

Report to the Manitowoc Plan Commission

Meeting Date: May 22, 2019

Request: PC 24-2019: Amendment to Chapter 15.510 Mobile Home Regulations

Reason for Request: This amendment was initiated by the City Attorney's Office who are in the process of doing some "house cleaning" in section 15.510 Mobile Home Regulations. The changes to the code are highlighted on the attachments. Any changes to the Zoning Code require a public hearing in front of the Common Council; the hearing will either be in June or July.

Some of the major changes are updates to references to the State Statutes, Administrative Codes and other Municipal Code Sections. Community Development, Building Inspection and Clerks departments have all reviewed and approved the changes to the Zoning Ordinance.

Recommendation: Approve the changes to Chapter 15.510 of Municipal Code and instruct the City Clerk to schedule a public hearing in front of the Common Council.

ORDINANCE

An Ordinance to create/amend/repeal Section 15.510 of the Manitowoc Municipal Code regulating Mobile Home Parks, Mobile Homes, Manufactured Homes and Recreational Vehicles.

The Mayor and Common Council of the City of Manitowoc do ordain as follows:

Section 1. Section 15.510 is amended to read as follows:

15.510 Mobile Home Parks, Mobile Homes, Manufactured Homes and Recreational Vehicles.

(1) State Laws – Adoption by Reference.

Wis. Stat. §§~~101.91 to 101.965; and 218.10 to 218.11, 218.12, 218.15 and 218.17;~~ and ~~Administrative Code Chapter Adm 65 are herewith adopted by reference.~~ Wis. Admin. Code SPS 326 are adopted and incorporated by reference as if fully set forth herein.

(2) Definitions. As used in this section:

Accessory structure means any structural addition to the mobile or manufactured home, which includes awnings, cabanas, carports, Florida rooms, porches, ramadas, storage cabinets and similar appurtenant structures.

Basic unit means the mobile or manufactured home structure excluding hitch, awnings, cabanas, storage unit, carport, windbreak, nonwinterized porch or similar appurtenant structures.

Dependent mobile or manufactured home means a mobile or manufactured home which does not have complete bathroom facilities.

Licensee means any person licensed to operate and maintain a mobile or manufactured home park under the provisions of this section.

Licensing authority means the city wherein a mobile or manufactured home park is located.

Manufactured home means a structure certified and labeled as a manufactured home under [42 USC 5401](#) through [5426](#).

Mobile home means a detached single-family dwelling unit with all the following characteristics:

1. Designed for long-term occupancy, and containing sleeping accommodations, a flush toilet, lavatory, a tub or shower, bath, and laundry facilities with plumbing and electrical connections provided for attachment to outside systems;
2. Designed to be transported after fabrication on its own wheels, or on flatbed or other trailers or detachable wheels; and
3. Arriving at the site where it is to be occupied as a dwelling complete, including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, located on foundation supports, connection to utilities and the like.

Mobile or manufactured home park means a contiguous parcel of land according to the specifications of this section which has been developed for the placement of mobile or manufactured homes and is owned by an individual, a firm, trust, partnership, public or private association or corporation.

Mobile or manufactured home space means the plot of ground within the mobile or manufactured home park, designed and delineated by proper physical identification, for the exclusive accommodation of one occupied mobile or manufactured home.

Nondependent mobile or manufactured home means a mobile or manufactured home equipped with complete bath and toilet facilities, all furniture, cooking, heating, appliances, laundry facilities and complete year-round facilities.

Occupied means for dwelling or sleeping purposes only.

Person means any natural individual, firm, trust, partnership, company, association, corporation, whether tenant, owner, or lessee.

Unoccupied means for uses other than for dwelling or sleeping purposes.

(3) License for Mobile or Manufactured Home Parks. It shall be unlawful for any person to construct, alter or extend an existing mobile or manufactured home park, maintain, or operate a mobile or manufactured home park within the limits of the City of Manitowoc unless such person shall first obtain a license therefor from the Common Council. Licenses issued after April 1, 2019, shall expire December 31st of the year an application was submitted and may be renewed under the provisions of this section for additional periods of one year. Licenses issued prior to April 1, 2019, will expire as listed on the license, and should subsequently be renewed on an annual basis.

(4) License Fees. The annual license fee, the fee for any alteration or extension, and transfer of license fee for each mobile or manufactured home park shall be established by resolution of the Common Council.

(5) Application for License.

(a) Application for a license for the initial mobile or manufactured home park or any subsequent alteration or extension of an existing mobile or manufactured home park shall be filed with the City Clerk of the City of Manitowoc. The application shall be in writing, signed by the applicant, and shall include the following:

1. The name and address of the applicant;
2. The location and legal description of the mobile or manufactured home park;
3. Fourteen copies of the site plan of the initial mobile or manufactured home park or any changes to an existing mobile or manufactured home park as approved by the City Plan Commission under MMC [15.190\(3\)\(k\)](#), and prepared in accordance with MMC [15.370\(2\)](#);
4. A written communication with a copy of the official minutes attached from the City Council meeting that the land to be used as an initial mobile or manufactured home park or any extension of an existing mobile or manufactured home park was approved as a conditional use in an “R-6” Multiple-Family Residential District as required by MMC [15.190\(3\)\(k\)](#);
5. Plans and specifications of all buildings, improvements, and facilities constructed or to be constructed within the mobile or manufactured home park; and
6. Any additional information or requirements as may be requested by the City or any of its reviewing and enforcement departments to enable them to determine if the proposed park will comply with all applicable ordinances of the City of Manitowoc.

(b) Application for a Renewal License (see Enforcement, subsection (6)(b) of this section). Application for a renewal license of an existing mobile or manufactured home park shall be made in writing to the City Clerk. The application shall contain the following:

1. The name and address of the applicant;
2. The location and legal description of the mobile or manufactured home park; and
3. One complete site plan of the park showing all the lots in the existing mobile or manufactured home park. However, if there are no changes to the park since the original application, a park plan will not have to be submitted;

(c) Written Application for a Transfer of License. Upon payment of the transfer fee and after approval of the application by the Common Council the City Clerk shall issue a transfer of the license.

(6) Enforcement.

(a) No license for a new mobile or manufactured home park or additions to an existing park shall be issued by the Common Council until all plans and specifications have been approved by the City Plan Commission, and the Common Council has approved a conditional use permit under MMC [15.190\(3\)\(k\)](#).

(b) No renewal or transfer of a license shall be made until the Police Chief, Fire Chief and Director of Building Inspection, or their authorized agents, have inspected the premises to determine whether the applicant and the premises comply with the regulations of this section.

(7) Location.

(a) Mobile or manufactured home parks as a conditional use are permitted in any “R-6” Multiple-Family District subject to MMC [15.190\(3\)\(k\)](#).

(b) Except as provided in the case of a manufactured home which meets the requirements for location in another zone, no person shall park or occupy any travel trailer or mobile or manufactured home on any premises which are situated outside an approved mobile or manufactured home park. Notwithstanding the foregoing, the parking of only one unoccupied mobile home or other recreational vehicle 35 feet or less in length in an accessory private garage building, or in any rear yard at any time of the year, or on any hard surfaced driveway in the front yard or alongside a residence from April 1st to October 30th shall be permitted provided the following conditions are met:

1. The unit is not placed within the minimum side yard setback;
2. The unit is not parked closer than five feet from any inside street sidewalk line;
3. The unit is not placed directly in front of the living portion of any dwelling; and
4. No living quarters shall be maintained or business practiced in said trailer while such trailer is so parked or stored. Temporary business usage of mobile or manufactured homes for a period not to exceed one year, however, may be permitted in proper zones after approval by the Director of Building Inspection.

(c) Emergency or temporary stopping or parking is permitted on any street, alley or highway for not longer than one hour subject to any other further prohibitions, regulations, or limitations imposed by the traffic and parking regulations or ordinances for that street, alley or highway.

(d) Mobile or manufactured home parks shall not include any unit sales lot or have any unoccupied home units parked in spaces for purposes of inspection and sale, except as provided for in subsection (8)(a)(17) of this section. Tenant-owned mobile or manufactured homes in place on a lot with all utilities connected for operation may be sold from the premises.

(8) Mobile Home Park Plan.

(a) The mobile or manufactured home park shall conform to the following requirements:

1. The park shall be located on a site having a minimum of 10 acres of land. All internal and external public roadways with required sanitary and water mains and laterals shall be installed initially. All improvements to the mobile or manufactured home spaces in conformance with the following provisions shall be made in modules containing no less than 10 spaces at a time and shall be inspected by the Director of Building Inspection prior to the issuance of an occupancy permit;
2. The park shall be located on a well-drained site, properly graded to ensure drainage and free from stagnant pools of water;

3. Each park shall provide mobile or manufactured home spaces and each space shall be clearly defined or delineated by markers or other suitable means. Each space shall have an area of not less than 4,500 square feet and a width of not less than 45 feet; provided, however, that mobile or manufactured home parks which, at the time of the adoption of the ordinance codified in this section, existed lawfully with mobile or manufactured home spaces that do not comply with foregoing minimum regulations may continue to operate. However, any further expansions or alterations to the existing park shall conform to all requirements and regulations of this section;
4. The basic unit shall be so located on a site that there is at least a 10-foot side yard clearance from other basic units and a 10-foot rear yard clearance between basic units. The 10-foot clearance requirement applies to all four sides of the basic unit, that is, to both of the side yards and both of the rear yards. The clearance requirements shall be exclusive of a parking area. No basic unit may be located closer than 10 feet to any building such as a pump house, the office building for the park, a laundry building or a recreational building, except a garage belonging to the site. No mobile or manufactured home shall be located closer than 25 feet to any property line in the park;
5. All mobile or manufactured home spaces shall abut on a roadway of not less than 25 feet in width, which shall be unobstructed access to a public street or highway;
6. All roadways within the park shall be asphalt or concrete hard surfaced and lighted at night with electric lamps of not less than 100 watts each, spaced at intervals of not more than 220 feet;
7. A planting buffer with a minimum width of 15 feet shall be provided between all mobile or manufactured home lots and the public street lines or abutting property ownerships. Where the adjoining land use is an arterial street or a nonresidential land use, protection shall be provided by walls, solid fence, or louvered fencing, not open fencing, with appropriate planting;
8. Sufficient off-street parking for visitors and service vehicles shall be provided as determined by the City Plan Commission;
9. No parking of automobiles will be permitted on the minimum width roadways within the park;
10. Each mobile or manufactured home lot shall be provided with two off-street parking stalls hard surfaced (minimum of 400 square feet) to meet the grade of the service roadways;
11. Each mobile or manufactured home space shall be provided with an asphalt or concrete pad, concrete footings or the equivalent, complete with approved tie-downs, which shall be connected when the mobile or manufactured home unit is placed upon the lot and shall remain connected until the mobile or manufactured home unit is removed from the lot, as determined by the Director of Building Inspection, to provide for solid footing of the mobile home unit;
12. Each mobile or manufactured home unit shall be skirted in a uniform manner throughout the park. The skirt shall be maintained in good condition;
13. A recreational area or areas equal to eight percent of the gross area of the park shall be provided with minimum dimensions of not less than 100 feet;
14. Each park may provide service buildings to house such toilet, bathing, and other sanitation facilities as are hereinafter more particularly described;
15. An electrical outlet supplying at least 115/230 volts, 100 amperes, shall be provided for each mobile or manufactured home space;
16. All other details and conditions imposed by the City Plan Commission in the process of approving the mobile or manufactured home park as a conditional use; and
17. A maximum of 10 percent of the total number of spaces having access on approved streets, with sanitary and water mains installed, may be used for the display of model homes provided:

A. That the model homes be located throughout the park with no more than two homes adjacent to each other; and

B. That no advertising media or device be used in the park other than one temporary sign not exceeding two square feet in area for each model home.

~~(9) Water Supply. See Wis. Admin. Code HSS 177.~~

~~(10) Sanitation Facilities. See Wis. Admin. Code HSS 177.~~

~~(11) Service Buildings. See Wis. Admin. Code HSS 177.~~

~~(12) Sewage and Refuse Disposal. See Wis. Admin. Code HSS 177.~~

~~(13) Garbage Receptacles. See Wis. Admin. Code HSS 177.~~

(9) (44) Fire Protection.

(a) Every park shall be equipped with fire hydrants so located within the park as to satisfy all applicable regulations of the Fire Department.

(b) Every mobile or manufactured home unit shall be equipped at all times with a 10-pound all purpose dry chemical fire extinguisher of good condition and said extinguisher shall be mounted near the exit door adjacent to the sleeping area. It shall be the responsibility of each mobile or manufactured home owner to own and keep said extinguisher as described herein.

~~(15) Management and Supervision. See Wis. Admin. Code HSS 177.~~

(10) (16) Monthly Parking Fee.

(a) There is hereby imposed on each owner of a nonexempt, occupied mobile or manufactured home in the City of Manitowoc a monthly parking fee determined in accordance with Wis. Stat. § [66.0435](#)(3) which is hereby adopted by reference and made part of this section as if fully set forth herein. It shall be the full and complete responsibility of the licensee to collect the proper amount from each mobile or manufactured home owner. Said licensee shall be liable to the City for any default in payment of the monthly parking permit fee by the mobile or manufactured home owner. Licensees of mobile or manufactured home parks and owners of occupied mobile or manufactured homes located on land outside a mobile or manufactured home park existing at the time of annexation to the City of Manitowoc shall pay to the City Treasurer such parking permit fees on or before the tenth of the month following the month for which such fees are due in accordance with the terms of this section and such regulations as the Treasurer may reasonably promulgate.

(b) Licensees of mobile or manufactured home parks and owners of land on which are parked any occupied, nonexempt mobile or manufactured homes shall furnish information to the City Clerk and City Assessor on such homes added to their park or land within five days after arrival of such home on forms furnished by the City Clerk in accordance with Wis. Stat. §§ [66.0435](#)(3)(c) and (e).

(11) (17) Revocation of License. The Common Council of the City of Manitowoc is hereby authorized to revoke any license or permit issued pursuant to the terms of this section in accordance with Wis. Stat. § [66.0435](#).

(12) (18) Separability and Conflict. Severability.

~~(a) Should any subsection, sentence, clause, phrase or portion of this section be declared invalid, such decision shall not affect the validity of the remaining portions of this section.~~

~~(b) All ordinances or parts of ordinances inconsistent with or contrary hereto are hereby repealed, except nothing in this section shall be so interpreted so as to conflict with State Statutes regulating mobile or manufactured home parks or any of the requirements of any ordinances of the City of Manitowoc not mentioned or made inapplicable by the express terms of this section.~~ The provisions of this section are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this section or the application thereof to any person,

establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or applications of this section.

Section 2. This ordinance shall take effect the day after publication.

INTRODUCED _____ ADOPTED _____ APPROVED _____

Justin M. Nickels, Mayor

Fiscal Impact: \$0
Funding Source: n/a
Finance Director Approval:
Approved as to form:

This resolution was drafted by Elizabeth Majerus, Assistant City Attorney

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