

ORDINANCE 2013-2

TOWN OF ELK MOUND  
DUNN COUNTY

-Manufactured and Mobile Home Community Ordinance

THE TOWN BOARD OF THE TOWN OF ELK MOUND, DUNN COUNTY, WISCONSIN  
HEREBY ORDAINS AS FOLLOWS:

Section One: That it hereby adopts the following ordinance.

Manufactured and Mobile Home Community Licensing and Permit Fee Ordinance

§ 1. Purpose.

This ordinance shall establish a licensing system for manufactured and mobile home communities in the Town of Elk Mound as well as for the assessment of a monthly permit fee against each manufactured home and mobile home located on property in the Town, pursuant to the authority granted under §66.0435, Wis. Stats.

§ 2. Definitions.

The Town adopts by reference all of the definitions set forth at §66.0435(1), Wis. Stats. In addition,

the following specific definitions shall control enforcement of this Ordinance.

"Community" shall mean a manufactured home and mobile home community located in the

Town.

"Town" shall mean the Town of Elk Mound.

"Town Assessor" shall mean the Town Assessor of the Town of Elk Mound.

"Town Clerk" shall mean the Town Clerk of the Town of Elk Mound

§ 3. License Required to Operate a Manufactured Home and Mobile Home Community.

No person shall operate a manufactured home or mobile home community in the Town without first having obtained a manufactured home and mobile home community license from the Town Clerk.

Each such license shall be applied for on a form provided by the Town Clerk. An annual fee of

\$ 75 for each 50 spaces or fraction thereof, contained within the community in question. Said

fee shall be collected prior to the granting of a license. Licenses shall be personal to the operator to

whom they are issued. A fee of \$10 shall be charged for the transfer of a license from one operator to another. The fee shall be collected annually and shall apply to license renewals as well as initial applications.

§ 4. Lot Fee-Manufactured Home and Mobile Home Communities.

A. Each lot in a Community shall be assessed a monthly permit fee to be computed in the manner set forth in §66.0435(3)(c)1., Wis. Stats. The assessor shall determine the permit fee for each unit on January 1 of each year, using the formula established in §66.0435(3)(c)1., Wis. Stats. Accordingly, a new monthly permit fee shall be established each January and shall continue for that calendar year. The Town Clerk shall notify the community operator in writing of the fees applicable to units in the operator's community.

B. The lot fee charged under this section shall be the responsibility of each unit owner and occupant; nonetheless, it shall be the duty of the community operator to collect the monthly fee and remit it to the Town in a timely manner in accord with C., below.

C. The lot fee shall be paid to the Town on or before the 10th day of each month, next following the month for which the monthly permit fee is charged.

D. In the event that a unit is moved into a Community at some point in time between January 1 and December 31 of any calendar year, the community operator shall furnish information to the Town Clerk and Town Assessor on such new unit added to the community within five (5) days after its arrival. The Town Clerk shall supply forms on which said information shall be communicated to the Town. The Town Assessor shall determine the fair market value of the additional unit and notify the Town Clerk of said determination and the Clerk shall apply the appropriate tax rate and divide it by 12 to establish the monthly fee and shall notify the unit owner of the fee to be collected monthly. Liability for the fee begins on the first day of the next succeeding month and continues monthly for as long as the unit remains in the Town.

§ 5. Free Standing Manufactured Home or Mobile Home Fee.

For each manufactured home or mobile home located outside of a Community in the Town, the monthly fee that is calculated under the formula established in §66.0435(3)(c)1., Wis. Stats., shall

be paid to the Town Clerk by the owner of the real estate on which the manufactured home or mobile home is located. It shall be the responsibility of the owner of the real estate on which a manufactured home or mobile home is located to comply with the notification requirements under § 4 D., above. If the owner or occupant of such a manufactured home or mobile home is someone other than the person who owns the real estate on which it is located, the person owning the land has the option of collecting the fee and remitting it either monthly or once each six (6) months, on or before January 10 and July 10 of each calendar year.

§ 6.

Recreational Mobile Homes and Recreational Vehicles Fee; Exemptions.

Recreational Mobile Homes and Recreational Vehicles are exempt from the fee assessed under §§ 4 and 5. This exemption also applies to steps and a platform, not exceeding 50 square feet, that lead to a Recreational Mobile Home or Recreational Vehicle, but does not apply to any other addition, attachment, patio or deck. This statement notwithstanding, it shall be the duty of the owner of each parcel of real estate upon which a recreational mobile home or recreational vehicle subject to the fees assessed under §§ 4 and 5 of this Ordinance is located to report the same to the Town Clerk within five (5) days of the initial placement of said recreational mobile home or recreational vehicle upon his or her property.

§ 7.

Community Operator Reimbursement.

A Community operator who collects a monthly fee on behalf of the Town under this Ordinance is entitled to deduct from each, such payment to the Town Clerk, for administrative purposes, 2.00% of the monthly fees collected.

§ 8.

Non-Payment of Manufactured Home or Mobile Home Community or Unit Fee: Collection.

A. The licensed operator of each Manufactured Home and Mobile Home Community in the Town shall not be liable to the Town for unpaid fees assessed against individual manufactured homes or mobile homes until the Town has unsuccessfully pursued an action under Ch. 799, Wis. Stats., to collect the unpaid fees from the owner and occupant of the unit.

B. Failure to timely pay the fees under this Ordinance shall be treated as a default in the payment of personal property taxes and is subject to all procedures and penalties applicable under Chs. 70 and 74, Wis. Stats.

§ 9.

Penalties for Non Compliance With Reporting Requirements.

The Town hereby imposes upon each person charged with reporting the placement of a manufactured home or mobile home on real estate in the Town and who fails or refuses to timely to make such reports a \$25 forfeiture. Each failure to report shall constitute a separate offense.

Section Two: That by adoption of this Ordinance, the Town repeals any and all prior ordinances governing the establishment of fees for mobile home parks and individual units.

Section Three: That this Ordinance shall take effect on adoption and publication as required by law.

Dated this 12<sup>th</sup> day of December, 2013.

TOWN OF ELK MOUND

By: \_\_\_\_\_

By: \_\_\_\_\_

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