

ORDINANCE NO. 2025-01

**VILLAGE OF YORKVILLE
COUNTY OF RACINE, STATE OF WISCONSIN**

**AN ORDINANCE TO AMEND ARTICLE VI OF CHAPTER 14 OF THE CODE OF
ORDINANCES OF THE VILLAGE OF YORKVILLE, COUNTY OF RACINE, STATE
OF WISCONSIN, RELATING TO MANUFACTURED HOMES, MOBILE HOMES, AND
MANUFACTURED AND MOBILE HOME COMMUNITIES**

The Village Board of the Village of Yorkville, County of Racine, State of Wisconsin, ordains as follows:

1. That Article VI of Chapter 14 of the Code of Ordinances of the Village of Yorkville, be, and hereby is, amended to read as follows on the attached "Exhibit A" incorporated herein by reference.
2. That this ordinance shall become effective upon adoption and publication as provided by law.

Adopted by the Village Board of the Village of Yorkville, County of Racine, State of Wisconsin, this 13th day of January, 2025.

VILLAGE OF YORKVILLE

Ayes: 5

By: /s/ Douglas Nelson
Douglas Nelson, President

Nays: 0

Attest: /s/ Janine Carls
Janine Carls, Clerk

Abstentions: 0

Absences: 0

EXHIBIT A

Article VI. Manufactured Homes, Mobile Homes, and Manufactured and Mobile Home Communities

Cross reference— Environment, ch. 22; land division, ch. 28; solid waste, ch. 34; streets, sidewalks and other public places, ch. 38; utilities, ch. 54.

State Law reference— Mobile homes, manufactured homes, and manufactured home communities, Wis. Stat. § 66.0435.

Division 1. Generally

Sec. 14-301. State statutes and definitions adopted.

For the purpose of this article, Wis. Stat. § 66.0435 and the definitions therein are adopted as and for the general law of the Village and are made applicable in the Village.

Sec. 14-302. Adoption of Wisconsin Administrative Code.

The provisions of Wis. Admin. Code ch. SPS 326. are hereby adopted by reference and the state department of safety and professional services shall have the power to grant variances thereto, which shall be in writing, subject to the approval and acceptance of the village. The village shall have the power to grant variances to portions of this article which are more restrictive than the provisions of Wis. Admin. Code ch. SPS 326., if such village variance complies with the requirements of the applicable provisions of Wis. Admin. Code ch. SPS 326., or a written variance to Wis. Admin. Code ch. SPS 326. 95 granted by the state department of safety and professional services.

Sec. 14-303. Scope.

The provisions of this article shall apply to the owner and operator, if other than the owner, of any mobile home manufactured home, or manufactured and mobile home community.

Sec. 14-304. Relief.

When strict adherence to these regulations is shown to be impractical by proof satisfactory to the licensing authority, the licensing authority may approve modifications as needed consistent with the intent hereof to safeguard public health, safety and welfare, subject to the provisions of section 14-353.

Sec. 14-305. Parking of manufactured homes.

- (a) It shall be unlawful for any person to park any manufactured home or mobile home on any street, alley, or highway or other public place within the limits of the village.
- (b) Emergency or temporary stopping or parking is permitted on any street, alley, or highway for not longer than one hour, subject to any further prohibitions,

regulations, or limitations imposed by the traffic and parking regulations or ordinances for that street, alley, or highway.

Secs. 14-306—14-320. Reserved.

Division 2. License

Sec. 14-321. Required; exemption.

No person shall maintain or operate, within the limits of the village, any manufactured and mobile home community unless such person first obtains from the village a license therefor. All such manufactured and mobile home communities in existence on August 9, 1953, shall, within 90 days, obtain such license and, in all other respects, shall comply fully with the requirements of this article, except that the licensing authority shall, upon application of a manufactured and mobile home community operator, waive such requirements that require prohibitive reconstruction costs if such waiver does not affect sanitation requirements of the village or create or permit to continue any hazard to the welfare and health of the community and occupants of the manufactured and mobile home community.

Sec. 14-322. Application for license.

Application for a license to operate a manufactured and mobile home community or annual renewal, accompanied by the state licensure and current inspection report thereof, shall be filed with the clerk on a form prescribed by the village board. Such application shall be in writing, signed by the applicant and shall contain the following information:

- (1) The name, address and age of the applicant.
- (2) The location and legal description of the manufactured home and mobile community.
- (3) The complete plan of the park, giving the address, exterior dimensions, maximum number of mobile homes to be accommodated therein, the actual or proposed sanitary facilities, the proposed drainage facilities, fire prevention system to be maintained and such other pertinent information as the village board may require.
- (4) Accompanying and to be filed with the original application for a mobile home park shall be plans and specifications which shall comply with all village ordinances and provisions of the state Department of Safety and Professional Services. The plans and specifications shall show the actual or proposed locations of all mobile homes and all other or similar structures; streets; toilets, showers or baths and all other sanitary facilities; fire prevention apparatus; lighting facilities and such other information as the village board may require to be shown on such plans and specifications.

- (5) The application shall be accompanied by a license fee, as specified in section 14-353.
- (6) By the filing of such application, the applicant shall be deemed to have consented to an inspection, prior to the issuance of the license, by the village board, village health officers and any other village officers or their agents for the purpose of determining whether or not such license shall be granted.
- (7) The village board may approve or deny an application in the exercise of its discretion, having regard to the effect of the establishment of such manufactured and mobile home community upon the public health, safety and welfare. The clerk, after approval of the application and upon completion of the work according to the plans shall issue the license.
- (8) All licenses issued shall expire on June 30 of each year. No license shall be transferable, either as to the applicant or the licensed premises.
- (9) All applications for license renewal shall be in writing signed by the applicant on forms furnished by the village and shall be in substantial compliance with the applications for original license. An annual license fee, as specified in section 14-35, shall be paid with each application for license renewal.

Sec. 14-323. Revocation and suspension.

- (a) Any license granted under the provisions of this article shall be subject to revocation or suspension for cause by the village board upon complaint filed with the clerk, signed by any code enforcement officer, health officer or building inspector, after a public hearing upon such complaint; provided, however, that the holder of such license shall be given ten days' notice in writing of such hearing and shall be entitled to appear and be heard as to why such license should not be revoked.
- (b) A licensee shall be deemed liable for revocation or suspension if the licensee violates any of the regulations and standards for the operation of a manufactured and mobile home community as established in this article.
- (c) Any holder of a license which is revoked or suspended by the village board may, within 20 days of the date of such revocation or suspension, appeal therefrom to the circuit court by filing a written notice of appeal with the clerk, together with a bond executed to the village in a sum as set forth in the schedule of fees on file in the village clerk's office and which may be revised by village board resolution with two sureties or a bonding company approved by the administrator, conditioned for the faithful prosecution of such appeal and the payment of costs adjudged against the licensee, all as provided for by Wis. Stat. § 66.0435.

Secs. 14-324—14-340. Reserved.

Division 3. Standards and Regulations

Sec. 14-341. Purpose.

To protect and promote the public health, morals and welfare, the standards and regulations in this division for every manufactured and mobile home community are hereby established.

Sec. 14-342. Drainage and grading.

Every mobile home, manufactured home, and manufactured and mobile home community 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. No mobile home, manufactured home, or manufactured and mobile home community shall be located in any area that is situated so that drainage of contaminated liquids or solids can be deposited on its location.

Sec. 14-343. Site requirements.

- (a) Each site shall be clearly defined or delineated. The basic unit shall not occupy in excess of one-fourth of the area of the site, and the complete unit including all accessory structures shall not occupy more than one-half of the area of the site. Manufactured and mobile home communities, which as of January 26, 1981, existed lawfully with mobile home or manufactured home sites that do not comply with the minimum area requirements in this subsection, may continue to operate. Expansion and modification of such manufactured and mobile home communities shall, however, be in accord with current regulations.
- (b) Each unit shall be located on a lot of not less than 5,000 square feet with a minimum width of 45 feet. The unit shall be so located on a site that there shall be at least a clearance between basic units. No unit shall be located less than 25 feet from the right-of-way line of a highway or 10 feet to the right-of-way line of a public street or internal private street system of the manufactured and mobile home communities. Each lot shall contain a parking space upon which the unit shall be situated, which parking space shall be graveled or paved with concrete or bituminous material. Each such parking space shall be not less than 10 feet wide, nor shorter than the length of the unit to be parked thereon plus 5 feet.
- (c) Each manufactured and mobile home community shall be completely surrounded except for permitted entrances and exits by a yard in addition to all other required yards and open spaces, which shall not be less than 15 feet wide and permanently planted in grass, flowers, shrubs or trees.

Sec. 14-344. Street and driveway standards.

- (a) All sites in a manufactured and mobile home community shall abut upon a street having a width of at least 36 feet, either graveled or paved with concrete or bituminous material.
- (b) All streets and driveways in a manufactured and mobile home community shall be maintained in good condition, have natural drainage and be lighted at night to a minimum of five footcandles.

Sec. 14-345. Parking.

There shall be parking spaces for automotive vehicles provided within each manufactured and mobile home community, surfaced with gravel, concrete or bituminous material in the ratio of two such parking spaces for each unit site. Each automobile parking space in a manufactured and mobile home community shall be not less than 9 feet wide, nor 160 square feet in area, exclusive of maneuvering and access space.

Sec. 14-346. Recreational area.

Each manufactured and mobile home community shall contain a recreational area. A minimum of 1/2 acre of area for such use shall be provided for each 50 sites or fraction thereof. The minimum recreational area in a manufactured and mobile home community shall be 1/2 acre.

Sec. 14-347. Water supply.

An adequate supply of pure water for drinking and domestic purposes shall be provided in an amount sufficient to care for the needs of the maximum number which can be accommodated in a manufactured and mobile home community and shall be installed in compliance with the village plumbing and well codes and shall meet the applicable requirements of the state department of natural resources as set forth in Wis. Admin. Code chs. NR 108, 111, 112 and 114.

Sec. 14-348. Sewage disposal.

- (a) Service availability. The requirements covering the sewage disposal facilities for all manufactured and mobile home communities are based upon the availability of public utilities as well as the practicability of connection to the public utilities.
- (b) Public utilities. When acceptable public sewage facilities are available to the manufactured and mobile home community, connection and use is required.
- (c) Private sewage disposal.
 - (1) Private sewage disposal systems are permitted in a manufactured and mobile home community when a public sewer facility is not available to the

premises. The system shall be located on the premises and be designed and constructed in accordance with Wis. Admin. Code ch. SPS 382.

- (2) Plans and installation details covering the design and construction, alteration and extension of private sewage disposal systems in a manufactured and mobile home community shall be approved by the section of plumbing and fire protection systems of the state Department of Safety and Professional Services prior to construction.
- (3) Sufficient area of suitable soils for the initial soil absorption system and one replacement system of adequate size to serve the ultimate number of sites to be provided, shall be available in the manufactured and mobile home community.

Sec. 14-349. Plumbing.

- (a) Generally. All plumbing shall meet the requirements contained in Wis. Admin. Code ch. SPS 382 applicable to mobile homes, manufactured homes, and manufactured and mobile home community.
- (b) Water connection. A separate valved water service shall extend to each site in the manufactured and mobile home community.

Sec. 14-350. Solid wastes.

- (a) Garbage. All garbage which is not disposed of through a garbage disposal unit connected with the sewerage system shall be kept in separate, leakproof, nonabsorbent containers equipped with tight-fitting covers unless otherwise protected from flies and insects located within 100 feet of any site in a manufactured and mobile home community, and the contents shall be disposed of as often as necessary to prevent decomposition or overflow.
- (b) Cleanliness. Garbage cans in a manufactured and mobile home community should be washed each time they are emptied unless provided with a single service sanitary removable waterproof liner.
- (c) Restriction. The use of wooden or paper containers for garbage in a manufactured and mobile home community is prohibited.
- (d) Rubbish. Fly-tight containers with covers are required for cans, bottles and other rubbish in a manufactured and mobile home community. The contents of such containers shall be disposed of as often as necessary to prevent overflow.

Sec. 14-351. Management.

- (a) Office. The manufactured and mobile home community management shall maintain an office in the community or in close proximity thereof for immediate communication.
- (b) Duties; owner. The manufactured and mobile home community owner or operator, together with any attendants or persons in charge of a manufactured and mobile home community, shall:
 - (1) Keep a register which is to be open at all reasonable times and upon reasonable notice to inspection by appropriate state and local officers, of all owners of manufactured homes and mobile homes located in the manufactured and mobile home community.
 - (2) Maintain the manufactured and mobile home community in a clean, orderly and sanitary condition at all times.
 - (3) Cooperate with local health officers in all cases of persons or animals infected or suspected of being infected with any communicable disease.
 - (4) Post copies of these regulations in one or more conspicuous places in the manufactured and mobile home community where the manufactured and mobile home community personnel and visitors can easily see them.
- (c) Duties; occupants. All occupants of manufactured home and mobile homes shall:
 - (1) Maintain their site in a clean, orderly and sanitary condition at all times.
 - (2) Abide by all applicable state and local regulations and the rules established by the manufactured and mobile home community management.

Sec. 14-352. State license and inspection.

- (a) Requirement. Before being open for public use, each manufactured and mobile home community, as defined in the Wisconsin Statutes through Yorkville Code section 14-301, shall be licensed by the state Department of Safety and Professional Services.
- (b) Inspection. Prior to the issuance of a license under this division and at least one other time during the license year, the village health officer shall conduct a sanitary inspection of each manufactured and mobile home community, complete a report of such inspection and submit copies of such report to the clerk and the state Department of Safety and Professional Services. Such reports shall be on forms provided by the state Department of Safety and Professional Services.

Sec. 14-353. License and monthly manufactured home or mobile home fee.

- (a) Annual License Fee. Each licensee shall pay an annual fee of not less than \$25.00 nor more than \$100.00 for each 50 spaces or fraction of 50 spaces within each community within its limits in advance for each calendar year or fraction within each mobile home park within the village limits. This fee is set forth in the schedule of fees on file in the village clerk's office and which may be revised by village board resolution from time to time. Where the community is located in more than one municipality, the fee shall be in such fraction as the number of spaces in the mobile home park within the village bears to the entire number of spaces in the mobile home park.
- (b) License Transfer Fee. Each transferee of a manufactured and mobile home community license shall pay a fee of \$10.00 as set forth in the schedule of fees on file in the village clerk's office and which may be revised by village board resolution from time to time in advance to the clerk for transfer of any such license.
- (c) Monthly Municipal Permit Fee.
 - (1) In addition to the license fees provided in subsections (a) and (b) of this subsection, there is imposed on each owner of a nonexempt, occupied mobile home in the village a monthly municipal permit fee determined in accordance with Wis. Stat. §66.0435(3), which is adopted by reference and made a part of this article as if fully set forth in this section. It shall be the full and complete responsibility of the mobile homeowner to pay the monthly municipal permit fee on or before the tenth day of the month following that month in which the monthly municipal permit fee is due.
 - (2) The monthly municipal permit fee shall be collected by the licensee in accordance with Wis. Stat. §66.0435(3m). The monthly municipal permit fees, less two percent of the moneys collected, shall be remitted to the village clerk by the 15th day of the month to allow for timely payment to the school districts.
 - (3) Licensees of manufactured and mobile home communities and owners of land on which are parked any occupied manufactured homes and mobile homes shall furnish information to the village clerk and the village assessor on such homes added to their communities or land within five days after arrival of such homes, on forms furnished by the village clerk in accordance with Wis. Stat. §66.0435(3)(c) and (e).
 - (4) The monthly municipal permit fee for a mobile home located outside of a licensed mobile home park shall be paid by the owner of the mobile home, the occupant thereof or the owner of land on which it stands, the same as and in the manner provided for mobile homes located in a mobile home park, and the owner of such land shall be required to comply with the reporting requirements of subsection (c) of this section, provided that the monthly municipal permit fee shall be paid directly to the clerk on or before

the tenth day of the month following the month for which such parking permit is due.

- (d) Exemption. This article shall not apply where a mobile home park is owned and operated by any county under the provisions of Wis. Stat. § 59.52(16)(b).
- (e) Penalty. Failure to timely pay the tax under this article 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 Wis. Stat. ch. 70 and Wis. Stat. ch. 74.

Secs. 14-354—14-380. Reserved.

Village of Yorkville
Notice of Newly Enacted Ordinance

Please take notice that, on Monday, January 13, 2025, the Village Board of the Village of Yorkville adopted Ordinance 2025-01, entitled "An Ordinance amending Article VI of Chapter 14 of the Code of Ordinances of the Village of Yorkville, County of Racine, State of Wisconsin, relating to manufactured homes, mobile homes, and manufactured and mobile home communities".

This ordinance takes effect upon publication of this notice. The full text of this ordinance may be obtained from the Village of Yorkville Clerk's office, 925 15th Avenue, Union Grove, Wisconsin 53182, or through the Village's website at www.villageofyorkville.com. The phone number for the Clerk is (262) 878-2123.

Janine Carls
Clerk