

CHAPTER 152: MOBILE HOME PARKS

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GENERAL PROVISIONS

§ 152.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DEPARTMENT. The state Department of Public Health, unless otherwise indicated.

DEPENDENT MOBILE HOME. A mobile home which does not have toilet and bath or shower facilities.

IMMOBILIZED MOBILE HOME. 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, ILCS Ch. 210, Act 120, § 1 et seq.

INDEPENDENT MOBILE HOME. A mobile home which has self-contained toilet and bath or shower facilities.

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 or a separate private water supply; and a separately tapped connection to an approved public sewer system or a separate private sewage disposal system.

MOBILE HOME. 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. 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."

MOBILE HOME PARK. A tract of land or two or more contiguous tracts of land which contain sites with the necessary utilities for five 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.

PERMANENT HABITATION. A period of two or more months.

REVENUE PURPOSES. As used in this chapter shall include, but not be limited to, moneys, 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.

SITE. The lot on which the mobile home is located for permanent habitation.

§ 152.02 RULES OF CONSTRUCTION.

(A) Certain provisions of this chapter are based upon the Mobile Home Park Act, ILCS Ch. 210, Act 115, § 1 et seq. This chapter shall be construed, where possible, consistently with that Act. Should that Act be amended after the effective date of this Code of Ordinances, and should the amended portion of that Act be inconsistent with this chapter, this chapter shall be deemed amended to the extent necessary to conform this chapter to that Act.

(B) If any requirement in this chapter is more stringent than any other ordinance of the village on a similar subject, this chapter shall control. If any requirement in this chapter is less stringent than any other ordinance of the village on a similar subject, the other ordinance shall control.

§ 152.03 MOBILE HOME PARKS ALREADY IN EXISTENCE.

All mobile home parks in operation as of the effective date of this Code of Ordinances and licensed by the Department, shall be entitled to a license from the village upon submission of an application containing the information set forth in § 152.20(A) through (F) and the payment of an initial license fee of \$50. Thereafter, such mobile home park shall be subject to license renewals in accordance with § 152.28.

PERMIT AND LICENSE REQUIREMENTS

§ 152.20 APPLICATION FOR PERMIT TO CONSTRUCT NEW PARK; FEE.

(A) In order to obtain a permit to construct a new mobile home park, the applicant shall file with the Village Clerk a written application, including the following:

(1) The full name and address of the applicant or applicants, 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.

(2) 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.

(3) The name of the mobile home park.

(4) 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.

(5) The number of mobile home sites proposed to be constructed or licensed.

(6) A statement of the firefighting facilities, public or private, which are available to the mobile home park.

(7) An application review fee of \$100, which is nonrefundable.

(B) In fulfillment of the foregoing requirements set forth in divisions (A)(I) through (7), the applicant may submit a copy of the applicant's application to the state Department of Public Health.

Penalty, see § 152.99

§ 152.21 APPLICATION FOR PERMIT TO ALTER LICENSED PARK; FEE.

An application for a permit to alter a licensed mobile home park shall be submitted to the Village Clerk 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, state Department of Health rules, and this Code of Ordinances. A review fee of \$50 shall accompany the application. This fee shall not be refundable. Construction shall not commence until a permit is issued. An applicant may fulfill the obligations of this section by submitting a copy of the applicant's similar permit application to the Department.

Penalty, see § 152.99

§ 152.22 APPLICATION TO REDUCE NUMBER OF LICENSED SITES.

An application to reduce the number of licensed sites shall be submitted to the Village Clerk no later than ten 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 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.

Penalty, see § 152.99

§ 152.23 EXAMINATION OF PERMIT APPLICATION.

(A) Applications for a permit to construct or alter a mobile home park shall be submitted, with the application fee, to the Village Clerk. The Clerk shall forward the application to the Utility Superintendent who, assisted as necessary by the Building Inspector, Plumbing Inspector, and Electrical Inspector, shall examine the plans for conformance with village ordinances including, but not limited to those relating to water, sewage, lighting, garbage disposal, streets, sidewalks, swimming and bathing facilities, fire hydrants, and auxiliary structures. The Superintendent shall render a written report of findings to the Zoning Board of Appeals, which shall then examine the application for conformance with zoning regulations. The Zoning Board of Appeals shall render a written report and submit the report along with the Superintendent's report, to the Board of Trustees, which shall rule on the application, giving reasons for any denial.

(B) The applicant shall have 30 days to correct any deficiencies in the plans and resubmit the application, which shall be reexamined and ruled on as set forth herein with no additional application fee. After the first resubmission, the Village Board in its sole discretion may require an additional application fee for further resubmissions.

§ 152.24 ISSUANCE OF PERMIT.

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 shall, if the park is or the proposed park will be in conformance with this Code of Ordinances, this chapter, and all village ordinances, issue a permit to construct, a permit to alter, or an original license, as the case may be.

§ 152.25 LICENSE ALSO REQUIRED; TERM.

No person, firm, or corporation shall establish, maintain, conduct, or operate a mobile home park after April 30, 1972, without first obtaining a license therefore 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 supplies or services, or the collection of rents directly or indirectly from five 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 this Code of Ordinances, this chapter, and with all village ordinances.

Penalty, see § 152.99

§ 152.26 INSPECTION OF PARK; ISSUANCE OF LICENSE.

If a permit to construct or a permit to alter a park has been issued, the applicant upon completion thereof shall notify the Village Building Inspector. The Village Building Inspector 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 license fee.

§ 152.27 ZONING BOARD OF APPEALS; CERTIFICATION.

The Zoning Board of Appeals, upon denial or approval of an application, shall perform the certification to the state Department of Public Health required by ILCS Ch. 210, Act 115, § 5.

§ 152.28 LICENSE FEES.

(A) In addition to the application fees provided for herein, the licensee shall pay to the village on or before March 31 of each year, an annual license fee of \$50. Annual license fees submitted after April 30 shall be subject to a \$50 late fee. The licensee shall also complete and return a license renewal application by March 31 of each year.

(B) Each license fee shall be paid to the village and any license fee or any part thereof, once paid to and accepted by the village, shall not be refunded.

§ 152.29 REVOCATION OR SUSPENSION OF LICENSE.

(A) 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 this chapter or any rules or regulations promulgated by the state Department of Public Health. Said notice shall require the licensee to remove or abate such nuisance or unsanitary or objectionable condition, specified in such notice, within five 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.

(B) Revocation of a state license by the state shall constitute grounds for revocation of the village license without any such period of time to abate the condition.

§ 152.30 OBTAINING NEW LICENSE AFTER DENIAL, SUSPENSION, OR THE LIKE.

A mobile home park whose license has been voided, suspended, denied, or revoked may be relicensed by submission of the application items required in § 152.20(A)(I) through (4) and an application fee of \$50 which is nonrefundable. Approval shall be issued if an inspection of the park by the village indicates compliance with this chapter, this Code of Ordinances, and all village ordinances.

§ 152.31 DISPLAY AND TRANSFER OF PERMIT OR LICENSE.

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 chapter shall be transferable only with the written consent of the village; however, the village may not withhold such consent where the provisions of this chapter have been met. The new licensee shall provide to the village the information required in § 152.20(A), (C), and (E).

Penalty, see § 152.99

§ 152.32 VILLAGE TO MAINTAIN CERTAIN RECORDS.

(A) 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.

(B) The Village Clerk shall keep records of all mobile home parks. These records shall 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, and system of sewage and garbage disposal.

OPERATION REGULATIONS

§ 152.50 COMPLIANCE REQUIRED.

Each mobile home park licensed or to be constructed under the provisions of this chapter shall be operated and maintained in accordance with the requirements of this subchapter.

§ 152.51 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 who shall be responsible, with the licensee, for any violation of the provisions of this chapter.

Penalty, see § 152.99

§ 152.52 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, every occupant of such mobile home, the square feet of floor space contained in such mobile 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. No person shall furnish misinformation for purposes of registration. The registration records shall be neatly and securely maintained, and no registration records shall be destroyed until six years have elapsed following the date of registration. The register shall be available for inspection upon request by all law enforcement officers, the state Department of Public Health, and by duly authorized employees and officers of the village.

Penalty, see § 152.99

§ 152.53 MINIMUM SITES; ACCESS.

A) Each site on which a mobile home is accommodated shall have a minimum area of 2,500 square feet, provided that sites existing in parks prior to August 21, 1967 shall contain an area of not less than 1,000 square feet, and sites constructed between August 21, 1967 and September 8, 1967 shall contain an area of not less than 2,100 feet.

(B) No mobile home shall be parked closer than five feet to the side lot lines of a park, or closer than ten 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 feet adjacent to the sides of every mobile home and at least five feet adjacent to the ends of every mobile home.

Penalty, see § 152.99

§ 152.54 WATER AND SEWER REGULATIONS.

(A) 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 waste water shall be deposited on the surface of the ground within the mobile home park.

(B) An adequate supply of water from the village shall be furnished at each park. Each site shall be provided with a cold water tap located in accordance as per regulations of the state Department of Public Health.

(C) All sewage and other water-carried wastes shall be disposed of into the village sewerage system whenever the interceptor or sewer main of such system is adjacent to the park.

(D) 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. 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 closed so 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.

Penalty, see § 152.99

§ 152.55 GARBAGE STORAGE AND DISPOSAL.

(A) A sufficient number of adequate fly-proof and watertight containers in accordance with the rules and regulations adopted by the state Department of Public Health shall be supplied for the storage of garbage except where an adequate incinerator is provided.

(B) 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.

(C) Garbage and rubbish shall be disposed of in a manner consistent with this Code of Ordinances.

Penalty, see § 152.99

§ 152.56 OTHER HEALTH AND SAFETY REGULATIONS.

(A) *Insect and rodent control.* Adequate insect and rodent control measures shall be employed. All buildings shall be fly- and rodent-proof, and rodent harborage shall not be permitted to exist in the park or pathways.

(B) *Fire extinguishers.* Mobile homes in mobile home parks shall each be equipped with fire extinguishers in working order, one in each end of the mobile home. Inspection of any such equipment shall be performed by the village.

(C) *Porches, skirting, and auxiliary buildings or rooms.* Porches, carports, garages, sheds, awnings, skirting, and auxiliary rooms shall be constructed of materials specified by regulations of the state Department of Public Health.

(D) *Streets; dust control.* All streets in every park must be maintained in a passable and ~ reasonably dust-proof condition at all times.

(E) *Sanitary, electrical, and safety appliances.* 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 chapter.

(F) *Electrical outlets.* Electrical outlets for each individual site shall be provided. Installation shall be in accordance with this Code of Ordinances and applicable building codes promulgated hereunder.

(G) *Dependent mobile homes and similar vehicles.* In no event shall a dependent mobile home, 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.

(H) *Community kitchens and the like.* 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, subject to such rules and regulations as may be issued by the state Department of Public Health.

(I) *Construction, installation.* All buildings constructed or altered, all plumbing, and all electrical and heating installations shall be in accordance with this Code of Ordinances and all other village ordinances.

Penalty, see § 152.99

§ 152.99 PENALTY.

Whoever violates any provision of this chapter, shall upon conviction be fined not more than \$750. Each day's violation shall constitute a separate offense. The village may, in addition to other remedies provided by state law, bring action for an injunction to restrain such violation or to enjoin the operation of any such mobile home park.