

CHAPTER 23

MOBILE HOUSING CODE

ARTICLE I - GENERAL PROVISIONS

**23-1-1**        **DEFINITIONS.**     The terms used in this Code 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 application for a license or permit.

**“IMMOBILIZED MOBILE HOME”** means any structure resting on a permanent foundation with wheels, tongue and hitch permanently removed served by individual utilities, delivered on a steel frame that is a permanent part of the floor system, conforming to the specifications for sectional housing prescribed by the U.S. Department of Housing and Urban Development and which are posted with the seal of the U.S. Department of Housing and Urban Development, and the home secured in compliance with the **Mobile Home Tiedown Act, Chapter 210; Sec. 120/1 et seq. of the Illinois Compiled Statutes.** The following criteria is necessary, at a minimum, to complete 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)            The wheels, tongue and hitch must be permanently removed. Wheels must be removed in such a manner that they may not be easily replaced. Therefore, either the axle would have to be removed or at least the lug bolts holding the wheels to the axle removed. The tongue and hitch must be removed by either removing the tongue and hitch from the frame or removing the bolts holding the tongue and hitch to the frame.

(C)            A minimum nominal roof pitch of 3/12 shall be required for an immobilized mobile home. **(Revised 12-03-01)**

**“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 Code and the rules and regulations issued hereunder.

**“LICENSEE”** means any person having a license or permit under this Chapter.

**“MANUFACTURED HOUSING”** means a partially constructed, factory-fabricated dwelling that is substantially assembled on site utilizing pre-manufactured components and having at a

minimum the following specifications: masonry or concrete foundation, or basement of a permanent nature; residential siding; residential roof with a minimum nominal roof pitch of 5/12; minimum **nine hundred sixty (960) square feet** of living space exclusive of garages, porches or attachments; minimum **six (6) inch** eave overhang including guttering where applicable; interior drywall; drain lines stubbed through the floor; and for multi-section units, the length shall not exceed **four (4) times** the width. All manufactured housing must bear the State of Illinois Modular seal and shall become real property and be taxes as such after location upon its lot. The term “**manufactured housing**” specifically excludes any structure defined herein as a “**mobile home**” or “**immobilized mobile home**” and any sectional home with a separate Secretary of State title and sold with sales tax charged to the purchaser. (Revised 12-03-01)

**“MOBILE HOME”** means a manufactured 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 located as a permanent habitation and designed to permit the occupancy thereof as a dwelling place for **one (1) family**. A mobile home should not be confused with a camping trailer (or recreational vehicle) which are not mobile homes within this definition. (Revised 12-03-01)

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

**“MOBILE HOME, DOUBLE-WIDE”** consists of **two (2) mobile home 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 which has self-contained toilet and bath or shower facilities. (See 210 ILCS Sec. 115/2.4)

**“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 a tract of land or **two (2)** or more contiguous tracts of land upon which contain sites with the necessary utilities for **two (2)** 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)

**“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 (1) mobile home**.

**“MOBILE HOUSING UNIT”** includes all forms of housing units listed in this Section and as regulated in this Code.

**“OWNER” or “OPERATOR”** means the licensee.

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

**“PERMIT”** means a certificate issued by the Village, permitting the construction, alteration, or reduction in number of spaces of a mobile home park under the provisions in this Code.

**“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.

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

**“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 Compiled Statutes*, Chapter 210, Section 115/1 et seq., 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** 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.

**23-1-4**        **NATIONAL SAFETY STANDARDS.** No mobile home, immobilized mobile home or manufactured home shall be located in the Village unless the unit has the **National Manufactured Housing Construction and Safety Standards Act of 1974** metal seal affixed thereto.

**23-1-5**        **SKIRTING.** Skirting shall be used to conceal all underpinning, plumbing, and support piers whether on a permanent foundation or otherwise. All skirting shall be installed on all mobile housing units within **sixty (60) days** of the placement of the unit.

**23-1-6**        **FIRE EXTINGUISHERS.** All mobile housing units located in the Village shall be equipped with smoke detectors.

**23-1-7**        **INSPECTION.** Each Mobile Housing unit located in the Village shall be subject to reasonable inspection by an official or officials designated by the Village Board.

**23-1-8**        **OFF-STREET PARKING.** Every owner of a mobile housing unit shall provide for a dustless, off-street parking area of **four hundred (400) square feet.**

**23-1-9**        **OWNER OCCUPIED.** All mobile housing units shall be used and occupied by the owner or his immediate family as a residence. If the unit is not located in a licensed mobile home park, then the lot should be owned by the owner-occupant of the mobile housing unit.

ARTICLE II

IMMOBILIZED MOBILE HOMES

**23-2-1**        **IMMOBILIZED MOBILE HOMES.** All immobilized mobile homes located in the Village shall be classified 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 in this Code. All existing mobile homes, when replaced, shall comply with the immobilization provisions of this Code.

**23-2-2**        **EXISTING MOBILE HOMES.** A mobile home or immobilized mobile home presently located on a lot by the owner may be removed or sold by the owner; and in the event he sells the same and purchases a new mobile home or immobilized mobile home, he may locate it on the lot. However, such owner must obtain a permit from the Director of Building and Zoning to relocate or replace the mobile or immobilized mobile home on his lot. In the event the owner of the lot sells the same with a mobile home or immobilized mobile home thereon, the newly acquired owner of the lot may continue to use or lease said lot for mobile home or immobilized mobile home occupancy. If, however, the owner of the lot sells the lot and there is a separation of the mobile home or immobilized mobile home from the lot, the newly acquired owner of the lot shall not use, lease or rent the same for mobile home or immobilized mobile home occupancy. Notwithstanding the foregoing, no owner shall replace a mobile home or immobilized mobile home on a lot within the Village unless such replacement mobile home or immobilized mobile home is no more than **ten (10) years** old at the time of replacement as shown on the title to the replacement mobile home or immobilized mobile home.

It shall be unlawful to occupy for sleeping or other residence purposes, any mobile home or immobilized mobile home, which has been rendered immobile by the removal of wheels, or placing the same on a foundation or on the ground, unless such mobile home or immobilized mobile home in construction and location complies with the Codes relating to the construction, wiring, plumbing, sewer facilities and other regulations applicable to single-family dwellings.

**23-2-3**        **MOBILE HOMES; SIZE.** Except where there is a mobile or immobilized mobile home presently located on a lot within the Village, no mobile or immobilized mobile home of a size less than **nine hundred sixty (960) square feet** shall be located, relocated, replaced or otherwise placed on a lot within the Village.

**23-2-4**        **PERMIT REQUIRED.** It shall be unlawful for any person to maintain, locate, relocate or replace any mobile home or immobilized mobile home used for human

**Mobile Housing Code 23-2-1**

habitation, upon any ground or lot in the Village, unless a zoning permit to do so is obtained from the Village.

**23-2-5**            **LOT SIZE.** The minimum lot size for any immobilized mobile home shall be **seven thousand two hundred (7,200) square feet**; provided, however, the lot shall be at least **fifty (50) feet** wide and at least **one hundred (100) feet** deep.

**23-2-6**            **PERCENTAGE OF LOT COVERAGE.** Each mobile home dwelling, including accessory buildings, garages and porches shall not cover more than **fifty percent (50%)** of each mobile home lot. (**Zoning Code**)

**23-2-7**            **MOBILE HOMES – REAL ESTATE TAX.** All mobile homes or immobilized mobile homes located in the Village and not in a Mobile Home Park shall be classed as real estate. Therefore, it is mandatory for all persons owning, operating, renting or leasing a mobile home to remove or cause to have removed the wheels or any other transportation device from the mobile home. This person shall permanently fix it to the ground in the manner that conforms to the illustrations in **Figure 1**. Skirting so installed shall be of fire resistant materials and shall be equipped with an inspection door. Skirting shall be installed within **thirty (30) days** when located on a mobile home lot.

**23-2-8**            **SITE.** All mobile homes shall be located on a well-drained site so that its drainage will not constitute an unreasonable hazard or nuisance to persons, property or water supply in the immediate vicinity of the site.

**23-2-9**            **DEPENDENT MOBILE HOMES.** No dependent mobile home, as defined in **Section 23-1-1**, shall be permitted in the Village unless in a licensed travel-trailer park. At no time shall anyone use a dependent mobile home as a permanent residence or dwelling.

**23-2-10**           **CONCRETE PADS.** All immobilized mobile homes shall be placed on either a reinforced concrete pad at least **fourteen feet wide by sixty feet in length (40' x 60')**, **two (2)** reinforced concrete runners **four feet wide and sixty feet in length (4' x 60')**, or on concrete piers approved by the Village Board. The concrete pads shall consist of **four (4) inches** of reinforced concrete or **six (6) inches** of concrete. A concrete footing is optional. All piers and footings for immobilized mobile homes shall comply with this Code. Expandable units shall be provided with approved piers or their equivalent at each corner of the units.

**23-2-11**           **LIMIT OF UNITS.** There shall be **only one (1)** immobilized mobile home or mobile home per lot in the Village.

**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”.** (See 210 ILCS Sec. 115/1 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.**
- (D)            **Zoning Code.**

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

**23-3-2**        **PLANNING.** Any person seeking to establish, operate, alter, or expand a mobile home park shall obtain a permit to construct or a license to operate a mobile home park.

**“Construct 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 **two (2)** or more independent mobile homes. **(All plans shall be submitted to the Plan Commission or Village Board for approval 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 or other ordinances applicable thereto.

**23-3-4**        **PERMITS.** The Plan Commission 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 or its designee may issue the proper permit to construct or alter a mobile home park to the applicant. Permits shall be valid for **one (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 Village Clerk in order that an inspection of the complete facilities can be made.

**23-3-6            VIOLATION PROCEEDINGS.** Any license granted hereunder shall be subject to revocation or suspension by the Mayor. However, the Mayor or his representative 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 **five (5) days** or within a longer period of time as may be allowed by the Village Board. 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 or his representative may revoke or suspend such license.

**23-3-7            PERMIT REQUIRED.** Each mobile home that locates on a lot in a mobile home park shall secure an initial Building (Zoning) Permit from the Village. All future locations on the same lot shall be exempt from the fee.

**23-3-8 - 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 Village Clerk 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 Clerk 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 Village Clerk a written application and plan documents for the proposed construction or alteration of a manufactured home park.

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

- (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 the 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 **One Hundred Dollars (\$100.00)** for a permit to construct, or an application fee of **Twenty-Five Dollars (\$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 Village Board may authorize a site survey to ascertain that the proposed location complies 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 right-of-way of **fifty (50) feet** and a minimum road width of **thirty-two (32) feet** for the purpose of this Code, and shall be considered private streets to be maintained by the park owner or operator. If a mobile home park has more than **fifty (50) units**, a wider street may be required by the Plan Commission or corporate authorities.

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

**23-3-14 - 23-3-16      RESERVED.**

**DIVISION III - GENERALLY**

**23-3-17**      **LOT SIZE.** The minimum lot size for a mobile home pad shall be **six thousand (6,000) square feet**, with a minimum frontage of **fifty (50) feet**.

**23-3-18**      **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, unless a special area has been approved for that purpose by the Village Board.

**23-3-19 - 23-3-20**      **RESERVED.**

**DIVISION IV - FEES**

**23-3-21**      **LICENSE FEE.** The annual license fee per mobile home park shall be **Fifty Dollars (\$50.00)**, and shall be due and payable **on or before May 1<sup>st</sup> of each year**. The Village Clerk shall notify the owner or operator of the annual fee at least **thirty (30) days** prior to **May 1<sup>st</sup>**.

**23-3-22**      **RESERVED.**

**DIVISION V - PENALTY**

**23-3-23**      **PENALTY.** All violations of this Chapter shall be a **Class Five (5) Ordinance violation** as provided for in **Section 1-1-17** of this Code.