

CITY OF SHAWNEETOWN
ORDINANCE NO. 06102024
AN ORDINANCE REGULATING MOBILE HOMES, CAMPERS, AND MOBILE HOME PARKS
WITHIN THE CITY OF SHAWNEETOWN

The CITY OF SHAWNEETOWN, Illinois, pursuant to Illinois Compiled Statutes Chapter 65, Section 5/11-14-1 and 11-30-4 and other authority granted under the Illinois Municipal Code.

BE IT ORDAINED by the Mayor and the City Council of the City of Shawneetown, Gallatin County, Illinois, that this ordinance supersede and replace any and all ordinances previously adopted by the City of Shawneetown in relation to the subject as follows:

Sections:

1. Definitions.
2. Continuing existing use and effective date.
3. General requirements.
4. Mobile Home Parks
5. Violation--Penalty.

Section 1 - Definitions. As used in this Ordinance:

"Affidavit" means an oath in writing, sworn to and attested by an individual who has the authority to administer such an oath.

"Application" means any person making application for a special use permit under the terms of this Ordinance.

"Camper"-means any vehicle designed for carrying property or passengers on its own structure and for being drawn by a motor vehicle, or is designed to provide temporary living quarters during recreation, camping, or travel.

"Dependent mobile home" means a mobile home which does not have a toilet and bath or shower facility.

"Immobilized mobile home" means a mobile home resting on a permanent foundation with wheels, towing tongue, and hitch permanently removed, and connected to local water, sewer and electrical systems.

"Independent mobile home" means a mobile home which has a self-contained toilet, and a bath or shower facility.

"Mobile home" means a structure designed for a permanent habitation as a single-family dwelling, and so constructed as to permit its transport on wheels temporarily or permanently attached to its frame, from place of its construction or manufacture to the location at which it intended to be a permanent habitation. This definition shall include this type of structure, regardless of whether wheels are in place on or removed from the structure.

"Mobile Home Park" means a tract of land or two or contiguous tracts of land upon which contain sites with the necessary utilities for five 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.

"Mobile Home Park Permit" means a certificate issued by the City of Shawneetown to allow a person to set up and use a certain tract of land as a Mobile Home Park.

"Owner" means the person to whom the special use permit is issued. "Permanent habitation" means a consecutive period of three months or more. "Person" means any individual, group of individuals, association, trust, corporation or partnership.

"Residence" means a person's home, the place where someone lives; not necessitating having a mailing address at the location.

"Revocation" means to declare invalid a permit issued to the applicant by the City of Shawneetown.

"Site" means the lot, tract, or parcel of land upon which the Mobile Home is located as a dwelling place.

"Space" shall be synonymous with "site."

"Special Use Permit" means a certificate issued by the City of Shawneetown to allow a person to set up and use as dwelling place a mobile home as defined in this Ordinance.

"Suspension" means to temporarily declare invalid a permit issued to the applicant by the City of Shawneetown.

"Tiedown or anchoring" means a method of securing a mobile home to its foundation in accordance with the specifications of the Illinois Mobile Home Owners Tiedown Guide prepared by the Illinois Department of Public Health as amended.

Section 2 - Continuing existing use and effective date.

A. A mobile home or mobile home park lawfully existing at the time of the enactment of the ordinance codified in this Ordinance may be continued, except as otherwise provided by this Ordinance. Nothing in this Ordinance shall be construed as to prevent the strengthening or the restoring to a safe condition of any part of a mobile home, or structure declared unsafe by the City Manager, unless it is damaged or deteriorated more than fifty percent of its fair market value, as determined by the City Council.

B. **A mobile home devoted to a nonconforming use, with a fair market value proven by appraised documentation from a licensed Appraiser or licensed Mobile Home Dealer of less than twenty thousand dollars, as determined by the City Council,** may be continued for a period not to exceed six months after the effective date of said ordinance whereupon such nonconforming use shall cease and thereafter such building or mobile home shall be removed.

C. An existing mobile home park devoted to a nonconforming use, may be continued so long as it contains a building or mobile home which is not in violation of Subsection A or B of this section. No additional buildings or mobile homes shall be permitted to be erected or placed in a nonconforming mobile home park. When all buildings are removed from the nonconforming mobile home park such nonconforming use shall cease.

Section 3 - General Requirements.

A. Location. All mobile homes located within the city limits of the City of Shawneetown shall conform to the specifications of this Ordinance.

B. Physical Dimensions. No mobile home shall be located in the City of Shawneetown

which has less than six hundred square feet of usable interior living space.

C. Foundations. Mobile homes to be located in the City of Shawneetown shall rest on and be securely attached to a foundation or system of piers or piling, or concrete slab according to specifications established and provided by the Illinois Department of Health.

D. Skirting. All mobile homes to be located in the City of Shawneetown shall be fitted with suitable skirting or other covering around the base or foundation of the unit to visually hide the foundations, piers, or crawl space beneath the mobile home. All such skirting or covering shall be of fire-resistant materials, and provide an access door or inspection hatch. Such skirting shall be in place within thirty days of the placement of the mobile home upon the site.

E. Used, Rebuilt or Other Than New. No mobile home shall be located in the City of Shawneetown that does not satisfy construction and safety standards set out in the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. §5401 et. seq.), as amended, and the rules promulgated thereunder (24 C.F.R. §3283 et. seq. and 24 C.F.R. §3283 et. seq.) as amended, or that is more than twenty-five years old at the time of application for a special use permit. The age of a mobile home shall be determined by the year of manufacture as shown on the mobile home title. A copy of the mobile home title shall be submitted at the time of application.

F. City Inspection. All mobile homes, whether new, used, rebuilt, or modified in any way shall upon installation and set-up be inspected by the Health and Safety Commissioner to confirm compliance with this Ordinance, and all applicable Ordinances of the City of Shawneetown.

G. Dependent and Independent Mobile Homes Prohibited. No dependent or independent mobile home shall be located in the City of Shawneetown to be used as a dwelling place, after the effective date of the Ordinance.

H. Site. All mobile homes to be located in the City of Shawneetown shall be on a well-drained site so that drainage will not constitute a hazard or nuisance to persons, property, or water supply in the vicinity of the site.

I. Lot Size. The minimum lot size for any mobile home located outside an approved mobile home park in the City of Shawneetown shall be of sufficient size to accommodate the following setback limitations and all other requirements of this Ordinance. No single-wide mobile home shall be located within ten feet of any boundary line. Distance shall be measured from the overall width and length of the mobile home as defined in this Ordinance.

J. Tiedown and Anchoring. All mobile homes to be located in the City of Shawneetown shall meet the tiedown and anchoring requirements as specified in the Illinois Mobile Home Tiedown Act of 1990 (revised) as amended.

K. Water. All mobile homes to be located in the City of Shawneetown shall be connected to the City water supply, and fitted with suitable water meter connection as provided by Ordinance of the City of Shawneetown (Ordinance Book 9.206)

L. Sewer. All mobile homes to be located in the City of Shawneetown shall be connected to the City sewer system as provided by Ordinance of the City of Shawneetown. (Ordinance Book 9.304)

M. Electricity. All mobile homes to be located in the City of Shawneetown shall be connected to the City electrical system as specified in the current City contract with its provider of electrical service or other electric company providing service to the area.

N. Fuel Storage. All mobile homes fuel storage tanks or cylinders shall be permanently and security fastened, and shall not be located inside or beneath the mobile homes, or less than fifteen feet from the mobile home entrance/exit. Such fuel storage shall be permitted in tanks or other approved containers mounted on an incombustible frame or rack at the rear of the mobile home. Fuel containers shall not exceed three hundred gallon capacity unless approved in advance by the City Council.

O. Natural Gas or Butane System. All natural gas or butane systems shall be installed according to specifications in the current City contract with its provider of such services. All gas piping installed below ground shall have a minimum earth covering of eighteen inches. No gas mains or lines shall be located underground under any mobile home.

P. System Shut-Off Valve. A readily accessible and identified shut-off valve, controlling the flow of fuel to the central fuel piping system shall be installed near the point of connection to the main fuel system.

Q. Mobile Home Shut-Off Valve. Each mobile home shall have an approved shut-off valve installed upstream of the mobile home fuel outlet and located on the outlet riser at the height of not less than four inches above grade. Whenever the mobile home outlet is not in use, the outlet shall be equipped with an approved cap or plug to prevent accidental discharge of fuel.

R. Fuel Oil Distribution System. Fuel oil piping installed below ground shall have a minimum earth covering of eighteen inches and all fuel lines shall be provided with a stopcock at the outlet of the fuel container, and another stopcock just before the fuel line enters the mobile home. No fuel oil lines shall be located or installed under any mobile home.

S. Replacement Mobile Homes. Any mobile home to be located in the City of Shawneetown as a replacement for an existing mobile home, shall conform to all specifications and requirements of this Ordinance, including the procedure for application of a new special use permit.

T. Mobile Homes. The Shawneetown City Council may issue a special use permit to locate a mobile home outside a mobile home park. All mobile homes located outside a mobile home park shall comply with requirements of this Ordinance.

U. Mobile Homes Improperly Placed. All mobile homes improperly placed in the City of Shawneetown shall be subject to penalties and fines as provided for in Section 5 of this Ordinance, and shall be removed at the owner's expense. Any legal fees incurred by the City, or other costs incurred as the result of an improperly placed mobile home shall be the responsibility of the owner.

V. Mobile Homes as Business Structures. No mobile home shall be permitted to be used as a permanent office, or place of business, or any commercial enterprise.

W. Mobile Homes - Real Estate Tax. All mobile homes located in the City of Shawneetown and not in a mobile home or trailer park, with wheels, towing tongue or frame removed, and placed on a permanent foundation, shall be classified as real estate and taxed as such.

X. Special Use Permit. A special use permit may be issued by the City of Shawneetown permitting a mobile home as defined in this Ordinance, to be located on any site outside an approved mobile home park, if the City Council finds:

Y. No Camper unit/RV shall be occupied as residence within the limits of the City of Shawneetown for longer than 14 days consecutive days within a calendar year without City Council approval.

1. The mobile home will comply with the general requirements set forth in Section 3 of this Ordinance.
2. The mobile home will be located on property owned by or leased by the owner of the mobile home.
3. The proposed special use will permit and encourage an environment of sustained desirability and stability, and that it will be in harmony with the character of the surrounding neighborhood.
4. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity.

The City Council may consider the age, size, condition and general appearance of the proposed mobile home in making its findings.

No application for a special use permit shall be considered unless the applicant furnishes a completed and certified application for special use permit form. The Clerk shall then schedule a hearing before the City Council

The application shall be brought up at the nearest upcoming Shawneetown City Council meeting and any party may appear in person, by agent or attorney. The City Council shall vote upon the applications and the vote of the City Council shall be final with regard to issuance of a special use permit.

A fee of One Hundred Fifty Dollars (\$150.00) shall accompany the application to cover the cost of inspection and legal fees involved in the issuance of said special use permit. The applicant, upon being issued a special use permit, shall within a period not to exceed six months from the date of issuance place a mobile home upon the site or the permit shall expire. A special use permit as described in this Ordinance may be transferred to another person only upon the written approval of the Shawneetown City Council, prior to transfer.

Y. Before a mobile home can be moved to any property temporarily for repairs to be done, the property owner must apply to the City Council for a permit to repair said mobile home. The permit must be approved by the City Council and shall be valid for a period of sixty days next after approval by the City Council.

Z. Not less than thirty and not more than sixty days after a mobile home as described in this Ordinance has been placed upon a lot in the City, the Shawneetown City Manager shall conduct a proper inspection to verify that all requirements of this Ordinance have been complied with, and shall make a report to the City Council.

Section 4 - Mobile Home Parks.

A. Mobile Home Park Permit.

1. A Mobile Home Park permit may be issued by the City Council permitting a Mobile Home Park to be located on any site conforming to the requirements of this Ordinance. An applicant for a Mobile Home Park permit shall file an application for such permit with the City Clerk.

2. No application for a Mobile Home Park permit shall be considered unless that applicant furnishes to the City Clerk a completed and certified application for Mobile Home Park permit form.

3. The City Clerk, not more than thirty days, nor less than seven days before the hearing at which the application for the Mobile Home Park permit is to be considered, shall send written notice of the hearing to the owner or owners as recorded in the office of the County Recorder of Deeds, of all property within three hundred feet in each direction of the property for which the permit is requested.

Such a distance of three hundred (300) feet is to be measured from established lot or property lines. The notice herein required shall contain the address of the location for which the Mobile Home Park permit is requested, a brief statement of the nature of the requested Mobile Home Park permit, the name and address of the legal and beneficial owner of the property for which the special use is requested, the time and place of hearing. In addition, the City Clerk shall cause notice to be published in a newspaper of general circulation in the City, not more than thirty days nor less than seven days prior to such hearing.

4. A public hearing shall then be held at the nearest upcoming City Council and any party may appear in person, by agent or attorney. After the hearing, the City Council shall vote upon the applications and the vote of the Board shall be final with regard to the issuance of a Mobile Home Park permit.

5. **A fee of One Hundred Fifty Dollars (\$150.00)** shall accompany the application to cover the cost of publication, postage, and legal fees involved in the issuance of said Mobile Home Park permit. The applicant, upon being issued a Mobile Home Park permit, shall within a period not to exceed six months from the date of issuance place a Mobile Home upon the site or the permit shall expire. A Mobile Home Park permit as described in this Ordinance may be transferred to another person only upon the written approval of the City Council, prior to transfer.

B. Minimum Lot Size - Setback Requirements.

1. No Mobile Home Park shall be located in the City of Shawneetown on a tract less than two acres in area.

2. No Mobile Home Park shall be developed on any tract that is less than two hundred fifty (250) feet in either width or depth.

3. No part of any Mobile Home or other structure in any Mobile Home Park shall be situated closer than twenty five (25) feet to any boundary line of the park.

C. Spacing of Mobile Homes.

1. Every Mobile Home space within a Mobile Home Park shall meet the following Requirements:

- a. Minimum width: Fifty (50) feet;
- b. Minimum depth: One Hundred (100) feet.

2. Mobile Homes within any park shall be placed so that no part of any Mobile Home is closer than:

- a. Ten (10) feet to any park Street;
- b. Twenty-five (25) feet to any boundary line of the park; or,
- c. Twenty (20) feet to any part of any other Mobile Home or structure.

D. All Mobile Homes located in a permitted Mobile Home Park shall conform to all the requirements of this Ordinance.

Section 5 - Violation-Penalty.

A. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of any provision of this Ordinance shall upon conviction, be punished by a **fine of \$950 per every 30 days of this offense.**

B. Each 30-day violation period of any provision of this Ordinance shall constitute a separate violation.

Section 6 - Ordinance in Force.

This Ordinance shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

ADOPTED this 10th day of June, 2024

Name	AYE	NAY	ABSENT	ABSTAIN
Tim Wood			X	
Josh Gill	X			
June Rushing			X	
Sheryl Scherrer	X			
Lisa Smith	X			
Brandon Vickery	X			

 Steve Wood
 Shawneetown City Mayor

ATTEST:

 Matt Martin
 City Clerk

**CITY OF SHAWNEETOWN, ILLINOIS
APPLICATION FOR SPECIAL USE PERMIT FOR
MOBILE HOME LOCATED OUTSIDE AN APPROVED MOBILE HOME PARK**

1. _____
Names(s) of owner(s) of property for which Special Use Permit is requested

2. _____
Address Telephone Number

3. _____
Date application filed-
A check in the amount of \$150.00 must accompany this application

4. _____
Year of manufacture and size of mobile home

5. _____
Street address of proposed mobile home site

6. _____
Legal description of proposed mobile home site

Owner Signature

Date:

Co-Owner Signature

Date:

**CITY OF SHAWNEETOWN, ILLINOIS
APPLICATION FOR AN APPROVED MOBILE HOME PARK**

1. _____
Names(s) of owner(s) of property for which Mobile Home Park is requested

2. _____
Address Telephone Number

3. _____
Date application filed-
A check in the amount of \$150.00 must accompany this application

4. _____
Year of manufacture and size of mobile home

5. _____
Street address of proposed mobile home site

6. _____
Legal description of proposed mobile home site

Owner Signature

Date:

Co-Owner Signature

Date:

CITY OF SHAWNEETOWN, ILLINOIS

Applicable Fee:

Date of Application Licensing Period _____

PLEASE PRINT LEGIBLY OR TYPE:

Name of Business _____

Street Address/ P.O. Box of Business _____

City, State, Zip _____

Phone Number of Business _____

Applicant - If applicant is an individual, complete (a); if a partnership, complete (b); and if a corporation, complete (c), (d), and (e); in addition to information on page 2 and page 3.

Name Address Places of Residence Date of Birth (Last Five Years)

(a) Individual _____

Phone Number: _____

(b) Partnership
(All Partners) _____

Provide at least one phone number for partnership contact:

(c) Corporation Name: _____

Phone Number of Corporation: _____

(List below all Officers, Directors & Persons holding 20% or more shares)

Name	Address	Places of Residence (Last 5 years)	Date of Birth
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**Forward application, supporting documents, and license fee to:
City of Shawneetown PO Box 227 Shawneetown, Illinois 62984**

(d) Manager or Operator _____

(e) Phone Number of Manager: _____

STATEMENTS AND REQUIREMENTS:

1. Applicant is a citizen of the United States or a declarant thereof; is of good moral character; and is not in default under the provisions of the business regulation or taxation code or in any manner indebted to the City of Shawneetown. Circle one: Yes / No If no, explain

2. Has person listed as applicant ever been convicted of criminal offenses or ordinance violations (other than traffic violations) in any jurisdiction? Circle one: Yes / No If yes, please list each offense and/or violations, the date and prosecuting jurisdiction:

3. Has a person listed as applicant had a similar license revoked or suspended, in Illinois or any other State? Circle one: Yes / No If yes, explain:

4. The applicant has read all of the provisions of "An Ordinance Regulating Mobile Homes, Mobile Home Parks, and Campers Within the City of Shawneetown" under which a license is sought and understands the Ordinance fully. Circle one: Yes / No

5. A ground plat, drawn to scale, showing the legal description, all improvements and other ordinance requirements, is attached hereto.

APPLICANTS' CERTIFICATION

Please sign and date the application form before a notary public and provide your title with the organization. The application must be signed by an owner, an officer, or partner. The signature must be an original, rubber stamps are not accepted.

Warning to applicant: This application must be fully and accurately completed. False or misleading statements may subject applicant(s) to the penalties of perjury in addition to other penalties provided by law.

I, the undersigned applicant or authorized agent thereof, swear or affirm that: the matters stated in the foregoing application are true and correct; they are made upon my personal knowledge and information; they are made for the purpose of requesting the City of Shawneetown to issue the license herein applied for; the applicant is qualified and eligible to obtain the license applied for; and the applicant will not violate any of the laws of the United States of America, the State of Illinois or the City of Shawneetown. I further agree to notify the City Clerk's office within 30 working days of changes in any of the above information.

Dated: _____

Signed By: Owner/s/Partner/President: _____

Attest: Secretary (applies to corporations) _____

State of Illinois
County of Gallatin

Signed and sworn before me on the _____ day of _____

by _____ (name/s of person/s) as (type of authority, e.g. officer, trustee,
partner, etc.) of _____

(name of party on behalf of whom instrument was executed)

(Seal)

(Signature of Notary Public)

Forward application, supporting documents, and license fee to:

City of Shawneetown

PO Box 227

Shawneetown, Illinois 62984