

RESOLUTION 8-82

A RESOLUTION AMENDING RESOLUTION 70-38 LEVYING A TAX ON MOBILE HOME PARKS: FIXING THE AMOUNT AND PROVIDING FOR THE COLLECTION THEREOF: AND PRESCRIBING FOR VIOLATION OF THE RESOLUTION.

WHEREAS, by Resolution 70-38 the Board of County Commissioners of Calvert County imposed a tax on mobile home parks and provided for the collection thereof, and

WHEREAS, the reorganization of County government has made part of Resolution 70-38 obsolete, and

WHEREAS, it is the desire and intent of the Board of County Commissioners of Calvert County to enact the provisions of Resolution 70-38 as amended and to set out the text in its entirety.

Section 1. BE IT RESOLVED BY the County Commissioners for Calvert County, Maryland, that the following definitions shall apply whenever used in this resolution unless a different meaning appears from the context.

(1) Mobile Home. A detached single family residential dwelling unit, designed for transportation, after fabrication on streets or highways on its own wheels or on flatbeds or other trailers, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking assembling operations, located on wheels, jacks or other temporary or permanent foundations.

(2) Mobile Home Park. Any site, lot, parcel, or tract of land which is improved, used or intended to provide a location for the accommodation of two or more mobile homes or trailers which are used for living purposes, regardless of whether or not a charge is made for such accommodation.

(3) "Gross monthly charges" means the gross charges for rental, leasing or use of any space, facilities, or accommodations within a Mobile Home Park and the gross charges for the providing of any services to Mobile Homes located in the Park.

Section 2. AND BE IT FURTHER RESOLVED BY the County Commissioners for Calvert County, Maryland, pursuant to the power and authority contained in Section 12C of Article 81 of the Annotated Code of Maryland (1980 edition) that every person, firm or corporation operating and conducting a Mobile Home Park in Calvert County shall collect from the Mobile Home owner a monthly tax computed at twenty per centum of the gross monthly charges collected by

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the Mobile Home Park with a minimum of at least \$10.00 per occupied trailer-space per month.

Section 3. AND BE IT FURTHER RESOLVED that the aforesaid tax shall be accumulated and paid monthly to the Treasurer of Calvert County. On or before the fifteenth day of each month after the effective date of this resolution, every Mobile Home Park operator having two or more spaces in operation, shall file with the Treasurer, with a copy for the Supervisor of Assessments of Calvert County, a report showing the amount of tax due for each month preceding the filing of such report and shall pay to the Treasurer of Calvert County the total tax for the preceding month as shown thereon.

Section 4. AND BE IT FURTHER RESOLVED that if any person, firm or corporation required to collect and remit the tax imposed by this resolution fails to file a statement and a remittance, or if the Treasurer has reasonable cause to believe that an erroneous statement has been filed, the Treasurer may proceed to determine the amount due to the County, and in connection therewith shall make such investigations and take such testimony and other evidence as may be necessary; provided, however, that notice of at least ten days be given and opportunity to be heard be given to any person, firm or corporation that may become liable for an amount determined by the Treasurer.

Section 5. AND BE IT FURTHER RESOLVED that every Mobile Home Park operator shall keep and maintain on the premises of the Mobile Home Park a register showing the name, address, <sup>and/or serial</sup> license / number, date of arrival, date of departure, and amount charged each Mobile Home owner. Said register shall be kept up to date and shall be available at all reasonable times to inspection by the County Commissioners, the Treasurer of Calvert County or their authorized representatives. All Mobile Home owners shall

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sign in and sign out personally. Said register shall be retained by the Park operator for at least two years.

Section 6. AND BE IT FURTHER RESOLVED that failure to pay to the Treasurer taxes when due as described in this resolution shall be subject to a penalty of one per centum per month.

Section 7. AND BE IT FURTHER RESOLVED that any person, firm or corporation liable for the collection of the tax imposed by this resolution who or which (1) willfully fails to collect and pay the taxes imposed by this resolution; or (2) willfully fails to file any report required by this resolution; or (3) willfully makes any false statement or misleading omission in any report filed as required by this resolution or (4) willfully fails to maintain a register as required by this resolution is guilty of a misdemeanor and upon conviction thereof, shall be fined not more than \$100.00 or imprisoned for not more than thirty (30) days, or both for each offense: such fine or imprisonment at the discretion of the court.

Section 8. AND BE IT FURTHER RESOLVED that the provisions of this resolution shall take effect on the 1st day of March, 1982.

DONE This 16th day of February, 1982.

BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY

*Mary D. Harrison*  
Mary D. Harrison, President

*Garner T. Grover*  
Garner T. Grover, Vice-President

*C. Bernard Fowler*  
C. Bernard Fowler

*John M. Gott, Sr.*  
John M. Gott, Sr.

*Jesse J. Reid*  
Jesse J. Reid

ATTEST:

*Imogene S. Winters*  
Imogene S. Winters, Clerk

OK ASH 1/26/82

3/16/82 orig to: Co. Comm