 spaces or fraction of 50 spaces within each mobile home park within its limits. See ss.66.0435(3)(b) thru 66.0435(3)(c)(1)(d).

(2)(a) There is hereby imposed upon each owner or, occupant of a mobile home a monthly parking permit fee to be paid monthly to the town clerk/treasurer by the owner or occupant of the mobile home park as per ss.66.0435(3)(c).

The town board under its discretion may allow the monthly parking permit fee to be paid every three months or six months or, as it may direct.

If the owner or occupant of a mobile home neglects to pay or, finds himself unable to pay the required parking fee at the time set by the town board, the owner of the land or location, upon which the mobile home is located shall be responsible for such parking fee and shall pay all the money the owner or occupant of such mobile home may be in arrear in the payment of such parking fee.

Any action towards the removal of wheels except for temporary purposes, or repair, or other action to attach the mobile home to the ground by means of posts, piers or foundation shall subject a mobile home to the provisions of the Dane County building and zoning ordinance as well as this mobile home ordinance.

The town board may, in its discretion and by uniform regulation, limit the number of occupants in any mobile home for reasons of health and public welfare per ss.66.0435(3) thru 66.0435(8)(h).

### **8.04 APPLICATION FOR LICENSE.**

Original application for mobile home park license shall be filed with the Clerk-Treasurer of the licensing authority. Applications shall be in writing, signed by the applicant and shall contain the following:

- The name and address of the applicant.
- The location and legal description of the mobile home park.
- The complete plan of the park.

### **8.05 PLANS AND SPECIFICATIONS TO BE FILED.**

Plans and specifications in compliance with all applicable ordinances of the licensing authority and provisions of the department of health and family services shall be filed with an original application for a mobile home park. The Clerk-Treasurer, after approval of the application by the licensing authority and upon completion of the work according to the plans, shall issue the license. A mobile housing development harboring only nondependent mobile homes as defined in sub. (1)(f) is not required to provide a service building.

### **8.06 RENEWAL OF LICENSE.**

Upon application by any licensee, after approval by the licensing authority and upon payment of the annual license fee, the Clerk-Treasurer of the licensing authority 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 licensing authority.

### **8.07 TRANSFER OF LICENSE, FEE.**

Upon application for a transfer of license the Clerk-Treasurer for the licensing authority, after approval of the application by the licensing authority, shall issue a transfer upon payment of the required \$10 fee.

#### **8.08 DISTRIBUTION OF FEES.**

The licensing authority may retain 10% of the monthly parking permit fees collected in each month, without reduction for any amounts deducted under sub. (3m), to cover the cost of administration. The licensing authority shall pay to the school district in which the park 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 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.

#### **8.09 MOBILE HOME PARKS.**

Parking outside of camps or parks prohibited is hereby to read and provide as follows:

Parking outside of camps or parks prohibited. It shall be unlawful for any person, firm or corporation to park any mobile home anywhere and at any location in the Town of Springfield other than in a licensed mobile home park. This section shall not apply to the following exemptions:

- (a) Sales displays by mobile home dealers.
- (b) The parking of one unoccupied mobile home per residential backyard which is used for recreational purposes other than on the premises and which mobile home shall not be connected with water or sanitary facilities and which shall not be inhabited. Unless a neighborhood covenant is established to restrict such action.

#### **8.10 PERMIT FOR LOCATION, NUMBER OF PERMITS FOR LOCATION OR PER PREMISE, OUTSIDE OF PARKS.**

The town board may issue permits allowing the parking of mobile homes but, not more than one permit shall be issued for any location or premise.

The person to whom such permit is granted shall be subject to the permit fee as provided for in this ordinance.

No permit shall be granted by the town board without first having received written notice from the owner, or legal agent of the owner of the land or location upon which the mobile home is parked or is to be parked, certifying to the town board that such owner of the land or location, or his legal agent is acquainted with the provision of this ordinance which, makes the owner of the land or location liable for the license number of the mobile home and the license number of the towing vehicle, also by a statement of the owner of the premises or location, or legal agent of hire, that occupant of mobile home, (in case of dependent mobile home) is permitted access to, and use of toilet facilities of owner or occupant of premise or location.

The following locations have mobile homes which are grandfathered in to allow for "mobile homes" located there prior to the passage of this ordinance and therefore do not require a permit or a monthly parking permit fee. These "mobile homes" are taxed on real estate or personal property tax rolls. They are as follows:

- Cyril Statz – 6868 Meffert Rd, Section 14
- Schmidt's Auto Salvage – 6918 Meffert Rd, Section 15
- Thomas Hellenbrand – 5361 Rocky Hill Rd, Section 29
- Merlin Shimniok – 6818 Woodland Dr, Section 11
- Power Burow – 5227 Hwy 12, Section 26

These "mobile homes" may be replaced if there is catastrophic damage caused to them. Upgrades/replacements may only be allowed at the discretion of the town board. Permission to do so must be requested in writing and presented to the Town Clerk-Treasurer for action by the town board.

#### **8.11 MOBILE HOME PARK MANAGERS.**

Mobile home park managers shall have available a plan of their park numbered by lot to indicate the location of trailers in the park. Said plan shall be available for inspection by the town board or state or county officials. Said managers shall be responsible for maintaining the park in a clean and orderly manor to insure public health. A list of rules/regulations for each park shall be on file with the town Clerk-Treasurer. These shall be enforced by the park owner/operator.

#### **8.12 TORNADO SHELTERS.**

Every mobile home park licensed after the date of this ordinance's adoption shall contain a suitable shelter from tornado and wind storms. The shelter shall be constructed underground with cinder block or reinforced concrete construction and shall be of a size and construction which is sufficient to safely harbor the residents of the mobile home park during a severe storm.

#### **8.13 PENALTIES.**

Any person violating any provision of this ordinance, shall upon conviction there of be subject to a fine of not less than \$10.00 nor more than \$100.00 and the costs of prosecution, and in default of payment of such fines and costs of prosecution, but not to exceed thirty days for each violation. Each day that a violation occurs, shall constitute a separate offense or violation.

#### **8.14 SEVERABILITY AND CONFLICT.**

(a) If any section, sub-section, paragraph, subparagraph, sentence, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent and such holding shall not affect the validity of the remaining parts of this ordinance.

(b) All ordinances or parts of ordinances, including the Dane County zoning ordinance under section 59.97, which are inconsistent with or contrary hereto shall apply with respect to the establishment and operation of this mobile home ordinance only if such ordinance is more restrictive than this ordinance.

#### **8.15 EFFECTIVE DATE.**

This ordinance shall take effect after adoption by the town board and publication.

Dated July 1, 2003

TOWN BOARD, TOWN OF SPRINGFIELD

James Ripp, Chair  
Mary Hellenbrand, Supervisor I  
James Pulvermacher, Supervisor II  
Don Hoffman, Supervisor III  
Rene3 Ripp, Supervisor IV

I, Sherri Endres, the Clerk of the Town of Springfield, hereby certify that the Town Board of Springfield duly adopted the above ordinance, which ordinance was on file for inspection for at least two weeks prior to its adoption, and which is a codification of previous ordinances pursuant to sec. 66.035, Stats., was posted in three places within the Town on May 29, 2003.

Sherri Endres, Clerk-Treasurer