

**Town of Gardner  
Mobile Home Park Ordinance  
Ordinance No. 04-2003**

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 Wis. Stat. Section 66.0435.

**Section 3 – Repeal of Existing Ordinances**

All previously created mobile home park ordinances of the Town of Gardner are hereby repealed.

**Section 4 – 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 31<sup>st</sup> 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 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.** The annual fee for the establishment, operation, or maintenance of a mobile home park in the Town of Gardner is \$100 for each 50 spaces or fraction thereof. Such fee must be submitted at the time of application or renewal. Mobile home parks created prior to the adoption of this ordinance are exempt from the annual fee.
- D. Renewal or Transfer of License.** All applications by licenses for renewal of mobile home park license shall be submitted to the clerk in a reasonable time to allow for the inclusion of the consideration of the renewal of such license at a

regular town board meeting prior to the expiration of such license and shall comply with Wis. Stats. Section 66.0435(6). Applications for transfer of a license shall be submitted to the clerk of the Town of Gardner with a \$10 fee and in a manner consistent with Wis. Stats. Section 66.0435(7).

### **Section 5 – 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 10<sup>th</sup> and on or before July 10<sup>th</sup> and shall transmit to the town treasurer all fees owed for the six months ending on the last day of the month proceeding the month when transmission is required. This parking fee shall not apply to mobile homes that constitute improvements to real property under Section 70.043(1) Wis. Stats.
- B. Fee Required.** There shall be paid to the town treasurer of the Town of Gardner an annual parking fee for each mobile home placed upon a space or lots in a mobile home park in the Town of Gardner after the adoption of this ordinance, except for mobile homes that constitute improvements to real property under Section 70.043(1) Wis. Stats. and from recreational mobile homes and camping trailers as defined in Wis. Stats. Section 70.111(19), a monthly parking permit fee assessed pursuant to Wis. Stats. 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 Chapter 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 Wis. Stats. 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 on or before the 10<sup>th</sup> day of each month for all fees for the previous month, or the payment of the full year fee may be made once per year by October 15<sup>th</sup>.

### **Section 6 – Definitions/Adoption of State Statutory Requirements**

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

### **Section 7 – Effective Date**

This ordinance shall take effect on January 1, 2004.

Approved this \_\_\_\_\_ day of December 2003.

Paul DeWitt, Chairman

Attest:

Kay Blizel, Clerk