

Town of Gardner
MOBILE HOME PARK ORDINANCE
ORDINANCE NO. 02-2003

THE TOWN BOARD OF THE TOWN OF GARDNER, DOOR COUNTY, WISCONSIN, DOES ORDAIN AS FOLLOWS:

Section 1 – Purpose

The purpose of this ordinance is to assure that mobile home parks as defined by Wisconsin Statutes Section 66.0435 are properly licensed and to provide that owners of mobile homes within mobile home parks pay a parking fee where real property tax is not applicable to the mobile home unit.

Section 2 – Authority

This ordinance is authorized under Wisconsin Statutes Section 66.0435.

Section 3 – License Fee for Mobile Home Park

- A. **Permit Required.** No persons shall establish, operate, maintain or permit to be operated or maintained upon any property owned, leased or controlled by him/her, a mobile home park within the Town of Gardner without first having secured a license for such park from the Board of Supervisors of the Town of Gardner under this section. Such license shall expire on December 31st of each year and may be renewed under this section for additional periods of one year.
- B. **Permit Application.** An application for a mobile home park license shall be filed with the clerk of the Town of Gardner in writing, signed by the applicant, and shall contain the following information:
1. The name and address of the applicant.
 2. The location and legal description of the mobile home park.
 3. The complete plan of the park as defined in Wis. Stats. Section 66.0435(5).
- C. **Mobile Home Park License Fee.** There shall be no annual fee for the establishment, operation or maintenance of the mobile home parks established in the Town of Gardner as of December 31, 2002. The annual fee for the establishment, operation or maintenance of a new mobile home park in the Town of Gardner after December 31, 2002 is \$100 for each 50 spaces or fraction thereof. Such fee must be submitted at the time of application or renewal.

- D. **Renewal or Transfer of License.** All applications by licensees for mobile home park licenses shall be submitted to the clerk in a reasonable time to allow for the inclusion of the consideration of such license at a regular town board meeting prior to the expiration of such licenses and shall comply with Wisconsin Statutes Section 66.0435(6). Applications for transfer of a license shall be submitted to the clerk of the Town of Gardner with a \$10.00 fee and in a manner consistent with Wisconsin Statutes Section 66.0435(7).

Section 4 – Mobile Home Parking Fee

- A. **Mobile Homes Outside of Licensed Parks.** The owner of any land upon which a mobile home is parked outside of a licensed mobile home park shall pay a monthly parking permit fee under this section on or before January 10th and on or before July 10th and shall transmit to the town treasurer all fees owed for the six months ending on the last day of the month preceding the month when transmission is required.
- B. **Fee Required.** There shall be paid to the town treasurer of the Town of Gardner an annual parking fee for each mobile home occupying space or lots in a mobile home park in the Town of Gardner, except for mobile homes that constitute improvements to real property under Section 70.043(1) Wisconsin Statutes and from recreational mobile homes and camping trailers as defined in Wisconsin Statutes Section 70.111(19), a monthly parking permit fee assessed pursuant to Wisconsin Statutes Section 66.0435(3) (c).
- C. **Failure to Pay Monthly Parking Fee.** The failure of any owner, occupant or person in possession of a mobile home to pay the fee as required herein shall be subject to all remedies available to the town for failure to pay personal property tax including all remedies available under Wisconsin Statutes Chapters 70 and 74; and in addition, the Town of Gardner shall be entitled to all costs of collection including reasonable and actual attorney fees incurred.
- D. **Liability/Collection.** The park operator, defined as the “Licensee”, shall collect the monthly parking fee from the mobile home owners/occupants, which shall be paid to the town treasurer pursuant to Wisconsin Statutes Section 66.0435 and the terms of this ordinance. The Licensee of the park is liable for the monthly parking permit fee for any mobile home occupying space in the park as well as the owner and occupant of the mobile home occupying space. Payments shall be made to the town treasurer monthly or on or before the 15th day of October for all fees collected for year to that date.

Section 5 – Definitions/Adoption of State Statutory Requirements

For purposes of this ordinance, the definitions set forth in Wisconsin Statutes Section 66.0435(1) shall be and hereby are adopted as definitions herein. The requirements and provisions of Wisconsin Statutes Section 66.0435 are adopted by reference.

Section 6 – Effective Date

This ordinance shall take effect on January 1, 2003 and shall amend town Ordinance 02-2003.

Paul DeWitt, Chairman

Michael LaViolette, Supervisor

Gary Schaeffer, Supervisor

James Counard, Supervisor

Janice Englebert, Supervisor

Certification:

I, Kay Blizel, Clerk of the Town of Gardner certify that the above is a true and correct copy of an ordinance, which was adopted on the _____ day of _____ 2003 by the Town of Gardner Board of Supervisors.

Kay Blizel, Clerk
