

**CAMPING, CAMPGROUNDS, MOBILE HOMES, AND MOBILE HOME
PARKS #2011- 7 -B**

STATE OF WISCONSIN

Town of Niagara

Marinette County

A. PURPOSE - A camping unit including recreational mobile homes, camping trailers or tents, shall not be used as a residence located within the Town of Niagara except in a federal, state, town, or county camp, a private campground.

B. GENERAL

1. All camping, campground, and mobile home parks shall comply with Wisconsin State Statutes.
2. Mobile homes located outside of mobile home parks
 - a. All mobile homes in the Town of Niagara not located in a mobile home park shall abide by the following requirements:
 - 1) Shall be blocked, off wheels, and skirted for rodent control
 - 2) Must meet zoning district requirements for a single family dwelling, including but not limited to minimum lot size, minimum floor space, and minimum setback requirements
 - 3) Must have on-site sanitary facilities meeting the requirements of the Marinette County Private Sewage System Ordinance and the Wisconsin Administrative Codes. The Town Board may require a private sewage system as defined in the Marinette County Private Sewage System Ordinance and all mobile homes intended for year-round occupancy shall have a private sewage system.
3. Mobile Home Parks
 - a. Definitions - for the purpose of this ordinance
 - 1) "Licensee" means any person licensed to operate and maintain a mobile home park under this section.
 - 2) "Licensing Authority" means the city, town or village wherein a mobile home park is located.
 - 3) "Park" means Mobile Home Park
 - 4) "Person" means any natural individual, firm, trust, partnership, association or corporation
 - 5) "Mobile Home" is that which is, or was originally constructed, designed to be transported by any motor vehicle upon a public highway and designed, equipped and used primarily for sleeping, eating and living quarters, or is intended to be so used and includes any additions, attachments, annexes,

foundations and appurtenances, including double wide manufactured mobile homes.

- 6) "Dependent Mobile Home" means a mobile home, which does not have complete bathroom facilities.
 - 7) "Mobile Home" means a mobile home equipped with complete bath and toilet facilities, all furniture, cooking, heating, appliances and complete year-round facilities.
 - 8) "Unit" means a mobile home including doublewide manufactured home
 - 9) "Mobile Home Park" means any single taxed parcel upon which two or more units, occupied for dwelling are located, regardless of whether or not a charge is made for such accommodations. Reference to ADM Code 65.5.
 - 10) "Space" means a plot of ground within a mobile home park, designed for the accommodation of one mobile home unit.
 - 11) "Recreational Park Trailer" is a recreational vehicle that is primarily designed to provide temporary living quarters for recreation, camping and seasonal use. Built on a single chassis mounted on wheels which has the gross trailer area not exceeding 400 square feet in the set-up mode and is certified by the manufacturer as complying with ANSI A119.5.
- b. License and Revocation or Suspension Thereof
- 1) It shall be unlawful for any person to maintain or operate within the limits of the Town of Niagara, any mobile home park unless such person shall first obtain from the Town, a license therefore. All such parks in existence on the date of passage of this ordinance, shall within ninety (90) days thereafter, obtain such license, and in other respects comply fully with the requirement of this section except that the licensing authority shall upon application of a park operator, waive such requirements that require prohibitive reconstruction costs if such waiver does not affect sanitation requirements of the Town or create or permit to continue any hazard to the welfare and health of the community and occupants of the park.
 - 2) Any license granted under the provisions of this ordinance shall be subject to revocation or suspension for cause, by the town board upon complaint filed with the clerk signed by any law enforcement officer, health officer, building inspector, or zoning administrator after a public hearing upon such complaint, provided that the holder of such license shall be given ten (10) days notice in writing of such hearing, and shall be entitled to appear and be heard as to why such license shall not be revoked. Any holder of a license which is revoked or suspended by the Town may, within twenty (20) days of the date of such revocation or suspension, appeal therefrom to the Circuit Court of the county in which the trailer camp or mobile home park is located by filing a written notice of appeal with the town clerk, together with a bond executed to the Town of Niagara, in the sum of five thousand (\$5,000)

dollars, with two sureties or a bonding company approved by the town clerk conditioned for the faithful prosecution of such appeal and the payment of cost adjudged against him.

- 3) Any changes in the park layout such as but not limited to new roads and additional lots shall require submittal of an updated map showing said changes.
 - 4) Failure to provide a map shall result in non-renewal or revocation of license. The town clerk shall, upon noncompliance, notify the State of Wisconsin that the license is being withheld locally, showing just cause.
- c. License and Monthly Mobile Home Fee: Review
- 1) The licensing authority shall exact from the licensee an annual fee as determined by the Town of Niagara "Fee" ordinance for up to forty-nine (49) spaces and one dollar (\$1) for each space thereafter. This schedule will apply to each mobile home park within the Town of Niagara except that where the park lies in more than one municipality or township the amount of license fee shall be such fraction thereof as the number of spaces in the park in the town or municipality bears to the entire number of spaces in the park.
 - 2) The licensing authority may collect a fee as determined by the Town of Niagara Fee ordinance, for each transfer of a license.
 - 3) In addition to the license fee provided in paragraphs (a) and (b) the licensee shall collect from each mobile home occupying space or lots in a mobile home park in the Town a monthly parking permit fee as referred in State Statute No. 66.0435. The assessor shall determine the total fair market value of each mobile home in the district subject to the monthly parking permit fee. The fair market value, minus the tax-exempt household furnishings thus established, shall be equalized to the general level of assessment on other real and personal property in the district. The value of each mobile home thus determined shall be multiplied by the tax rate established on the preceding January 1 assessment of general property. The parking permit shall first be reduced by the credit allowed under section 77.63. The total annual parking permit fee thus computed shall be divided by 12 and shall represent the monthly mobile home parking permit fee. The fee shall be applicable to mobile and manufactured homes moving into the tax district any time during the year. The park operator shall furnish information to the tax district clerk and local assessor on the mobile homes added to his park within five (5) days after their arrival or departure, on forms prescribed by the Wisconsin Department of Revenue. As soon as the assessor receives the notice of an addition of a home to the park, he shall determine its fair market value and notify the clerk of his determination. The clerk shall equalize the fair market value established by the assessor and shall apply the tax rate for

that year, divide the annual parking permit fee thus determined to be collected from the mobile home owner. Liability for payment of the fee shall begin on the first day of the next succeeding month and shall remain on the mobile home only for such months as mobile home remains in the tax district. A new fee and a new evaluation shall be established each January 1 and continue for that calendar year. The valuation established shall be subject to review as are other values established under Chapter 70. If the Board of Review reduces a valuation on which previous monthly payments have been made, the tax district shall refund past excess fee payments. Parking permit fees shall be paid by the mobile home owner to the licensee on or before the 10th day of the month following the third, sixth, ninth and twelfth month for which such parking permit fee is due. If the required payments are not made, the issuance of the mobile home park license may be withheld. Fee's must be paid according to the fee ordinance. No such fee shall be imposed for any space occupied by a mobile home accompanied by an automobile, for an accumulating period not to exceed sixty (60) days in any 12-month period.

- 4) The licensee of a park shall be liable for the monthly parking permit fee for any mobile home occupying space therein as well as the owner and occupant thereof.
 - 5) This section shall not apply where a mobile home park is owned and operated by a county under the provisions of Section 59-07 (13) (b).
 - 6) If a mobile home or manufactured home is located outside of a licensed park, the monthly parking permit fee shall be paid by the owner of the mobile home, the occupant thereof or the owner of the land on which it stands, the same as and in the manner provided for mobile homes located in mobile home parks, and the owner of such land shall be required to comply with the reporting requirements of paragraph (c). Section .03(f) does not apply to any mobile home which comes under section 70.043 and which constitutes improvement to real property and taxed as such.
 - 7) Failure to timely pay the parking permit fee hereunder shall be treated in all respects like a default in payment of personal property tax and shall be subject to all procedures and penalties applicable therein under Chapter 70 and 74 of the Wisconsin Statutes.
- d. Application For License - Original application for mobile home park license shall be filed with the town Zoning administrator.
- e. Plans and Specifications to be Filed
- 1) Accompanying and filed with an original application for a mobile home park, shall be plans and specifications, which must be in compliance with all applicable Town ordinances and provisions of the State Board of Health. After approval of the application by the Planning committee and town board,

the town clerk shall issue the license. There shall be a maximum of six (6) lots or sites per acre.

- 2) The mobile home park shall conform to the following requirements:
 - a) The park shall be located on a well-drained property graded to insure rapid drainage and free from stagnant pools of water.
 - b) Each site shall be clearly defined or delineated. Each site shall have an average width of not less than 60 feet and the unit shall not occupy in excess of 25% of the area of the site, provided however, that mobile home parks which, at the time of the adoption of this ordinance, existed lawfully with mobile home sites that do not comply with any of the foregoing minimum area and width or minimum average area and average width requirements, may continue to operate and may be excused from such compliance as provided in Section 2.
 - c) The units shall be so located on each site that there shall be at least a 20-foot clearance between units. No units shall be located closer than 20 feet to any building or lot line within the park or to any property line of the park that does not abut upon public street or highway. No unit shall be located closer than 25 feet from property line of a public street or 75 feet from a county trunk highway centerline, except for grand-fathered sites, or such other distance as may be established by ordinance or regulation as front yard or setback requirement with respect to permanently erected buildings in the district in which the mobile home park is located. Set up of mobile home or doublewide manufactured home to be in accordance to Department of Commerce, Chapter 27 as minimum requirements.
 - d) All sites shall abut upon a driveway of not less than 40 feet in width, which shall have unobstructed access to a public street, alley or highway except that sites servicing only touring or recreational type units may abut on a driveway not less than 25 feet wide.
 - e) An electrical outlet supplying at least 110/220 volts, 50 amperes shall be provided for each mobile home site, or 30 amperes, 110Volt for each touring or recreational type housing unit site.
 - f) An adequate supply of pure water for drinking and domestic purposes shall be supplied to all buildings and primary housing sites within the park. Each site shall be provided with a cold-water tap, located to be accessible from side of the unit. Pure water supply for tourist or recreational type-sites, shall meet needs and requirements of occupants of touring or recreational type housing units.
 - g) Each site shall be provided with a sewer receptacle at least 4 inches in diameter which shall be connected to receive the waste from the shower, washing machine, bathtub, flush toilet, lavatory and kitchen sink of the

mobile home harbored on such site having any or all of such facilities. The sewer in each site shall be connected to discharge the mobile home waste into a public sewer system in compliance with applicable ordinances or into a private sewer and disposal plant or septic tank of such construction and in such manner as will present no health hazard. The receptacle shall be located so as to be accessible from side of the unit.

- 3) Each site shall be attractively landscaped, and all areas fronting the park and any buildings or recreational areas shall be attractively landscaped. There shall be a visual barrier along the park boundaries to hide the park interior from public view. This barrier may be of different types, but must meet the approval of the Planning Committee both in type, appearance, and setbacks
 - 4) Renewal of license: The application for renewal shall be in writing and signed by the applicant on forms furnished by the Town after approval by the Town Board, the Town Clerk shall issue a certificate renewing the license for another year unless the license was sooner revoked. Payment of the annual license fee and all current fees licensed by this ordinance must be turned over to the Town Clerk.
 - 5) Transfer of license: After approval of the application by the Town Board, the Town Clerk shall issue a transfer upon payment of the fee set by the Town of Niagara "Fee" ordinance and other fees as referenced in e.4)
 - 6) Distribution of fees: The town shall retain 10% of the monthly parking permit fees collected and refund 2% to the mobile home park owners to cover the cost of administration and shall pay to the school district in which the park is located, within twenty (20) days after the end of the third, sixth, ninth and twelfth months such proportion of the remainder of the fees collected and the credit allowed under Section 77.63 as the ratio of the most recent property tax levy for school purposes bears to the total tax levy for all purposes in the municipality. If the mobile park is located in more than one school district, each district shall receive a share in proportion that its property tax levy for school purposes bears to the total school tax levy.
- f. Maps, Street Identification and Lot Numbering - A map shall be provided to the town clerk prior to or upon renewal of annual license, which shows the following: Identification of streets and street names. Street name must be submitted for approval to Marinette County Land Information office and Town Board for approval. Identification of individual lots with a town numbering system.
- 1) Numbers shall be in accordance with the Town of Niagara fire numbering system.

- 2) Fire numbers will be placed on a stake on the lot, and not attached to the mobile home.
 - 3) The Town of Niagara will provide the initial number plates and stakes for a fee. If number plates and/or stakes are damaged or destroyed, the labor and cost of replacement shall be the responsibility of the mobile home park owner.
- g. Location - Mobile home parks may be permitted in accordance with the Town of Niagara mobile home park ordinance, and zoning ordinance.
 - h. Skirting - Skirting closing of the lower area below the floor level shall be required on all mobile home units in mobile parks and those presently parked within the Town. The type of skirting shall be of such material and color that will blend with the original color, material, fabric, and/or design of the original color mobile home itself. A permanent foundation, wall or basement shall be erected to support any mobile home unit in lieu of the above requirements for skirting and blocking
 - i. Building Permit - No construction of any additions, windbreaks, carports, permanent garages, utility sheds or any other improvement to a mobile home or manufactured home shall be commenced without first obtaining a building permit as provided for in the Town of Niagara Zoning Ordinance. No mobile home or manufactured home shall be brought into any mobile home park without a building permit and must be in compliance with all building permit requirements
 - j. Converted Vehicles - No converted vehicles such as but not limited to, vans, semi-trailers, school buses, or trolley cars are to be considered mobile home units within the scope of this ordinance. The parking of such vehicles for said purpose within the Town of Niagara is strictly prohibited.
 - k. Mobile Homes - Mobile home placement in any park will meet HUD requirements of June 1976. The date of manufacture of any mobile home and manufactured home placed in licensed park must be June, 1976 or newer. Each mobile home park owner may be more restrictive on these regulations. All previously occupied mobile homes or manufactured homes, must be inspected by a State Certified Home Inspector. The Town Zoning administrator can approve and issue a permit if all elements on the inspection report were satisfactory. If a problem was found and corrected within six (6) months and a second inspection verified the correction, a permit shall be issued by the zoning administrator.
 - l. Shoreland Zoning - In addition to complying with the terms of this ordinance, the owner of a mobile home or manufactured home shall comply with the conditions of the Marinette County Shoreland Zoning Ordinance, as amended, whenever applicable. A zoning permit, if applicable, must be obtained from

the county prior to the issuance of any permit by the town zoning administrator.

m. Service Building

- 1) In the event the proprietor desires to provide a service building for community use of permanent residents or temporary tourist residents, design and facilities of such building are regulated as herein provided.
- 2) Service buildings housing sanitation facilities shall be permanent structures complying with all applicable ordinances and statutes regulating buildings, electrical installations and plumbing and sanitation systems.
- 3) The service buildings shall be well lighted at all times of the day and night, shall be well ventilated with screened openings, shall be constructed of such moisture proof material, which may be painted woodwork and maintained at a temperature of at least 60 degrees Fahrenheit during the period from October 1st to May 1st. The floors of the service building shall be of water impervious material. Washing and drying machines may be installed according to the needs of the park.
- 4) All service buildings and the grounds of the park shall be maintained in a clean, sightly condition and kept free of any condition that will menace the health of any occupant or the public or constitute a nuisance.

n. Garbage Receptacles in Mobile Home Parks - Metal garbage cans with tight fitting covers shall be required in quantities adequate to permit the disposal of all garbage and rubbish. At the discretion of the mobile home park owner, garbage pickup shall be furnished or the mobile home owner shall be responsible for garbage pickup. All garbage cans shall be kept in sanitary condition at all times.

o. Fire Protection - Service buildings shall be equipped with fire extinguishers. No open fires shall be started without permission from the Fire Warden. Campfires are permitted. No fires shall be left unattended at any time.

p. Animals and Pets - No mobile home owner or person in charge of any dog, cat or other pet animal shall permit it to run at large or commit any nuisance. The responsibility falls to the owner of the animal.

q. Supervision - The licensee or permittee responsible or a duly authorized attendant or caretaker shall be in charge at all times to keep the mobile home park, its facilities and equipment in a clean, orderly and sanitary condition. The attendant or caretaker shall be answerable with the licensee or permittee responsible for the violation of any provision of this ordinance to which the licensee or permittee responsible is subject.

r. Parking of Touring or Recreational Type Mobile Home

- 1) Residents desiring to park a guest's touring housing unit on their premises in excess of five (5) days shall obtain such permission from the park owner. Although street parking may allow motor vehicles parking, a

touring unit shall not be parked on such streets in excess of five (5) hours or at the park owner's discretion. With consideration as provided for in Section 9, the park owner may issue a permit for a period not to exceed one (1) year.

- 2) The parking of any unoccupied touring unit in an accessory private garage or building, or in a rear yard is permitted, providing no living quarters shall be maintained or any business conducted in such unit while so parked or stored.

s. Management - The person in charge of said mobile home park.

- 1) In every mobile home park, there shall be located, the office of the person in charge of said mobile home park.
- 2) It is the duty of the mobile home park owner or operator together with any attendants or persons in charge of a mobile home park to:
 - a) Keep a register of all occupants of mobile homes, manufactured homes, touring or recreational vehicles to be open at all times to inspection by federal, state and local officials including town building inspector and assessor.
 - b) Maintain the mobile home park in a clean, orderly and sanitary condition at all times.
 - c) The mobile home park owner shall monitor the presence of dogs or other animals running loose in the park and call animal control if needed.
 - d) Report to the local health officer all cases of persons or animals affected or suspected of being affected with any communicable disease.
 - e) Post copies of their rules and regulations in one or more conspicuous place in the mobile home park where they can be easily seen by the mobile home park residents and visitors.

t. Posting of License and Permit - The license certificate or special permit shall be conspicuously posted in the office of, or on the premises of the mobile home park at all times.

u. Penalties for Violation of Ordinance - Any park owner or mobile home owner violating any provision of this ordinance shall upon conviction thereof, forfeit not less than that specified in the Town Zoning Ordinance (section XIV - C) and in default of payment of such forfeiture and costs shall be imprisoned in the county jail until payment of such forfeiture and costs of prosecution, but not exceeding thirty (30) days for each violation. Each day of violation shall constitute a separate offense

v. Severability - In the event that any section or sections herein shall be ruled unconstitutional by any competent court, such determination shall not affect the validity or effectiveness of the other sections of this ordinance and the remainder of said ordinance shall remain in full force and effect.

CAMPGROUND

This ordinance is promulgated under the authority of ss 250.04 (1) and (7), and 254.47, Stats. to regulate the maintenance and operation of campgrounds in order to protect the health and safety of the public.

Campgrounds and Recreational Vehicle parks shall comply with Administrative Code DHS 178 of the Wisconsin Department of Health Services and their Re-inspection Criteria, Marinette County ordinances, Town of Niagara ordinances and any state agency that has jurisdiction in this matter. The greater of which shall apply.

In every campground DHS 178.13; DHS 178.14; DHS 178.15; DHS 178.17 shall apply.

DEFINITIONS

Definitions shall comply with DHS 178, and Marinette County Shore-land Zoning ordinance.

REGULATIONS

In addition, Campgrounds and Recreational vehicle parks shall be subject to the following regulations:

The minimum size registered parcel for a campground or Park shall be ten (10) acres.

The maximum number of sites shall be eight (8) sites per acre.

Site Size for each recreational park or camping site:

Site width Minimum of Fifty (50) feet

Site Length Minimum of One hundred (100) feet

1. Minimum pad width shall be eighteen (18) feet
2. The length shall be the site length.
3. Parking for one and one half (1 1/2) vehicles shall be provided at each site.
4. A visitor parking area shall be provided to accommodate a minimum of one vehicle per site.
5. There shall be a minimum lot line setback of forty feet (40) at all lot lines from each unit.
6. Each recreational vehicle unit shall be separated from other recreational or camping units by a distance of not less than twenty feet (20).
7. Water frontage shall comply with Marinette County Shore-land Zoning.
8. Each camping unit site shall be clearly marked.
9. One camping unit per site is permitted.
10. Campgrounds with Group sites are permitted in the Forestry (F1) district only.

Group sites must be in an approved campground. A one acre minimum site size is required, a maximum of fifteen (15) camping units per group site or sixty (60) people are allowed, and a maximum of fourteen (14) days per request. Additional camping requests shall not be made by any person from the group for the same calendar year. One group site per campground is permitted.

11. All drives and parking areas other than those at individual sites shall be hard surfaced. At minimum, packed crushed rock or better.
12. Campgrounds and parks shall meet all licensing requirements of the state of Wisconsin, Marinette County, and fee schedules thereof including the fee schedule for the Town of Niagara. Campground license shall be reviewed annually and renewed at the discretion of the Town Board.
13. All Marinette County, State, Federal and Town of Niagara Zoning permits shall be issued and submitted prior to issuing a Certificate of Occupancy by the Zoning Administrator.
14. Campgrounds are conditional uses in Forestry (F1) and Agriculture (A1) Districts.
15. Water and sanitary facilities shall comply with Wisconsin Department of Health services code DHS 178 and Marinette County Sanitary codes.
16. All travel trailers, dependent camping units, and recreational camping units must have active valid registrations.
17. Only one (1) motor vehicle is permitted per site.
18. An annual Campground or Park license is required from the Town of Niagara.
19. No permanent additions shall be added to the camping unit.
20. No permanent attachments to the ground are permitted on the camping units excluding awnings.
21. Storage of one camping unit per site is permitted for the winter months from November to and including April.
22. Any modification to the original approved site map and plans of a campground shall require another conditional use permit. Storage buildings will need a building permit and need to comply with the zoning ordinance. Any new uses added to the site will need a conditional use permit.
23. All animal types shall be on a leash at all times.

Camping units that are outside of a licensed campground.

One Camping unit may be parked on a private lot. The camping unit shall be parked within the setbacks provided by the Town of Niagara's Zoning Ordinance for a building. If a permanent dwelling is on the parcel, the camping unit may be stored indefinitely. If there is not permanent dwelling the camping unit may only be parked for a 6-month period. An extension is allowed with written permission from the Niagara Town board. The Camping unit may not be used as a permanent dwelling.

Penalties for Violation of Ordinance

Any park owner violating any provision of this ordinance shall, upon conviction thereof, forfeit not less than specified in the Town Zoning Ordinance Section XIV and in default of payment of such forfeiture and costs shall be imprisoned in the county jail until payment of such forfeiture and costs of prosecution, but not exceeding thirty (30) days for each violation. Each day of violation shall constitute a separate offense.

This ordinance takes effect upon publication and overrides any previous ordinance or activity.

Adopted this 13th day of July, 2011.
Amended this 21st day of February, 2017.
Amended this 19th day of June, 2018

Mark DeClark (Chairman)

Ronald Neuens (Supervisor)

Richard Payette (Supervisor)

Attest: _____
Dawn Johnson (Clerk)