

WILLIAMSBURG COUNTY

ORDINANCE NO. 1999 - 10

AN ORDINANCE PROVIDING FOR THE ANNUAL REGISTRATION OF MANUFACTURED HOUSING, MOBILE HOMES, AND SIMILAR STRUCTURES LOCATED WITHIN THE COUNTY OF WILLIAMSBURG, AND THE ISSUANCE OF EVIDENCE OF REGISTRATION TO BE EXHIBITED UPON SAID STRUCTURES.

WHEREAS, manufactured homes, mobile homes and similar devices and structures (all of which are hereinafter referred to in the text of this ordinance simply as "mobile homes"), as defined herein, have become increasingly prominent as temporary and permanent business, storage, or residential facilities, and are subject to ad valorem taxation, and are subject to inspection and approval as to construction and component parts pursuant to State and local law, and are also subject to applicable provisions of local ordinances and other applicable laws and regulations, and

WHEREAS, due to the mobility of mobile homes, it is difficult to ascertain those subject to listing for ad valorem tax purposes and those subject to other applicable local ordinances as referred to herein; and

WHEREAS, it is desirable to establish a means of registering said mobile homes and to provide an annual record for ad valorem tax purposes and for other lawful governmental purposes; and

WHEREAS, it appears the establishment of a procedure and means of registering said mobile homes will provide for the effective regulation and control for purposes referred to herein; and

WHEREAS, County Council is authorized to designate a licensing agent for the purpose of enforcing the licensing statues (Code of Law of South Carolina, 1976, as amended, S31 - 17 - 400).

NOW, THEREFORE, BE IT ORDAINED by the Williamsburg County Council as follows:

SECTION 1

DEFINITIONS

"Mobile Home" or "Manufactured Homes" means any manufactured structure so designated and constructed as will permit occupancy thereof as sleeping quarters or a residence, temporary or permanent, for one or more persons, of the conduct of any business or profession, occupation, or trade, or similar use thereof as a selling, advertising, or storage device; and so constructed that it may be transported from one site to another, made up of one or more components, and constructed with the same, or similar, electrical, plumbing, heating, and sanitary facilities as on - site constructed housing, until such time as the mobile home assumes the character of real property and is so listed for ad valorem tax purposes. This does not include recreational vehicles, travel trailers, or motorized homes licensed for travel on highways, nor manufactured homes designed and built to meet applicable requirements of the South Carolina Modular Buildings Construction Act.

"Mobile Home Park" means a lot on which five or more mobile homes are parked, at which space for the parking of the mobile home is rented, or at which existing mobile homes are rented. The term does not include mobile home subdivisions or

premises where unoccupied mobile homes, whether new or used, are parked for the purpose of inspection, sale, storage, or repair, or recreational vehicle parks.

SECTION 2

DUTY OF OWNER

Each owner of a mobile home located in Williamsburg County, **except**

- (a) a mobile home temporarily located within Williamsburg County for the express predetermined purpose of conveyance outside of the County within Thirty (30) days after arrival, or
- (b) a mobile home held for display or exhibition purposes by a mobile home dealer licensed by the State of South Carolina as such; or
- (c) a mobile home passing through Williamsburg County on a public street, road or highway for conveyance elsewhere

shall obtain and display a County registration decal as required by State law within Fifteen (15) days of purchase or change of ownership or if the mobile home is relocated.

SECTION 3

REGISTRATION

Registration shall occur when the mobile home is properly listed with the Williamsburg County Tax Assessor's Office for ad valorem tax purposes within Fifteen (15) days as specified herewith in Section 2; and upon such listing, the Williamsburg County Assessor's Office shall issue a numbered decal to the person registering said mobile home, which device shall be displayed on the outside of the mobile home so as to be clearly and readily visible from the street or driveway to which the mobile home is

addressed. Prior to the registration decal being issued, the following information must be submitted to the Williamsburg County Assessor's Office:

- (1) Sales contract, notarized bill of sale, or other title document evidencing ownership;
- (2) Lienholder's name address;
- (3) Copy of the moving permit, if the mobile home has been moved, or will be moved, from one site to another;
- (4) Copy of septic tank approval or a letter from the Williamsburg Health Department stating that the mobile home's water and sanitation connection will be provided by same;
- (5) Copy of the signed "NOTICE", as described in Section "11", if the mobile home was purchased from a dealer;
- (6) Name and address of the owner and name and address of the person to be in possession, if other than the owner;
- (7) Year, make, model, size, and complete serial number of the mobile home;
- (8) Name and address of the land owner where the mobile home will be sited;
- (9) Payment of a five dollar (\$5.00) registration fee;
- (10) There will be a builders code inspection fee of one hundred dollars (\$100.00);
- (11) There will be a fifty-dollar (\$50.00) moving permit fee for mobile homes moving out of the county.

A registration decal shall be valid until title to such mobile home is transferred to a new owner or until the mobile home is relocated.

No construction permits for temporary or permanent installation, including electrical permits, shall be issued until all of the above requirements have been met.

SECTION 4

DISPLAY OF REGISTRATION DECAL

Every mobile home located in Williamsburg County, except as otherwise herein provided, shall throughout the current issue year or period, display both the assigned numbered registration decal, as herein required, in such manner as to be visible from the street or driveway to which the mobile home is addressed. Only current / valid Williamsburg County Mobile Home Decals shall be displayed. All expired decals must be removed.

SECTION 5

MISPLACEMENT OF DECALS

Upon satisfactory evidence that any registration decal has been lost or destroyed, a duplicate shall be issued. The State mandate registration fee of Five (\$5.00) Dollars shall be charged for the replacement of a registration decal.

SECTION 6

TAX LIABILITY

Any and all tax liabilities follow the mobile home pursuant to Code of Laws of South Carolina, 1976, as amended, S12 - 49 - 10. The Buyer of a mobile home upon which there is unpaid taxes shall be responsible for the unpaid taxes.

SECTION 7

MOVING PERMIT REQUIREMENT

Prior to the movement of any mobile home being transported into, out of, or within the boundaries of Williamsburg County for any reason, a Williamsburg County "Moving Permit" must be acquired from the Williamsburg County Assessor's Office. This moving permit must be displayed at the rear of the mobile home during the entire transit period. Failure to acquire and display this permit will place the mobile home hauler and the owner in violation of this Ordinance.

Before issuing a moving permit, the Assessor's Office shall require receipts from the County Treasurer and the County Tax Collector indicating that all prior taxes and fees have been paid on the mobile home. If the mobile home is to be moved outside the boundaries of Williamsburg County, all current taxes and fees must be paid in addition to prior taxes and fees. The current value of the mobile home shall be assessed by the Assessor, and the Auditor shall base the taxes on the prior year's mileage.

This requirement for a moving permit shall not apply to mobile home dealers moving a mobile home from their lot to a customer's lot when the delivery is required by the terms of the sale, or bringing a mobile home into the State for resale purposes. However, a moving permit is required for any other reason, including, but not limited to, repossession of a mobile home by or for a mobile home dealer.

SECTION 8

SUPPLIES OF ELECTRICITY

No utility company or rural electric cooperative shall make a new connection of electrical energy to a mobile home unless a copy of the decal registration application and

a copy of septic tank approval or a letter from the Williamsburg County Health Department is presented to the electrical supplier, or unless a designated County employee has telephoned his / her approval of the connection to the electric supplier.

In addition to the requirements set forth above, no one shall supply electricity to or for a person who is not in compliance with this Ordinance.

SECTION 9

MOBILE HOME PARK LISTING

Each mobile park owner shall provide to the Williamsburg County Assessor's Office on or before December 31st of each year a listing of owners of all mobile homes located within their park. Such listings shall consist of the following:

- (1) Full name and address of the owner;
- (2) Space / lot number where the mobile home is located
- (3) Current registration decal number for the mobile home;
- (4) Description of the mobile home, including year, make, model and complete serial number.

Mobile home parks – shall also clearly display the park's name and address at the Entrance of the park and mark each lot number so that it is clearly visible at each mobile home lot.

SECTION 10

DEALER RESPONSIBILITY

Each mobile home dealer shall complete in full a "Bill of Sale" form (B. O. S.) on every mobile home sold. The B. O. S. form must reflect all trade – ins. A copy of the B.

O. S. form shall be mailed to the Williamsburg County Assessor's Office within Ten (10) days of the date of sale.

Mobile home dealers shall report all repossessions and trade - INS that are taken back in inventory. An "Affidavit of Repossession / Trade - In" must be completed in full and mailed to the Williamsburg County Assessor's Office within Ten (10) days of the date of repossession or trade - in.

Each mobile home dealer selling a mobile home, prior to entering into any binding agreements, shall have the prospective purchaser sign a copy of the "NOTICE" as described herein. The "NOTICE" must be in substantially the same form as is set out in Exhibit "A", attached hereto and incorporated herein by reference. The "NOTICE" to be signed by purchaser shall state in bold, capital letters near the top of the first page of any such document a "NOTICE" to the effect that the seller calls to the attention of the purchaser the existence of this Ordinance and its penalties. Such "NOTICE" shall, at a minimum, call to the attention of the purchaser in clear, brief language, that such purchaser is required to obtain a registration decal as required by this Ordinance. This "NOTICE" provision does not apply to any contract or purchase agreement when such purchase agreement deals with a mobile home that will not be located in Williamsburg County. If the buyer intends to locate the mobile home outside of Williamsburg County, such fact shall be noted on the "NOTICE" statement and initialed by the parties to the contract. The dealer shall provide one (1) copy of the "NOTICE" to the purchaser of the mobile home at the time of signing, and send one (1) copy of the "NOTICE" to the Williamsburg County Assessor's Office.

SECTION 11

EXCEPTIONS

The provisions of the Ordinance shall not apply to transactions involving the sales and purchases of mobile homes between manufacturers and licensed dealers.

SECTION 12

SEPARABILITY

A determination that any portion of this Ordinance is invalid or unenforceable shall not affect the remaining portions.

SECTION 13

VIOLATION AND PENALTY

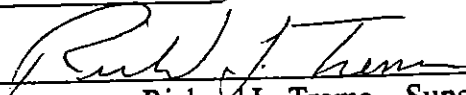
Any person violating or failing to comply with any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than Two Hundred (\$200.00) Dollars or imprisoned for not more than Thirty (30) days for each such violation. Each day of noncompliance with the provisions of this Ordinance shall constitute a separate offense.

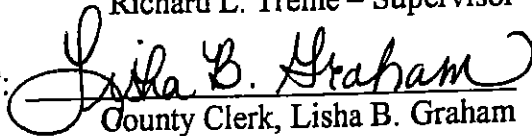
SECTION 14

EFFECTIVE DATE

This Ordinance shall become effective on the 20th day of October, 1999.

Adopted This 19th day of October, 1999


Richard L. Treme - Supervisor

ATTEST: 
County Clerk, Lisha B. Graham

Oddie C. Woods
Stanley Fulmer
Paul E. Spitzer
Ed. B. Taylor
Harry L. Higgins

First Reading: AUGUST 17, 1999

Second Reading: SEPTEMBER 7, 1999

Third Reading: OCTOBER 19, 1999

Public hearing October 19, 1999

EXHIBIT A

NOTICE

_____, as Seller of a mobile or manufactured home, hereby notifies _____, as Buyer(s) of Williamsburg County Ordinance No. 1999 - _____ which provides for the regulation of all mobile homes located or intended to be located anywhere in the unincorporated area of Williamsburg County. This ordinance includes the following requirements:

1. The purchaser of the mobile home must obtain a registration decal from the Tax Assessor's Office within Fifteen (15) days of purchase. The registration fee is Five (\$5.00) Dollars. Such registration decal shall be displayed on the mobile home and shall be valid until the mobile home is transferred to a new owner or until the mobile home is relocated. Electrical suppliers are prohibited from connecting electricity to the mobile home until a registration decal is obtained, and \$100 inspection fee has been paid in full.

Any person violating any provision of Williamsburg County Ordinance No. 1999 - _____ shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than Two hundred (\$200.00) Dollars or imprisoned for not more than Thirty (30) days. Each day of noncompliance with the terms of the Ordinance shall constitute a separate offense.

_____ I (We) have read and understand the above information. I (We) accept responsibility for complying with the above requirements. My (Our) mobile home will be located at _____
(Street address or TMS Number)

_____ I (We) do not intend to locate my (our) mobile home in an unincorporated area of Williamsburg County.

Buyer

Co - Buyer

Dealer

Date