

CHAPTER 23

MOBILE HOUSING CODE

23-1-1 **DEFINITIONS.** Unless the context clearly requires otherwise, the words and phrases set forth herein shall have the meanings set forth in this Chapter.

"MOBILE HOME" means a structure designed for permanent habitation and so constructed as to permit its transport on wheels, temporarily or permanently attached to its frame, from the place of its construction to the location or subsequent location at which it is intended to be a permanent habitation and designed to permit the occupancy thereof as a dwelling place for **one (1)** or more persons. The term **"mobile home"** shall include manufactured homes constructed after **June 30, 1976**, in accordance with the **Federal "National Manufactured Housing Construction and Safety Standards Act of 1974"**. (See **210 ILCS Sec. 115/2.1**)

"PERMANENT HABITATION" means a period of **two (2) or more months**. (See **210 ILCS Sec. 115/2.2**)

"DEPENDENT MOBILE HOME" means a mobile home that does not have a toilet and bath or shower facilities. (See **210 ILCS Sec. 115/2.3**)

"INDEPENDENT MOBILE HOME" means a mobile home which has self-contained toilet and bath or shower facilities. (See **210 ILCS Sec. 115/2.4**)

"MOBILE HOME PARK" means a tract of land or **two (2)** or more contiguous tracts of land upon which contain sites with the necessary utilities for **five (5)** or more independent mobile homes for permanent habitation either free of charge or for revenue purposes, and shall include any building, structure, vehicle, or enclosure used or intended for use as a part of the equipment of such mobile home park. Separate ownership of contiguous tracts of land shall not preclude the tracts of land from common licensure as a mobile home park if they are maintained and operated jointly. Neither an immobilized mobile home nor a motorized recreational vehicle shall be construed as being a part of a mobile home park. (See **210 ILCS Sec. 115/2.5**)

"VILLAGE" means the Village of Energy, Illinois, unless otherwise indicated.

"SITE" means the lot on which the mobile home is located for permanent habitation. (See **210 ILCS Sec. 115/2.7**)

"INDIVIDUAL UTILITIES", as used in this Chapter, means the provision for each mobile home of a separate metered connection to electrical service; separately tapped water service from an approved public water supply; and a separately tapped connection to approved public sewer system.

"REVENUE PURPOSES" as used in this Chapter shall include, but not be limited to, monies or other valuable consideration paid by a tenant or lessee or paid by a contract purchaser pursuant to a contract for deed, sale or purchase prior to the delivery of the deed conveying legal title.

"IMMOBILIZED MOBILE HOME" means a mobile home served by individual utilities, resting on a permanent perimeter foundation which extends below the established frost depth with the wheels, tongue and hitch removed and the home secured in compliance with the **Mobile Home Tiedown Act, Chapter 210; Sec. 120/1 et seq. of the Illinois Compiled Statutes. (See 210 ILCS Sec. 115/2.10)**

23-1-2 RESTRICTIONS.

(A) **Restriction.** The use of mobile homes for the purposes of habitation within the Village is limited to placement within approved mobile home parks. Upon enactment of this Chapter, all future applications for placement of mobile homes will be limited to placement within an approved mobile home park.

(B) **Age of Mobile Home.** The mobile home must have been manufactured within **three (3) years** at the time of application for placement within the Village.

(C) **Square Footage.** All mobile homes must have no less than **nine hundred fifty (950) square feet.** This figure does not include any addition or modification made to the home after its production at the factory.

23-1-3 NECESSITY OF LICENSE TO CONSTRUCT, MAINTAIN, ETC., MOBILE HOME PARK – EXPIRATION OF LICENSE. No person, firm or corporation shall establish, maintain, conduct, or operate a mobile home park after **April 14, 1998**, without first obtaining a license therefor from the Village. **"Conduct or operate a mobile home park"** as used in this Chapter shall include, but not necessarily be limited to supplying or maintaining common water, sewer or other utility supply or service, or the collection of rents directly or indirectly from **five (5)** or more independent mobile homes. Such license shall expire **April 30** of each year and a new license shall be issued upon proper application and payment of the annual license fee provided the applicant is in substantial compliance with the Rules and Regulations of the State of Illinois, and the Village.

23-1-4 APPLICATION FOR PERMIT – CONTENTS – FEE. In order to obtain a permit to construct a new mobile home park the applicant shall file with the Village a written application and plan documents, including the following:

(A) The full name and address of the applicant or applicants, or names and addresses of the partners if the applicant is a partnership, or the names and addresses of the officers if the applicant is a corporation.

(B) The address, location and legal description of the tract of land, upon which it is proposed to construct, operate and maintain a mobile home park.

- (C) The name of the mobile home park.
- (D) Detailed plans and specifications sealed by a registered engineer or architect licensed to practice in the State of Illinois which include a general plot plan of the mobile home park with all sites and structures shown, the water supply system, the sewage disposal system, the electrical system, the fuel supply system, the lighting system, the method of disposal of solid waste, all streets and sidewalks, swimming and bathing facilities, fire hydrants and details of all auxiliary structures.
- (E) The number of mobile home sites proposed to be constructed or licensed.
- (F) A statement of the fire-fighting facilities, public or private, which are available to the mobile home park.
- (G) A plan review fee of **One Hundred Dollars (\$100.00)**, which is non-refundable.
- (H) A written waiver signed by all property owners situated within **one hundred (100) feet** of the outer property line of any proposed mobile home park.

23-1-5 APPLICATION FOR LICENSE – CONTENTS – FEE.

(A) An application for a permit to alter a licensed mobile home park shall be submitted to the Village for any changes to the water, sewage, fuel, or electrical systems other than normal maintenance, the relocation of sites or the expansion of the number of sites in the park. Detailed plans and specifications shall be provided to show compliance with this Chapter and the promulgated rules. A plan review fee of **Fifty Dollars (\$50.00)** shall accompany the application. This fee shall not be refundable. Construction shall not commence until a permit is issued.

(B) **Application to Reduce Number of Licensed Sites.** An application to reduce the number of licensed sites shall be submitted to the Village no later than **ten (10) days** prior to the proposed date of reduction. The specific sites no longer required to be licensed, and either the method of disconnecting the required utilities or a description of the method of immobilizing the mobile homes shall be provided. If the reduction results in less than **five (5) mobile homes** remaining, the license shall be void if the application is approved. No fee shall be required. The licensee shall be responsible for insuring that all utilities at vacated spaces are disconnected or sealed, as prescribed by the Village.

23-1-6 ISSUANCE OF PERMIT OR LICENSE – INSPECTION – BUILDING PERMITS.

(A) Upon receipt of an application for a permit to construct a new mobile home park, an application for an original license to operate and maintain the same or an application for a permit to alter a licensed mobile home park, the Village may, if the park is, or the proposed park will be, in conformity with this Code and the rules and regulations adopted by the Village pursuant thereto, issue a permit to construct, a permit to alter or an original license, as the case may be. If the application for a permit to construct, a permit to

alter or an original license is declined, the Village shall give the reasons therefore in writing to the applicant; and if the objections can be corrected, the applicant may amend his application and resubmit it for approval.

(B) If a permit to construct or a permit to alter a park has been issued, the applicant upon completion thereof shall notify the Village. The Village shall then inspect the park and, if completed in accordance with the approved plans, shall issue a license for the number of approved sites after receipt of the required fee.

23-1-7 REVOCATION OR SUSPENSION OF LICENSE – NOTICE. Any license granted hereunder shall be subject to revocation or suspension by the Village. However, the Village shall first serve or cause to be served upon the licensee a written notice in which shall be specified the way or ways in which such licensee has failed to comply with the Code, or any rules or regulations promulgated by the Village pertaining thereto. Said notice shall require the licensee to remove or abate such nuisance, unsanitary or objectionable condition, specified in such notice, within **five (5) days** or within a longer period of time as may be allowed by the Village. If the licensee fails to comply with the terms and conditions of said notice, within the time specified or such extended period of time, the Village may revoke or suspend such license.

23-1-8 NECESSITY OF PERMIT FOR CONSTRUCTION OF MOBILE HOME PARK – DISPLAY OF PERMITS AND LICENSES – TRANSFER OF LICENSES. No person shall construct a mobile home park without first obtaining a permit to do so. All permits to construct, all licenses to operate, and all permits to make alterations therein shall be prominently displayed in the park office.

All licenses issued under this Code shall be transferable only with the written consent of the Village, provided, however, that the Village may not withhold such consent where the provisions of this Code have been met. The new licensee shall provide to the Village the information required in **Section 23-1-4.**

23-1-9 OPERATION OF MOBILE HOME PARKS.

(A) **Requirements.** Each mobile home park licensed or to be constructed under the provisions of this Code shall be operated and maintained in accordance with the requirements of this Code.

(B) **Manager.** Every park shall be managed by a responsible individual whose name, address and telephone number shall be on file at all times with the Village, and whose duty it shall be to maintain the park, its facilities and equipment in a clean, orderly and sanitary condition, and shall be responsible, with the licensee, for any violation of the provisions of this Code.

(C) **Drainage – Wastewater.** No park shall be so located that the drainage of the park area will endanger any water supply. All such parks shall be well drained. No wastewater shall be deposited on the surface of the ground within the mobile home park.

(D) **Minimum Sites – Access.** Each site on which a mobile home is accommodated shall have a minimum area of **five thousand (5,000) square feet**. No mobile home shall be parked closer than **fifty (50) feet** to the side lot lines of a park, or closer than **twenty-five (25) feet** to a public street, alley or building. Each individual site shall abut or face on a private or public street. All streets shall have unobstructed access to a public street. There shall be an open space of at least **ten (10) feet** adjacent to the sides of every mobile home and at least **ten (10) feet** adjacent to the ends of every mobile home.

(E) **Parking.** Each site shall have an area sufficient to provide parking for **two (2) vehicles**. This parking area must be paved with asphalt or concrete and be adjacent to the mobile home site.

(F) **Water Supply.** An adequate supply of water of safe, sanitary quality, approved by the Village shall be furnished at each park. Where water from other sources than that supplied by a city or village is proposed to be used, the Village shall first approve the source of such supply. Each site shall be provided with a cold water tap located in accordance as per regulations of the Village.

(G) **Sewage and Water Carried Wastes.** All sewage and other water carried wastes shall be disposed of into a municipal sewerage system whenever the interceptor or sewer main of such system is adjacent to the park. In parks in which such connections are not available, disposal shall be into a private system that includes a sanitary means of disposal, the operation of which creates neither a nuisance nor a menace to health.

(H) **Sewer Connections for Each Mobile Home.** When a water carriage system of sewage is used each site shall be provided with a sewer connection for the combined liquid waste outlet or outlets of each mobile home. It shall be the duty of the owner or operator of said park to provide an approved type of water and odor tight connection from the mobile home water drainage to the sewer connection, and it shall be the duty of said owner or operator to make such connection and keep all occupied mobile homes, connected to said sewer while located in the park. Sewer connections in unoccupied sites shall be so closed that they will emit no odors or cause a breeding place for flies. No water or waste shall be allowed to fall on the ground from a mobile home.

(I) **Garbage Storage and Disposal.** A sufficient number of adequate fly proof and water tight containers shall be supplied for the storage of garbage.

Garbage containers shall be emptied at least once a week and shall not be filled to overflowing, or allowed to become foul smelling or a breeding place for flies.

Garbage and rubbish shall be disposed of in a manner which creates neither a nuisance nor a menace to health and which is approved by the Village.

(J) **Insect and Rodent Control.** Adequate insect and rodent control measures shall be employed. All buildings shall be fly and rodent proof and rodent harborages shall not be permitted to exist in the park or pathways.

(K) **Fire Extinguisher – Inspection.** Mobile homes in mobile home parks shall each be equipped with fire extinguishers in working order, **one (1)** in each end of the mobile home.

Inspection of any such equipment and enforcement of any rules and regulations adopted pursuant to this paragraph shall be the duty of the State Fire Marshal and local law enforcement.

(L) **Porches, Carports, Garages, Sheds, Awnings, Skirting and Auxiliary Rooms.** Porches, carports, garages, sheds, awnings, skirting, and auxiliary rooms for mobile home are permitted if constructed of fire resistant materials authorized by the Village.

(M) **Streets – Dust Control.** All streets in every park must be maintained in a passable and reasonably dust-proof condition at all times. All streets and parking spaces must be constructed of asphalt or concrete, and all streets must be at least **twenty-four (24) feet** in width.

(N) **Sanitary, Electrical and Safety Appliances – Repair – Willful or Malicious Damage to Appliances – Persons Failing to Comply With Code.** The management of every park shall assume full responsibility for maintaining in good repair and condition all sanitary, electrical and safety appliances in the park and shall promptly bring such action as is necessary to prosecute or eject from the park any person or persons who willfully or maliciously damage such appliances, or any person or persons who fail to comply with the regulations of this Code.

(O) **Electrical Outlets – Codes and Ordinances.** Electrical outlets for each individual site shall be provided and the installation shall be in accordance with all state or local codes and ordinances.

(P) **Dependent Mobile Homes and Other Vehicles Not Permitted in Mobile Home Park.** In no event shall a dependent mobile home, or non-permanent shelter or other vehicle designed or used for sleeping purposes, other than an independent mobile home, be permitted for occupancy at any time in a mobile home park.

(Q) **Community Facilities.** When community kitchens, dining rooms, laundries, or other facilities are provided, such facilities and equipment as are supplied must be maintained in a sanitary condition and kept in good repair, and subject to such rules and regulations as may be issued by the Village.

(R) **Buildings – Accord with Municipal or County Ordinances and Rules and Regulations of the Village.** All buildings constructed or altered, all plumbing, and all electrical and heating installations shall be in accordance with existing municipal and county building ordinances and the rules and regulations of the Village.

(S) **Skirting.** All mobile homes must have a skirting material applied within **fourteen (14) days** of placement within a park. The skirting material must be made of material approved by the Village, or a mobile home may be placed on a permanent perimeter foundation that extends below the established frost line.

(T) **Immobilization of Mobile Homes.** Within **fourteen (14) days** from the date of placement of a mobile home into a park, all wheels, tires, towing tongue, and hitch must be removed from the mobile home and stored in such a manner as not to be visible.

(U) **Recreation and Open Space.** At least **five hundred (500) square feet** of common recreation and open space per mobile home site shall be provided. Such space shall not be located more than **five hundred (500) feet** from any mobile home site served. Streets, sidewalks, parking areas and accessory/community buildings are not to be included as recreation space in computing the necessary area.

(V) **Walkways.** Walkways shall be required on **one (1) side** of all interior streets and access ways and shall provide connections between mobile home sites and common areas, community buildings and recreational areas. Walkways must be concrete and meet the specifications of the Village.

(W) **Underground Utilities.** All electric, telephone, cable, water, sewer and all other utilities from sources outside the mobile home park directed into the park to each site must be underground.

(X) **Landscaping.** A buffer zone of no less than **twenty (20) feet** in width shall be maintained around the perimeter of the park. This zone shall consist of permanent planting and landscaping features that will act to screen the portions of the park visible from abutting property. In addition, portions of the park not designated as a site, shall be landscaped or treated in such manner to eliminate weeds, dust, debris and accumulation of rubbish.

(Y) **Minimum Park Area. Five (5) acres.**

(Z) **Maximum Density.** The park shall contain no more than **five (5) sites** per acre.

23-1-10 APPLICATIONS ON FILE – FORMS AND BLANKS. When the Village has approved an application for a permit to construct or make alterations upon a mobile home park or the appurtenances thereto or a license to operate and maintain the same, it shall retain the original and keep a file thereof.

The Village shall draft and supply all forms and blanks and specify the number and detail necessary to obtain permits to construct or make alterations upon parks; and for a license to operate and maintain such a park according to this Code.

23-1-11 RECORDS OF MOBILE HOME PARKS – COPIES TO LICENSEES – POSTING. The Village shall keep a record of all mobile home parks; said records to show the names and addresses of all parks, names and addresses of the licensees, number of mobile home lots in each park, source of water supply, system of sewage and garbage disposal, and any other information desired by the Village.

The Village shall supply licensees of all parks made by the Village, and any change or changes that may be made from time to time shall be posted by the management of such park in a protected, conspicuous place within the park.

23-1-12 REGISTER. A register shall be maintained by the manager of each mobile home park. Such register shall include the name and address of the owner of each mobile home and every occupant of such mobile home, the square feet of floor space contained in such mobile home, the date of manufacture of such home, and the date of entry of such mobile home into the park. The register shall be signed by the owner or occupant of the mobile home. Any person furnishing misinformation for purposes of registration shall be deemed guilty of a misdemeanor. The registration records shall be neatly and securely maintained, and no registration records shall be destroyed until **six (6) years** have elapsed following the date of registration. The register shall be available for inspection upon request by all law enforcement officers and by the Village.

(Ord. No. 1998-6; 04-14-98)