

CHAPTER 5: MANUFACTURED HOME COMMUNITIES

SECTION 5.01 HISTORY

This type of ordinance has been in force in the Town continuously since March 3, 1954 with a number of revisions after that date.

SECTION 5.02 CONFLICT

If, and to the extent that any part or provision of this Chapter shall be in conflict with the current Wis. Stats. or County Ordinances, then the state statute or ordinance providing greater protection for public health and safety shall prevail, where authorized by law.

SECTION 5.03 DEFINITIONS

A. UNIFORMITY.

For clarity, uniformity, and explanation, this ordinance will use the following definitions throughout:

1. "Dependent unit" means a manufactured home which does not have bathroom or shower and toilet facilities.
2. "Nondependent unit" means a manufactured home that has a bath or shower and toilet facilities.
3. "Manufactured home" means any of the following:
 - a. A structure that is designed to be used as a dwelling, with or without a permanent foundation, and that is certified by the federal department of housing and urban development as complying with the standards established under the current United States Code 42 USC 5401 to 5425.
 - b. A mobile home means any coach, cabin, mobile home, house car or other vehicle or structure intended for or capable of human dwelling or sleeping purposes, mounted upon wheels or supports, and/or capable of being moved by its own power or transported by a vehicle.
4. "Manufactured home community" means any plot or plots of ground upon which 3 or more manufactured homes that are occupied for dwelling or sleeping purposes are located.
 - a. "Manufactured home community" shall include all buildings used or intended for use as part of the equipment thereof whether or not a charge is made for the use of the manufactured home community and its facilities.
 - b. "Manufactured home community" does not include a farm where the occupants of the manufactured homes are the father, mother, son, daughter, brother, or sister of the farm owner or operator or where the occupants of the manufactured homes work on the farm.

5. "Unit" means a single manufactured home.

SECTION 5.04 LOCATION OUTSIDE COMMUNITIES

A. MANUFACTURED HOMES CANNOT PARK.

It shall be unlawful, except as provided Section 5.05, for any person to park any unit on any street, alley, or highway, or other public place, or on any tract of land owned by any person, within the Town of Baraboo, except:

1. That the parking of only one (1) unoccupied unit in an accessory private garage building, or in a rear yard, is permitted, providing no living quarters shall be maintained or any business practiced in said unit while such unit is so parked or stored.

2. A person may park or occupy a unit on any premises which is an approved manufactured home community.

B. EMERGENCY STOPPING OR PARKING.

Emergency or temporary stopping or parking is permitted on any street, alley, or highway, 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.

C. OCCUPANCY IN MANUFACTURED HOME COMMUNITY.

No person shall park or occupy any unit on any premises which is situated outside an approved manufactured home community, except under special license as provided in Section 5.05 of this Chapter.

SECTION 5.05 LICENSE FOR LOCATION OUTSIDE OF MANUFACTURED HOME COMMUNITY

A. ISSUANCE.

The Town Board may issue special written licenses allowing the location of a unit outside of a manufactured home community.

1. The person to whom such license is granted shall be subject to the parking license fee as provided in Section 5.15 of this Chapter.

2. The license shall be granted only upon the written consent of the owner, legal agent of the owner or the lessee of the location for which the license is issued.

3. Not more than two (2) units shall be granted licenses to locate on any one (1) premises outside a manufactured home community.

B. APPLICATION.

1. Application for a license allowing the location of a unit outside of a manufactured home community shall be made to the Town Clerk and shall contain or be accompanied by all of the following:

- a. An inspection fee, per the Town fee schedule;
- b. The name and permanent addresses of the occupants of the unit;
- c. The license number of the unit and towing vehicle;
- d. The place of last stay of the unit;
- e. The intended purpose of stay at requested location;
- f. Indication of whether the occupants are non-resident tourists;
- g. Indication of whether any occupant is employed in this state;
- h. The exact location of the premises on which the applicant intends to park the unit;
- i. The names of the owner and the occupant of any dwelling on the premises;
- j. The premises owner's and/or occupant's permission to locate;
- k. A statement of the nature and location of sanitary facilities and the permission of the occupant of the dwelling house for their use; and
- l. A statement that all wastes from unit occupancy will be disposed of in a sanitary manner.

2. Application for location on a vacant lot or parcel of land shall be accompanied by a statement of the nature and location of sanitary facilities, which must include a safe water supply and toilet within two hundred (200) feet of the proposed location of the unit; and a statement of permission from the land owner allowing use and occupation by the applicant.

C. REGISTRATION.

All occupants of any unit located outside of a manufactured home community shall register with the Town Clerk as provided in Section 5.13 of this Chapter. All provisions of this Chapter governing the location, use, and sanitation of units located in a licensed manufactured home community shall, so far as they are applicable, apply to any unit located outside of such manufactured home community.

SECTION 5.06 LICENSE FOR MANUFACTURED HOME COMMUNITY

A. LICENSE REQUIRED.

1. It shall be unlawful for any person to establish, operate, or maintain, or permit to be established, operated, or maintained upon any property owned, leased, or controlled by them, a manufactured home community within the limits of the Town of Baraboo, without having first secured a license for each such community from the Town Board, pursuant to this Chapter and Wis. Stat. § 101.935.
2. A license issued under this Chapter shall expire June 30 of the next even-numbered year. Such license may be renewed, under the provisions of this Chapter, for additional periods, beginning on July 1 of each even-numbered year.

B. APPLICATION.

1. The application for such license or the renewal thereof shall be filed with the Town Clerk and shall be accompanied by an annual license fee for each such proposed community in the amount set forth in the Town Fee Schedule, as approved by the Town Board by resolution and on file with the Town Clerk. The maximum occupancy limits as set in the application shall determine the fee.
2. Each application shall be accompanied by a surety bond, set per the Town Fee Schedule. This bond may be used to satisfy any of the following:
 - a. the collection by the licensee of the monthly parking permit fee, provided for in Section 5.15, and the payment of such fees to the Town Treasurer;
 - b. The payment by the licensee of any fine or forfeiture, including legal costs imposed upon, or levied against, said licensee for a violation of this Chapter; and
 - c. Prosecution and recovery thereon by any person, firm, or corporation who may be injured or damaged by reason of the licensee violating the provisions of this Chapter.
3. A fee as per Town Fee Schedule shall be paid for each transfer of a license.

C. FORMS.

The application for a license or a renewal thereof shall be made on forms furnished by the Town Clerk and shall include or be accompanied by all of the following:

1. The name and address of the owner in fee of the tract (if the fee is vested in some person other than the applicant, a duly verified statement by that person, that the applicant is authorized by the owner to construct or maintain the manufactured home community and make the application);
2. A legal description of the premises, upon which the manufactured home community is or will be located as will readily identify and definitely locate the premises;
3. Two (2) copies of the community plan showing the following, either existing or as proposed:
 - a. The extent and area used for community purposes;

- b. Roadways and driveways;
- c. Location of units;
- d. Location and number of sanitary conveniences, including toilets, washrooms, laundries and utility rooms to be used by occupants of units;
- e. Method and plan of sewage disposal;
- f. Method and plan of garbage removal;
- g. Plan for water supply; and
- h. Plan for electrical lighting of units.

4. If the existing or proposed community is designed to serve nondependent units, community plans shall clearly set forth the location of all sewer and water pipes and connections.

SECTION 5.07 INSPECTION AND ENFORCEMENT

A. INSPECTION.

1. No manufactured home community license, or license for location outside of a licensed manufactured home community, shall be issued until the Town Clerk shall notify the County Health Officer of such application.
2. The County Health Officer shall inspect or cause to be inspected each application and the premises to determine whether the applicant and the premises on which units will be located comply with the regulations, ordinances and laws applicable thereto.
3. The County Health Officer shall furnish to the Town Board in writing the information derived from such investigation, and a statement as to whether the applicant and the premises meet the requirements of the department for whom the officer is certifying.
4. No license shall be renewed without a reinspection of the premises.
5. For the purpose of making inspections and securing enforcement, the County Health Officer or an authorized agent shall have the right, and are hereby empowered, to enter on any premise on which a unit is located, or about to be located, and to inspect the same and all accommodations connected therewith at any reasonable time.

SECTION 5.08 LOCATION OF MANUFACTURED HOME COMMUNITIES

A. SETBACK

No occupied unit within the limits of the Town of Baraboo shall be located between the recognized setback line for the zoning district in which such unit is located and the street or highway or less than ten (10) feet from any building or other unit or from the boundary line of the premises on which located.

SECTION 5.09 COMMUNITY PLAN

A. DRAINAGE.

1. Every unit or manufactured home community shall be located on a well-drained area.
2. The premises shall be properly graded so as to prevent the accumulation of storm or other waters.
3. No unit or manufactured home community shall be located in any area that is situated so that drainage from any barnyard, outdoor toilet or other source of filth can be deposited in its location.

B. SPACING.

1. Unit spaces in the community shall be clearly defined.
2. All unit spaces in the community shall face or abut a driveway of not less than sixteen (16) feet in width, thereby giving easy access from all units to a public street or highway.
3. Driveways, pursuant to sub. 2, shall meet all of the following standards:
 - a. Graveled or paved;
 - b. Maintained in good condition;
 - c. Have natural drainage;
 - d. Well lighted at night; and
 - e. Shall not be obstructed.

SECTION 5.10 WATER SUPPLY

A. POTABLE WATER.

An adequate supply of pure, potable water, furnished through a pipe distribution system connected directly with the public water main, with supply faucets located not more than two hundred (200) feet from any dependent unit shall be furnished for drinking and domestic purposes in all manufactured home communities, subject to Wis. Stat. § 101.937.

B. SEPARATE FROM TOILET.

No drinking fountains shall be permitted or placed in any toilet room.

C. HOT WATER.

Every manufactured home community, serving dependent units, shall provide an abundant supply of hot water, at all reasonable hours, for bathing, washing, and laundry facilities.

SECTION 5.11 SERVICE BUILDING AND ACCOMMODATIONS

A. SERVICE BUILDINGS.

Every manufactured home community designed to serve dependent units shall have erected thereon suitable buildings for housing toilets, lavatories, showers, slop sinks, and laundry facilities as required by this Chapter. Such buildings are to be known as "Service Buildings."

1. Service Buildings shall be located not more than two hundred (200) feet from any dependent unit space nor closer than fifteen (15) feet from any unit space.
2. Service Buildings shall be of permanent construction and adequately lighted, screened and ventilated.

B. TOILET ROOMS.

1. There shall be provided separate toilet rooms for each sex.
2. Water flush toilets shall be required.
3. Toilets shall be provided for each sex in the ratio of one (1) toilet for each eight (8) dependent units or fraction thereof, and shall have separate compartments.
4. Every male toilet room shall also contain one (1) urinal for each sixteen (16) dependent units, but in no case shall any male toilet be without one (1) urinal.
5. Toilet rooms shall contain sinks, which must be capable of providing hot and cold water, in the ratio of one (1) sink to every two (2) or fewer toilets.

C. BATHING FACILITIES.

1. Separate bathing facilities for each sex shall be provided with one (1) shower enclosed in a compartment at least four (4) feet square, for each eight (8) dependent units or fraction thereof.
2. Each shower compartment shall be supplemented by an individual dressing compartment of at least twelve (12) square feet.

D. LAUNDRY FACILITIES.

1. Laundry facilities shall be provided in the ratio of one (1) double-basin, laundry sink and one (1) conventional-type washing machine, or one (1) automatic washing machine, with electric outlet, for each eight (8) units.

2. Sufficient drying facilities shall be available.

E. SLOP SINKS.

Slop sinks for disposal of liquid wastes originating at the units shall be provided in a separate room of the service building in the ratio of one (1) slop sink for each sixteen (16) dependent units.

F. BASED ON CAPACITY.

The accommodations required under this section shall be based on the total community capacity according to accepted plans.

G. FLOORING.

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.

SECTION 5.12 WASTE AND GARBAGE DISPOSAL

A. LIQUID WASTE.

All liquid waste from showers, toilets, laundries, faucets, lavatories, etc., shall be discharged into a sewer system extended from and connected with the public sewer system, or private onsite waste water treatment system as authorized.

B. SEWER CONNECTIONS.

Every space designed to serve a nondependent unit shall be provided with sewer connections which shall comply with the state plumbing code. The sewer connection shall be provided with suitable fittings so that watertight connections can be made. Such connections shall be so constructed so that they can be closed when not connected and trapped in such a manner as to be maintained in an odor free condition.

C. UNCONNECTED SANITARY FACILITIES UNLAWFUL.

All sanitary facilities in any unit which are not connected with a public sewer system or local community sewer system by approved pipe connections shall be sealed and their use is hereby declared unlawful.

D. FAUCET DRAINAGE.

Each faucet shall be equipped with facilities for drainage of waste and excess water.

E. GARBAGE DEPOSITORY.

Every unit shall be provided with a substantial wind-tight, watertight metal garbage depository from which the contents shall be removed and disposed of in a sanitary manner by the community custodian at frequent intervals.

SECTION 5.13 MANAGEMENT

A. OFFICE.

In every manufactured home community there shall be located the office of the attendant or person in charge of said community. A copy of the community license and of this Chapter shall be posted therein and the community register shall at all times be kept in said office.

B. DUTIES.

It is hereby made the duty of the attendant 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 Town, state, and federal officers and federal officers and the community committee, which shall show for all guests:
 - a. Names and addresses;
 - b. Number of children of school age;
 - c. State of legal residence;
 - d. Dates of entrance and departure;
 - e. License numbers of all units and towing or other vehicles;
 - f. States issuing such licenses; and
 - g. Purpose of stay in community.
2. Maintain the community in a clean, orderly, and sanitary condition at all times.
3. Ensure that the provisions of this Chapter are complied with and enforced and report promptly to the proper authorities any violations of this Chapter or any other violations of law which may come to such person's attention.
4. Report to the County Health Officer all cases of persons or animals affected or suspected of being infected with any communicable disease.

5. Maintain in convenient places, approved by the fire chief, hand fire extinguishers in the ratio of at least one (1) to each eight (8) units.

6. Collect the monthly parking permit fee for mobile homes, provided for in Section 5.15 of this Chapter. A book shall be kept showing the names of the persons paying said service charges and the amount paid.

SECTION 5.14 APPLICABILITY OF PLUMBING, ELECTRICAL, AND BUILDING ORDINANCES

All plumbing, electrical, building and other work on or at any community licensed under this Chapter shall be in accordance with the Ordinances of the Town of Baraboo and the requirements of the state plumbing, electrical, and building codes and the regulations of the state agencies. Licenses and permits granted under this Chapter grant no right to erect or repair any structure, to do any plumbing work, or to do any electrical work.

SECTION 5.15 MONTHLY PARKING FEE

A. CALCULATION AND PAYMENT BY OPERATOR.

1. There is hereby imposed, on each occupied unit occupying space or lots in a licensed manufactured home community in the Town of Baraboo, a monthly Parking Permit Fee to be computed in conformance with current Wis. Stats.

2. It shall be the full and complete responsibility of the operator of each manufactured home community to collect the proper amount for each unit and to pay to the Town Clerk/Treasurer such parking permit fees.

3. Parking Permit Fees are to be paid on or before the 10th of the month following the month for which such fees are due, in accordance with the terms of this Chapter and such regulations as the Clerk/Treasurer may reasonably promulgate.

SECTION 5.16 REVOCATION AND SUSPENSION

The Town Board is hereby authorized to revoke or suspend any license or permit granted under this Chapter for violation of this Chapter after a hearing, subject to Wis. Stat. § 66.0435.

SECTION 5.17 PENALTIES FOR VIOLATION OF ORDINANCE

Any person violating any provision of this Chapter shall upon conviction thereof forfeit not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00) and the costs of prosecution, and in default of payment of such forfeiture and costs, shall be imprisoned in the Sauk County Jail until payment of such forfeiture and the costs of prosecution, but not exceeding thirty (30) days for each violation. Each day of violation shall constitute a separate offense.