TOWN OF DOVRE

BARRON COUNTY, WISCONSIN

ORDINANCE NO. 2025 - 3

AN ORDINANCE TO REPEAL AND REPLACE ORDINANCE 2017-06, REGULATING MANUFACTURED HOMES, FOR THE TOWN OF DOVRE, BARRON COUNTY, WISCONSIN

The Town Board of the Town of Dovre, Barron County, Wisconsin (the “Town”), does hereby ordain Ordinance 2017-06 repealed and replaced with the following:

1. **Purpose.** This Ordinance is enacted to regulate placement of Manufactured Homes in the Town for the protection of public health, safety, and welfare.

1. **Authority.** This Ordinance is adopted pursuant to the authority set forth in Wis. Stat. §§ 60.10(2)(c), 60.22(3), and 61.34(1) and (5).
2. **Definitions.** 
   1. “Manufactured Home” means any of the following:
      1. A structure that is designed to be used as a dwelling with or without a permanent foundation and that is certified by the federal department of housing and urban development as complying with the standards established under 42 U.S.C §§ 5401 to 5425.
      2. A Mobile Home.
   2. “Manufactured Home Community” means any plot or plots of ground upon which 3 or more Manufactured Homes that are occupied for dwelling or sleeping purposes are located. Manufactured Home Community does not include a farm where the occupants of the Manufactured Homes are the father, mother, son, daughter, brother, or sister of the farm owner or operator or where the occupants of the Manufactured Homes work on the farm.
   3. “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.
   4. All terms not otherwise defined in this Ordinance shall have the definitions set forth in Wis. Stat. § 101.91.
3. **Scope.** This Ordinance shall apply to all Manufactured Homes and Manufactured Home Communities in the Town; provided, however, that this Ordinance shall not apply to any Manufactured Home parked temporarily at a place approved in writing by the Town Board and licensed by the State of Wisconsin to sell Manufactured Homes.
4. **Manufactured Homes Generally.** 
   1. **Building Permit Required.** No person may construct, install, park, or otherwise locate, or cause the construction, installation, parking, or other location of, any Manufactured Home on any land within the Town for more than 30 days in any calendar year without obtaining a building permit from the Town. Applications for a building permit shall be completed pursuant to the process set forth in the Town’s Building Code Ordinance (Ordinance 2025-2) as amended from time to time by the Town Board (the “Building Code”).
      1. No building permit may be issued under this Ordinance unless the applicant complies with all applicable Town, Barron County, State of Wisconsin, and United States laws and regulations.
      2. The Building Inspector shall inspect the Manufactured Home to determine compliance with the requirements of this Ordinance prior to the issuance of a building permit.
      3. All electrical, plumbing, heating connections, and other work on a Manufactured Home shall be done by licensed contractors after obtaining the required permits.
   2. **Occupancy Permit Required.** No Manufactured Home or any additions or alterations thereto requiring a building permit under this Ordinance shall be approved for human habitation until (1) the Manufactured Home is substantially complete and installed and (2) the Building Inspector has inspected and approved such structure for human habitation as witnessed by the issuance of an Occupancy Permit for the structure.
   3. **Installation of Manufactured Homes.** 
      1. Manufactured Homes built or produced on or after April 1, 2007, shall be installed consistent with the federal regulations set forth in 24 C.F.R. Part 3285, except as otherwise provided by Wis. Admin. Code § SPS 321.40(1).
      2. Manufactured Homes built or produced prior to April 1, 2007, shall be installed consistent with Wis. Stat. § 101.96 and Wis. Admin. Code § SPS 321.40(2), which are hereby incorporated by reference, and any other applicable state statutes and regulations.
   4. **Alterations, Additions, and Repairs to Manufactured Homes.**

* + 1. Repairs and maintenance to a Manufactured Home certified by the United States Department of Housing and Urban Development (“HUD”) pursuant to 24 C.F.R. § 3280.11(b) shall comply with the regulations and requirements set by HUD.
    2. Alterations and additions to all Manufactured Homes shall comply with the Wisconsin Uniform Dwelling Code (Wis. Admin. Code Chs. SPS 320-325) (“UDC”), which is incorporated herein by reference.
    3. A building permit shall be required for all (1) installations of Manufactured Homes; (2) alterations of Manufactured Homes, the cost of which exceeds $2,500.00; or (3) additions to Manufactured Homes which increase the physical dimensions of the Manufactured Home. Any person engaging in an activity set forth in Section 8 of the Town’s Building Code is not required to get a building permit.
  1. **Applicability of Uniform Dwelling Code.** Except as preempted by federal laws and regulations, to the fullest extent applicable, all Manufactured Homes in the Town shall comply with the UDC.
  2. **Other Regulations.**
     1. No person may park any Manufactured Home on any street, alley, highway, or in any other public place for more than two hours at any one time unless approved by the Town Board.
     2. All Manufactured Homes placed in the Town shall have the wheels and axles removed, if any, and shall be connected to utilities necessary for human habitation, including, but not limited to, functioning private sanitary sewage systems, potable water systems, and electrical systems.
     3. A sanitary permit or privy permit from Barron County shall be required before being granted a building permit for the placement of a Manufactured Home.
     4. All Manufactured Homes placed in the Town shall have operational fire and carbon monoxide alarm systems.
     5. All Manufactured Homes shall have separate fire/address numbers, including Manufactured Homes in Manufactured Home Communities.
     6. All Manufactured Homes must be placed on foundation and footings, slabs, or basements conforming to the UDC.

* + 1. No Manufactured Home may be placed on a parcel located in the Town unless such parcel is at least two acres in size. This two-acre limit shall apply to Manufactured Home Communities.
    2. Only one Manufactured Home may be located on a single parcel. This Section 5(f)(viii) shall not apply to (1) Manufactured Home Communities; and/or (2) farms where the occupants of the Manufactured Homes are the father, mother, son, daughter, brother, or sister of the farm owner or operator.
    3. A Manufactured Home may be used or occupied as a temporary principal dwelling for human habitation for a period of up to twelve months while a dwelling or replacement dwelling is under construction on the same parcel, provided that a permit is obtained for the placement of such temporary Manufactured Home.
       1. A written request for a permit for the use and installation of a temporary Manufactured Home must be made at the time of application for a building permit for a permanent building or structure. The twelve-month time period for the temporary Manufactured Home permit shall begin upon approval of the temporary Manufactured Home permit.
       2. A temporary Manufactured Home must have access on the parcel to a continuous safe supply of water and an adequate private sewage disposal system. Such water and sewage disposal systems shall be reviewed and approved by the appropriate county officials prior to the initiation of any construction activity.
       3. A temporary Manufactured Home must be removed from the parcel at the end of the permitted time period. Upon further written application to the Town Board, the person possessing a temporary Manufactured Home permit may request that the temporary Manufactured Home be occupied for up to an additional six continuous months following the initial twelve-month period. The written request for extension must be submitted to the Town Clerk/Treasurer at least thirty days prior to the expiration of the permit for the temporary dwelling. The written request for extension must state sufficient reasons for the extension. The Town Board is not required to grant a requested extension.
    4. All Manufactured Homes placed in the Town shall be skirted. The skirting shall be composed of material specifically manufactured for use as skirting or other material approved by the Town. No straw or hay bales, fiberboard, wafter board, or other type of building sheathing material is acceptable. Metal or vinyl siding materials as well as painted or stained exterior plywood siding is acceptable.

1. **Manufactured Home Communities.** 
   1. **Licenses Required.** No person who has not been issued a permit from the Wisconsin Department of Safety and Professional Services and a Manufactured Home Community license from the Town may conduct, maintain, manage, or operate a Manufactured Home Community in the Town.
   2. **Application.** An application for a license to establish or enlarge a Manufactured Home Community in the Town shall be filed with the Town Clerk. Applications shall be in writing, signed by the applicant, and contain the following information:
      1. The name and address of the applicant;
      2. The location and legal description of the Manufactured Home Community; and
      3. The complete plan of the Manufactured Home Community.
   3. **Annual License Fee.** All applications for a Manufactured Home Community License or renewal thereof shall be accompanied by the annual license fee to cover the cost of investigation and processing the license and the costs of municipal services required by individuals using the Manufactured Home Community. The annual license fee shall be $50 for each 50 spaces or fraction of 50 spaces within each Manufactured Home Community within the Town limits. This fee shall be due annually and is separate from any building permit fees for construction on the Manufactured Home Community premises.
   4. **Application Review and Approval.** 
      1. Once a complete application has been submitted to the Town Clerk, the Town Clerk shall forward the application and plans to the Town Board for consideration at the Town Board’s next regularly scheduled meeting at which the application can legally be on the agenda, and the Town Board shall examine the documents for conformity with the requirements of this Ordinance and any other applicable ordinances, statutes, laws, and regulations.
      2. The Town Board shall approve, conditionally approve, or reject the application. If approved conditionally or rejected, the conditions for approval or reasons for rejection shall be provided to the applicant in writing.
      3. When an application has been approved by the Town Board or when the conditions for approval have been satisfied, the Town Clerk shall issue a license to the applicant.
   5. **Term of License.** A Manufactured Home Community license shall expire one year after its issuance unless sooner revoked.
   6. **License Renewal.** Upon application by any licensee, after approval by the Town Board and upon payment of the annual license fee, the Town Clerk shall issue a certificate renewing the license for another year, unless sooner revoked. The application for renewal shall be in writing and signed by the applicant on forms furnished by the Town. A license shall not be renewed if any outstanding taxes or fees from the Manufactured Home Community are due to the Town.
   7. **License Transfer.** Upon application for a transfer of license, the Town Clerk, after approval of the application by the Town Board, shall issue a transfer upon payment of a $10 fee.
   8. **License Revocation and Suspension.**
      1. A license granted under thisSection 6 is subject to revocation or suspension for cause by the Town upon complaint filed with the Town Clerk, if the complaint is signed by a law enforcement officer, local health officer (as defined in Wis. Stat. § 250.01(5)), or building inspector.
      2. Prior to revocation or suspension, the Town Board shall hold a public hearing on the complaint. The holder of the license shall be given at least 10 days’ written notice of the hearing and is entitled to appear and be heard as to why the license should not be revoked or suspended.
      3. If the licensee appears at the hearing and denies the allegations set forth in the complaint, each party may present testimony and evidence. The complainant shall be the first to proceed and the licensee, who may be represented by legal counsel, shall then have the opportunity to be heard in person and to present witnesses and testimony on its behalf. Both parties shall have the right to cross-examine adverse witnesses and to compel the attendance of witnesses by subpoena, which shall be issued by the Town Chairman upon request.
      4. If, after the public hearing, the Town Board determines the allegations of the complaint to be true, it may suspend or revoke the license. If the Town Board determines that the allegations are untrue or are not otherwise grounds for suspension or revocation, the Town Board shall dismiss the complaint. If the Town Board determines that the allegations of the complaint were malicious and without probable cause, the costs for the hearing shall be the responsibility of the complainant.
      5. A holder of a license that is revoked or suspended by the licensing authority may, within 20 days of the date of the revocation or suspension, appeal the decision to the Barron County Circuit Court by filing a written notice of appeal with the Town Clerk, together with a bond executed to the Town in the sum of $500 with 2 sureties or a bonding company approved by the Town Clerk, conditioned for the faithful prosecution of the appeal and the payment of costs adjudged against the license holder.
   9. **Review of Application.** A license for a Manufactured Home Community shall not be issued if the establishment or enlargement of the Manufactured Home Community would violate this Ordinance, other Town ordinances, Wisconsin statutes and regulations, and United States laws and regulations.
   10. **Municipal Permit Fee.** In addition to the annual license fees set forth above in Section 6(c) and in accordance with Wis. Stat. § 66.0435(3)(c), the Town shall collect from each unit occupying space or lots in a Manufactured Community, a monthly municipal permit fee computed as set forth in Wis. Stat. § 66.0435(3)(c).
   11. **Manufactured Home Community Regulations.** In order to protect and promote the public health, morals, and welfare of the Town, Manufactured Home Communities must comply with the following:
       1. All Manufactured Home Communities must provide an approved storm shelter of adequate size and construction to protect all residents of the Manufactured Home Community in the event of severe weather. The operators of the Manufactured Home Community shall also submit an emergency plan that will specify measures to be taken to protect the safety of people in the Manufactured Home Community during a weather emergency. The Town Board will not issue a license for a Manufactured Home Community until it is satisfied that a reasonable emergency plan exists for such Community.
       2. All Manufactured Home Communities shall be provided with safe and convenient vehicular access from abutting public roadways to each Manufactured Home space. Entrances to Mobile Home Communities shall be designed to minimize congestion and traffic hazards and allow free movement of traffic on adjacent roadways.
       3. Wis. Admin. Code Ch. SPS 326 is incorporated herein by reference. All Manufactured Home Communities in the Town shall comply with all applicable provisions of Wis. Admin. Code Ch. SPS 326.
       4. Parking spaces shall be provided in a ratio of one and one half for each site for placement of one Manufactured Home. Residents of a Manufactured Home Community may not park on streets in the Manufactured Home Community, and “no parking” signs shall be provided indicating this parking restriction.
2. **Enforcement and Penalties.** In addition to any other penalties provided in this Ordinance, any person who violates any provisions of this Ordinance shall be subject to a written notice of violation. The Building Inspector, a law enforcement officer, or other designated Town official may require by written order any premises violating this Ordinance to be put in compliance within thirty calendar days or other time as specified in such order. If the premises at issue is not brought into compliance within the time specified in the written notice of violation, then the Town Board, Building Inspector, law enforcement officer, or other designated Town official may issue citations and take any other enforcement action allowed by law.
3. **Severability.** If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions of applications of this Ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are severable.
4. **Effective Date.** The Town Clerk shall properly post or publish this Ordinance as required under Wis. Stat. § 60.80, and this Ordinance shall be effective on publication or posting.

Adopted by the Town Board on February 12th, 2025.

TOWN OF DOVRE

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mitch Hanson, Chairman

Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Louise Cody, Clerk/Treasurer

Published: February 12th, 2025