

Chapter 140

MOBILE HOMES AND MOBILE HOME PARKS

[HISTORY: Adopted by the Town Board of the Town of Scott 10-14-1985 by Ord. No. 1-1985. Amendments noted where applicable.]

GENERAL REFERENCES

Zoning — See Ch. 280.

§ 140-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

DEPENDENT MOBILE HOME — A mobile home which does not have complete bathroom facilities.¹

LICENSEE — Any person licensed to operate and maintain a mobile home park under this chapter.

LICENSING AUTHORITY — The Town of Scott, Sheboygan County, Wisconsin.²

MOBILE HOME — 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, including double-wide mobile homes.

MOBILE HOME PARK — Any plot or plots of ground upon which two or more units occupied for dwelling or sleeping purposes are located, regardless of whether or not a charge is made for such accommodation.

NONDEPENDENT MOBILE HOME — A mobile home equipped with complete bath and toilet facilities, all furniture, cooking and heating appliances and complete year-round facilities.³

PARK — Mobile home park.

PERSON — Any natural individual, firm, trust, partnership, association, or corporation

SPACE — A plot of ground within a mobile home park designed for the accommodation of one mobile home unit.

UNIT — A mobile home, including double wide.

§ 140-2. License required for mobile home park; suspension or revocation of license.

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1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).
 2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).
 3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- A. It shall be unlawful for any person to maintain or to operate within the limits of the Town of Scott any mobile home park unless such person shall first obtain from the Town a license therefor. All such parks in existence on the date of passage of this chapter shall, within 90 days thereafter, obtain such license and in all other respects comply fully with the requirements of this chapter, except that the licensing authority shall, upon application of a park operator, waive such requirements that require prohibitive reconstruction costs if such waiver does not affect sanitation requirements of the Town or create or permit to continue any hazard to the welfare and health of the community and occupants of the park.
- B. Any license granted under the provisions of this chapter shall be subject to revocation or suspension for cause by the Town Board upon complaint filed with the Clerk, signed by any law enforcement officer, health officer or building inspector, after a public hearing upon such complaint, 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 Town may, within 20 days of the date of such revocation or suspension, appeal therefrom to the Circuit Court by filing a written notice of appeal with the Town Clerk, together with a bond executed to the Town of Scott in the sum of \$500, with two sureties or a bonding company approved by said Clerk, conditioned for the faithful prosecution of such appeal and the payment of costs adjudged against him.⁴

§ 140-3. Fees.

- A. The licensing authority shall exact from the licensee an annual license fee as prescribed in the Town Fee Schedule for each 50 spaces or fraction thereof within each mobile home park within its limits, except that where the park lies in more than one municipality or township, the amount of the license fee shall be such fraction thereof as the number of spaces in the park in the town or municipality bears to the entire number of spaces in the park. The current Town Fee Schedule is on file at the office of the Town Clerk.⁵
- B. The licensing authority may collect a fee as prescribed in the Town Fee Schedule for each transfer of a license. The current Town Fee Schedule is on file at the office of the Town Clerk.⁶
- C. Monthly permit fee.⁷
 - (1) In addition to the license fee provided in Subsections A and B, the Town shall collect from each mobile home occupying space in a mobile home park in the Town a monthly permit fee as provided in § 66.0435(3)(c), Wis. Stats.
 - (2) The monthly permit fee shall be paid by the mobile home owner to the mobile home park operator on or before the 10th of the month following the month for which such permit fee is due, after which time a late penalty of \$50 and interest of 1.5% per

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

5. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

6. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

7. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

month shall be added and accumulated until payment is made. All permit fees due or collected by a mobile home park operator for the preceding quarter of the year shall be paid in full to the local taxing authority on or before the last day of the third, sixth, ninth and 12th months of the year. No such fee shall be imposed for any space occupied by a mobile home accompanied by an automobile, for an accumulating period not to exceed 60 days in any twelve-month period, if the occupants of the mobile home are tourists or vacationists. Exemption certificates in duplicate shall be accepted by the Treasurer of the Town from qualified tourists or vacationists in lieu of monthly mobile home permit fees.

- D. The licensee of the park shall be liable for the monthly permit fee for any mobile home occupying space therein as well as the owner and occupant thereof, and he may deduct, for administrative expenses, 2% of the monthly fees collected.⁸
- E. This section shall not apply where a mobile home park is owned and operated by a county under the provisions of § 59.52(16)(b), Wis. Stats.
- F. If a mobile home is located outside of a licensed park at the time this chapter is passed, the monthly permit fee shall be paid by the owner of the mobile home, the occupant thereof or the owner of the land on which it stands, the same as and in the manner provided for mobile homes located in mobile home parks, and the owner of such land shall be required to comply with the reporting requirements of § 66.0435(3)(c), Wis. Stats. This section does not apply to any mobile homes which come under § 70.043, Wis. Stats., and which constitute improvements to real property and are taxed as such.⁹
- G. Failure to timely pay the permit fee hereunder 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 thereto under Chs. 70 and 74, Wis. Stats.¹⁰

§ 140-4. Application for license.

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

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

§ 140-5. Plans and specifications to be filed.

- A. Accompanying and to be filed with an original application for a mobile home park shall be plans and specifications which shall be in compliance with all applicable Town ordinances and provisions of the State Department of Safety and Professional Services. The Clerk,

8. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

9. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

10. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

after approval of the application by the Town Board and upon completion of the work according to plans, shall issue the license. A mobile home park harboring only nondependent mobile homes as defined in § 140-1 shall not be required to provide a service building.¹¹

B. The mobile home park shall conform to the following requirements:

- (1) The park shall be located on a well-drained property graded to ensure rapid drainage and free from stagnant pools of water.
- (2) Each site shall be clearly defined or delineated. Each site shall have an average width of not less than 40 feet, and the unit shall not occupy in excess the area of the site; provided, however, that mobile home parks which, at the time of the adoption of this chapter, existed lawfully with mobile home sites that do not comply with any of the foregoing minimum area and width or minimum average area and average width requirements may continue to operate and may be excused from such compliance as provided in § 140-2.
- (3) The units shall be so located on each site that there shall be at least a twenty-foot clearance between units. No units shall be located closer than 10 feet to any building within the park or to any property line of the park which does not abut upon a public street or highway. No unit shall be located closer than 25 feet to the property line of a public street or 50 feet to a trunk highway thoroughfare or such other distance as may be established by ordinance or regulation as a front yard or setback requirement with respect to permanently erected buildings in the district in which the mobile home park is located.
- (4) All sites shall abut upon a driveway of not less than 40 feet width which shall have unobstructed access to a public street, alley or highway, except that sites servicing only touring or recreational-type units may abut on a driveway not less than 25 feet wide.
- (5) All driveways and walkways shall be improved or hard surfaced and lighted at night with sufficient lighting that compares with lighting in any residential area of the average city or village; walkways shall have a minimum width of 36 inches.
- (6) An electrical outlet supplying at least 100-115-/220-25 volts, 50 amperes, shall be provided for each mobile home site, or 30 amperes, 100 volts, for each touring or recreational-type housing unit site.
- (7) An adequate supply of pure water for drinking and domestic purposes shall be supplied to all buildings and primary housing sites within the park. Each site shall be provided with a cold water tap, located to be accessible from side of the unit. Pure water supply for tourist or recreational-type sites shall meet needs and requirements of occupants of touring or recreational-type housing units.
- (8) Each primary housing site shall be provided with a sewer receptacle at least four inches in diameter which shall be connected to receive the waste from the shower,

11. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. D).

bathub, flush toilet, lavatory and kitchen sink of the mobile home harbored on such site having any or all of such facilities. The sewer in each site shall be connected to discharge the mobile home waste into a public sewer system in compliance with applicable ordinances or into a private sewer and disposal plant or septic tank of such construction and in such manner as will present no health hazard. Receptacle shall be located so as to be accessible from side of the unit.

- C. Each site shall be attractively landscaped, and all areas fronting the park and any buildings or recreational areas shall be attractively landscaped.
- D. Renewal of license. Upon application by a licensee and after approval by the Town Board, and upon payment of the annual license fee, the Clerk of the Town 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 Town.

§ 140-6. Transfer of license. ¹²

Upon application for a transfer of license, the Clerk, after approval of the application by the Town Board, shall issue a transfer on payment of the required fee in § 140-3B.

§ 140-7. Distribution of fees. ¹³

The Town may retain 10% of the monthly permit fees collected in each month, without reduction for any amounts deducted under § 140-3D, to cover the cost of administration and 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 Town. 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.

§ 140-8. Location. ¹⁴

Mobile home parks may be permitted in accordance with Chapter 280, Zoning, of this Code, but only on approval of Town Board. Where any boundary of a park directly abuts property which is improved with a permanent residential building located within 25 feet of such boundary or directly abuts unimproved property which may under existing laws and regulations be used for on-site residential construction, a fence, wall or hedge may be provided along such boundary, subject to the requirements of the licensing authority.

§ 140-9. Skirting.

- A. Skirting closing the lower area below the floor level shall be optional on all mobile home units in mobile home parks and those presently parked within the Town. The type of

12. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

13. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

14. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

skirting shall be of such material and color that will blend with the original color, material, fabric and/or design of the mobile home.¹⁵

- B. A permanent foundation, wall, or basement may be erected to support any mobile home in lieu of the above requirements for skirting and blocking.

§ 140-10. Building permit.

No construction of any additions, windbreaks, carports, permanent garages, utility sheds or any other improvement to a mobile home shall be commenced without first obtaining a building permit as provided for in Chapter 25, Building Construction, of this Code.

§ 140-11. Converted vehicles.

No converted vehicles, such as, but not limited to, vans, semitrailers, school buses, or trolley cars, are to be considered mobile home units within the scope of this chapter. The parking of such vehicles within the Town of Scott is strictly prohibited.

§ 140-12. Shoreland zoning.

In addition to complying with the terms of this chapter, the owner of a mobile home shall comply with the conditions of the Sheboygan County Shoreland Zoning Ordinance, as amended, whenever applicable. A zoning permit must be obtained prior to the issuance of any permit by the Town Board.

§ 140-13. Service building.

- A. In the event that the proprietor desires to provide a service building for community use of permanent residents or temporary tourist residents, the design and facilities of such building are regulated as herein provided.
- B. Service buildings housing sanitation facilities shall be permanent structures complying with all applicable ordinances and statutes regulating buildings, electrical installations and plumbing and sanitation systems.
- C. The service buildings shall be well lighted at all times of the day and night, shall be well ventilated with screened openings, shall be constructed of such moisture-proof material which may be painted woodwork and shall permit repeated cleaning and washing and shall be maintained at a temperature of at least 68° F. during the period from October 1 to May 1. The floors of the service building shall be of water-impervious material. Washing and drying machines may be installed according to the needs of the park.
- D. All service buildings and the grounds of the park shall be maintained in a clean, sightly condition and kept free of any condition that will menace the health of any occupant or the public or constitute a nuisance.

§ 140-14. Sanitation facilities for dependent mobile homes.

15. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. D).

- A. Each park harboring dependent mobile homes shall be provided with the following sanitation facilities:
 - (1) One flush toilet and one urinal for males, one flush toilet for females, one lavatory for each sex, and one shower or bathtub with individual dressing accommodations for each sex, for each 25 dependent sites or any less number thereof; and¹⁶
 - (2) One additional flush toilet and one additional urinal for males, one additional flush toilet for females, one additional lavatory for each sex and one additional shower or bathtub with individual dressing accommodations for each sex, for each additional 25 dependent sites or fractional number thereof in excess of 25 dependent sites.
- B. Each toilet and each shower or bathtub with individual dressing accommodations shall be a private compartment or stall.
- C. The toilet and other sanitation facilities for males and females shall be either in separate buildings or shall be separated if in the same building by a soundproof wall. The sanitation facilities for males and females shall be distinctly marked to denote the sex for which they are intended.¹⁷

§ 140-15. Fire protection.

Service buildings shall be equipped with fire extinguishers. No open fires shall be started without permission from the Fire Department. No fires shall be left unattended at any time.

§ 140-16. Animals and pets.

No mobile home owner or person in charge of any dog, cat or other pet animal shall permit it to run at large or commit any nuisance.

§ 140-17. Supervision.

The licensee or permittee or a duly authorized attendant or caretaker shall be in charge at all times to keep the mobile home park, its facilities and equipment in a clean, orderly and sanitary condition. The attendant or caretaker shall be answerable with the licensee or permittee for the violation of any provision of this chapter to which the licensee or permittee is subject.

§ 140-18. Parking of touring or recreational-type mobile homes. ¹⁸

- A. Sites for parking touring or recreational mobile homes in licensed parks may be provided in areas set aside for such service. Such areas shall have improved surface for placement of such units, and surrounding area shall be landscaped to be a credit to the area. Service of utilities shall be consistent with the needs of the type of such units parked and shall meet all requirements of the State Department of Safety and Professional Services, local

16. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

17. Editor's Note: Original § 15, Garbage receptacles in mobile home parks, which immediately followed this section, was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

18. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

plumbing and electrical codes and the Building Inspector.

- B. Residents desiring to park a guest's touring housing unit on their premises in excess of five days shall obtain such permission from the Town Board. The Board, after consideration of sanitation facilities, may at its discretion issue a special permit not to exceed 21 days. Although street parking may allow motor vehicle parking, a touring unit shall not be parked on such streets in excess of five hours. The licensing authority may issue a permit for a period not to exceed one year.
- C. The parking of any unoccupied touring unit in an accessory private garage or building or in a rear yard is permitted, provided that no living quarters shall be maintained or any business conducted in such unit while so parked or so stored. A special permit may be obtained from the licensing authority to store in a front yard.

§ 140-19. Management.

- A. In every mobile home park there shall be located the office of the person in charge of said mobile home park.
- B. 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 of all occupants of mobile homes, to be open at all times to inspection by federal, state and local officials.
 - (2) Maintain the mobile home park in a clean, orderly and sanitary condition at all times.
 - (3) Report the presence of dogs or other animals running loose in the park.
 - (4) Report to the local health officer all cases of persons or animals affected or suspected of being affected with any communicable disease.
 - (5) Post copies of their rules and regulations in one or more conspicuous places in the mobile home park where they can be easily seen by the mobile home park residents and visitors.

§ 140-20. Posting of license and permit.

The license certificate or special permit shall be conspicuously posted in the office of or on the premises of the mobile home park at all times.

§ 140-21. Violations and penalties. ¹⁹

Except as otherwise provided herein, any person violating any provision of this chapter shall, upon conviction thereof, forfeit not more than \$50 and the costs of prosecution and in default of payment of such forfeiture and costs shall be imprisoned in the county jail until payment of such forfeiture and costs of prosecution, but not exceeding 30 days for each violation. Each day of violation shall constitute a separate offense. Failure to comply with the reporting requirements of § 66.0435(3)(c) or (e), Wis. Stats., shall be subject to a forfeiture of \$25. Each failure to report is

19. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. D).

a separate offense.

§ 140-22. When effective. ²⁰

This chapter shall take effect after its publication in The Sounder, the official publication of the Town of Scott, except that the permit fees provided for herein shall commence to accrue on January 1, 1986, and the first payment thereof is deferred to June 30, 1986.

20. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. D).