

**NOTICE**  
**TOWN OF NEW HAVEN**  
**ORDINANCE NO. 1**

**AN ORDINANCE LICENSING MOBILE HOME PARKS AND ESTABLISHING PARKING FEES FOR MOBILE HOMES LOCATED IN MOBILE HOME PARKS WITHIN THE TOWN OF NEW HAVEN**

The Town Board of the Town of New Haven, Adams County, Wisconsin, does ordain as follows:

**SECTION I. ENACTMENT AUTHORITY**

Pursuant to the provisions of sections 66.058 and 66.0585 Wis. Stats. 1995, and as thereafter amended from time to time, the Town of New Haven hereby establishes a mobile home parking permit license and fee for all mobile homes located in Mobile Home Parks within the Town of New Haven.

**SECTION II. DEFINITIONS**

For the purposes of this ordinance:

"Licensee" is the owner or operator of a mobile home park licensed by the Town of New Haven.

"Mobile home" is that which is, or was as originally constructed, designed to be transported by any motor vehicle upon a public highway and designed, equipped and used primarily for sleeping, eating and living quarters, or is intended to be so used; and includes any additions, attachments, annexes, foundations and appurtenances.

"Mobile home park" means any plot or plots of ground upon which three or more units, occupied for dwelling purposes are located, regardless of whether or not a charge is made for such accommodation. Any mobile home park must be in compliance with Chapter HSS 177.02(5), of the Wisconsin Administrative Code and other building codes.

**SECTION III. MOBILE HOME OCCUPANCY PERMITS**

The owner or occupant of a mobile home shall within 5 days after entering of a licensed mobile home park or removing to another park within the Town obtain a permit from the Town Board. Such permits shall be issued only for mobile homes which bear a seal, stamp or certificate of the manufacturer guaranteeing that the mobile home is constructed in accordance with the standards of the American National Standards Institute Book A. 119.1, including all revisions in effect on August 28, 1973.

**SECTION IV. MOBILE HOME PARK OPERATOR'S LICENSES**

A. No person shall operate, administer or maintain a mobile home park within the Town of New Haven without a valid unexpired mobile home park license issued by the Town Clerk and approved by the Town Board upon determination that the standards in this section have been met and payment of the required fee.

B. Mobile home park license shall expire on June 30th of each even numbered year and may be renewed for additional two-year periods under this Ordinance. Licenses may be issued after July 1 of any license year but no rebate or diminution of the license fee shall be allowed therefore.

C. The fee for a mobile home park license shall be as set by the Town Board.

D. Licenses granted under this section shall be subject to revocation or suspension by the governing body for cause in accordance with Section 66.058 (2) (d), Wisconsin Statutes. "Cause" as used in this subsection shall include, but not be limited to:

1. Failure or neglect to abide by the requirements of this ordinance or the laws or regulations of the state of Wisconsin relating to mobile home parks and their operation.

2. Conviction of any offense under the laws of the State or ordinances of the Town relating to fraudulent or misleading advertising or deceptive practices regarding the sale or renting of mobile homes or the leasing or rental of mobile home spaces or sale, lease or operation of park facilities.

3. Operation or maintenance of the mobile home park in a manner contrary to the health, safety or welfare of park occupants or the inhabitants of the Town of New Haven; including, but not limited to, repeated violations of laws or ordinances relating to health, sanitation, refuse disposal, fire hazards, morals or nuisances.

4. Transfer or sale of an ownership interest in any mobile home space or the underlying land other than to another eligible licensee. Such action shall also subject the owner of the underlying land.

5. Failure to comply with all requirements of the state, county and Town laws and regulations regardless of the size or number of lots or spaces so transferred or sold.

E. No mobile home park license shall be granted for any premises or to any operator not meeting the following standards and

permit fee shall first be reduced by any applicable credit allowed by the legislature. The total annual parking permit fee thus computed shall be divided by 12 and shall represent the monthly mobile home parking permit fee. The fee shall be applicable to mobile homes moving into the mobile home park any time during the year.

C. **Report of occupancy.** The licensee shall furnish information to the tax district clerk and the local assessor on occupied mobile homes added to his park within five (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 an occupied home to a park, he shall determine its fair market value and notify the Clerk of his determination. The Clerk shall equalize the fair market value established by the assessor and shall apply the tax rate for that year, divide the annual parking permit fee thus established by 12 and notify the licensee of the monthly fee to be collected from the mobile home owner. Liability for payment of the fee shall begin on the first day of the next succeeding month and shall remain on the mobile home only for such months as the occupied mobile home remains in the tax district.

D. **Annual adjustment of license fee.** A new fee rate 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 of the Wisconsin Statutes. If the Board of Review reduces a valuation on which previous monthly payments have been made, the tax district shall refund past excess fee payments. The monthly parking permit fee shall be paid by the mobile home park licensee to the local taxing authority on or before the 10th of the month following the month for which such parking permit fee is due, no such fee shall be imposed for any space occupied by a mobile home accompanied by an automobile for an accumulating period not to exceed 60 days in any 12 months if the occupants of the mobile home are tourists or vacationists. Exemption certificates in duplicate shall be accepted by the treasurer of the licensing authority from qualified tourists or vacationists in lieu of monthly mobile home permit fees.

**SECTION VII. PENALTIES.**

A. Any person violating any provisions of this ordinance, or failing to perform any duty imposed hereunder, or committing any act prohibited thereby, shall upon conviction thereof forfeit not less than \$25.00 nor more than \$200.00, plus the cost of prosecution. Upon default of payment of such forfeiture and costs, the violator shall be imprisoned in the county jail of Adams County until payment is made, but not exceeding 30 days for each violation. Each day of violation of any provision of this ordinance shall be deemed to constitute a separate offense.

B. If an inspection reveals a noncompliance with this Ordinance, the Town Zoning Code, or the Wisconsin Administrative Code provisions incorporated into this ordinance, the County Building Inspector may either notify the applicant and the owner, in writing, of the violation (s) to be corrected or issue a citation. All violations shall be corrected within 30 days after written notification unless an extension of time is granted.

C. Each day each violation continues after the 30-day written notice period has run shall constitute a separate offense. Nothing in this ordinance shall preclude the Town from maintaining any appropriate action to prevent or remove a violation of any provision of the Ordinance, the Town Zoning Code, or any other Wisconsin Administrative Code provision incorporated into this ordinance.

**SECTION VIII. SEVERABILITY.**

The provisions of this ordinance, and each part and portion thereof is hereby declared to be severable. If any part or portion of this ordinance is declared unconstitutional, such declaration shall not affect the validity of the remaining parts of this ordinance which can be given effect without such invalid part or portion. The Board hereby declares that it would have enacted this ordinance in its entirety, less and except such invalid part or portion, had it known of the invalidity thereof.

**SECTION IX. EFFECTIVE DATE**

This ordinance shall be effective from and after passage and publication.

Edward J. Coon, Chairman  
Orpha Reifsteck, Clerk  
Kenneth E. Crothers, Supervisor I  
Glen J. Whitson, Supervisor II

Dated and Introduced March 2, 1998  
Published before passage Feb. 25, 1998  
Passed March 9, 1998  
Publish after passage March 18, 1998  
Publish March 18, 1998

1. Mobile home parks shall be used only for the parking and occupancy of single-family nondependent mobile homes and accessory structures and appurtenances and uses authorized and approved under this ordinance.

2. Applicant shall file with the Town Clerk, certificates of the building and health inspectors certifying that all equipment, roads, sanitary facilities, water facilities and other equipment and facilities, including roads which have been constructed, or installed in the park as required by this ordinance and are in required operating condition at the time of said application.

3. Location and operation of the park shall comply with all zoning and land use ordinances of the state, county and Town including but not limited to the requirement that all mobile home parks must be located in the mobile home park district and no permit shall be issued until the proposed use has been certified by the building inspector as complying with such ordinance.

4. Mobile home parks shall not have more than 30 mobile homes.

5. Only one mobile home park license shall be granted in the Town of New Haven.

6. No mobile home park shall be located within one mile of another already existing licensed mobile home park.

7. Applicant shall provide for refuse and recycling disposal in a way agreeable to the Town Board.

#### **SECTION V. ADDITIONAL REGULATIONS ON MOBILE HOMES AND MOBILE HOME PARKS.**

A. Wrecked, damaged or dilapidated mobile homes shall not be kept or stored in a mobile home park. The building inspector shall determine if a mobile home is damaged or dilapidated to a point which makes it unfit for human occupancy. Such mobile homes are hereby declared to be a public nuisance. Whenever the building inspector so determines he shall notify the licensee or landowner and owner of the mobile home in writing that such public nuisance exists within the park or on lands owned by him giving the findings upon which his determination is based and shall order such home removed from the park site or repaired to a safe, sanitary and wholesome condition of occupancy within a reasonable time, but not less than 30 days.

B. The building inspector or his lawful agents or employees are authorized and directed to inspect mobile home parks not less than once in every 12-month period to determine the health, safety and welfare of the occupants of the park and inhabitants of the Town as affected thereby and the compliance of structures and activities therein with this ordinance and all other applicable laws of the state and ordinances of the municipality.

C. All mobile homes in mobile home parks shall be skirted unless the unit is placed within one foot vertically of the stand with soil or other material completely closing such space from view and entry by rodents or vermin. Areas enclosed by such skirting shall be maintained free of rodents and fire hazards.

D. No person shall construct, alter, or add to any structure, attachment or building in a mobile home park without a permit from the Town clerk. This subsection shall not apply to addition of awnings, maintenance or skirting to mobile homes.

#### **SECTION VI. MOBILE HOME PARKING PERMIT FEES; COLLECTION**

A. Parking Permit Fee established. A monthly parking permit fee shall be levied upon each occupied mobile home occupying space or lots in a mobile home park located within the Town of New Haven. The monthly parking permit fee shall be collected from the occupant by the licensee of the mobile home park and shall be paid to the Town Treasurer on or before the 10th day of each month following the month for which the fee is due. The licensee may deduct 2% of the monthly fees collected for administrative expenses.

B. Computation of Fee. The monthly parking permit fee shall be computed as follows: the assessor shall determine the total fair market value of each occupied mobile home in the district subject to the monthly parking permit fee. The fair market value, minus the tax exempt household furnishing thus established, shall be equalized to the general level of assessment on other real and personal property in the district. The value of each occupied mobile home thus determined shall be multiplied by the tax rate established on the preceding January 1 assessment of general property. The parking