

**TOWN OF ROCK
ORDINANCE #2004-05**

AN ORDINANCE AMENDING THE MOBILE HOME PARK ORDINANCE SO AS TO BE CONSISTENT WITH CURRENT STATE STATUTES, TO CLARIFY PROVISIONS FOR MONTHLY FEES, AND TO ESTABLISH AND CLARIFY REPORTING REQUIREMENTS.

THE TOWN BOARD OF THE TOWN OF ROCK, COUNTY OF ROCK, STATE OF WISCONSIN, ORDAINS AS FOLLOWS:

SECTION I. Section I of Town of Rock Ordinance No. 661, the Mobile Home Park Ordinance, is amended by deleting the definitions of "licensee," "mobile home," and "mobile home park" provided in said Section, replacing them with the definitions for those terms included in § 66.0435(1) of the Wisconsin Statutes (2001-02) as that Section may be amended from time to time, and by incorporating the remaining definitions set forth in said § 66.0435(1).

SECTION II. Section 18 of Town of Rock Ordinance No. 661, the Mobile Home Park Ordinance, as amended by Town of Rock Ordinance No. 703, and any other subsequent amendment, is deleted in its entirety and recreated as follows:

18.1 The monthly parking permit fee for each mobile home occupying space or lots in a mobile home park in the Town of Rock shall be determined in accordance with § 66.0435(3)(c) of the Wisconsin Statutes (2001-02) as amended from time to time.

18.2 Pursuant to § 66.0435(3)(c)6 of the Wisconsin Statutes (2001-02), the licensee of a park in the Town of Rock is required to collect the monthly parking permit fee established hereunder from the mobile home owner.

18.3 Pursuant to § 66.0435(3)(c)2 of the Wisconsin Statutes (2001-02), each licensee of a park shall furnish information to the Town of Rock Assessor when a mobile home is added to a park after the establishment of the monthly parking permit fee which occurs as of January 1 of each year, and shall furnish such information within five (5) days after arrival of each mobile home, on forms prescribed by the Wisconsin Department of Revenue. Such forms shall be completed in full, including, but not limited to, identification of the arrival date, purchase price, and the signature of the mobile home owner. Each form shall be signed, and the use of the statement "signature on file" or similar statement shall not be permitted in lieu of an actual signature of the mobile home owner.

18.4 A monthly parking permit fee shall not be required for a mobile home which is vacant and placed in inventory by a licensee, provided that such home is properly reported as vacant and in inventory hereunder. When such a mobile home becomes vacant and is placed in inventory, a licensee may claim exemption from the monthly parking fee by filing a report of such vacancy on the same report form as that referenced in Section 18.3 above. Such form shall be

completed in full, including identification of the date of vacancy, and such form shall be signed by the owner of the mobile home. Use of the phrase "signature on file" or a similar phrase in lieu of a signature is not permitted. If a form is timely filed and completed in full, no monthly parking permit fee shall be required beginning with the first calendar month after the date of vacancy. If a properly completed form is not filed hereunder, the monthly parking permit fee shall continue to be paid through any month in which the form is properly filed, regardless of the vacancy of the mobile home.

18.5 Newly arrived mobile homes which are vacant and immediately placed in inventory, rather than being occupied, shall nonetheless require the payment of a monthly parking fee unless and until a form is filed under Section 18.3 above disclosing, among other things, the date of arrival. The failure to file such a form within five (5) days of arrival shall be deemed a violation of this ordinance. The monthly parking permit fee shall be paid for such a mobile home beginning with the date of arrival at the licensee's park if the form is not filed within five (5) days of arrival, and shall continue to be paid through the calendar month in which a form is properly completed and filed showing the status of the mobile home as vacant and in inventory.

18.6 If a mobile home previously reported as vacant and in inventory is subsequently occupied, the licensee responsible for such mobile home shall file a new form in the same manner as if such mobile home was being added to a park under Section 18.3 above. Such form shall be filed within five (5) days after the date of occupation. Such form shall be completed in full, including identification of the date of occupancy, and such form shall be signed by the owner of the mobile home. Use of the phrase "signature on file" or a similar phrase in lieu of a signature is not permitted. Liability for payment of the monthly parking permit fee begins on the first day of the next succeeding month following occupancy and continues for the months in which the mobile home remains in the Town and is occupied.

18.7 The Town Treasurer shall prepare a monthly statement of monthly parking permit fees due from any licensee in the Town, and such statement shall be based on the fees established as of January 1 by the Assessor, with changes consistent with properly filed reports for newly arrived homes and vacant homes. Such statement shall be mailed by the Treasurer to each licensee before the end of each calendar month for charges to be paid for that month. Parking permit fees shall be paid by the 10th of the month following the month for which the parking permit fee is due.

18.8 Pursuant to § 66.0435(3)(h) of the Wisconsin Statutes (2001-02), the failure of a licensee to timely report the arrival of a mobile home under Section 18.3 above, or the failure to timely report the occupation of a home previously vacant and in inventory, shall result in a \$25 forfeiture. In addition, the licensee shall be liable for any monthly parking permit fees which would have been charged if the arrival of the mobile home or the occupation of the mobile home

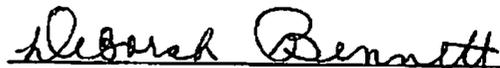
had been properly reported.

SECTION III. The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town Board would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected.

SECTION IV. This Ordinance shall take effect upon passage and publication as required by law. The first monthly statement to be sent by the Treasurer hereunder shall be mailed for the month in which this Ordinance is published, and the first fees payable hereunder shall be due and payable by the 10th of the month following the date of publication.

CERTIFICATE

I hereby certify that the above ordinance was adopted by the Town Board of the Town of Rock on the 2nd day of August, 2004, and that on the 7th day of August, 2004, a copy of the above ordinance was published in *The Janesville Gazette*, the official newspaper of the Town of Rock.



Deborah Bennett, Town Clerk
Town of Rock, Rock County, Wisconsin

Subscribed and sworn to before me
this 7th day of September 2004


Notary Public, Rock County, Wisconsin
My Commission: is permanent