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CHAPTER 11

**MOBILE HOME PARKS, MOBILE HOMES,
MANUFACTURED HOMES
AND RECREATIONAL CAMPERS**

**11.01 PURPOSE, MOBILE HOMES,
MANUFACTURED HOMES AND PARKS**
[Revised 5/18/98]

An ordinance enforcing MINIMUM STANDARDS for mobile home parks to promote the public health, safety and welfare; establishing requirements for the design, construction, alteration, extension and maintenance of mobile home parks and related utilities and facilities; authorizing the issuance of permits for construction, alteration and extension of mobile home parks; authorizing the inspection of mobile home parks; regulating the location of mobile home; manufactured home and fixing penalties for violations.

11.02 STATUTES ADOPTED

The provisions of 1969 WI Statutes 66.058 are hereby adopted by reference, except as hereinafter amended.

11.03 DEFINITIONS

Whenever used in this ordinance, unless a different meaning appears from the context:

Licensee: Any person licensed to operate and maintain a mobile home park under this section.

Licensing authority: The Town Board of the Town of Menasha.

Park: A mobile home park.

Person: Any natural individual, firm, trust, partnership, association or corporation.

Mobile home: A vehicle manufactured or assembled prior to June 15, 1976, designed to be towed as a single unit or in sections on a highway by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, with walls of rigid uncollapsible construction; which has an overall length in excess of 45 feet. Within mobile home parks, "mobile home" includes a structure which has been certified and labeled as a manufactured home as defined under Section 11.03 (9) of this chapter.
[Revised 5/18/98]

Dependent mobile home: A mobile home which does not have complete bathroom facilities.

Nondependent mobile home: Mobile home equipped with complete bath and toilet facilities, all furniture, cooking, heating, appliances and complete year-round facilities.

Unit: A mobile home unit.

Manufactured home: A structure which has been certified and labeled as a manufactured home under 42 U.S.C. Section 5401-5426, or which has been certified and labeled as a manufactured home under Section 101.90-101.96, WI State Stats, and Chapter ILHR 27 of the Wisconsin Administrative Code, and: [Revised 5/18/98]

- (a) Is designed to be used as a dwelling, and
- (b) When placed on-site:
 - (1) Is off its wheels, and
 - (2) Is properly connected to utilities, and
 - (3) Is installed in accordance with the manufacturer's instructions or a plan certified by a registered architect or engineer so as to insure proper support for the home, and
 - (4) Has no tow bars or wheels attached to it.

No manufactured home which bears a label certifying approval under 42 U.S.C. Section 5401-5426 or which has been certified and labeled as a manufactured home under Section 101.90- 101.96, WI Stats., shall be required to comply with any building, plumbing, heating or electrical code or any construction standards other than those promulgated under those laws. In all other respects, manufactured homes are subject to the same standards as site built homes.

Recreational mobile home: Vehicular unit designed as a temporary living quarters for recreational, camping or travel use which is mounted or drawn by another vehicle.
[Revised 5/18/98]

**11.04 LICENSE FOR MOBILE HOME PARK:
APPLICATION AND ISSUANCE**

- (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 said person a mobile home park within the limits of the Town of Menasha, without having first obtained a license for each such mobile home park from the Town Board pursuant to this ordinance. Such license shall expire one year from the date of issuance, but may be renewed under the provisions of this ordinance for additional periods of one year. The licensing period for the issuance of any original license or renewal license shall be August 1st to July 30th of the following year. [Amended 9/27/93]
- (2) The application for each license or the renewal thereof shall be filed with the Town Clerk and shall be accompanied by an annual fee set forth in Appendix B Fee Schedule, reference this code section, and shall not collect more than \$100 for every 50 spaces, or any

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fraction thereof, together with a surety bond. This bond shall guarantee the collection by the licensee of the monthly parking permit fee provided for in Section 11.14 of this ordinance, and the payment of such fees to the Town Treasurer, the payment by the licensee of any fine or forfeiture, including legal costs, imposed upon or levied against said licensee for a violation of the ordinance of the said Town, pursuant to which said license is granted, 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 the provisions of this ordinance. *[Revised 10/19/99]*
[Amended 11/28/05]

- (3) The Town Treasurer, following approval of a transfer of license by the Town Board of the Town of Menasha, shall collect from the transferee a fee as set forth in Appendix B Fee Schedule, reference this code section, for the transfer of said license.
- (4) In addition, any mobile home park license fee and any mobile home parking permit fee not paid when due, creates a lien in favor of the Town of Menasha in the delinquent amount upon the real estate parcel where such mobile home park or mobile home is situated at the time when the liability for such fee was incurred, effective as of the first day of the month or year for which such fee is levied. The licensing authority shall provide that all such license or permit fees not paid when due shall be extended upon the tax roll as a delinquent tax against the parcel where such mobile home park or mobile home is or was situated at the time when liability for such fee was incurred, and all proceedings in relation to the collection, return and sale of property for delinquent real estate taxes shall apply to such delinquent license or permit fee.
- (5) The application of a license or a renewal shall be signed by the applicant and filed with the Clerk of the Town of Menasha. The application shall include 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 him/her to construct or maintain the mobile home park and to apply for the license), also the name and address of the applicant, and such a legal description of the premises upon which the mobile home park is to be located or is located, as will readily identify and definitely locate the premises. The application shall also contain a time schedule of the development of the mobile home park from the date of commencement to the date of completion of the mobile home park plan. The application shall be accompanied by two copies of the mobile home park plan showing the following either existing or as proposed:
 - (a) The size and utilization use for park purposes.
 - (b) Roadways and driveways.
 - (c) Location of units for mobile homes.

- (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 disposal.
 - (g) Plan for water supply.
 - (h) Plan for lighting of units and rubbish disposal.
 - (i) If the existing or proposed mobile home park is designed to serve nondependent mobile home units, such plans shall clearly set forth the location of all sewer and water pipes and connections.
- (6) The application (renewal or new) shall also be accompanied by evidence, in writing, that the mobile home park has obtained all licenses required pursuant to WI Stats. to be obtained from the State of Wisconsin for the purpose of operating a mobile home park. No license shall be issued by the Town Board until such time as all appropriate licensing of the State of Wisconsin has been obtained by the applicant.

**11.045 INSPECTION, ENFORCEMENT,
COMPLIANCE WITH REGULATION OF
ORDINANCE**

- (1) No mobile home park license shall be issued until the Town Clerk notifies the Town Board and the officials of the Town Board have inspected each application and the premises on which mobile homes will be located to insure compliance with the regulations, ordinances and laws applicable thereto. No license shall be renewed without a re-inspection of the premises. For the purpose of making inspections and securing enforcement, such officials or their authorized agents shall have the right and empowerment to enter any premise on which a mobile home is located, or about to be located, and to inspect the same and all accommodations connected therewith at any reasonable time.
- (2) The purpose of this regulation is to promote the health, safety, morals and general welfare of the citizens of the Town of Menasha and require full compliance of Chapter 11 in all respects as they now exist or are hereafter amended.

That the regulations of this ordinance have been in use and effect for at least a period of three years prior to September of 1978, and that the regulations regarding mobile home parks were in force in the Town of Menasha previous to that time.

That this regulation is passed with the knowledge that existing mobile home parks are not entirely in compliance with all the regulations of the said

ordinance.

That this regulation is designed for the purpose of requiring compliance from mobile home park operators without severe hardship of immediate continuation of certain existing uses.

- (3) That it shall be the responsibility of the Town Board or the Building Inspector for the Town of Menasha to examine on a regular basis and specifically at the time of licensing, all mobile home parks for the purpose of determining whether the said park is in compliance with the regulations of this ordinance.

In the event that a use that is not in conformity with Chapter 11 is found to be existing, the holder of the mobile home park shall be notified in writing by the Town of Menasha or by a specified official of the Town of Menasha that the said mobile home park does not comply with the regulations of the ordinance. That the person making the application shall see that the mobile home park complies in all respects before a license shall be issued.

- (4) That in the event the owner or person making application objects to compliance because of a claim or exemption because of a conditional or existing, or nonconforming use and desires to continue such use, then the application shall be made to the Town Board for extension of the use so long as permitted by this ordinance but not in excess of three years from the date of passage of this ordinance. That in the event any use of a mobile home park which is not in conformity with the regulations is discontinued during the license year, and the mobile home park owner or licensee already has notice of the violation, or is aware that the violation does not meet or comply with the regulations of this ordinance, then the said right to continue the nonconforming use is hereby extinguished and no mobile home park owner shall continue any use for which notice has been given and the use has been discontinued following such notice. That any nonconforming use not extinguished or discontinued during the regular course of business, as provided above, will be required to be brought into conformity with all of the rules and regulations of Chapter 11 immediately and prior to issuance of a license. That this rule shall apply unless extension is given by the Town Board for a period up to three years from the date of passage of this ordinance during which time use may continue. The use as required to be terminated by this ordinance and by the Town of Menasha shall in any event cease after three years from the date of passage of this ordinance whether or not notice has been given by the Town of Menasha. Any existing uses or nonconforming uses presently existing, which practices are not discontinued at the end of the three year period, shall be subject to penalty for violation of this ordinance at the end of the three year period should use extend beyond the three-year period. In no event, can the Town Board extend permission to continue a use beyond the three years in violation of this ordinance.

11.05 PLANS AND SPECIFICATIONS

- (1) Accompanying and to be filed with an original application for a mobile home park shall be plans and specifications which shall be in compliance with all county, city and town ordinances and provisions of the State Board of Health. The Clerk of the Town of Menasha, after approval of the application by the Town Board and upon completion of the work according to the plans, shall issue the license.
- (2) No mobile home or mobile home unit shall be located in any fire lane.

11.06 RECREATIONAL MOBILE HOMES

The parking of one unoccupied recreational mobile home 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 the mobile home which such mobile home is so parked or stored. (See Section 11.18).
[Revised 5/18/98]

11.07 MOBILE HOME PLAN

- (1) Every mobile home and every mobile home park shall be located in a well-drained area, and the premises shall be properly graded so as to prevent the accumulation of storm or other waters. No mobile home park shall be situated in any area that is located so that drainage from any barnyard, outdoor toilet or other source of pollution can be deposited in its location.
- (2) Spaces shall be clearly defined and shall consist of a minimum of 60 feet by 100 feet, with no more than four (4) spaces to an acre of land. The mobile home park shall be so arranged that all spaces shall face or abut on a driveway of not less than 20 feet in width, giving easy access from all units to a public street. Public streets and driveways in said plan shall be blacktopped or paved and maintained in good condition, having natural drainage, be well lighted at night, and shall be free of obstructions. The plan shall provide for landscaping and park facilities.
- (3) The mobile home park shall be so laid out that no dependent unit shall be located farther than 200 feet from the toilets and service buildings, provided for therein, and walkways to such buildings shall be blacktopped or paved and well lighted at night.
- (4) Every space shall be furnished with an electric service outlet. Such outlet shall be equipped with an externally operated switch or fuse of not less than 30 amperes capacity, and a heavy duty outlet receptacle. Electrical outlets shall be weatherproofed and no power lines shall be less than 15 feet aboveground.

- (5) No mobile home unit shall be parked in a mobile home park outside of a designated space.
- (6) No mobile home unit that is less than 12 feet wide and 50 feet long shall be parked in any mobile home park.

11.075 MOBILE HOME REPLACEMENT *[Adopted 12/5/88]*

- (1) The Town of Menasha shall allow the replacement of existing mobile home units on individual lots within the designated mobile home parks. The mobile home park shall have been in existence prior to the adoption of the Winnebago County Zoning Ordinance on February 9, 1979.
- (2) All existing mobile home units that are replaced shall be replaced by manufactured homes. The owner of the replacement manufactured home shall provide written proof to the Town of Menasha Building Inspector that the replacement is a manufactured home as defined under section 11.03 (9) of this chapter. *[Revised 5/18/98]*
- (3) Setback requirements shall be met within Winnebago County Zoning. *[Adopted 1/9/89]* If the replacement manufactured home has been repaired, the owner shall provide verification acceptable to the Town of Menasha Building Inspector that the repairs are in compliance with Federal Manufactured Housing Construction Standards. *[Amended 7/8/02]*
- (4) The placement of manufactured homes outside of mobile home parks shall be allowed with the following conditions: *[Adopted 5/18/98]*
 - (a) Is set upon an enclosed permanent foundation meeting the requirements of the State Uniform Dwelling Code upon land which is owned by the manufactured home owner, and
 - (b) Is off its wheels, and
 - (c) Is properly connected to utilities, and
 - (d) Is installed in accordance in with the manufacturer's instructions or a plan certified by a registered architect or engineer so as to insure proper support for the home, and
 - (e) Has no tow bars, wheel or axles attached to it.

11.076 ACCESSORY STRUCTURES

- (1) Accessory structures such as storage sheds, garages, and decks shall be allowed in the mobile home parks and on the individual lots. All setbacks for accessory structures shall be in compliance with the Winnebago County Zoning Ordinance as set forth in the R-2 "Suburban Residential District."
- (2) No accessory structure will be permitted on any lot without the placement of a mobile home unit on that lot.

11.08 AREA LIMITATION OF MOBILE HOME PARKS

For the protection and promotion of the public health, morals and welfare of the Town of Menasha and to provide for intelligent planning for the Town of Menasha, there is hereby imposed a limitation of not less than 20 acres for each mobile home park located in the Town of Menasha.

11.09 WATER SUPPLY

- (1) An adequate supply of pure water, furnished through a pipe distribution connected directly with the public water main, with supply faucets located not more than 200 feet from any dependent unit shall be furnished for drinking and domestic purposes in all mobile home parks. Where a public water system is not available, such water source shall be such as is approved by the State Board of Health.
- (2) Individual water service connections provided for direct use of an independent unit shall be so constructed, that they would not be damaged by the parking of such units. Such system shall be adequate to provide 20 pounds per square inch and capable of furnishing a minimum of 125 gallons per day per space.
- (3) No common drinking vessels shall be permitted, nor shall any drinking water faucets be placed in any toilet room.
- (4) Every mobile home park serving dependent units shall provide an abundant supply of hot water at all reasonable hours for bathing, washing, and laundry facilities.

11.10 SERVICE BUILDING AND ACCOMMODATIONS

- (1) Every mobile home park 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 ordinance. Such buildings to be known as service buildings, shall be located not more than 200 feet from any dependent unit space, not closer than 15 feet from any unit space. Such buildings shall be of permanent construction and adequately lighted, screened and ventilated.
- (2) There shall be provided separate toilet rooms for each sex. Water flush toilets shall be required. Toilets shall be provided for each sex in the ratio of one toilet for each eight dependent units or fraction thereof, and shall have separate compartments. Every male toilet room shall also contain one urinal for each sixteen dependent units, but in no case shall any male toilet be without one urinal. Toilet rooms shall contain lavatories with running water in the ratio of one lavatory to every two or less water closets.
- (3) Separate bathing facilities for each sex shall be provided with one shower enclosed in a compartment at least four feet square, for each eight dependent units or fraction thereof. Each shower compartment shall be supplemented by an individual dressing compartment of at least twelve feet square.
- (4) Laundry facilities shall be provided at the ratio of one double tray unit and one conventional type washing machine, or one automatic washing machine, with electric outlet, for each 8 units. Sufficient drying facilities shall be available.
- (5) Slop sink 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 slop sink for each 16 dependent units.
- (6) The above accommodations shall be based upon the total mobile home park capacity according to the accepted plans.
- (7) Floors of toilets, showers and laundry shall be of concrete, tile or similar material impervious to water and easily cleaned and pitched to a floor drain.

11.11 WASTE AND GARBAGE DISPOSAL

- (1) All liquid wastes from showers, toilets, laundries, faucets, lavatories, etc., shall be discharged into a sewer extended from and connected with the public sewer system.
- (2) 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.

- (3) All sanitary facilities in any unit which are not connected with a public sewer system by approved pipe connections shall be sealed and their use is hereby declared unlawful.
- (4) Each faucet shall be equipped with facilities for drainage of waste and excess water.
- (5) Every unit shall be provided with a substantial fly-tight, water-tight metal garbage depository from which contents shall be removed and disposed of in a sanitary manner by the mobile home park custodian at least twice weekly between May 1 and October 15 and otherwise weekly.

11.12 LIMITATIONS ON LENGTH OF STAY AND NUMBER OF OCCUPANTS

- (1) It shall be unlawful for any person to occupy any mobile home within the Town of Menasha for permanent occupancy unless such mobile home is located in a mobile home park licensed under this ordinance.
- (2) The Town Board may, in its discretion, and by a uniform rule, limit the number of occupants in any mobile home occupying a space in a licensed mobile home park, for reasons of health and public welfare.

11.13 MANAGEMENT

- (1) In every mobile home park there shall be an on-site manager in residence of the mobile home park for the assistance, safety and well being of the park residents. The on-site manager shall be available to the mobile park residents on a daily basis with reasonable hours. If for some reason the on-site manager cannot be available on a daily basis, she/he shall ensure a fill-in be available for the park residents.

A copy of the park license and this ordinance shall be posted, and the park register shall be kept in the on-site manager's office or residence at all times.

- (2) It is hereby made the duty of the attendant or person in charge, together with the licensee, to:

- (a) Keep a register of all guests, to be open at all times to inspect by State and Federal officers and by the Town Board, which shall show for all guests:
 1. Name and address.
 2. Number of children of school age.
 3. State of legal residence.
 4. Dates of entrance and departure.
 5. License number of all mobile homes and

- towing or other vehicles.
- 6. States issuing such license.
- 7. Purpose of stay in park.
- 8. Place of last location and length of stay.
- 9. Place of employment of each occupant.

- (b) Provide, attach, and maintain numerals on each mobile home space in the mobile home park for the purpose of identifying said mobile home for tax purposes, and for such other purposes as the Town of Menasha may require.
 - (c) Maintain the park in a clean, orderly and sanitary condition at all times.
 - (d) Insure that the provisions of this ordinance are complied with and enforced and reported promptly to the proper authorities any violations of law which may come to his attention.
 - (e) Report to the Health Officer all cases of persons or animals affected or suspected of being affected with any communicable disease.
 - (f) Maintain in convenient places, approved by the Town Fire Dept., hand fire extinguishers in the ratio of one to each eight units.
 - (g) Collect the monthly parking permit fee as provided in Section 11.14 of this ordinance. A book of account shall be kept current showing the names of the persons paying said service charges and the amount paid, which monies are the property of the Town of Menasha.
- (3) Prohibit the lighting of open fires on the premises.

11.14 MONTHLY PARKING FEE

- (1) Effective May 1, 1970, there is hereby imposed on each owner of a nonexempt occupied mobile home in the Town of Menasha a monthly parking permit fee determined in accordance with 1999 WI Stats. 66.0435(3)(c)1.d., which is hereby adopted by reference and made a part of this ordinance as if fully set forth herein, except as amended by this ordinance. It shall be the full and complete responsibility of the licensee to collect the proper amount from each mobile home owner. Said fee shall be paid to the Town Treasurer on or before the tenth day of the month following the month for which such fees are due, in accordance with the terms of this ordinance, and such regulations as the Town Treasurer shall reasonably promulgate. *[Amended 5/22/06]*
- (2) Licensees of mobile home parks and owners of land on which are parked any occupied nonexempt mobile homes shall furnish information to the Town Clerk and Town Assessor on such homes added to their park or land within five days after arrival of such homes on forms furnished by the Town Clerk in accordance with 1999 WI Stats. 66.0435(3)(c)1.d.

11.15 APPLICABILITY OF PLUMBING, ELECTRICAL AND BUILDING ORDINANCES

All plumbing, electrical, building and other work done on or at any park licensed under this ordinance shall be in accordance with the ordinances of the Town of Menasha, and the requirements of the State plumbing, electrical and building codes and the regulations of the State Board of Health. Licenses and permits granted under this ordinance grant no right to erect or repair any structure, to do any plumbing work or to do any electrical work.

11.16 REVOCATION OR SUSPENSION

The Town Board is hereby authorized to revoke or suspend any license or permit issued pursuant to the terms of this ordinance.

11.17 PENALTIES FOR VIOLATION OF MOBILE HOME ORDINANCE

Any person violating any provision of this ordinance, Sections 11.01 to 11.17, shall, upon conviction, forfeit an amount set forth in Appendix C Fines and Penalties, reference this code section, plus the costs of prosecution, and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until payment of such forfeiture and costs of prosecution, but not exceeding thirty days for each violation. Each day of violation shall constitute a separate offense.

11.18 DEFINITIONS: RECREATIONAL CAMPER

Camper: A mobile living unit designed for recreational living which is either (1); mounted upon and/or conveyed by a motor driven vehicle, or (2); contained within and a part of a motor vehicle.

Camper Parking Site: A site designed for the purpose of allowing owners and/or users of campers the privilege to temporarily park campers.

11.19 RESTRICTED PARKING

No person shall park and occupy a camper in the Town of Menasha, other than a camper parking site duly permitted by the Town Board of the Town of Menasha.

11.20 PARKING TIME LIMIT

No camper shall be parked and occupied in a camper parking site for a period exceeding seventy-two (72) hours.

11.21 PERMIT REQUIRED

No person, partnership or corporation shall operate and maintain a camper parking site without first obtaining a permit from the Town Board of the Town of Menasha. Following application for this permit, and upon due proof of compliance with all laws of the State of Wisconsin having been submitted to the Town Board, the Town Board may approve the application, and upon approval the Town Clerk shall issue the permit, upon payment of an annual permit fee set forth in the Appendix B Fee Schedule, reference this code section.

11.22 PENALTIES, RECREATIONAL CAMPERS

Any person who violates any portion of this ordinance, or any permittee who allows violation of Section 11.04 of this ordinance shall, upon conviction thereof, forfeit an amount set forth in Appendix C Fines and Penalties, reference this code section, together with costs of prosecution, and in default of payment of such forfeiture and costs of prosecution, shall be imprisoned in the County Jail until said forfeitures and costs are paid, but not exceeding ten (10) days.