

**05-O-41
ORDINANCE AMENDMENT**

Sponsored by

**THE HONORABLE JOHN H. STROGER, JR.
PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS**

Co-Sponsored by

**THE HONORABLE JERRY BUTLER AND PETER N. SILVESTRI
COUNTY COMMISSIONERS**

**AN ORDINANCE AMENDING THE MOBILE HOMES
AND MOBILE HOME PARK ORDINANCE OF COOK COUNTY**

WHEREAS, the Cook County Board of Commissioners (“Board”) also serves as the Board of Health of Cook County; and

WHEREAS, the Board has created the Cook County Department of Public Health to protect and promote health and to prevent illness, disability and premature death among all residents of suburban Cook County; and

WHEREAS, the Cook County Department of Public Health serves all areas of Cook County except in areas where municipalities have adopted similar Ordinances to regulate manufactured home communities; and

WHEREAS, the Cook County Mobile Homes and Mobile Home Park Ordinance was last updated in 1972; and

WHEREAS, recent fires in mobile home communities have threatened the safety of park residents and caused significant loss of personal property; and

WHEREAS, the separation of homes was identified as a significant factor as to the severity of these fires; and

WHEREAS, revisions to the Cook County Mobile Homes and Mobile Home Park Ordinance are needed to adopt new NFPA (National Fire Protection Association) separation and setback requirements; and

WHEREAS, the Cook County Department of Public Health licenses and regulates 30 mobile home communities including approximately 8,000 mobile home sites; and

WHEREAS, revisions are also needed to reflect changes in terminology and technology in manufactured housing; and

WHEREAS, the proposed amendment will provide clearer guidance to those communities that wish to enact their own local rules governing mobile home parks; and

WHEREAS, the proposed changes will provide for a safer and healthier environment in Cook County mobile home communities and will enhance the quality of life of all park residents.

NOW, THEREFORE, BE IT ORDAINED, that the Mobile Home Ordinance is hereby amended as set forth below:

MOBILE HOMES AND MOBILE HOME PARK ORDINANCE

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Section 5-290. Title

This comprehensive amendment shall be known and cited as the Cook County Mobile Homes and Mobile Home Park Ordinance of 2005.

Section 5-291. Purpose

This comprehensive amendment to the Cook County Mobile Homes and Mobile Home Park Ordinance is adopted pursuant to the County of Cook's home rule powers for the following purposes:

- A. To promote public health, safety, morals, comfort, convenience and general welfare;
- B. To protect against fire, explosion, noxious fumes and other hazards;
- C. To provide for moderate and low income housing;
- D. To increase the quality of housing for Cook County residents;
- E. To establish new penalties for violations of this Ordinance.

Section 5-292. Definitions

Unless the context clearly requires otherwise, the words and phrases set forth below, shall have the meanings set forth in this Ordinance. Additionally, words and phrases not defined in this Ordinance shall have the meaning indicated by common dictionary definition.

“County” means the County of Cook County, Illinois.

"Department" means the Cook County Department of Public Health, unless otherwise indicated.

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

"Director" means the Director of the Cook County Department of Public Health.

"Front" means the end of the mobile or manufactured home to which the hitch is or was attached and used for towing or for delivery to the site. When a mobile home is placed in a mobile home park and the hitch is removed, the Department shall make a determination as to what constitutes the front.

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

"License" means Mobile Home Park Operator's License.

"Manufactured Home" means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, including plumbing, heating, air conditioning, and electrical systems. Any structure defined in this Ordinance as a "mobile home" shall also be considered a "manufactured home. For purposes of this Ordinance, the terms "mobile home" and "manufactured home" are used interchangeably.

"Manufactured Home Accessory Buildings or Structures" is an assembly of materials forming a construction for use which contributes to the comfort, convenience or necessity of the principal building or structure served, including, among other things, awnings, cabanas, garages, storage structures, sheds, decks, carports, fences, windbreaks, porches or other like appurtenances.

"Manufactured Home Community" means a tract of land or two or more contiguous tracts of land that contain sites with the necessary utilities for five or more independent manufactured 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 manufactured home community. Separate ownership of contiguous tracts of land shall not preclude the tracts of land from common licensure as a manufactured home community if they are maintained and operated jointly. Neither an immobilized manufactured home nor a motorized recreational vehicle shall be construed as being part of a manufactured home community. Any community defined in the Ordinance as a "mobile home park" shall also be considered a "manufactured home community." For the purposes of this Ordinance the terms "mobile home park," and "manufactured home community," are used interchangeably.

"Mobile home" means a structure designed for permanent habitation and so constructed as to permit its transport on wheels, temporarily or permanently attached to its frame, from the place of its construction to the location, or subsequent locations, at which it is intended to be a permanent habitation and designed to permit the occupancy thereof as a dwelling place for 1 or more persons, provided that any such structure resting on a permanent foundation, with wheels, tongue, lug bolts and hitch permanently removed, shall be construed as a "mobile home."

"Mobile home park" means an area of land or lands upon which five or more independent mobile homes are harbored either free of charge or for revenue purposes, and shall include any building, structure, tent, vehicle, or enclosure used or intended for use as a part of the equipment of such mobile home park.

"Permanent habitation" means a period of one (1) or more months.

"Site" means the lot on which the mobile home is located for permanent habitation.

Section 5-293. License

No person, firm or corporation shall maintain, conduct or operate a mobile home park without first obtaining an annual license from the Department. "Conduct or operate a mobile home park" as used in this Ordinance shall include, but not necessarily be limited to, supplying or maintaining common water, sewer or other utility supply or service, or the collection of rents directly or indirectly from five or more independent mobile homes. The license year or period shall begin on May 1 of each year and expire on April 30 of the following year. A new license may be issued upon proper application and payment of the annual license fee provided the applicant is in substantial compliance with the Rules and Regulations of the Department.

Section 5-294. Permit - Application

No person, firm or corporation shall establish or construct a mobile home park without first obtaining a permit from the Department. In order to obtain a permit to construct a mobile home park, the applicant shall file with the Department a written application and submit plan documents, that shall be prepared by a registered engineer or architect licensed to practice in the State of Illinois, with registration seal affixed, setting forth:

- a. The full name and address of the applicant or applicants, or names and addresses of the partners if the applicant is a partnership, or names and addresses of the officers if the applicant is a corporation, and the present or last occupation of the applicant at the time of the filing of the application;
- b. The location and legal description of the tract of land upon which it is proposed to operate and maintain a mobile home park;
- c. The proposed facilities in the mobile home park for water supply, sewage, garbage and waste disposal, fire protection and any proposed alterations therein and the maintenance thereof;
- d. The proposed method of lighting the structures and land upon which the mobile home park is to be located;
- e. The plot plans of the mobile home park as may be required by the rules and regulations of the Department under the provisions of this Ordinance;

- f. The building plans and specifications for existing buildings and facilities; and
- g. A statement of the fire-fighting facilities, public or private, which are available to the mobile home park.

An affidavit of the applicant as to the truth of the matters contained in the application shall be attached thereto. Each application shall be accompanied by an application fee of \$250.00. The application fee once paid to the Department shall not be refunded.

Section 5-295. Permit and License Issuance

1. Upon receipt of an application for a permit to construct or alter a mobile home park or an application for a license to operate and maintain the same, the Department shall, if the park is, or the proposed park will be, in conformity with this Ordinance and the rules and regulations adopted by the Department pursuant thereto, issue the required permit. If the application for a permit to construct or alter, or an application for a license is declined, the Department shall give the reasons therefore in writing to the applicant; and if the objections can be corrected, the applicant may amend his application and re-submit it for approval. The Department shall examine or cause to be examined all applications for permits and licenses within a reasonable time after filing. If the application or the plans do not conform to the requirements of all pertinent ordinances and laws, the Department shall deny the application in writing, stating the reasons therefore. If the application conforms to the requirements of this Ordinance, the rules and regulations promulgated with this Ordinance and all other applicable laws and ordinances, the Department shall issue the permit or license. The Department shall have the authority to call on the assistance of other entities or agencies which could provide consultation, expertise or have regulatory authority beyond that of the Department.
2. If a permit to construct or alter a park has been issued, the applicant upon completion thereof shall notify the Department. The Department shall then inspect the park and if completed in accordance with the accepted application, the Department shall issue a license.
3. No change in any sanitary facilities, methods of water supply, sewer, drainage, garbage or waste disposal, and no change in the plot plan shall be made without first making a written application to the Department and receiving a written permit therefrom. Such application shall be made in accordance with the provisions contained in this Ordinance and shall be accompanied by an application fee of \$250. No application fee shall be required to accompany an application for a permit to alter a mobile home park where such alteration involves only a reduction in the number of mobile home spaces to a number less than that for which such park is currently licensed.
4. Issuance of a permit does not relieve the applicant from securing building permits in municipalities having a building code, or from the Building and Zoning Department of the County, or from complying with any municipal or county zoning or other ordinance applicable thereto. Within 10 days of receiving an application for a permit to alter or construct a new park or expand a licensed park, the Department shall send a copy thereof, by certified mail, to the county and municipality in which the proposed park is located. No license to operate and maintain a mobile home park shall be issued upon the Department's being notified, within 60 days of the mailing of the application to the county and municipality that such park is in violation of any municipal or county zoning or other ordinances and that such park was not in existence at the time of the passage of such municipal zoning or other ordinances. Upon certification from either Cook County or from the municipality in which the mobile home park is located that the park complies with all applicable ordinances and certification from the Department that the requirements of this Ordinance have been met, a license shall be issued within ten days. In cases where the proposed park

is located in the unincorporated area of Cook County, the Department shall not issue the license to operate and maintain a mobile home park where any violation of an applicable Cook County Ordinance or regulation exists.

5. All permits and licenses issued by the Department are non-transferable.

Section 5-296. License Fee

1. In addition to the application fees provided for herein, the licensee shall pay to the Department on or before April 30 of each year, an annual license fee which shall be \$100.00 plus \$12.00 for each mobile home space in the park.

2. The licensee shall pay to the Department \$10 for each additional mobile home space added to a park under authority of a written permit to alter the park as provided in Section 5-295 of this Ordinance. All requisite permits and payment of fees must be secured before any mobile homes are located on the additional mobile home sites. The Department shall issue an amended license to cover such additional mobile home sites, when they are to be occupied before the end of the license year, for which an annual license has been previously issued.

3. An applicant for an original license to operate a new park constructed under a permit issued by the Department shall only be required to pay a prorated annual license fee based on the remaining months of the licensure year for the first year of operation. This paragraph is applicable as long as the Department uses May 1 as an annual license date.

4. Each license fee shall be paid to the Department and, once accepted by the Department, no license fee or portion thereof shall be returned to the applicant.

5. The Department shall deposit all funds received under this Ordinance in the Cook County general fund.

Section 5-297. Department Action

A. Notices

The Department shall serve or cause to be served upon the licensee a written notice which shall specify the way or ways in which a licensee has failed to comply with this Ordinance, or any rules or regulations promulgated by the Department pertaining thereto. Said notice shall require the licensee to remove or abate such nuisance, insanitary or objectionable condition, or to otherwise bring the mobile home park into compliance with the provisions of this Ordinance and the rules and regulations promulgated by the Department, within 5 days or within a longer period of time as may be allowed by the Department. If the licensee fails to comply with the terms and conditions of said notice, within the time specified or such extended period of time, the Department may revoke or suspend such license.

B. Revocation or Suspension

i. The Department may revoke a permit in the event that there has been any false statement or misrepresentation in the application or plans on which a permit was based.

ii. The Department may revoke or suspend a license in the event a licensee fails to timely comply with any of the terms or conditions contained in a Department Notice to comply. In the event of a Department revocation or suspension hearing, the following shall apply:

- a) The Department shall serve written notice by registered mail to the park operator, permit holder or licensee at least 10 days prior to the Department's scheduled hearing;
- b) The Department shall determine the date, location and time for the hearing;
- c) The hearing shall be conducted by the Director, or a duly qualified employee of the Department designated in writing by the Director as a Hearing Officer;
- d) The Director or Hearing Officer may compel by subpoena or subpoena duces tecum the attendance and testimony of witnesses and the production of books and papers, and administer oaths to witnesses;
- e) The Director or Hearing Officer shall permit the applicant or licensee to appear in person and to be represented by counsel at the hearing at which time the applicant or licensee shall be afforded an opportunity to present all relevant matter in support of his application for license or renewal of license or in resisting the revocation or suspension thereof.
- f) In the event of the inability of any party, or the Department, to procure the attendance of witnesses to give testimony or produce books and papers, such party or the Department may take the deposition of witnesses in accordance with the provisions of the laws of the state law. All testimony taken at a hearing shall be reduced to writing, and all such testimony and other evidence introduced at the hearing shall be a part of the record of the hearing.
- g) The Director shall make findings of fact in such hearing, and the Director shall render his or her decision within 30 days after the termination of the hearing, unless additional time is required by him or her for a proper disposition of the matter. When the hearing has been conducted by a Hearing Officer, the Director shall review the record before rendering a decision. It shall be the duty of the Director to forward a copy of his or her decision, by registered mail, to the park operator, permit holder or applicant, as the case may be, within 15 days of rendering such decision.
- h) Technical errors in the proceeding before the Director or Hearing Officer or their failure to observe the technical rules of evidence shall not constitute grounds for the reversal of any administrative decision unless it appears to the court that such error or failure materially affects the rights of any party and results in substantial injustice to him.
- i) All subpoenas issued by the Director or Hearing Officer may be served as provided for in civil actions. The fees of witnesses for attendance and travel shall be the same as the fees for witnesses before the Circuit Court and shall be paid by the party to such proceeding at whose request the subpoena is issued. If such subpoena is issued at the request of the Department, the witness fee shall be paid as an administrative expense.
- j) In cases of refusal of a witness to attend or testify, or to produce books or papers, concerning any matter upon which he might be lawfully examined, the Circuit Court of Cook County, upon application of any party to the proceeding, may compel obedience by similar order of said Court.

- k) The Department shall not be required to certify any record or file any answer or otherwise appear in any proceeding for judicial review unless the party filing the complaint deposits with the Department the sum of 95 cents per page representing costs of reproduction and certification. Failure on the part of the plaintiff to make such deposit shall be grounds for dismissal of the action.

Section 5-298. Operating Requirements

Each mobile home park licensed or to be constructed under the provisions of this Ordinance shall be operated and maintained in accordance with the requirements of Section 5-298.1 - 5-298.15 inclusive, of this Ordinance.

1. All licenses and permits to construct, alter and operate the mobile home park shall be prominently displayed in the mobile home park office.
2. Every mobile home park shall be in the charge of a responsible attendant or caretaker whose name shall be on file at all times with the Department of Public Health and the Department of Building and Zoning and whose duty it shall be to maintain the park, its facilities and equipment in a clean, orderly and sanitary condition, and it shall be the responsibility of the licensee, for any violation of the provisions of this Ordinance.
3. No mobile home park shall be located such that the drainage of the park area will endanger any water supply. All mobile home parks shall be well drained. No waste water shall be deposited on the surface of the ground within the mobile home park.
4. Each site on which a mobile home is located shall have a minimum area of 2,500 square feet, except that sites existing in parks or approved by the Department for construction prior to August 21, 1967, shall contain an area of not less than 1,000 square feet.

No mobile home shall be located closer than 5 feet to the side lot lines of a mobile home park, or closer than 10 feet to a public street, alley or building. Each individual site shall abut or face on a private or public driveway or roadway of not less than 24 feet in width, which driveway or roadway shall have unobstructed access to a public highway or alley. There shall be an open space of at least 10 feet adjacent to the sides of every mobile home and at least 5 feet adjacent to the ends of every mobile home for mobile homes placed on a site prior to the effective date of this Ordinance. For mobile homes placed on a site after the effective date of this Ordinance, no portion of a mobile home, excluding the tongue, shall be closer than (10 ft) side to side, (8 ft) end to side, and (6 ft) end to end horizontally from any other mobile home or community building. Compliance with the setback and separation requirements shall be adhered to whenever an owner of a mobile home community enlarges or expands a concrete pad used to support a mobile home, installs a new mobile home, or replaces an existing mobile home on or after the effective date of this Ordinance.

For new mobile home parks constructed and licensed after the effective date of this Ordinance, no mobile home shall be located closer than 10 feet to a private street.

In the instance where an owner of a mobile home community enlarges or expands a concrete pad in an existing community used to support a mobile home, installs a new mobile home in an existing community, or replaces an existing mobile home in an existing community, on or after the effective date of this Ordinance, the mobile home shall be no closer than 5 feet to a public or private street. The licensee may apply to the Department for a variance from this setback requirement.

5. An adequate supply of water of safe, sanitary quality, approved by the Department shall be furnished at each mobile home park. Where water from other sources than that supplied by a city or village is proposed to be used, the source of such supply shall first be approved by the Department. Each site shall be provided with a cold water tap located in accordance with regulations of the Department.

6. All sewage and other water carried wastes shall be disposed of into a municipal sewerage system whenever the interceptor or sewer main of such system is adjacent to the mobile home park. In mobile home parks in which such connections are not available, disposal shall be into a private system which includes a sanitary means of disposal, the operation of which creates neither a nuisance nor a menace to health.

7. When a water carriage system of sewage is used each site shall be provided with a sewer connection for the combined liquid waste outlet or outlets of each mobile home. It shall be the duty of the owner or operator of said park to provide an approved type of water and odor tight connection from the mobile home water drainage to the sewer connection, and it shall be the duty of said owner or operator to make such connection and keep all occupied mobile homes connected to said sewer while located in the park. Sewer connections in unoccupied sites shall be closed such that they will emit no odors or cause a breeding place for flies. No water or waste shall be allowed to fall on the ground from a mobile home.

8. A sufficient number of adequate vermin, pest resistant and watertight containers in accordance with the rules and regulations adopted by the Department shall be supplied for the storage of garbage. Grass, trees and shrubbery shall be maintained in a safe, sanitary and attractive condition, which creates neither a nuisance nor menace to public health.

Garbage containers shall be emptied at least once a week and shall not be filled to overflowing, or allowed to become foul smelling or a breeding place for insects.

Garbage and rubbish shall be disposed of in a manner which creates neither a nuisance nor a menace to health and which is approved by the Department.

9. Adequate insect and rodent control measures shall be employed. All buildings shall be vermin and pest resistant and rodent harborages shall not be permitted to exist in the mobile home park or pathways.

10. All mobile homes shall each be equipped by the tenant with fire extinguishers in working order. The type and location of each extinguisher shall be determined by the fire prevention authority having jurisdiction in that community. Additionally, a smoke detector and a carbon monoxide detector, in working order, shall be installed by the tenant in each bedroom in the mobile home, in accordance with standards approved by the fire prevention authority having jurisdiction in that community. The space under manufactured homes and accessory buildings and structures shall not be used for the storage of combustible materials or for the storage or placement of flammable liquids, gases or liquid or gas fuel-powered equipment.

If a mobile home community has fire hydrants, the fire hydrant valves shall be tested annually and the flow rates documented by the local fire department, water department or other entity capable of analyzing the available flow from the hydrants. Such test results shall be available to the Department upon request.

The licensee shall provide notification in writing to the local fire prevention authority of the hydrants that have been deemed unsatisfactory, which includes an agreement to either remove the hydrants, reverse the top of the hydrant, or provide some other identification acceptable to the fire department to indicate that

the hydrant is not acceptable. The licensee shall then take immediate, affirmative steps to either eliminate the defective hydrants or restore them to working order.

The residents of the mobile home community shall be advised in writing by the licensee within 30 days when a mobile home community licensee becomes aware that one or more hydrants in the community is inadequate. The location of these fire hydrants shall be specified in writing along with a plan to correct the situation and an anticipated date for completion. A copy of such notification shall be provided to the Department.

All new mobile home parks created and licensed after the date of adoption of this Ordinance, must be provided with fire hydrants at least every 500 feet of any structure. At a minimum, the hydrants within the community must be linked to a 6 inch water main that generates 1000-1500 gallons per minute, with a static pressure of 35 psi.

Within 5 years after the adoption of this Ordinance, all mobile home parks must implement one of the following fire protection systems:

- a) a manufactured home community based system, connected to the local fire protection district, with fire hydrants at least every 500 feet of any structure. At a minimum, the hydrants within the mobile home park must be connected to a 6 inch water main that generates 1000-1500 gallons per minute, with a static pressure of 35 psi.

or;

- b) an adequate and reliable water supply system that meets fire mitigation needs, if approved by the Department in consultation with the local fire protection district. Examples include, but are not limited to, the following:
 - i. a mobile home park based system, connected to the local water distribution system, with fire hydrants strategically placed. At a minimum, the hydrants within the system must be connected to a 6 inch water main that generates 1000-1500 gallons per minute, with a static pressure of 35 psi;
 - ii. an onsite water reservoir;
 - iii. fire prevention authority that has capable mobile sources, such as a water tanker or fire apparatus designed with larger water tanks.

11. Temporary porches, canvas-roofed canopies and skirts may be permitted for mobile homes and auxiliary rooms if in compliance with applicable local fire safety and building codes.

Manufactured home accessory buildings or structures constructed after the date of adoption of this Ordinance may be located immediately adjacent to a site's lot line when constructed entirely of non-combustible materials, provided that such buildings or structures are at least 3 feet from an accessory building or structure on an adjacent site. Accessory buildings and structures constructed before the date of adoption of this Ordinance shall be permitted, such structures to be permitted as non-conforming.

12. All streets and driveways in every mobile home park must be maintained in a passable and reasonably dust-proof condition at all times. All streets and driveways in every mobile home park established after January 1, 1954, shall have a minimum width of 20 feet for streets or driveways. All

streets and driveways in mobile home parks constructed after August 21, 1967 shall have a minimum width of 24 feet.

13. The management of every mobile home park shall assume full responsibility for maintaining in good repair and condition all sanitary, electrical and safety appliances in the park.

14. Electrical outlets for each individual site shall be provided and the installation shall be in accordance with all state or local codes and ordinances.

15. In no event shall a dependent mobile home, or non-permanent shelter or other vehicle designed or used for sleeping purposes, other than an independent mobile home, be permitted for occupancy at any time in a mobile home park.

Section 5-299. Community Buildings

When mobile home community kitchens, dining rooms, laundries, or other facilities are provided, such facilities and equipment as are supplied must be maintained in a sanitary condition and kept in good repair, and subject to such rules and regulations as may be issued by the Department.

All buildings constructed or altered and all plumbing, electrical and heating installations shall be in accordance with existing municipal and/or county building Ordinances and the rules and regulations of the Department.

Section 5-300. Records Maintenance

When the Department has approved an application for a permit to construct or make alterations to a mobile home park or the appurtenances thereto or has issued a license to operate and maintain the same, the Department shall retain the original permit or license and keep a file thereof, and one copy shall be returned to the applicant or his agent, one copy to the clerk of the municipality or to the county clerk if the mobile home park is located outside the limits of a municipality. The Department shall provide notice of all approved applications for construction of new parks or expansion of licensed parks to: a) the clerk of the municipality if the park is located within the corporate limits of a municipality; or b) the county clerk if the mobile home park is located outside the limits of a municipality.

The Department shall draft and supply all forms necessary to obtain a permit or license from the Department. The forms shall specify the documents and detail necessary to obtain permits to construct or make alterations upon mobile home parks and the documents and detail necessary for a license to operate and maintain a mobile home park according to this Ordinance.

Section 5-301. List of Mobile Home Parks

The Department shall keep a record of all mobile home parks licensed by the Department; said records shall include the names and addresses of all such parks, the names and addresses of the licensees, the number of mobile home lots in each mobile home park, the source of water supply, the system of sewage and garbage disposal, and any other information desired by the Department.

The Department shall supply licensees of all mobile home parks with all applicable health rules and regulations made by the Department, and any change or changes that may be made from time to time and such rules and regulations shall be posted by the management of such mobile home park in a protected, conspicuous place within the mobile home park.

Section 5-302. Mobile Home Park Registration

Each mobile home park shall be provided with a custodian's office where each mobile home entering such park shall be assigned to a site, given a copy of the park rules and regulations and registered according to the prescribed form. Such registration shall include the name and address of the owner of each mobile home, every occupant of a mobile home, the square feet of floor space contained in each mobile home and the date of entry of each mobile home into the park. The register shall be signed by the owner or occupant of the mobile home. Any person furnishing misinformation in the register shall be deemed guilty of a Class A misdemeanor. The registration records shall be neatly and securely maintained, and no registration records shall be destroyed until six years have elapsed after the departure of any tenant from the park. The register shall be available for inspection upon request by all law enforcement officers and by the Department.

Section 5-303. Fines

Whoever violates any provisions of this Ordinance, shall, except as otherwise provided, be fined not less than \$500.00 and not more than \$1,000.00 or imprisoned for a period not to exceed six (6) months, or by both such fine and imprisonment for each offense. Each day's violation shall constitute a separate offense. The State's Attorney shall bring such actions in the name of the people of the County of Cook, or may, in addition to other remedies provided in this Ordinance, bring action for an injunction to restrain such violation, or to enjoin the operation of any such mobile home park.

Section 5-304. Exclusions

Nothing in this Ordinance shall be construed to include the state parks of Illinois and the term "Mobile Home Park" shall not be construed to include buildings, tents, or other structures maintained by any individual or company on their own premises and used exclusively to house their own farm labor, or any military establishment of the United States or of this State wherein a travel trailer or mobile home may be located.

Section 5-305. Department Duties

The Department shall enforce the provisions of this Ordinance and the rules and regulations adopted pursuant thereto. The Department shall inspect, at least once each year, each mobile home park. Such officials or officers are hereby granted the power and authority to enter upon the premises of all mobile home parks at any time for inspection. The Department shall promptly bring such action as is necessary to prosecute any person or persons who fail to comply with this Ordinance and the rules and regulations.

The Department may issue rules and regulations to carry out the provisions of this Ordinance.

Section 5-306. Administrative Review Act

The "Administrative Review Act" 735 ILCS 5/3-101, et. seq. (2002), and all amendments and modifications thereof, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for judicial review of final administrative decisions of the Department hereunder. The term "administrative decision" is defined in Section 3-101 of the "Administrative Review Act".

Section 5-307. Severability

If any one or more of the provisions of this Ordinance is declared unconstitutional or the application thereof is held invalid, the validity of the remainder of the Ordinance and the application of such provisions to other persons and circumstances shall not be affected thereby.

Section 5-308. Jurisdiction

This Ordinance applies to all mobile homes and mobile home parks located in unincorporated Cook County and in municipalities that have not adopted an ordinance regulating mobile homes or mobile home parks.

Section 5-309. Effective Date

This Ordinance to be effective on the date of passage by the Cook County Board of Commissioners.

Approved and adopted this 20th day of September 2005.

JOHN H. STROGER, JR., President
Cook County Board of Commissioners

(S E A L)

Attest: 

DAVID ORR, County Clerk