

**Town of Perry
Dane County, WI**

Mobile Home Ordinance

1.01 PURPOSE

The purpose of this Ordinance is to regulate mobile homes within the Town of Perry to assure that the type, location, and installation of the mobile home protects the health and safety of Town residents, preserves agricultural land, and is designed to enforce the goals and policies set forth in the Town of Perry Land Use Plan.

1.02 JURISDICTION

Jurisdiction of these regulations shall include all mobile homes on land within the Town of Perry.

1.03 AUTHORITY

- (1) Mobile Homes in a Mobile Home Park. For purposes of this Ordinance, the Town Board of the Town of Perry will follow all rules, regulations, procedures, and interpretation of sec. 66.058 of the Wisconsin Statutes in responding to a request to establish a “Mobile Home Park”.
- (2) Mobile Homes Outside a Mobile Home Park. These regulations are adopted under the statutory authority granted pursuant to sec. 101.65, 101.651, 101.76 and 101.761 and by its adoption of village powers under sec. 60.10(2)(c), 60.22(3), and 61.34(1) of the Wisconsin Statutes.

1.04 DEFINITIONS

- (1) Mobile Home Park. Pursuant to sec. 66.058 of the Wisconsin Statutes, a “Mobile Home Park” means any plot or plots of ground upon which two or more units, occupied for dwelling or sleeping purposes, are located, regardless of whether or not a charge is made for such accommodations.
- (2) Mobile Home. “Mobile Home” is any structure that is, or was originally constructed and designed to be transported by any motor vehicle upon a public highway and designed, equipped, and used primarily for sleeping 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% of the assessable value of the house trailer.
- (3) Touring or Recreational Type Mobile Homes. Touring or recreational type mobile homes shall be registered with the Department of Transportation in a similar manner as prescribed for motor vehicles according to fees established in sec. 341.25(1)(i) of the Wisconsin Statutes.

- (4) Town Board. The Town of Perry Board of Supervisors.
- (5) Town Clerk. Clerk of the Town of Perry.
- (6) Installation. The process of preparing the mobile home site and placing the mobile home on the site.

1.05 APPLICATION REQUIREMENTS AND PROCEDURES

- (1) Who must apply. No mobile home shall be parked or stationed in any place within the limits of the Town of Perry except in a licensed mobile home park, without first obtaining a Mobile Home Permit from the Town Board.
- (2) Application Forms. The Town Board shall approve a form for applications for Mobile Home Permits. These are available from the Town Clerk.
- (3) To Apply. Submit a completed Mobile Home Permit Application with the appropriate fee to the Town Clerk.
- (4) Application Review. Procedures for the evaluation of the Mobile Home Permit Application by the Town Board are described in the Town's Applications Guide, a copy of which is available from the Town Clerk.
- (5) Supporting Documents. If the Mobile Home Permit Application is approved, the following documents, if required, must be submitted to the Town Clerk before a Mobile Home Permit will be issued. These documents are described in the Town's Applications Guide, a copy of which is available from the Town Clerk.
 - (a) Land Division Approval (if this property was divided from a larger one.)
 - (b) Site Plan Approval.
 - (c) County Erosion Control Plan (for the mobile home site if needed).
 - (d) Completed Driveway Inspection Report (if driveway is needed).
 - (e) County Zoning Permit (if required).
 - (f) County Sanitary Permit.
- (6) Permit Period.
 - (a) For permanent installations, the Mobile Home Permit shall be effective as long as the mobile home remains at its original site. If the original mobile home is removed for any reason, the permit shall expire and a new Mobile Home Permit is required.
 - (b) For replacement installations. If the original mobile home is to be replaced by another mobile home, the original permit shall expire and a new Mobile Home Permit is required.
 - (c) For temporary installations, the Mobile Home Permit shall be effective for a period to be determined by the Town Board. After this period, the permit shall expire unless renewed.

- (7) Renewal. The permit for temporary installations may be renewed at the discretion of the Town Board for 1 additional period. After this period, the permit shall expire and can only be renewed if a new application is submitted and approved.
- (8) Revocation of Permit. All Mobile Home Permits are issued conditionally. After notice and a hearing, the Town Board may revoke a Mobile Home Permit previously issued in the event the applicant fails to maintain compliance with the conditions listed in sec. 1.06 of this Ordinance. The Mobile Home Permit is not transferable from one person to another or from one place to another.
- (9) Application Fee. An application fee of an amount determined by a resolution of the Town Board will be charged. This fee is specified in the “Application Fee Schedule” in the Applications Guide.

1.06 CONDITIONS

The Town Clerk shall issue or re-issue a Mobile Home Permit in the Town of Perry only if all of the following conditions are satisfied as determined in the discretion of the Town Board:

- (1) The installation will not interfere with or fail to comply with the goals, standards, and policies set forth in the Town of Perry Land Use Plan.
- (2) The applicant complies with all applicable county, state, and Town codes and ordinances.
- (3) The applicant agrees to install, provide, and maintain adequate, temporary sanitary facilities at the site during installation which are sufficient to prevent a public health hazard.
- (4) The applicant’s plans will prevent any public nuisance associated with noise, dust, odors, fires, explosions, water pollution, air pollution, and erosion.
- (5) The applicant will install and maintain adequate physical structures and/or operational controls to prevent trespassing, littering, and discharging of waste and to prevent nuisances on private and public lands adjacent to the mobile home site during installation.
- (6) The mobile home will be permanently affixed to the real estate and all electric, water, and septic connections will be made, so as to be integral part thereof within 30 days from the date of installation.
- (7) The mobile home will be connected to a sewage disposal system and will have a well.
- (8) The mobile home will be provided with compatible permanent skirting properly installed and maintained. The skirting shall be installed within 90 days of installation of the mobile home. A permanent foundation, wall, or basement may be erected to support any mobile home in lieu of the above requirement for skirting.

1.07 FEES OR TAXES

Any new Mobile Home parked in the Town of Perry will be taxed or a fee charged in the same manner and rate that is being used to tax or charge Mobile Homes parked in the Town prior to enactment of this Ordinance. If a new method or rate of taxing is adopted, all Mobile Homes will be taxed in the same manner.

1.08 EXEMPTIONS

- (1) Existing Mobile Homes. This Ordinance shall not effect any mobile home parked in the Town of Perry prior to the date of the adoption of this Ordinance providing that all health regulations in respect to water, septic disposal, and sanitation have been met.
- (2) Touring or Recreational Type Mobile Home. Touring or Recreational Type Mobile Homes that are not occupied for more than 14 days in a 12-month period shall be exempt.
- (3) Waiver. The Town Board may make other exemptions or waivers of the requirements of this Ordinance for temporary installations, if the Town Board deems they would impose an unnecessary hardship. Any request by an applicant for an exemption or a waiver must accompany the initial application and must state the reason for the request.

1.09 PENALTIES

Any person or entity who violates this Ordinance shall, upon conviction, pay a forfeiture of \$100.00 plus applicable surcharges and court costs per violation. Each day that the violation continues to exist shall constitute a separate offense. This Ordinance may be enforced by a civil action. A violation of this Ordinance is deemed a public nuisance and may be enjoined.

1.10 SEVERABILITY

The provisions of this Ordinance shall be deemed severable. It is expressly declared that the Town Board would have passed the other provisions of this Ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this Ordinance is held invalid, the remainder of the Ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

1.11 DISCLAIMER

The Town of Perry does not, by issuing a Mobile Home Permit, warranty or make assurance of any kind whatsoever, specifically as to whether the mobile home which is the subject of the permit is safe, suitable for its intended purpose, merchantable, or in compliance with any applicable codes or regulations.

1.12 EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after the day after passage and publication as required by law.

(1) Town Board Approval. This Ordinance was adopted by the Town Board on this 15th day of April, 1996. [**Signed Ordinance on file.**]

(2) Public Notice

(a) Public Review. A notice was published in the *Mt. Horeb Mail* newspaper on March 20, 1996 to inform residents that a final draft of this Mobile Home Ordinance was on file with the Town Clerk for a two week period (3/27/96 – 4/9/96) during which it was available for inspection.

(b) Posting. This Notice of Adoption of Ordinances relating to this Ordinance was posted April 17, 1996 at the following locations within the Township: 1. the Town Hall, 2. the Daleyville light pole, and 3. the Town Garage.

(c) Publication. A Notice of Adoption of Ordinances relating to this Ordinance was published in the *Mt. Horeb Mail* newspaper, the publication of record for the Town of Perry on April 24, 1996.