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Chapter 8 Licensees to Pay Local Claims; Appellate Procedures. [Reserved for Future Use]

Chapter 9 Cigarette Licenses; Nonintoxicating Liquor. [Reserved for Future Use]

## **TITLE 7 LICENSING AND REGULATION.**

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**TITLE 7 - CHAPTER 1 Licensing of Dogs.**

**Section 7.1.1 Dog License Required.**

**Section 7.1.2 Late Fee.**

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**Section 7.1.11 Enforcement.**

**Section 7.1.12 Rabies Quarantine.**

**Section 7.1.1 Dog License Required.**

Every person residing in the Town of Oregon who owns a dog more than five months of age on January 1 of any year, or five months of age within the license year, shall annually, on or before the date the dog becomes five months of age, pay the dog license tax and obtain a license therefor.

### **Section 7.1.2 Late Fee.**

The Town shall assess and collect a late fee of at least \$5.00 from every owner of a dog five months of age or over if the owner fails to obtain a license prior to April 1 of each year, or within 30 days of acquiring ownership of a dog of licensed age, or if the owner failed to obtain a license on or before the date the dog reached the licensed age. All late fees received or collected shall not be subject to division with the County Treasurer pursuant to Wis. Stats. Section 174.05(5), (1997-1998). Any late fee in excess of \$5.00 shall be established by the Town Board by resolution.

### **Section 7.1.3 Fees.**

1. The Town Board, by Resolution, shall establish the annual dog license fee on dogs within the Town. The amount of such fee shall be no less than \$3.00 for a neutered male dog or spayed female dog upon presentation of evidence that the dog is neutered or spayed, and \$8.00 for an un-neutered male dog or un-spayed female dog, or one-half these amounts if the dog becomes five months of age after July 1 of the license year. In said Resolution, the total fee shall be greater for un-neutered male dogs and un-spayed female dogs than the fee for neutered male dogs and spayed female dogs.
2. The Town Treasurer shall remit the dog license fee established by County Board Resolution for dog licenses to the County Treasurer at the time settlement is made with the County Treasurer for collection of personal property taxes, in accordance with the procedure set forth in Wis. Stats. Section 174.08(1997-1998).

### **Section 7.1.4 Issuance of License.**

Upon payment to the Town Treasurer of the required fee, and upon presentation of evidence that the animal is currently immunized against rabies, the Treasurer shall issue to the owner a license to keep such dog for one calendar year. The owner shall, upon procuring the license, place upon the dog a collar with the tag furnished by the Treasurer.

### **Section 7.1.5 Incorporation by Reference.**

Wis. Stats. Chapter 174 (1997-1998), pertaining to dogs, is hereby adopted as part of this Ordinance, and incorporated by reference by this action.

### **Section 7.1.6 Dogs Not to Run at Large.**

It is unlawful for any person owning or possessing any dog to permit such dog to run at large. For the purpose of this section, "running at large" means the presence of a dog at any place except upon the premises of the owner and not under the control of the owner or some other person. A dog shall not be considered to be running at large if it is on a leash and under the control of a person physically able to control the dog.

### **Section 7.1.7 Dogs Prohibited in Certain Locations.**

1. No dogs are permitted in any cemetery.
2. Dogs are permitted in Town parks, but must be leashed and under direct control of their owners or keepers.

#### **Section 7.1.8 Owner's Duty to Remove Refuse.**

The owner or person in charge of a dog shall immediately remove any solid fecal matter or other excretion expelled by such dog on any public or private property other than that of the owner. This section shall not apply to a person who is visually or physically handicapped.

#### **Section 7.1.9 Harboring Certain Dogs Prohibited.**

No person shall own, harbor, or keep any dog which:

1. Habitually pursues any vehicle upon any public street, alley or highway.
2. Assaults or attacks on any person or other animal.
3. Is vicious. A showing that a dog has bitten, attacked or injured any person shall constitute a prima facie showing that such dog is vicious.
4. Habitually barks or howls to the great discomfort of the peace and quiet of the neighborhood or in such manner as to materially disturb or annoy two or more persons in the neighborhood who are of ordinary sensibilities.

#### **Section 7.1.10 Dog Kennels.**

The term "dog kennel" as used herein means any establishment wherein dogs are kept for sale, breeding or sporting purposes. An establishment is presumed to be a kennel if more than three dogs are kept or maintained therein.

1. Kennels are permitted within the Town, with the following conditions:
  - a. No kennel will be maintained within any subdivision, as defined in Wis. Stats. Section 236.02(12), (1997-1998).
  - a. All kennels will comply with all local Ordinances and County Zoning Ordinances.
2. The Town Board, by Resolution, shall establish the minimum annual kennel fee within the Town.
  - a. The amount of such fee shall be no less than \$35.00 annually for a kennel license for up to 12 dogs, plus \$3.00 for each dog in excess of 12 to the maximum of 24 dogs.

3. No more than 24 dogs will be allowed at any established kennel.
4. Kennels shall meet all applicable provisions of Wis. Stats. Chapter 174 (1997-1998).

#### **Section 7.1.11 Enforcement.**

1. The Town Constable or any Town Supervisor shall, upon complaint, seize and restrain any animal for the keeping of which no license has been issued and for which one is required or, upon complaint, seize and restrain any animal that is running at large, and otherwise enforce the provisions of this Ordinance.
2. The Town Constable is authorized to issue citations for violation of any provision of this Ordinance.
3. The Town Constable or any Town Supervisor, upon restraining any animal running at large, will make all attempts to find the owner and return it. If unable to find the owner, the animal will be turned over to the Dane County Humane Society.

#### **Section 7.1.12 Rabies Quarantine.**

1. Any person who has possession of a dog or other animal who has reason to believe that the animal has bitten a person, is infected with rabies or has been in contact with a rabid animal shall, upon order of the Town Constable or any Town Supervisor, turn over the animal to the Constable for quarantine. Such animal shall be taken to a secure veterinary medicine establishment, where such animal shall be kept under strict isolation under the supervision of a veterinarian for at least ten days. In the alternative, if the owner of the animal produces a valid certificate or other evidence conclusively demonstrating that the animal is immunized currently against rabies, the Constable may order the animal to be quarantined on the premises of the owner. At the end of the quarantine period, if the veterinarian certifies that the dog or other animal has not exhibited any signs of rabies, the veterinary establishment or the owner may release said animal from quarantine.
2. The owner of the animal is responsible for any expenses incurred in connection with keeping the animal in an isolation facility, as well as costs of supervision and examination of the animal by the veterinarian. If destruction of the animal is necessary, the owner shall also be responsible for these costs.
3. If an owner fails to comply with an order to quarantine an animal under this subsection, such owner shall forfeit the sum of \$500.00 for each day such violation continues until surrender of the animal, together with any applicable statutory assessments and costs.
4. If the animal cannot be captured, the Constable may destroy the animal only as a last resort or if the owner agrees. The Constable shall attempt to destroy the animal in a humane manner and in a manner which avoids damage to the animal's head.

*Original Ordinance #2 approved and passed March 4, 1969, effective April 2, 1969.*

*Ordinance #2 repealed by Ordinance #26 June 5, 1979.*

*Ordinance #26 approved and passed June 5, 1979, published June 6, 1979.*

*Ordinance #26 repealed by Ordinance #55 October 5, 1999.*

*Ordinance #55 adopted October 5, 1999, published October 14, 1999.*

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**TITLE 7 - CHAPTER 2 Regulation of the Sale of Alcohol Beverages.**

**Section 7.2.1 Purpose.**

**Section 7.2.2 Statutory Authority.**

**Section 7.2.3 Definitions.**

**Section 7.2.4 Licenses and Permits Required.**

**Section 7.2.5 License Classes and Fees.**

**Section 7.2.6 License Requirements and Restrictions.**

**Section 7.2.7 Regulation of Licenses Premises and Licenses.**

**Section 7.2.8 Form and Expiration of Licenses.**

**Section 7.2.9 Transfer of Licenses.**

**Section 7.2.10 Revocation and Suspension of Licenses.**

**Section 7.2.11 Separability of Provisions.**

**Section 7.2.1 Purpose.**



The Town Board of Supervisors of the Town of Oregon, Dane County, Wisconsin finds that it is in the best interests of the public to regulate the sale and use of alcohol beverages within the Town. Further, the adoption of this ordinance for such regulation will promote government and good order of the Town for its commercial benefit, and for the health, safety, welfare and convenience of the public.

### **Section 7.2.2 Statutory Authority.**

This ordinance is enacted pursuant to Section 125.10 Wisconsin Statutes (1985-1986), and the general police power of the Town Board.

### **Section 7.2.3 Definitions.**

The definitions contained in Section 125.02, Wisconsin Statutes (1985-1986), are hereby adopted and made a part of this ordinance by reference.

### **Section 7.2.4 Licenses and Permits Required.**

No person except as authorized by this ordinance and Chapter 125, Wisconsin Statutes (1985-1986), shall within the Town of Oregon, serve, sell, distribute, vend, offer or keep for sale at retail or wholesale, deal or traffic in or engage in any other activity for which a license or permit is authorized under this ordinance.

### **Section 7.2.5 License Classes and Fees.**

There shall be the following classes of licenses, which, when issued by the Town Clerk under the authority of the Town Board after the payment of the appropriate fee hereinafter specified, shall permit the holder to sell, deal, or traffic in alcohol beverages as provided in Chapter 125, Wisconsin Statutes (1985-1986). Except as otherwise provided in this section, the full license fee shall be charged for the whole or fraction of any year.

1. Retail class "A" fermented malt beverage license: \$250.00 per year.
2. Retail class "B" fermented malt beverage license: \$100.00 per year.
3. Class "B" picnic license for fermented malt beverage license for bona fide clubs, state, county, or local fair associations, or agricultural societies, lodges, or societies, etc.: \$10.00 per day.
4. Class "B" fermented malt beverage license for six month period: \$75.00 per six month period.

5. Wholesaler's fermented malt beverage license: \$25.00 per year.
6. Special wholesaler fermented malt beverage license: \$25.00 per year.
7. Operator's license: \$25.00 per year.
8. Manager's license: \$25.00 per year.
9. Retail class "A" intoxicating liquor license: \$500.00 per year.
10. Retail class "B" intoxicating liquor license: \$500.00 per year.
11. Retail class "B" intoxicating liquor license for six month period: \$250.00 per six month period.
12. Pharmacist's license: \$10.00 per year.

### **Section 7.2.6 License Requirements and Restrictions.**

- a. Application Procedure. All applications for a license authorized under this ordinance and Chapter 125, Wisconsin Statutes (1985-1986), shall be made in writing on forms prescribed by the State Department of Revenue, as approved by the Town Board. The application shall describe the physical premises, including every room and storage space, to be covered by the license. All applications shall be signed and sworn to by the applicant as provided by Section 887.01, Wisconsin Statutes (1985-1986).
- b. Filing of Application. All applications shall be filed with the Town Clerk. At the time of filing, the applicant shall pay to the Town Clerk the cost of publication of the application and the annual fee for the license as established in Section 7.2.5 of this ordinance. All applications must be on file with the Town Clerk at least 15 days before the Town Board may grant or deny the application, except as provided in Section 125.04(3)(f)3, Wisconsin Statutes (1985-1986), applicable to Class "B" "Picnic" licenses.
- c. Qualifications of Applicants.
  1. All individuals, partners, and all officers and directors of Wisconsin Corporations applying for licenses under this ordinance must meet the following qualifications:
    - i. be 21 years of age or older;
    - ii. be a Wisconsin resident continuously for at least one year immediately prior to the date of filing of the application;
    - iii. does not have an arrest or conviction record subject to Sections 111.321, 111.322, and 111.335, Wisconsin Statutes (1985-1986).
  1. All officers and directors of foreign corporations must meet the qualifications of Subsection 1)i. and iii stated above.
  1. All corporations must designate an agent pursuant to Section 125.04(6), Wisconsin Statutes (1985-1986). The agent must meet the qualifications of a)i. and iii stated above and must, with respect to character, record, and reputation, be satisfactory to the Department of Revenue or the Town Board, whichever is applicable. Each corporate agent must have full written authority and control of

the premises, as provided in Section 125.04(6)(a)2, Wisconsin Statutes (1985-1986).

d. Alcohol Awareness Training Programs.

1. No person, including the licensee, a member of the licensee's immediate family or agent shall on or after July 1, 1987, supervise the sale or service of alcohol beverages on any premises or in any place within the Town for which a license or permit is required under Chapter 125, Wisconsin Statutes (1985-1986), unless such person either holds a valid operator's license or has filed with the Town Clerk proof of successful completion of an approved alcohol awareness training program.
2. Effective for the 1986-87 licensing year, no operator's license shall be issued or renewed unless the applicant presents proof of successful completion of an alcohol awareness training program approved by the State of Wisconsin or any Wisconsin municipality. The Town Clerk shall verify approval and maintain a list of approved alcohol awareness programs on file in the Town office.

e. Inspection of Application and Premises. The Town Clerk shall notify the Health Officer and Building Inspector of all license and permit applications. These officials shall inspect or cause to be inspected each application and premises to determine whether the applicant and the premises sought to be licensed comply with the regulations, ordinances and laws applicable thereto and the applicant's fitness for the trust to be improved. These officials shall furnish to the Town Board in writing the information derived from such investigation. No license or renewal of license provided for in this ordinance shall be issued without an inspection or reinspection of the premises and report as herein required.

- a. Health and Sanitation Requirements. No license shall be issued for any premises which does not conform to the sanitary, safety and health requirements of the State Department of Industry, Labor, and Human Relations pertaining to buildings and plumbing, to the rules and regulations of the State Department of Health and Social Services applicable to restaurants and to all such ordinances and regulations adopted by the Town.
- b. Delinquent Taxes, Assessments, and Claims. No license shall be granted for any premises for which taxes (real or personal), assessments, or other claims of the Town are delinquent and unpaid, or to any person delinquent in payment of such claims to the Town. In the event of the sale of a premises or transfer of a license during a license year, the Town Board may condition the granting of a license upon payment of real estate or personal property taxes prorated to the date of sale. The Town Treasurer shall estimate the tax rate to be used.
- c. Location of Premises.

1. No retail Class "A" or "B" fermented malt beverage license or liquor license shall hereafter be issued for premises less than 300 feet from any established public or parochial school, hospital or church. Such distance shall be measured by the shortest route along the highway from the closest point of the boundary of such school, church, or hospital to the closest entrance to such premises.

2. Issuance for sales in dwellings prohibited - No license shall be issued to any person for the purpose of possessing, selling, or offering for sale any alcohol beverages in any dwelling, house, flat or residential apartment.

### **Section 7.2.7 Regulation of Licensed Premises and Licenses.**

- a. Posting Licenses. Licenses issued under this ordinance shall be posted and displayed as provided by Section 125.04(10), Wisconsin Statutes (1985-1986). Failure to post a license as required therein shall be a presumption of operating without a license.
- b. Gambling and Disorderly Conduct Prohibited. Each licensed premises shall at all times be conducted in an orderly manner; and no disorderly, riotous or indecent conduct or gambling shall be allowed at any time or on such premises.
- c. Employment of Minors. No retail Class "B" licensee shall employ any person under 21 years of age to serve, sell, dispense, or give away any alcohol beverage.
- d. Safety and Sanitation Requirements. Each licensed premises shall be maintained and conducted in a sanitary manner and shall be a safe and proper place for the purpose for which used.
- e. Closing Hours. No premises for which an alcohol beverage license has been issued shall remain open for the sale of alcohol beverages:
  1. If a retail Class "A" license, between 12:00 midnight and 8:00 a.m.
  2. If a retail Class "B" license, between 1:00 a.m. and 8:00 a.m., except as provided in this subsection: During that portion of each year for which the standard time is advanced under Section 175.095, Wisconsin Statutes, the closing hours shall be between 2:00 a.m. and 8:00 a.m. and on January 1, the closing hours shall be between 3:00 a.m. and 8:00 a.m. Between 9:00 p.m. and 8:00 a.m., no person may sell fermented malt beverages on Class "B" licensed premises in an original package, container or bottle or for consumption away from the premises.
  3. Hotels and restaurants whose principal business is furnishing of food and lodging to patrons, bowling alleys and golf courses may remain open for the conduct of their regular business but may not see intoxicating liquors or fermented malt beverages during prohibited hours specified above.
- f. Quotas. The number of persons and places that may be granted a retail "Class B" liquor license under this ordinance in the Town is limited as provided in Section 125.51(4), Wisconsin Statutes (1985-1986).
- a. Violations by Agents and Employees. A violation of this ordinance by an authorized agent or employee of a licensee shall constitute a violation by the licensee.

### **Section 7.2.8 Form and Expiration of Licenses.**

All licenses shall be numbered in the order in which they are issued and shall state clearly the specific premises for which granted, the date of issuance, the fee paid and the name of the licensee and, unless sooner revoked, shall expire on June 30 thereafter except as otherwise provided. The Town Clerk shall affix his or her affidavit as required by Section 125.04(4), Wisconsin Statutes (1985-1986).

#### **Section 7.2.9 Transfer of Licenses.**

- a. From Place to Place. Every alcohol beverage license issued by the Town may be transferred to another place or premises within the Town. Transfers shall be approved by the Town Board upon application on blanks furnished by the State Department of Revenue and the payment of a fee of \$10.00. Proceedings considering such a transfer shall be conducted in the same manner and form as the original application. No retail license is entitled to more than one transfer during the license year.
- b. From Person to Person. Licenses issued under this ordinance may be transferred to another person only under the terms and conditions as provided by Section 125.04(12)(b), Wisconsin Statutes (1985-1986).

#### **Section 7.2.10 Revocation and Suspension of Licenses.**

- a. Grounds for Revocation or Suspension. A license issued under this ordinance may be suspended or revoked by the Town Board under the procedures described herein upon the finding of a violation of this ordinance or Chapter 125, Wisconsin Statutes (1985-1986).
- b. Procedure. A license may be revoked or suspended pursuant to Section 125.12(2), Wisconsin Statutes (1985-1986).
- c. Automatic Revocation. Any license issued under this ordinance shall stand revoked without further proceeding upon the conviction of a licensee or employee, agent or representative thereof for a second offense under this section or violation of Chapter 125 or any other State or Federal alcohol beverage law.
- d. Effect of Revocation of License. When a license is revoked under this section, the revocation shall be recorded by the Town Clerk, and no other license issued under this ordinance may be granted within 12 months of the date of revocation to the person whose license was revoked. No part of the fee for any license so revoked may be refunded.
- e. Repossession of License. Whenever any license under this section shall be revoked or suspended, the licensee shall surrender the license to the Town Clerk. The Town Clerk or Constable shall have the right to take physical possession of the suspended or revoked license wherever it may be found and file it in the Clerk's Office.

#### **Section 7.2.11 Separability of Provisions.**

Should any section or provisions of this ordinance be declared invalid, such decisions shall not affect the validity of the remaining portions of this ordinance.

*Original Ordinance #36 passed March 3, 1987, posted March 4, 1987.*

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**TITLE 7 - CHAPTER 3 Operator’s Licenses.**

**Section 8.3.1 Purpose.**

**Section 8.3.2 Operator’s License.**

**Section 8.3.3 Validity.**

**Section 8.3.4 Temporary License.**

**Section 8.3.5 Provisional License.**

**Section 8.3.6 Fees.**

**Section 8.3.7 Severability of Provisions.**

### **Section 7.3.1 Purpose.**

The purpose of this ordinance is to authorize the issuance of operator's licenses. This ordinance is enacted in the public interest and pursuant to the powers granted towns and Town Boards by the state of Wisconsin, Wisconsin Statutes, Section 125.17 (1989-1990).

### **Section 7.3.2 Operator's License.**

Operator's licenses may only be issued upon written application. The applicant must appear in person before the Town Board only upon submitting an original application. Renewal of an Operator's License shall only require a written application be submitted to the Town Clerk. An Operator's License will be valid for one year and expire on June 30.

### **Section 7.3.3 Validity.**

Operator's licenses granted by the Town Board and issued by the Town Clerk are valid only within the Town of Oregon.

### **Section 7.3.4 Temporary License.**

A Temporary Operator's License may be issued under the terms of Section 7.3.2 except that:

- a. This license may be issued only to operator's employed by, or donating their services to nonprofit corporations.
- b. No person may hold more than one license of this kind per year.
- c. The license is valid for any period from one day to 14 days, and the period for which it is valid shall be stated on the license.

### **Section 7.3.5 Provisional License.**

The Town Clerk may issue provisional operator's licenses, in accordance with 125.17(5), Wisconsin Statutes (1989-1990).

- a. A provisional operator's license may be issued only to a person who has applied for an operator's license under Section 7.3.2, while they are taking the responsible beverages server training course as required by 125.17(6) Wisconsin Statutes (1989-1990).
- b. A provisional operator's license may not be issued to any person who has been denied a license under Section 7.3.2 by the Town Board.





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**TITLE 7 - CHAPTER 4 Mobile Homes.**

**Section 7.4.1 Definitions.**

**Section 7.4.2 Regulation of Mobile Homes Outside of Camps.**

**Section 7.4.3 License for Mobile Home Park: Application and Issuance.**

**Section 7.4.4 Inspection and Enforcement.**

**Section 7.4.5 Location of Mobile Home Park.**

**Section 7.4.6 Camp Plan.**

**Section 7.4.7 Water Supply.**

**Section 7.4.8 Service Building and Accommodations.**

**Section 7.4.9 Fire Extinguisher Required.**

**Section 7.4.10 Waste and Garbage Disposal.**

**Section 7.4.11 Management.**

**Section 7.4.12 Applicability of Plumbing, Electrical and Building  
Ordinances.**

**Section 7.4.13 Monthly Parking Permit Fee.**

**Section 7.4.14 Exempt Mobile Homes.**

**Section 7.4.15 Revocation and Suspension.**

**Section 7.4.16 Penalties for Violation of Ordinances.**

**Section 7.4.1 Definitions.**

Whenever used in this ordinance, unless a different meaning expressly appears from the context:

- a. "Licensee" means any person licensed to operate and maintain a mobile home park under this section.
- b. "Licensing Authority" means the Town of Oregon.
- c. "Park" means mobile home park.
- d. "Person" means any natural individual, firm, trust, partnership, association or corporation.
- e. "Mobile Home" is that which is, or was originally constructed, designed to be transported by any motor vehicle upon a public highway and designed, equipped and used primarily for sleeping, eating and living quarters, or is intended to be so used; and includes any additions, attachments, annexes, foundations and appurtenances, except that a house trailer is not deemed a mobile home if the assessable value of such additions, attachments, annexes, foundations and appurtenances equals or exceeds 50 percent of the assessable value of the house trailer.
- f. "Unit" means a mobile home unit.
- g. "Mobile Home Park" means any plot or plots of ground upon which 2 or more units, occupied for dwelling or sleeping purposes are located, regardless of whether or not a charge is made for such accommodation.
- h. "Space" means a plot of ground within a mobile home park, designed for the accommodation of one mobile home unit.

#### **Section 7.4.2 Regulation of Mobile Homes Outside of Camps.**

- a. Except as expressly otherwise provided herein, no mobile home shall be located, used or occupied by any person at any place outside of a licensed mobile home park in the Town of Oregon.
- b. Exception for parking and storage of an unoccupied mobile home: The parking of only one (1) unoccupied mobile home in an accessory private garage building or in the rear yard of a residential premises is permitted under this ordinance provided that no living quarters shall be maintained and no business practiced in or conducted in or from such mobile home while it is parked or stored at such place.
- c. Exception for mobile home displayed for sale: The placing of a mobile home on any proper non-residential premises in the Town of Oregon solely for the purpose of display and sale is not prohibited by this ordinance provided, however, that such mobile home is not in actual use or occupied for residential purposes and provided further that there be compliance with all applicable codes and ordinances.
- d. Exception for emergency or temporary stopping or parking on public way: Emergency or temporary stopping or parking of a mobile home is permitted on any street, alley, or highway for no longer than one (1) hour subject to other and further prohibitions, regulations, or limitations imposed by traffic and parking regulations or ordinances for that street, alley or highway.
- e. Exception for present mobile home users: Present users shall be entitled to indefinitely continue to use and occupy the mobile home presently used and occupied by such residential user for residential purposes, conditioned upon compliance with applicable ordinances and regulations of the Town of Oregon and with regulations of the State of

Wisconsin; and its agencies, and conditioned further upon payment of the applicable parking permit fee for such mobile home as the same is or may from time to time be established by the Town Board.

All provisions of this ordinance governing mobile homes located in mobile home parks shall, insofar as applicable and not inconsistent herewith, continue to apply to present users and their mobile homes located outside of licensed mobile home parks.

This exception in favor of present users is specifically limited to the presently occupied mobile home of the present user and shall not apply to any replacement mobile home acquired by or intended to be occupied by the present user and shall not apply to any other transferee or tenant of the present mobile home of a present user or to any other occupant thereof and is specifically limited to the specific location in the Town of Oregon where the present mobile home of the present user is now located. Failure of the present user to comply in all respects with requirements of this subsection shall be grounds for revocation of his right to continue to park, occupy or use such mobile home outside of a licensed mobile home park in the Town of Oregon.

- f. Exception for mobile homes occupied by individuals engaged in construction or farming:
1. The Town Board may issue special written permits allowing the location of a mobile home outside of a mobile home camp for use by an individual or individuals engaged in construction or farming upon the land for which the permit is granted, provided that, in the case of a mobile home used in connection with construction, said permit shall be valid only for a period of one year from the commencement of work, and that, in the case of a mobile home used in connection with farming, said permit shall be valid only for a period of eleven months from the date of issue.
  2. The person to whom such permit is granted shall be subject to the parking permit fee as provided in Section 13 of this ordinance.
  3. The permit shall be granted only upon the written consent of the owner, legal agent of the owner or the lessee of the location for which the permit is issued.
  4. No more than one trailer shall be granted a permit to locate on anyone premise outside a trailer camp.
  5. Application for the permit shall be made to the Town Clerk and shall be accompanied by an inspection fee of Five Dollars (\$5.00) and shall state the names and permanent addresses of the occupants of the mobile home and the license number of their mobile home and towing vehicle, place of last stay, intended purpose to stay at requested location, whether the occupants are non-resident tourists, whether any occupant is employed in this state; the exact location of the premises, the name of the owner and the occupants of any dwelling on the premises, and the owner and occupant's permission to locate said mobile home; a statement of the nature and location of sanitary facilities and the permission of the occupant of the dwelling house for their use; and a statement that all wastes from mobile home occupancy will be disposed of in a sanitary manner. The application must show that a safe water supply and toilet facilities are available within two hundred (200) feet of the proposed location of the mobile

home; and a statement of permission from the owner for their use on a twenty-four (24) hour basis.

6. All occupants of any trailer located outside of a trailer camp shall register with the Town Clerk as provided in Section 7.4.11 of this ordinance.
  7. All provisions of this ordinance governing the location, use and sanitation of trailers located in a licensed mobile home camp shall, so far as they are applicable apply to any mobile home located outside of such mobile home camp.
  8. No person shall make any electrical connection from any mobile home to any building or a source of electricity without permit and approval of the electrical inspector or such other person or agency as may be designated by the Town Board.
  9. The permit issued for each application complying with the provisions of the ordinance shall be posted on the mobile home for which it is issued.
- g. Exception for mobile homes occupied by disabled or elderly parent of landowner or landowner's spouse.
1. The Town Board may issue special written permits allowing the location of the mobile home outside of the mobile home camp in rural and unplatted portions of the Town of Oregon for use by the mother or father of the landowner or the landowner's spouse, provided that the said mother or father is disabled or 62 years of age or older, and provided that the mobile home is located within 150 feet of the house occupied by the landowner or landowner's spouse as a home.
  2. The person to whom such permit is granted shall be subject to the parking permit fee as provided in Section 7.4.13 of this ordinance.
  3. All occupants of any mobile home located outside a mobile home park shall register with the Town Clerk as provided in Section 7.4.11 of this Ordinance.
  4. All provisions of this ordinance governing the location, use, and sanitation of mobile homes located in a licenses mobile home park shall, so far as they are applicable, apply to any mobile home located outside of such mobile home park.
  5. No person shall make any electrical connection from any mobile home to any building or a source of electricity without permit and approval of the electrical inspector or such other person or agency as may be designated by the Town Board.

### **Section 7.4.3 License for Mobile Home Park: Application and Issuance.**

- a. It shall be unlawful for any person to establish, operate or maintain, or permit to be established, operated or maintained upon any property owned, leased or controlled by him, a mobile home park within the limits of the Town of Oregon, without receiving the approval of the Town Board and without first securing a license for each such camp from the Town Board pursuant to this ordinance. Such license shall expire one year from the date of issuance, but may be renewed under the provisions of this ordinance for additional periods of one year.

- b. The application for such license of the renewal thereof shall be in writing, signed by the applicant, and shall be accompanied by the annual license fee of Fifty (\$50.00) Dollars for each Fifty (50) spaces, or fraction thereof, within each mobile home park operated by the applicant and a surety bond in the sum of Five Thousand (\$5,000.00) Dollars, which bond shall guarantee the collection by the licensee of the monthly parking permit fee provided for in Section 7.4.13 and the payment of such fees to the Town Treasurer, the payment by the licensee of any forfeiture including legal costs, imposed upon or levied against said licensee for a violation of the ordinances of said Town pursuant to which said license is granted, and shall also be for the use and benefit and may be prosecuted and recovery had thereon by any person, firm or corporation who may be injured or damaged by reason of the licensee violating the provisions of this ordinance. Nothing in this subsection shall invalidate license fees paid or required to be paid prior to the effective date of this ordinance.
- c. Transfer of License: Upon application for a transfer of license the Town Clerk, after approval of the application by the Town Board, shall issue a transfer upon the payment of a Ten (\$10.00) Dollar fee.
- d. The application for a license or renewal thereof shall include the name and address of the owner in fee of the park a duly verified statement by such owner that the applicant is authorized by him to construct or maintain the mobile home park and make the application, and such a legal description of the premises upon which the mobile home park is or will be located as will readily identify and definitely locate the premises. The application shall be accompanied by two (2) copies of the mobile home park plan showing the following, either existing or as proposed:
  - 1. The extent and area used for mobile home park purposes;
  - 2. Roads and driveways;
  - 3. Location of units for mobile homes;
  - 4. Location and number of sanitary conveniences, including toilets, washrooms, laundries and utility rooms to be used by occupants of units;
  - 5. Method and plan of sewage disposal;
  - 6. Method and plan of garbage disposal;
  - 7. Plan for water supply;
  - 8. Plan for electrical lighting of units.

If the existing or proposed camp is designed to serve non-dependent mobile home units, such plans shall clearly set forth the location of all sewer and water pipes and connections.

- e. Expiration: Licenses shall expire on the 30<sup>th</sup> day of June of each year.

#### **Section 7.4.4 Inspection and Enforcement.**

No mobile home park license shall be issued until the Town Clerk shall notify the chief of police, health officer, chief of the fire department, and building inspector or their authorized agents of

such application, and these officials shall inspect or cause to be inspected each application and the premises to determine whether the application and the premises on which mobile homes will be located comply with the regulations, ordinances and laws applicable thereto. These officials shall furnish to the Town Board in writing the information derived from such investigations and a statement as to whether the application and premises meet the requirement of the department for whom the officer is certifying. No license shall be renewed without re-inspection of the premises. For the purpose of making inspections and securing enforcement, such officials or their authorized agents shall have the right and are hereby empowered to enter on any premise on which a mobile home is located, or about to be located, and to inspect the name and all accommodations connected therewith at any reasonable time.

#### **Section 7.4.5 Location of Mobile Home Parks.**

No occupied mobile home within the limits of the Town of Oregon shall be located less than forty (40) feet from the street or highway nor less than ten (10) feet from any building or other mobile home or from the boundary line of the premises on which located; excepting, however, a one hundred (100) foot side yard shall be required where the camp adjoins any residential district or area not used for a similar purpose.

#### **Section 7.4.6 Camp Plan.**

- a. Every mobile home or mobile park shall be located on a well drained area and the premises shall be properly graded so as to prevent the accumulation of storm or other waters. No mobile home or mobile home park shall be located in any area that is situated so that drainage or other sources of filth can be deposited in its location.
- b. Mobile home spaces shall be clearly defined and consist of a minimum of Two Thousand (2000) square feet and a width of not less than Twenty (20) feet. The mobile home park shall be so arranged that all spaces shall face or abut on a driveway of not less than Twenty (20) feet in width, giving easy access from all units to a public street. Such a driveway shall be graveled or paved and maintained in good condition, have neutral drainage, be well lighted at night, and shall not be obstructed at any time.
- c. The mobile home park shall be so laid out that no dependent unit shall be located farther than Two Hundred (200) feet from the toilets and service buildings provided for herein, and walkways to such buildings shall be graveled or paved and well lighted at night.
- d. Every mobile home space shall be furnished with an electrical outlet. Such outlet shall be equipped with an externally operated switch or fuse of not less than Thirty (30) amperes capacity, and a heavy duty outlet receptacle. Electrical outlets shall be weatherproof and no power lines shall be less than Fifteen (15) feet above ground.
- e. No mobile home unit shall be parked in a camp outside of a designated space.

#### **Section 7.4.7 Water Supply.**

- a. An adequate supply of pure water, furnished through a pipe distribution system connected directly with the public water main, with supply faucets located not more than Two Hundred (200) feet from any dependent mobile home shall be furnished for drinking and domestic purposes in all mobile home parks.
- b. Individual water service connections provided for direct use of an independent unit shall be so constructed that they will not be damaged by the parking of such units. Such system shall be adequate to provide Twenty (20) pounds pressure per square inch and capable of furnishing a minimum of One Hundred Twenty-Five (125) gallons per day per space.
- c. No common drinking vessels shall be permitted, nor shall any drinking water faucets be placed in any toilet room.
- d. Every mobile home park serving dependent units shall provide hot water at all reasonable hours, adequate for bathing, washing and laundry facilities.

#### **Section 7.4.8 Service Building and Accommodations.**

- a. Every mobile home park designed to serve dependent units shall have erected thereon suitable buildings for housing toilets, lavatories, showers, slop sinks and laundry facilities as required by this ordinance, such buildings to be known as "service buildings". Service buildings shall be located not more than Two Hundred (200) feet from any mobile home space. Such buildings shall be of permanent construction and adequately lighted, screened, and ventilated.
- b. There shall be provided separate toilet rooms for each sex. Water flush toilets shall be required. Toilets shall be provided for each sex in ratio of one toilet for each Eight (8) dependent units or fraction thereof, and shall have separate compartments. Every male toilet room shall also contain One (1) urinal for each Sixteen (16) dependent units, but in no case shall any male toilet be without one urinal. Toilet rooms shall contain lavatories with hot and cold water in the ratio of one lavatory to every two or less water closets.
- c. Separate bathing facilities for each sex shall be provided with one shower enclosed in a compartment at least Four (4) feet square, for each Eight (8) dependent units or fractions thereof. Each shower compartment shall be supplemented by an individual dressing compartment of at least Twelve (12) feet square.
- d. Laundry facilities shall be provided in the ratio of One (1) double tray unit and One (1) conventional type working machine, or One (1) automatic washing machine, with electric outlet, for each Eight (8) units. Sufficient drying facilities shall be available.
- e. Slop sinks for disposal of liquid wastes originating in the units shall be provided in a separate room of the service building in the ratio of One (1) slop sink for each Sixteen (16) dependent units.
- f. The above accommodations shall be based on the total of mobile home park capacity according to accepted plans.
- g. Floors of toilets, showers and the laundry shall be of concrete, tile, or similar material impervious to water and easily cleaned and pitched to a floor drain.

- h. Every service building within a mobile home park shall be provided with sufficient fire extinguishers of the type and capacity as shall be approved by the Town of Oregon Fire Department.

#### **Section 7.4.9 Fire Extinguishers Required.**

- a. Each mobile home as a place of human habitation under any of the provisions of this ordinance shall be equipped with a fire extinguisher, conveniently attached thereto; such extinguisher to be of one unit of fire protection capacity, an approved by the Town of Oregon Fire Department.
- b. The use of liquid petroleum gas in occupied mobile homes shall conform in ever particular to the laws, rules and regulations of the State of Wisconsin governing such use.

#### **Section 7.4.10 Waste and Garbage Disposal.**

- a. All liquid waste from showers, toilets, laundries, faucets, lavatories, etc., shall be discharged into a sewer system extended from and connected with the public sewer system.
- b. Every space designed to serve a non-dependent unit shall be provided with sewer connections which shall comply with the state plumbing code. The sewer connection shall be provided with suitable fittings so that water tight connections can be made. Such connections shall be so constructed so that they can be closed when not connected and trapped in such a manner as to be maintained in an odor free condition.
- c. All sanitary facilities in any unit which are not connected with a public sewer system by approved pipe connections shall be sealed and their use is hereby declared unlawful.
- d. Each faucet shall be equipped with facilities for drainage of waste and excess water.
- e. Every mobile home unit shall be provided with a substantial flytight, watertight metal garbage depository from which the contents shall be removed and disposed of in a sanitary manner by the park custodian at least weekly.

#### **Section 7.4.11 Management.**

- a. In every mobile home park there shall be located the office of the attendant or person in charge of said park. A copy of the park license and this ordinance shall be posted therein and the mobile home park register shall be at all times kept in said office.
- b. It is hereby made the duty of the attendant or person in charge, together with the licensee, to:
  - 1. Keep a register of all guests, to be open at all times in inspection by state and federal officers and the Town Board, which shall for all guests:



- A. Names and Addresses.
  - B. Number of children of school age.
  - C. State of legal residence.
  - D. Dates of entrance and departures.
  - E. License numbers of all mobile homes and towing or other vehicles.
  - F. States issuing such licenses.
  - G. Purpose of stay in mobile home park.
  - H. Place of last location and length of stay.
  - I. Place of employment of each opponent.
1. Maintain the mobile home park in a clean, orderly and sanitary condition at all times.
1. Insure that the provisions of this ordinance are complied with and enforced and reported promptly to the proper authorities any violations of this ordinance or any other violations of the law which comes to his attention.
  2. Report to the health officer all cases of persons or animals affected or suspected of being affected with any communicable disease.
  3. All mobile homes and mobile home parks shall be opened to inspection at all reasonable hours by the representatives of the Board of Health and local health officers.
  4. Collect the monthly parking fee provided for in Section 7.4.2 of this ordinance. A book shall be kept showing the names of the persons paying said service charges and the amount paid.
  5. Prohibit the lighting of open fires on the premises.

**Section 7.4.12 Applicability of Plumbing, Electrical and Building Ordinances.**

All plumbing, electrical, building and other work on or at any mobile home park licenses under this ordinance shall be in compliance with the ordinances of the Town of Oregon and the requirements of the state plumbing, electrical and building codes and the regulations of the State Board of Health. Licenses and permits granted under this ordinance grant no right to erect or repair any structure, to do any plumbing work, or to do any electrical work.

**Section 7.4.13 Monthly Parking Permit Fee.**

- a. In addition to the license fee, the Town of Oregon shall collect from each occupied mobile home occupying space of lots in a mobile home park in the Town of Oregon a monthly parking permit fee computed as follows: Beginning May 1, 1970, the Town Assessor shall determine the total fair market value of each occupied mobile home in the Town of Oregon subject to the monthly parking permit fee. The fair market value, minus the tax exempt household furnishings thus established, shall be equalized to the general

level of assessment on other real and personal property in the Town of Oregon. The value of each occupied mobile home thus determined shall be multiplied by the tax rate established on the preceding May 1 assessment of general property. The total annual parking permit fee thus computed shall be divided by 12 and shall represent the monthly mobile home parking permit fee. The fee shall be applicable to occupied mobile homes moving into the Town of Oregon any time during the year.

- b. It shall be the full and complete responsibility of each licensee of a mobile home park to collect the proper fee from the owner or occupant of each occupied mobile home occupying space in a mobile home park. Said licensees shall pay to the town treasurer such parking permit fees on or before the 10<sup>th</sup> of the month following the month for which such fees are due in accordance with the terms of this ordinance and such regulations as the town treasurer may reasonably promulgate.
- c. The licensee of a mobile home park shall furnish information to the Town Clerk and the Town Assessor on occupied mobile homes added to his park within five days after their arrival on forms prescribed by the Wisconsin Department of Revenue. As soon as the assessor receives the notice of an addition of an occupied home to a park, he shall determine its fair market value and notify the Town Clerk of his determination. The Town Clerk shall equalize the fair market value established by the Town Assessor and shall apply the tax rate for that year, divide the annual parking permit fee thus determined by 12 and notify the mobile home park licensee of the monthly fee to be collected.
- d. For mobile homes permitted to be located outside of a licensed mobile home park, the monthly parking permit fee shall be paid by the owner of the mobile home, the occupant thereof or the owner of the land on which it stands, the same as and in the manner provided for mobile homes located in mobile home parks, and the owners of such land are required to comply with the reporting requirements of subsection (c) of Section 7.4.13 and the collecting requirements of subsection (b) of Section 7.4.13.
- e. A new fee rate and a new valuation shall be established each January and shall continue for that calendar year. The valuation established shall be subject to review as are other values established under Chapter 70 of the Wisconsin Statutes (1967-1968).
- f. The Town of Oregon shall retain 100% of the monthly parking permit fees collected in each month to cover the cost of administration and shall pay to the school district in which the mobile home park or mobile home is located, within 20 days after the end of each month, such proportion of the remainder of the fees collected in the preceding month as the ratio of the most recent property tax levy for school purposes bears to the total tax levy for all purposes in the Town of Oregon.
- g. Failure to timely pay the monthly parking permit fee shall be treated in all respects like a default in payment of personal property tax and shall be subject to all procedures and penalties applicable thereto under Chapters 70 and 74 of the Wisconsin Statutes.

#### **Section 7.4.14 Exempt Mobile Homes.**

No mobile home shall be exempt from the monthly parking permit fee herein provided, unless the occupants thereof are non-resident tourists or vacationists or the mobile home is accompanied by an automobile and both the mobile home and the automobile bear licenses

issued by states other than Wisconsin; provided, however, that there shall be no exemption from the monthly parking permit fee when one or more persons occupying the mobile home are employed in this state and no mobile home shall be exempt from said monthly parking permit fee if such mobile home has been used as a dwelling within the Town of Oregon for more than Sixty (60) days in any Twelve (12) months.

#### **Section 7.4.15 Revocation and Suspension.**

The Town Board is hereby authorized to revoke any license or permit issued pursuant to the terms of this ordinance in accordance with Section 66.058 of the Wisconsin Statutes (1967-1968).

#### **Section 7.4.16 Penalties for Violation of Ordinance.**

Any person violating any provisions of this ordinance shall upon consideration thereof forfeit not less than Ten (\$10.00) Dollars nor more than One Hundred (\$100.00) Dollars and the costs of the prosecution. Each violation shall constitute a separate offense.

*Original Ordinance #3 approved and passed March 18, 1969, posted April 18, 1969.*

*Ordinance #3 amended by Ordinance #6 September 8, 1970.*

*Ordinance #6 approved and passed September 8, 1970.*

*Ordinance #3 amended by Ordinance #7 September 7, 1971.*

*Ordinance #7 approved and passed September 7, 1971, posted September 8, 1971.*