

## CHAPTER 14

### MOBILE HOMES AND MOBILE HOME PARKS

**14.01 DEFINITIONS.** Whenever used in this ordinance unless a different meaning appears from the context:

- (a) *Mobile Home.* A unit designed to be towed or transported and used as a residential dwelling, but does not include such units used primarily for camping, touring, or recreational purposes. Refer to HSS 177.03(5). For purposes of this ordinance, mobile home shall mean nondependent mobile home.
- (b) *Mobile Home Park.* Any plot or plots of ground upon which 2 or more units, occupies for dwelling or sleeping purposes are located, regardless of whether or not a charge is made for such accommodation.
- (c) *Nondependent Mobile Home.* A mobile home equipped with complete bath and toilet facilities, all furniture, cooking, heating, appliances and complete year round facilities.
- (d) *Park.* Mobile home park.
- (e) *Person.* Any natural individual, firm trust, partnership association or corporation.
- (f) *Space.* A plot of ground within a mobile home park, designed for the accommodation of one mobile home unit with a minimum of 5,000 square feet in area with a width of not less than 50 feet except as hereafter further restricted.
- (g) *Unit.* A mobile home unit.

#### 14.02 LOCATION OUTSIDE PARKS

- (a) Except as provided in this section, it shall be unlawful for any person to park any mobile home on any street, alley, highway or town road or other public place, or on any tract of land owned by any person, within the Town of Lisbon
- (b) Emergency or temporary stopping or parking is permitted on any street, alley, highway or town road for not longer than one hour subject to any other and further prohibitions, regulations or limitations imposed by the traffic and parking regulations or ordinances for that street, alley, highway or town road.
- (c) No person shall park or occupy any mobile home on any premises which is situated outside an approved mobile home park, without first obtaining a special permit as provided in sub. (3) below. The parking of only one unoccupied mobile home in an accessory private garage building or in a rear yard is permitted providing no living quarters shall be maintained or any business conducted in said mobile home while such mobile home is so parked or stored.
- (d) This ordinance shall not apply to any mobile home occupied by person within the Town of Lisbon but outside a mobile home park prior to January 1, 2000. However, if the ownership of said mobile home changed after January 1, 2000, all of the provisions of this chapter shall apply.

#### 14.03 PERMIT FOR LOCATION OUTSIDE OF MOBILE HOME PARK.

- (a) The Building Inspector may issue special written permits allowing the location and occupancy of a mobile home outside of a mobile home park for a period not to exceed six (6) months. The permit shall be granted only upon written consent of the owner, legal agent of the owner of the lessee of the location for which the permit is granted. Not more than one (1) mobile home shall be permitted to locate on any one (1) premises outside of a mobile home park.
- (b) Application for the permit shall be made to the town and shall state the name and permanent addresses of the occupants of the mobile home, the license number of their mobile home and towing vehicle, place of last stay, intended purpose of stay at requested location, whether the occupants are nonresident tourists, whether any occupant is employed in this state; the exact

location of the premises, the name of the owner and the occupant of any dwelling on the premises and permission to locate; a statement of the nature and location of sanitary facilities and the permissions of the occupant of the dwelling house for their use; and a statement that all wastes from mobile home occupancy will be disposed of in a sanitary manner. Application for location on a vacant lot or a parcel of land shall be accompanied by a statement of the nature and location of sanitary facilities, which must include a safe water supply and a toilet within 200 feet of the proposed location of the mobile home; and a statement of permission from the owner for their use.

- (c) All occupants of any mobile home located outside of a mobile home park shall register with the Town Clerk as provided by state regulation. All provisions of this chapter and of state regulations governing the location, use and sanitation of mobile home located in a licensed mobile home park shall so far as they are applicable, apply to any mobile home located outside of such mobile home park.

**14.04 LIMITATIONS ON NUMBERS OF PARKS AND MOBILE HOME SPACES WITHIN PARKS; PROCEDURE FOR ESTABLISHING.**

- (a) Any person may apply to the Town for a license to establish a new park, or to expand an existing park. The Town may grant the license or request for expansion if said application is in conformity with the provisions of this chapter and that the applicant can demonstrate that the new or expanded park will not adversely impact current school costs and traffic patterns
- (b) Review: A decision of the Town made pursuant to sub. (1)(a) above, shall be subject to review pursuant to the procedures set forth in Chapter 68, Wis. Stats.

**14.05 LICENSE FOR MOBILE HOME PARK; APPLICATION AND RENEWAL:**

- (a) It shall be unlawful for any person to establish, operate or expand a mobile home park upon any property owned, leased, or controlled by him within the Town of Lisbon, without having first obtained a license for each such park from the Town Board.
- (b) A license shall expire one year from the date of issuance, but may be renewed under the provisions of this chapter for additional one-year periods upon affirmative showing of the applicant that they are in compliance with provisions of this chapter.
- (c) The license is not transferable without prior approval of the Town Board and a transfer fee which shall be set by resolution adopted by the Town Board from time to time.
- (d) The application for such license or the renewal thereof shall include a surety bond in the sum of Five Thousand Dollars (\$5,000). Said bond shall guarantee the collection by the licensee of the monthly parking permit fee provided for in this chapter, and the payment of such fees to the Town Treasurer. The bond shall also guarantee payment by the licensee of any fine or forfeiture including legal costs imposed upon or levied against said licensee for a violation of this chapter. All payments for violations of this chapter must be paid before a license is granted or renewed.

- (e) The application for such license or the renewal thereof shall be filed with the Town Clerk and shall be accompanied by a fee which fee shall be set by resolution adopted by the Town Board from time to time for each space in the existing or proposed park and shall further include the name and address of the applicant, the name and address of the owner in fee of the parcel upon which the park is located (if the fee is vested in some person other than the applicant, a verified statement by that person the applicant is authorized by him to construct or maintain a mobile home park thereon and to apply for the license is required) and the location and legal description of the premises upon which the mobile home park is to be or is located. The application or renewal shall be accompanied by two (2) copies of a park plan, with the following:
- (1) For new applications, a scale drawing showing the areas of the mobile home park used for park, playground and/or recreational purposes; roadways and driveways; location of spaces for units; location of all storm sewers, sanitary sewers, water supply lines, laterals and connections, fire hydrants (if any), electric lines, telephone lines, TV antenna lines and cable TV lines, all of which shall be underground;
  - (2) A method for warning residents of tornadoes or other severe weather emergencies and advising residents of appropriate tornado or severe weather emergency procedures. Said procedures shall be posted in a prominent place in the park's office or administrative building and a copy shall be provided to each unit existing in the park and thereafter to any resident entering into a lease or a renewal of a lease with the park owners;
  - (3) A method of sewerage disposal to insure all wastewater from units and other buildings within the park shall be discharged into a sewerage system approved by the Town Building Inspector in accordance with the Town Building code and any rules and regulations of the Department of Natural Resources and the Department of Commerce. Every space designed to service a mobile home shall be provided with sewer connections, which shall comply with the State Plumbing Code. In existing parks, a letter shall be required from the DNR that the wastewater treatment plant serving the park has adequate capacity for the number of spaces and population of the park and that it is operating in compliance with its permit, or if overloaded or not in compliance, that the park wastewater treatment plant will comply with the provisions of its permit within a reasonable time. No disposal from any other source other than the mobile home park units and other buildings located within the mobile home park shall be allowed;
  - (4) Method for water supply to insure a minimum of 125 gallons per day of pure water for drinking and domestic purposes for each space. The water supply system shall be adequate to maintain 20 pounds per square inch of pressure throughout the system at all times except when the system is used for fire fighting or during times of maintenance;
  - (5) Lighting of units and public areas, including walkways and roads;
  - (6) Provision of electric service of at least 100 amperes capacity to each unit. Such service shall be equipped with an externally operated switch, fuse box or circuit breaker. Each unit shall have both 110 and 220 volt service available;

- (7) Two (2) off-street parking spaces per unit for all spaces, (excepting three (3) spaces located in Willow Springs Mobile Home Court);
  - (8) Screening in the form of shrubs or trees along public roadways or boundary lines where necessary for the protection of aesthetic values;
  - (9) For any space created after 1980, a minimum setback of any unit or structure of at least 40 feet from any exterior boundary line;
  - (10) For new applications, proof of financing in the form of a letter from a lender or proof of financial responsibility, if financing is not required, in the form of a letter from an adequate credit reference;
  - (11) Detailed rules and regulations;
  - (12) Proposed rules and standard form of lease agreements, which shall comply with Wisconsin statutes and the Wisconsin Administrative Code.
- (f) Inspection: No mobile home park license or renewal thereof, or permit for location outside of a licensed mobile home park, shall be issued until the Town Board, or its authorized agents, have inspected the premises on which the park or expansion hereof will be or is located to insure compliance with this chapter. For the purpose of making inspections and securing enforcement, the Town Board or its 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.
- (g) Upon receipt of application and supporting data as required by this chapter, the Town Board may consider whether said application conforms with the following factors:
- (1) The zoning district in which proposed Mobile Home Park will be located.
  - (2) Suitability of the land for the proposed use.
  - (3) Density and setback requirements as defined herein.
  - (4) Whether the location will cause or create any problems to surrounding landowners or to the Township as far as general health, pollution, noise, depletion of underground water sources, aesthetic values, and adequacy of public roads to carry the increased load of traffic.
  - (5) Whether the proper state and local health, sanitation, fire, building, and education agencies have been consulted or should be consulted before a decision by the Board.
  - (6) Whether the application, plans, rules and supporting materials as submitted are in complete compliance with this chapter and the intent of the Township in adopting the same.
  - (7) Whether the plans contain suitable and sufficient open areas within the park for the common, recreational use by the residents of the park.
  - (8) Whether the application, plans, rules and supporting materials as submitted indicate that the park complies with the requirements of applicable county ordinances and state statutes, rules, orders or administrative codes.
  - (9) Whether the mobile home park is located on a well-drained area, is properly graded, and prevents the accumulation of storm or other waters.

#### **14.06 DENSITY, OFFSET AND ROAD REQUIREMENTS**

- (a) There shall be no more than eight (8) spaces per acre of land. The area occupied by service buildings, recreation areas and roads shall be deleted from the gross total area before computing the number of spaces.
- (b) Side lot requirements of the Waukesha County Zoning Ordinance shall apply to individual mobile home spaces, except that where the width of mobile home exceeds 12 feet, side yard shall increase two (2) feet for each foot over 12 foot width.
- (c) The mobile home park shall be so arranged that all spaces shall face or abut on a park road. The right-of-way of all park roads shall be not less than 33 feet in width. The traveled portion on a one way park road shall be not less than 16 feet. The traveled portion shall be no less than 24 feet of a two way park road. Such park roads shall give easy access from all units to a public street or highway and shall be paved and maintained in good condition, having natural drainage, be well lighted at night and shall not become town roads. If deemed necessary by the Town to provide for adequate fire protection and emergency medical services and to promote orderly traffic flow and prevent traffic congestion and hazards, the Town may require that a park provide two (2) or more separate entrances/exits to public streets or highways with two-way park roads.

#### **14.07 MANAGEMENT**

- (a) In every mobile home park there shall be located an office of the attendant or person in charge of said park. A copy of the park license and of this chapter shall be posted therein and the register of all park residents shall at all times be kept in said office.
- (b) It is hereby made the duty of the attendant or person in charge together with the licensee, to:
  - (1) Keep a register of all park tenants or residents, to be open at all times to inspection by state and federal officers and by the Town, which shall include for all tenants or residents:
    - (A) Names and addresses
    - (B) State of legal residence
    - (C) Dates of entrance and departure of each mobile home.
    - (D) Make model, year and serial number of each mobile home.
  - (2) Maintain the park in a clean, orderly and sanitary condition at all times.
  - (3) Insure that the provisions of this chapter are complied with and enforced and report promptly to the proper authorities any violations of law, which may come to their attention.
  - (4) Maintain a protection system as may be required by the Town and State.
  - (5) Prohibit the lighting of open fire on designated spaces.
  - (6) Contact the Building, Electrical and Plumbing Inspectors and Town Assessor at least one (1) week prior to the installation of a new mobile home, replacement of a mobile home with another unit or when an addition to a mobile home is constructed.
  - (7) Supervise the placement of each mobile home on its stand, which includes securing its stability and installing all utility connections and tie downs. Insure that wheels and axles shall remain with the mobile home.

- (8) 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 of Wisconsin and the ordinances and regulations of the Town.
- (9) Maintain in good condition all pavements, outdoor lighting, electrical wiring and all other utility connections with the park.
- (10) Maintain in good condition trees, bushes, and other landscaping within the park and trim if interfering with wires, utilities or impinging upon access to mobile homes by emergency vehicles.
- (11) Insure that sheds are not placed within ten (10) feet of the mobile home, or within five (5) feet if constructed with a firewall.
- (12) Notify park occupants of their duties and responsibilities under this ordinance.
- (13) Provide each unit with an address number to be affixed to the mobile home. Said numbers shall be 2 ¼ "wide by 3 ½ "high. The assigned address numbers shall be black on white or a reflective background and be installed at a place clearly visible from a traveled roadway.

#### **14.08 APPLICABILITY OF PLUMBING, ELECTRICAL AND BUILDING ORDINANCES.**

All plumbing, electrical, building and other work done on or at any park licensed under this section shall be in accordance with the ordinances of the Town of Lisbon and the requirements of the State Plumbing, Electrical and Building codes promulgated by the Department of Industry, Labor and Human Relations, and the regulations of the Department of Natural Resources. Licenses and permits granted no right to erect or repair any structure, to do any plumbing work or to do any electrical work.

#### **14.09 PARKING FEE**

There is hereby imposed on each owner or operator of a mobile home park licensed herein for each occupied space a monthly parking permit fee as set forth in sec. 66.058, Wis. Stats. (1997-98) which is part of rent. Any future amendments, revisions, or modifications of sec. 66.058 Wis. Stats. as incorporated herein are intended to be made part of this chapter.

#### **14.10 PERMISSION TO OCCUPY**

No individual site may be occupied by a tenant until construction on that site has been completed in accordance with the plans and specifications as approved by the Town Board and the required sewer, water, and utility service connections are available to that site so that a mobile home located thereon may and shall function as an independent mobile home unit.

#### **14.11 REVOCATION OR SUSPENSION OF LICENSES**

The Town Board may suspend or revoke any license or permit issued pursuant to the terms of this ordinance in accordance with the provisions of sec. 66.058(2), Wis. Stats. Any future amendments, revisions, or modifications of sec. 66.058(2) Wis. Stats. as incorporated herein are intended to be made part of this chapter.

#### **14.12 OCCUPANTS**

Responsibilities and duties of mobile home park mobile home park occupants shall comply with all applicable requirements of this chapter 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.

- (a) Mobile home park occupants shall be responsible for proper placement of their mobile homes on the mobile home stand and proper installation of all utility connections in accordance with the instructions of the park management. The wheels and axles must remain with the home.

- (b) 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.
- (c) Each owner or occupant of a mobile home within a mobile home park shall remit to the licensee or authorized park management the cash deposit and monthly parking permit fee required by this chapter.
- (d) It shall be the duty of every occupant of a park to give the park licensee or management, or his agent or employee, access to any part of such park or mobile home premises at reasonable times for the purpose of making repairs or alterations as are necessary to effect compliance with this chapter or any law or ordinance of the state or town of lawful regulation or order adopted thereunder.
- (e) Mobile homes shall be parked only on the mobile home stand provided and shall be placed thereon in accordance with all requirements of this chapter.
- (f) 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 districts in the town.
- (g) No person shall discharge any wastewater on the surface of the ground within any mobile home park.
- (h) Storage of flammable materials, such as wood, cloth, or plastics under mobile homes is prohibited.
- (i) No person shall erect upon any mobile home space, any permanent or temporary structure intended to be used for dwelling purposes or in connection with any mobile home unit except as specifically authorized by this chapter.

#### **14.13 DILAPIDATED MOBILE HOMES**

Wrecked, damaged or dilapidated mobile homes shall not be kept or stored in a mobile home park or upon any premises in the town. The Building Inspector shall determine if a mobile home 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 so determines it shall notify the licensee or landowner and owner of the mobile home in writing that such public nuisance exists within the park or on lands owned by the licensee, giving the findings upon which the determination is based and shall order such home removed from the mobile home park or site, or repaired to a safe, sanitary and wholesome condition of occupancy within a reasonable time.

#### **14.14 ATTACHMENTS TO MOBILE HOMES**

- (a) All mobile homes in mobile home parks shall be skirted unless the unit is placed within one (1) foot vertically of the stand with soil or other material complete closing such space from view and entry by rodents and vermin. Areas enclosed by such skirting shall be maintained free of rodents and fire hazards.
- (b) No person shall construct, alter, or add to any structure, attachment or building in a mobile home park or on a mobile home space without a permit from the town. Construction on, or addition or alteration to the exterior of a mobile home shall be of the same type of construction and materials as the mobile home affected. This subsection shall not apply to addition of awnings, antennae or skirting to mobile homes. Accessory structures on mobile home spaces shall comply with all setback, side yard and rear yard requirements for mobile home units.

### 14.15 PENALTIES

- (a) The penalty for violation of any provision of this chapter shall be a forfeiture of between \$50 and \$500 together with any appropriate court costs and fees.
- (b) Continuing violations. Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this code shall preclude the Town of Lisbon from maintaining any appropriate action to prevent or remove violation of any provision of this code.
- (c) Other remedies. The Town of Lisbon shall have any and all the remedies afforded by the Wisconsin Statutes or common law in addition to the forfeiture and costs of prosecution of the above.

<b>REVISIONS TO MASTER CODE</b>			
<b>SECTION</b>	<b>R&amp;R / CREATED</b>	<b>ORD WHICH UPDATED IT</b>	<b>UPDATED ON DATE</b>
14.05(c)	R&R	04-17	2017-04-03
14.05(3)	R&R	04-17	2017-04-03