

ORDINANCE #2000-05
MOBILE HOME ORDINANCE
TOWN OF PRAIRIE LAKE

Ordinance regulating the parking and location of mobile homes, licensing, and regulation of mobile home parks, providing for the taxation of mobile homes and providing penalties.

The Town Board of the Town of Prairie Lake, Barron County, Wisconsin, does hereby ordain as follows, hereby revoking all other ordinances relating to mobile homes.

Section 1.0 Definitions

- (a) *Licensee or Operator.* Any person licensed to operate and maintain a mobile home park under this Ordinance.
- (b) *Park.* Mobile Home Park.
- (c) *Person.* An individual, partnership, firm, corporation, association, trust, wherever owner, lessee, licensee or their agent, heir or assignee.
- (d) *Mobile Home.* That which is, or was as originally constructed, designed to be transported upon a public highway as one unit 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, except that a house trailer is not deemed a mobile home if the assessable value of such additions, attachments, annexes, foundations and appurtenances equals or exceeds 50 percent of the assessable value of the house trailer.
- (e) *Unit.* A mobile home unit.
- (f) *Mobile Home Park.* Any park, camp, court, site, plot, parcel or tract of land upon which more than two units, occupied for dwelling or sleeping purposes are located, regardless of whether or not a charge is made for such accommodation.
- (g) *Space.* A plot of ground within a mobile home park designed for the accommodation of one mobile home unit.
- (h) *Fee.* Monthly parking permit fee for mobile homes.
- (i) *Town.* Town of Prairie Lake, Barron County, Wisconsin.
- (j) *Town Board.* Town Board of the Town of Prairie Lake.

Section 2.0 Mobile Home Parks and Park Plans

- 2.1** There will be no more than two (2) mobile home parks in the Town of Prairie Lake.
- 2.2** The number of mobile homes allowed in each of the existing mobile home parks shall not exceed the number of parking spaces that are approved for that park as of September 30, 2003.
- 2.3** All mobile home parks shall be located wholly within the boundaries of the Town of Prairie Lake.
- 2.4** The complete plan of each mobile home park shall be filed with the Clerk of the Town of Prairie Lake.
- 2.5** There must be a public hearing prior to the approval or disapproval of a change in park plan for any mobile home park.

Section 3.0 License for Mobile Home Park

3.1 It shall be unlawful for any persons to establish, operate or maintain or permit to be established, operated or maintained upon property owned, leased or controlled by him/her, a mobile home park within the limits of the Town of Prairie Lake without first having obtained a license for each such park from the Town Board pursuant to this Ordinance. Such license shall expire one (1) year from the date of issuance but may be renewed under the provisions of this Ordinance for additional periods of one (1) year.

3.2 The application for such license or the renewal thereof shall be filed with the Town Clerk and shall be accompanied by a fee of Two Dollars (\$2.00) for each space in the existing or proposed mobile home park, provided that the minimum fee shall not be less than Thirty Dollars (\$30.00). A fee of Ten Dollars (\$10.00) shall be paid for each transfer of license. Said license transfer must be approved by the Town Board in writing.

3.3 All mobile home parks now licensed shall meet all standards set forth in this Ordinance within 30 days after said Ordinance has been adopted.

3.4 Any license granted under the provisions of this Ordinance 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, building inspector or other person authorized by the Town Board to enforce this ordinance after a public hearing upon such complaint, provided that the holder of such license shall be given ten (10) days notice in writing of each hearing. Any holder of a license which is revoked or suspended by the Town Board may within twenty (20) days of the date of such revocation or suspension appeal therefrom to the Circuit Court of Barron County by filing a written notice of appeal with the Town Clerk together with a bond executed to the Town in the sum of Five Hundred Dollars (\$500.00) with two sureties or a bonding company approved by the Town Clerk, conditioned for the faithful prosecution of such appeal and the payment of costs adjudged against him/her.

Section 4.0 Mobile Home Park Management

4.1 In every mobile home park with more than 15 sites there shall be located the office of the attendant or person in charge of said park. A copy of the park license and of this ordinance, or the place of availability of this ordinance, shall be posted therein at that office, or at a public bulletin board in parks with 15 sites or less.

4.2 It is the hereby the duty of the attendant or person in charge to comply with this ordinance and other regulations and ordinances of the Town, County, State and their agents or officers to:

- (a) Maintain the park in a clean, orderly and sanitary condition at all times.
- (b) Collect the monthly parking permit fee provided in Section 6.0 of this Ordinance. A book shall be kept showing the names of the persons paying said parking permit fees and the amount paid.
- (c) Furnish information to the Town Clerk and the local assessor on mobile homes added to the park within five (5) days after their arrival.

4.3 The Town Board of the Town of Prairie Lake is hereby authorized to impose a forfeiture of Fifty Dollars (\$50.00) plus current court costs, upon the licensee of any mobile home park for the failure to comply with the reporting requirements of paragraph 4.2(c) of this section.

Section 5.0 Location Outside of Parks

5.1 No person shall park or occupy any mobile home on any premises which is situated outside an approved mobile home park without written approval of the Board of the Town of Prairie Lake.

5.2 No more than one (1) mobile home, in addition to the primary residence, shall be permitted per operating farm.

5.3 Mobile homes that are parked outside the mobile home parks prior to August 1, 2000 shall be granted parking permits without written request. These mobile homes may not be moved to another location in the Town or replaced without compliance with this Ordinance.

5.4 The Town Board of the Town of Prairie Lake is hereby authorized to impose a forfeiture of Two Hundred Fifty Dollars (\$250.00) plus current court costs, for the failure to comply with the paragraphs of this section.

Section 6.0 Monthly Parking Permit Fee

6.1 A monthly parking fee shall be computed for each mobile home in the Town of Prairie Lake as follows: The Town Assessor shall determine the fair market value of each such mobile home and 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. The value of each mobile home thus determined shall be multiplied by the tax rate established on the last preceding assessment of general property. The parking permit fee shall first be reduced by the lottery credit allowed by the Wisconsin State Statutes. The total annual parking permit fee thus computed shall be divided by 12 and shall represent the Monthly Mobile Home Parking Permit Fee.

6.2 The fee shall be applicable to mobile homes moving into the Town of Prairie Lake any time during the year.

6.3 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 mobile home remains in the Town of Prairie Lake.

6.4 A new fee rate and a new valuation shall be established each January and shall continue for that calendar year.

6.5 The monthly parking permit fee shall be paid to the Town of Prairie Lake on or before the 10th of the month following the month for which such parking permit fee is due.

6.6 The licensee of a mobile home park shall be liable for the monthly parking permit fee for any mobile home occupying space therein as well as the owner and occupant thereof.

6.7 If a mobile home is located outside of a licensed 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 in the manner provided for mobile homes located in mobile home parks

6.8 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 State Statutes.

Section 7.0 Additional Regulations on Mobile Homes and Mobile Home Parks

7.1 Wrecked, damaged or dilapidated mobile homes shall not be kept or stored in a mobile home park or upon any premises in the Town of Prairie Lake. The building inspector or such person delegated those duties by the Town Board 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 or the person so delegated so determines, he/she shall notify the Barron County Public Health Department, the licensee or landowner and owner of the mobile home 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, but not less than thirty (30) days.

7.2 The building inspector or such person delegated those duties, fire chief or their lawful agents or employees are authorized to inspect mobile home parks to determine the health, safety and welfare of the occupants of the park and inhabitants of the Town of Prairie Lake 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 Town of Prairie Lake. A fee of not less than Ten Dollars (\$10.00) will be charged to the owner of the mobile home for each inspection performed.

7.3 Fires in mobile home parks shall be made only in stoves and other cooking or heating equipment intended for such purposes. Outside burning is prohibited except by permit, which is obtained by contacting the Town Board Chairman or one of the Supervisors, and subject to requirements or restrictions of the Fire Chief.

7.4 All plumbing, building, electrical, oil or gas distribution, alterations or repairs in the park shall be in accordance with the regulations of applicable laws, ordinances and regulations of the State and municipalities and their authorized agents.

7.5 All mobile homes in mobile home parks shall be skirted unless the unit is placed within one (1) foot vertically of the stand with soil or other material completely closing such space from view and entry by rodents and vermin. Areas enclosed by such skirting shall be maintained free of rodents and fire hazards.

7.6 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 building inspector or such person delegated those duties in compliance with the Town of Prairie Lake code. Construction on, or addition or alteration to the exterior of a mobile home shall be of the same type of construction and materials as the mobile home affected. This Subsection shall not apply to addition of awnings, antennas or skirting to mobile homes.

7.7 Storage under mobile homes is prohibited.

7.8 No mobile home, except new ones, shall be placed in the Town of Prairie Lake until it has been inspected to meet requirements of this Ordinance. Inspection may be done by submission of photographs or physical inspection, as determined by the Town's building inspector or such person delegated those duties. The owner of such mobile home is responsible for all costs associated with inspections, including but not limited to, those fees described in Section 7.2 of this Ordinance and mileage expense at the usual Town mileage rate if such mobile home is located more than Twenty (20) miles outside the Town of Prairie Lake.

Section 8.0 Separability and Conflict

8.1 If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court or Competent Jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion thereof.

8.2 All Ordinances or parts of Ordinances inconsistent with or contrary hereto are hereby repealed, except, nothing in this Ordinance shall be interpreted so as to conflict with State Laws or orders regulating mobile homes or mobile home parks or any of the requirements of any Ordinances of the Town of Prairie Lake, County of Barron, Wisconsin not mentioned or made applicable by the terms of this Ordinance.

Section 9.0 Effective Date

9.1 This Ordinance shall be effective after adoption by the Town Board and publication or posting as provided by law.

The foregoing ordinance was adopted at a regular meeting of the Town Board of the Town of Prairie Lake on July 11, 2000.

The revised Ordinance was approved and adopted at a regular meeting of the Town Board of the Town of Prairie Lake on August 14, 2001.

The further revised Ordinance was approved and adopted at a regular meeting of the Town Board of the Town of Prairie Lake on November 11, 2003

Filed this 11th day of November, 2003 in the Office of the Town Clerk.

Karn Moe, Clerk

Kenneth Hoefs, Chairman

Allan Morley, Supervisor

Almar Larson, Supervisor