

CHAPTER 23

MOBILE HOUSING CODE

ARTICLE I - GENERAL PROVISIONS

23-1-1 DEFINITIONS. The terms used in this Chapter shall have the following meanings:

"AFFIDAVIT" means an oath in writing, sworn before and attested by an individual who has authority to administer an oath.

"APPLICANT" means any person making an application for a license or permit.

"IMMOBILIZED MOBILE HOME" means any structure resting on a permanent foundation with wheels, tongue and hitch permanently removed. The Village Board establishes the following criteria to complete the immobilization of a mobile home.

(A) The foundation shall extend into the ground below the frost line so as to attach and become a part of the real estate. Materials such as concrete, mortared concrete block, or mortared brick extending into the ground below the frost line shall satisfy the requirement for a permanent foundation.

(B) As an alternate to (A) above, piers may be used, extending into the ground below the frost line, and sufficient in number to properly support the mobile home.

(C) To complete the immobilization, wheels, tongue, and hitch must be permanently removed. Axles may be removed.

"LICENSE" means a license certificate issued by the Village, allowing a person to operate and maintain a mobile home park under the provisions of this Chapter and the rules and regulations issued hereunder.

"LICENSEE" means any person having a license or permit under 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 locations at which it is intended to be a permanent habitation and designed to permit the occupancy thereof as a dwelling place for one or more persons, provided that any such structure resting on a permanent foundation with wheels, tongue and hitch permanently removed shall not be construed as a "mobile home," but shall be an immobilized mobile home. A mobile home should not be confused with a camping trailer or recreational vehicle.

"MOBILE HOME, DEPENDENT" means a mobile home or travel trailer which does not have a flush toilet or a bathtub or shower.

"MOBILE HOME, DOUBLE-WIDE" consists of two mobile units joined at the side into a single home, but kept on their separate chassis for repeated transportation to a site.

"MOBILE HOME, INDEPENDENT" means a mobile home with self-contained toilet and bath or shower facilities.

Revised Code

"MOBILE HOME LOT" means a parcel of land for the placement of a mobile home and the exclusive use of its occupants.

"MOBILE HOME MODULE" means a factory-fabricated building unit transported to a building site, mounted on a permanent foundation supporting the outside perimeter walls, and is designed for residential use.

"MOBILE HOME PAD" means that part of an individual mobile home space or lot beneath the mobile home, including the concrete portion of the pad.

"MOBILE HOME PARK" means an area of land under unified ownership and/or control on which two or more occupied mobile homes are harbored either free of charge or for revenue purposes, and shall include any building, structure, tent, vehicle, or enclosure used or intended for use as part of the equipment of such mobile home park, including courts, developments and communities.

"MOBILE HOME SALES AREA" means a parcel of land used for the display, sale and repair of new or used mobile homes.

"MOBILE HOME SPACE" means a portion of a mobile home park designed for the use or occupancy of one mobile home.

"OWNER" OR "OPERATOR" means the licensee.

"PERMANENT HABITATION" means a period of two or more months.

"PERMIT" means a permit certificate issued by the Village permitting the construction, alteration, or reduction in number of spaces of a mobile home park under the provisions.

"PERSON" means any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, county, municipality, the State of Illinois, or any political subdivision or department thereof or any other entity.

"REVOCATION" means to declare invalid a permit or license issued to the applicant or licensee by this Village for an indefinite period of time.

"SPACE" shall be synonymous with "Mobile Home Space."

"SUSPENSION" means to declare invalid a permit or license issued to the applicant or licensee by this Village for a temporary period of time with an expectation of resumption.

23-1-2 STATE REQUIREMENTS ADOPTED BY REFERENCE. The Mobile Home Park Act and the Mobile Home Tiedown Act of the Illinois Revised Statutes, Chapter 111 $\frac{1}{2}$, as passed, approved, and amended by the Illinois General Assembly are hereby adopted by the Village. The applicable provisions as they pertain to mobile homes and immobilized mobile homes shall be controlling within the corporate limits of the Village.

23-1-3 ILLINOIS DEPARTMENT OF PUBLIC HEALTH REGULATIONS. The "Rules and Regulations for Mobile Home Parks," as approved by the Illinois Department of Public Health is hereby adopted by the Village, the applicable provisions as they pertain to mobile homes and immobilized mobile homes shall be controlling within the Village.

Revised Code

ARTICLE II - IMMOBILIZED MOBILE HOMES

23-2-1 IMMOBILIZED MOBILE HOMES. All immobilized mobile homes located in the Village shall be classed as real estate; therefore, it is mandatory for all persons owning, operating, renting or leasing an existing mobile home outside a mobile home park to remove or cause to have removed the wheels or any other transportation device from the mobile home. The owner or lessor shall permanently fix it to the ground in a manner that conforms to the definition of an "immobilized mobile home" as provided in this Code. All existing mobile homes, when replaced, shall comply with the immobilization provisions of this Code. (See Appendix "A")

23-2-2 PERMIT. All persons seeking to locate or replace a mobile home or an immobilized mobile home outside a mobile home park shall obtain a permit from the Village Board. No utility services shall be connected to the structure until the Village Board has issued the permit.

23-2-3 LOT SIZE. The minimum lot size for the location of an immobilized mobile home shall be 7,000 square feet. The minimum front lot line shall be 50 feet wide.

23-2-4 DEPENDENT MOBILE HOMES. No dependent mobile home shall be permitted in any location unless in a licensed travel-trailer park. At no time shall anyone use a dependent mobile home as a permanent residence or dwelling.

23-2-5 CONCRETE PADS. All immobilized mobile homes shall be placed on a reinforced concrete pad the length and width of the unit that meets the requirements of the definition of "immobilized mobile home" in Section 23-1-1. (See Attached Sketch)

23-2-6 OFF-STREET PARKING. Each owner of an immobilized mobile home shall provide for a dustless, off-street parking area of 400 square feet.

23-2-7 GENERAL REGULATIONS.

(A) In no event shall two or more families occupy a single mobile home.

(B) No mobile home shall be parked on any street for a period in excess of 24 hours except with a permit issued by the Mayor. In no event, however, shall a mobile home be parked on a street for a period in excess of 2 weeks.

Revised Code

(C) No mobile home shall be occupied as a residence until such time that it is connected to the water and sewer system of the Village. Each mobile home shall have an individual meter.

(D) Each mobile home shall be located at least 20 feet from the front of a lot and 10 feet from either side of a lot, however, under no circumstances shall any mobile home be located within 20 feet of any other dwelling.

(E) At the discretion of the Board of Trustees, a special permit may be issued to permit a mobile home for a period not to exceed one year to be located at a building site, in which case, a building permit has been issued for a period not to exceed one year, provided that construction of the permanent building is proceeding with diligence.

(F) Each mobile home shall be protected from the ground level to the floor with a metal or fireproof material.

(G) All mobile homes located on a lot or lots on the effective date of this Code may remain at their present location notwithstanding the provisions of this Code.
(1976-01;11-01-76)

23-2-8 MOVING MOBILE HOMES. Mobile homes located on a lot or lots inconsistent with the provisions of this Code, upon the effective date of this Code, when removed from their present location, may be replaced within 120 days from the date of their removal except that mobile home locations shall conform to Section 23-2-5 of this Code.

Following the effective date of this Code, mobile homes may be placed on existing pads which are located inconsistent with this Code at any time within 120 days from the effective date except that these mobile home locations shall meet the requirements of this Code. An existing mobile home location or pad is one where there is maintained complete utility hook-up facilities. Applications for the location of mobile homes that meet the requirements of this section must be made with the Village and approved by the Village Board of Trustees.
(1976-01; 11-01-76)

Revised Code

ARTICLE III - MOBILE HOME PARKS

DIVISION I - ADMINISTRATION REQUIREMENTS

23-3-1 COMPLIANCE WITH STATUTES, APPLICABILITY OF ARTICLE. Every mobile home park hereafter established in the Village shall, at a minimum, conform to the requirements of:

(A) "An Act to provide for, license, and regulate mobile homes and mobile home parks." (Ill. Rev. Stat., Ch. 111½; § 711, et seq.)

(B) "Rules and Regulations for Mobile Home Parks," Illinois Department of Public Health, Consumer Protection Division as now or hereafter amended, and

(C) This Code.

In case of conflict between any provisions of the above, the more stringent requirement shall prevail.

Mobile Home Parks may be allowed by permit in the Village.

23-3-2 PLANNING. Any person seeking to establish, operate, alter or expand a mobile home park shall obtain a permit to construct or license to operate a mobile home park. "Construct or operate a mobile home park," as used in this Code 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 two or more independent mobile homes. (All plans shall be submitted for approval to the Village Board prior to the granting of a permit.)

23-3-3 LOCAL GOVERNMENT REQUIREMENTS. A permit does not relieve the applicant from complying with this Code, the County Zoning Code or other ordinance(s) applicable thereto.

23-3-4 PERMITS. The Village Board shall review each application and plan documents submitted. When the application and plan documents are found to be in compliance with the "Rules and Regulations for Mobile Home Parks," as promulgated by the Illinois Department of Public Health, the Village Board may issue the proper permit to construct or alter a mobile home park to the applicant. Permits shall be valid for 1 year from date of issue.

23-3-5 INSPECTION OF MOBILE HOME PARK. Upon completion of the proposed construction of a mobile home park or the proposed alteration of a mobile home park, the applicant shall notify the Mayor in order that an inspection of the complete facilities can be made.

Revised Code

23-3-6 VIOLATION PROCEEDINGS. Any license granted hereunder shall be subject to revocation or suspension by the Mayor. However, the Mayor 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 statutes or any rules or regulations promulgated by the Village pertaining thereto. The notice shall require the licensee to remove or abate such nuisance, unsanitary or objectionable condition, specified in such notice, within 5 days or within a longer period of time as may be allowed by the Mayor. If the licensee fails to comply with the terms and conditions of the notice within the time specified or such extended period of time, the Mayor may revoke or suspend such license.

23-3-7 - 23-3-9 RESERVED.

DIVISION II

DESIGN AND CONSTRUCTION REQUIREMENTS

23-3-10 PLAN DOCUMENT. In order to obtain a permit to construct or an original license to operate a mobile home park, the applicant shall file with the Mayor a written application and plan documents and such plan documents shall be prepared by a registered engineer or architect licensed to practice in the State of Illinois, with registration seal affixed. Two (2) copies of the plan document shall accompany the application filed with the Village to obtain a permit to construct or alter a mobile home park or an original license to operate a mobile home park not previously licensed by the Department. These plans shall include, but not be limited to the design and construction criteria set forth herein.

23-3-11 APPLICATION.

(A) Every applicant shall file with the Mayor a written application and plan documents for the proposed construction or alteration of a mobile home park. The plan documents shall be prepared by a registered engineer or architect licensed to practice in the State of Illinois, with registration seal affixed to the plan.

(B) The application shall be completed by the applicant and the engineer or architect and shall include:

Revised Code

- (1) 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, and the present or last occupation of the applicant at the time of the filing of the application. If the applicant is a corporation, a copy of the certificate of incorporation must be filed with the application.
- (2) The proposed method of lighting and structures and land upon which the mobile home park is to be located.
- (3) The plot plans of the mobile home park, building plans and specifications for existing buildings and facilities, and the plans and specifications for new buildings and facilities or the proposed alterations in existing facilities.
- (4) An affidavit of the applicant as to the truth of the matters contained in the application shall be attached.
- (5) Each application shall be accompanied by an application fee of \$50.00 for a permit to construct or an application fee of \$25.00 for a permit to alter to increase the size of the park.

23-3-12 LOCATION.

(A) Sites selected for mobile home development shall be well-drained and free from topographical or geological hinderances and from other conditions unfavorable to a proper residential environment. The mobile home development shall not be located near swamps, marshes, or other breeding places of insects, rats and mice. When a good, natural drainage is not available, storm drainage shall be provided and such drainage shall not endanger any water supply or surface watercourse.

(B) The Mayor may conduct a side survey to ascertain that the proposed location complied with the above requirements.

23-3-13 ROADWAYS AND PARKING.

(A) All streets and driveways in every park shall be constructed in compliance with the Subdivision Code.

(B) All streets in parks constructed shall have a minimum road width of 30 feet for the purpose of this Code, and shall be considered private streets. If a mobile home park has more than 50 units, then a 32 foot width may be required by the Village.

Revised Code

(C) When sidewalks and walkways are constructed abutting a street in a mobile home park, they shall be a minimum of 4 feet in width; provided, however, there shall be no minimum width requirement for sidewalks for each individual lot. No portion of mobile home shall block, in any way, the pedestrian traffic on the walkways.

23-3-14 - 23-3-15 RESERVED.

DIVISION III - GENERALLY

23-3-16 LOT SIZE. The minimum lot size for a mobile home pad shall be 6,000 square feet.

23-3-17 MISCELLANEOUS RESTRICTIONS.

(A) No mobile home parked in a mobile home park shall be immobilized.

(B) Not more than one (1) mobile home shall be parked in one (1) space.

(C) No travel trailer shall be permitted in any mobile home park.

23-3-18 - 23-3-19 RESERVED.

DIVISION IV - FEES

23-3-20 LICENSE FEE. The annual license fee per mobile home park shall be \$50.00, and shall be due and payable on or before May 1st of each year.

The funds shall be placed in the General Fund and applied to the administrative cost of the inspections.