CHAPTER XX
MANUFACTURED/MOBILE HOME PARKS

20.01 DEFINITIONS

As used in this Ordinance, the following terms shall have the meanings hereinafter designated:

1. "Complete Bathroom Facilities" means a flush toilet, lavatory, bath and kitchen sink.

2. "Licensee" means any person, firm or corporation licensed to operate and maintain a manufactured home park under this Ordinance.

3. "Lot" is a space as defined in **Subsection 12.** of this Section.

4. "Manufactured/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 an addition, attachments, annexes, foundations and appurtenances that equal or exceed fifty (50%) percent of the assessable value of the manufactured home.

5. "Manufactured/Mobile Home Park" means any plot or plots of ground upon which two (2) or more units, occupied for dwelling or sleeping purposes are located, regardless of whether or not a charge is made for such accommodation. As used in this Ordinance, Manufactured/Mobile Home Park is limited to plots on which are located two (2) or more nondependent manufactured homes.

6. "Manufactured/Mobile Home Stand" means that part of an individual space which has been reserved and improved for the placement of one (1) Manufactured/Mobile Home unit.

7. "Nondependent Manufactured Home" means a Manufactured Home equipped with completed bath and toilet facilities, furniture, cooking, heating appliances and complete year-round facilities.

8. "Occupied Area" means that portion of an individual Manufactured/Mobile Home space which is covered by a Manufactured/Mobile Home and its accessory structures.

9. "Park" means Manufactured/Mobile Home Park.

10. "Park Management" means the person who owns or has charge, care or control of the Manufactured/Mobile Home Park.

11. "Person" means any natural individual, firm, trust, partnership, association or corporation.

12. "Space" means plot of ground within a Manufactured/Mobile Home Park designated for the accommodation of one (1) Manufactured/Mobile Home unit.

13. "Unit" means a Manufactured/Mobile Home unit.

20.02 PARKING OUTSIDE LICENSED MANUFACTURED/MOBILE HOME PARK RESTRICTED

A. No person shall park, locate or place any Manufactured/Mobile Home outside of a licensed Manufactured/Mobile Home Park in the City of Kenosha, except unoccupied Manufactured/Mobile Homes may be parked on the lawfully situated premises of a licensed Manufactured/Mobile Home dealer for purposes of display; the lawfully situated premises of a vehicle service business for purposes of servicing or making necessary repairs; the premises leased or owned of such Manufactured/Mobile Home for purposes of sales display for a period not to exceed one hundred twenty (120) days, provided no business is carried on therein.

B. No person shall stop, stand or park a Manufactured/Mobile Home on any street, alley or highway within the City of Kenosha in violation of Chapters 340 to 348 of the Wisconsin Statutes, or the Ordinances and regulations of the City of Kenosha.

20.03 MANUFACTURED/MOBILE HOME PARK CONDITIONAL USE PERMIT

A. Manufactured/Mobile Home Park Conditional Use Permit Required. No person, party, firm or corporation shall construct or expand any Manufactured/Mobile Home Park without first securing a Conditional Use Permit therefor from the City Common Council. Expansion shall be defined as the adding of additional Manufactured/Mobile Home Park "spaces", as herein defined, over and above the number of spaces already licensed by the City. Expanded portions of existing Manufactured/Mobile Home Parks must meet the full requirements of this Ordinance, but the original portion of the Manufactured/Mobile Home Park need only meet the local and State laws, rules, regulations and ordinances which governed said Park prior to the Park coming into the City by annexation or otherwise which governed said Park prior to the adoption of the Ordinance. Modifications of Manufactured/Mobile Home Parks in existence prior to this Ordinance or coming into the City by annexation or attachment

which are not an "expansion", as herein defined, are permitted providing the minimum standards in effect prior to the passage of the Ordinance which governed said Manufactured/Mobile Home Park are maintained. Application for a Conditional Use Permit shall be made in conformance with the procedures of Section 4.0 of the City of Kenosha Zoning Ordinance.

B. Manufactured/Mobile Home Park Conditional Use Permit Application. Applications for Manufactured/Mobile Home Park Conditional Use Permits shall be filed with the Department of City Development with sufficient copies for the Kenosha County Health Administrator, and various City Departments, all who shall investigate and report if the application complies with all applicable regulations and submit a written report of their findings to the City Plan Commission. The City Plan Commission shall review the application and respective City Department reports to determine whether the applicant, the premises on which said Park will be located and the proposed design and specifications thereof and all buildings proposed to be constructed thereon will comply with the applicable regulations, Ordinances and laws of the State and City and report their findings in writing and make a recommendation to the Common Council within sixty (60) days. The Commission's recommendation shall be considered by the Common Council before any permit is issued hereunder.

C. Manufactured/Mobile Home Park Conditional Use Permit Application Format. Applications shall be made on forms furnished by the Department of City Development and shall include the following information:

1. Name and address of the applicant.

2. Location and legal description of the proposed Park or Park addition.

3. A complete plot plan showing compliance with all applicable provisions of this Ordinance and the City Zoning Ordinance.

4. Complete engineering plans and specifications, including a scale drawing of the proposed Park showing but not limited to:

a. Plans and specifications of all utilities, including: sewerage collection and disposal, storm water drainage, water, natural gas and electrical distribution and supply, refuse storage and collection, lighting, telephone, TV antenna and cable systems, and snow removal.

b. Location and width of roadways and walkways, buffer strips, recreational and their common areas.

c. The location of Manufactured/Mobile Home Stands with the Manufactured/Mobile Home spaces, including a detailed sketch of at least one typical Manufactured/Mobile Home space and stand therein.

d. Landscape plan showing all plantings.

e. Plans and specifications of all Park buildings and structures.

D. Manufactured/Mobile Home Park Conditional Use Permit Application Fee. Application for Manufactured/Mobile Home Park Conditional Use Permits shall be accompanied by the fee specified in the City Zoning Ordinance to cover the cost of investigation and processing, plus regular Building Permit fees for all buildings or structures to be erected within the proposed Park.

E. Ownership Interest Of An Applicant In A Proposed Manufactured/Mobile Home Park Or Extension Thereof. If the owner of a tract is a person other than applicant, a duly verified statement by the owner that applicant is authorized by him/her to construct and maintain the proposed Park addition, modification or extension and make the application.

20.04 STANDARD REQUIREMENTS FOR MANUFACTURED/MOBILE HOME PARKS, ADDITIONS OR EXTENSIONS

A. Standard Requirements. All Manufactured/Mobile Home Parks or additions or extensions to existing Parks shall comply with the following:

1. Chapters ATCP 125, COMM 82, COMM 51, COMM 95 and PSC 186, Wisconsin Administrative Code, are hereby made a part of this Ordinance and incorporated herein by reference as if fully set forth herein, except that such regulations shall not be deemed to modify any requirement of this Ordinance or any other applicable law or ordinances of the State or the City which is more restrictive.

2. New Manufactured/Mobile Home Parks shall contain a minimum of six (6) acres.

3. The maximum number of Manufactured/Mobile Home spaces shall be eight (8) per acre and individual spaces shall be not less than 3,400 square feet in area and arranged to afford ample area for a variety of units, a setback of thirty-five (35') feet from all public right-of-ways and ten (10') feet from any Park drive or common area, including common parking areas, twenty (20') feet from all Park boundary lines, fifteen (15') feet from any other unit, building or structure. Accessory structures, such as awnings, cabanas, carports, windbreaks or attached porches shall be considered part of the unit for purposes of determining compliance with this provision. No building or structure, nor the enlargement of any building or structure shall exceed thirty-five (35') feet in height, except for those structures authorized in the general

provisions and regulations of the City Zoning Ordinance to exceed this height limit.

4. No Manufactured/Mobile Home Park shall be laid out, constructed or operated without City water supply and sanitary sewer service. All water or sanitary sewerage facilities in any unit not connected with public water or sewer systems by approved pipe connections shall be sealed and their use declared unlawful.

5. Individual valved water service connections shall be provided for direct use of each unit, so constructed and installed that they will not be damaged by frost or parking of the unit. Water systems shall be adequate to provide a pure, potable water supply of 6 gallons per minute at a minimum pressure of 20 psi and capable of furnishing a minimum of 150 gallons per unit per day. Fire hydrants shall be installed within five hundred (500') feet of every Manufactured/Mobile Home Stand and Park building.

Where these standards do not apply due to the fact that the Manufactured/Mobile Home court was in existence prior to this Ordinance or was annexed to the City, the Fire Chief may order the Licensee to install fire hydrants within five hundred (500') feet of every Manufactured/Mobile Home Stand and Park building and provide that said order be complied with within two (2) years, where in his discretion and opinion fire protection cannot otherwise be adequately provided.

6. All liquid wastes originating at units, service or other buildings shall be discharged into a sewerage system. Such system shall comply with all provisions of the State Code and City Ordinances relating to plumbing and sanitation, with a continuous grade, which is not subject to surface drainage, so constructed that it can be closed when not in use and seal-capped in such a manner that it can be kept odor free.

7. Adequate provisions shall be made for the disposal of solid and liquid wastes in a manner approved by the Kenosha Water Utility and the Fire Chief. Open burning of waste or refuse is prohibited.

8. Distribution system shall be new and all parts and installations shall comply with all applicable Federal, State and local codes.

9. A minimum of two (2) off-street parking spaces surfaced with bituminous concrete, or similar material capable of carrying a wheel load of 3,000 pounds shall be provided for each mobile home space for new areas.

10. Condition of soil, ground water level, drainage and topography shall not create hazards to the property, health or safety of occupants of Manufactured/Mobile Home spaces or living units. The site shall not be exposed to objectionable smoke, noise, odors or other adverse influences, and no portion subject to unpredictable and/or sudden flooding, subsidence or erosion shall be used for any purpose which would expose persons or property within or without the Park to hazards.

11. Exposed ground surfaces in all parts of every Manufactured/Mobile Home Park shall be protected with a vegetative growth that is capable of preventing soil erosion and elimination of objectionable dust.

12. The ground surface in all parts of every Manufactured/Mobile Home Park shall be graded and equipped to drain all surface water in a safe, sanitary and efficient manner.

13. All Parks shall be furnished with lighting so spaced and equipped with luminaries placed at such heights as will provide the following average maintained levels of illumination for the safe movement of pedestrians and vehicles at night:

a. All parts of the Park street systems: 0.6 footcandles, with a minimum of 0.1 footcandles.

b. Potentially hazardous locations, such as major Park street intersections and steps or stepped ramps, individually illuminated, with a minimum of 0.3 footcandles.

14. All Manufactured/Mobile Home spaces shall abut a paved street. Widths of streets shall be in accordance with COMM 95.09, Wisconsin Administrative Code. All streets shall be paved and well drained under normal use and weather conditions for the area. Grades of streets shall be sufficient to insure adequate surface drainage, but not more than eight (8%) percent, provided a maximum grade of twelve (12%) percent may be used if approved by the Director of Public Works as safe and designed to avoid traffic hazards. Streets shall be approximately right angles within one hundred (100') feet of an intersection. Intersections of more than two streets at one point shall not be allowed. A distance of at least one hundred fifty (150') feet shall be maintained between center lines of offset intersecting streets.

15. All Parks shall be provided with paved pedestrian walks between individual mobile homes, Park streets and community facilities of not less than five (5') feet in width.

16. All Manufactured/Mobile Home Parks shall have a greenbelt or buffer strip not less than fifteen

(15') feet wide along all boundaries and shall be landscaped in accordance with Section 14 of the Zoning Ordinance.

17. All Manufactured/Mobile Home Parks shall be assessed a Park/Open Space Impact Fee per lot with respect to **Chapter XXXV**, entitled "Impact Fees".

18. All Manufactured/Mobile Home Parks shall be provided with safe and convenient vehicular access from abutting public streets or roads to each mobile home space. Entrances to Parks shall be designed to minimize congestion and traffic hazards and allow free movement of traffic on adjacent streets.

19. The standards and requirements for Manufactured/Mobile Home Park design, layout and development contained in this Section are intended to be minimum standards necessary to create a safe, sanitary, healthful, agreeable and urbane environment in Manufactured/Mobile Homes and Manufactured/Mobile Home Parks and the City of Kenosha. The express enumeration of such standards shall not preclude the governing body by resolution or by law, or through express written agreement with the Manufactured/Mobile Home Park owner or developer, or by authority of the conditional use review procedures established in the City Zoning Ordinance from imposing modifications of or addition to the requirements of this Ordinance. The governing body shall only modify or add to such requirements when it is determined that such modifications or additions are more likely to achieve the purpose of this Section than those set forth herein and will not conflict with applicable laws of the State.

B. Exceptions. These standards do not apply to mobile home courts which have been in existence and operation prior to the passage of this Ordinance or brought into the City by annexation or attachment after the effective date of this Ordinance, but shall apply to the expanded portions thereof. However, **Section 20.04 A.5..** relative to the installation of fire hydrants shall apply to otherwise exempt Manufactured/Mobile Home Parks where the Fire Chief has issued an order for compliance therewith.

C. Approved Comparable Construction. When strict adherence with this Ordinance appears to be impractical and satisfactory proof is provided to the Department of Neighborhood Services and Inspections, it may approve modifications as needed to safeguard public health, safety and welfare.

20.05 MANUFACTURED/MOBILE HOME PARK OPERATORS LICENSE

A. License Required. No person shall operate, administer or maintain a Manufactured/Mobile Home Park within the City of Kenosha without a valid, unexpired Manufactured/Mobile Home Park License issued by the City Clerk/Treasurer and approved by the governing body upon determination that the standards in this Section have been met and payment of the required fee.

B. License Term. Manufactured/Mobile Home Park Licenses shall be issued for a calendar year and shall expire on June 30 of the next succeeding date of issue. Licenses may be issued after July 1, of any year but no rebate or diminution of the fee shall be allowed therefor.

C. License Fee. The fee for a Manufactured/Mobile Home Park License shall be One Hundred ($100.00) Dollars for each fifty (50) Manufactured/Mobile Home spaces or fraction thereof. Licenses may be transferred during a license year for a fee of Ten ($10.00) Dollars.

D. License Subject to Revocation/Suspension. Licenses granted under this Section shall be subject to revocation or suspension by the governing body for cause in accordance with §66.0435(2), Wisconsin Statutes. **"Cause"** as used in this subsection shall include, but not be limited to:

1. Failure or neglect to abide by the requirements of this Ordinance or the laws or regulations of the State of Wisconsin relating to Manufactured/Mobile Home Parks and their operation.

2. Conviction of any offense under the laws of the State or Ordinances of the City relating to fraudulent or misleading advertising or deceptive practices regarding the sale or renting of Manufactured/Mobile Homes or the leasing or rental of Manufactured/Mobile Home spaces or sale, lease or operation of Park facilities.

3. Operation or maintenance of the Manufactured/Mobile Home Park in a manner inimical to the health, safety or welfare of Park occupants or the inhabitants of the City of Kenosha including, but not limited to, repeated violations of laws or ordinances related to health, sanitation, refuse disposal, fire hazards, morals or nuisances.

4. Transfer or sale of an ownership interest in any Manufactured/Mobile Home space or the underlying land other than to another eligible Licensee. Such action shall also subject the owner of the underlying land to all requirements of the State and municipal subdivision control laws and

regulations regardless of the size or number of lots or spaces so transferred or sold.

E. Manufactured/Mobile Home Park License Standards. Manufactured/Mobile Home Park Licenses shall be granted subject to the following standards:

1. Compliance with State and local laws, rules, regulations and ordinances.

2. Manufactured/Mobile Home Parks shall be used only for the parking and occupancy of single-family nondependent Manufactured/Mobile Homes and accessory structures, appurtenances and uses herein authorized.

3. Compliance with City Zoning Laws and procurement of any permits affecting land use which may be required.

4. Report from Neighborhood Services and Inspections, Health and Fire Departments indicating compliance with local and State laws, rules and regulations.

F. Monthly Parking Fee.

1. There is hereby imposed on each owner of a nonexempt Manufactured/Mobile Home in the City, a monthly Parking Permit fee determined in accordance with Section 66.0435(3), Wisconsin Statutes. It shall be the full and complete responsibility of the Manufactured/Mobile Home Licensee to collect the proper amount from each Manufactured/Mobile Home owner or occupant. Licensees and owners/occupants of Manufactured/Mobile Homes permitted to be located on land outside a Manufactured/Mobile Home Park, and the owners of land on which such homes are parked, shall pay to the City Clerk/Treasurer such Parking Permit fees on or before the 10th day of the month following the month for which such fees are due in accordance with the terms of this Ordinance and such reasonable regulations as the City Clerk/Treasurer may promulgate.

2. Licensees hereunder and owners of land on which are parked any Manufactured/Mobile Homes, shall inform the City Clerk/Treasurer and City Assessor of such Manufactured/Mobile Homes as are added to their Parks or lands within five (5) days after the arrival of such Manufactured/Mobile Homes on forms prescribed by the Department of Revenue in accordance with Section 66.0435(3)(c) 2, Wisconsin Statutes.

3. Manufactured/Mobile Home Park Operators who collect the heretofore provided monthly parking fee for the City may deduct for their administrative expenses, two (2%) percent of the monthly parking fees collected.

G. Manufactured/Mobile Home Park Exemptions. Manufactured/Mobile Home Parks in existence prior to the passage of this Ordinance or brought into the City through annexation after the effective date of this Ordinance are exempt as herein provided from certain requirements of this Ordinance, but they shall continue to comply with the minimum standards which otherwise regulated and governed said Manufactured/Mobile Home Park

20.06 BUILDING, ELECTRICAL, PLUMBING AND HVAC REQUIREMENTS

A. Scope. The provisions of this Section of the Ordinance apply to all installations occurring on or after the effective date of this Ordinance.

B. Responsibility. It shall be the responsibility of the Licensee to assure that all requirements of this Ordinance are adhered to.

C. Notification of Violation. The Licensee shall be notified of any and all violations. Notice shall include timelines for completion of violation correction(s). Failure to correct violations and receive approval of corrections shall be cause to withhold issuance or renewal of a Manufactured/Mobile Home Park License.

D. Design and Installation Requirements.

1. No person or firm shall erect, alter or add to any Manufactured/Mobile Home, deck, ramp, porch, carport, etc., without first obtaining the proper permits and approvals. Standards and Codes shall be those adopted in **Chapter 9** of this Ordinance.

2. No building or structure shall exceed thirty-five (35') feet in height, except for those structures authorized in the general provisions and regulations of the City Zoning Ordinance.

3. No accessory building shall exceed the height of sixteen (16') feet.

4. For the purposes of this Section, **"property line"** shall mean the perimeter of the legal Manufactured/Mobile Home space.

5. Additions to existing Manufactured/Mobile Home units shall not exceed the property line, and in no case shall be located closer than fifteen (15') feet to the next nearest unit.

6. Accessory structures shall conform with the following:

a. Garages, sheds, utility buildings, etc., shall be designed to maintain a minimum two (2) foot setback from the property line, but in no case be located any closer than five (5') feet to any Manufactured/Mobile

Home unit.

b. Carports shall be open on three (3) sides and may extend to the property line, but in no case be located any closer than five (5') feet to the next adjoining Manufactured/Mobile Home unit. Gutters and downspouts shall be installed to prevent storm water runoff onto adjoining property.

c. Attached porches and decks may extend from the Manufactured/Mobile Home unit, but in no case shall exceed the property line or be closer than ten (10') feet to an adjoining Manufactured/Mobile Home unit.

20.07 PROPERTY MAINTENANCE REQUIREMENTS

A. Maintenance Standards. All Manufactured/Mobile Homes and Manufactured/Mobile Home Parks shall comply with the property maintenance standards set forth in **Chapter 16** of the Code of General Ordinances.

B. Operation/Maintenance of Manufactured/Mobile Home Parks. The Licensee shall operate and maintain the Park in compliance with this Ordinance and the regulations and Ordinances of the City.

The Licensee/responsible person shall:

1. Maintain an office upon Park premises, in which a copy of the Manufactured/Mobile Home Park License and a copy of this Chapter shall be prominently displayed.

2. Keep a register of all Park occupants to be open at all times to inspections by municipal officers, which shall show the names and addresses of all owners and occupants of each Manufactured/Mobile Home.

3. Notify Park occupants of the provisions of this Ordinance and inform them of their duties and responsibilities, and report promptly to the proper authorities any violations of this Ordinance or any other violations of law which may come to their attention.

4. Allow inspections of Park premises and facilities at reasonable times by municipal officials or their agents or employees.

5. Supervise placement, securing stability and installation of all utility connections of each Manufactured/Mobile Home placed in the Park.

6. Maintain the Manufactured/Mobile Home Park free of litter, rubbish and other flammable materials.

7. Provide portable fire extinguishers of a type approved by the Fire Chief in any Park building used by the public.

8. Have the Fire Chief designate every area within the Park a fire lane to be kept free and clear of obstructions.

C. Responsibility of Park Occupants. Park occupants shall:

1. Comply with all applicable requirements of this Ordinance and regulations issued hereunder, and shall maintain their Manufactured/Mobile Home space, its facilities and equipment in good repair and in a clean and sanitary condition.

2. Provide Licensee/responsible person access to any part of such Park or Manufactured/Mobile Home premises at reasonable times for the purpose of making inspections necessary to effect compliance with this Ordinance, or any law or ordinance of the State or municipality, or lawful regulations or orders adopted thereunder.

3. Park Manufactured/Mobile Homes only on Manufactured/Mobile Home Stands provided and shall be placed thereon in accordance with all requirements of this Ordinance.

4. Not conduct in any unit or Manufactured/Mobile Home Park any business or engage in any other activity which would not be permitted by the use regulations of the City Zoning Ordinance.

5. Not discharge any waste water on the surface of the ground within any Manufactured/Mobile Home Park.

6. Not erect or place upon any Manufactured/Mobile Home space any permanent or temporary structure intended to be used for dwelling purposes or in connection with any Manufactured/Mobile Home unit, except as specifically authorized by this Chapter.

D. Public Nuisance. Wrecked, damaged or dilapidated homes shall not be kept or stored in a Manufactured/Mobile Home Park or upon any premises in the City. The Code Official shall determine if a Manufactured/Mobile Home is damaged or dilapidated to a point which makes it unfit for human occupancy. Such Manufactured/Mobile Homes are hereby declared to be a public nuisance. Whenever the Code Official so determines, he/she shall notify the responsible person in writing that such public nuisance exists within the Park or on lands owned by him/her, giving the findings upon which his/her determination is based, and shall order such home removed from the Park or site or repaired to a safe, sanitary and wholesome condition of occupancy within a reasonable time.

E. Inspection. The Code Official is authorized and directed to inspect Manufactured/Mobile Home Parks not less than once in every forty-eight (48) month period to determine compliance with this Ordinance.

20.08 PENALTIES

A. Violation Penalties. Any person who shall violate a provision of this Ordinance, shall, upon conviction, be subject to a forfeiture of not more than One Thousand ($1,000.00) Dollars; and, in addition shall pay the costs and expenses of prosecution. Each day such violation continues shall be considered a separate offense. Failure to promptly pay said forfeiture shall subject the violator to be sentenced to the County Jail for a period not to exceed sixty (60) days.

B. Abatement of Violation. The imposition of the penalties herein prescribed shall not preclude the City Attorney from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a structure or premise, or to stop an illegal act, conduct business or utilization of the structure or premise.