

ORDINANCE # 1-14-19  
TOWNSHIP OF WATERFORD  
RACINE COUNTY, WISCONSIN

AN ORDINANCE REPEALING AND RE-CREATING ORDINANCE 6.15 AND ORDINANCE 8-14-2017 WITH THIS ORDINANCE DEALING WITH RENTALS (WITH OR WITHOUT CONSIDERATION PAID) AND/OR PLACEMENT OF TRAILERS, MOBILE HOME PARKS AND CAMPGROUNDS; MOBILE HOMES, MANUFACTURED HOMES AND CAMPGROUNDS; RV VEHICLES AND CAMPGROUNDS, INCLUDING EVERY VEHICLE WHICH IS DESIGNED TO BE SELF-PROPELLED OR NOT INCLUDING, BUT NOT LIMITED TO, AN AUTOMOBILE, TRAILER, MOBILE HOME, RV'S, STATION WAGONS, TRUCKS, AND ANY BUS.

The Town Board of the Township of Waterford, at its duly noticed monthly meeting does hereby repeal ordinance 6.15 and ordinance 8-14-2017 of the town ordinances and replaces it with this ordinance which deals with the placement/rental of trailers; mobile homes; manufactured homes, RV vehicles, buses, automobiles, station wagons, pop up campers, placed on property already having a principal residence or placed on vacant land..

This ordinance is enacted under the police powers of the township to promote the health, welfare and safety of the town and is enacted also under section 60.22 and 60.23(23) of the Wisconsin statutes, as and if, amended.

A primary purpose of this ordinance is to prohibit/restrict short or long term rental of property, pursuant to WI State Statute 60.10 (2)(c), whether for consideration or not and/or in areas not conducive to such usage and/or the use of trailers, mobile homes, RV's, campers, manufactured homes, buses, storage units, pop-up campers, or similar items of personal property as living quarters or for business purposes, except as hereinafter stated in this ordinance. There have been complaints concerning noise, litter, public safety, usages conducive to and causing diminishing property values. The town finds that rentals prohibited in this ordinance are a prohibited business usage and also a public nuisance.

This ordinance does not apply to properly zoned and operated approved mobile and/or manufactured home parks and it is not intended to adversely affect, for example, a resident owning a station wagon for transportation to and from work, from parking the same in his/her driveway.

In the event of a question of interpretation by any Court of jurisdiction of the interpretation of this ordinance's wording dealing with a usage deemed prohibited by the Town, such interpretation shall be in favor of the Town

A. 6.15. TRAILERS, MOBILE HOMES, MANUFACTURED HOMES AND CAMPS AND RV PARKS

1) To the extent allowed by law, the Town of Waterford prohibits the creation of any Mobile Home Parks; RV Parks; and Manufactured Home Parks as are commonly referred to and as may be defined by State Law or County Zoning, as the Town deems the same as not being compatible with the topography and physical appearance of this Township and a detriment to neighboring properties and their value, none currently existing in the Town, said prohibition hereby found by the Town as promoting the health, welfare and prosperity of the Township and its residents.

2). State Laws Adopted All provisions of the Wisconsin Statutes, the Wisconsin Administrative Code and Racine County Ordinances relating to the above items are adopted by reference including all revisions, amendments and deletions thereto as long as the same do not conflict with this Ordinance. In the event there is a conflict, said conflict making it impossible for the Township to enforce a provision of this Ordinance due to the adoption by reference of the above, then, and in that event, the State and/or County laws shall control that aspect deemed unenforceable.

3) Local ordinances must be observed. Further, irrespective of this ordinance, all other ordinances of the Township, such as, for an example, the Aesthetic Ordinance or the ordinance(s) relating to ground disturbance, and so forth must be adhered to.

B. 6.15. STORAGE OF MOBILE HOMES, MANUFACTURED HOMES, RV PARKS, CAMPERS

1) Habitation/Storage, Except as later stated below, no Manufactured Home, Mobile Home, RV Camper, trailer, station wagon, pop-up camper, automobile, bus, or similar item of personal property shall be used for habitation or business purposes except in an approved Mobile Home/Manufactured Home Park. Habitation is defined as the physical occupancy by one or more persons for any period of time. If not used for habitation but for storage, storage of the same must be in a location such so as not to interfere with the aesthetics of the neighborhood. For

special circumstances only, In a parcel of land at least ten acres in size, habitation shall be permitted for members of the immediate family of no more than 30 days in a calendar year for no more than two in total of Mobile Homes, RV Trailers or Campers or a combination of the same (or maximum 30 days for 2 such items of personal property). If stored, placement of the same shall be in such a location so as not to interfere with the aesthetics of the neighborhood; located preferably on a concrete slab located next to the garage/and or accessory structure or on a concrete slab located immediately to the rear(on lake or river side proper, the “rear” means the non-lake side)and the same shall not exceed 36 feet.

3)Severability. In the event any part of this Ordinance is found to be invalid or unconstitutional by a Court or Administrative Agency, the Town Board expressly states that the remainder of this ordinance shall be intended to be in effect and such judgment shall not affect the remainder of this ordinance.

4)Forfeiture. Any violation of this ordinance shall be subject to forfeiture not to exceed \$1,000.00. The Town may also avail itself of injunctive remedies In the event of proceedings in the. Each day of violation shall be a separate offense without the need to serve daily violation citations and can be joined in a single prosecution. This ordinance applies and is in addition to and not in lieu of any State of Wisconsin and/or Racine County prosecution. The Town police department is charged with the enforcement of this Ordinance

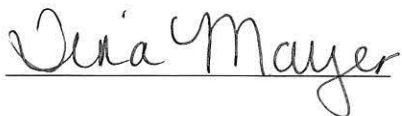
PASSED AND ADOPTED this 14<sup>th</sup> day of January 2019, to take effect upon posting, publishing and notification as required by law.



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THOMAS HINCZ, Town Chairman

ATTEST:



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Tina Mayer Clerk