

CHAPTER 19

MOBILE HOMES AND MOBILE HOME PARKS

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ARTICLE I. IN GENERAL

SEC. 19-1100. DEFINITIONS.

As used in this chapter, the following terms shall have the meanings ascribed to them:

- (1) **Accessory structure** shall mean a building subordinate to and smaller than a principal building or mobile home, that contributes to the comfort, convenience or necessity of the occupants of the principal building or mobile home.
- (2) **Dependent trailer coach or dependent mobile home** shall mean a trailer coach which does not have a toilet and bath or shower facilities and their use is prohibited in any mobile home park.
- (3) **Independent trailer coach or independent mobile home** shall mean a transportable nonpermanent single-family dwelling unit on wheels suitable for year-round occupancy and containing the same water supply, waste disposal, heating and air conditioning, electrical conveniences and with self-contained toilet and bath or shower facilities as conventional housing meeting "American Standard Association" construction requirements of 1962. This definition is not intended to include travel trailers or camper buses.
- (4) **License** shall mean permission to operate a mobile home park granted pursuant to this chapter.
- (5) **Permit** shall mean a written permission issued by the sanitation officer permitting the owner to construct or alter a mobile home park under this chapter and the regulations promulgated hereunder.
- (6) **Safety Code** shall mean the Code promulgated by the American National Standards Institute and identified as ANSI A119.1, Edition of 1973.
- (7) **Sanitation officer** shall mean the health and housing inspector or a person acting with said inspector's authority.
- (8) **Service building** shall mean a building housing a manager's office, laundry facilities, maintenance equipment, toilet facilities for employees, and emergency sanitary accommodations.

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- (9) **Trailer coach or mobile home** shall mean any vehicle or similar portable structure used or so constructed as to permit its being used as a conveyance upon the public streets or highways and designated to permit the occupancy thereof as a dwelling place for one (1) or more persons.
- (10) **Trailer coach or mobile home lot** shall mean a parcel of land designed for the exclusive use of the occupants of a single mobile home, also termed mobile home space.
- (11) **Trailer coach or mobile home stand** shall mean that part of an individual lot which has been reserved for the placement of the mobile home, appurtenant structures or additions.
- (12) **Trailer park or mobile home park** shall mean an area of land upon which two (2) or more occupied trailer coaches or 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 trailer coach park.

SEC. 19-1101. EXEMPTIONS FROM THIS CHAPTER.

Nothing in this chapter shall be construed to include the state parks; and the term "trailer coach park" or "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 the state where a trailer coach or coaches may be located or harbored; or any park on state or county fairgrounds for a period during, immediately prior to and immediately subsequent to the holding of the fair not to exceed a total of two (2) weeks in all; or the area or premises on any farm upon which are harbored trailer coaches occupied by persons employed upon the farm for not more than ninety (90) days in any calendar year in the production, harvesting or processing of agricultural or horticultural products produced on such farm.

SEC. 19-1102. GENERAL CONSTRUCTION STANDARDS.

- (a) No person shall park in the City any mobile home manufactured after January 1, 1974 unless it complies with the Safety Code.
- (b) All building, plumbing, heating, air conditioning and electrical alterations or repairs to mobile homes shall be made in compliance with the Safety Code.
- (c) No permanent additions shall be built onto or become a part of any mobile home.

SEC. 19-1103. MAXIMUM OCCUPANCY.

Occupancy of a mobile home shall be limited to the design capacity of the mobile home; this is established by the number of sleeping spaces provided in the mobile home.

ARTICLE II. MOBILE HOME PARKS

DIVISION 1. LICENSES; PERMITS

SEC. 19-2100. LICENSE REQUIRED.

No person shall establish, maintain, conduct or operate a trailer coach park without first obtaining a license therefor from the sanitation officer.

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SEC. 19-2101. APPLICATION; SUPPORTING DOCUMENTS.

An applicant for a license required by this division shall file with the sanitation officer a written application therefor setting forth:

- (1) The full name and address of the applicant, or the 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.
- (2) The location and legal description of the tract of land, certified on a plat of a survey by an Illinois Registered Land Surveyor, drawn to scale of one (1) inch equals one hundred (100) feet, or larger.
- (3) The proposed and existing facilities in the park for water supply, sewerage, garbage and waste disposal, fire protection, and for a sanitary community building which will include a description of toilets, urinals, sinks, wash basins, slop sinks, showers, drains and laundry facilities, the proposed alterations therein and the maintenance thereof.
- (4) The proposed method of lighting the structures and land upon which the park is to be located.
- (5) All corner and points of tangency are to be marked by galvanized or wrought iron pipe or iron or steel bars at least eighteen (18) inches in length and not less than one-half (1/2) inch in diameter. The top of the pipe or bar is to be set level with the established grade of the ground.
- (6) The plat plans of the park drawn on a scale of one hundred (100) feet to an inch or larger, 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 showing compliance with the provisions of this chapter. The plot plans shall be drawn on a scale of one (1) inch equals one hundred (100) feet, or larger, and shall contain, among other things, the following:
 - a. The date on which such plot plans were prepared.
 - b. An arrow indicating north.
 - c. All trailer coach sites shall be properly numbered on the plot plans.
 - d. Complete information regarding storm sewers.
 - e. Stormwater runoff shall be shown on a separate plat.
 - f. Contour lines at one (1) foot intervals shall be shown on a separate plat, and United States Geological Survey data shall be used for the preparation of such plat.
 - g. Grades of driveways and all ditches shall be shown on a separate plat.
- (7) A statement of the fire-fighting facilities, public or private, which are available to the trailer coach park.
- (8) An affidavit of the applicant as to the truth of the matters contained in the application shall be attached thereto.

SEC. 19-2102. APPLICATION FEE FOR ORIGINAL LICENSE.

Each application for an original license required by this division shall be accompanied by an application fee of twenty-five dollars (\$25.00) for each ten (10) acres of land, or fraction thereof, proposed to be used as a trailer park. The application fee, once paid to the accounts and finance office, shall not be refunded.

SEC. 19-2103. LICENSING OF PREEXISTING TRAILER PARKS.

(a) Trailer parks located within the City limits on the effective date of the ordinance from which this chapter is derived, which have less than the minimum requirements prescribed by this chapter, may continue to operate

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for a period not to exceed eight (8) years from the effective date of the ordinance from which this chapter is derived; and trailer parks annexed to the City after the effective date of the ordinance from which this chapter is derived, which have less than the minimum requirements prescribed by this chapter, may continue to operate for a period not to exceed eight (8) years from the date of their annexation, provided the sanitation officer finds:

- (1) That immediate compliance with all of the requirements of this chapter would constitute an unreasonable hardship;
- (2) That the owner is undertaking action reasonably calculated to comply with all requirements of this chapter during the time prescribed by this subsection; and
- (3) That the trailer park is in full compliance with the requirements of the mobile home parks act of the state and the rules and regulations adopted pursuant thereto.

(b) An application for a license to operate a trailer park under this section shall be accompanied by a detailed time schedule in accordance with which the applicant intends to bring the trailer park into full compliance with the requirements of this chapter within the time period prescribed by this section.

(c) Upon application under this section for a license to operate a trailer park, made in accordance with the provisions of this division and accompanied by the time schedule required by subsection (b) hereof, the sanitation officer shall determine whether the conditions set forth in subsection (a) are met by the applicant. If the sanitation officer determines that the conditions are met, said officer shall inform the accounts and finance officer who shall issue an operating license regardless of whether the park fails to comply with all of the requirements of this chapter. Any applicant aggrieved by a decision of the sanitation officer under this subsection shall have the right to appeal such decision within thirty (30) days to the housing advisory and appeals board.

(d) Each license issued under this section shall, upon payment of the fee required by this division, be renewed on an annual basis for the duration of the period set forth in subsection (a), provided the sanitation officer finds that the trailer park continues to be in full compliance with the requirements of the mobile home parks act of the state and the rules and regulations adopted pursuant thereto, and provided further that the licensee exhibits satisfactory progress in bringing the park into full compliance with the requirements of this chapter. Any applicant aggrieved by a decision of the sanitation officer under this subsection shall have the right to appeal such decision within thirty (30) days to the housing advisory and appeals board.

(e) In no event shall an operating license issued under the provisions of this section be renewed so as to be effective for a period in excess of that set forth in subsection (a), unless the trailer park is in full compliance with the requirements of this chapter.

SEC. 19-2104. ANNUAL FEE.

The annual fee for a license required by this article shall be one hundred dollars (\$100.00) plus three dollars (\$3.00) for each mobile home lot. All fees shall be made payable to the accounts and finance officer. (Ord. No. 2002-06-15; Sec. 19-2104 repealed; new Sec. 19-2104 enacted; 06/25/03)

SEC. 19-2105. CONFORMITY WITH COUNTY ORDINANCES REQUIRED.

No license required by this division shall be issued if the trailer park is, at such time, in violation of any ordinance of the county.

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SEC. 19-2106. APPROVAL OF APPLICATION BY SANITATION OFFICER; ISSUANCE OR DENIAL OF LICENSE.

Upon receipt of an application for a license required by this division, the accounts and finance officer shall, if the park is in conformity with this chapter, issue an original license. If the application for a license is declined, the sanitation officer shall give the reasons therefor in writing to the applicant; and if the objections can be corrected, the application of the applicant may be amended and resubmitted for approval.

SEC. 19-2107. TERM OF LICENSE.

A license issued pursuant to this division shall be for one (1) year and shall expire May 1st of each year, and the license shall be renewed from year to year upon payment of the annual license fee.

SEC. 19-2108. TRANSFERABILITY AS TO PERSONS AND PREMISES.

Licenses issued pursuant to this division apply only to the premises described in the application and in the license issued thereon, and only one (1) location shall be so described in each license. A license which has been issued to a person may not be transferred to any other person without the written consent of the sanitation officer; however, the sanitation officer may not withhold such consent where the provisions of this chapter have been met. A license which has been issued for a particular premises may not be removed to any other premises.

SEC. 19-2109. DISPLAY.

Each license issued pursuant to this division shall be prominently displayed in the office of the trailer park for which it was issued.

SEC. 19-2110. PERMIT - WHEN REQUIRED.

(a) No person shall construct a trailer park in the City without first obtaining a permit therefor as provided in this division.

(b) No change in any sanitary facilities, methods of water supply, sewerage, drainage, garbage or waste disposal, and no change in the plot plan shall be made without first obtaining a permit from the sanitation officer therefor.

SEC. 19-2111. APPLICATION.

(a) Application for a permit required by this division shall be in the same form and shall be accompanied by such supporting documents as are required by this article for license applications.

(b) Where a permit required by this division, as well as an original license to operate a trailer park is sought by the applicant, request therefor shall be made in the same application.

SEC. 19-2112. APPLICATION FEE.

(a) Each application for a permit to construct a trailer park shall be accompanied by an application fee of twenty-five dollars (\$25.00) for each ten (10) acres of land, or fraction thereof, proposed to be used as a trailer park. The application fee, once paid to the accounts and finance officer, shall not be refunded.

(b) An application to alter a trailer park shall be accompanied by an application fee of ten dollars (\$10.00) for each ten (10) acres or fraction thereof used to harbor trailer coaches thereon; however, no application fee

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shall be required to accompany an application for a permit to alter a park where such alteration involves only a reduction in the number of trailer spaces to a number less than that for which the park is currently licensed.

SEC. 19-2113. ISSUANCE OR DENIAL OF PERMIT.

Upon receipt of an application for a permit required by this division, the accounts and finance officer shall, if the sanitation officer determines that the park will be in conformity with this chapter, issue the permit. If the application for the permit is declined, the sanitation officer shall give the reasons therefor in writing to the applicant; and if the objections can be corrected, the application of the applicant may be amended and resubmitted for approval.

SEC. 19-2114. COMPLIANCE WITH OTHER LAWS.

(a) A permit issued pursuant to this division does not relieve the permittee from securing any other permit required or from complying with any other provision of this Code or other ordinance of the City.

(b) All building, plumbing, heating, air conditioning and electrical alterations or repairs in a trailer park shall be made in accordance with applicable provisions of this Code or other ordinances of the City.

SEC. 19-2115. POST-CONSTRUCTION INSPECTION; APPROVAL REQUIRED FOR LICENSE.

If a permit to construct a trailer park has been issued pursuant to this division, the permittee shall, upon completion thereof, notify the sanitation officer. The sanitation officer shall then inspect the park and, if completed in accordance with the accepted application, the accounts and finance officer shall issue a license required by this article.

SEC. 19-2116. DISPLAY.

Each permit issued pursuant to this division shall be prominently displayed in the office of the trailer park for which it was issued.

DIVISION 2. ENFORCEMENT

SEC. 19-2200. SANITATION OFFICER TO ENFORCE CHAPTER; INSPECTIONS.

The sanitation officer shall enforce the provisions of this chapter, and the sanitation officer shall inspect, at least once each year, each trailer coach or mobile home park and all the accommodations and facilities therewith. The sanitation officer is hereby granted the power and authority to enter upon the premises of a trailer coach or a trailer park at any reasonable time for the purposes of this section.

SEC. 19-2201. AUTHORITY OF THE HOUSING ADVISORY AND APPEALS BOARD TO PROMULGATE REGULATIONS.

The housing advisory and appeals board is authorized to make and, after public hearing, to adopt such written regulations as may be necessary for the proper enforcement of the provisions of this chapter. Such regulations shall have the same force and effect as the provisions of this chapter, and the penalty for violation of the provisions thereof shall be the same as the penalty for violations of the provisions of this chapter.

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SEC. 19-2202. ADOPTION OF RULES OF PROCEDURE BY THE HOUSING ADVISORY AND APPEALS BOARD.

The housing advisory and appeals board shall adopt its own rules of procedure not in conflict with this chapter.

SEC. 19-2203. EXPENSES OF THE HOUSING ADVISORY AND APPEALS BOARD.

In the performance of its duties under provisions of this chapter, the housing advisory and appeals board may incur such expenditures as shall be authorized by the City.

SEC. 19-2204. NOTICE OF VIOLATIONS; SERVICE.

Whenever the sanitation officer determines that there are reasonable grounds to believe that there has been a violation of any provision of this chapter, or of any regulation adopted pursuant thereto, said officer shall give notice of such alleged violation to the person to whom a license was issued pursuant to this article, which notice shall:

- (1) Be in writing.
- (2) Include a statement of the reasons for its issuance.
- (3) Allow a reasonable time for the performance of any act it requires.
- (4) Be served upon the owner or agent thereof as the case may require; however, the notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been sent by certified mail to owner or agent's last known address, or when such owner or agent has been served with the notice by any other method authorized or required by the laws of this state.
- (5) Contain an outline of remedial action, which, if taken, will effect compliance with the provisions of this chapter and with the regulations adopted pursuant thereto.

SEC. 19-2205. EMERGENCY ORDERS.

Whenever the sanitation officer finds that an emergency exists which requires immediate action to protect the public health, said officer may, without notice or hearing issue an order reciting the existence of such emergency and requiring that such action be taken as said officer may deem necessary to meet the emergency including suspension of the license. Notwithstanding any other provisions of this chapter, the order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately, but upon petition to the sanitation officer, shall be afforded a hearing as soon as possible. The provisions of this division shall be applicable to the hearing and the order issued thereafter.

SEC. 19-2206. RIGHT TO HEARING BEFORE THE HOUSING ADVISORY AND APPEALS BOARD.

Any person affected by a notice of violation which has been issued in connection with the enforcement of any provision of this chapter or of any regulation adopted pursuant thereto, or whose application for a license or permit required by this article has been denied, or whose license or permit has been suspended or revoked, may request and shall be granted a hearing on the matter before the housing advisory and appeals board.

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SEC. 19-2207. APPLICATION FOR HEARING.

A person desiring a hearing before the housing advisory and appeals board pursuant to this division shall file in the office of the sanitation officer a written petition requesting the hearing and setting forth a statement of the grounds therefor, within ten (10) days after the day the notice of violation was served. The filing of the request for a hearing shall operate as a stay of the notice of violation except in the case of an order issued pursuant to Section 19-2205.

SEC. 19-2208. SETTING DATE FOR HEARING.

Upon receipt of a petition for a hearing as provided by this division, the sanitation officer shall set a time and place for the hearing and shall give the petitioner written notice thereof. The hearing shall be commenced not later than ten (10) days after the day on which the petition was filed; however, upon application of the petitioner, the sanitation officer may postpone the date of the hearing for a reasonable time beyond the ten-day period when in said officer's judgment, the petitioner has submitted good and sufficient reasons for such postponement.

SEC. 19-2209. NOTICE OF HEARING.

No hearing shall be held before the housing advisory and appeals board pursuant to this division until notice of the time and place of the hearing has been published in a newspaper of general circulation in the City at least ten (10) days prior to the hearing date, and a brief statement as to the reason the hearing is being held.

SEC. 19-2210. HEARINGS TO BE PUBLIC.

All hearings before the housing advisory and appeals board held pursuant to this division shall be open to the public.

SEC. 19-2211. SCOPE OF HEARING.

At a hearing held pursuant to this division, the petitioner therefor shall be given an opportunity to be heard and to show why the notice of violation should be modified or withdrawn.

SEC. 19-2212. FINDINGS OF THE HOUSING ADVISORY AND APPEALS BOARD; FINAL ORDER.

After a hearing held pursuant to this division, the housing advisory and appeals board shall make findings as to compliance with the provisions of this chapter and the regulations issued thereunder, and shall issue an order in writing sustaining, modifying or withdrawing the notice, which shall be served as provided for notices of violations. Upon a failure to comply with any order sustaining or modifying a notice, the license of the mobile home park affected by the order shall be revoked.

SEC. 19-2213. RECORDS OF PROCEEDINGS.

(a) The proceedings at a hearing held pursuant to this division, including the findings and decision of the housing advisory and appeals board and, together with a copy of every notice of violation and final order related thereto, shall be entered as a matter of public record in the office of the housing inspector, but the transcript of the proceedings need not be transcribed unless judicial review of the decision is sought.

(b) The housing advisory and appeals board shall keep minutes of the proceedings showing its determination and shall also keep records of its other official actions.

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SEC. 19-2214. JUDICIAL REVIEW.

Any person aggrieved by the decision of the housing advisory and appeals board may seek relief therefrom in any court of competent jurisdiction as provided by law.

SEC. 19-2215. LICENSEE TO NOTIFY SANITATION OFFICER OF NEW MOBILE HOMES PARKED ON PREMISES.

A licensee under this chapter shall notify the sanitation officer in writing of each new mobile home parked on the licensed premises within ten (10) days thereof.

DIVISION 3. DESIGN STANDARDS

SEC. 19-2300. ENVIRONMENTAL REQUIREMENTS.

Except as provided in Section 19-2103, each trailer park licensed or to be constructed under the provisions of this article shall provide for the following, in the manner hereafter specified:

- (1) All land proposed for trailer parks, lying at or below an elevation as exactly set forth by the Rock River Flood of record of 1892 and the Mississippi Flood of record of 1965 as recorded by the United States Corps of Engineers, shall be adequately protected against flooding. Engineering data shall be submitted to show protection against flood water rising to this elevation.
- (2) The trailer park shall not be subject to any hazard or nuisance such as excessive noise, vibration, smoke, toxic matter, radiation, heat or glare.
- (3) The trailer park shall not be subject to any source of pollution, such as drainage from garbage disposal areas.
- (4) The trailer park shall not be subject to any adverse influence from adjoining streets and areas.

SEC. 19-2301. SITE DRAINAGE REQUIREMENTS.

Each trailer park to be licensed or constructed pursuant to this article shall meet the following site drainage requirements:

- (1) The ground surface in all parts of each trailer park shall be graded and equipped to drain all surface water in a safe, efficient manner.
- (2) No trailer park shall be so located that the drainage of the park area will endanger any water supply.
- (3) All trailer parks shall be well-drained and shall be located in areas free from ponds, swamps and similar places in which mosquitoes may breed.
- (4) Surface water collectors and other bodies of standing water which may breed mosquitoes and other vectors, shall be treated in an approved manner.
- (5) Waste water from any plumbing fixture or sanitary sewer line shall be deposited directly into the City sanitary sewerage system.

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SEC. 19-2302. SOIL AND GROUND COVER REQUIREMENTS.

Each trailer park to be licensed or constructed pursuant to this article shall meet the following soil and ground cover requirements:

- (1) Exposed ground surfaces in all parts of each trailer park shall be paved, covered with stone screenings, or other solid material or protected with a vegetable growth that is capable of preventing soil erosion and the emanation of dust during dry weather.
- (2) Where the topography has a slope of twenty-five per cent (25%) or more, a rip wall cribbing or other approved system of soil and slope stabilization shall be installed and maintained.
- (3) Trailer park grounds shall be maintained free of vegetative growth and trees which are poisonous or may harbor rodents or pests or other insects harmful to persons when disturbed.

SEC. 19-2303. PROTECTION AGAINST PHYSICAL HAZARDS.

Each trailer park to be licensed or constructed pursuant to this article shall meet the following requirements for protection against physical hazards:

- (1) Adequate protective barriers shall be provided and maintained where there is a slope in excess of forty-five (45) degrees and a change in elevation of six (6) feet. Such barriers may include, but are not limited to, continuous shrubs or fences.
- (2) Swimming pools shall be fenced.
- (3) Swimming pools shall be constructed and maintained in accordance with the requirements of the state department of public health.

SEC. 19-2304. MINIMUM SEPARATION.

Each trailer park sought to be licensed or constructed pursuant to this article shall meet the following requirements for separation between trailer coaches:

- (1) Trailer coaches shall be separated from each other and from other buildings and structures by at least fifteen (15) feet, except each trailer coach lot shall contain a minimum of thirty-two hundred (3200) square feet.
- (2) An accessory structure which has a horizontal area exceeding twenty-five (25) square feet, attached to a trailer coach, and which has an opaque top or roof that is higher than adjacent window sills of the trailer coach, shall, for purposes of the requirements of subsection (1), be considered to be part of the trailer coach. Roofed-over patios, carports and individual storage facilities shall be included as part of the trailer coach in determining yard widths between trailer coaches.

SEC. 19-2305. SETBACK, BUFFER AND SCREENING REQUIREMENTS.

Each trailer coach park sought to be licensed or constructed pursuant to this article shall meet the following setback and screening requirements:

- (1) All trailer coaches shall be located at least twenty-five (25) feet from any park property boundary line abutting upon a public street or highway and at least ten (10) feet from other park property boundary lines. There shall be a minimum distance of ten (10) feet between an individual trailer coach,

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including any accessory structures and adjoining pavement of a park street, or common parking area, or other common areas accessible to park residents.

- (2) All trailer parks shall be provided with a screening buffer strip at least five (5) feet wide along all property boundary lines. Where effective visual barriers do not already exist along such property boundary lines, the buffer strip shall be furnished with screening at least five (5) feet high and consisting of fences, freestanding walls or natural growth; such growth shall consist of a compact growth of shrubbery, hedges, evergreens or other suitable planting sufficient to serve as an effective visual screen. Fences or walls shall not contain electrical charges, barbed wire, broken glass or other material designed to do bodily harm.

SEC. 19-2306. RECREATION AREAS.

In all trailer parks accommodating or designed to accommodate twenty-five (25) or more trailer coaches, there shall be one (1) or more recreation areas which shall be easily accessible to all park residents. The size of such recreation areas shall be based upon a minimum of one hundred (100) square feet for each space in the park that is designed to accommodate a trailer coach. No outdoor recreation area shall contain less than two thousand five hundred (2,500) square feet. Recreation areas shall be so located as to be free of traffic hazards and should, where topography permits, be centrally located.

SEC. 19-2307. PARK STREET SYSTEM.

Each trailer park to be licensed or constructed pursuant to this article shall meet the following street system requirements:

- (1) **General requirements.** All trailer parks shall provide safe, continuous and convenient vehicular access from abutting public streets or roads to each mobile home space. For purposes of this chapter, all streets or roads providing such vehicular access shall be referred to as the "park street system" and shall be maintained by the owner.
- (2) **Primary entrance road.** The primary entrance road connecting the park street system with a public street or road shall have a minimum road pavement width of thirty-six (36) feet, where guest parking is permitted on both sides, or a minimum road pavement width of twenty-seven (27) feet, where guest parking is limited to one (1) side. Where the primary entrance road is more than one hundred (100) feet long and does not provide access to abutting property within such distance, the minimum road width may be twenty-four (24) feet if parking is prohibited on both sides.
- (3) **Secondary entrance road.** In addition to the required primary entrance road, all parks containing twenty-five (25) or more acres in total area, or provide for the accommodation of two hundred (200) or more trailer coaches, shall have at least one (1) secondary entrance road connecting the park street system with a public street or road. The secondary roads shall have a minimum pavement width of twenty-four (24) feet. Where primary and secondary entrance roads connect to the same public street or road, there shall be a minimum separation of one hundred fifty (150) feet between such access points; where this is not feasible or possible, clearly marked one-way entrance and exit lanes with at least a fifteen (15) foot wide median strip, are acceptable provided the pavement width of each one-way road is at least twenty-two (22) feet wide.
- (4) **Interior streets.** All interior streets in the park street system shall have a minimum pavement width of eighteen (18) feet on a twenty-four (24) foot right-of-way, with parking prohibited on both sides. Dead-end streets shall be limited in length to one thousand (1000) feet and shall be provided at the closed end with a turnaround having an outside roadway diameter of at least sixty-five (65) feet. One-way minor streets shall be acceptable only if less than five hundred (500) feet long and serving less than twenty-five (25) trailer coaches.

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SEC. 19-2308. STREET CONSTRUCTION AND DESIGN STANDARDS.

Each trailer park to be licensed or constructed pursuant to this article shall meet the following requirements for street construction and design:

- (1) **Pavement materials.** All streets shall be provided with seven (7) inch reinforced, portland cement concrete or asphalt B-4 mix, three (3) inches thick on top of eight (8) inches of crushed stone.
- (2) **Pavement design.** Primary and secondary entrance roads which exceed twenty (20) feet in width shall have the standard City cross section, with curbs. Paving on interior streets may have an alley cross section if it is narrower than twenty (20) feet.
- (3) **Grades.** Grades of all streets shall be sufficient to insure adequate surface drainage, but shall not be more than eight per cent (8%). Short runs with a maximum grade of twelve per cent (12%) may be permitted, if traffic safety is assured by appropriate paving, adequate leveling areas, and avoidance of lateral curves.
- (4) **Intersections.** Within one hundred (100) feet of an intersection, streets shall be at approximately right angles. A distance of at least one hundred fifty (150) feet shall be maintained between center lines of offset intersecting streets. Intersections of more than two (2) streets at one (1) point shall be avoided.

SEC. 19-2309. OFF-STREET PARKING.

(a) Paved, off-street parking areas shall be provided in all parks for the use of park residents and guests; such areas shall be furnished at the rate of at least two (2) car spaces for each mobile home. Parking areas shall be located at either end of each mobile home and shall not extend alongside thereof.

(b) The parking areas required by this section shall be used solely for the temporary parking of passenger-type motor vehicles owned by residents of the park or their guests.

SEC. 19-2310. PEDESTRIAN WALKWAYS.

Where provided, common pedestrian walkways shall be a minimum of three point five (3.5) feet in width. Pedestrian walkways constructed on an individual lot for the private use of the residents thereof shall be a minimum of two (2) feet in width.

SEC. 19-2311. ILLUMINATION OF PARK STREET SYSTEM.

All trailer parks shall be furnished with sufficient electrical systems and lighting units at the owner's expense, so spaced and equipped with luminaries placed at such mounting heights as will provide the following average maintained levels of illumination for the safe movement of pedestrians and vehicles at nights:

- (1) All parts of the park street systems: Four-tenths (0.4) of a foot candle with a minimum of two-tenths (0.2) of a foot candle.
- (2) Potentially hazardous locations such as major street intersections and steps or stepped ramps: Individually illuminated with a minimum of four-tenths (0.4) of a foot candle.

SEC. 19-2312. PADS AND ANCHORS.

Pads, runners or piers of a suitable construction material shall be provided for each lot. Anchors or tie-downs shall be installed at the corners of each mobile home for protection against high winds. Each anchor or tie-down shall be capable of withstanding a vertical tension force of four thousand eight hundred (4,800) pounds.

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SEC. 19-2313. SKIRTING.

Each mobile home shall be skirted around its entire perimeter including the hitch portion, unless removed, by skirting material of fireproof composition such as sheet metal.

SEC. 19-2314. STAIRWAYS.

A stairway serving an entrance to a mobile home shall be constructed of incombustible material, and shall have sufficient strength and stability to support safely its intended load. Each stairway of more than three (3) risers shall be equipped with handrails not less than thirty (30) inches nor more than thirty-four (34) inches as measured vertically from the nosing of stair treads.

SEC. 19-2315. INTERRUING OF UTILITY FACILITIES REQUIRED.

All utility facilities, as defined in Section 28-6101 of this Code, shall be installed beneath the surface of the ground in conformity with accepted engineering practices and the rules and regulations of the authority having jurisdiction, in all mobile home parks constructed after October 1, 1973, and in all additions made to existing mobile home parks after October 1, 1973, where such addition is designed to accommodate more than five (5) mobile homes.

DIVISION 4. WATER SUPPLY; SEWAGE DISPOSAL

SEC. 19-2400. WATER SUPPLY.

Each trailer park shall have a water supply system capable of providing a sufficient supply of potable water under adequate pressure, to water supply facilities for trailer coaches, service buildings, fire hydrants, drinking fountains and other accessory facilities, as required by this article for the well-being of park residents and for park maintenance. The system shall be designed, constructed and maintained in accordance with the state standards of The Illinois Environmental Protection Agency as contained in 35 Ill. Adm. Code, Subtitle F, C.II, Parts 651-654, as published November 1, 1985, and as amended thereafter and the provisions of this Code, other City ordinances and other local laws and shall conform with regulations of the authorities having jurisdiction and shall conform with all provisions of Chapter 34 of this Code. Where conflicts exist, the most restrictive requirement shall prevail.

SEC. 19-2401. SOURCE OF SUPPLY.

(a) Where a public water supply system is available, the trailer park water supply system shall be connected thereto. A public water supply system shall be deemed available when the system is within five hundred (500) feet of the trailer park, measured along a street or other public easement, and a connection may be made lawfully thereto. No private water supply system shall be cross-connected with any public water supply system.

(b) Where a public water supply source is not available, the trailer park's source of water supply, including the construction, equipment and distribution system for withdrawing or processing and distributing water shall be approved by the director of public utilities and other authorities having jurisdiction. The chemical and bacteriological quality of the potable water distributed in any trailer park, including water treatment processes employed, shall conform to the standards established by the health authority having jurisdiction.

(c) The water source shall be capable of producing an adequate volume of water to supply all trailer coach spaces in any trailer park, but in no case shall such capacity be less than one hundred fifty (150) gallons per space per day in any trailer park.

(d) Where an independent or non-public water system is used to serve the trailer park with water obtained from wells, the well shall be located and constructed in such a manner that neither underground nor surface

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contamination will reach the water supply from any source. A minimum distance of one hundred fifty (150) feet shall be maintained between the water supply and any cesspool. A minimum distance of one hundred (100) feet shall be maintained between the water supply and any other possible source of contamination, except that sewers or pipes through which sewage may back up shall be located at least fifty (50) feet from any well or water suction pipeline.

(e) No well casings, pumps, pumping machinery or suction pipes used to supply water to a trailer park shall be located in any pit, room or space extending below ground level, nor in any room or space aboveground which is walled in or otherwise enclosed, unless such rooms, whether aboveground or belowground, have free drainage by gravity to the surface of the ground. The floor or rooms aboveground shall be at least six (6) inches above the ground's surface. All floors shall be watertight and sloped from well casing to the drain. Said well casing shall be not less than twelve (12) inches above the floor.

SEC. 19-2402. WATER STORAGE FACILITIES.

All water storage reservoirs for the supply of water to trailer parks shall be watertight and constructed of impervious material; all overflows and vents of such reservoirs shall be effectively screened. Open reservoirs are prohibited. Manholes shall be constructed with overlapping covers so as to prevent the entrance of contaminated material, and so designed that they may be locked. All of the overflow pipes from a reservoir shall be connected with back-siphonage protection to any pipe in which polluted water may back-up.

SEC. 19-2403. DISTRIBUTION SYSTEM.

(a) The water distribution system in a trailer park shall be constructed of piping, fixtures and other equipment of approved materials and shall be so designed and maintained to provide a pressure of not less than twenty (20) pounds per square inch, under normal operating conditions, at each trailer coach, service building and other locations requiring a potable water supply. Such piping shall not be interconnected or cross-connected with any drainage, venting or other system conveying nonpotable water, nor shall such piping be subject to hazards of backflow or any back-siphonage.

(b) The public water supply shall extend only to the trailer park; single trailer coach lots will not be metered.

(c) On premises where the owner, or in conjunction with a tenant, determines that certain quantities of water so used on the premises do not ever enter the sanitary sewerage system or stormwater drainage system of the City and such water supply piping can be so segregated, and as a result, desires that the water be so metered so that no sewerage charge is made for such water, the water department, upon receipt of the costs of the meter and setting fee and upon notification from the water pollution control department to proceed with the setting, will place a meter in the place so prepared by the owner and the meter shall thereafter be read and billed with such charges as required. Where only the use of the sewerage service is desired, and no City water or only partial City water and partial supplementary source of water is used, the supplementary source shall be metered as set forth in subsection (b).

SEC. 19-2404. INDIVIDUAL CONNECTIONS.

(a) Individual water service connections shall be provided at each trailer coach lot in the trailer park. All water service connections shall be watertight and located at a minimum distance of five (5) feet from sanitary sewer connections below ground. The minimum pipe size of connections shall be one (1) inch. Outlets shall be so constructed as to be free of possible contamination from surface drainage and possible damage during installation of a mobile home and shall be four (4) inches above grade.

(b) Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipe, and to protect risers from heaving and thawing actions of ground during freezing weather.

(c) Underground stop and waste cocks shall not be installed on any connection.

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(d) All potable water connections and supplies to all fixture outlets within the trailer coach unit shall comply with provisions of Chapter 34 Article IV of this Code in regard to the protection of potable water supply from contamination.

SEC. 19-2405. WATER FOR FIRE PROTECTION.

Where a public water supply system with a water main of six (6) inches or larger is available, all trailer parks accommodating or designed to accommodate ten (10) or more mobile homes, or both, shall provide the following water supply facilities:

- (1) The system shall permit the operation of a minimum of two (2), one and one-half (1 1/2) inch hose streams on a fire in any trailer coach, service building, or other accessory structure in the park.
- (2) Fire hydrants shall be located within five hundred (500) feet in such structures and shall be of a type prescribed by the water department of the City.
- (3) Water supply and associated facilities shall be sufficient to provide the delivery of an amount of water in accordance with the Uniform Fire Code.

SEC. 19-2406. WASTE WATER NOT TO BE DISPOSED OF ON GROUND.

No waste water from trailer coaches shall be deposited on the surface of the ground.

SEC. 19-2407. USE OF MUNICIPAL SEWERAGE SYSTEM REQUIRED.

All sewage and other water carried wastes shall be disposed of into a municipal sewerage system. All provided sewerage systems shall be constructed in conformity with all laws of the state, regulations of any department, division or board of the state, and any provision of this Code or other ordinance of the City relative thereto.

SEC. 19-2408. INDIVIDUAL CONNECTIONS.

Each trailer coach site shall be provided with a sewer connection for the combined liquid waste outlet or outlets of each trailer coach. It shall be the duty of the owner or operator of the trailer park to provide an approved type of water and odor-tight connection from the trailer coach water drainage to the sewer connection, and it shall be the duty of the owner or operator to make the connection and keep all occupied trailer coaches connected to the sewer while located in the trailer park. Sewer connections in unoccupied trailer coach sites shall be so closed that they will emit no odors or cause a breeding place for flies.

DIVISION 5. REFUSE DISPOSAL; VERMIN AND WEED CONTROL

SEC. 19-2500. REFUSE DISPOSAL.

The storage, collection and disposal of refuse in a trailer park shall be so managed as to create no health hazards, rodent harborage, insect-breeding areas, accident or fire hazards or air pollution.

SEC. 19-2501. LOCATION, TYPE AND SIZE OF CONTAINERS.

All garbage refuse shall be stored in commercial-type or large bulk-type containers which shall be located not more than one hundred fifty (150) feet from any mobile home space. Containers shall be provided by the licensee in sufficient number and capacity to contain all refuse in a sanitary manner. As an alternative to the use of such

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containers, all garbage shall be bagged in bags designed for holding garbage, which bags shall not be placed outside for collection until the day designated therefor.

SEC. 19-2502. PLATFORMS FOR CONTAINERS.

Refuse collection stands shall be provided for all refuse containers in trailer parks; such container stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration, and to facilitate cleaning around and under them.

SEC. 19-2503. COLLECTION.

All refuse shall be collected at least once a week or as often as necessary to keep the park litterless and sanitary. If garbage bags are used in lieu of commercial-type or large bulk-type containers, refuse shall be collected at least twice a week. The mobile home park operator shall provide collection service. All refuse shall be collected and transported in covered vehicles.

SEC. 19-2504. INCINERATION.

(a) No garbage or refuse shall be burned on the premises of a trailer park, except in approved incinerators.

(b) Refuse incinerators shall be constructed only with the approval of the heating inspection department; such approval shall be based on a review of the plans and specifications for the incinerators and approval of the site where they will be located. The approval shall specify the type of material which may be placed in the incinerator.

(c) Incinerators shall be operated only when attended by some person specifically authorized by the owner or operator of the trailer park.

SEC. 19-2505. VERMIN CONTROL.

Grounds, buildings and structures in trailer parks shall be maintained free of insect, vermin and rodent harborage and infestation. Extermination methods and other measures to control insects, vermin and rodents shall conform with requirements of the board of health.

SEC. 19-2506. INSECT CONTROL.

Trailer parks shall be maintained free of accumulations of debris which may provide breeding places for flies, mosquitoes and other pests.

SEC. 19-2507. RODENT CONTROL.

Storage areas in trailer parks shall be so maintained as to prevent a rodent harborage. Lumber, pipe and other building material shall be stored at least one (1) foot above the ground.

SEC. 19-2508. CONTROL OF POTENTIALLY HAZARDOUS LOCATIONS.

Where the potential for vermin infestation exists in trailer parks, all exterior openings in or beneath any structures shall be appropriately screened with wire mesh or other suitable materials. No storage shall be permitted under a trailer coach.

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SEC. 19-2509. WEED CONTROL.

The growth of brush, weeds and grass shall be controlled in trailer parks to prevent the harborage of ticks, chiggers, and other noxious insects. Trailer parks shall be so maintained as to prevent the growth of ragweed, poison ivy, poison oak, poison sumac and other noxious weeds considered detrimental to health. Open areas shall be maintained free of heavy undergrowth of any description.

DIVISION 6. SERVICE BUILDINGS AND OTHER SERVICE FACILITIES.

SEC. 19-2600. IN GENERAL.

The requirements of this division shall apply to accessory structures and community service facilities in all trailer parks which are required for park management and for the servicing and well-being of trailer park residents. The accessory structures may include, but are not limited to, service buildings or other community structures containing one (1) or more of the following uses and must be constructed in accordance with applicable City regulations:

- (1) Park management offices.
- (2) Community laundry facilities.
- (3) Community sanitary facilities.
- (4) Indoor community recreation areas.
- (5) Repair shops and storage buildings.

SEC. 19-2601. NON-RESIDENTIAL USES.

No part of any trailer park shall be used for nonresidential purposes, except such uses that are required for the direct servicing and well-being of the park residents and for the management and maintenance of the park.

SEC. 19-2602. REQUIRED SERVICE FACILITIES.

Each trailer park operated, or intended to be operated subject to this article shall be provided with the following:

- (1) For emergency sanitary accommodations, each one hundred (100) trailer coach spaces or fractional part thereof, shall have one (1) flush toilet and one (1) lavatory for each sex. The service building containing such emergency sanitary facilities shall be accessible to all trailer coaches.
- (2) A park management office.
- (3) Community laundry facilities.

SEC. 19-2603. STORAGE AREAS.

Locations for storage of maintenance materials such as lumber, pipe and other building materials in trailer parks shall be screened from the view of the residents and the public.

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SEC. 19-2604. CONSTRUCTION REQUIREMENTS.

(a) The community service building shall be conveniently located, well-constructed, having good natural and artificial lighting, adequate ventilation and floors of concrete or similar impervious materials. Concrete curbing, extending at least six (6) inches above the floor, shall be provided and the floor sloped to adequate drains. Walls and partitions shall be constructed of impervious material where they are subject to splash. Such building shall be maintained at a temperature of at least sixty-eight (68) degrees Fahrenheit during the period from the first day of October to the first day of May.

(b) The community service building in a trailer park shall be provided with toilet rooms for each sex, plainly marked by appropriate signs, in which shall be installed water closets and lavatories adequate in number to serve the reasonable needs of occupants.

- (1) Each water closet shall be placed in a separate compartment properly separated from other water closets and shall be not less than three (3) feet wide and shall be enclosed with proper partition. The community service building shall also be provided with tub or shower bath compartments, for both sexes, adequate in number to accommodate the reasonable needs of occupants.
- (2) In combination with each bath or shower stall, there shall be provided an individual dressing compartment not less than two and one-half (2 1/2) by three (3) feet in plan, so arranged as to insure privacy. The floor of such compartment shall be waterproof and elevated three (3) inches above the floor of the shower stall or a six (6) inch curbing provided, separating the shower compartment from the dressing room. Mats, grids, and walkways of wood, cloth or other absorbent materials will not be approved for use in bath sections of community service buildings.

(c) A laundry room or building constructed as specified in subsection (a) shall be provided containing laundry trays to accommodate the patrons of the trailer coach park. No laundry trays shall be located in toilet rooms or bathrooms. Each laundry room or building shall contain, as a minimum the following fixtures and facilities: One (1) automatic washer, or one (1) wringer type washing machine and two (2) rinse tubs or their equivalent, for every twenty (20) trailer coach sites; and one (1) electric outlet for ironing for every twenty (20) trailer coach sites.

(d) An adequate water supply shall be provided at all times for the operation of all water closets in service buildings, and an adequate supply of hot and cold water shall be provided at all times in the service buildings for all bathing, washing, cleansing and laundry facilities.

DIVISION 7. FIRE PROTECTION

SEC. 19-2700. IN GENERAL.

The trailer park area shall be subject to the rules and regulations of the City bureau of fire prevention.

SEC. 19-2701. FLAMMABLE MATERIALS.

Trailer park areas shall be kept free of litter, rubbish and other flammable materials; no storage shall be permitted under a trailer coach.

SEC. 19-2702. FIRE EXTINGUISHERS.

Two (2) all purpose fire extinguishers of at least two and one-half (2 1/2) pound capacity shall be located inside each mobile home at opposite ends thereof. Each fire extinguisher shall be checked annually and kept at all times in condition for use.

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SEC. 19-2703. FIRE HYDRANTS.

Where a public water system with a water main of six (6) inches or larger is available to the trailer park, standard fire hydrants shall be located within five hundred (500) feet of each trailer coach or building.

SEC. 19-2704. FIRES.

Fires in trailer parks shall be made only in cooking stoves and equipment approved for such purpose.

DIVISION 8. MISCELLANEOUS FACILITIES

SEC. 19-2800. ELECTRICAL DISTRIBUTION SYSTEM.

Each trailer park shall contain an electrical wiring system consisting of approved wiring, fixtures, equipment and appurtenances, which shall be installed and maintained in accordance with the Electrical Code of the City and other regulations governing such systems. All parts of the trailer park electrical distribution system shall conform with approved standards for safety to life and property and with accepted engineering practices. No electric wires shall be suspended less than seven (7) feet above the sidewalks or pathways or be allowed to lie on the ground.

SEC. 19-2801. NATURAL GAS INSTALLATIONS.

Natural gas piping systems in all trailer parks shall be installed and maintained in conformity with accepted engineering practices and the rules and regulations of the authority having jurisdiction.

SEC. 19-2802. FUEL OIL SUPPLY SYSTEMS.

All fuel oil supply systems provided for trailer coaches, service buildings and other structures shall be installed and maintained in conformity with the rules and regulations of the authority having jurisdiction. Fuel oil systems underground shall be located at a minimum of ten (10) feet horizontally from water lines and, at necessary crossings, shall be placed in substantial pipe sleeves extending ten (10) feet on each side of the water pipe.

SEC. 19-2803. STORAGE STRUCTURES.

No more than one (1) storage structure shall be permitted on each mobile home lot. Such storage structures shall be located at least three (3) feet from any mobile home and lot line, and shall be:

- (1) Not larger than ten (10) feet by ten (10) feet in floor plan, by eight (8) feet in height.
- (2) Constructed entirely of fireproof materials such as sheet metal.
- (3) Capable of being completely and easily disassembled and are readily portable.
- (4) Used only for storage purposes.
- (5) Not attached to a trailer or used as an auxiliary room or otherwise used for dwelling or living purposes.
- (6) Set on a poured concrete slab and properly anchored thereto.

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DIVISION 9. OPERATION

SEC. 19-2900. ATTENDANT OR CARETAKER REQUIRED.

Each trailer park shall be in the charge of a responsible attendant or caretaker at all times, whose duty it shall be to maintain the park, its equipment and facilities in a clean, orderly and sanitary condition, and be answerable, with the licensee under this article, for any violation of the provisions of this chapter.

SEC. 19-2901. REGISTRATION OF TRAILER COACH AND OCCUPANTS; RETENTION OF RECORDS.

(a) Each trailer park shall be provided with a custodian's office where each trailer coach entering the trailer park shall be assigned to a lot location, given a copy of the trailer park rules, and registered according to the prescribed form. The registration shall include the name and address of each occupant of the trailer coach; the license number of all units; the state issuing such licenses; and a statement indicating the exact location at which the trailer coach was last parked, including the state, City, town or village where the parking occurred. The register shall be signed by an occupant of the trailer coach. Any person furnishing misinformation for the purposes of registration shall be deemed guilty of a misdemeanor and punishable under the general statutes for such an offense.

(b) The registration records required by subsection (a) shall be neatly and securely maintained, and no registration records shall be destroyed until six (6) years have elapsed following the date of registration. The register shall be available at all times for inspection by law enforcement officers.

(c) No licensee under this chapter shall permit any mobile home manufactured after January 1, 1974, to be parked on the licensed premises unless it complies with the safety Code.

SEC. 19-2902. REGISTRATION OF SCHOOL AGE CHILDREN; NOTICE TO SCHOOL BOARD.

(a) At the time of the registration of the trailer coach and its occupants, as required by this division, the licensee shall prepare and keep a registry of all children of school age in the trailer coach.

(b) It shall be the duty of each licensee under this article, on the first day of February and the first day of September of each year, to file with the school board a report giving the names and ages of all children of school age living in the mobile home park.

(c) It shall be the duty of each licensee under this article to permit officials of the school board to examine the register required by subsection (a) for the purpose of enforcing attendance of school children housed in the trailer park.

SEC. 19-2903. FREEDOM FROM NUISANCES.

Each trailer park shall be maintained free of nuisances such as excessive heat, glare, vibration, smoke, toxic matter, radiation and fire or explosive hazards.

SEC. 19-2904. CONFINEMENT OF PETS.

No owner or person in charge of a dog or cat shall permit it to run at large or to commit any nuisance within the limits of any trailer park.

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SEC. 19-2905. REPORT OF COMMUNICABLE DISEASES.

Each owner, operator, attendant or other person operating a trailer park shall notify the health officer or the county health officer immediately of any suspected communicable or contagious disease within the trailer park. In the case of diseases diagnosed by a physician as quarantinable, the departure of a trailer coach or its occupants, or the removal therefrom of clothing or other articles which have been exposed to infection, without approval of the sanitation officer, is prohibited.

SEC. 19-2906. MAINTENANCE; EJECTION OF TENANTS VIOLATING THIS CHAPTER.

The licensee of each mobile home park shall assume full responsibility for maintaining in good repair and condition all park facilities required by this chapter, including streets and sanitary and safety appliances, and shall promptly bring such action as is necessary to prosecute or eject from the park any person or persons who willfully or maliciously damage any appliance, or any person who fails to comply with the provisions of this chapter.

ARTICLE III. ABANDONED MOBILE HOMES

SEC. 19-3100. DEFINITIONS.

As used in this chapter, the following terms shall have the meanings ascribed to them:

- (1) **Mobile home** shall mean a structure designed for permanent habitation and constructed to permit its transport on wheels, temporarily or permanently attached to its frame, from its place of construction to a location where it is intended to be a permanent habitation. "Mobile Home" does not include a structure that is served by individual utilities and that rests on a permanent foundation with its wheels, tongue, and hitch permanently removed.
- (2) **Abandoned mobile home** shall mean a mobile home that has no owner currently residing in the mobile home or authorized tenant of the owner currently residing in the mobile home to the best knowledge of the City; has had its electricity, natural gas, sewer, and water payments declared delinquent by the utility companies that are providing such services; and for which the Mobile Home Privilege Tax, imposed under the Mobile Home Local Services Tax Act, is delinquent for at least 3 months.
- (3) **Code enforcement officer** shall mean any employee or officer of the City charged with the enforcement of any of the City's technical Codes or municipal Codes, or with the enforcement of any state statute but shall not constitute a peace officer or police officer.

SEC. 19-3101. AUTHORIZATION.

Any Code enforcement officer of the City may remove or dispose of any abandoned mobile home found within the City of Moline and may legally enter upon any land to do so.

SEC. 19-3102. EXEMPTION FROM LIABILITY.

Any Code enforcement officer that removes, sells, or disposes of a mobile home under the authority of this ordinance, shall not be liable for any damages caused by such removal, sale or disposal. Nothing in the Abandoned Mobile Home Act is intended to, nor shall it constitute, any right in any third party for any type of liability against the City or any of its Code enforcement officers. Further, nothing in this ordinance shall require the City or any Code enforcement officer to order the removal, sale or disposal of a mobile home; such order to be a purely discretionary function of the particular Code enforcement officer or said officer's supervisor(s).

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SEC. 19-3103. NOTICE.

(a) Before removing an abandoned mobile home, the City shall send written notice as provided in subsection (c) by certified mail, return receipt requested, to each owner and each lienholder who appears on the records of the Secretary of State, and to each owner of record of the land upon which the mobile home is located. The notice shall also be sent by certified mail, return receipt requested, to the last person who paid the mobile home privilege tax on the mobile home as shown on the records of the County Treasurer of the county where the mobile home is located.

(b) If the owner, lienholder, or other legally entitled person does not sign for the notice sent to him or her by certified mail, then that person shall be notified by publication as provided in subsection (c) in a newspaper of general circulation in the City or a newspaper of general circulation in the county, if no newspaper exists in the City or the county is responsible for the notice. The notice must be published once a week for 3 consecutive weeks. If the Secretary of State has no record of title for the mobile home, and if after diligent search, the name and address of the owner, lienholder or other legally entitled person cannot be ascertained, then the municipality shall publish the notice as provided in subsection (c) in a newspaper of general circulation in the City once a week for 3 consecutive weeks.

(c) The notice required under this section shall be in substantially the following form:

"TO: _____

Date of Notice: _____

You are hereby notified that the City of Moline has declared that a certain mobile home (describe mobile home in terms of size, color, make, and model, if known) located at (give address or describe location) is an abandoned mobile home within the meaning of the Abandoned Mobile Home Act. Unless all delinquent mobile home privilege taxes (including penalty and interest) are paid and electric and water service restored to this mobile home within 30 days of the date of this notice, the City of Moline shall remove and dispose of the mobile home, and it shall be disposed of or sold at public auction free and clear of any existing liens.

If you have any questions regarding this notice, you should contact the following person:

City of Moline Code Enforcement Officer

(Address)

(Telephone Number)"

If notice was mailed, the effective date of the notice shall be the date it was mailed, if notice was published, the effective date shall be the first date the notice appeared in the newspaper.

SEC. 19-3104. DISPOSAL OR AUCTION.

(a) Disposal or auction. If the owners or lien holders of the mobile home fail to restore the electric and water service and to pay all taxes, interest, and penalties within the 30 day period following the effective date of the notice, then the City shall obtain title to the mobile home and may remove the mobile home and dispose of it unless the City determines that it is worthwhile to attempt to sell it at a public auction. If no bids are received, then the mobile home may be disposed of in any manner authorized by the Abandoned Mobile Home Act.

(b) Notice of the time and place of the auction shall be posted where the auction will take place in a conspicuous place at least 10 days before the auction. At least 10 days before the auction, the City shall also send

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notice of the auction by certified mail to each owner and lien holder who was originally notified by certified mail. This notice shall include a description of the mobile home and shall inform the owner or lienholder, or both, that they can reclaim the mobile home if they establish before the auction that they have a right to possession, submit written proof that electric and water service has been restored to the mobile home, submit written proof that all taxes, including interest and penalties, have been paid, and that the municipality has been reimbursed for all incidental expenses, including the cost of notice described in Section 19-3103.

SEC. 19-3105. ULTIMATE RESPONSIBILITY OF MOBILE HOME OWNER.

If the City disposes of or auctions off a mobile home at a financial loss, the person having record title at the time these proceedings began shall be ultimately responsible for all reasonable losses or costs of any sort incurred by the City.

SEC. 19-3106. TRANSPORTATION.

Transportation of an abandoned mobile home over the public streets and highways of the City under this ordinance shall be as provided in the Abandoned Mobile Home Act found at 210 ILCS 117/1 *et seq.*

SEC. 19-3107. TRANSFER OF TITLE.

If the City chooses, it may transfer title and all responsibilities for an abandoned mobile home to its agent for the sole purpose of removal by sale or disposal. If this option is utilized, any expenses incurred or profits realized from the legal sale or disposal shall be with the agent.

SEC. 19-3108. PROCEEDS.

When a mobile home is disposed of under this ordinance, the proceeds of the public sale or disposition, after deduction of all towing, storage, processing charges, and payment in priority order to lienholders, including providers of any utility services, shall be deposited into the City's treasury.

SEC. 19-3109. HOME RULE AUTHORITY; DEROGATION OF STATE LAW.

This ordinance shall be and is an enactment of the home rule authority of the City which is granted by Article VII, Section 6 of the Illinois Constitution of 1970 and any conflict between this ordinance and State statute or law shall be in derogation of such statute or law and shall supersede such statute or law, unless to do so would be otherwise unconstitutional, or otherwise create any liability on the part of the City, its employees, or officers.

SEC. 19-3110. CONTRACT; REIMBURSEMENT OF CITY; AGENCY.

(a) In the city administrator's sole discretion, if desirable and in the best interests of the City, the city administrator may, from time to time, and without further authorization or direction of the City Council, enter into a written contract with any Mobile Home Park (Park) for the purpose of recovering full reimbursement from said Park to the City of any and all costs incurred by the City in enforcing or implementing this ordinance. Said contract shall be on a form approved by the city Attorney and secured by a performance bond or other acceptable surety or guarantee.

(b) In lieu of the contract referenced herein, or as a part thereof, the city administrator may appoint the Park to serve as agent of the City, to act on the City's behalf but only at such park's sole and exclusive cost and expense.

(c) Any such contract executed pursuant to the terms of this section shall contain an indemnification and hold harmless clause, which clause shall indemnify the City, its employees, and officers from any and all liabilities imposed, if any are so imposed, arising out of or related in any manner to any of the actions taken herein or pursuant hereto." (Ord No. 96-5-6; new Article III enacted: 05-28-96)