

ORDINANCE NO. 138-85

AN ORDINANCE OF BONNEVILLE COUNTY, IDAHO PERTAINING TO THE TAXATION OF MOBILE HOMES; PROVIDING DEFINITIONS; REQUIRING OWNER OR CONTRACT BUYER OF MOBILE HOMES LOCATED IN BONNEVILLE COUNTY FOR 30 DAYS OR MORE TO MAKE REQUEST TO BONNEVILLE COUNTY PLANNING & ZONING; REQUIRING DEALERS TO REPORT SALES OF MOBILE HOMES TO BONNEVILLE COUNTY ASSESSOR IF DELIVERY IS TO LOCATION IN BONNEVILLE COUNTY; REQUIRING OWNER OR CONTRACT BUYER TO PLACE MOBILE HOME ON ASSESSMENT AND TAX ROLL; REQUIRING BONNEVILLE COUNTY ASSESSOR TO AFFIX AN EMBLEM OR STICKER ON THE MOBILE HOME TO BE VISIBLE FROM PUBLIC ROADWAY; REQUIRING SAID OWNER OR OCCUPANT OF MOBILE HOME TO LICENSE THE SAME AND TO PAY ALL CURRENT PROPERTY TAXES BEFORE MOVING SAID MOBILE HOME FROM BONNEVILLE COUNTY, IDAHO; REQUIRING DEALER MOVING A MOBILE HOME TO DETERMINE THAT BONNEVILLE COUNTY TAXES HAVE BEEN PAID BEFORE MOVING MOBILE HOME FROM BONNEVILLE COUNTY, IDAHO; PROVIDING FOR PUNISHMENT AS A MISDEMEANOR FOR THE VIOLATION AND PROVIDING FOR CIVIL REMEDY; REPEALING INCONSISTENT ORDINANCES; AND DECLARING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF BONNEVILLE COUNTY COMMISSIONERS OF BONNEVILLE COUNTY, IDAHO:

Section 1. A mobile home for purposes of this statute, is defined as a trailer that:

- (a) is designed to be transported upon the highways on its own wheels or other trailers or detachable wheels;
- (b) is capable of being used for human habitation, business, commercial or office purposes; and
- (c) is over 40 feet in length, 8 feet or more in width, and 5 feet 5 inches or more in height from floor to ceiling.

Section 2. The owner, or contract buyer of any mobile home to be located in Bonneville County, Idaho for a continuous period of 30 days or more in any calendar year, shall declare ownership and location of such mobile home to the Bonneville County Assessor at any time during the calendar year in which said mobile is delivered to a location in Bonneville County.

Section 3. Any dealer, upon the sale of a mobile home and delivery of said mobile home to a location in Bonneville County, Idaho shall declare the same to the Bonneville County Assessor upon delivery of said mobile home to a location in Bonneville County, Idaho and said dealer shall also state the owner, address, length, width, make and year.

Section 4. The owner or contract buyer of a mobile home which becomes located in Bonneville County, Idaho after the enactment of this Ordinance, for a continuous period

of 30 days or more in any calendar year shall request the Bonneville County Planning & Zoning to issue said mobile home a building permit of which one copy of that form will be given to the Bonneville County Assessor for placement on the tax rolls of Bonneville County, Idaho.

Section 5. The Bonneville County Assessor after having assessed a mobile home located in Bonneville County, Idaho shall affix an emblem or sticker, which emblem or sticker shall be printed and furnished at county cost, on said mobile home and said emblem or sticker shall be affixed so that it shall be visible from the public roadway, or as specified by the owner, and said emblem or sticker shall designate the said mobile home as having been assessed for that year.

Section 6. Any owner or occupant of a mobile home, or any person or entity desiring to move said mobile home from a location in Bonneville County, Idaho shall license the same with the Bonneville County Assessor, or purchase a trip permit from the Port of Entry, Department of Transportation, and pay all current years property taxes levied against said mobile home before moving the same from Bonneville County, Idaho.

Section 7. Any dealer, person, or other entity, moving a mobile home from Bonneville County, Idaho shall determine that the current year taxes have been paid, proof being stamped receipt from the Bonneville County Treasurer's office showing such taxes paid in full, before moving said mobile home from Bonneville County, Idaho.

Section 8. If the owner of any mobile home or any other person required by this Ordinance shall fail to make the proper requests to Bonneville County as required by this Ordinance, the Bonneville County Assessor shall list and assess such mobile home according to his best judgement and information and such assessment shall automatically become a lien upon such mobile home and remain such lien until the taxes thereon are paid.

Section 9. Any owner, contract buyer, dealer, or other person or entity, who fails to comply as required by this Ordinance, or otherwise violates any term of this Ordinance, shall be deemed guilty of a misdemeanor and shall be subject to punishment by a fine of not more than \$300.00 or by imprisonment not to exceed six months or by both such fine and imprisonment. In addition, the county may enforce the provisions of this

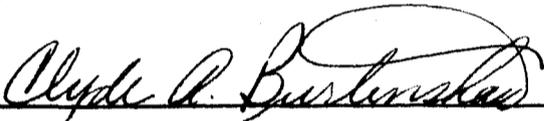
Ordinance by any appropriate civil action, including but not limited to injunction, in which event the county shall be entitled to all costs and expenses including attorney's fees in the prosecution of such action.

Section 10. All Ordinances heretofore enacted which are inconsistent with the terms of this Ordinance, are hereby repealed to the extent of such inconsistency only.

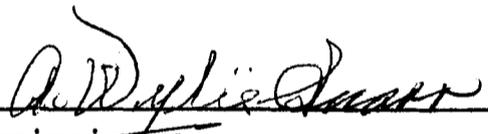
Section 11. This Ordinance shall be and hereby is declared to be in full force and effect from the date of passage and publication as provided by law.

Regularly passed and adopted by the Board of Bonneville County Commissioners of Bonneville County, Idaho, on this 30th day of September, 1985.

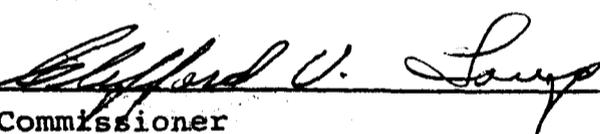
APPROVED:



Chairman, Bonneville County Commissioners



Commissioner



Commissioner

ATTEST:



Bonneville County Clerk

PUBLISH: October 6, 1985