

Introduced	<u>3/4/19</u>
Public Hearing	<u>3/18/19</u>
Council Action	<u>4/1/19</u>
Executive Action	<u>4/8/19</u>
Effective Date	<u>6/18/19</u>

**County Council of Howard County, Maryland**

2019 Legislative Session

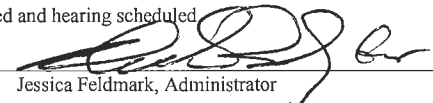
Legislative Day No. 4

**Bill No. 8 -2019**

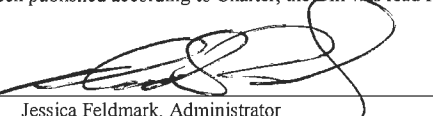
Introduced by the Chairperson at the request of the County Executive and  
Christiana Mercer Rigby, Opel Jones, Deb Jung and Liz Walsh

AN ACT repealing the mobile home site rental tax; and generally relating to mobile home  
developments.

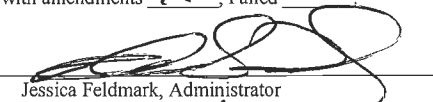
Introduced and read first time March 4, 2019. Ordered posted and hearing scheduled

By order   
Jessica Feldmark, Administrator


Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a  
second time at a public hearing on March 18, 2019.

By order   
Jessica Feldmark, Administrator

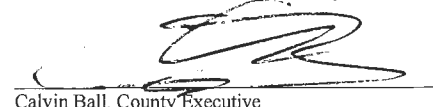
This Bill was read the third time on April, 2019 and Passed , Passed with amendments , Failed

By order   
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 4 day of April, 2019 at 5 a.m. o.m.

By order   
Jessica Feldmark, Administrator

Approved Vetoed by the County Executive April 8, 2019

  
Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~  
indicates material deleted by amendment; Underlining indicates material added by amendment.

1 *Section 1. Be It Enacted by the County Council of Howard County, Maryland, that the Howard*  
2 *County Code is amended as follows:*

3 *By amending*

4 *Title 16. Planning, zoning and subdivisions and land development regulations.*

5 *Subtitle 5. Mobile Home Development.*

6 *Section 16.510. Mobile home site rental taxes.*

7  
8 **Title 16 - Planning, zoning and subdivisions and land development regulations.**

9 **Subtitle 5. - Mobile Home Development.**

10  
11 **Sec. 16.510. - Mobile home site rental taxes.**

12 (a) **Definitions:**

13 (1) **Rent** means the amount of money or other consideration charged for the right to  
14 use, possess or occupy a mobile home site and does not include late charges or fees, special  
15 charges or fees, utility or service charges or fees and installation or hook-up charges or fees.

16 (2) **Rental class** means a group of mobile home sites in which an identical rent is  
17 charged for each site.

18 (b) **Tax established** means there is a tax on the amount of rent charged for the rental of mobile  
19 homes sites in mobile home parks. The tax is based on the amount of the annual rent charged for  
20 rental of the site. The mobile home site tax shall not apply to mobile homes stored and  
21 unoccupied at the mobile home park nor to property in mobile home subdivisions.

22 (c) **[[Amount of tax** means the amount of the annual mobile home site rental tax shall be  
23 calculated as follows:

24 (1) **Ten percent of the first \$3,600.00 of annual rent charged; and**

25 (2) **Five percent of the amount of annual rent charged over \$3,600.00]] AS WITH THE**

26 **EXCEPTION OF SUBSECTION (E) OF THIS SECTION AS TO TAXES PAID DURING CALENDAR**

27 **YEAR 2019, AS OF JULY 1, 2019, THE MOBILE HOME SITE RENTAL TAX IS REPEALED.**

28 (d) **Collected by mobile home park licensee** means the mobile home park licensee shall collect  
29 one-twelfth of the annual mobile home site rental tax each month from each renter of a mobile  
30 home site in the park.

31 (e) **Receipt to renter** means:

32 (1) **Prior year's tax** —On January 31 of each year the licensee shall give the renter of  
33 the mobile home site a separate receipt for the total mobile home site rental tax paid by the renter  
34 during the previous calendar year.

1 (2) Renter vacates—Receipt for current year's tax: Within 30 days after a renter of a  
2 mobile home site vacates the park, the licensee shall give that renter a separate receipt for the  
3 total mobile home site rental tax paid by the renter during the current calendar year.

4 (3) More frequent receipts —The licensee may provide monthly, quarterly or  
5 semiannual receipts for the mobile home site rental tax in addition to the annual receipt.

6 (f) Licensee remits mobile home site rental tax to Director of Finance means on or before the  
7 tenth of each month, the licensee shall remit to the Director of Finance of Howard County the  
8 mobile home site rental tax collected during the previous month.

9 (g) Information to be provided when mobile home site rental tax is remitted means when the  
10 licensee remits the mobile home site rental tax collected during the previous month to the  
11 Director of Finance, the licensee shall also provide the following documentation:

12 (1) The number of sites for which the park is licensed;

13 (2) The number of sites rented during the previous month;

14 (3) For each rental class during the previous month:

15 (i) The monthly rent per unit;

16 (ii) Total rent collected, including rent unpaid from prior months; and

17 (iii) Total tax collected and remitted.

18 (h) Audit—Requirement to maintain records means the County may audit the records of  
19 licensees to determine that the mobile home site rental tax has been correctly calculated and  
20 reported to the Director of Finance. The licensee shall maintain for two years the records of rent,  
21 charges and fees collected monthly and shall make these records available to the County upon  
22 request.

23 (i) Penalties for late remittance means there is a penalty for late remittance of the mobile home  
24 site rental tax as follows:

25 (1) One-half percent of the total amount of the tax owed if remitted during the month  
26 when due, but after the tenth of that month;

27 (2) One percent of the total amount of the tax owed if remitted after the month when  
28 due, but before the end of the following month.

29 (3) Ten percent of the total amount of the tax owed if still unpaid after the end of the  
30 second month when due, plus one percent interest per month on the unpaid taxes.

31 (j) Enforcement means in addition to other enforcement remedies provided by law, the  
32 following enforcement measures may be used:

1           (1) Revocation of license. A licensee's nonpayment of the mobile home site rental tax  
2 or frequent late remittance of the tax may constitute grounds for revocation of the license for a  
3 mobile home park.

4           (2) Civil violation. The Director of Finance may enforce the provisions of subsections  
5 (e), (g) and (h) of this section with civil penalties pursuant to title 24, "Civil Penalties," of the  
6 Howard County Code. A violation shall be a Class B offense.

7

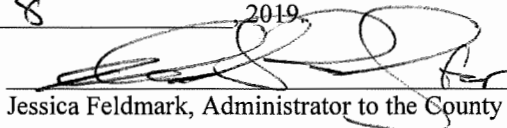
8 ***Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland, that***  
9 ***this Act shall not affect any tax due and owing before July 1, 2019.***

10

11 ***Section 3. And Be It Further Enacted by the County Council of Howard County, Maryland, that***  
12 ***this Act shall become effective 61 days after its enactment.***

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on

April 8 2019.  
  
\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council