

**ORDINANCE NO. 2021-1026
TOWN OF RUSH RIVER
MOBILE HOME ORDINANCE**

An Ordinance to establish minimum standards for dwellings and mobile home parks, to establish building permit fees and to establish minimum driveway and access road design standards.

WHEREAS the Town Board of the Town of Rush River, St Croix County, Wisconsin, has statutory authority pursuant 66.062 Stats. And Chapters 143, 144, 146 and 823, Stats. And pursuant to its adoption of Village Powers under 60.10, Stats. And

WHEREAS, the Town Board of the Town of Rush River, in order to promote the health and safety of persons in the Town, and to promote safe and habitable housing., does hereby establish certain minimum residential dwelling, and mobile home or manufactured homes standards, mobile home park regulations and driveway and access road minimum design standards.

NOW THEREFORE, The Town Board of the Town of Rush River do ordain as follows:

SECTION 1. MOBILE HOME PARKS

(1) LICENSE FOR MOBILE HOME PARK (a) No person shall establish, operate or maintain, or permit to be established, operated, or maintained upon any property owned, leased, or controlled by him, a mobile home park within the limits of the Town without having first obtained a license for each such park from the Town Board, pursuant to this section. Such license shall expire one year from the date of issuance but may be renewed under the provisions of this section for additional terms of one year. The application for such license shall be accompanied by the fee in 12.01 of this chapter. Each mobile home park shall comply with the provisions of Ch. HAA 171, Wis. Adm. Code, which is hereby adopted by reference. Each application for such license or renewal thereof shall be accompanied by a surety bond in the sum of \$5,000. This bond shall guarantee the collection by the licensee of the monthly parking permit fees provided for in this section and payment of such fees to the Town Treasurer, the payment by the licensee for violations of this section, costs imposed or levied upon such licensee for violations of this section., and shall also be for the use and benefit and may be prosecuted and recovery had thereon by any person who may be injured or damaged by reason of the licensee violating any provision of this section.

(2) The application of a license or a renewal thereof shall be made on forms furnished by the Town Clerk and shall include the name and address of the owner and fee of the tract, if the fee is vested in some

person other than the applicant, a verified statement by that person that the applicant is authorized by him to construct or maintain the park and to apply for the license, and such a legal description of the premises upon which the park is to be or is located as will readily identify and definitely locate the premises. The application shall be accompanied by 2 copies of the park plan showing the following, either existing or as proposed:

1. The extent and area used for park purposes.
2. Roadways and driveways
3. Location of units for mobile homes
4. Location and number of sanitary conveniences, including toilets, washrooms, laundries, and utility rooms to be used by occupants of units.
5. Method and plan of sewage disposal
6. Method and plan of garbage removal
7. Plan for water supply
8. Plan for lighting of units and rubbish disposal
9. If the existing or proposed park is designed to serve non-dependent trailer units, such plans shall clearly set forth the location of all sewer and water pipes and connections.

SECTION (2) STANDARDS

- (a) No more than 25 mobile homes shall be permitted in any one mobile home park.
- (b) No mobile home or mobile home unit shall be located in any fire lane.
- (c) No occupied mobile home within the limits of the Town shall be located between the recognized setback line for the zoning district in which such mobile home is located and the street or highway, nor less than 10' from any building or other mobile home or from the boundary line of the premises on which located.
- (d) 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 or other waters.
- (e) Mobile home spaces shall be clearly defined and shall consist of a minimum of 5,000 sq. ft., and a width of not less than 40'. At least 1,000 sq. ft. of each mobile home space, including all areas directly below a mobile home, shall be hard surfaced with either concrete or a suitable hard surface blacktop material.
- (f) A mobile home park shall be arranged so that all spaces shall face or abut on a driveway of not less than 20' in width, giving

easy access from all units to a public street. Such driveways shall be graveled or paved and maintained in good condition, have natural drainage, be well lighted at night and have no obstructions.

- (e) No mobile home shall be located outside of a mobile home park unless it complies with the requirements of this Ordinance. No mobile home located outside a mobile home park shall be repaired, altered, replaced, or improved unless it complies with the terms of this Ordinance.

SECTION (3) DEFINITIONS

- (a) **MANUFACTURED HOME DEFINITION:** A dwelling unit primarily assembled at an offsite location, with interior electrical wiring, plumbing and interior finishing substantially installed before location on the final site, but which is not ready for occupancy without substantial preparation and construction at the site. Such homes are trucked to the site but are not intended for frequent transport by highway; the wheels are for initial transport only and are removed from the structure upon its placement on a permanent foundation which may be either a poured slab or dug basement, and foundation walls shall meet the house walls beneath the entire house.
- (b) **MOBILE HOME DEFINITION:** Any structure which is, or as originally constructed was designed to be transported by any motor vehicle upon a public highway and is designed, equipped and used primarily for sleeping, eating and living quarters, or is intended to be so used which does not require substantial on-site fabrication and which is intended for occupancy as a year-round residence; and includes any additions, attachments, annexes, foundations and appurtenances; and includes any double-wide or modular unit.

SECTION (4) MOBILE HOMES AND MANUFACTURED HOMES LOCATED OUTSIDE MOBILE HOME PARK.

- (1) **EMERGENCY OR TEMPORARY STOPPING OR PARKING:** Emergency or temporary stopping or parking of a mobile home is permitted on any street, alley, highway, or Town road, but for not longer than one hour, subject to any other and further regulations or ordinances for that street, alley, highway, or Town road

(2) PARKING RESTRICTED:

- (a) Except as provided in this section, no person shall park any mobile home on any street, alley, highway, Town road or other public place or on any tract of land owned by any person within the Town
- (b) The parking of only one unoccupied mobile home in an accessory private garage building or in a rear yard is permitted provided that:
 - a. No living quarters shall be maintained, or any business practiced while it is so parked or stored.
 - b. The provisions of this subsection shall not be construed to prohibit the parking of a non-occupied travel trailer, pickup camper, or tent type trailer. The term “occupy” or “occupied” shall refer to the regular use of such unit as a sleeping quarters, living quarters or quarters used in connection with the operation of a business. It shall be prima facie evidence of occupancy if any such unit is occupied for a period of 3 consecutive days or longer.

(3) LOCATION, REPLACEMENT:

- (a) Any mobile home or manufactured home presently lawfully situated on any premises outside of an approved mobile home park may be replaced on the same site with a mobile home having a more recent date of manufacture (i.e. a newer mobile home or manufactured home) in the same or better state of repair as the one replaced provided, however, such mobile home must comply with the requirements of this Ordinance as to minimum design standards including foundation, room size, etc.
- (b) Discontinuance of such parking, occupation or use of such mobile home/manufactured home shall constitute a discontinuance of a nonconforming use and there shall be no replacement, improvements, or substantial alterations to any such mobile home parked outside a mobile home park except in compliance with this Ordinance. A mobile home unoccupied for more than one year shall be removed from the premises.
- (c) Where a property owner desires to locate a mobile home or manufactured home on his or her property, and such mobile home is not a replacement as described herein, the following regulations shall apply:

- c. There shall be only one mobile home or manufactured home on any lot or tract of land.
- d. The mobile home or manufactured home shall comply with all design standards set forth in this Ordinance.
- e. The mobile home must have a date of manufacture not more than 3 years older than the date of permit application. In other words, if application for permit is made in 1998, the year of manufacture of the mobile home must be at least 1995, 1996 or 1997.

Section 6 ENFORCEMENT AND PENALTIES

- i. This Ordinance shall be enforced by the Town Board of Rush River, the Town Permit authority or the State Building Inspector or their designee.
- ii. Any person, organization or corporation violating this Ordinance shall be subject to a forfeiture of \$100.00, plus Court costs and costs of prosecution. Each day a violation continues shall constitute a separate offense.

Adopted this 10th day of November 2021

**Town of Rush River
St Croix County, Wisconsin**

By: Donald E. Schumacher
Donald E. Schumacher
Town Chairman

Attest: Sandi Hazer
Sandi Hazer
Town Clerk

Approved: Randy Stillings
Randy Stillings
Supervisor

Janie DuBois
Janie DuBois
Supervisor

I, Sandi Hazer, upon adoption of this Ordinance by the Town Board, did on the 10th day of November 2021, post same in the following three places

1. Clerk's Home
2. Chairman's Home
3. Town Hall

Sandi Hazer, Clerk Sandi Hazer