

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 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, Chapter 210; Sec. 120/1 et seq. of the Illinois Compiled Statutes.**

(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 requirements for a permanent foundation. **(See 210 ILCS Sec. 115/2.10)**

"LICENSE" means a license certificate issued by the City 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.

"MOBILE HOME" means a structure designed for permanent habitation and so constructed as to permit its transport on wheels, temporarily or permanently attached to its frame, from the place of its construction to the location or subsequent location at which it is intended to be a permanent habitation and designed to permit the occupancy thereof as a dwelling place for **one (1)** or more persons. The term "mobile home" shall only include manufactured homes constructed after **June 30, 1976**, in accordance with the **Federal "National Manufactured Housing Construction and Safety Standards Act of 1974"**. Provided that any such structure resting on a permanent foundation with wheels, tongue and hitch perma-

nently removed shall not be construed as a **"mobile home"**, but shall be an **"immobilized mobile home"**. A mobile home should not be confused with a **"camping trailer"** or **"recreational vehicle"**. (See 210 ILCS Sec. 115/2.1)

"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 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 FOUNDATION" means a concrete foundation and/or solid concrete block foundation.

"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 City, 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 City 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 City 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**, as passed, approved and amended by the **Illinois General Assembly** are hereby adopted by the City. The applicable provisions as they pertain to mobile homes and immobilized mobile homes shall be controlling within the corporate limits of the City.

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 City, the applicable provisions as they pertain to mobile homes and immobilized mobile homes shall be controlling within the City.

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

[ED. NOTE: Existing units are exempt until they are replaced.]

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 City shall be equipped with a fire extinguishing apparatus capable of extinguishing all types of fires. Such extinguishers shall be of sufficient size so that they will reasonably protect the mobile housing units. **(See 425 ILCS Secs. 60/1-60/4)**

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

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 City 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 **MOBILE, MODULAR HOMES.** Every mobile and/or modular home and/or manufactured house and/or re-locatable house having a floor space of **one thousand (1,000) square feet** or less, exclusive of porches, garages, breezeways or terraces, shall be placed and/or built and attached to a permanent foundation with skirting enclosing said foundation, if it is not solid beneath all of said dwelling. Hitches, wheels, springs and all other appliances and/or equipment for moving and/or transporting said re-locatable house and/or manufactured house, shall be removed.

Not more than **one (1)** mobile and/or modular home, manufactured and/or re-locatable house and/or residence of any kind shall be built or placed on any one city lot as originally or subsequent thereto platted with the consent of the City in any particular addition or subdivision to Carlinville. All manufactured or built housing shall be placed or built in line with the other dwellings and residences in the block in which it is located. **(Ord. No. 1292; 04-04-94)**

23-2-3 **DANGEROUS CONDITION AS A NUISANCE.** It shall be unlawful to permit any building, structure and/or manufactured home or house or dwelling or residence to remain in a condition so as to be dangerous to the public health in any way. Any such structure, building, manufactured house or place, is hereby declared to be a nuisance. **(Ord. No. 823; 10-02-72)**

23-2-4 **DEPENDENT MOBILE HOMES.** No dependent mobile home, as defined in **Section 23-1-1**, shall be permitted in the City unless in a licensed travel-trailer park. At no time shall anyone use a dependent mobile home as a permanent residence or dwelling.

23-2-5 **CONCRETE PADS.** All immobilized mobile homes shall be placed on either a reinforced concrete pad at least **fourteen feet wide by sixty feet in length (14' 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 City Council. 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.

23-2-6 **LIMIT OF UNITS.** There shall be **only one (1)** immobilized mobile home or mobile home per lot in the City.

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 City 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.**

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 Code 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 City Council 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 City Council 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 City Council 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 City 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 City 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 City Council. 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 - 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 City 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 City 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 City Clerk a written application and plan documents for the proposed construction or alteration of a mobile 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 City Council may authorize a site survey to ascertain that the proposed location complied with the above requirements.

23-3-13 ROADWAYS AND PARKING.

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

(B) All streets in parks constructed shall have a minimum 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 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 - 23-3-17 RESERVED.

DIVISION III - GENERALLY

23-3-18 MISCELLANEOUS RESTRICTIONS.

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

(B) Not more than **one (1)** mobile home unit 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 City Council.

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 **One Hundred Dollars (\$100.00)**, and shall be due and payable **on or before May 1st of each year**. The City Clerk shall notify the owner or operator of the annual fee at least **thirty (30) days** prior to **May 1st**.