

CHAPTER 23

MANUFACTURED HOMES

ARTICLE I - GENERAL PROVISIONS

23-1-1 DEFINITIONS. The terms used in this Chapter shall have the following meanings:

“APPLICANT” means any person making application for a license or permit.

“IMMOBILIZED MANUFACTURED HOME” means a manufactured home resting on a permanent foundation with wheels, tongue, and hitch permanently removed. The Village Board establishes the following criteria to complete the immobilization of a manufactured home.

(A) 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, mortared brick extending into the ground below the frost line shall satisfy the requirement for a permanent foundation.

(B) As an alternative to paragraph (A) above, piers may be used, extending into the ground below the frost line when sufficient in number to properly support the manufactured home and installed in accordance with this Chapter.

(C) To complete the immobilization, wheels, tongue, and hitch **shall** be removed.

“INSPECTION” shall mean an inspection of the manufactured home as may be allowed or required by this Chapter to ensure compliance and the health and safety of the occupants and surrounding property and property occupants.

“MANUFACTURED HOME” means a structure transportable in one or more sections, which, in traveling mode, is **eight (8) body feet** or more in width or **thirty-two (32) body feet** or more in length, or when erected on site, is **two hundred fifty-six (256) or more square feet**, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the State of Illinois and complies with the standards established under this Chapter. The term “manufactured home” shall only include manufactured homes constructed after **June 15, 1976**, in accordance with the Federal “National Manufactured Housing Construction and Safety Standards Act of 1974” and identified by a red emblem at the rear of such “manufactured home” (See 42 U.S.C. 5401), provided that any such structure resting on a permanent foundation with wheels, tongue and hitch permanently removed, shall not be construed as a “manufactured home” but shall be deemed an “immobilized manufactured home”. A manufactured home shall not be confused with a “camping trailer” or “recreational vehicle” as defined by U.S. Public Law 93-383, as amended from time to time. For the purposes of this Chapter, all manufactured home regulations apply equally to modular and mobile homes, unless otherwise stated.

“MANUFACTURED HOME, DEPENDENT” means a manufactured home which does not have a toilet and bath or shower facilities. (See 210 ILCS Sec. 115/2.3)

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“MANUFACTURED HOME PARK” means a tract of land or **two (2)** or more contiguous tracts of land upon which contain sites with the necessary utilities for **two (2)** or more independent manufactured homes for permanent habitation, either free of charge or for revenue purposes, and shall include any building, structure, vehicle, or enclosure used or intended for use as a part of the equipment of such manufactured home park. Separate ownership of contiguous tracts of land shall not preclude the tracts of land from common licensure as a manufactured home park if they are maintained and operated jointly. Neither an immobilized manufactured home nor a motorized recreational vehicle shall be construed as being a part of a manufactured home park. (See 210 ILCS Sec. 115/2.5) The definition of manufactured home park as contained in 210 ILCS 115/2.5 is hereby incorporated herein by reference.

“MANUFACTURED HOME PERMIT” is a permit issued by the Village for the introduction of an owner occupied immobilized manufactured home into the Village outside a manufactured home park. See Exhibit A attached hereto.

“MANUFACTURED HOME HOUSING UNIT” includes all forms of housing units listed in this Section and as regulated in this Chapter.

“MOBILE HOME” means a structure, transportable in one or more sections, which in the traveling mode, is **eight (8) body feet** in width or **thirty-two (32) body feet** or more in length, or when erected on side, is **two hundred fifty-six (256) or more square feet** and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes plumbing, heating, air-conditioning, and electrical systems contained therein and manufactured prior to June 30, 1976. A “mobile home” is not required to have a seal but must comply with the Illinois Manufactured Housing and Mobile Home Safety Act. Provided that any such structure resting on a permanent foundation with wheels, tongue and hitch permanently removed, shall not be construed as a “mobile home”, but shall be an “immobilized mobile home”. A mobile home shall not be confused with a “camping trailer” or “recreational vehicle”. (See 210 ILCS Sec. 115/2.1)

“MODULAR HOME” means a factory-fabricated home built after **June 15, 1976** in **one (1)** or more sections that adheres to the regulations set forth by the Illinois Department of Public Health. These units must be placed on a permanent perimeter foundation which extends below the frost depth. A yellow seal in the shape of the State of Illinois must be placed on the electrical panel box of each unit or, for units produced in Indiana, the Indiana seal satisfies this requirement. “Modular homes” must meet the same requirements as “mobile homes” in this Chapter.

“PERMANENT RESIDENCE” means a period of **two (2)** or more months as more fully defined in 210 ILCS Sec. 115/2.2.

23-1-2 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 manufactured homes and immobilized manufactured homes shall be controlling within the corporate limits of the Village.

23-1-3 ILLINOIS DEPARTMENT OF PUBLIC HEALTH REGULATIONS. The Rules and Regulations for Mobile Home Parks, as approved by the Illinois Department of Public Health are hereby adopted by the Village, and the applicable provisions as they pertain to the manufactured homes and immobilized manufactured homes shall be controlling within the Village.

23-1-4 NATIONAL SAFETY STANDARDS. No manufactured home or immobilized manufactured home shall be located in the Village unless the unit has the National Manufactured Housing

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Construction and Safety Standards red metal seal affixed to the rear of such manufactured home. No modular home shall be located in the Village unless the unit has a yellow seal in the shape of Illinois or an Indiana seal on the electrical panel box. Mobile homes have no seal. Existing units are exempt until they are replaced. Each manufactured housing unit located or intended to be located in the Village shall be subject to reasonable inspection by an official or officials designated by the Village Board as hereinafter allowed or required to insure compliance with this Chapter.

23-1-5 REQUIREMENTS. Within this Chapter, all requirements which apply to manufactured homes shall apply to immobilized manufactured homes. Reference to manufactured home permits apply to immobilized manufactured homes equally.

ARTICLE II - IMMOBILIZED MANUFACTURED HOMES

23-2-1 MANUFACTURED HOMES. All manufactured homes located in the Village shall be classified as real estate and shall be immobilized as defined by the defined Section 23-1-1. All persons owning or operating a manufactured home outside a manufactured home park shall remove or cause to have removed the wheels or any other transportation device from the manufactured home. The owner shall permanently fix it to the ground, the tongue, hitch and axles must be permanently removed.

23-2-2 SKIRTING. All manufactured homes shall be enclosed with concrete blocks and/or brick material that matches the general characteristics of the manufactured home and neighborhood in which it is located. All concrete blocks and/or brick material enclosures shall be installed on all manufactured housing units before any permit for occupancy will be issued for the manufactured home.

23-2-3 FIRE EXTINGUISHERS. All manufactured housing units located in the Village shall be equipped with a fire extinguishing apparatus capable of extinguishing all types of fires. Such extinguishers shall be of sufficient size so that they will reasonably protect the manufactured housing units. All fire extinguishers shall be approved by the Fire Chief of the Mulberry Grove Fire Protection District or his designated representative prior to installation. All manufactured homes must be equipped with smoke detectors. (425 ILCS 60/1 *et seq.*)

23-2-4 TIE DOWNS. All manufactured homes must be equipped with tie downs meeting the standards of the Illinois Department of Public Health in accordance with the Illinois Mobile Home Tie Down Act.

23-2-5 LOT SIZE. The minimum lot size for the location of a manufactured home shall be **six thousand (6,000) square feet**. Each lot shall contain a minimum linear frontage of **forty (40) feet**. The manufactured home square footage shall not exceed **forty percent (40%) coverage** of the entire lot. There shall be only **one (1)** manufactured home per lot in the Village.

23-2-6 MANUFACTURED HOME LOCATION AND SIZE. All manufactured homes will be positioned a minimum of **fourteen (14) feet** from its lot boundary lines and shall be a minimum of **one thousand two hundred fifty (1250 square feet** of floor space. No manufactured home permits shall be issued for the location of manufactured homes on any property adjoining Maple Street from Illinois Route 40 to Main Street, except that those so located upon the effective date of this Chapter or upon written approval of the Village Board after written application and provided the proposed manufactured home otherwise meets the requirements of this Chapter.

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23-2-7 MANUFACTURED HOMES, DEPENDENT. No manufactured homes, dependent (See Section 23-1-1) shall be permitted in the Village. No one shall use a dependent home as a permanent residence.

23-2-8 FOUNDATIONS. All manufactured homes shall have:

(A) A concrete pad **four (4) inches** thick and extending **six (6) inches** beyond each side and end of the home; or

(B) **Two (2)** footings **ten (10) inches** wide and **thirty (30) inches** deep running the full length of the pad, one under each frame channel but not more than **ten (10) feet** apart.

23-2-9 OFF-STREET PARKING. Each owner of a manufactured home shall provide for an all-weather or paved area for off-street parking of at least **four hundred (400) square feet**.

23-2-10 MAINTENANCE. All manufactured homes within the Village shall be maintained in good repair and at all times meet the requirements of this Chapter.

23-2-11 SEWER SYSTEM. All manufactured homes will be connected to the Village sewer system.

23-2-12 MANUFACTURED HOME PARKS. Manufactured Home Parks are not permitted within the Village of Mulberry Grove. (See Section 23-1-1)

23-2-13 RENTAL. RESERVED.

23-2-14 MANUFACTURED HOME PERMIT. A manufactured home permit shall be required of all owners before a manufactured home can be set up in the Village. Before such a permit can be issued, the manufactured home must be inspected and approved at owners expense. The fee for a manufactured home permit within the Village is **Three Hundred Dollars (\$300.00)**, which shall cover the cost of the permit and **one (1)** inspection by the Village Inspector. No permits will be issued unless all requirements of this Chapter are complied with. When there is a change of ownership of any manufactured home, the manufactured home permit must be transferred to the new owner before a change in occupancy occurs. Cost of such trailer shall be **One Hundred and 00/100 Dollars (\$100.00)**. There shall be an inspection required before the new owner may occupy the manufactured home. Approval or denial of the application shall be within **five (5) days** of receipt of the application and all required supporting materials. The applicant shall be notified in writing of the approval, conditional approval or denial of the application with **five (5) working days** after such decision is made. Conditional approval shall require that the conditions and reasons therefore be stated in writing and be agreed to by the applicant; such conditions shall be binding upon the applicant. In the case of disapproval, the reasons therefore shall be stated in writing. No utility services shall be connected to the unit until all the inspection are complete and the Village Board has issued a manufactured home permit.

23-2-15 REPLACEMENT OF EXISTING MANUFACTURED HOME. Replacement of an existing manufactured home requires written authorization from the Village Board after receipt of written application for a permit to do so, and in all such cases the replacement manufactured home and applicant shall be required to satisfy the then existing requirements of this Chapter or applicable law. Before the replacement can be occupied, it must have passed inspection by the Village Inspector. Once a manufactured home permit has been issued, the owner and the occupants thereof shall thereafter maintain the manufactured home in a condition where it will meet the inspection requirements of this Chapter and

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all other applicable laws and regulations. The manufactured home permit of any manufactured home which does not meet the inspection standards shall be revoked.

23-2-16 AGE. No mobile home or manufactured home shall be moved into the Village if such mobile home or manufactured home is more than **five (5) years** older than the then current year. No mobile home or manufactured home shall be moved from one location to another within the Village limits if such mobile home or manufactured home is then more than **five (5) years** older than the current year.

ARTICLE III - INSPECTION

23-3-1 INSPECTION. Unless otherwise provided for in this Section, all mobile homes or manufactured homes will be subject to inspection by the Village Inspector when being moved into or moved in the Village limits. This inspection shall be required in all instances unless the mobile home or manufactured home is being purchased new from an authorized dealer or factory. The fee for the inspection shall be **Three Hundred Dollars (\$300.00)** if the mobile home or manufactured home is being moved from one location to another within the Village limits. The fee for the inspection shall be **Three Hundred Dollars (\$300.00)** if the mobile home or manufactured home is being moved into the Village limits from a location outside the Village limits. In the event the mobile home or manufactured home is being moved from a location outside of Bond County, Illinois, there shall also be paid the sum of **One and 50/100 Dollars (\$1.50)** per mile and **Fifty Dollars (\$50.00)** per hour for any trip made by the Village Inspector to perform any inspection on behalf of the Village. In addition to any inspection fee, the owner must pay all fees, costs, mileage and reasonable expenses for any plumbers, electricians, sanitarians or other personnel who inspect the mobile home or manufactured home at the request of the Village Inspector. In addition to a report as to the findings of the Village Inspector, all inspection reports shall describe the mobile home or manufactured home and include the title, identification number (where applicable), owner's name and give the address where the mobile home or manufactured home is to be located. A copy of the inspection report shall be retained by the Village Inspector and a copy given to the permit applicant. All fees required by this Chapter must be paid upon completion of inspection and before occupancy or the issuance of a permit. The suggested form of the inspection report may be found in Exhibit "B". (Ord. No. 2006-07; 10-02-06)

23-3-2 REQUIREMENTS TO PASS INSPECTION. To pass inspection, a manufactured home must meet the following minimum requirements:

- (A) Conform to this Chapter.
- (B) Manufactured homes must have plumbing which meets minimum standards of the National Manufactured Housing Construction and Safety Standards and modular and mobile homes must meet the Illinois State Plumbing Code, or in lieu thereof the ICC, as amended.
- (C) Comply with the Illinois Department of Law Enforcement (Division of Fire Prevention) requirements for safe fuel storage and fuel handling systems.
- (D) Comply with the County and Village electrical code requirements to include National Electrical Code or other code as approved by the Illinois State Fire Marshall, or in lieu thereof the ICC.
- (E) Comply with the Illinois Department of Public Health regulations as they pertain to manufactured homes within manufactured home parks.

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(F) The manufactured home and all equipment therein and attached thereto must be maintained in a sanitary condition and kept in good repair.

(G) All requirements which would otherwise apply to a manufactured home parked in a manufactured home park as found in “an Act to provide for, license and regulate manufactured homes and manufactured home parks and to regulate and repeal an Act named herein P.A. 77-1472, approved and effective September 8, 1971, (210 ILCS 115/1 *et seq.*), must be met.

(H) Be approved by the Fire Chief of the Mulberry Grove Fire Protection District as safe for human occupancy.

23-3-3 SUBSEQUENT INSPECTION. The Village Inspector shall have the right to come upon private property, with reasonable notice, without warranty, to inspect manufactured for the purpose of enforcing this Chapter. Consent to such reasonable inspection is deemed to have been given by the owner by requesting a manufactured home or tenancy permit. Warrants for such inspection may be obtained from any judge in the Circuit Court of Bond County, Illinois if no request for a permit has been filed.

ARTICLE IV - FINES AND PENALTIES

23-4-1 FINES FOR NO PERMIT. Any owner who occupies a manufactured home without a manufactured home permit as required by this Chapter shall be fined no less than **Three Hundred Dollars (\$300.00)** per day for each day in which the manufactured home is so occupied up to a maximum fine of **One Thousand Dollars (\$1,000.00)**.

23-4-2 COMPLIANCE WARNING. Any owner of a manufactured home in violation of this Chapter shall be given written notice thereof and be given **ten (10) days** in which to bring such manufactured home into compliance with this Chapter. Unless the manufactured home has satisfactorily passed inspection within that **ten (10) days**, the existing permit shall be revoked and the owner deemed to be in violation of this Chapter.

23-4-3 REVOCATION OF PERMIT. A manufactured home permit or tenancy permit may be revoked by the Village in the case of any manufactured home installed in violation of this Chapter.

23-4-4 DESTRUCTION. In addition to a fine as herein provided, in the case of any manufactured home found to be unsafe for human occupancy, the Village may obtain an order for the destruction from the Circuit Court using the same procedures contained in 65 ILCS 5/11-13-1 *et seq.*

ARTICLE V - MISCELLANEOUS

23-5-1 STORAGE. Travel trailers may be stored on property within the Village, but in no event, however, shall the travel trailers be used as permanent residences.

23-5-2 TIME CONSTRAINTS. A guest of any resident of the Village may park a travel trailer in the rear yard of a residence for a period of time not to exceed **thirty (30) days** in any one calendar year, provided, however, such travel trailer may be used only for sleeping purposes during such **thirty (30) days** period.

23-5-3 RECOVERY OF COSTS, EXPENSES AND ATTORNEYS FEES. In the event the Village bring an action to enforce this Chapter, the Village shall be entitled to recover its court costs, expenses and reasonable attorney’s fees incurred in regard to enforcement.

EXHIBIT A

MANUFACTURED HOME PERMIT

OWNER: _____

TITLE OWNER: _____

DESCRIPTION: _____

ADDRESS WHERE MANUFACTURED HOME IS TO BE LOCATED: _____

THE UNDERSIGNED OWNER OF THE MANUFACTURED HOME DESCRIBED ABOVE HEREBY REQUESTS AN OCCUPANCY PERMIT FOR SAID MANUFACTURED HOME, REQUESTS ITS INSPECTION AND CONSENTS TO THE INSPECTION OF SAID MANUFACTURED HOME.

DATE: _____

FEE PAID: _____ DATE: _____

APPROVED BY: _____

DATE: _____

Owner's Signature

Owner's Signature

**EXHIBIT B
INSPECTION REPORT**

Owner: _____

Title Number: _____

Address where manufactured home is to be located: _____

Tenant's Name(s): _____

Date Inspection Fee Paid: _____

Survey Completed: _____

Plumber's Report: APPROVED DISAPPROVED (circle one)

Date: _____

By: _____

Electrician's Report: APPROVED DISAPPROVED (circle one)

Date: _____

By: _____

Fire Chief: APPROVED DISAPPROVED (circle one)

Date: _____

By: _____

Inspector's Report: APPROVED DISAPPROVED (circle one)

Date: _____

By: _____

(State reasons for all disapprovals)