

TITLE 15

Building Code

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Building Code

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Sec. 15-1-1 Building Code Established.

- (a) **Title.** This Chapter shall be known as the "Building Code of the Town of Stephenson" and will be referred to in this Chapter as "this Code," "this Chapter" or "this Ordinance."
- (b) **Purpose.** This Chapter provides certain minimum standards, provisions and requirements for safe and stable design, methods of construction and uses of materials in buildings and/or structures hereafter erected, constructed, enlarged, altered, repaired, moved, converted to other uses or demolished and regulates the equipment, maintenance, use and occupancy of all such buildings and/or structures. Its purpose is to protect and foster the health, safety and well-being of persons occupying or using such buildings and the general public.
- (c) **Scope.**
- (1) New buildings hereafter erected in, or any building hereafter moved within or into the Town, shall conform to all the requirements of this Chapter except as they are herein specifically exempted from part or all of its provisions. Any major alteration, enlargement or demolition of an existing building is a "new building" to the extent of such change.

(2) This Code applies to all dwellings, commercial buildings/structures, swimming pools, residential garages, structures, buildings, and residential accessory buildings. Not included are children's play structures.

Sec. 15-1-2 Building Permits and Inspection.

(a) Permit Required.

(1) **General Permit Requirement.** No building of any kind shall be moved within or into the Town of Stephenson and no new building or structure, or any part thereof, shall hereafter be erected, or ground broken for the same, or enlarged, altered, moved, demolished, razed or used within the Town, except as herein provided, until a permit there for shall first have been obtained by the owner, or his/her authorized agent, from the Building Inspector or his/her designee. Prior to commencing any of the following work, the owner or his/her agent shall obtain a valid permit for:

- a. New buildings, or where fifty percent (50%) or more of the fair market value of a structure is destroyed and it is being repaired or altered.
- b. Additions that increase the physical dimensions of a building including decks.
- c. Alterations to the building structure, cost shall include market labor value, or alterations to the building's heating, electrical or plumbing systems.
- d. Any electrical wiring for new construction; a permit is required when electrical service is upgraded.
- e. Any HVAC for new construction, and which meets pertinent code requirements when replaced, upgraded or remodeled.
- f. Any plumbing for new construction, and which meets pertinent code requirements when replaced, upgraded or remodeled.
- g. Exempt are normal repairs performed in Subsection (a)(1)d-f.
- h. Handicapped ramp construction (no fee).
- i. New basements for existing dwellings.

(2) **Building Permit Not Required.** A building permit is not required for the following:

- a. Replacement of in-kind major building HVAC equipment including furnaces, central air conditioners, water heaters, other major pieces of equipment, and plumbing, venting, electrical or gas supply systems when altered.
- b. Window replacement, re-roofing and finishing of interior surfaces, installation of cabinetry, and minor repairs as determined by the Building Inspector. Additions of thirty-two (32) square feet or less do not require a building permit.

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- c. For any accessory building less than one hundred (100) square feet and costing One Thousand Dollars (\$1,000.00) or less, provided that such building is movable and conforms to all other building codes.
 - d. For any interior or exterior improvements or alterations to an existing building which does not affect a structural change.
 - e. Any porch/deck less than one hundred (100) square feet.
- (3) **Alterations and Repairs.** The following provisions shall apply to buildings altered or repaired:
- a. **Alterations.** When not in conflict with any regulations, alterations to any existing building or structure accommodating a legal occupancy and use but of substandard type of construction, which involves either beams, girders, columns, bearing or other walls, room, heating and air condition systems, arrangement, light and ventilation, changes in location of exit stairways or exits, or any or all of the above, then such existing construction shall be made to conform to the minimum requirements of this Chapter applicable to such occupancy and use and given type of construction.
 - b. **Repairs.** Repairs for purposes of maintenance, or replacements in any existing building or structure which do not involve the structural portions of the building or structure or which do not affect room arrangement, light and ventilation, access to or existence of any exit stairways, or exits, fire protection, or exterior aesthetic appearance and which do not increase a given occupancy or use, shall be deemed minor repairs and no permit shall be required.
 - c. **Alterations When Not Permitted.** When any existing building or structure, which, for any reason whatsoever, does not conform to the regulations of this Chapter, has deteriorated from any cause whatsoever to an extent greater than fifty percent (50%) of the equalized value of the building or structure, no alterations or moving of such building or structure shall be permitted. Any such building or structure shall be considered a menace to public safety and welfare and shall be ordered vacated and thereafter demolished and debris removed from the premises. Such determination will be made by the Building Inspector, who may seek the assistance of the Assessor.
 - d. **Alterations and Repairs Required.** When any of the structural members of any building or structure have deteriorated from any cause whatsoever to less than their required strength, the owner of such a building or structure shall cause such structural members to be restored to their required strength; if such restoration work is not done, the building or structure shall be considered a menace to public safety and shall be vacated and thereafter no further occupancy or use of the same shall be permitted until the regulations of this Chapter are complied with.

- e. **Extent of Deterioration.** The amount and extent of deterioration of any existing building or structure shall be determined by the Building Inspector, who shall make a recommendation to the Town Board.
- (b) **Application.** Application for a building permit shall be made seven (7) days before construction is commenced in writing upon a form furnished by the Building Inspector or his/her designee and shall state the name and address of the owner of the land and also the owner of the building if different, the legal description of the land upon which the building is to be located, the name and address of the designer, the use to which said building is to be put, estimated cost of the construction and the use of the building, and such other information as the Building Inspector may require. For new dwellings or additions with a new sewer system, a copy of the permit issued by the Marinette County Zoning Administrator for sewage disposal (all county requirements must be met).
- (c) **Access.** If the property is not located on an existing Town highway, proof of a recorded ingress/egress easement shall also be provided.
- (d) **Utilities Required.**
- (1) **Residential Buildings.** No building permit shall be issued for the construction of any residential building until a sanitary permit has been issued to service the property for which the permit is required and a receipt for payment of electrical hookup is presented to the Building Inspector.
 - (2) **Non-Residential Buildings.** Non-residential buildings over two hundred twenty (220) square feet require all necessary Town permits (agricultural structures exempted).
 - (3) **Commercial Buildings.** Local permits are required.
 - (4) **Final Inspection/Occupancy Permit.** A final inspection is required. An occupancy permit will be issued upon request.
- (e) **Accessory Buildings With Plumbing or Living Quarters.** No garages with plumbing and/or any living quarters shall be allowed without a sanitary permit from Marinette County. This will require a building permit from the Town of Stephenson.
- (f) **Plans.** With such application, there shall be submitted two (2) complete sets of plans and specifications, one (1) to the Building Inspector and one (1) posted on-site [one (1) set will be returned upon a satisfactory final inspection], including a plot plan showing the location and dimensions Of all buildings and improvements on the lot, both existing and proposed, dimensions of the lot, dimensions showing all setbacks of all buildings on the lot, water courses or existing drainage ditches, easements or other restrictions affecting such property, seal and signature of surveyor or a certificate signed by the applicant and a construction erosion control plan setting forth proposed information and procedures needed for control of soil erosion, surface water runoff and sediment disposition at the building site. The Building Inspector may require written proof of proper monumentation.
- (g) **Minor Repairs.** The Building Inspector may authorize minor repairs or maintenance work on any structure or to heating, ventilating or air conditioning systems installed therein with a fair market value of less than One Thousand Dollars (\$1,000.00), as determined by the

Building Inspector, including market value of labor, which do not change the occupancy area, exterior aesthetic appearance, structural strength, fire protection, exits, light or ventilation of the building or structure without issuance of a building permit.

(h) **Approval of Plans.**

- (1) If the Building Inspector determines that the building will comply in every respect with all Ordinances and orders of the Town and all applicable laws and orders of the State of Wisconsin, he/she shall issue a building permit which shall state the use to which said building is to be put, which shall be kept and displayed at the site of the proposed building in a location viewed from the road. After being approved, the plans and specifications shall not be altered in any respect which involves any of the above-mentioned Ordinances, laws or orders, or which involves the safety of the building or the occupants, except with the written consent of the Building Inspector.
- (2) In case adequate plans are presented for part of the building only, the Building Inspector, at his/her discretion, may issue a permit for that part of the building before receiving the plans and specifications for the entire building.

- (i) **Permit Lapses.** A building permit shall lapse and be void unless building operations are commenced within six (6) months or if construction has not been completed within twenty-four (24) months from the date of issuance thereof. Expired permits may be renewed for a cost of fifty percent (50%) of that permit fee. Renewed permits will expire after two (2) years.

(j) **Revocation of Permits.**

- (1) The Building Inspector or the Town Board may revoke any building, plumbing or electrical permit, certificate of occupancy, or approval issued under the regulations of this Chapter and may stop construction or use of approved new materials, equipment, methods of construction, devices or appliances for any of the following reasons:
 - a. Whenever the Building Inspector shall find at any time that applicable ordinances, laws, orders, plans and specifications are not being complied with and that the holder of the permit refused to conform after written warning of construction has been issued to him/her.
 - b. Whenever the continuance of any construction becomes dangerous to life or property.
 - c. Whenever there is any violation of any condition or provisions of the application for permit or of the permit.
 - d. Whenever, in the opinion of the Building Inspector, there is inadequate supervision provided on the job site.
 - e. Whenever any false statement or misrepresentation has been made in the application for permit, plans, drawings, data specifications or certified lot or plot plan on which the issuance of the permit or approval was based.
 - f. Whenever there is a violation of any of the conditions of an approval or occupancy given by the Building Inspector for the use of all new materials, equipment, methods or construction devices or appliances.

- (2) The notice revoking a building, plumbing or electrical certificate of occupancy or approval shall be in writing and may be served upon the applicant of the permit, owner of the premises and his/her agent, if any, and on the person having charge of construction.
 - (3) A revocation placard shall also be posted upon the building, structure, equipment or premises in question by the Building Inspector.
 - (4) After the notice is served upon the persons as aforesaid and posted, it shall be unlawful for any person to proceed thereafter with any construction operation whatsoever on the premises, and the permit which has been so revoked shall be null and void, and before any construction or operation is again resumed, a new permit, as required by this Chapter, shall be procured and fees paid therefor, and thereafter the resumption of any construction or operation shall be in compliance with the regulation of this Chapter. However, such work as the Building Inspector may order as a condition precedent to the reissuance of the building permit may be performed, or such work as he/she may require for the preservation of life and safety.
- (k) **Report of Violations.** Town officers shall report at once to the Building Inspector any building which is being carried on without a permit as required by this Chapter.
- (l) **Display of Permit.** Building permits shall be displayed in a conspicuous place on the premises which can be viewed from the road where the authorized building or work is in progress at all times during construction or work thereon.

Sec. 15-1-3 State Uniform Dwelling Code Enforcement.

(a) **Adoption of Codes.**

- (1) The following Wisconsin Administrative Codes and subsequent revisions are adopted for municipal enforcement:

Chs. COMM 16-17	Electrical Code Uniform Dwelling
Chs. COMM 20-25	Code Inspection Certification Rental
Ch. COMM 26	Unit Energy Efficiency Barrier Free
Chs. COMM 67	Design Historic Building Code
Chs. COMM 69	Uniform Plumbing Code
Ch. COMM 70	
Chs. COMM 81-86	

- (2) Chapters COMM 50 through COMM 66, Wis. Adm. Code (Wisconsin State Building Code), COMM 75-79, Wis. Adm. Code (Existing Buildings Code) and COMM 70, Wis. Adm. Code (Historic Building Code) are hereby adopted and made a part of this Chapter with respect to those classes of buildings to which this Building Code

specifically applies. Any future amendments, revisions and modifications of said Wisconsin Administrative Code provisions incorporated herein are intended to be made a part of this Code. A copy of said Wisconsin Administrative Code provisions and amendments thereto shall be kept on file in the office of the Building Inspector.

- (3) By virtue of adopting COMM 61.05, Wis. Adm. Code, the following codes are also adopted and incorporated by reference:
 - a. *IBe*. The *International Building Code*® - 2000, subject to the modifications specified in COMM 61-62, Wis. Adm. Code.
 - b. *IEe*. The *International Energy Conservation Code*® - 2000, subject to the modifications specified in COMM 63, Wis. Adm. Code.
 - c. *IMC* The *International Mechanical Code*® - 2000, subject to the modifications specified in COMM 64, Wis. Adm. Code.
 - d. *IFGe*. The *International Fuel Gas Code*® - 2000, subject to the modifications specified in COMM 65, Wis. Adm. Code.
- (4) Any act required to be performed or prohibited by an Administrative Code provision incorporated herein by reference is required or prohibited by this Chapter. Any future amendments, revisions or modifications of the Administrative Code provisions incorporated herein are intended to be made part of this Chapter to secure uniform statewide regulation of one (1) and two (2) family dwellings in this Town. A copy of these administrative code provisions and any future amendments shall be kept on file in the Town Building Inspector's Office.
- (5) Also adopted by reference are federal HUD Standards Ch. XX, Part 3280 and 3282.
- (b) **Existing Buildings.** The "Wisconsin Uniform Dwelling Code" shall also apply to buildings and conditions where:
 - (1) An existing building to be occupied as a one (1) or two (2) family dwelling, which building was not previously so occupied.
 - (2) An existing structure that is altered or repaired.
 - (3) Additions and alterations, regardless of cost, made to an existing building constructed post-1980 as deemed necessary by state law shall comply with the requirements of this Chapter for new buildings. The provisions of Section 15-1-2 shall also apply.
 - (4) Additions and alterations -Any addition or alteration, regardless of cost, made to a building shall be made in conformity with applicable Sections of this Chapter.
- (c) **Definitions.** As used herein:
 - (1) **Addition.** New construction performed on a dwelling which increases the outside dimensions of the dwelling.
 - (2) **Alteration.** A substantial change or modification other than an addition or minor repair to a dwelling or to systems involved within a dwelling.
 - (3) **Department.** The Wisconsin Department of Commerce (formerly the Department of Industry, Labor and Human Relations).
 - (4) **Dwelling.**
 - a. Any building, the initial construction of which is commenced on or after the effective date of this Chapter which contains one (1) or two (2) dwelling units; or

- b. An existing structure, or that part of an existing structure, which is used or intended to be used as a one (1) or two (2) family dwelling.
- (5) **Minor Repair.** Repair performed for maintenance or replacement purposes on any existing one (1) or two (2) family dwelling which does not affect room arrangement, light and ventilation, access to or efficiency of any exit stairways or exits, fire protection or exterior aesthetic appearance and which does not increase a given occupancy and use. No building permit is required for work to be performed which is deemed minor repair.
- (6) **One (1) or Two (2) Family Dwelling.** A building structure which contains one (1) or separate households intended to be used as a home, residence or sleeping place by an individual or by two (2) or more individuals maintaining a common household to the exclusion of all others. Included are "community living arrangements".
- (7) **Person.** An individual, partnership, firm or corporation.
- (d) **Method of Enforcement.**
- (1) **Certified Inspector to Enforce.** The Building Inspector and his/her delegated representatives are hereby authorized and directed to administer and enforce all of the provisions of the Uniform Dwelling Code. The Building Inspector (or state-provided inspector or contract certified inspector) shall be certified for inspection purposes by the Department in each of the categories specified under Sec. COMM 26.06, Wis. Adm. Code.
- (2) **Subordinates.** The Building Inspector may appoint, as necessary, subordinates as authorized by the Town Board.
- (3) **Duties.** The Building Inspector shall administer and enforce all provisions of this Chapter, the Uniform Dwelling Code and all other duties as assigned by the Town Board.
- (4) **Inspection Powers.** The Building Inspector or an authorized certified agent may at all reasonable hours enter upon any public or private premises for inspection purposes and may require the production of the permit for any building, plumbing, electrical or heating work. No person shall interfere with or refuse to permit access to any such premises to the Building Inspector or his/her agent while in performance of his/her duties. If inspection access is denied, the Building Inspector may seek an inspection warrant from a circuit court.
- (5) **Records.** The Building Inspector shall perform all administrative tasks required by the Department under the Uniform Dwelling Code. In addition, the Building Inspector shall keep a record of all applications for building permits in a file for such purposes and shall regularly number each permit in the order of its issue. Also, a record showing the number, description and size of all buildings erected indicating the kind of materials used and the cost of each building and aggregate cost of all one (1) and two (2) family dwellings shall be kept. The Building Inspector shall provide the Town Board a monthly report of permits issued.

Sec. 15-1-4 Unsafe Buildings.

Whenever the Building Inspector or Town Board find any building or part thereof within the Town of Stephenson to be, in their judgment, so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human occupancy or use and so that it would be unreasonable to repair the same, they shall order the owner to raze and remove such building or part thereof or, if it can be made safe by repairs, to repair and make safe and sanitary, or to raze and remove at the owner's option. Such order and proceedings shall be as provided in Sec. 66.0413, Wis. Stats.

Sec. 15-1-5 Disclaimer on Inspections.

The purpose of the inspections under this Chapter is to improve the quality of housing in the Town of Stephenson. The inspections and the reports and findings issued after the inspections are not intended as, nor are they to be construed, as a guarantee. In order to so advise owners and other interested persons, the following disclaimer shall be applicable to all inspections under this Chapter: "These findings of inspection contained herein are intended to report conditions of noncompliance with code standards that are readily apparent at the time of inspection. The inspection does not involve a detailed examination of the mechanical systems or the closed structural and nonstructural elements of the building and premises. No warranty of the operation, use or durability of equipment and materials not specifically cited herein is expressed or implied."

Sec. 15-1-6 Basements; Excavations.

- (a) **Basement Sub-flooring.** First floor sub-flooring shall be completed within sixty (60) days after the basement is excavated.
- (b) **Fencing of Excavations.** The owner of any premises on which there exists an opening or excavation which is located in close proximity to a street right-of-way as to constitute a hazard to pedestrian or vehicular traffic shall erect a fence, wall or railing at least four (4) feet high between such opening or excavation and the public right-of-way before workers leave the job site.
- (c) **Closing of Abandoned Excavations.** Any excavation for building purposes or any uncovered foundation which shall remain open for more than three (3) months shall be deemed abandoned and a nuisance and the Building Inspector shall order that unless the erection of the building or structure on the excavation or foundation shall commence or continue forthwith suitable safeguards shall be provided to prevent accidental injury to children or other frequenters or that the excavation or foundation be filled to grade. Such order shall be served upon the owner of record or the owner's agent, where an agent is in

charge of the premises, and upon the holder of an encumbrance of record in the manner provided for service of a summons in the circuit court. **If** the owner or the holder of an encumbrance of record cannot be found, the order may be served by posting it on the premises and make publication in a newspaper for two (2) consecutive publications at least ten (10) days before the time for compliance stated in the order commences to run. Such time shall be not less than fourteen (14) nor more than twenty (20) days after service. **If** the owner of the land fails to comply with the order within the time required, the Building Inspector shall cause the excavation or foundation to be filled to grade. The cost of such abatement shall be charged against the real estate and entered on the next succeeding tax roll as a special charge and shall bear interest at a rate established by the Town Board from the date of the report by the Building Inspector on the cost thereof, pursuant to the provisions of Sec. 66.0703, Wis. Stats.

Sec. 15-1-7 Construction Sites; Maintaining Clean Streets.

Town streets, roads and alleys are to be kept clean of dirt and debris from all construction sites. The primary contractor for any construction project shall be responsible for sweeping streets of debris within twenty-four (24) hours of the incident. The Town of Stephenson will clean said street(s) if the work is not done within twenty-four (24) hours of the incident; and charge the current established costs to the contractor for the work. Failure to pay said costs within thirty (30) days of receipt of the billing shall be deemed a violation of this Section, and be subject to the penalty provisions of Section 1-1-6.

Sec. 15-1-8 Regulation and Permit for Razing Buildings.

- (a) **Demolition Permit Required.** All persons who demolish or cause to be demolished any structure or part of a non-agricultural structure larger than four hundred (400) square feet within the Town of Stephenson shall apply for and obtain a demolition permit from the Building Inspector prior to undertaking any steps to demolish the structure. The Assessor shall be notified by the Town of the issuance of a razing permit.
- (b) **Application.** An application for a permit to demolish all or part of a building shall include the following information:
 - (1) The name and address of the owner of the building on date of application and, if different, on date of demolition;
 - (2) The name, address and telephone number of the contractor(s) performing the demolition work;
 - (3) The date upon which demolition is to commence;
 - (4) The date by which demolition shall be complete;

- (5) A list of all hazardous waste and hazardous and toxic substances (as defined by NR 181.12 and 158.03(4), Wis. Adm. Code as amended from time to time) contained in the building, a statement as to whether the building contains asbestos [as defined by Sec. 140.04(1)(a), Wis. Stats.], and a detailed description of the method to be used in removing, transporting and disposing of any hazardous waste, hazardous and toxic substances, and asbestos;
 - (6) A detailed description of how and where the waste materials resulting from the demolition will be transported and disposed of (including the description of the route to be used by trucks in hauling the waste);
 - (7) A description of the method of demolition to be used; and
 - (8) A description in detail of all methods to be used to prevent water runoff and soil erosion from the site to neighboring properties and to prevent releasing unreasonable amounts of dust from the site;
 - (9) Along with the application for permit for demolition, the applicant shall present a release from all utilities serving the property, stating that their respective service connections and appurtenant equipment such as meters and regulators have been removed or sealed and plugged in a safe manner.
- (c) **Demolition.** The demolition shall be conducted in a manner that is safe and that does not adversely affect the environment.
- (d) **Clearing and Leveling the Site.**
- (1) The site of any demolition shall be properly cleared of debris, rubbish and pavement and shall be properly graded and leveled to conform with the adjoining grade of the neighboring property; and when so graded and leveled, the site shall be seeded, sodded or treated in some other manner acceptable to the Building Inspector so as to prevent blowing dust, dirt, or sand. Excavations remaining after demolition shall be filled, graded and leveled off, not later than thirty (30) consecutive days after demolition is completed.
 - (2) Excavations from demolished buildings or structures shall not be filled with any materials subject to deterioration. The Building Inspector, upon notification by the permit holder, the owner or his/her agent, in writing and upon forms provided by the Building Inspector for that purpose, shall within seventy-two (72) hours inspect each excavation, or part thereof, before filling any excavation.
 - (3) **It** shall be unlawful to fill any such excavation without inspection and approval of the Building Inspector. Voids in filled excavations shall not be permitted. In the event of the unavailability of the Building Inspector to conduct an inspection within the seventy-two (72) hours after written notice; the permit holder, owner or his/her agent may retain the services of a certified, qualified municipal inspection service to obtain an opinion that approves filling of the excavation. Said opinion shall be deemed a sufficient approval by the Town provided that a written copy of the opinion is delivered to the Town Clerk at least forty-eight (48) hours before filling of the excavation commences.

- (e) **Removal and Disposal.** Removal, transportation and disposal of all hazardous waste, hazardous and toxic substances, and asbestos shall be conducted in compliance with all applicable state, federal and local statutes, ordinances and regulations. The permit holder shall give the Building Inspector seventy-two (72) hours written notice prior to any removal, transportation or disposal of hazardous waste, hazardous and toxic substances, and asbestos.
- (f) **Miscellaneous Provisions.**
 - (1) A snow fence or other approved barricade shall be provided as soon as any portion of the building is removed and shall remain during razing operations.
 - (2) Razing permits shall lapse and be void unless the work authorized thereby is commenced within six (6) months from the date thereof or completed within thirty (30) days from the date of commencement of said work. Any unfinished portion of work remaining beyond the required thirty (30) days must have special approval from the Building Inspector.
 - (3) All debris must be hauled away at the end of each week for the work that was done on that week. No combustible material shall be used for backfill, but shall be hauled away. There shall not be any burning of materials on the site of the razed building. [See Wisconsin Department of Natural Resources regulations].
 - (4) If any razing or removal operation under this Section results in, or would likely result in, an excessive amount of dust particles in the air creating a nuisance in the vicinity thereof, the permittee shall take all necessary steps, by use of water spraying or other appropriate means, to eliminate such nuisance.
 - (5) The permittee shall take all necessary steps, prior to the razing of a building, through the employment of a qualified person in the field of pest control or by other appropriate means, to treat the building as to prevent the spread and migration of rodents and insects therefrom during and after the razing operations.

Sec. 15-1-9 Fences.

Moved to Title 13- Zoning

Sec. 15-1-10 Manufacture/Mobile Home Construction Standards.

All manufactured/mobile homes to be placed in the Town of Stephenson shall conform to Chapter XX, Part 3280 and 3282 of federal HUD standards dated June 24, 1994. These standards include, but are not limited to, snow load capacity for structures; plumbing, electrical, HVAC systems; and egress through windows and doors. A certified Home Inspector must inspect any used manufactured mobile home coming into the Town of Stephenson, or moved within the Town of Stephenson. This must be done on forms furnished by Building Inspector.

- (a) The Town Building Inspector may approve and issue a permit if all elements of the inspection report are satisfactory. If a problem was found and corrected, a permit may be issued by the Building Inspector.

Sec. 15-1-11 Mobile Home Placement Outside of a Mobile Home Park.

The parking or placement of a mobile home outside of a mobile home park shall be in compliance with the following:

- (a) **Building Permit Required.** No person shall park a mobile home outside of a mobile home park for occupancy or change its location within the Town without first obtaining a building permit from the Town of Stephenson. Such permit may be obtained by application from the Building Inspector.
- (b) **Placement Conditions.** • All mobile homes moved into or placed in the Town of Stephenson shall comply with the following requirements:
 - (1) **Permit Requirement; Age and Construction Standards.** Any mobile home placed in the Town of Stephenson, whether within or outside a mobile home park, shall meet the specifications required by Federal HUD Standards Ch. XX, Part 3280 and 3282 (June 24, 1994). All existing occupied mobile homes may be inspected by the Town Building Inspector. The Town Building Inspector can approve and issue a permit if all elements on the inspection report are satisfactory. If a problem was found and corrected within three (3) months, and a second inspection verified the correction(s), an occupancy permit may be issued by the Building Inspector.
 - (2) **Additions; Accessory Structures.** No construction of any addition, windbreaks, carports, permanent garages, utility sheds or any other improvement to a mobile home shall be commenced without first obtaining a building permit as provided for in the Town of Stephenson Building Code.
 - (3) **Converted Vehicles.** No converted vehicles such as, but not limited to, vans, semi-trailers or school buses, may be considered allowable mobile home units or storage buildings within the scope of this Chapter. The parking of such vehicles within the Town of Stephenson is strictly prohibited. No mobile home shall be utilized as a storage shed, and permits shall not be issued for such use.
 - (4) **Shore-land Zoning.** In addition to complying with the terms of this Chapter, the owner of a mobile home shall comply with the conditions of the Marinette County Shore-land Zoning Ordinance, whenever applicable. **If** a zoning permit is required under said ordinance, said permit must be obtained prior to the issuance of any permit by the Building Inspector.
 - (5) **Sanitary Permit.** A sanitary permit or privy permit from Marinette County shall be required before being granted a building permit for the placement of a mobile home in the Town of Stephenson.

- (6) **Foundation Requirement.** All manufactured/mobile homes moved into the Town of Stephenson or moved from one location to another within the Town of

Stephenson shall comply with the Wisconsin Department of Commerce 21.40. See www.commerce.state.wi.us/SB

- (c) **Pre-Existing Units.** All existing mobile which do not conform to the standards set forth in this section at the time of original adoption of this section (Oct. 10, 2001) shall not be affected by said conditions except:
 - (1) **Change in Location.** That said non-conforming mobile home upon removal from the property it was located on at the time of original adoption of this Section (October 10, 2001) may not be moved to another location within the Town of Stephenson.
- (d) **Units Per Parcel.** Only one mobile unit shall be permitted on a recorded tract of land in the Town of Stephenson. Any owner of a single recorded tract of land on which there are three (3) or more mobile home units shall be deemed to be operating a mobile home park and shall comply with all of the requirements of the Town of Stephenson mobile homes and mobile home parks ordinance (Title 15, Chapter 3).
- (e) **Placement Standards.** Individual mobile home units set up on a parcel of land in the Town of Stephenson are required to be installed in accordance to Wisconsin Department of Commerce guidelines and Town of Stephenson ordinances, whichever is most restrictive.
- (f) **Mobile Home Dealers; Improper Placement.** Mobile home dealers must be registered with the Town of Stephenson before transporting any mobile homes into the Town and must notify the Building Inspector of any mobile homes intended to be moved into the town if no building permit has been presented prior to the date of delivery. Mobile home dealers or others who violate this Subsection by moving either conforming or nonconforming mobile homes into the Town with lit prior notice and authorization shall, on the first violation, be fined One Thousand Dollars (\$1,000.00), plus the costs of prosecution per Section 1-1-6, and after two violations will no longer be permitted to transport mobile homes into the Town of Stephenson.
- (g) **Setbacks.**
 - (1) The minimum setback for buildings, decks/porches and carports attached or serving a mobile home shall be seventy-five (75) feet from the center line of a Town or county road and one hundred ten (110) feet from the center of all state and federal highways.
 - (2) Side and rear yard setbacks for mobile homes shall be at least ten (10) feet on each side of all buildings, decks/porches and carports from the lot line (overhang is part of the structure). An aggregate of twenty-five (25) feet between buildings or units is required.

Sec. 15-1-12 Parking of Recreational Vehicles Outside of a Mobile Home Park.

- (a) **Definition.**
 - (1) Within the scope of this Section, a "recreational" vehicle means a vehicle primarily designed as temporary living quarters for recreational, camping or travel use, which has its own mode of power or is mounted or drawn by another vehicle. The basic

15-1-12

terms for such vehicles are: travel trailer, camping trailer, truck camper, motor home, and/or recreational vehicle. (2) For the purposes of this Section, a recreational vehicle shall be considered to be a temporary structure.

- (b) **Placement; Wheels.** The wheels or any similar transporting devices of any recreational vehicle shall not be removed except for repairs, nor shall any such recreational vehicle be otherwise fixed to the ground **in** any manner that would prevent ready removal.
- (c) **Septic System Connection.** Recreational vehicles may not be permanently attached to a private sewage system.
- (d) **State-Licensed for Road Travel.** Recreational vehicles must be state-licensed annually for road travel.
- (e) **Additions.** No permanent-type construction or structure shall be added or attached to a recreational vehicle.

Sec. 15-1-13 Issuance of Fire Numbers.

Upon payment of the fee prescribed in Section 1-3-1, the Building Inspector or designee shall assign a fire number to individual parcels/lots.

Sec. 15-1-14 Building Setbacks.

Principal and accessory structures in the Town of Stephenson shall meet the following setback requirements:

- (a) **Side yard setback requirement.** Ten (10) feet minimum on each side, with an aggregate of twenty-five (25) feet.
- (b) **Front yard setback requirement.**
 - (1) Seventy-five (75) feet from the centerline of a Town or County road.
 - (2) One hundred and ten (110) feet from the centerline of a State highway.

Sec. 15-1-15 Fees.

Fees for permits under this Chapter shall be as prescribed in Sec. 1-3-1.

Sec. 15-1-16 Penalties and Violations.

- (a) Any building or structure hereafter erected, enlarged, altered or repaired or any use hereafter established in violation of the provisions of this Chapter shall be deemed an unlawful building, structure or use. The Building Inspector shall promptly report all such violations to the Town Board and Town Attorney who shall bring an action to enjoin the erection, enlargement, alteration, repair or moving of such building or structure or the establishment of such use of buildings in violation of this Chapter or to cause such building, structure or use to be removed and may also be subject to a penalty as provided in general penalty provisions of the Code of Ordinances. In any such action, the fact that a permit was issued shall not constitute a defense, nor shall any error, oversight or dereliction of duty on the part of the Building Inspector or other Town officials constitute a defense. Compliance with the provisions of this Chapter may also be enforced by injunctive order at the suit of the owner or owners of any real estate within the jurisdiction of this Chapter.
- (b) (1) If an inspection reveals a noncompliance with this Chapter, the Building Inspector shall notify the applicant and the owner, in writing, of the violation to be corrected. All cited violations shall be corrected within thirty (30) days after written notification unless an extension of time is granted by the Building Inspector.
- (2) If, after written notification, the violation is not corrected within thirty (30) days, a stop-work order may be served on the owner or his or her representative and a copy thereof shall be posted at the construction site. Such stop-work order shall not be removed except by written notice of the Building Inspector after satisfactory evidence has been supplied that the cited violation has been corrected.
- (3) Each day each violation continues after the thirty (30) day written notice period has run shall constitute a separate offense. Nothing in this Chapter shall preclude the Town from maintaining any appropriate action to prevent or remove a violation of any provision of this Chapter.
- (4) If any construction or work governed by the provisions of this Chapter is commenced prior to the issuance of a permit, double fees shall be charged.
- (c) Any person feeling aggrieved by an order or a determination of the Building Inspector may appeal from such order or determination to the Town Board. Those procedures customarily used to effectuate an appeal to the Town Board shall apply.
- (d) Except as may otherwise be provided by the Statute or Ordinance, no officer, agent or employee of the Town of Stephenson charged with the enforcement of this Chapter shall render himself/herself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his/her duties under this Chapter. Any suit brought against any officer, agent or employee of the Town as a result of any act required or permitted in the discharge of his/her duties under this Chapter shall be defended by the legal representative of the Town until the final determination of the proceedings therein.

Title 15 ► Chapter 2 _____

Airport Height Limitations

15-2-1	Statutory Authorization
15-2-2	Definitions
15-2-3	Airport Zones
15-2-4	Nonconforming Uses
15-2-5	Airport Zone Height Limitations
15-2-6	Permits
15-2-7	Administration
15-2-8	Board of Appeals
15-2-9	Appeals and Review
15-2-10	Conflicting Regulations

Sec. 15-2-1 Statutory Authorization.

This Chapter is adopted pursuant to Section 114.136, Wis. Stats.

Sec. 15-2-2 Definitions.

The following definitions shall be applicable in this Chapter, unless the context otherwise requires:

- (a) **Airport.** The Crivitz Airport located in Section 25, Town 32 North, Range 19 East, Town of Stephenson, Marinette County, Wisconsin.
- (b) **Nonconforming Use.** Any structure which does not conform to the provisions of this Chapter or an amendment thereto, as of the original effective date of this Chapter (1/19/04).
- (c) **Person.** Any individual, firm, partnership, corporation, company, association, joint stock association, or body politic, and includes any trustee, receiver, assignee or other similar representative thereof.
- (d) **Structure.** Any object, including a mobile object, constructed, installed or located by a person.
- (e) **Height.** The elevation above Mean Sea Level of the top of the structure, including any appurtenance installed thereon.

- (g) **Permit.** Written permission from the Town of Stephenson on a form provided by the Town stating that the proposed structure site either conforms to the Height Limitation Ordinance or has been granted a variance pursuant to Sec. 15-2-6.
- (h) **Board of Appeals.** An appellate body consisting of three (3) members appointed by the Town of Stephenson Town Board Chairperson which may consist of one (1) Town Board member and the Airport Manager.

Sec. 15-2-3 Airport Zones.

All zones established by this Chapter are as shown on the map dated October 26, 1994, entitled "Height Limitation Zoning Map, Crivitz Airport, Marinette County, Wisconsin", which is on file with the Town Clerk and is incorporated herein by reference.

Sec. 15-2-4 Nonconforming Uses.

- (a) **Not Retroactive.** The regulations prescribed by this Chapter shall not be construed to require the removal, lowering or other change or alteration of any structure not conforming to the regulations as of the original effective date of this Chapter, or otherwise interfere with the continuance of any nonconforming use, except as otherwise provided by Subsection (b).
- (b) **Removal by Purchase.** This Section shall not interfere with the removal of nonconforming uses by purchase or the use of eminent domain.

Sec. 15-2-5 Airport Zone Height Limitations.

No structure shall be constructed, altered or located to a height in excess of the elevation indicated on the map referred to in Sec. 15-2-3. Any structure constructed, altered or located in violation of this Chapter shall be removed at the owner's expense.

Sec. 15-2-6 Pennits.

- (a) **Future Uses.** No structure shall hereafter be constructed or located that exceeds the height indicated in any zone created by Sec. 15-2-3 until the owner or his/her agent shall have applied in writing and obtained a permit from the Town of Stephenson Town Board. Application for such permit shall indicate the purpose for which the permit is desired, with sufficient information to permit the Town of Stephenson Town Board to determine whether

such structure would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted.

- (b) **Existing Uses.** Before any nonconforming structure may be replaced, altered or rebuilt, a permit shall be applied for and secured in the manner prescribed in Subsection (a) above authorizing such change, replacement or repair. Such permit shall be granted if the structure will not become a greater hazard to air navigation than it was on the original effective date of this Chapter, or than it was when the application for a permit was made.
- (c) **Exemptions.** Permits are not required for structures which are less than thirty-five (35) feet in height above the ground level at the structure site.
- (d) **Posting.** Said permit shall be posted in a prominent place on premises prior to and during the period of construction, erection, installation or establishment.

Sec. 15-2-7 Administration.

It shall be the duty of the Stephenson Town Board to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made on a form provided by the Town Clerk. Applications for permits shall be granted or denied within thirty (30) days of the date of filing. Applications for variances shall include evidence of Federal Aviation Administration (FAA) review of the proposed construction (FAA Form 7460-1 "Notice of Proposed Construction"). Appeals shall be transmitted by the Town Board to the Board of Appeals for hearing and decision. There shall be no charge for applications or permits.

Sec. 15-2-8 Board of Appeals.

- (a) There is hereby created a Board of Appeals consisting of three (3) members appointed by the Town Chairperson, subject to confirmation by the Town Board, for the term of three (3) years excepting that of the first members appointed, one (1) appointee shall serve one (1) year, one (1) shall serve two (2) years and one (1) shall serve three (3) years. Appointees not fulfilling their term for various reasons (retiring, etc.) can be replaced by another person being appointed to complete their term by the Town Chairperson.
- (b) The Board of Appeals shall have the following powers:
 - (1) To hear and decide appeals from any determination made of the Building Inspector in the enforcement of this Chapter.
 - (2) To hear and decide specific variances.
- (c) The Board of Appeals shall adopt rules for its grievance in harmony with the provisions of this Chapter.

Sec. 15-2-9 Appeals and Review.

- (a) **Aggrieved Person.** Any person aggrieved or affected by any decision or action of the Town Board made in the administration of this Chapter may appeal such decision or action to the Board of Appeals.
- (b) **Procedure.** Any appeal taken pursuant to this Section shall be in conformity with the procedure established by the applicable Wisconsin Statutes.

Sec. 15-2-10 Conflicting Regulations.

Where there exists a conflict between any of the regulations or limitations prescribed in this Chapter and any other regulations applicable to the same area, whether the conflict be with respect to the height of the structure or any other matter, the more stringent limitations or requirements shall govern and prevail.

Title 15 ► Chapter 3

Mobile Home Parks

15-3-1	Definitions
15-3-2	Mobile Home Park License; Revocation or Suspension
15-3-3	License and Monthly Mobile Home Fee; Review
15-3-4	Application for License
15-3-5	Plans and Specifications
15-3-6	Maps; Street Identification and Lot Numbering
15-3-7	Location
15-3-8	Foundation
15-3-9	Building Permit Required
15-3-10	Converted Vehicles
15-3-11	Mobile Home Standards; Inspection
15-3-12	Shoreland Zoning
15-3-13	Service Building(s)
15-3-14	Garbage Receptacles in Mobile Home Parks
15-3-15	Fire Protection
15-3-16	Animals and Pets
15-3-17	Supervision
15-3-18	Parking of Touring or Recreational Type Mobile Homes
15-3-19	Management
15-3-20	Posting of License and Permit
15-3-21	Penalties for Violations
15-3-22	Statutory Authority

Sec. 15-3-1 Definitions.

The following definitions shall be applicable in this Chapter:

- (a) **Licensee.** Any person licensed to operate and maintain a mobile home park under this Chapter.
- (b) **Licensing Authority.** The city, town or village wherein a mobile home park is located; in this Chapter, the Town of Stephenson.

- (c) **Park.** A mobile home park.
- (d) **Person.** Any natural individual, firm, trust, partnership, association or corporation, including those entities defined in Sec. 1-1-2(j).
- (e) **Mobile Home.** 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, but not including certified manufactured homes.
- (f) **Dependent Mobile Home.** A mobile home which does not have complete bathroom facilities.
- (g) **Non-Dependent Mobile Home.** A mobile home equipped with complete bath and toilet facilities, all furniture, cooking, heating, appliances and complete year-round facilities.
- (h) **Unit.** An individual mobile home.
- (i) **Mobile Home Park.** Any single taxed parcel upon which three (3) or more units, occupied for dwelling purposes, are located, regardless of whether or not a charge is made for such accommodations. (See ADM 65.05, Wis. Adm. Code.)
- (j) **Space.** A plot of ground within a mobile home park designed for the accommodation of one (1) mobile home unit.

Sec. 15-3-2 Mobile Home Park License; Revocation or Suspension.

- (a) **License Requirement.** It shall be unlawful for any person to maintain or operate within the limits of the Town of Stephenson any mobile home park unless such person shall first obtain from the Town a license therefor. All such parks in existence on the date of original passage of this Chapter (November 14, 2001) shall, within ninety (90) days thereafter, obtain such license, and in all other respects comply fully with the requirements of this Chapter, except that the licensing authority shall upon application of a park operator, waive such requirements that require prohibited 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.
- (b) **Suspension; Revocation; Appeals.** Any license granted under the provisions of this Chapter shall be subject to revocation or suspension for cause by the Town Board, upon complaint filed with the Town Clerk signed by any law enforcement officer, health officer or building inspector 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 Stephenson, in the sum of Five Thousand Dollars (\$5,000.00), with two sureties or a bonding company approved by said Clerk conditioned for the faithful prosecution of such appeal and the payment of cost adjudged against him/her.
- (c) **Changes in Park Layout.** 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.
 - (d) **Failure to Provide Map.** 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.
 - (e) **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 Chapter must be turned over to the Town Clerk.
 - (f) **Transfer of License.** After approval of the application by the Town Board, the Town Clerk shall issue a transfer upon payment of required fees.

Sec. 15-3-3 License and Monthly Mobile Home Fee; Review.

- (a) **Fee; Determination.** The licensing authority shall exact from the licensee an annual fee per Section 1-3-1 for up to forty-nine (49) spaces and an additional fee for each space thereafter. This schedule will apply to each mobile home park within the Town of Stephenson 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.
- (b) **Transfer Fee.** The licensing authority may collect a fee per Section 1-3-1 for each transfer of a license.
- (c) **Monthly Parking Fee.**
 - (1) In addition to the license fee provided in Subsections (a) and (b) above, 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 Sec. 66.0435, Wis. Stats. 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 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 Sec. 77.63, Wis. Stats. The total annual parking permit fee thus computed shall be divided by twelve (12) and shall represent the monthly mobile home parking permit fee.

- (2) The fee shall be applicable to mobile homes moving into the Town any time during the year. The park operator shall furnish information to the Clerk and Assessor on mobile homes added to his/her 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/she shall determine its fair market value and notify the Clerk of his/her determination.
 - (3) 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.
 - (4) 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 the mobile home remains in the tax district.
 - (5) 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, Wis. Stats. **If** the Board of Review reduces a valuation on which previous monthly payments have been made, the Town shall refund past excess fee payments.
 - (6) Parking permit fees shall be paid by the mobile home owner to the licensee on or before the tenth 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. The fee shall be paid in quarterly installments or annually. No 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 twelve (12) month period.
- (d) **Liability for Payment.** 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.
 - (e) **Exception.** 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), Wis. Stats.
 - (f) **Units Outside of Parks.** If a mobile home is located outside of a licensed park, no 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. Instead, such mobile homes come under Section 70.043, Wis. Stats., and constitute improvement to real property and are taxed as such.
 - (g) **Failure to Pay Parking Fee.** 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, Wis. Stats.
 - (h) **Distribution of Fees.** The Town shall retain ten percent (10%) of the monthly parking permit fees collected and refund two percent (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, Wis. Stats., as the ration of the most recent property tax levy for school purposes bears to the total tax levy for all purposes in the Town. 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.

Sec. 15-3-4 Application for License.

Original application for mobile home park license shall be filed with the Town Clerk. Applications shall be in writing, signed by the applicant, and shall contain the following:

- (a) The name and address of the applicant.
- (b) The location and legal description of the mobile home park.
- (c) The complete plan of the mobile home park.

Sec. 15-3-5 Plans and Specifications.

- (a) **Application Information.** Accompanying and filed with an original application for a mobile home park shall be plans and specifications which shall be in compliance with all applicable Town ordinances and provisions of the State Board of Health. After approval of the application by the Town Board and upon completion of the work according to the plans, the Town Clerk may issue the license.
- (b) **Park Standards.** The mobile home park shall conform to the following requirements:
 - (1) The park shall be located on a well-drained property graded to insure rapid drainage and free from stagnant pools of water.
 - (2) Each site shall be clearly defined or delineated. Each site shall have an average width of not less than forty (40) feet and the unit shall not occupy in excess of twenty-five percent (25%) of the area of the site, provided, however, that mobile home parks which, at the time of the original adoption of this Chapter, 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.
 - (3) The units shall be so located on each site that there shall be at least a twenty (20) foot clearance between units. No units shall be located closer than ten (10) feet to any building within the park or to any property line of the park which does not abut upon a public street or highway. No units shall be located closer than twenty-five (25) feet from a property line of a public street or fifty (50) feet from a county trunk highway, except for grandfathered 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.

- (4) The set up of a mobile home shall be in accordance to COMM 27, Wis. Adm. Code, as minimum requirements.
 - (5) All sites shall abut upon a driveway of not less than forty (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 twenty-five (25) feet wide.
 - (6) An electrical outlet supplying at least 110/120 volts, 50 amperes shall be provided for each mobile home site, or 30 amperes, 110 volts for each touring or recreational type housing unit site.
 - (7) 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 the 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.
 - (8) Each site shall be provided with a sewer receptacle at least four (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 the side of the unit.
- (c) **Landscaping.** Each site shall be attractively landscaped, and all areas fronting the park and any buildings or recreational areas shall be attractively landscaped.

Sec. 15-3-6 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:

- (a) For identification of streets and street names, street names must be submitted for approval to Marinette County.
- (b) Identification of individual lots with a town numbering system:
 - (1) Numbers shall be in accordance with the Town of Stephenson 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 Stephenson will provide the initial number plates and stakes. If number plates are damaged or destroyed, the labor and cost of replacement shall be the responsibility of the mobile home park owner.

Sec. 15-3-7 Location.

Mobile home parks may be permitted in accordance with this Town of Stephenson mobile home park ordinance ("Chapter") only after prior approval of the Town Board.

Sec. 15-3-8 Foundation.

All manufactured/mobile homes moved into the Town of Stephenson or moved from one location to another within the Town of Stephenson shall comply with the Wisconsin Department of Commerce 21.40.

See www.commerce.state.wi.us/SB

Sec. 15-3-9 Building Permit Required.

No construction of any additions, windbreaks, carports, permanent garages, utility sheds or any other improvement to a mobile home in a mobile home park shall be commenced without first obtaining a building permit as provided for in the Town of Stephenson Building Code. No mobile home shall be brought into any mobile home park without a building permit and must be in compliance with all building permit requirements.

Sec. 15-3-10 Converted Buildings.

No converted vehicles such as, but not limited to, vans, semi-trailers, school buses, or trolley cars are to be considered mobile home units. The parking of such vehicles or the use/conversion of such vehicles for uses other than originally designed within the Town of Stephenson is strictly prohibited, whether located within or outside a mobile home park.

Sec. 15-3-11 Mobile Home Standards; Inspection.

Mobile home placement in any mobile home park shall meet federal Department of Housing and Urban Development (HUD) requirements of June 24, 1994. Specifically, any mobile home placed in the Town of Stephenson shall meet the specifications required by Federal HUD Standards Ch. XX, Part 3280 and 3282. Each mobile home park owner may be more restrictive on these regulations. All previously occupied mobile homes must be inspected by a certified Home Inspector. The Building Inspector 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 verifies the correction, a permit shall be issued by the Building Inspector.

Sec. 15-3-12 Shoreland Zoning.

In addition to complying with the terms of this Chapter, the owner of a mobile 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 prior to the issuance of any permit by the Town Board.

Sec. 15-3-13 Service Building(s).

- (a) 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.
- (b) 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.
- (c) 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° 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.
- (d) 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.

Sec. 15-3-14 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 collection shall be furnished or the mobile home owner shall be responsible for garbage collection. All garbage cans shall be kept in sanitary condition at all times.

Sec. 15-3-15 Fire Protection.

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

Sec. 15-3-16 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 is on the owner of the animal.

Sec. 15-3-17 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 Chapter to which the licensee or permittee responsible is subject.

Sec. 15-3-18 Parking of Touring or Recreational Type Mobile Homes.

- (a) 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 vehicle 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 13-3-9, the park owner may issue a permit for a period not to exceed one (1) year.
- (b) 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.

Sec. 15-3-19 Management.

- (a) In every mobile home park, there shall be located the office of the person in charge of said mobile home park.
- (b) 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:
 - (1) Keep a register of all occupants of mobile homes, touring or recreational vehicles to be open at all times to inspection by federal, state and local officials, including the Building Inspector and Assessor.
 - (2) Maintain the mobile home park in a clean, orderly and sanitary condition at all times.
 - (3) The mobile home park owner shall monitor the presence of dogs or other animals running loose in the park and call animal control officers, if necessary.
 - (4) Report to the local health officer all cases of persons or animals affected or suspected of being affected with any communicable disease.

- (5) Post copies of their rules and regulations in one (1) or more conspicuous place in the mobile home park where they can be easily seen by the mobile home park residents and visitors.

Sec. 15-3-20 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.

Sec. 15-3-21 Penalties for Violations.

Any park owner or mobile home owner violating any provisions of this Chapter shall upon conviction thereof be subject to the penalties in Section 1-1-6 and the costs of prosecution, 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 such violation. Each day of violation shall constitute a separate offense.

Sec. 15-3-22 Statutory Authority.

The Town of Stephenson Board has, by adoption of this Chapter, confirmed the specific statutory powers and duties noted in this Chapter and has established the regulations and enforcement of mobile home parks pursuant to Section 66.0435, Wis. Stats., currently in effect and as adopted and as subsequently amended.