

VILLAGE OF CHAPIN
ORDINANCE NO. 97- 1

AN ORDINANCE PROVIDING FOR THE REGULATION
OF MOBILE HOMES

FOR THE
VILLAGE OF CHAPIN, MORGAN COUNTY, ILLINOIS

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF CHAPIN, MORGAN COUNTY, ILLINOIS

THIS 2 DAY OF January, 1997

Published in pamphlet form by authority of the President and Board
of Trustees of the Village of Chapin, Morgan County, Illinois this
2 day of January, 1997.

ORDINANCE NO. 97- 1

AN ORDINANCE PROVIDING FOR THE REGULATION
OF MOBILE HOMES WITHIN THE CORPORATE
LIMITS OF THE VILLAGE OF CHAPIN

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE
VILLAGE OF CHAPIN, MORGAN COUNTY, ILLINOIS, AS FOLLOWS:

ARTICLE I - GENERAL PROVISIONS

Section 1. DEFINITIONS. The terms used in this chapter
shall have the following meanings:

(a) MOBILE HOME means a structure designed for permanent
habitation and so constructed as to permit its transport on
wheels, temporarily or permanently attached to its frame, from
the place of its construction to the location or subsequent
locations at which it is intended to be a permanent habitation
and designed to permit the occupancy thereof as a dwelling
place for one or more persons. A mobile home shall not
include camping trailers or recreational vehicles.

(b) IMMOBILIZED MOBILE HOME means a mobile home resting
on a permanent foundation with wheels and hitch permanently
removed. The Village Board establishes the following criteria
to complete the immobilization of a mobile home.

(1) The foundation shall extend into the ground
below the frost line so as to attach and become a part of the
real estate. Materials such as concrete, mortared concrete
block, or mortared brick extending into the ground below the
frost line shall satisfy the requirement for a permanent
foundation.

(2) As an alternate to (1) above, piers may be used, extending into the ground below the frost line, with at least two piers for every ten feet of mobile home length.

(3) To complete the immobilization, the wheels, tongue, and hitch must be permanently removed. The axles may be removed.

(4) The mobile home must have skirting or some other like closure of all spaces between the bottom of the mobile home and the ground securely installed and affixed to the entire perimeter of the mobile home.

(5) The mobile home shall be secured in compliance with the Illinois Mobile Home Tiedown Act (210 ILCS 120/1 et seq.) and the regulations promulgated thereunder but shall meet the following minimum requirements: the mobile home shall be secured by not less than two mobile home tie down straps installed in the home or extending over it, situated within 10 feet from each end of the mobile home, with each end of each strap attached to a tie down pin extending into, and reinforced by at least 6 cubic yards of concrete installed in the ground.

(6) The mobile home shall have a minimum square footage of 900 square feet.

(c) DEPENDENT MOBILE HOME means a mobile home or camper or travel trailer, not designed for permanent habitation, which does not have a flush toilet or a bathtub or shower.

(d) MOBILE HOME PARK means an area of land or two or more contiguous tracts of land under unified ownership and/or

control on which five (5) or more occupied mobile homes are harbored either free of charge or for revenue purposes, and shall include any building, structure, tent, vehicle, or enclosure used or intended for use as a part of the equipment of such mobile home park, including courts, developments and communities.

(e) SPACE means a mobile home space or portion of a mobile home park designed for the use or occupancy of one mobile home.

(f) OTHER PRINCIPAL STRUCTURE, as used in Article II, Section 1 below, means a building serving as the main building on a lot and used for the purposes for which the lot is primarily used, such as a store, a church, etc.

(g) APPURTENANT means accessory or incidental to, but necessarily connected with the use and enjoyment of, the residence structure or the other principal structure on a particular lot. Without limiting the scope of this definition but by way of illustration, a garage or a storage shed would be considered appurtenant to a residence building on the same lot, but a second residence building would not be appurtenant to a first residence building on the same lot.

Section 2. STATE REQUIREMENTS ADOPTED BY REFERENCE.

The Mobile Home Park Act, 210 ILCS 115/1 and the Mobile Home Tiedown Act, 210 ILCS 120/1 as passed, approved, and amended by the Illinois General Assembly are hereby adopted by the Village. The applicable provisions as they pertain to mobile homes and immobilized mobile homes shall be controlling within the corporate

limits of the Village.

Section 3. ILLINOIS DEPARTMENT OF PUBLIC HEALTH REGULATIONS. The "Regulations for Mobile Homes and Mobile Home Parks," as approved by the Illinois Department of Public Health (77 Ill. Adm. Code 860), as amended, are hereby adopted by the Village; the applicable provisions as they pertain to mobile homes and immobilized mobile homes shall be controlling within the Village.

ARTICLE II - LOCATION OF MOBILE HOMES

Section 1. IMMOBILIZED MOBILE HOMES. Immobilized mobile homes, other than dependent mobile homes may be placed on any lot (see Article III, Section 3), and no such mobile home shall be placed on any lot on which there is another residence or other principal structure not appurtenant to the mobile home. For purposes of this section, a lot shall be a lot as shown by any subdivision plat, any other tract of common ownership, or any part thereof into which such a lot or tract may legally be subdivided.

Section 2. DEPENDENT MOBILE HOMES. No dependent mobile home not constituting a camper, travel trailer, or other like vehicle used principally for recreational purposes shall be permitted in the Village, except that, upon application being made by the owner of a lot in the Village, the President and Board of Trustees may grant the owner so applying a temporary permit to place such a dependent mobile home on the lot for which application is made for a period not exceeding one year, upon a showing of good cause. Such a permit may be renewed from year to year upon application and a showing of continuing good cause. Any such

permit may be revoked at any time for a violation of any conditions of the permit or any other good cause shown, upon at least 30 days' prior written notice being given by the President and Board of Trustees to the person to whom the permit was granted, provided that said person is accorded the right to a hearing before the President and Board of Trustees but fails to show good cause why the revocation should not occur, with said hearing being held not later than 10 days before the effective date of the permit revocation.

Section 3. OTHER MOBILE HOMES. All mobile homes not falling within any of the categories specified by the preceding two paragraphs shall be situated only in licensed mobile home parks; it shall be unlawful to place them at any other location in the Village.

ARTICLE III - IMMOBILIZED MOBILE HOMES

Section 1. IMMOBILIZED MOBILE HOMES. All immobilized mobile homes located in the Village shall be classed as real estate; therefore, it is mandatory for all persons owning, operating, renting or leasing a mobile home outside a mobile home park to comply with Article I, Section 1(b) of this Ordinance, except as provided at Article V, Section 3 of this Ordinance. All units located outside a licensed park shall be on a lot owned by the person seeking the permit.

Section 2. PERMIT. All persons seeking to locate or replace an immobilized mobile home outside a mobile home park shall obtain a permit from the President and Board of Trustees of the Village. No such permit shall be issued to any applicant unless an

inspection report and certificate that the mobile home is safe and complies in its present condition with all governmental standards for construction of mobile homes has been executed by a reputable licensed mobile home dealer or other expert reasonably approved by the Village and has been presented to and approved by the President and Board of Trustees. The Applicant shall certify that the mobile home shall be located in compliance with this Ordinance as well as all applicable State laws and regulations. No utility services shall be connected to the unit until the Village has issued the permit. The applicant for the permit shall pay the Village an administrative fee of \$50.00 for the permit.

Section 3. LOT SIZE AND DISTANCE. The minimum lot size for the location of a mobile home or an immobilized mobile home shall be five thousand (5,000) square feet. All units shall be at least fifteen feet (15') from any lot line, twenty-five feet (25') from any building on any adjacent lot or twenty-five feet (25') from any street.

Section 4. CONCRETE PADS. All immobilized mobile homes shall be placed on either a reinforced concrete pad at least matching the dimensions of the mobile home, two (2) reinforced concrete runners four feet (4') wide and matching the length of the mobile home or on concrete piers approved by the President and Board of Trustees. The concrete pads shall consist of four inches (4") of reinforced concrete or six inches (6") of concrete. A concrete footing is optional. All piers and footings for immobilized mobile homes shall comply with the definition of the same. Expandable units shall be provided with approved piers or

their equivalent at each corner of the units.

ARTICLE IV - MOBILE HOME PARKS

DIVISION I - ADMINISTRATION REQUIREMENTS

Section 1. PERMIT. No person, firm or corporation shall establish, maintain, conduct or operate a mobile home park without first obtaining a permit from the Village. "Conduct or operate a mobile home park" as used in this Ordinance shall include, but not necessarily be limited to supplying or maintaining common water, sewer or other utility supply or service, or the collection of rents directly or indirectly from two (2) or more independent mobile homes. Such permit shall expire April 30 of each year and a new permit shall be issued upon proper application and payment of the annual permit fee provided the applicant is in compliance with Article IV, Section 2 of this Ordinance.

Section 2. COMPLIANCE WITH STATUTES, APPLICABILITY OF ARTICLE. Every mobile home park in the Village shall, at a minimum, conform to the requirements of:

(a) Illinois Mobile Home Park Act (210 ILCS 115/1 et seq.)

(b) The "Regulations for Mobile Homes and Mobile Home Parks," promulgated by the Illinois Department of Public Health, Consumer Protection Division as now or hereafter amended, (77 Ill. Adm. Code 860) and

(c) This Ordinance.

In case of conflict between any provision of the above, the more stringent requirement shall prevail.

Section 3. APPLICATION FOR PERMIT.

(a) PERMIT TO CONSTRUCT OR ALTER A MOBILE HOME PARK. In order to obtain a permit to construct a new mobile home park or alter an existing mobile home park, the applicant shall file with the Village a written application and plan documents, including the following:

(1) The full name and address of the applicant or applicants, or names and addresses of the partners if the applicant is a partnership, or the names and addresses of the officers if the applicant is a corporation.

(2) The address, location and legal description of the tract of land upon which it is proposed to construct, operate and maintain a mobile home park.

(3) The name of the mobile home park.

(4) Two copies of the detailed plans and specifications sealed by a registered engineer or architect licensed to practice in the State of Illinois which include a general plot plan of the mobile home park with all sites and structures shown, the water supply system, the sewage disposal system, the electrical system, the fuel supply system, the lighting system, the method of disposal of solid waste, all streets and sidewalks, fire hydrants and details of all existing and proposed auxiliary structures and in the case of an application to alter a mobile home park, the alteration proposed.

(5) The number of mobile home sites proposed to be constructed or licensed.

(6) Each application shall be accompanied by an application fee of \$100.00.

(7) The applicant must submit a bond to the Village in an amount equal to the projected cost of the proposed site, the bond being conditioned on completion of the proposed work within a reasonable time.

The permit to construct or alter a mobile home park shall be valid for one year from the date of issuance.

(b) ORIGINAL PERMIT TO OPERATE A MOBILE HOME PARK. In order to obtain an original permit to operate a mobile home park, the applicant shall file with the Village a written application, including the information required in paragraphs (1), (2), (3) and (5) of Article IV, Section 3(a) in addition to "as built" plans showing the location of all structures and utilities at the mobile home park. A nonrefundable fee of \$50.00 shall accompany the application. This original permit to operate shall expire on the April 30th following the date of issuance of the permit.

(c) ANNUAL OPERATING PERMIT RENEWAL. In order to renew the annual operating permit, the applicant shall file with the Village a written operating permit renewal application on the form supplied by the Village, which application shall include a certification by the applicant that the mobile home park is in compliance with this Ordinance and all State laws, rules, and regulations. A nonrefundable fee of \$50.00 shall accompany the application which must be filed with the Village no later than March 31 of each year. Annual operating permit

fees submitted after April 30 shall be subject to a \$25.00 late fee. The annual operating permit shall expire on April 30 of each year.

Section 4. LOCAL GOVERNMENT REQUIREMENTS. A permit does not relieve the applicant from complying with all applicable ordinances and ordinances of the Village.

Section 5. PERMITS. The President and Board of Trustees shall review each application and plan documents submitted. When the application and plan documents are found to be in compliance with the "Regulations for Mobile Homes and Mobile Home Parks" (77 Ill. Adm. 860), as amended, as promulgated by the Illinois Department of Public Health and this Ordinance, the Village may issue the proper permit to construct, alter or operate a mobile home park to the applicant.

Section 6. INSPECTION OF MOBILE HOME PARK. Upon completion of the proposed construction of a mobile home park or the proposed alteration of a mobile home park, the applicant shall notify the President and Board of Trustees in order that an inspection of the complete facilities can be made.

Section 7. VIOLATION PROCEEDINGS. Any license granted hereunder shall be subject to revocation or suspension by the President and Board of Trustees. However, the President and Board of Trustees shall first serve or cause to be served upon the licensee a written notice in which shall be specified the way or ways in which such licensee has failed to comply with the statutes or any rules or regulations promulgated by the State or Village pertaining thereto. The notice shall require the licenses to

remove or abate such nuisance, unsanitary or objectionable condition, specified in such notice, within five (5) days or within a longer period of time as may be allowed by the President and Board of Trustees. If the licensee fails to comply with the terms and conditions of the notice within the time specified or such extended period of time, the President and Board of Trustees but fails to show good cause why the license should not be revoked or suspended, said hearing being held not less than 60 days before the effective date of the revocation or suspension.

ARTICLE IV - MOBILE HOME PARKS

DIVISION II

DESIGN AND CONSTRUCTION REQUIREMENTS

Section 8. LOCATION.

(a) Sites selected for mobile home development shall be well-drained and free from topographical or geological hindrances and from other conditions unfavorable to a proper residential environment. The mobile home development shall not be located near swamps, marshes, or other breeding places of insects, rats and mice. When a good, natural drainage is not available, storm drainage shall be provided by builders and such drainage shall not endanger any water supply or surface watercourse.

(b) The President and Board of Trustees may conduct a site survey to ascertain that the proposed location complies with the above requirements.

Section 9. ROADS. All private roads constructed in every mobile home park not already in existence on the effective date of this chapter shall comply with the same construction specifications as required by the Village for public roads in new subdivisions.

Section 10. SEWERS. Any storm water or sanitary sewer facilities to service the mobile home park or within the mobile home park shall be constructed in compliance with the Village Ordinance. All mobile homes shall be connected to sanitary sewer in compliance with Village Ordinance.

Section 11. COMPLIANCE WITH VILLAGE ORDINANCE. A permit under this Ordinance does not relieve the applicant from securing such other permits from the Village as may be required for the construction, alteration or operation of a mobile home park.

DIVISION III - GENERALLY

Section 12. MISCELLANEOUS RESTRICTIONS.

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

(b) Not more than one (1) mobile home shall be parked in one space.

(c) No travel trailer, camper, or other recreational vehicle shall be permitted in any mobile home park, except that any such unit used principally for recreational purposes by the owner of any mobile home situated in the mobile home park may be stored there but may not be used for permanent habitation.

(d) The licensee for every mobile home park shall determine that every mobile home situated in the mobile home park is safe and complies in its existing condition with all governmental standards for construction of mobile homes and shall maintain on hand at all times records showing inspection for such purpose or certification by a reputable licensed mobile home dealer or other expert reasonably approved by the President and Board of Trustees showing each mobile home to be in such condition, and such records shall be available for examination by the Village at any time.

(e) Every mobile home in a mobile home park at all times be equipped with at least two operational smoke alarms permanently attached to the mobile home. The licensee for the mobile home park shall maintain records of such smoke alarms in like manner as specified in paragraph (D) above of the Article IV, Section 12.

ARTICLE V - EXISTING UNITS AND PARTS

Section 1. MOBILE HOME PARKS. Any mobile home park in existence and licensed by the Illinois Department of Public Health on the effective date of this Ordinance may continue to be operated as a mobile home park without the necessity of a license from the Village of Chapin for a period of 180 days with any extension of time at the discretion of the President and Board of Trustees after the effective date of this Ordinance and, if an application is submitted to the Village within that 180 day period, thereafter until action is taken by the Village approving or denying the

application. An initial license issued for such a mobile home park existing on the effective day of this Ordinance shall be for a period of time commencing on the date of approval of the license application and continuing until the last day of the State license year; the normal annual license fee charged by the Village shall be prorated on a daily basis for such partial year, and any excess fee tendered at the time of submission of the license application shall be rebated. Any requirements set forth in this Ordinance for the construction and operation of a mobile home park which are more stringent than the requirements applied by the Illinois Department of Public Health shall not apply to any mobile home park existing and licensed by the State on the effective date of this Ordinance until one year after the effective date of this Ordinance.

Each license for a mobile home park granted under this Ordinance, whether a mobile home park existing on the effective date of this Ordinance or a mobile home park for which a license is hereafter granted, shall be good for a period not to exceed one year but may be renewed from time to time upon the owner's submitting an application which is approved by the President and Board of Trustees and by the owner's paying an annual fee as established herein.

Section 2. CAMPERS, TRAVEL TRAILERS, AND LIKE VEHICLES.

Campers, travel trailers, and other like vehicles use principally for recreational purposes which are located in the Village of Chapin on the effective date of this Ordinance shall not be required to comply with the provisions of this Ordinance until 120 days after the effective date of this Ordinance, thereafter, the

owners of such unit shall cause them to be in compliance with the Ordinance.

Section 3. IMMOBILIZED MOBILE HOMES, DEPENDANT MOBILE HOMES, AND OTHER MOBILE HOMES. All immobilized mobile homes, dependent mobile homes and all other mobile homes located in the Village of Chapin on the effective date of this Ordinance and not situated within a mobile home park or governed by other sections of this Article shall be exempt from compliance with this Ordinance so long as they remain in their existing locations. If any such immobilized mobile homes, dependent mobile homes or other mobile homes are removed from their locations, replacement units may be installed at the same locations, without regard to the provisions of this chapter which would otherwise be applicable as to sizes of lots, location, and off-street parking, provided the replacement units are so installed within six (6) months after the removal of the original units, but in all other respects, such replacement units may be so installed only if in compliance with this Ordinance. In particular, all such replacement mobile homes must be converted into immobilized mobile homes, and all requirements for such immobilization, including requirements as to changes to the foundation or piers, as to removal of wheels, tongue, and hitch, and installations of skirting, must be fully complied with. Permits shall be required for all replacement mobile homes, and all requirements shall be the same as for any other mobile homes newly brought into the Village, except as specified above for replacements installed within six (6) months.

ARTICLE VI - EFFECTIVE DATE, SEVERABILITY, AND REPEAL

Section 1. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Section 2. SEVERABILITY. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any other provision of this Ordinance.

Section 3. REPEAL. All other ordinances, resolutions or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed. Ordinance 86-2 is hereby repealed.

AYES: 4

NAYS: 0

ABSENT: 1

PASSED THIS 2nd day of Jan., 1997.

Shelley Colman
Village Clerk

APPROVED THIS 2 day of January, 1997.

Ralph L. Bell
President

ATTEST:
Shelley Colman
Village Clerk

(SEAL)

STATE OF ILLINOIS)
)
COUNTY OF MORGAN) SS

I, Shirley Coffman, Village Clerk of the Village of Chapin, Morgan County, Illinois, do hereby certify that the foregoing and attached copy of Ordinance No. 97- 1 is a true and correct copy of an Ordinance passed by the President and Board of Trustees of the Village of Chapin at a regular meeting of said Village Board held on the 2nd day of January, 1997, all as the original of the same remains on file in the records of my office.

IT WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Village of Chapin, this 2nd day of January, 1997.

Shirley Coffman
Village Clerk

(SEAL)

STATE OF ILLINOIS)
)
COUNTY OF MORGAN) SS

I, Shirley Coffman, certify that I am the duly elected and acting Village Clerk of the Village of Chapin, Morgan County, Illinois.

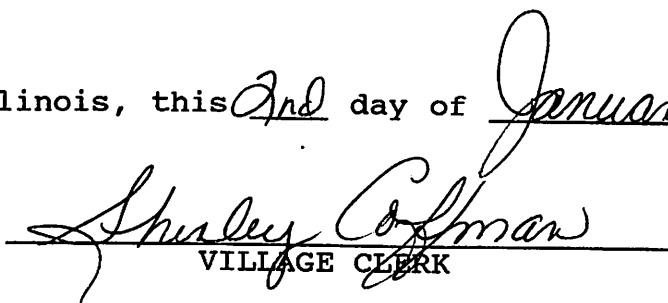
I further certify that on the 2nd day of January, 1997, the President and Board of Trustees of the Village of Chapin, Illinois, passed and approved Ordinance No. 97- 1, entitled:

**"AN ORDINANCE REGULATING
MOBILE HOMES WITHIN THE CORPORATE
LIMITS OF THE VILLAGE OF CHAPIN"**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 97- 1, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the Village Hall, commencing on the 2nd day of January, 1997, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request in the Office of the Village Clerk.

DATED at Chapin, Illinois, this 2nd day of January, 1997.



VILLAGE CLERK

(SEAL)