

# Chapter 17

## Manufactured/Mobile Home Communities

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### Sec. 7-17-1 Definitions.

The following definitions shall be applicable in this Chapter:

- (a) “**Community**” shall mean a manufactured and mobile home community.
- (b) “**Licensee**” shall mean any person licensed to operate and maintain a manufactured and mobile home community.
- (c) “**Licensing Authority**” shall mean the Common Council of the City of Onalaska.
- (d) “**Manufactured and Mobile Home Community**” shall mean any plot or plots of ground upon which 3 or more manufactured homes or mobile homes, occupied for dwelling or sleeping purposes, are located, regardless of whether a charge is made for the accommodation.
- (e) “**Manufactured home**” shall have the meaning as defined in Sec.101.91(2), Wis. Stats., insofar as applicable and includes any additions, attachments, annexes, foundations, and appurtenances.
- (f) “**Mobile home**” shall have the meaning as defined in Sec. 101.01(10), Wis. Stats., insofar as applicable and includes any additions, attachments, annexes, foundations and appurtenances.
- (g) “**Person**” means any natural individual, firm, trust, partnership, association, corporation or limited liability company.
- (h) “**Recreational Vehicle**” means a prefabricated structure that is no larger than 400 square feet, or that is certified by the manufacturer as complying with the code promulgated by the American National Standards Institute as ANSA A119.5, and that is designed to be towed and used primarily as temporary living quarters for recreational, camping, travel or seasonal purposes.
- (i) “**Space**” means a plot of ground within a manufactured and mobile home community, designed for the accommodation of one manufactured or mobile home.
- (j) “**Unit**” means a single manufactured or mobile home.

### Sec. 7-17-2 Monthly Municipal Permit Fee

- (a) **Monthly Fee.** In addition to the license fee, the City of Onalaska shall collect from each unit occupying space or lots in a community in the City of Onalaska, except from manufactured and mobile homes that constitute an improvement to real property under Sec. 70.043(1), a monthly municipal permit fee computed as follows:
  - (1) The City Assessor shall determine the total fair market value of each mobile home in the City subject to the monthly municipal permit fee.

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- (2) The fair market value, minus the tax-exempt household furnishings thus established, shall be equalized to the general level of assessment for the prior year on other real and personal property in the City.
  - (3) The value of each mobile home thus determined shall be multiplied by the general property gross tax rate, less any credit rate under Wis. Stats. Sec. 79.10 established on the preceding year's assessment of general property.
  - (4) The total annual permit fee thus computed shall be divided by 12 and shall represent the monthly municipal permit fee.
- (b) **Collection.** It shall be the full and complete responsibility of the licensee of a mobile home park to collect the monthly municipal permit fee from the owner or occupant of each unit occupying space in a mobile home community and the licensee shall be equally liable for the monthly fees on or before the 10<sup>th</sup> of the month following the month for which such fees are due in accordance with the terms of this Chapter. Prior to such payment the licensee may deduct, for administrative purposes, 2% of the monthly fees collected.
- (c) **Reporting.** The monthly municipal permit fee is applicable to units moving into the City at any time during the year. The licensee shall furnish information to the City Clerk and the City Assessor on units added to the community within 5 days of their arrival, on forms prescribed by the Wisconsin Department of Revenue. As soon as the City Assessor receives the notice of an addition of a unit to a community, the City Assessor shall determine its fair market value and notify the City Clerk of that determination. The City Clerk shall equate the fair market value established by the City Assessor and shall apply the appropriate tax rate, divide the annual permit fee thus determined by 12 and notify the unit holder of the monthly fee to be collected from the unit owner. Liability for the payment of the fee shall begin on the first day of the next succeeding month and continue for the months in which the unit remains in the City of Onalaska.
- (d) **Valuation and Fee Rate.** A new monthly municipal permit fee and a new valuation shall be established each January and shall continue for that calendar year. The valuation established shall be subject to review as are other values established under Chapter 70 of the Wisconsin Statutes. If the Board of Review reduces a valuation on which previous monthly payments have been made the City shall refund the excess payments and shall collect the tax paid back from the school district.
- (e) **Distribution of Fees.** The City may retain 10% of the monthly municipal permit fees collected in each month, without reduction for the 2% licensee administration fee, to cover the costs of administration. The City shall pay to the school district in which the community is located, within 20 days after the end of each month, such portion of the remainder of the fees collected in the preceding month as the ratio of the more recent property tax levy for school purposes bears to the total tax levy for all purposes in the City.
- (f) **Delinquencies.** Failure to timely pay the monthly municipal permit fees shall be treated as a default in payment of personal property tax and is subject to all procedures and penalties applicable under Chapters 70 and 74 of the Wisconsin Statutes.
- (g) **Exemptions.** Recreational vehicles are exempt from the monthly municipal permit fee. The exemption shall also apply to steps and a platform, not exceeding 50 square feet that lead to a recreational vehicle but does not apply to any other addition, attachment, patio or deck.

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#### **Sec. 7-17-3 Penalties.**

Any person who violates a provision of this Chapter 17 shall upon conviction thereof, and in addition to any other penalty imposed herein, forfeit an amount as prescribed by Section 1-1-7 of this Code of Ordinances, together with costs of prosecution, and in default of payment of such forfeiture and costs of prosecution, shall be imprisoned in the County Jail until said forfeitures and costs are paid, but not exceeding ninety (90) days for each violation, except that the forfeiture for violation of the reporting requirements under 7-17-2 (c) shall not exceed twenty five dollars (\$25.00). Each and every day that such violation continues is hereby deemed to constitute a separate offense.

#### **Sec. 7-17-4 Revocation.**

Any license or permit granted under Title 13 of this Code of Ordinances shall be subject to revocation or suspension by the Common Council for any violation of this ordinance. Upon complaint filed with the City Clerk signed by any law enforcement officer, health officer, building inspector or city official, the Common Council shall order a public hearing. At least 10 days prior to the hearing, the holder of the license shall be furnished with a copy of the Complaint and shall be given written notice of the time and place of the hearing whereat the holder of the license may appear and be heard as to why the license should not be suspended or revoked. If the license is suspended or revoked, the holder of the license may within 20 days of the date of revocation or suspension appeal the decision to the La Crosse County Circuit Court pursuant to Sec. 66.0435(2)(d) of the Wisconsin Statutes.

#### **Sec. 7-17-5 Mobile Homes Outside of Mobile Home Parks.**

It shall be unlawful for any person to park any mobile home in the City of Onalaska at any site other than a space within a mobile home community. A recreational vehicle shall not be considered a mobile home for the purposes of this section.”