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CHAPTER 8

MOBILE HOME PARK T ZONE

SECTION:

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9-8-1: USES PERMITTED: The following uses shall be permitted in the Mobile Home Park T Zone.

“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 time it is intended to be permanent habitation and designed to permit the occupancy thereof as a dwelling place for one or more persons, provided that any such structure resting on a permanent foundation, with wheels, tongue, lug bolts and hitch permanently removed, shall not be construed as a “mobile home.”

“*Permanent habitation*” means a period of one (1) or more months.

“*Dependent mobile home*” means a mobile home which does not have toilet and bath or shower facilities.

“Independent mobile home” means a mobile home which has self-contained toilet and bath or shower facilities.

“Mobile home park” means an area of land or lands upon which five or more independent 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.

“Site” means the lot on which the mobile home is harbored.

“License” means Mobile home Park Operator’s License.

No person, firm or corporation shall establish maintain, conduct or operate a mobile home park without first obtaining a license therefore from the Village. “Conduct or operate a mobile home park”

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as used in this code 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 five or more independent mobile homes. Such license shall expire one year from date of issue and a new license may be issued upon proper application and payment of the annual license fee provided the applicant is in substantial compliance with the Rules and Regulations of the Village.

9-8-2: PERMIT TO CONSTRUCT MOBILE HOME PARK

1. In order to obtain a permit to construct a mobile home park, the applicant shall file with the Village a written application and plan documents, and such plan documents shall be prepared by a registered engineer or architect licensed to practice in the State of Illinois, with registration seal affixed, setting forth:
 - A. The full name and address of the applicant or applicants or names and addresses of the partners if the applicant is a partnership, or the names and addresses of the officers if the applicant is a corporation and the present or last occupation of the applicant at the time of the filing of the application.
 - B. The location and legal description of the tract of land upon which it is proposed to operate and maintain a mobile home park.
 - C. The proposed and existing facilities in the mobile home park for water supply, sewage, garbage and waste disposal, fire protection and the proposed alterations therein and the maintenance thereof.

- D. The proposed method of lighting and structures and land upon which the mobile home park is to be located.
 - E. The plot plans of the mobile home parks, building plans and specifications for existing buildings and facilities and the plans and specifications for new buildings and facilities, or the proposed alterations in existing facilities all as may be required by the rules and regulations of the Village under the provisions of this code.
 - F. A statement of the fire-fighting facilities, public or private, which are available to the mobile home park.
2. An affidavit of the applicant as to the truth of the matters contained in the application shall be attached thereto. Each application shall be accompanied by an application fee of \$100. The application fee once paid to the Village shall not be refunded. 9-8-2

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Permits shall be valid for one year from the date of issue, but may be extended by the Village.

9-8-3: License for Mobile Home Park

1. License Required

- A. Upon the receipt of an application for a permit to construct a mobile home park or an application for a license to operate and maintain the same, the Village shall, if the park is, or the proposed park will be, in conformity with this code and the rules and regulations adopted by the Village pursuant thereto, issue a permit to construct or an original license, as the case may be. If the application for a permit to construct or a license is declined, the Village shall give the reasons therefore in writing to the applicant; and if the objections can be corrected, the applicant may amend his application and re-submit it for approval.
- B. If a permit to construct a park has been issued, the applicant upon completion thereof shall notify the Village. The Village shall then inspect the park and if completed in accordance with accepted application, the Village shall issue a license.

2. No change in any sanitary facilities, methods of water supply, sewer, drainage, garbage or waste disposal, and no change in the plot plan shall be made without first making a written application to the Village and receiving a written permit therefrom. Such application shall be made in the way and manner herein-before set forth; except that a fee amounting to \$50 shall accompany each application for a permit to increase the size of a park. No application fee shall be required to accompany an application for a permit to alter a mobile home park where such alteration involves only a reduction in the number of mobile home spaces to a number less than that for which such park is currently licensed.
3. The Village shall not issue any permit until the applicant receives written certification from the Planning and Zoning Board that such park is not in violation of any zoning ordinance. Further, the Village shall not issue a license to operate and maintain a mobile home park where any violation of a Village ordinance or regulation exists.

4. License Fees:

- A. In addition to the application fee provided for herein, the licensee shall pay to the Village on or before January 31 of each year or at such other dates as

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the Village may designate, an annual license fee which shall be \$25.00 plus \$5.00 for each mobile home space in the park.

- B. The licensee shall pay the Village \$10 for each additional mobile home space added to his park under the authority of a written permit to alter the park as provided for in this code, payment for which the additional mobile home spaces to be made and an amended license therefore obtained before any mobile homes are accommodated on the additional mobile home spaces. The Village shall issue an amended license to cover such additional mobile home spaces, when they are to be occupied before the end of the license year, for which an annual license has been previously issue.
- C. Provided that subsequent to the effective date of this ordinance an applicant for an original license to operate a new park constructed under a permit issued by the Village shall be required to pay a prorated fee based on the remaining months of the licensure year for the first year of operation.
- D. Each license fee shall be paid to the Village and any license fee or any part thereof, once paid to and accepted by the Village shall not be refunded.

- E. Any license granted hereunder shall be subject to revocation or suspension by the Village. However, the Village 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 this code or any rules or regulations promulgated by the Village pertaining thereto. Said notice shall require the licensee to remove or abate such nuisance, unsanitary or objectional condition, specified in such notice, within five (5) days or within a longer period of time as may be allowed by the Village. If the licensee fails to comply with the terms and conditions of said notice, within the time specified or such extended period of time, the Village may revoke or suspend such license.
5. No person, firm or corporation shall construct a mobile home park without first obtaining a permit to do so. All permits to construct, all licenses to operate and all permits to make alterations therein shall be prominently displayed in the office of parks. All licenses issued under this code shall be nontransferable.

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9-8-4: Conditions of Permits

1. Every park shall be in the charge of a responsible attendant or caretaker whose name shall be on file at all times in the village and whose duty it shall be to maintain the park, its facilities and equipment in a clean, orderly and sanitary condition, and it shall be the responsibility of the licensee, for any violation of the provisions of this code.
2. No park shall be so located that the drainage of the park area will endanger any water supply. All such parks shall be well drained. No waste water shall be deposited on the surface of the ground within the mobile home park.
3. Each space or site on which each mobile home is accommodated shall have a minimum of 2,500 square feet, provided that the spaces or sites existing in parks prior to November 8, 2004, shall contain an area of not less than 1,000 square feet or as previously required by regulatory agency.
4. No mobile home shall be parked closer than 5 feet to the side lot lines of a park, or closer than 10 feet to a public street, alley or building. Each individual site shall abut or face on a private or public driveway or roadway of not less than 24 feet in width, which driveway or roadway shall have unobstructed access to a public highway or alley. There shall be an open space of at least 10 feet adjacent to the sides of every mobile home and at least 5 feet adjacent to the ends of every mobile home.

5. An adequate supply of water of safe, sanitary quality, approved by the Village shall be furnished at each park. Each site shall use Village water unless otherwise required or approved by the Village. Each site shall be provided with a cold water tap located in accordance as per regulations of the Village.
6. All sewage and other water carried wastes shall be disposed of into the Village sewerage system whenever the interceptor or sewer main of such system is adjacent to the park. In parks in which such connections are not available, disposal shall be into a private system which includes a sanitary means of disposal, the operation of which creates neither a nuisance nor a menace to health.
7. When a water carriage system of sewage is used each site shall be provided with a sewer connection for the combined liquid waste outlet or outlets of each mobile home. It shall be the duty of the owner or operator of said park to provide an approved type of water and odor tight connection from the mobile home drainage outlets to the sewer connection and it shall be the duty of said owner of said mobile home park to make and maintain such connection and keep all occupied mobile homes connected to the sewer while located in the park.

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8. Garbage Requirements.

- A. A sufficient number of adequate insect-proof and water tight containers in accordance with Rules and Regulations adopted by the Village shall be supplied for the storage of garbage except when an adequate incinerator is provided or where a centralized dumpster system is in place.
 - B. Garbage containers shall be emptied at least once a week and shall not be filled to overflowing, or allowed to become foul smelling or a breeding place for insects.
 - C. Garbage and rubbish shall be disposed of in a manner which created neither a nuisance nor a menace to health and which is approved by the Village.
 - D. Adequate insect and rodent control measures shall be employed. All buildings shall be fly and rodent proof and rodent harborages shall not be permitted to exist in the park or pathways.
9. Fire Extinguishers required. Mobile homes in mobile home park shall be equipped with fire extinguishers, in working order, of a type approved by and located as directed by appropriate fire prevention authorities.

10. All streets and driveways in every park must be maintained in a passable and reasonably dust-proof condition at all times. All streets and driveways in parks constructed after November 8, 2004 shall have a minimum width of 24 feet.
11. The management of every park shall assume full responsibility for maintaining in good repair and condition all sanitary, electrical and safety appliances in the park, and shall promptly bring such action as is necessary to prosecute or eject from the park any person or persons who fail to comply with the regulations of this code.
12. Electrical outlets for each individual site shall be provided and the installation shall be in accordance with all state or local codes and ordinances.
13. In no event shall a dependent mobile home or non-permanent shelter or other vehicle designed or used for sleeping purposed, other than an independent mobile home, be permitted for occupancy at any time in a mobile home park.
14. When community kitchens, dining rooms, laundries or other facilities are provided, such facilities and equipment as are supplied must be maintained in a sanitary condition and kept in

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good repair, and subject to such rules and regulation as may be issued by the Village.

15. All buildings constructed or altered, all plumbing, and all electrical heating installations shall be in accordance with existing municipal and county building ordinances and the rules and regulations of the Village.
16. When the Village has approved an application for a permit to construct or make alterations upon a mobile home park or the appurtenances thereto or a license to operate and maintain the same, it shall retain the original and keep a file thereof, and one copy shall be returned to the applicant or his agent, one copy to the clerk of the municipality or to the county clerk if said park is located outside the limits of the municipality.

9-8-5: License Applications

1. The Village shall draft and supply all forms and blanks and specify the number and detail necessary to obtain permits to construct or make alterations upon parks; and for a license to operate and maintain such a park according to the code.
2. The Village shall keep a record of all mobile home parks, said records to show the names and addresses of all parks, names and addresses of the licensee, number of

mobile home lots in each park, source of water supply, system of sewage and garbage disposal, and other information desired by the Village.

3. The Village shall supply licensees of all parks with any and all health rules and regulations pertaining thereto made by the Village, and any change or changes that may be made from time to time and such rules and regulations shall be posted by the management of such park in a protected, conspicuous place within the park.
4. Each mobile home park shall be provided with a custodian's office where each mobile home entering such park shall be assigned to a site, given a copy of the park rules and regulations and registered according to the prescribed form. Such registration shall include the name and address of the owner and every occupancy of such mobile home and the square feet of floor space contained in such mobile home. Such registration shall also include the license number of such mobile home and of the towing vehicle, if there be any, and the state issuing such licenses. The register shall be signed by the owner or operator of the mobile home. Any person furnishing misinformation for purposes of registration shall be subject to punishment as provided in this code and as the law otherwise permits. The registration records shall be neatly and securely maintained, and no registration records shall be destroyed

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until six years have elapsed following the date of registration. The register shall be available at all time for inspection by all law enforcement officers and by the Village.

5. Whoever violates any provisions of this code, shall, except as otherwise provided, be fined not less than \$100.00 and not more than \$1,000.00 Each day's violation shall constitute a separate offense. The Village may, in addition to other remedies provided in this code, bring action for an injunction to restrain such violation, or to enjoin the operation of any such mobile home park in the Circuit Court of Cook County.
6. Nothing in this code shall be construed to include the state park of Illinois and the term "Mobile Home Park" shall not be construed to include buildings, tents, or other structures maintained by any individual or company on their own premises and used exclusively to house their own farm labor, or any military establishment of the United States or of this State where a travel trailer or mobile home may be located or harbored.
7. The Village shall enforce the provisions of this code and the rules and regulations adopted pursuant thereto affecting health, sanitation, water supply, sewage, garbage and waste disposal, and the Village shall inspect, at least once each year, each mobile home park and all the accommodations and facilities therewith. Such official or officers are hereby granted the power and authority to enter upon the premises of such parks at any time for the purposes herein set forth.

8 The Village may issue rules and regulations to carry out the provisions of this code.

9-8-6: Suspension and/or Revocations of Permits

1. If the Village denies a permit to construct or alter a park, denies a license or suspends or revokes a license, the Village shall give notice by registered mail, to the park operator or the applicant, as the case may be, within 15 days of such decision. Any person refused a permit to construct or alter a park, or refused a license, or whose license is suspended or revoked, shall have the right to a hearing before the Village. A written notice of a request for such a hearing shall be served upon the Village within 20 days of the mailing of such refusal of a permit to construct or alter or refusal of a license or suspension or revocation thereof.
2. The hearing shall be conducted through its administrative adjudication hearing process by a Hearing Officer designated by the Village (hereinafter "Hearing Officer").

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3. The Hearing Officer may compel by subpoena or subpoena duces tecum, the attendance and testimony of witnesses and the production of books and papers, and administer oaths to witnesses. The hearing shall be conducted at such places as designated by the Village. The village shall give written notice of the time and place of hearing, by registered mail, to the park operator or license applicant, as the case may be, at least 10 days prior to such hearing.
4. The Hearing Officer shall permit the applicant or licensee to appear in person and to be represented by counsel at the hearing at which time the applicant or licensee shall be afforded an opportunity to present all relevant matter in support of his application for license or renewal of license or in resisting the revocation thereof.
5. In the event of the inability of any party, or the Village to procure the attendance of witnesses to give testimony or produce books and papers, such party or the Village may take the deposition of witnesses in accordance with the provisions of the laws of the State. All testimony taken at a hearing shall be reduced to writing, and all such testimony and other evidence introduced at the hearing shall be a part of the record of the hearing.
6. The Hearing Officer shall make findings of fact I such hearing, and the Hearing Officer shall render his decision within 30 days after the termination of the hearing, unless additional time is required by him for a proper disposition of the matter.
7. Technical errors in proceeding before the Hearing Officer or his failure to observe

the technical rules of evidence shall not constitute grounds for the reversal of any administrative decision unless it appears to the court that such error or failure materially affects the rights of any party and results in substantial injustice to him.

8. All subpoenas issued by the Hearing Officer may be served as provided for in civil action,. The fees of witnesses for attendance and travel shall be the same as the fees for witnesses before the Circuit Court and shall be paid by the party to such proceedings at whose request the subpoena is issued. If such subpoena is issued at the request of the Village, the witness fee shall be paid as an administrative expense.
9. In cases of refusal of a witness to attend or testify, or to produce books or papers concerning any matter upon which he might be lawfully examined, the Circuit Court of Cook County, upon application of any party to the proceeding, may compel obedience by similar order of said court.

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10. The "Administrative Review Act" shall apply to and govern all proceedings for judicial review of final administrative decisions of the Village hereunder. The term "administrative decision" is defined as in Section 1 of the "Administrative Review Act." 735 ILCS 5/3-101,et seq. (Ord 04-20,11/8/04)