

CHAPTER 23

MANUFACTURED HOMES

ARTICLE I – GENERAL PROVISIONS

23-1-1 **DEFINITIONS.** Unless otherwise expressly stated or clearly indicated by the context, the following terms shall, for the purpose of this Chapter, have the meanings indicated in this Section:

“DEPENDENT MOBILE HOME” means a mobile home which does not have a toilet and bath or shower facilities. **(210 ILCS 115/2.3)**

“IMMOBILIZED MOBILE HOME” means a mobile home served by individual utilities (sewer, water, electricity) resting on a permanent perimeter foundation which extends below the established frost depth with the wheels, tongue and hitch removed and the home secured in compliance with the Illinois Mobile Home Tiedown Act. **(210 ILCS 115/2.10) (210 ILCS 120/et seq.)**

“INDEPENDENT MOBILE HOME” means a mobile home which has a self-contained toilet and bath or shower facilities. **(210 ILCS 115/2.4)**

“INDIVIDUAL UTILITIES” means the provision for each mobile home of: a separate metered connection to electrical service; separately tapped water service from an approved public water supply or a separate private water supply; and a separately tapped connection to an approved public sewer system or a separate private sewage disposal system. **(210 ILCS 115/2.8)**

“MOBILE HOME” also referred to as a Manufactured Home means a factory assembled, completely integrated structure designed for permanent habitation, with a permanent chassis, and so constructed as to permit its transport, on wheels temporarily or permanently attached to its frame, and is a movable or portable unit that is (i) **eight (8) body feet** or more in width, (ii) **forty (40) body feet** or more in length, and (iii) **three hundred twenty (320) or more square feet**, constructed to be towed on its own chassis (comprised of frame and wheels) from the place of its construction to the location, or subsequent locations, at which it is connected to utilities for year-round occupancy for use as a permanent habitation, and designed and situated so as to permit its occupancy as a dwelling place for one or more persons, and specifically includes a “manufactured home” as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code. The term shall include units containing parts that may be folded, collapsed, or telescoped when being towed and that may be expected to provide additional cubic capacity, and that are designed to be joined into one integral unit capable of being separated again into the components for repeated towing. The term excludes campers and recreational vehicles. The term “mobile home” shall not include modular homes and their support systems. The words “mobile home” and “manufactured home” are synonymous for the purposes of this Chapter. **(210 ILCS 115/2.1)**

“MOBILE 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 **five (5)** or more independent mobile 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 mobile home park. Separate ownership of contiguous tracts of land shall not preclude the tracts of land from common licensure as a mobile home park if they are maintained and operated jointly. Neither an immobilized mobile home nor a motorized recreational vehicle shall be construed as being a part of a mobile home park. All mobile home parks must be in strict compliance with the Illinois Mobile Home Park Act. **(See 210 ILCS 115/1 et seq.)**

“MODULAR HOME”, also known as panelized or prefab, is constructed of premade parts and unit modules at a factory. Wall panels, trusses, and other pre-fabricated house parts are transported on a

flatbed truck from the factory to the building site then joined together by local contractors. At the building site, these house sections are lifted onto the foundation where they are permanently anchored. They do not rest on a steel chassis. Modular homes must conform to the building codes for the locations where they are erected.

"PERMANENT HABITATION" means habitation for a period of **two (2) or more consecutive months**.

"POLE BARN" is a building which lacks a conventional foundation built from treated poles, typically at **eight (8) foot** intervals, anchored into the ground with cement and sometimes rock. Boards and metal are used for the sides and roof as well as screws to attach to the metal.

"PORTABLE BUILDING" is any prefabricated structure assembled off site and delivered to the site as a complete unit or a building purchased in kit form and assembled onsite, which can be moved without disassembly to another location.

"SITE" means the lot on which the mobile home is located or is to be located for permanent habitation. **(See 210 ILCS 115/2)**

"STRUCTURE" means anything constructed or erected with a fixed location on the ground. This includes buildings, mobile homes, manufactured homes, modular homes, portable buildings, pole barns, garages, carports and sheds.

23-1-2 PERMANENT SINGLE-FAMILY DWELLING. A mobile, manufactured or modular home, permanently placed, shall be considered a single-family dwelling and shall conform to all the requirements of any single-family dwelling as required by the ordinances of the Village, and State and Federal laws, and shall be the principal building located on the lot, tract or parcel of land.

23-1-3 BUILDING PERMIT REQUIRED. No structure, mobile home, manufactured home, or modular home shall be constructed, moved or placed upon any lot, tract or parcel of land until a building permit has been obtained therefor as provided in this Chapter. In the absence of provision to the contrary, all fees and charges for permit shall be paid once approval of Village Board of Trustees has been obtained and said permit has been approved. All fees and charges shall be made payable to the Village Clerk in the amounts prescribed by the corporate authorities.

23-1-4 REQUIREMENTS FOR ISSUANCE OF A PRELIMINARY PERMIT.
(A) A request for an application for a preliminary permit to locate a mobile home, manufactured home, modular home be accompanied by a drawing of the lot, showing the lot size, and planned location of the structure, with a photo of the mobile home, manufactured home, or modular home.
(B) Upon the filing of the application for a preliminary building permit which complies with the requirements as set forth in Section 8 and any other Ordinances, and upon approval by the Village Board of Trustees, a preliminary building permit shall be issued to the applicant.

23-1-5 BASIC RULES.
(A) **Immobilized.** The mobile, manufactured or modular home ("home") shall be immobilized with individual utilities, resting upon a permanent foundation which extends below the established frost depth and the home shall be secured to its foundation in compliance with the Illinois Mobile Home Tie Down Act **(210 ILCS 120/1-7)**. The wheels, tongue, and hitch on a mobile home must be permanently removed. The axles may be removed.

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

(C) **Minimum Standards.** No person shall occupy for the purpose of living within a home which does not comply with the following requirements. Permanent connection to utilities will not be approved until the Codes Officer issues a Certificate of Occupancy.

- (1) **Interior.** Every floor, wall, ceiling, roof, doors and windows shall be reasonably weather-tight, water-tight, and vermin proof. Doors and windows shall be operable.
- (2) **Exterior.** Every exterior wall shall be free of rust, loose or rotting boards or siding, and any other condition which might admit vermin, rain or dampness to the interior portions of the walls.
- (3) **Kitchen and Bathroom.** Every home shall contain a kitchen sink and bathroom properly connected with hot and cold water lines and properly connected to a water and sewer system.
- (4) **Heating.** Every home shall have a heating facility which is properly installed, safe and in good working condition. Unvented heaters are prohibited.
- (5) **Electric System.** Every home shall be supplied with an operable electric system that meets applicable codes and industry standards. Electric wiring and fixtures shall be properly installed and maintained in safe working condition.
- (6) **Water Heater.** Every home shall have an operable water heater which is properly installed and connected with the hot water lines and capable of heating water at a temperature of not less than **one hundred twenty degrees Fahrenheit (120°F)**.
- (7) **Egress.** Every home shall have a safe, unobstructed means of egress leading to a safe and open space. If there is only **one (1) door**, it must have at least **one (1)** operable window large enough to allow egress if necessary.
- (8) **Smoke Detectors and Carbon Monoxide Detectors.** Every home shall be in compliance with the Illinois statutes concerning smoke detectors and carbon monoxide detectors.
- (9) **Nuisances Prohibited.** The grounds occupied by the property shall be free of garbage, indoor furniture, appliances, bed frames, inoperable bicycles, inoperable golf carts and/or other motorized transport vehicles not displaying valid and current Illinois license plates, golf carts and/or motorized transport requiring a permit from the Village but not registered with a current permit, and/or any item(s) which violate the Village Nuisance Code and/or other Village Ordinances and/or State of Illinois laws.

23-1-6 TIME LIMIT FOR FINAL PERMIT. The applicant shall have **ninety (90) days** after Village Board of Trustees approval of the preliminary permit to comply with the requirements of this Code and other Village Ordinances for the issuance of a final permit.

23-1-7 EXISTING MOBILE, MANUFACTURED AND MODULAR HOMES. The permit requirements contained in **Sections 23-1-3** and **23-1-4** shall not apply to any mobile, manufactured or modular home in existence on the effective date of this Code; provided, however, that such nonconformance shall continue to exist only during the life of such existing mobile home, manufactured home or modular home. All such homes regardless of whether such home(s) is/are in

existence before or after the effective date of this Chapter shall comply with all other portions of this
Chapter including but

not limited to **Section 23-1-5** relating to Basic Rules. Nothing in this Section shall be construed to permit or authorize any existing mobile homes, manufactured homes or modular homes to be maintained in violation of any housing or fire protection codes or statutes now existing or hereafter enacted by the Village, State or Federal government.

(A) All existing mobile, manufactured or modular homes shall be exempt from compliance with **Sections 23-1-3** through **23-1-4** of this Chapter so long as they remain in their existing locations. If such mobile, manufactured or modular homes are removed from their existing locations, replacement units may be so installed only if in compliance with this Chapter, State statutes and Federal regulations.

(B) All such replacement mobile, manufactured or modular homes must be converted into immobilized mobile homes, and all requirements or such immobilization, including requirements as to changes to the foundation, as to removal of wheels, tongue and hitch must be fully complied with. Permits shall be required for all replacement mobile, manufactured or modular homes and all requirements shall be the same as for any other mobile, manufactured or modular homes newly brought into the Village.

23-1-8 STORAGE OF MOBILE, MANUFACTURED OR MODULAR HOMES. No person shall store any mobile, manufactured or modular home on any property within the Village without first obtaining a building permit as provided in this Chapter.

23-1-9 DEPENDENT MOBILE HOMES, PORTABLE BUILDINGS, POLE BARNs, GARAGES, CARPORTS AND SHEDS. Dependent mobile homes, and campers, travel trailers or other like vehicles used principally for recreational purposes shall not be used as a permanent habitation. Neither shall any portable building, pole barn, garage, carport or shed be used as a permanent habitation.

23-1-10 MOBILE HOME PARK ACT. The terms, conditions, requirements and obligations contained in the Illinois Mobile Home Park Act **210 ILCS 115** are by reference incorporated herein.

23-1-11 APPEAL PROCEDURE.

(A) Any applicant aggrieved by the decision of the Codes Officer to issue a permit shall have the right to appeal the Codes Officer's decision to the Village Board of Trustees. Such appeal shall be requested by submitting a written request to the Village Clerk within **five (5) days** of the action of the Codes Officer which is appealed.

(B) The Village Board of Trustees shall consider the appeal at its next regularly scheduled meeting, at which time the applicant shall be entitled to present his/her appeal orally or in writing. The Village Board of Trustees shall act on the appeal within **seven (7) days** of the hearing and shall either uphold the action of the Codes Officer or shall direct the issuance of a permit which the Codes Officer has denied.

23-1-12 VIOLATION—PENALTY AND ENFORCEMENT.

(A) Any person, firm or corporation, who violates, disobeys, omits, neglects or refuses to comply with or resist the enforcement of any of the provisions of this Chapter shall be subject to a fine of **Two Hundred Dollars (\$200.00)** per day.

(B) Each day a violation continues shall be deemed and constitute an additional separate violation of this Chapter.

(C) The proper authorities of the Village, in addition to any other remedies provided herein may institute any appropriate actions or proceedings including but not limited to an injunction or temporary restraining order in any court having jurisdiction to prevent the violation of this Chapter or refusal to comply with this Chapter. Any person found to be in violation hereof, shall be responsible for and pay all costs and expenses, including legal fees incurred by the Village in enforcing the provisions of this Chapter.

**(See Section 1-1-20)
(Ord. No. 2018-13; 06-14-18)**