

TOWN OF SARATOGA
MOBILE HOME/MANUFACTURED HOME ORDINANCE

Table of Contents

- SECTION 1. DEFINITIONS
- SECTION 2. LICENSE AND REVOLCATION OR SUSPENSION THEREOF
- SECTION 3. APPLICATION, RENEWAL AND TRANSFER OF LICENSE
- SECTION 4. LICENSE AND MONTHLY MOBILE HOME/MANUFACTURED HOME FEE:
REVIEW
- SECTION 5. LOCATION OF MOBILE HOME/MANUFACTURED HOME PARKS
- SECTION 6. MOBILE HOME/MANUFACTURED HOME PARK PLAN
- SECTION 7. LOCATION OUTSIDE PARK
- SECTION 8. PARKING OF MOBILE HOMES OUTSIDE OF A MOBILE
HOME/MANUFACTURED HOME PARK FOR OCCUPANCY
- SECTION 9. SERVICE BUILDING IF INCLUDED IN PARK PLAN
- SECTION 10. FIRE PROTECTION
- SECTION 11. ANIMALS AND PETS
- SECTION 12. SANITARY REGULATIONS
- SECTION 13. MANAGEMENT
- SECTION 14. POSTING OF LICENSE AND PERMIT
- SECTION 15. SEPARABILITY OF PROVISIONS
- SECTION 16. PENALTY
- SECTION 17. REVOCATION OF PREVIOUS ORDINANCES
- SECTION 18. EFFECTIVE DATE

SECTION 1. Definitions as used in this ordinance:

- A. LICENSEE means any person licensed to operate and maintain a mobile / Manufactured home park under this ordinance.
- B. LICENSING AUTHORITY means the Town Board of the Town of Saratoga.
- C. PERSON shall be construed to include an individual, partnership, firm, company, corporation, or association, whether tenant, owner, lessee or other agent, heir or assign.
- D. UNIT means one Mobile housing unit, which shall include Mobile Homes and Manufactured Homes used for dwelling purposes.
 - 1. Mobile housing units moved into the Town of Saratoga or from one location in the Town to another location within the Town, after adoption of this ordinance, must meet all HUD standards and be less than 10 years of age at the time of installation.
AMENDMENTS 89-2-6, 89-8-21 & 89-9-5
- E. PARK: MOBILE HOME PARK / MANUFACTURED HOME PARK, OR MOBILE HOUSING DEVELOPMENT means any park, court, site, lot, parcel, or tract of land designed, maintained, intended, or used for the purpose of supplying a location or accommodations for two or more mobile, manufactured homes and shall include all facilities used or intended for use as part of the equipment thereof. "Mobile / Manufactured Home Park" shall **not** include automobile or mobile home manufactured home sales lots on which unoccupied mobile (manufactured) homes are parked for purposes of inspection and sales.
- F. MOBILE / MANUFACTURED HOUSING SUBDIVISION means a plot of ground that is licensed for mobile home / manufactured home placement and sites are sold instead of rented.
- G. MOBILE HOME / MANUFACTURED HOME means a housing unit designed to be towed in single or multi-sections, upon a highway by a motor vehicle and equipped and used primarily for human habitation, with walls of rigid non-collapsible construction, and includes any additions, attachments, annexes, foundations, and appurtenances. Mobile Home was built before 6/15/1976. Reference to statutory size of a mobile home shall prevail as provided in Section 348, Wisconsin Statutes. Manufactured Home was built after 6/15/1976 to HUD standards.
- H. SITE means a plot of ground designed for the placement of one mobile housing unit in which such space shall not be less than 3,200 square feet of space.
- I. PAD means a concrete slab or its equivalent as determined by the licensing authority and constructed on the mobile home site for the purpose of accommodating water and sanitary connections for a mobile home / manufactured home.
- J. NON-DEPENDENT MOBILE (MANUFACTURED)HOME means a housing unit that is completely equipped with both shower or bath and toilet facilities. Such units are dependent on sewer, water and electrical services at the site.
- K. ACCESSORY BUILDING means all structures constructed upon a mobile home site and used in conjunction with a mobile home. In no case shall a mobile home and its accessory structures occupy more than 25 percent of a site.
- L. CLERK means the Town Clerk of the Town of Saratoga.

SECTION 2. LICENSE AND REVOCATION OR SUSPENSION THEREOF

- A. It shall be unlawful for any person to maintain or operate within the limits of the Town of Saratoga any mobile home / manufactured home park unless such person shall first obtain from the licensing authority a license therefor. All such parks in existence on the effective date of this ordinance shall within 90 days thereafter, obtain such license, and in all other respects comply fully with the requirements of this ordinance except that the licensing authority shall upon application of a park operator, waive such requirements that require prohibitive reconstruction costs if such waiver does not affect sanitation requirements of the Town of Saratoga or create or permit to continue any hazard to the welfare and health of the community and the occupants of the park.
- B. In order to protect and promote the public health, morals, and welfare and to equitably defray the cost of municipal and educational services required by persons and families using or occupying mobile homes, manufactured homes or mobile home / manufactured home park for living, dwelling or sleeping purposes, the Town Board of the Town of Saratoga herein establishes and may enforce by this ordinance reasonable standards and regulations for every manufactured home and every mobile home and mobile / manufactured home park; require an annual license fee to operate the same and levy and collect special assessments to defray the cost of municipal and educational services furnished to such a mobile / manufactured home park. The Town Board may limit the number of licenses for mobile/ manufactured home parks in any common school district, if the mobile / manufactured housing development would cause the school costs to increase above the state average or if an exceedingly difficult or impossible situation exists with regard to providing adequate and proper sewage disposal in the particular area. The power conferred on the Town of Saratoga by this ordinance is in addition to all other grants and shall be deemed limited only by the express language of this ordinance.
- C. If the Town Board of the Town of Saratoga adopts an ordinance regulating mobile homes under the provision of Section 66.0435, Wisconsin Statutes, the provisions of the ordinance which is most restrictive shall apply with respect to the establishment and operation of any mobile / manufactured home park in the Town of Saratoga.
- D. Any license granted under the provisions of the ordinance shall be subject to revocation or suspension for cause by the licensing authority upon complaint filed with the Clerk of the Town of Saratoga signed by any law enforcement officer of health officer after a public hearing upon such complaints, provided that the holder of such license shall be given 10 days' notice in writing of such hearing, and shall be entitled to appear and be heard as to why such license shall not be revoked. Any holder of a license which is revoked or suspended by the licensing authority may within 20 days of the date of such revocation or suspension appeal therefrom to the circuit court of Wood County by filing a written notice of appeal with the Clerk of the Town of Saratoga together with a bond executed to the Town of Saratoga, in the sum of \$500 with two sureties or a bonding company approved by the said clerk, conditioned for the faithful prosecution of such appeal and payment of costs adjudged against him.

SECTION 3. APPLICATION, RENEWAL AND TRANSFER OF LICENSE

- A. The application for a license or a renewal thereof shall be made on forms furnished by the Clerk and 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 the person that the applicant is authorized by him to construct and/or maintain the mobile / manufactured home park and make the application), and such legal description of the premises upon which the mobile / manufactured home park is or will be located as well readily identify and definitely locate the premises. The initial application for any existing, new, or revised mobile / manufactured home park shall be accompanied by five copies of the park plan showing the following, either existing or as proposed:
 - 1. The extent and area for park purposes,
 - 2. Roadways and driveways,
 - 3. Location and designation of dependent and independent mobile / manufactured home spaces,
 - 4. Location of service building indicating the number of sanitary conveniences including toilets, washrooms, laundries, and utility rooms to be used by occupants of the mobile / manufactured housing development harboring only non-dependent mobile / manufactured homes shall not be required to provide a service building.
 - 5. Complete layout of storm, sanitary and water systems for service building and spaces.
 - 6. Method and plan of garbage removal.
 - 7. Plan for electrical lighting of spaces.
- B. In no case shall a license be issued for a mobile / manufactured home park where private sanitary facilities are not available.
- C. Upon application by any licensee and after approval by the licensing authority and upon payment of the annual license fee, the Clerk shall issue a certificate renewing the license for another year, unless sooner revoked. The application for renewal shall be in writing, signed by the applicant on forms furnished by the Town of Saratoga.
- D. Upon application for the transfer of license, the clerk, after approval of the application by the licensing authority, shall issue a transfer upon payment of the required fee (see Saratoga Fee Schedule)

SECTION 4. LICENSE AND MONTHLY MOBILE / MANUFACTURED HOME FEE: REVIEW

- A. The annual license fee shall be per Saratoga Fee Schedule for each 50 spaces or fraction thereof within each mobile / manufactured home park within its limits, except that where the park lies in more than one municipality the amount of the license fee shall be such fraction thereof as the number of spaces in the park located in the Town of Saratoga bears to the entire number of spaces in the park; all licenses shall expire on June 30 of each year, and the license fee for any new license applied for after July 1 shall be prorated according to the months left in the license year.
- B. The licensing authority shall collect a fee as noted in the Saratoga Fee Schedule for each transfer of license.

C. In addition to the license fee provided in Pars. (a) and (b), The Town Board of the Town of Saratoga shall collect from each mobile / manufactured home occupying space or lots in the mobile / manufactured home park in the Town of Saratoga a monthly parking permit fee computed as follows:

1. On January 1 the assessor shall determine the total fair market value of each mobile / manufactured home in the taxation district subject to the monthly parking permit fee. The fair market value, minus the tax-exempt household furnishings thus established, shall be equated to the general level of assessment for the prior year on the other real and personal property in the district. The value of each mobile / manufactured home thus determined shall be multiplied by the general property gross tax rate less by credit rate under s. 79.10 established on the proceeding year's assessment of general property. The total annual parking permit fee thus computed shall be divided by 12 and shall represent the monthly mobile / manufactured home parking permit fee.

The fee shall be applicable to mobile / manufactured homes moving into the Town of Saratoga during any time of the year. The park operator shall furnish information to the clerk and local assessor on mobile / manufactured homes added to the park within 5 days after their arrival, on forms prescribed by the Department of Revenue. As soon as the assessor receives the notice of an addition of a mobile / manufactured home to a park, the assessor shall determine its fair market value and notify the clerk of that determination. The Clerk shall equate the fair market value established by the assessor and shall apply the appropriate tax rate, divide the annual parking permit fee thus determined by 12 and notify the mobile / manufactured homeowner of the monthly fee to be collected from the mobile / manufactured home owner of the monthly fee to be collected from the mobile / manufactured home owner. The liability for payment of the fee shall be in on the first day of the next succeeding month and shall remain on the mobile / manufactured home only for such months as the mobile / manufactured home remains in the Town of Saratoga. A new fee and a new valuation shall be established each January and shall continue for that calendar year. The valuation established shall be subject to review as are other values established under Chapter 70. Wisconsin Statutes. If the board of review reduces a valuation on which previous monthly payments have been made, the Town of Saratoga shall refund past excess fee payments. The monthly parking permit fee shall be paid by the mobile / manufactured homeowner to the mobile / manufactured home park licensee who in turn will pay the local taxing authority on or before the 10th of the month following the month for which such parking permit fee is due.

1. The licensee of a park shall be liable for the monthly parking permit fee for any mobile / manufactured home occupying space therein as well as the owner and occupant thereof.

D. This section shall not apply where a mobile / manufactured home park is owned and operated by any county under the provisions of Section 59.07 Wisconsin Statutes.

E. Failure to timely pay the tax hereunder shall be treated in all respects like a default in payment of personal property tax and shall be subject to all procedures and penalties applicable thereto under Chapters 70 and 74, Wisconsin Statutes.

- F. The Town of Saratoga shall retain 10% of the monthly parking permit fees collected in each month to cover the cost of administration and shall pay to the school district in which the park is located, within 20 days after the end of each month, such proportion of the remainder of the fees collected in the preceding month as the ratio of the most recent property tax levy for school purposes bears to the total tax levy for all purposes in the Town of Saratoga. If the mobile / manufactured park is located in more than one school district, each district shall receive a share in the proportion that is property tax levy for school purposes bears to the total school tax levy.
 - 1. Mobile / manufactured home park owners may deduct for administrative expenses, 2% of the monthly fees collected.

SECTION 5. LOCATION OF MOBILE / MANUFACTURED HOME PARKS

- A. An application for the construction of a mobile / manufactured home park shall be considered only when its proposed location has direct access to a principal county, town, or state highway or arterial street or road.

SECTION 6. MOBILE / MANUFACTURED HOME PARK PLAN

- A. Accompanying, and to be filed with an original application for the mobile / manufactured home park, shall be plans and specifications which shall follow all applicable town and county ordinances and the provisions of the State Board of Health. The Clerk, after approval of the application by the licensing authority and upon completion of the work according to the plans, shall issue the license.
- B. The park shall be located on well-drained property, property graded to insure rapid drainage and free from stagnant pools of water.
- C. Water supply and sanitary sewers. Every mobile / manufactured home park shall have water supply and sanitary sewer systems that conform with the provisions of the Wood County Sanitary Ordinance and Wisconsin Dept. of Natural Resources. Special attention should be given to future proposed mobile / manufactured home parks so that the design for a private sanitary sewer system.
- D. Non-residential use. A mobile / manufactured unit shall not be utilized as an accessory building.
- E. Site Plan required: A PUD application and a site plan are required. To be submitted to Zoning Administrator and reviewed by Plan Commission. Followed by approval/denial of Town Board.
 - a. The name and address of all owners and developers of the proposed manufactured home park.
 - b. The legal description and lot size, in acres, of the proposed manufactured home park
 - c. The location and size of all manufactured home spaces, storage building areas, recreational areas, water areas, roadways sidewalks, parking sites. and any added facilities or buildings.
 - d. Detailed landscape plans and specifications.
 - e. Plans for all utilities (electrical, plumbing, gas, lighting, topography concerns, and stormwater control)
 - f. Location and size of all public roadways abutting the manufactured home park and all street accesses.
 - g. Preliminary floor plans of any permanent structures.
 - h. Description and method of disposing of garbage and refuse.

- i. Detailed description of proposed maintenance procedure and grounds supervision.
 - j. Such other reasonable information shall be required by the Zoning Administrator or Plan Commission.
 - k.
- F. Size. Mobile / manufactured home parks shall comply with the following requirements:
1. No permit shall be issued for the establishment of a new mobile / manufactured home park unless such park contains 20 acres of area, less any area used for highway purposes.
 2. The **average** individual mobile / manufactured home lot size shall not be less than 5,000 square feet in area, and no lot shall be smaller than 3,200 square feet in area.
 3. Each site shall be clearly defined or delineated. Each individual site shall be at least 44 feet in effective width. Effective width shall mean the distance between side lot lines, measured at the rear line of the required front yard. On diagonal lots, it shall be measured at right angles across the lot from one diagonal side line to the other.
 4. The park shall be arranged so that all sited shall face or abut on a roadway of not less than 30 feet in width, giving easy access from all sites to a public street. Such roadways shall be paved and maintained in good condition, having adequate storm water drainage, be well lighted, and shall not be obstructed.
 5. In no case shall a mobile / manufactured home and its accessory building occupy more than 25 percent of a space provided: however, those mobile / manufactured home parks, which at the time of the adoption of this ordinance existed lawfully with mobile / manufactured home sites that do not comply with any of the foregoing minimum area and width requirement, may continue to operate and may be excused from such compliances as required in Section 6(e)(2)(3) of this ordinance.
 6. All manufactured homes shall have skirts around the entire manufactured home made of plastic, fiberglass, or other comparable material approved by the Building Inspector and shall be of a permanent color or painted to match the appropriate manufactured home to enhance the general appearance thereof.
 7. All Mobile Homes / Manufactured Homes shall be clearly numbered /lettered to enable emergency services. Numbers or letters shall be on the unit closest to driveway in contrasting colors (to the building) at least 5" in height which are able to be seen at night.
 8. Electrical service to mobile / manufactured home spaces shall conform to regulations set forth in Article 550 Part III of the National Electrical Code incorporated herein by reference as though fully set forth.
 9. All driveways and walkways shall be improved or hard surfaced and lighted at night with sufficient lighting that compares with lighting in any residential area of the average city, town or village. Walkways shall have minimum width of 36 inches.
 10. An adequate supply of pure water for drinking and domestic purposes shall be supplied for all buildings and primary housing sites within the park. Each such site shall be provided with a cold-water tap, located to be accessible from the side of the unit.

11. There shall be constructed on each mobile / manufactured home space a concrete pad or its equivalent, as determined by the licensing authority, to be used for the accommodation of necessary water and sanitary connections required by Statute SPS 321.40 (Installation of Manufactured Homes).
 12. A service building / storm shelter of adequate size containing bathroom facilities and kitchen facilities to contain all occupants of MH Park during inclement weather.
- G. Yards and setbacks. The following minimum setback regulations shall apply:
1. No building, structure or unit shall be located closer than 50 feet to any property line of the mobile / manufactured home park, nor closer than 75 feet to any principal county, city, town, or state highway, arterial street, or roadway right-of-way.
 2. Mobile / manufactured home units shall be set back at least 15 feet from the pavement of streets or roadways within the park.
 3. No part of any mobile / manufactured home unit, or any addition or appurtenance thereof, shall be placed within 20 feet of any other mobile / manufactured home unit, addition, or appurtenance thereto, nor within 50 feet of any accessory or service building or structure.
 4. Each mobile / manufactured home site shall provide a front and rear yard setback of 10 feet and a side yard setback of 5 feet. The above setbacks shall be seeded and landscaped and in no case shall they be used for off street parking or be occupied by mobile / manufactured home and/or its accessory buildings except for the following:
 - a. Structures for utility outlets and garages serving more than one space may be located within the side or rear setback of the common lot line.
 - b. The hitch used for pulling the mobile / manufactured home may protrude into the front yard setback.
 - c. Storage buildings. Any storage building in a mobile/manufactured park shall be anchored.
 5. The mobile/manufactured park shall have a minimum lot width of 300 feet.
- H. Height. No building, structure or mobile / manufactured home located in a mobile / manufactured home park shall exceed two and one-half (2 ½) stories or 30 feet in height.
- I. Parking. There shall be at least one off-street parking space available to each individual mobile / manufactured home lot and located within 100 feet of such lot. In no case shall parking be allowed upon the street, nor shall off-street parking be allowed in the area designated as front yard setback as required in Section 6 (e) (4). However, the total number of parking spaces provided in each mobile / manufactured home park shall be equal to not less than one and one-third (1 1/3) times the maximum number of mobile / manufactured home units to be accommodated.
- J. Landscaping. Along each property line of a mobile / manufactured home park there shall be provided, within the 50-foot setback area (all sides), screen fencing or landscape planting which shall be so designed and/or planted as to be 50 percent or more opaque when viewed horizontally between 2 feet and 8 feet above average ground level.

SECTION 7. LOCATION OUTSIDE PARK

- A. It shall be unlawful, except as provided in this ordinance, for any person to park any mobile / manufactured home on any street, alley, highway, or town road, or other public place, or on any tract of land owned by any person within the Town of Saratoga.
- B. Emergency or temporary stopping or parking is permitted on any street, alley, highway or town road for not longer than one hour subject to any other and further prohibitions, regulations or limitations imposed by the traffic and parking regulations or ordinances for that street, alley, highway or town road.
- C. No person shall park or occupy any mobile / manufactured home, except under special permit as provided in Section 8 of this ordinance. Mobile / manufactured homes will not be allowed to be used as storage buildings or out-buildings in the Town of Saratoga.

SECTION 8. PERMIT FOR LOCATION OUTSIDE OF MOBILE / MANUFACTURED HOME PARK

- A. The Town of Saratoga will allow an existing Mobile / Manufactured Home to be replaced on a parcel outside of a park if all the following are true:
 - 1. No new parcel(s) is formed.
 - 2. If an existing mobile/manufactured home is being replaced, the replacement manufactured home shall be less than 10 years of age (at the time of replacement)
 - 3. If an existing mobile/manufactured home vacant for more than one (1) year the existing unit will need to be removed and the parcel will revert to the Zoning District requirements.
- B. Application for the permit shall be made to the Town clerk and shall be accompanied by an inspection fee (see Saratoga Fee Schedule) and shall state the name and permanent addresses of the occupants of the mobile / manufactured home.
- C. All provisions of this ordinance governing the location, use and sanitation of mobile / manufactured homes located in a licensed mobile / manufactured home park shall so far as they are applicable, apply to any mobile / manufactured home located outside of such mobile / manufactured home park.

SECTION 9. SERVICE BUILDING IF INCLUDED IN MOBILE / MANUFACTURED HOME PARK PLAN

- A. The service building for community use of permanent residents of said mobile / manufactured home park, the following will apply:
 - 1. Service buildings housing sanitation facilities shall be permanent structures complying with all applicable ordinances and statutes regulating buildings, electrical installations and plumbing and sanitation systems.
 - 2. The service buildings shall be well lighted at all times of the day and night, shall be constructed of such moisture-proof material which may be painted, woodwork as shall permit repeated cleaning and washing, and shall be maintained at a temperature of at least 68 degrees Fahrenheit during the period from October 1 to May 1. The floors of the service buildings shall be of water impervious material.

3. All service buildings in the grounds of the park shall be maintained in a clean, slightly condition and kept free of any condition and kept free of any condition that will menace the health of any occupant or the public or constitute a nuisance.
4. The Service building will be utilized and built as a storm shelter in case of inclement weather.
5. Minimal kitchen facilities shall be provided.

SECTION 10. FIRE PROTECTION

- A. Service buildings shall be equipped with fire extinguishers. Campfires are allowed 10' from any structure (or according to Park rules), open fires by DNR permitting only. No fire to be left unattended at any time.

SECTION 11. ANIMALS AND PETS

- A. No mobile / manufactured homeowner of person in charge of any dog, cat or other pet animal shall permit it to run at large or commit any nuisance.

SECTION 12. SANITARY REGULATIONS

- A. All mobile / manufactured home parks shall conform to the sanitation and health regulations of the Wood County Sanitary Ordinance and of the State Board of Health, together with revisions thereto incorporated herein by reference as though fully set forth.

SECTION 13. MANAGEMENT

- A. In every mobile / manufactured home park, there shall be located the office of the person in charge of said mobile / manufactured home park.
- B. It is the duty of the mobile / manufactured home park owner or operator, together with any attendants or persons in charge of a mobile / manufactured home park, to:
 1. Keep a register of all occupants of mobile / manufactured homes to be open at all times to inspection by federal state, and local officials.
 2. Maintain the mobile / manufactured home park in a clean, orderly, and sanitary condition at all times.
 3. Report presence of dogs or any other animals running loose in the park.
 4. Report to the local health officer all causes or persons or animals affected or suspected of being affected with any communicable disease.
 5. Post copies of their rules and regulations in one or more conspicuous place in the mobile / manufactured home park where they can be easily seen by the mobile / manufactured home park residents and visitors.

SECTION 14. POSTING OF LICENSE AND PERMIT

- A. The license certificate or special permit shall be conspicuously posted in the office of, or on the premises of, the mobile / manufactured home park at all times.

