

## **PART II LICENSES AND REGULATIONS**

### **Chapter 24 MOBILE HOME PARKS**

- 24.01 Enactment authority
- 24.02 Definitions
- 24.03 Parking outside licensed mobile home parks restricted
- 24.04 Mobile home occupancy permits
- 24.05 Mobile home park operator's licenses
- 24.06 Additional regulations on mobile homes and mobile home parks
- 24.07 Mobile home parking permit fees; collection
- 24.08 Penalties

#### **24.01 Enactment authority**

Pursuant to the provisions of s. 66.0435 (1) to (8) and s. 66.0435 (9) Wis. Stats. and as thereafter amended from time to time the village of Lake Delton hereby establishes a mobile home parking permit license and fee for all mobile homes located within the village of Lake Delton.

#### **24.02 Definitions**

For the purposes of this chapter:

- A. Licensee. The owner or operator of a mobile home park licensed by the village of Lake Delton.
- B. 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 included any additions, attachments, annexes, foundations and appurtenances.
- C. 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 a charge is made for such accommodation.

#### **24.03 Parking outside licensed mobile home parks restricted**

- A. No person shall park, locate or place any mobile home outside of a licensed mobile home park in the village of Lake Delton except unoccupied mobile homes may be parked on the lawfully situated premises of a licensed mobile home dealer for the purposes of sales display only.
- B. No person shall stop, stand or park a mobile home on any street, alley, or highway within the village in violation of Chapters 340 to 348 of the Wisconsin Statutes, or the village of Lake Delton traffic ordinances and regulations.

#### **24.04 Mobile home occupancy permits**

- A. Mobile homes legally located and occupied on premises outside a licensed mobile home park prior to the enactment of this chapter may be continued in such location, provided the owner of the premises on which such unit is located shall apply to the village clerk within sixty (60) days after the effective date of this chapter for a use permit showing the date on which such use and occupancy commenced, the names of the owner and occupants and that such use and occupancy is otherwise in conformity with the applicable laws and regulations of the state and

village. Such nonconforming use shall be automatically terminated upon a discontinuance for any reason for twelve (12) consecutive months or if the total structural repairs and alterations to the mobile home exceed fifty percent (50 %) of the net value as of this chapter's enactment date.

B. The owner or occupant of a mobile home shall within five (5) days after entering a licensed mobile home park or removing to another park within the village obtain a permit from the village board. Such permits shall be issued only for mobile homes that bear a seal, stamp or certificate of the manufacturer guaranteeing the mobile home is constructed in accordance with the standards of the American National Standards Institute Book A 119.1, including all revisions in effect on August 28, 1973. This provision shall not apply however to mobile home park sites constructed prior to 1960 and that are not adaptable to use by units complying with this section.

#### **24.05 Mobile home park operator's licenses**

A. No person shall operate, administer or maintain a mobile home park within the village of Lake Delton without a valid unexpired mobile home park license issued by the village clerk and approved by the governing body upon determination the standards in the this section have been met and payment of the required fee.

B. Mobile home park licenses shall expire on June 30 of each year and may be renewed for additional one-year periods under this chapter. Licenses may be issued after July 1 of any license year but no rebate or diminution of the license fee shall be allowed therefore.

C. The village board shall set the fee for a mobile home park license.

D. Licenses granted under this section shall be subject to revocation or suspension by the governing body for cause in accordance with s. 66.0435 (2)(d) Wis. Stats. Cause as used in this subsection shall include, but not be limited to:

1. Failure or neglect to abide by the requirements of this chapter or state of Wisconsin's the laws or regulations relating to mobile home parks and their operation.

2. Conviction of any offense under state laws or village ordinances relating to fraudulent or misleading advertising or deceptive practices regarding the sale or renting of mobile homes or the leasing or rental of mobile home spaces or sale, lease or operation of park facilities.

3. Operation or maintenance of the mobile home park in a manner contrary to the health, safety or welfare of park occupants or the inhabitants of the village of Lake Delton; including, but not limited to, repeated violations of laws or ordinances relating to health, sanitation, refuse disposal, fire hazards, morals or nuisances.

4. Transfer or sale of an ownership interest in any 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. Except as provided in subsection F of this section, no mobile home park license shall be granted for any premises or to any operator not meeting the following standards and requirements.

1. Mobile home parks shall be used only for parking and occupying single-family nondependent mobile homes and accessory structures and appurtenances and uses authorized and approved under this chapter.

2. Applicant shall file with the approving officer, certificates of the building and health inspectors certifying that all equipment, roads, sanitary facilities, water facilities and other equipment and facilities, including roads that have been constructed, or installed in the park as required by this chapter and are in operating condition at the time of said application.

3. Location and operation of the park shall comply with state and village zoning and land use ordinances and no permit shall be issued until the proposed use has been certified by the building inspector as complying with such ordinance.

F. Mobile home parks in existence and operating under a valid mobile home park license upon this effective chapter's date including parks in areas hereafter annexed to the village shall be exempt from the requirements hereof relating to land use and occupancy provided such use and occupancy complies with the applicable laws and ordinances in effect at the time of issuance of the original license but shall file application for a mobile home park developer's nonconforming use permit and comply with all other provisions of this chapter within ninety(90) days after the effective date hereof. The governing body may extend the time for compliance as herein required upon such conditions as it shall determine necessary to protect the health, safety and welfare of park occupants or village inhabitants. All extensions, modifications or additions to lawfully licensed existing parks or facilities or structures therein shall comply with this ordinance.

#### **24.06 Additional regulations on mobile homes and mobile home parks**

A. Wrecked, damaged or dilapidated mobile homes shall not be kept or stored in a mobile home park or upon any premises in the village. The building inspector shall determine if a mobile home is damaged or dilapidated to a point that makes it unfit for human occupancy. Such mobile homes are hereby declared to be a public nuisance. Whenever the building inspector so determines he shall notify the licensee or landowner, and mobile home owner in writing that such public nuisance exists within the park or on lands owned by him, giving the findings upon which his determination is based and shall order such home removed from the park site or repaired to a safe, sanitary and wholesome condition of occupancy within a reasonable time, but not less than thirty (30) days.

B. The building inspector or his lawful agents or employees are authorized and directed to inspect mobile home parks not less than once in every twelve (12)-month period to determine the health, safety and welfare of the park occupants and village inhabitants as affected thereby and the compliance of structures and activities therein with this chapter and all other applicable laws of the state and ordinances of the municipality.

C. All mobile homes in mobile home parks shall be skirted unless the unit is placed within one foot vertically of the stand with soil or other material completely closing such space from view and entry by rodents or vermin. Areas enclosed by such skirting shall be maintained free of rodents and fire hazards.

D. 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 village building inspector. This subsection shall not apply to addition of awnings, maintenance or skirting to mobile homes.

#### **24.07 Mobile home parking permit fees; collection**

A. Parking permit fee established. A monthly parking permit fee is levied upon each mobile home occupying space or lots in a mobile home park located within the village of Lake Delton. The licensee of the mobile home park shall collect the monthly parking permit fee from the occupant and shall pay the village treasurer on or before the 10th day of each month following the month for which the fee is due. The licensee may deduct two percent (2 %) of the monthly fees collected for administrative expenses.

B. Fee computation. The monthly parking permit fee shall be computed as follows: the assessor shall determine the total fair market value of each occupied mobile home in the district subject to the monthly parking permit fee. The fair market value, minus the tax exempt household furnishing thus established, shall be equalized to the general level of assessment on other real and personal property in the district. The value of each occupied mobile home thus determined shall be multiplied by the tax rate established on the preceding January 1 assessment of general property. The parking permit fee shall first be reduced by any applicable credit allowed by the legislature. The total annual parking permit fee thus computed shall be divided by twelve (12) and shall represent the monthly mobile home parking permit fee. The fee shall be applicable to mobile homes moving into the tax district any time during the year.

C. Report of occupancy. The licensee shall furnish information to the tax district clerk and the local assessor on occupied mobile homes added to his park within five (5) days after their arrival, on forms prescribed by the Department of Revenue. As soon as the assessor receives the notice of an addition of an occupied home to a park, he shall determine its fair market value and notify the clerk of his determination. The clerk shall equalize the fair market value established by the assessor and shall apply the tax rate for that year, divide the annual parking permit fee thus established by twelve (12) and notify the mobile homeowner of the monthly fee to be collected from the mobile home owner. Liability for payment of the fee shall begin on the first day of the next succeeding month and shall remain on the mobile home only for such months as the occupied mobile home remains in the tax district.

D. Annual adjustment of license fee. A new fee rate and 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. If the board of review reduces a valuation on which previous monthly payments have been made, the tax district shall refund past excess fee payments. The monthly parking permit fee shall be paid by the mobile homeowner to the local taxing authority on or before the 10th of the month following the month for which such parking permit fee is due. 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 sixty (60) days in any twelve (12) months if the occupants of the mobile home are tourists or vacationists. The treasurer of the licensing authority shall accept exemption certificates in duplicate from qualified tourists or vacationists in lieu of monthly mobile home permit fees.

#### **24.08 Penalties**

A. Any person violating any of this chapter's provisions, or failing to perform any duty imposed hereunder, or committing any act prohibited thereby, shall upon conviction thereof forfeit not less than \$25.00 nor more than \$200.00, plus the cost of prosecution. Upon default of payment of such forfeiture and costs, the violator shall be imprisoned in the Sauk County Jail

until payment is made, but not exceeding thirty (30) days for each violation. Each day of violation of any provision of this chapter shall be deemed to constitute a separate offense.

B. If an inspection reveals a noncompliance with this chapter, the village zoning code, or the Wisconsin Administrative Code provisions incorporated into this chapter, the building inspector may either notify the applicant and the owner, in writing, of the violation(s) to be corrected or issue a citation. All violations shall be corrected within thirty (30) days after written notification unless an extension of time is granted.

C. Each day each violation continues after the thirty (30)-day written notice period has run shall constitute a separate offense. Nothing in this chapter shall preclude the village from maintaining any appropriate action to prevent or remove a violation of any provision of the chapter, the village zoning code, or any other Wisconsin Administrative Code provision incorporated into this ordinance.