

Title 7 Chapter 1

Location and Licensing of Mobile Homes

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Sec. 7-1-1 Title/Purpose

The title of this Chapter is Location and Licensing of Mobile Homes. The purpose of this Chapter is for the Town of Arlington to control and permit the placement and use of Mobile Homes in the Town of Arlington.

Sec. 7-1-2 Authority

The Town Board of the Town of Arlington has the specific authority under Wis. Stats. §66.0435 to adopt this Chapter.

Sec. 7-1-3 Definitions

- (A) “Licensee” means any person licensed to operate and maintain a Mobile Home Park under this section.
- (B) “Licensing Authority” means the Town of Arlington.
- (C) “Park” means Mobile Home Park.
- (D) “Person” means any natural individual, firm, trust, partnership, association or corporation.
- (E) “Mobile Home” is that which is, or was 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 which equals or exceeds 50 percent (50%) of the assessable value of the house trailer.

(F) "Unit" means a Mobile Home unit.

(G) "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 or not a charge is made for such accommodation.

(H) "Space" means a plot of ground within a Mobile Home Park, designed for the accommodation of one Mobile Home unit.

(I) "Recreation Mobile Home Definition" means a mobile home 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 119.5, and that is used primarily as temporary living quarters for recreational, camping, travel or seasonal purposes.

Sec. 7-1-4 Mobile Home Committee

(A) Committee. A "Mobile Home Committee" is hereby created in the Town of Arlington consisting of the Town Board and the Town Clerk.

(B) Enforcement. Such Mobile Home Committee shall enforce all provisions of this Chapter or any amendment thereto. For such purpose any member of the Mobile Home Committee or any duly authorized representative thereof may enter upon any premises upon which a Mobile Home is located or upon which it is contemplated or intended that a Mobile Home shall be located and inspect the same, including the Mobile Homes thereon located and all other Mobile Home accommodations and facilities, at any reasonable time.

Sec. 7-1-5 Location of Mobile Homes Restricted

(A) Compliance. It shall be unlawful for any person to park, locate or occupy any Mobile Home at any place in the Town of Arlington except as provided herein.

(B) Temporary Parking. Emergency or temporary stopping or parking of Mobile Homes shall be permitted on any public highway for not longer than one hour, subject to any other laws, regulations or Ordinances limiting the parking or stopping on any such public highway.

(C) Living Quarters. The parking of any unoccupied Mobile Home in an accessory private garage building, or in a rear yard of any district is permitted

provided no living quarters shall be maintained or any business conducted in such Mobile Home while so parked or stored.

(D) Occupancy. To the end and purpose that the health and cleanliness of Mobile Home occupants and of the public generally maybe preserved and not endangered, and further in the interest of the public welfare generally, the Town Board of the Town of Arlington does hereby direct and provide that no Mobile Home shall be used, located or maintained for the purpose of human occupancy unless it is located in a licensed Mobile Home Park or unless a license for use, location or maintenance for such purposes outside of a licensed Mobile Home Park has been obtained as hereinafter provided.

Sec. 7-1-6 Location Outside Licensed Mobile Home Parks

(A) Location. No Mobile Home shall be moved into, located or relocated for the purpose of human occupancy outside of a licensed Mobile Home Park, except that, not to exceed one Mobile Home may be occupied on any operating farm that has a full complement of farm buildings, when the occupant or head of the occupant household, of such Mobile Home is employed in connection with the farm operation. No such Mobile Home shall be located closer to any highway than the farm residence.

(B) Mobile Homes Outside Parks. The occupant of any Mobile Home located outside a licensed Mobile Home Park, and any person desiring to locate or relocate a Mobile Home outside a licensed Mobile Home Park shall file with the Town Clerk a license application and obtain said license prior to locating or relocating said Mobile Home outside a licensed Mobile Home Park.

(C) Application. The application shall state the applicant's name, place of last residence, reason for wishing to locate or relocate the Mobile Home in the Town of Arlington, place and nature of employment of the applicant and of any other proposed occupant of the Mobile Home, names of all intended occupants, size and age of the Mobile Home, the size of the site where the Mobile Home is located or is to be located or relocated (which must be at least 5,000 square feet of space unoccupied by any other Mobile Home or dwelling unit), and a brief statement as to the cooking, sleeping, heating and sanitary facilities provided by or furnished to the Mobile Home. The applicant shall also submit with his application sufficient evidence that there is available at the site where the Mobile Home is located or is to be located an adequate and safe water supply and a written consent of the owner of the site, if other than the applicant, to location of the Mobile Home thereon.

(D) Inspections. After the application has been submitted, the Mobile Home Committee shall inspect the Mobile Home and site and determine:

- (1) Whether the site is properly drained and is of the required size;
- (2) Whether the water supply is safe;
- (3) Whether the Mobile Home is sufficiently large and equipped to provide adequate living space, facilities and sleeping quarters for the occupants;
- (4) Whether adequate toilet, bathing and other necessary sanitary facilities are provided for the Mobile Home;
- (5) Whether the requirements of all applicable rules and regulations of the state Board of Health regarding Mobile Homes and Mobile Home sites as set forth in the Wisconsin Administrative Code Chapter Comm. 95 incorporated herein by reference have been fully and specifically complied with;
- (6) Whether all other applicable Ordinances rules and regulations are complied with.

If the answers to all of the above questions are determined in the affirmative by the Mobile Home committee, then the committee may authorize and direct that a Mobile Home license for the proposed Mobile Home and site be issued to the applicant by the Town Clerk who shall thereupon issue the license. If answers to any of the above questions are determined in the negative the application shall be denied.

(E) Limitations. In no event shall more than one Mobile Home license be issued under subsection (D) for any premises or site which is in the possession or control or ownership of the same person or persons and outside of a licensed Mobile Home Park.

(F) Terms. All licenses issued for any Mobile Home located outside of a licensed Mobile Home Park shall expire on the 30th day of June of each year. Such licenses may be renewed for one year periods upon application and under the same conditions and terms as initial license may be granted and issued under this Chapter.

(G) Fee. All applications for an initial Mobile Home license or any renewal thereof shall be accompanied by an inspection fee in the amount of \$5.00 for each Mobile Home proposed to be located outside of a licensed Mobile Home Park. Licenses issued for Mobile Homes located outside of a licensed Mobile Home Park may not be transferred to another location in the Town of Arlington.

(H) Non-Transferrable License. The possession or occupancy of any licensed Mobile Home outside of a licensed Mobile Home Park shall not be transferred or changed unless and until a Mobile Home license has been issued hereunder to the proposed new occupant.

Sec. 7-1-7 Mobile Home Parks

(A) License Required. It shall be unlawful for any person to maintain or operate a Mobile Home Park within the limits of the Town of Arlington unless such person shall first obtain a license therefore from the Town Clerk. Such license shall expire one year from the date of issue but may be renewed pursuant to this Ordinance for additional one year periods.

(B) Application. The application for a Mobile Home Park license shall be filed together with the license fee by the applicant with the Town Clerk. The application shall set forth all information required by §66.0435(4) of the Wisconsin Statutes and any other applicable Statute and in addition shall set forth sufficient information and material so as to show that the proposed Mobile Home Park plan and facilities in all respects comply with the requirements and provisions of the Wisconsin Administrative Code, Chapter Comm. 95 setting forth rules for Mobile Home Parks and the requirements and provisions of the Columbia County Zoning Ordinance. The applicant shall also submit with his application a verified statement of the owner of the site, if other than the applicant, to the effect that the applicant is authorized by the owner to construct and maintain a Mobile Home Park thereon. A legal description and complete plan showing all Mobile Home spaces, roadways, utilities, laundry and toilet facilities shall also accompany the application.

(C) Renewal. License renewal applications shall be filed with the Town Clerk and shall be accompanied by plans and specifications of any proposed alterations and construction in the Mobile Home Park.

(D) Fee. Applications for original licenses and for renewals shall be accompanied by a license fee of \$100 for each fifty spaces or fraction thereof within the Mobile Home Park. Licenses may be transferred after approval of the application by the Mobile Home committee and upon payment of a fee of \$10.00.

(E) Issuance. Original licenses and renewals of licenses shall be issued by the Town Clerk after inspection and approval by the Mobile Home committee. The application shall not be approved by the Mobile Home committee until it has determined that all provisions of §66.0435 of the Wisconsin Statutes, Chapter Comm. 95 of the Wisconsin Administrative Code, the Columbia County Zoning and Sanitary Ordinances and all provisions of this Chapter and of any other applicable law or Ordinance have been fully complied with.

(F) Limits. The Town Board may limit the number of Mobile Homes that may be parked or kept in any one Mobile Home Park, and may limit the number of licenses for Mobile Home Parks in any common school district, if the mobile housing development would cause the school costs to increase above the state average.

(G) Management of Mobile Home Parks.

(1) In every Mobile Home Park there shall be located the office of the person in charge of the Park and a copy of this Chapter shall at all times remain posted in such office.

(2) A Park register shall be kept in the Mobile Home Park office and shall show the names of all Mobile Home occupants; number of children of school age, dates of entrance and departure, state of legal residence of each occupant, license numbers of all Mobile Homes and towing vehicles and states of issuance, purposes of stay, place of last location, length of stay thereat and place of employment of each occupant.

(H) Code. No Mobile Home shall be permitted to locate or remain in any licensed Mobile Home Park unless such Mobile Home in all respects complies with the provisions of the State of Wisconsin Electrical, Plumbing and Building Codes which codes are adopted and incorporated herein by reference and made a part hereof as if set forth in full herein and any and all plumbing, electrical, building and other work or improvements on or at any Mobile Home Park licensed or on any Mobile Home located in a licensed Mobile Home Park shall be done in accordance with all requirements of the State Plumbing Electrical and Building Codes, and regulations of the State Board of Health.

Sec. 7-1-8 Mobile Home Park Plan

Every Mobile Home Park shall conform to the following requirements:

(A) Drainage. The Park shall be located on a well drained area, and the premises shall be properly graded so as to prevent the accumulation of storm or other waters. No Mobile Home or Mobile Home Park shall be located in any area situated so that drainage from any barnyard, outdoor toilet or other source of filth can be deposited in its location.

(B) Minimum Area. Each Space shall be clearly defined and the Mobile Home Park shall be so arranged that no space is less than 2000 square feet. All spaces shall abut a driveway of not less than 40 feet in width, giving easy access from all units to a public street. Such driveway shall be paved and maintained in good condition, have natural drainage, be well lighted at night and shall not be obstructed at any time.

(C) Location of Unit. No unit shall occupy in excess of 25% of the area of any space. The units shall be so located that there shall be at least a 20 foot clearance between units. No unit shall be located less than 50 feet from any building within the Park and no unit shall be located less than 100 feet from any boundary line of the premises on which it is located.

(D) Water. An adequate supply of pure water for drinking and domestic purposes shall be supplied to all buildings and spaces within the Park. Each space shall be provided with a cold water tap, located so as to be accessible from the side of the unit.

(E) Sewer. Each Space shall be provided with a sewer receptacle at least four inches in diameter, which shall be connected to receive waste from shower, bath tub, flush toilet, lavatory and kitchen sink of the unit on such space having any or all of such facilities. The sewer in each Space shall be connected to discharge the waste into a public sewer system in compliance with applicable rules, laws and Ordinances or into a private sewer and disposal plant or septic tank system approved by the State Board of Health. Receptacles shall be so located as to be accessible from the side of the unit.

(F) Electric. An electrical outlet supplying at least 100-115/220-250 volts, 50 amperes, shall be provided for each space.

(G) Garbage Depositories. Substantial fly-tight metal garbage depositories, from which the contents shall be removed and disposed of in a sanitary manner by the Mobile Home Park custodian at least twice weekly between May 1 and October 15, and otherwise weekly, shall be provided for each Mobile Home unit.

(H) Playground. Each Mobile Home Park shall contain a playground having an area of not less than 15,000 square feet for each ten spaces or fraction thereof. Such playground shall be suitably equipped with swings, slides, climbing towers and other apparatus commonly found in public parks for use by children.

(I) Landscape. Each space, and all areas fronting the park and any buildings or recreation areas, shall be attractively landscaped.

(J) Location of Dependent Mobile Home. No "Dependent Mobile Home," as defined in §66.0435(1) of the Wisconsin Statutes, shall be located farther than 200 feet from a service building as required herein, and walkways to such building or buildings shall be paved and well lighted at night.

Sec. 7-1-9 Mobile Home Park Service Building

Every Mobile Home Park shall have erected thereon suitable building or buildings for housing toilets, lavatories, showers and laundry facilities. Such buildings shall be known as "service buildings."

- (A) Toilet Facilities. Separate toilet rooms shall be provided for each sex. Toilet rooms shall be fly tight and vermin proof with floors and risers constructed of impervious material. Each toilet shall be enclosed in a separate compartment. Male toilet rooms shall also be provided with individual urinals. 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.
- (B) Running Water. Lavatories supplied with hot and cold running water shall be provided for each sex, such lavatories to be located in the toilet rooms where water-flush toilets are provided.
- (C) Shower Facilities. Separate shower bathing facilities with hot and cold running water shall be provided for each sex. Each shower unit shall be enclosed in a separate compartment at least 3 1/2 feet square. Each shower compartment shall be supplemented by an individual dressing compartment at least 10 square feet in area.
- (D) Laundry Facilities. Laundry facilities consisting of double tray laundry units, equipped with hot and cold running water, shall be provided in each service building.
- (E) Flooring Material. Floors of toilets, showers and the laundry shall be of concrete, tile or similar material impervious to water and easily cleaned, and pitched to a floor drain.
- (F) Fire Extinguishers. Each service building shall be provided with sufficient fire extinguishers of the type and capacity as shall be approved by the town fire department.
- (G) Toilets, Urinals, Showers. The number of toilets, urinals, showers and laundry trays required shall be in accordance with the Wisconsin Administrative Code, Chapter Comm. 95.
- (H) Service Buildings. Service buildings shall be well lighted at all times, shall be sufficiently ventilated by exhaust fans, and shall be maintained at a temperature of at least 70 degrees Fahrenheit during the period from September 15 to May 15.

Sec. 7-1-10 Monthly Parking Permit Fee

(A) Parking Permit Fee. In addition to the license fee, the Town of Arlington shall collect from each occupied Mobile Home occupying space or lots in a Mobile Home Park in the Town of Arlington, a monthly parking permit fee computed as follows: The Town Assessor shall determine the total fair market value of each occupied Mobile Home in the Town of Arlington subject to the monthly parking permit fee. The fair market value, minus the tax exempt household furnishings thus established, shall be equalized to the general level of assessment on other real and personal property in the Town of Arlington. The value of each occupied Mobile Home thus determined shall be multiplied by the tax rate established on the preceding May 1 assessment of general property. The total annual parking permit fee thus computed shall be divided by 12 and shall represent the monthly Mobile Home parking permit fee. The fee shall be applicable to occupied Mobile Homes moving into the Town of Arlington any time during the year.

(B) Collections. It shall be the full and complete responsibility of each licensee of a Mobile Home Park to collect the proper fee from the owner or occupant of each occupied Mobile Home occupying space in a Mobile Home Park. Said licensees shall pay to the town treasurer such parking permit fees on or before the 10th of the month following the month for which such fees are due in accordance with the terms of this Ordinance and such regulations as the town treasurer may reasonably promulgate.

(C) Information. The licensee of a Mobile Home Park shall furnish information to the Town Clerk and the Town Assessor on occupied Mobile Homes added to the licensee's Park within five days after their arrival, on forms prescribed by the Wisconsin Department of Revenue. As soon as the assessor receives the notice of an addition of an occupied home to a Park, the assessor shall determine its fair market value and notify the Town Clerk of such determination. The Town Clerk shall equalize the fair market value established by the Town Assessor and shall apply the tax rate for that year, divide the annual parking permit fee thus determined by 12 and notify the Mobile Home Park licensee of the monthly fee to be collected.

(D) Fees for Mobile Homes Located Outside of Parks. For Mobile Homes permitted to be located outside of a licensed Mobile Home Park, the monthly parking 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 owners of such land are required to comply with the reporting requirements of subsection (C) of Section 7-1-9, and the collection requirements of subsection (B) of Section 7-1-9.

(E) New Fees. A new fee rate and a new valuation shall be established each January and shall continue for that calendar year. The valuation established shall

be subject to review as are other values established under Chapter 70 of the Wisconsin Statutes.

(F) Retention of Fees. The Town of Arlington shall retain 10% of the monthly parking permit fees collected in each month to cover the cost of administration and shall pay to the school district in which the Mobile Home Park or Mobile Home 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 of Arlington.

(G) Failure to Pay. Failure to timely pay the monthly parking permit fee 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 Chapters 70 and 74 of the Wisconsin Statutes.

Sec. 7-1-11 Exemption from Monthly Parking Permit Fee

(A) Recreational Mobile Homes. Recreational mobile homes are exempt from the monthly parking permit fee (Section 7-1-10). The exemption to this paragraph also applies to steps and platforms, not exceeding 50 square feet that lead to a recreational mobile home but does not apply to any other addition, attachment, patio or deck.

(B) Tourists and Vacationists. No parking permit fee shall be imposed for any space occupied by a Mobile Home accompanied by an automobile, if the Mobile Home and automobile bear license plates issued by any other than this state, for an accumulating period not to exceed 60 days in any 12 months or if the occupants of the Mobile Home are non-resident tourists or vacationists. When one or more persons occupying a Mobile Home are employed in this state, there shall be no exemption from the monthly parking permit fee. Exemption certificates in duplicate shall be accepted by the Town Treasurer from qualified nonresident tourists or vacationists in lieu of monthly Mobile Home permit fees.

Sec. 7-1-12 Penalties for Violation of Chapter

(A) Penalty. Any person violating a provision of this Chapter shall be subject to a penalty as printed in Sec. 9-3-4 of this Code.

(B) Revocation. Any license or permit granted under this Chapter shall be subject to revocation or suspension by the Town Board, for any violation of this Chapter. Upon a complaint filed with the Town Clerk signed by any law enforcement officer, health officer, fire commissioner, or any other town official, the town board shall order a public hearing. At least 5 days prior to the hearing, the holder of the license shall be furnished with a copy of the complaint and shall

be given written notice of the time and place of the hearing whereat he may appear and show cause why such license should not be suspended or revoked