



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 17-001

AN ORDINANCE REPEALING CHAPTER 46 OF THE CODE OF ORDINANCES OF THE VILLAGE OF WESTON ENTITLED “MOBILE HOMES” AND AMENDING, RENAMING, RENUMBERING AND RECREATING A NEW CHAPTER 46 OF THE CODE OF ORDINANCES NAMED “MANUFACTURED AND MOBILE HOME COMMUNITIES”

The Village Board of the Village of Weston, Marathon County, Wisconsin, do ordain as follows:

Section 1: Chapter 46 of the Municipal Code of the Village of Weston entitled “Mobile Homes” is hereby repealed, amended and recreated to provide as follows:

Chapter 46

Manufactured and Mobile Home Communities*

ARTICLE I IN GENERAL

Sec. 46.100. Adoption of Standards by Reference.

All applicable Federal, State and local regulations that address standards for manufactured and mobile home communities, manufactured homes and mobile homes including, but not limited to, Wis. Stats. §§ [101.935](#), [101.937](#), [101.94](#), [101.95](#), [101.951](#), [101.952](#), [101.953](#), [101.954](#), [101.96](#), [710.15](#), and [66.0435](#) and Wisconsin Administrative Code Chapters SPS [321](#) and [326](#) and Chapter [ATCP 125](#) are adopted by reference as fully set forth herein. In case of conflict between this Chapter and applicable Federal and State Regulations and any other Village Ordinance, the more stringent provision shall apply.

Sec. 46.101. Definitions.

Whenever used in this Chapter, unless a different meaning appears from the context, the following terms shall be defined as follows:

- (a) “*Community*” means a manufactured and mobile home community.

- (b) “*Licensee*” means any person licensed to operate and maintain a manufactured and mobile home community under this Chapter.
- (c) “*Manufactured and mobile home community*” means any plot or plots of ground upon which three or more manufactured homes or mobile homes, occupied for dwelling or sleeping purposes, are located, regardless of whether a charge is made for the accommodation.
- (d) “*Mobile home*” means a vehicle manufactured or assembled before June 15, 1976, designed to be towed as a single unit or in sections upon a highway by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, with walls of rigid uncollapsible construction, which has an overall length in excess of 45 feet. “Mobile home” includes the mobile home structure, its plumbing, heating, air conditioning and electrical systems, and all appliances and all other equipment carrying a manufacturer’s warranty, and includes any additions, attachments, annexes, foundations and appurtenances
- (e) “*Manufactured home*” means a structure that is designed to be used as a dwelling with or without a permanent foundation and that it is certified by the Federal Department of Housing and Urban Development as complying with the standards established under [42 USC §§ 5401 to 5424](#), and includes any additions, attachments, annexes, foundation and appurtenances.
- (f) “*Unit*” means a single manufactured or mobile home.

Sec. 46.102. Fire Extinguishers Required.

Each occupied unit shall be equipped with a fire extinguisher, conveniently attached thereto, and approved by SAFER, and working smoke and carbon monoxide alarms consistent with Wis. Stat. §§ [101.645](#) and [101.647](#).

Sec. 46.103. Location outside manufactured and mobile home communities.

- (a) It shall be unlawful for any person to park or cause to be parked any unit on any street, alley or highway or other public place or on any tract of land owned by any person within the Village, except as provided in this Chapter.

- (b) No person shall park or occupy any unit on any premises situated outside a licensed manufactured and mobile home community unless prior written approval is obtained from the Village Board.

Sec. 46.104. Occupancy.

A unit shall not be occupied unless it is properly connected with the public water supply and sanitary systems in a licensed manufactured and mobile home community. Each manufactured home shall meet or exceed all [HUD Manufactured Housing Standards](#). Each mobile home shall meet or exceed the standards required when the mobile home was placed at its current location.

Sec. 46.105. Alterations, additions and repairs.

- (a) Repairs to a manufactured home shall be performed in accordance with [HUD Manufactured Housing Standards](#) and are not subject to the [Wisconsin Uniform Dwelling Code](#). Additions or alterations to a manufactured home shall comply with the [Wisconsin Uniform Dwelling Code](#) and require permits and inspections.
- (b) Repairs to a mobile home shall be performed in accordance with [Wisconsin Uniform Dwelling Code](#) standards. Additions or alterations to a mobile home shall also comply with the [Wisconsin Uniform Dwelling Code](#) and require permits and inspections.

ARTICLE II MANUFACTURED AND MOBILE HOME COMMUNITIES

Sec. 46.200. Management.

- (a) **Office.** Community Management shall be available in the community during reasonable hours.
- (b) **Duties, owner or operator.** It is the duty of the owner, operator and licensee of a manufactured and mobile home community, together with any attendants or persons in charge of the community to:
 - 1. Keep a register, which is to be open at all reasonable times to inspection by appropriate state and local officials, of all owners and occupants of each unit located in the community.
 - 2. Maintain the community in a clean, orderly and sanitary condition at all times.

3. Post copies of this chapter and community rules in one or more conspicuous places in the community, where they can be easily seen by residents of the community and visitors.

(c) ***Duties, occupants.*** It is the duty of all occupants of each unit to:

1. Register with the Community Operator.
2. Maintain their site in a clean, orderly and sanitary condition at all times.
3. Abide by all applicable Federal, State and local regulations and the rules established by the Community Management.

Sec. 46.201. Applicability of plumbing, electrical and building codes.

All plumbing, electrical, building and other work on or at any community licensed under this article shall be in accordance with the Ordinances of the Village and all applicable Federal, State and Village laws and regulations pertaining to such work.

Sec. 46.202. Screening of Communities.

All communities shall have trees, shrubbery or fencing, that conform to Village of Weston Zoning Ordinance §§ 94.4.02(4) and 94.12.04, to screen the community from the area surrounding the community.

Sec. 46.203. Licensing requirement.

- (a) It shall be unlawful for any person to maintain or operate a community within the Village without having first secured a community license from the Village Clerk/Treasurer. The license fee shall be consistent with Wis. Stat. § [66.0435](#).
- (b) The Village shall collect a fee consistent with Wis. Stat. § [66.0435](#) for each transfer of a license.
- (c) The owner, operator and licensee shall furnish information to the Village Clerk/Treasurer and the Assessor regarding each unit added to the community within five days after arrival.

Sec. 46.204. Zoning of Communities.

In addition to licensing requirements, no community shall be located in any area of the Village, where it is prohibited by the applicable zoning requirements of Chapter 94 Zoning.

Sec. 46.205. Community plan, water supply, sewage disposal and related facilities.

The community plan, water supply, sewage disposal, plumbing, solid wastes and service building and related facilities shall, in all respects, comply with the minimum standards set forth in the applicable administrative code and state board of health provisions.

Sec. 46.206. Monthly parking permit fees.

Pursuant to Wis. Stat. § [66.0435\(3\)](#), a monthly Municipal Permit Fee shall be imposed on each unit occupying space or lots in a community. It shall be the responsibility of the licensee to collect the monthly Municipal Permit Fee from the unit owner. The Licensee shall pay to the Village Clerk/Treasurer such monthly Municipal Permit Fees on or before the tenth of the month following the month for which such fees are due. The licensee is liable for the monthly Municipal Permit Fee for any unit occupying space in the community as well as the owner and occupant of each such unit, except that the licensee is not liable until the Village has failed, in an action under Wis. [Chapter 799](#), to collect the fee from the owner and occupant of the unit.

Sec. 46.207. Revocation and suspension.

A community license is subject to revocation or suspension for cause by the Village Board upon complaint filed with the Village Clerk, if the complaint is signed by a law enforcement officer, local health officer, or building inspector, after a public hearing upon the complaint. The license holder shall be given 10 days written notice of the hearing, and is entitled to appear and be heard as to why the license should not be revoked. A license holder that is revoked or suspended by the Village Board may within 20 days of the revocation or suspension, appeal the decision to the circuit court by filing a written notice of appeal with the Village Clerk, together with a bond executed to the Village in the sum of \$500.00 with two sureties or a bonding company approved by the Village Clerk, conditioned for the faithful prosecution of the appeal and the payment of costs adjudged against the license holder.

Sec. 46.208. License renewal.

No license will be renewed without an inspection of the community to ensure compliance with the regulations, ordinances and laws applicable thereto. For the purposes of making an

inspection and securing enforcement, the Village and their authorized agents are hereby empowered to enter any licensed community to inspect the community and all accommodations connected therewith at any reasonable time. Upon application by any licensee, after approval by the Village Board and upon payment of the annual license fee, the Village Clerk shall issue a certificate renewing the license for another year, unless sooner revoked.

Sec. 46.209. Penalties for violation.

Any person violating any provision of this chapter shall be subject to a forfeiture as provided in Sec. 1.111 of this Code.

Section 2: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

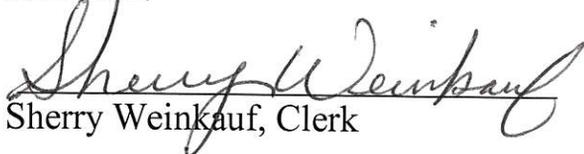
SECTION 3: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 20th day of February, 2017

WESTON VILLAGE BOARD

By: 
Barbara Ermeling, President

ATTEST:


Sherry Weinkauf, Clerk

ADOPTED: 2-20-17

NOTICE PUBLISHED: 2-22-17

Notice of Newly Enacted Ordinances

Please take notice that the Village Board of Weston, Wisconsin enacted the following ordinances on February 20, 2017:

1. Ordinance No. 17-001: An Ordinance Repealing Chapter 46 of the Code of Ordinances of the Village of Weston Entitled "Mobile Homes" and Amending, Renaming, Renumbering and Recreating a New Chapter 46 of the Code of Ordinances Named "Manufactured and Mobile Home Communities".
2. Ordinance No. 17-002: An Ordinance Adopting the 2017 Official Zoning Map and Official Extraterritorial Zoning Map for the Village of Weston.
3. Ordinance No. 17-003: An Ordinance to Adopt Components of the Village's Comprehensive Plan; consisting of the Camp Phillips Corridor Plan as part of Volume 3-Supplemental Plans.
4. Ordinance No. 17-004: An Ordinance Amending Article I., Offenses and Miscellaneous Provisions, Section 54.102 Firearms and Weapons Restricted Where Prohibited of the Municipal Code for the Village of Weston, Marathon County, Wisconsin.
5. Ordinance No. 17-005: An Ordinance Amending Chapter 78, Article II of the Village of Weston Municipal Code to establish a Tourism Commission and address changes in State Law Regarding Room Tax Use.

The full text of the newly enacted Ordinances may be obtained at the office of the Village Clerk, 5500 Schofield Avenue, Weston, Wisconsin or through the Village's website at <http://www.westonwi.gov/499/Adopted-Ordinances>.

Dated this 21st day of February, 2016
Sherry Weinkauff, Village Clerk

Published: 2/22/2017

DAILY HERALD media

A GANNETT COMPANY

STATE OF WISCONSIN
BROWN COUNTY

WESTON VILLAGE OF
5500 SCHOFIELD AVE
WESTON

WI 544764333

VOUCHER APPROVAL

Account Number:

10-06-56910 - 321-000

Description: WDH Ordinance publication

Ord No 17-002

Approved by gld 3/9/17
Initials Date

\$6.02

I, being duly sworn, doth depose and say I am an authorized representative of The Wausau Daily Herald, a newspaper at Wausau Wisconsin and that an advertisement of which the annexed is a true copy, taken from said paper, which published therein on:

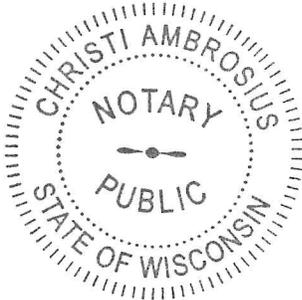
Account Number: GWM-WES425
Order Number: 0001947766
No. of Affidavits: 1
Total Ad Cost: \$30.09
Published Dates: 02/22/17

10-01-51420-321-000
WDH Ord Publication

Ord No 17-001,
17-004, 17-005
\$18.05

10-06-56930-321-000
WDH Ord Publication Ord No 17-003
\$6.02

(Signed) Ashley Boyer (Date) 2/23/17
Legal Clerk



Signed and sworn before me

Christi Ambrosius

My commission expires 1-12-21

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Dated this 21st day of February, 2016
Sherry Weinkauff, Village Clerk
RUN: Feb 22 WNAXLP

WESTON VILLAGE OF
Re: Newly Enacted Ordinances

**VILLAGE OF WESTON, WISCONSIN
AGENDA ITEM COVER SHEET**

MTG/DATE: Board of Trustees – 02/20/17

FROM: Jennifer Higgins, Director of Planning and Development

DESCRIPTION: Ordinance No. 17-001 An Ordinance Repealing Chapter 46 of the Code of Ordinances of the Village of Weston Entitled “Mobile Homes” and Amending, Renaming, Renumbering and Recreating a New Chapter 46 of the Code of Ordinances Named “Manufactured and Mobile Home Communities”

ACTION:	<input checked="" type="checkbox"/> Approve	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Proclamation
	<input type="checkbox"/> Deny	<input type="checkbox"/> Policy	<input type="checkbox"/> Report
	<input type="checkbox"/> Expenditure	<input type="checkbox"/> Procedure	<input type="checkbox"/> Resolution

QUESTION:
Should Trustees adopt the changes to Chapter 46 proposed by Staff and Attorney Yde?

BRIEF:
Chapter 46 is currently antiquated and has not been updated to reflect new Village enforcement and approval practices, state laws and code references. Attorney Yde, working with staff, has modified the ordinance to meet current laws and Village processes. It has been reviewed and recommended for approval by CLPS.

RECOMMEND: Director and Attorney recommends approval.

COMMITTEE: CLPS – 01/23/17 – recommended approval.

REQUEST: Approve Ordinance No 17-001

Is there an additional briefer with this agenda item?

Are there additional reference documents which have been attached to this report?

**VILLAGE OF WESTON, WISCONSIN
AGENDA ITEM COVER SHEET**

MTG/DATE: CLPS – 01/23/17

FROM: Jennifer Higgins, Director of Planning and Development

DESCRIPTION: Discussion and Action on Draft Ordinance No. 17-001

ACTION:	<input checked="" type="checkbox"/> Approve	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Proclamation
	<input type="checkbox"/> Deny	<input type="checkbox"/> Policy	<input type="checkbox"/> Report
	<input type="checkbox"/> Expenditure	<input type="checkbox"/> Procedure	<input type="checkbox"/> Resolution

QUESTION:

Should CLPS approve the changes to Chapter 46 proposed by Staff and Attorney Yde and recommend it on to the Board of Trustees for final consideration and adoption.

BRIEF:

Chapter 46 is currently antiquated and has not been updated to reflect new Village enforcement and approval practices, state laws and code references. Attorney Yde, working with staff, has modified the ordinance to meet current laws and Village processes.

RECOMMEND: Director and Attorney recommends approval.

COMMITTEE:

REQUEST: Approve Ordinance No 17-001

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Are there additional reference documents which have been attached to this report?