



# City of Milwaukee

200 E. Wells Street  
Milwaukee, Wisconsin  
53202

## Meeting Minutes - Final MOBILE HOME STUDY TASK FORCE

*ALD. TERRY WITKOWSKI, CHAIR*

*Dan Daniels, Ross Kinzler, and Tom Wessel*

*Staff Assistant, Tobie Black, 286-2231*

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Friday, December 11, 2009

10:00 AM

Room 301-A, City Hall

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Meeting was called to order at 10:05 a.m.

### Other individuals appearing:

Mary Turk, Legislative Reference Bureau  
Ryan Guthrie, Pioneer Homes of Wisconsin  
Ron Roberts, Department of Neighborhood Services  
Bruce Schrimpf, Assistant City Attorney

### 1. Review and approval of the minutes of the October 1st meeting.

*Meeting minutes were approved as written without objection.*

### 2. Approval of changes made to Chapter 246 of the Milwaukee Code of Ordinances.

*Tom Wessel said that sections 7 and 8 in 246-16 should be deleted because they fall under the prohibited status of manufactured homes in the code.*

*Mr. Wessel said that there is a suggestion for an occupancy permit being needed for any new construction of units in the mobile home community so Neighborhood Services can inspect the units as they are built.*

*Mr. Daniels said that the units are not connected to the foundation, but they are connected to sewer and water.*

*Mr. Wessel said that it would basically be an installation inspection.*

*Mr. Guthrie asked if the employees from Pioneer would be able to do the required work, which they already do. He is concerned that a licensed plumber or electrician would be required.*

*Mr. Kinzler said that the code should require that a unit be installed by a licensed manufactured home installer. He said that state law requires a license installer to do the moving of one old unit from one site to another.*

*Mr. Wessel said that the City Planning Commission is fine with the permit being called an installation occupancy permit in 246-16-5.*

*Mr. Wessel asked if the permit should be pulled by the manufactured home installer or the owner of the mobile home park. Mr. Kinzler suggested that the owner could pull the permit as long as they name the licensed Installer.*

*The CPC said that the creation of any new manufactured home communities would be prohibited and the ordinance would be geared toward maintaining the current parks. Any creation of a new community or a manufactured home outside of a community would have to go through BOZA. Mr. Wessel said that it is a prohibited use in every zoning district in the city, aside from the existing communities.*

*Mr. Daniels asked if the communities are listed as legal non-conforming in the code itself. Ms. Turk said that this is in the zoning code, not in the code that the task force is working on.*

*Mr. Kinzler said that a manufactured home on an individual lot cannot be prohibited. He also said that the main task of the task force is the regulation of the existing manufactured home communities, not zoning.*

*Mr. Kinzler asked if any sections had been deleted from the ordinance. Ms. Turk said that there were some deletions and additions to the ordinance.*

*Mr. Kinzler said that mention of the temporary manufactured home unit had been left out of 246-5-5 Ms. Turk said that it was best to maintain the state definition of a temporary dwelling and camping unit.*

*Mr. Kinzler asked if In 8, there could be language that says that a manufactured home community may have up to three temporary dwellings per 246-5-10.*

*Ms. Turk said that Mr. Wessel's version is being adopted. Ms. Turk said that her version is for comparison.*

*Among the changes to Mr. Wessel's version:*

*Chapter 246-7 is getting put into the back part of the code, so Chapter 246-9 regulates licenses not permits. Chapter 246-11 was also eliminated because the normal permit occupancy would be followed; a section regarding new permit application was no longer needed. The permit application section was also removed because it will be addressed in another section.*

*Chapter 246-13 was not changed at all.*

*Chapter 246-14: the License Division asked that a specific time frame for application for renewal not be put in the section, but that reference be made only to a date set by the City Clerk's office.*

*Atty. Schrimpf said that a definite date should be in the ordinance, even though the language saying that the City Clerk will specify the date is legal and enforceable. Mr. Wessel said that a lack of a specific date is along the same lines as the ordinances regulating the other licenses, but the City Clerk's office is amenable to including "not less than 90-days before the expiration date" in the ordinance. Atty. Schrimpf said that he would be satisfied with language that specifies that if the application for renewal is not filed by the date set by the City Clerk, the Council is under no obligation to consider the renewal of the license before its expiration date.*

*Chapter 246-14-2 should say "shall be made on or before the date set by the Clerk*

for renewal", striking the wording "prior to the expiration of the license".

Atty. Schrimpf suggested the wording: "If the application for renewal is not filed by the date set by the City Clerk for renewal, the Council shall be under no obligation to consider the renewal application prior to the license expiring." Atty. Schrimpf said that the Council can consider the renewal, but is not obligated to do so.

Mr. Wessel said that language was added allowing constituents and the alderman to give complaints to the appropriate city departments to verify. He said that the word complaint would refer to concerns brought up by constituents and Council members, and the word objection would refer to what is filed by the city departments that are allowed to file objections to renewal. The definition of complaint, if contained in Chapter 85 of city ordinance, would not need to be defined in this ordinance.

Atty. Schrimpf said that he thinks that the language in this ordinance reverses the meanings of complaint and objection that are in Chapter 85. He said that the intent of the new ordinance should be spelled out in Chapter 85 and he said that the word complaint, in Chapter 85, refers to the formal thing that is filed with the City Clerk's office and the concerns voiced by the neighbors would be objections.

Mr. Kinzler and Ms. Turk suggested changing the word "complaint" to "objection" and vice-versa in Chapter 246-14-4 so it would match the language in Chapter 85. This was agreed upon by the task force unanimously.

Mr. Roberts asked if the term could be changed from "legal non-conforming" to "continuous non-conforming" in Chapter 246-16-4. The task force agreed unanimously.

In Chapter 246-17-2, the text should say "no less than 8 square feet", not "no more than 8 square feet".

There were no objections to the changes.

**3. Approval of changes made to new manufactured homes and manufactured home communities ordinance.**

*This topic was covered by the discussion of agenda item number 2.*

**4. Discussion of an ordinance requiring an occupancy permit and an inspection for rental units at each change of tenant.**

Atty. Schrimpf asked if there is a legitimate reason for the unit-by-unit inspection. Mr. Wessel said that there is a legitimate reason.

Mr. Wessel said that an ordinance that was just passed regarding rental unit inspections in two areas of the city dictated that there would be no additional areas of the city added for the unit inspections for five years.

Atty. Schrimpf asked Ms. Turk to send him the language in the recently passed ordinance.

Mr. Wessel said that the commissioner of Neighborhood Services is concerned about singling out manufactured homes for the inspections. Atty. Schrimpf said that he believes there is a rational basis for treating manufactured homes differently.

*Mr. Daniels asked if the inspections could be made a requirement of the license renewal of a specific manufactured home community. Ms. Turk said that the previously passed ordinance prohibits this, so this condition cannot be imposed.*

**5. General discussion of issues affecting mobile home parks.**

*No discussion occurred.*

**6. Set next meeting agenda**

*Final approval of the work of the task force.*

*The changes to the ordinance would need to be sent to the members via the Staff Assistant by January 15th.*

**7. Set next meeting date(s)**

*City Clerk Ron Leonhardt at the table.*

*Ald. Witkowski asked if a meeting could be held by speakerphone in a public place as long as the public is notified and would be able to attend.*

*Mr. Leonhardt said that if a physical quorum was present, then the meeting could be held and a member could attend by phone but could possibly not vote.*

*The phone would have to be set up for long-distance service.*

*January 22nd at 2:30 p.m. in a room to be determined that is equipped with a speaker phone.*

**Meeting adjourned at 12:08 p.m.  
Staff Assistant Tobie Black**