

ARTICLE L

Mobile Homes

SEC. 13-1-150 DEFINITIONS.

For purposes of this Chapter, the following definitions shall be applicable:

- (a) **Mobile Home.** Mobile Home means a vehicle manufactured or assembled before June 15, 1976, (effective date of Federal Manufactured Construction and Safety Standards Act of 1974), designed to be towed as a single unit or in sections upon a highway by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, with walls of rigid uncollapsible construction, which has an overall length in excess of 45 feet. "Mobile home" includes the mobile home structure, its plumbing, heating, air conditioning, and electrical systems, and all appliances and other equipment carrying a manufacturer's warranty.
- (b) **Non-Dependant Unit.** A mobile home equipped with complete bath and toilet facilities, all furniture, cooking and heating appliances and complete year-round facilities.
- (c) **Dependant Unit.** A mobile home which does not have complete bathroom or shower and toilet facilities, not intended for year-round occupancy.
- (d) **Mobile Home Park.** Any park, court, campsite, plot, parcel or tract of land designed, maintained, intended or used for the purpose of supplying a location or accommodation for mobile homes (non-dependant units only) and shall include all buildings used or intended for use as a part of the equipment thereof whether or not a charge is made for the use of the mobile home park and its facilities. The park shall be located inside of a Mobile Home Park District as authorized by the Village Board of Nichols. A legal mobile home park shall not include automobile or mobile home sales lots on which unoccupied mobile homes are parked for purposes of inspection and sale.
- (e) **Space.** A plot of ground in a mobile home park of not less than five thousand (5,000) square feet designed for the location of one (1) mobile home with sufficient area for the parking of two (2) automobiles.
- (f) **Person.** An individual, partnership, firm, company or corporation whether tenant, owner, lessee, licensee or their agent, heirs or assigns.

SEC. 13-1-151 LOCATION OUTSIDE OF MOBILE HOME PARKS.

- (a) It shall be unlawful, except as provided in this Article for any persons to park any mobile home on any street, alley or highway, or other public place, or any tract of land owned by any person within the Village of Nichols that is not properly located on property owned by the said occupant of the mobile home and for which a building permit has been issued by said Village. Before a building permit can be issued by the Building Inspector, Village Clerk or Village Board, the owner of said mobile home must have paid the Village Clerk the required fee for utilities. All mobile homes must be a minimum size of fourteen (14) feet by seventy (70) feet : : : : : However, this size provision does not including existing mobile homes that are located in the Village of Nichols prior to the effective date of this Article.

- (b) (1) Emergency or temporary stopping or parking is not permitted on any street, alley, or highway for longer than twenty-four (24) hours, subject to any other and further prohibitions, regulations or limitations imposed by the traffic and parking regulations or ordinances for that street, alley or highway.
- (2) A special permit may be granted by the Village Clerk or Village President for a longer period after a written application therefor is made on forms to be furnished by the Village Clerk. The forms shall give the name of the applicant, the owner or lessee of the mobile home, the desired location, the dates and hours requested for overtime parking. The permit may be granted for a period not to exceed five (5) days if the issuing official finds that such parking will not interfere with the orderly flow of traffic, or be otherwise injurious to the welfare of the Village or its inhabitants. The permit may be granted on the condition that the parking fee of Five Dollars (\$5.00) per day for such location be paid to the Village Clerk in advance.
- (c) No person shall park or occupy any mobile home on any premises not owned by him or outside an approved mobile home park. The parking of only one unoccupied mobile home in an accessory private garage building or in a rear yard is permitted provided no living quarters shall be maintained or any business practiced in said mobile home while said mobile home is so parked or stored. No person shall park or occupy any mobile home unit as defined in this Article as a result of the inclusion of additions, attachments and annexes, foundations and appurtenances.
- (d) The provisions of this Section shall not apply to mobile homes parked in the Village of Nichols and occupied as homes at the time of the passage of this Article as a non-conforming use. The replacement of such mobile homes shall not be permitted.

**SEC. 13-1-152 PERMIT FOR LOCATION OUTSIDE OF MOBILE HOME PARK; MOBILE HOME PARK LICENSES.**

- (a) It shall be unlawful for any person to establish, operate or maintain or permit to be operated or maintained upon property owned, leased or controlled by him, a mobile home park within the limits of the Village of Nichols without having first secured a license for each such park from the Village Board pursuant to this Article. Such license shall expire one (1) year from the date of issuance, but may be renewed under the provisions of this Article for additional periods of one (1) year.
- (b) The application for such license or the renewal thereof shall be filed with the Village Clerk and shall be accompanied by a fee of Two Dollars (\$2.00) for each space in the existing or proposed park, with a minimum of Twenty-five Dollars (\$25.00) for the first twelve (12) spaces or fraction thereof, and said license shall continue from year to year unless transferred or revoked by proper authority. The licensee shall agree to pay any fines or forfeitures, including legal costs imposed upon or levied against said licensee for a violation of the ordinances of said Village, County or State, pursuant to which said license is granted. Any person, firm or corporation who may be injured by reason of the licensee violating the provisions of this Article may be prosecuted. A fee of Ten Dollars (\$10.00) shall be paid for each transfer of license. Said license transfer must be approved by the Village Clerk in writing.

- (c) Before any license is issued, the applicant must have met all of the specifications and codes set up by the Village and the State of Wisconsin on mobile parks, and must file with the Clerk a statement from the State of Wisconsin stating that the applicant has met and conformed with all specifications set forth by the Village and State. Ch. H 77, Wis. Adm. Code, relating to mobile homes and mobile home parks is hereby adopted by reference and in case of conflicts between this Article and Ch. H 77, Wis. Adm. Code, this Article shall govern.
- (d) No mobile park license shall be issued until the premises have been inspected by the Building Inspector and proper officials of the State of Wisconsin, and these officials shall inspect or cause to be inspected each application and the premises to determine whether the applicant and the premises on which mobile homes will be located comply with the regulations, ordinances and laws applicable thereto. No license shall be renewed without a reinspection of the premises. For the purpose of making inspections and securing enforcements, such officials or their authorized agents shall have the right and are hereby empowered to enter on any premises on which mobile homes are located, or about to be located, and to inspect the same and all accommodations connected therewith at any reasonable time
- (e) The application for a license shall be accompanied by four (4) copies of the mobile home park plan showing the following, either existing or proposed:
- (1) The extent and area proposed for mobile home park purposes.
  - 2 Roads and driveways.
  - 3 Location of sites or units for mobile homes.
  - 4 Proposed street surfacing and lighting.
  - 5 Off street parking, if any.
  - 6 Patios.
  - 7 Location of community building and general plan of such facility.
  - 8 Location of recreation facilities.
  - 9 Location of sidewalks
  - (10) Location of setback lines.
  - (11) Location of screening, planting, green areas, etc.
  - (12) A storage area for boats, snowmobiles, campers, trailers, camper-trailers and other equipment.
  - (13) The estimated time for the completion of the various improvements.
  - (14) Any other information requested by the Village of Nichols.
- (f) No license for any mobile home park shall be issued by the Village Board of Nichols until after a public hearing has been held on the matter by said Village. This hearing shall be noticed by publication in the three (3) official posting places in the Village at least ten (10) days prior to the public hearing.

#### SEC. 13-1-153 PERMANENT OCCUPANCY.

- (a) Every mobile home park, except for the mobile home parks presently located north of State Highway 168 and east of Krull Road in the Village of Nichols shall have sufficient area and plans for the development of at least twenty (20) spaces, and have adequate provisions for a manager, street maintenance and operating personnel.

(b) Every mobile home park hereafter established shall comply with the following standards:

- (1) Every mobile home park shall be located on a well-drained area and the premises shall be properly graded so as to prevent the accumulation of storm and other waters.
- (2) Each space shall have a gross area of not less than five thousand (5,000) square feet, including off street parking areas, if any.
- (3) Each space shall have a minimum width of forty (40) feet measured at the setback line for a mobile home less than fifteen (15) feet in width, and a minimum of fifty (50) feet for a mobile home over fifteen (15) feet in width.
- (4) The front setback of mobile home shall be no less than thirty (30) feet from the curb and no less than twenty (20) feet from the sidewalk.
- (5) There shall be not less than ten (10) feet between a mobile home and any side line of a space.
- (6) There shall be not less than twenty (20) feet of space between mobile homes in all directions.
- (7) A patio shall be constructed on the ground beside each mobile home site; this patio shall be not less than two hundred (200) square feet in area constructed of concrete with four (4) inches minimum thickness.
- (8) At least one (1) shade tree, preferably maple [minimum diameter two (2) inches at time of planting] shall be placed and maintained on each unit. No box-elder trees shall be allowed.
- (9) Except for the areas used for the mobile home, patio, sidewalk, and off-street parking space, if any, the entire space shall be sodded or seeded and maintained with grass.
- (10) Streets shall be forty (40) feet wide and shall be constructed of a minimum of three (3) inches of bituminous surface material on a suitable base of at least four (4) inches thickness. Streets may be thirty-three (33) feet wide with off street parking areas provided.
- (11) Integral concrete sidewalks [thirty-six (36) inches wide] and curb, shall be constructed on each side of the streets, or concrete curb and gutters shall be constructed, bordered by a thirty-six (36) inch concrete sidewalk. The concrete shall be four (4) inches thick.
- (12) There shall be an unused area not less than twenty (20) feet in depth along each public street bordering a park, and between the park and a mobile home sales lot, which area shall be appropriately landscaped with trees at least forty (40) feet and appropriate shrubbery.
- (13) A central TV antenna may be provided for the mobile homes.
- (14) All telephone, electric and TV wires and cables shall be underground.

### **SEC. 13-1-154 APPLICATION AND ISSUANCE OF LICENSE.**

(a) Every mobile home park shall have a manager or person in charge of said park. A copy of the park license and of this Article shall be posted therein and the park register at all times be kept in said office.

(b) It is hereby made the duty of the manager or person in charge, together with the licensee, to:

- (1) Keep a register of all guests, to be open at all times to inspection by State and Federal officers and the Village Board, School Board or other agents, which shall show for all guests:

- a. Names and addresses.
  - b. Number of children of school age.
  - c. State and legal residence.
  - d. Dates of entrance and departure.
  - e. License numbers of all trailers and towing, or other vehicles.
  - f. State issuing such license.
  - g. Purpose of stay in Park.
  - h. Place of last location and length of stay.
  - i. Place of employment of each occupant.
- (2) Maintain the park in a clean, orderly and sanitary condition at all times. No stripped, junked or wrecked vehicles, not in good and safe operating conditions, shall be allowed anywhere in the mobile home park, and the repair of automobiles, motorcycles, snowmobiles and other vehicles shall be prohibited except in the storage area.
  - (3) Assure that the provisions of this Article are complied with and enforced and report promptly to the proper authorities any violations of this Article, and/or any other violations of law which come to his attention.
  - (4) Report to the Health Officer all cases of person or animals affected or suspected of being affected with any communicable disease.
  - (5) Collect the monthly parking permit fee or tax. A book shall be kept showing the names of the persons paying said service charges and the amount paid and the date thereof.
  - (6) Prohibit parking on the lawn in front of the mobile home.
  - 7) Require all mobile homes to be skirted from the mobile home to the ground with the same material as, or equal to, that from which the mobile home was made.
  - (8) Require that every mobile home have a substantial fly-tight, water tight, rodent-proof garbage depository from which the contents shall be removed in a sanitary manner at least once weekly.
  - (9) Not allow a dependant mobile home to occupy a space in the mobile home park, nor allow a mobile home to be inhabited by a greater number of occupants than that for which it was designed.
  - (10) Require that every mobile home be attached to the ground with at least four (4) cables. Nothing herein contained shall prohibit the use of commercially manufactured stabilizing equipment or skirts required by Section 13-1-154(b)(7) or the addition of factory built awnings, porches, steps and platforms.
  - (11) Not allow any licensee or occupant to erect upon any licensed mobile home park any tent, sectional, or prefabricated cabin or cottage or any other structure intended to be used for dwelling purposes, or to be used in connection with or added to any mobile home legally located on a space in such park, except for a dwelling and office for the park manager, which shall be constructed in accordance with the standard of the Village of Nichols and State of Wisconsin.
  - (12) Snow removal, street maintenance and street lighting shall provided by the park licensee without any expense to said Village.

### **SEC. 13-1-155 MOBILE HOME TAX.**

There is hereby imposed on each owner or operator of a mobile home park licensed herein a monthly tax determined in accordance with Sec. 66.058(3), Wis. Stats., on each occupied non-exempt mobile home which shall be parked in such park at any