



City of West Allis

Ordinance: O-2016-0009

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number: O-2016-0009

Final Action:

Sponsor(s): Safety & Development Committee

MAR 15 2016

An Ordinance to Create Section 13.36 of the West Allis Revised Municipal Code Relating to Manufactured and Mobile Homes and Manufactured and Mobile Home Communities.

The Common Council of the City of West Allis do ordain as follows:

PART I. Section 13.36 of the Revised Municipal Code of the City of West Allis is hereby created to read as follows:

13.36 Manufactured And Mobile Homes And Manufactured And Mobile Home Community Standards.

(1) Definitions.

(a) "Noncombustible Material" means a material that, in the form in which it is used and under the conditions anticipated, will not ignite, burn, support combustion, or release flammable vapors when subjected to fire or heat. Materials that are reported as passing ASTM E 136, *Standard Test Method for Behavior of Materials in a Vertical Tube Furnace at 750 Degrees C*, shall be considered noncombustible materials.

(b) "Storage Building" means a building of noncombustible walls and roof of prefabricated construction allowing for convenient disassembly and removal that is used as an accessory building to a manufactured home, located on the same space, but not attached to the manufactured home.

(c) "Storage Container" means an object built of noncombustible material for outside manufactured home storage.

(2) State Laws Adopted. Except as otherwise provided herein, Wisconsin Statute Sections 66.0435 and 101.935, Safety and Professional Services (hereinafter "SPS") Chapter 326, SPS Section 321.40, and SPS Section 302.33, of the Wisconsin Administrative Code, as related to manufactured and mobile homes, as they are from time to time amended, are hereby adopted and by reference made part of this Section as if fully set forth herein.

(3) Parking of Manufactured and Mobile Homes Restricted. Except as provided in this Section, no person shall park any manufactured or mobile home anywhere in the City other than in a licensed manufactured and mobile home community, except for sales display by manufactured and mobile home dealers that are validly licensed pursuant to Wis. Stat. Sec. 101.951. This section shall not apply to the parking of one (1) unoccupied manufactured or mobile home not to exceed thirty-five (35) feet in length per residential rear yard, which manufactured or mobile home shall not be connected with water, electrical, fuel supply, or sanitary facilities.

(4) Permits for Change in Community. No alteration, extension, addition, modification, or change shall

be made in the manufactured and mobile home community, its facilities, spaces, electric service, water supply, plumbing and sanitary facilities, buildings, or structures without first securing a permit from the Director of Building Inspection and Neighborhood Services (hereinafter "Director"). Application for a permit shall be accompanied by scale drawings and such other information as the Director may require. Permits shall be issued only where the requirements and conditions of this Section and other ordinances of the City and Wisconsin state statutes are met. Permit fees shall be the same as listed in Section 13.255 of this Code.

(5) Permit Required for Manufactured and Mobile Homes. Each licensee shall, within seventy-two (72) hours of the occupancy of a newly parked manufactured or mobile home, file a report with the Department of Building Inspection and Neighborhood Services and office of the City Clerk that such manufactured or mobile home located in said community is occupied and specifying the name of the owner and principal occupant of the manufactured or mobile home, the trade name and size of the manufactured or mobile home, the date when first occupied, the number of persons occupying such manufactured or mobile home, and further specifying the space in the community upon which said manufactured or mobile home is placed. Upon inspection of said manufactured or mobile home and its connections to the utility services, if so connected, the Director or his/her designee shall, if the requirements of this Section and other applicable ordinances of the City and laws of Wisconsin have been complied with, issue a permit permitting occupancy of such manufactured or mobile home, which permit shall be filed with the licensee of the community and retained by him or her until said manufactured or mobile home is moved from the space on which it is parked. The moving of said manufactured or mobile home from the space designated on the permit shall immediately void the permit so issued, and the licensee shall, within forty-eight (48) hours after the manufactured or mobile home has been so moved, return the permit to the Department of Building Inspection and Neighborhood Services for cancellation. Should the Director or designee, upon inspection of a manufactured or mobile home, refuse to issue a permit because of its failure to comply with applicable City ordinances or state laws, the licensee and/or manufactured or mobile home occupant shall be given thirty (30) days to correct or change such items of non-compliance designated by the Director or designee. If the Director or his/her designee determines that occupancy would be dangerous, unsafe, unsanitary, or otherwise unfit for human habitation, occupancy, or use, the home occupant shall cease occupancy immediately until the Director or designee issues an occupancy permit. If not corrected, the licensee, upon notice from the Director or designee to remove such manufactured or mobile home, shall proceed within the time specified in the order, not to exceed five (5) days, to cause such manufactured or mobile home to be removed from such community.

(6) Compliance with Code. All manufactured and mobile home owners and occupants of manufactured and mobile homes in a manufactured and mobile community shall comply with SPS Section 326.19, Wisconsin Administrative Code, as amended, including, but not limited to, registration and maintenance of their sites and units. In addition, owners and occupants of manufactured and mobile homes in a manufactured and mobile home community shall obey all orders from the City and comply with all federal, local, and state health and safety laws and regulations.

(7) Requirements for All Manufactured and Mobile Home Communities.

(a) Community Map and Directory to be Posted. Each manufactured and mobile home community shall have a directory and map posted in a conspicuous place, designated by the Fire Chief or his/her designee, numbering the spaces within the community by lot and block designated and a duplicate

thereof shall be filed with the Director, the Fire Chief, Police Chief, Health Commissioner, and the City Clerk. The space number shall be a standard City building number available for purchase in the Department of Building Inspection and Neighborhood Services. Such number shall be attached to the wall of the manufactured and mobile home parallel to and visible from the fronting street or lane.

(b) Number of Occupants. Only one person for each four hundred fifty (450) cubic feet of interior space of a manufactured or mobile home shall be permitted to occupy a manufactured or mobile home in any licensed community of West Allis.

(c) Visitor automobile parking may be allowed on one side of roadways and lanes of twenty (20) or more feet in width; both sides of roadways and lanes of thirty (30) or more feet in width. No parking shall be allowed on said roadways and lanes within thirty (30) feet of all intersections and corners within a manufactured and mobile home community.

(d) Visitor parking restrictions shall be posted on the roadways and lanes by the manufactured and mobile home community licensee.

(e) Permits for Storage Buildings.

1. Licensees shall file an applicant for a building permit accompanied by a sketch of the unit space showing the dimensions of the space, location, and dimensions of the manufactured or mobile home on the space, and proposed location and dimensions of the storage building. The building permit fee schedule in Section 13.255(1)(c) shall apply.

2. Each building permit for the construction of a storage building shall be limited to the construction and maintenance of such storage building in conjunction with the manufactured or mobile home then on the space; in the event of the replacement of such manufactured or mobile home, the permit shall terminate. An expired permit may be reinstated if the storage building complies with all of the provisions of this Section and the replacement manufactured or mobile home.

(f) Number of Spaces. No community shall contain more than 125 spaces, except communities that contained more than 125 spaces as of January 1, 1972. Such non-conforming communities shall be limited to the number of spaces contained therein on January 1, 1972.

(g) No manufactured and mobile home community shall be laid out, constructed or operated without City water and sanitary sewer facilities. No wastewater shall be thrown or discharged upon the surface of the ground.

(h) Subject to Section 12.17 of the Revised Municipal Code, no business shall be conducted in any unit.

(8) Zoning. No manufactured and mobile home community shall be constructed except in conformity with the zoning laws of the City. All manufactured and mobile home communities constructed prior to March 1, 2016 are considered non-conforming.

(9) Minimum Standards.

(a) For all manufactured and mobile home communities hereafter constructed, the following minimal standards shall be applicable:

1. It shall be permissible to remove the wheels and/or hitch of manufactured or mobile homes in manufactured and mobile home communities. It shall not be permissible to construct or cause to be constructed any permanent pier, post, or other structure to support the unit. Nothing herein contained shall prohibit the use of stabilizing equipment; nor shall this paragraph prohibit the skirting of any manufactured or mobile home. Skirting must be made of non-combustible material and commercially manufactured specifically for skirting purposes.
2. Shelter roofs hereafter erected shall be of metal or other non-combustible material, securely anchored to the ground, and shall have no side walls or side enclosures of any kind. The shelter roofs shall be limited in length to the length of the manufactured or mobile home, but no greater in length than thirty-five (35) feet, nor greater in width than ten (10) feet, and shall not be less than six (6) feet to the lot line adjacent to the shelter roof or nearest manufactured or mobile home, and shall not be less than six (6) feet above the grade immediately beneath any point of such roof section.
3. No licensee or manufactured or mobile home occupant shall erect upon any space or any place within the community, any tent, sectional, or prefabricated cabin or cottage or any other structures intended to be used for dwelling purposes, or to be used in connection with or added to any manufactured or mobile home legally located on a space in such manufactured or mobile home community, except as otherwise provided in this Section.
4. All manufactured and mobile homes shall have a toilet and bath or shower facilities that are in good working order.
5. All plumbing installations shall comply with the Municipal Plumbing Code for manufactured and mobile homes.
6. Subject to Section 12.17 of the Revised Municipal Code, no business shall be conducted in any manufactured or mobile home, manufactured and mobile home community, or manufactured or mobile home lot except those necessary for the operation of such community.
7. All manufactured and mobile home communities shall be maintained in a clean, orderly, and sanitary condition at all times.
8. Where fuel oil tanks are utilized they shall be placed at the rear or side of the unit in as close proximity to the rear of the unit as possible. The capacity of a fuel oil tank is limited to two hundred seventy-five (275) gallons. The supporting structure for the fuel tank must be of metal construction.
9. Supplemental spaces for parking of automobiles, boats, camping trailers, utility trailers, and other vehicles which are the property of the occupants of the community may be provided for in the community in an area other than on the lot space provided or allocated for parking of the manufactured or mobile home, and parking of such equipment on any manufactured or mobile home space is prohibited.
10. All driveways or lanes in any manufactured and mobile home community shall have a minimum width of twenty (20) feet and shall be surfaced with bituminous concrete or similar material; shall at all times be maintained in good and dustproof conditions; shall be artificially lighted at night with at least

an average of 0.5 FTC; and shall be kept unobstructed.

11. Parking.

(a) No manufactured or mobile home shall be parked or placed on a space which is not equal to twice the floor area of the manufactured or mobile home being placed thereon; nor shall said manufactured or mobile home infringe upon any adjoining space or roadway, but shall be wholly contained within its space.

(b) Floor area shall be measured by the outside dimensions of the manufactured or mobile home, including all expandable floor area both horizontally and vertically where such expandable floor area is actually being used in connection with such manufactured or mobile home when situated on such space, plus floor area measured on the exterior or any storage building located on said lot space.

(c) One automobile will be permitted to be parked on a manufactured or mobile home space if the floor area of the manufactured or mobile home parked thereon measured as provided in Subsection 9(a)(11) (b) covers no more than forty percent (40%) of the lot area, and then only if a parking area equal to the automobile size is provided of cement or bituminous material and connected by a driveway made of cement or bituminous material to a street.

(d) Supplemental spaces for parking for automobiles, boats, camping trailers, utility trailers, and other vehicles that are the property of the occupants may be provided for in the community in an area other than the driveways, lanes, or lot space allocated for parking of the manufactured or mobile home, and parking of such equipment shall not be permitted by the licensee on any manufactured or mobile home space.

12. Decks and Porches.

(a) A single deck or porch may be attached or adjacent to each manufactured or mobile home entrance. The manufactured or mobile home occupant and the licensee shall be responsible for maintaining the installation.

(b) Wall facing material for the deck or porch shall be metal or other non-combustible material. Decks or porches shall be limited to 25 square feet in size.

(c) Stairs utilized in connection with a deck or porch having three (3) or more risers shall be provided with hand rails on both sides of such stairs.

13. Storage.

(a) No space may have more than one storage container or storage building; no space shall contain a storage container and a storage building.

(b) No storage building 150 square feet or larger shall be erected without a permit.

(c) No storage building or storage container shall be constructed of combustible materials.

(d) No storage building shall exceed two percent (2%) of the area of the lot.

- (e) No storage container shall exceed twenty (20) square feet, limited in height to a maximum of five (5) feet.
 - (f) Each storage building or storage container shall have a rodent proof floor constructed of metal, Portland cement, concrete, bituminous concrete, or masonry mortar jointed.
 - (g) Each storage building or storage container shall be located only within the rear one-quarter (1/4) of space area with a minimum setback to rear and side boundaries of unit space of five (5) feet.
 - (h) An open space of not less than one foot shall be provided between the storage building or storage container and the nearest wall of the manufactured or mobile home on the space.
14. No accessory structure, as defined in Section 12.06 of this Code, shall be located on a space unless specifically allowed under this Section.
- (10) Inspections. All manufactured and mobile home communities and units shall be subject to inspection by the Department of Building Inspection and Neighborhood Services, Health Department, and Fire Department during reasonable hours and with reasonable advanced notice, emergencies expected.
- (11) Variances. The Board of Appeals shall have jurisdiction over any request for a variance of a requirement under this Section.

PART II. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART III. This ordinance shall take effect and be in force from and after its passage and publication.

ATTO-Create Sec13.36 Manu&MobileHomeCommunities

PASSED MAR 15 2016

APPROVED 3/21/16

 Monica Schultz
Monica Schultz, City Clerk

 Dan Devine
Dan Devine, Mayor

**Notice of Newly Enacted
Ordinance**

Please take notice that the City of
West Allis enacted O-2016-0009.

An Ordinance to Section 13.36 of the Revised Municipal Code Relating to Manufactured and Mobile Homes and Manufactured and Mobile Home Communities on March 21, 2016. The ordinance adopts the state laws relating to manufactured and mobile homes; restricts parking of manufactured and mobile homes; requires permits for changes in the community and manufactured and mobile homes; sets forth requirements for a community map, parking, number of occupants and spaces, and water and sanitary facilities; requires permits for storage buildings; establishes zoning requirements; establishes minimum standards for communities; and grants the Board of Appeals with jurisdiction over variance requests.

The full text of Ordinance O-2016-0009 may be obtained at the City of West Allis Clerk's office, 7525 West Greenfield Avenue, and through the website at www.westalliswi.gov. Clerk's phone: 414-302-8220.
Monica Schultz, City Clerk
Published: 3-31-16
WNAXLP

COMMUNITY **CNI** NEWSPAPERS

AFFIDAVIT OF PUBLICATION

0004620604

WEST ALLIS CITY OF-LEGALS
JANEL LEMANSKE
7525 W GREENFIELD AVE

West Allis, WI 53214

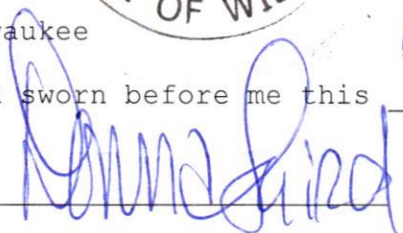
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Patti Guerrero



State of Wisconsin
County of Milwaukee

Subscribed and sworn before me this 31 day of March, 2016.



Notary Public State of Wisconsin

My Commission Expires _____

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NOTARIZED
COMMISSION
EXPIRES 3-31-16
10-03-16