

13-01-10-001
**ORDINANCE ESTABLISHING PROCESSING FEE
FOR MOBILE HOME TRANSFERS AND MOVING PERMITS
PREPARED BY THE KOSCIUSKO COUNTY TREASURER**

WHEREAS, the policy of the State is to grant local governments all powers that they need for the effective operation of government as to local affairs, as stated in I.C. 36-1-3-2; and

WHEREAS, the County has all powers necessary or desirable in the conduct of its affairs even though not granted by statute; and

WHEREAS, many persons are requesting the Kosciusko County Treasurer to issue permits for the moving or transfer of title of mobile homes as required by IC 6-1.1-7-10; and

WHEREAS, each such request requires the expenditure of much time and labor by the Treasurer's Office and such requests have become an uncompensated burden upon the Treasurer's Office; and

WHEREAS, many counties charge a fee for similar services; and

WHEREAS, it is in the best interests of the residents of Kosciusko County that a charge should be made for such services; and

WHEREAS, after study it has been determined that the fee should be \$10.00 for each mobile home moving permit or transfer of title permit issued by the Treasurer; and

WHEREAS, this Ordinance does not rescind or conflict with any previous ordinance, state statute or Federal law whereby any fee has been established for such service.


NOW, THEREFORE, BE IT ORDAINED, that effective as of 8:00 a.m. on January 15, 2013, a fee of \$10.00 shall be charged by the Kosciusko County Treasurer for each mobile home moving permit or transfer of title permit issued by the Treasurer; and

BE IT FURTHER ORDAINED, that the County Treasurer shall post the fee set forth in this Ordinance in a prominent place within the Treasurer's Office where the fee schedule is readily accessible to the public; and

BE IT FURTHER ORDAINED, that such fee shall be paid at, or prior to, the time of the request in cash or by check or money order made payable and delivered to the Treasurer of Kosciusko County. The sum of \$10.00 of each such fee collected shall be deposited in the Kosciusko County General Fund.

This ordinance shall be effective January 15, 2013.

Presented to the County Council of Kosciusko County, Indiana, January 10th, 2013.

2013010711 ORDN \$0.00
01/11/2013 01:46:20P 3 PGS
Deborah A. Wright
Kosciusko County Recorder IN
Recorded as Presented


IC 36-1-3-2

Policy

Sec. 2. The policy of the state is to grant units all the powers that they need for the effective operation of government as to local affairs.

As added by Acts 1980, P.L.211, SEC.1.

IC 6-1.1-7-10

Movement of mobile home; transfer of title; permits

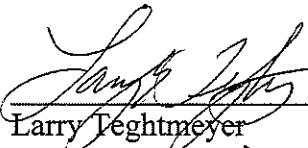
Sec. 10. (a) A mobile home may not be moved from one location to another unless the owner or the occupier obtains a permit to move the mobile home from the county treasurer.

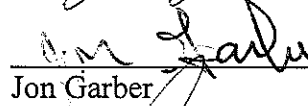
(b) The bureau of motor vehicles may not transfer the title to a mobile home unless the owner obtains a permit to transfer the title from the county treasurer.

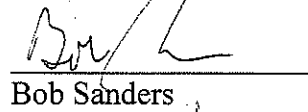
(c) A county treasurer shall issue a permit which is required to either move, or transfer the title to, a mobile home if the taxes due on the mobile home have been paid. The permit shall state the date it is issued.


(Formerly: Acts 1975, P.L.47, SEC.1.)

KOSCIUSKO COUNTY COUNCIL


Larry Teghtmeyer

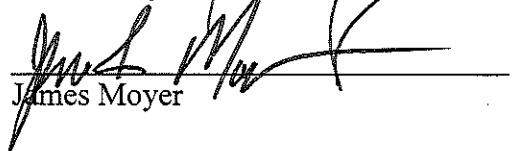

Jon Garber


Bob Sanders

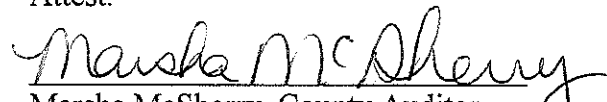

Doug Heinisch

ABSTAIN
Jon Fussle

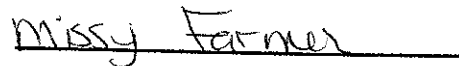

Brad Tandy


James Moyer

Attest:


Marsha McSherry, County Auditor

I affirm, under the penalties for perjury,
that I have taken reasonable care to redact
each Social Security number in this
document, unless required by law.


Missy Farmer

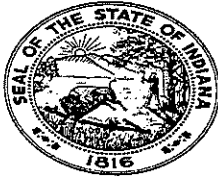
① JAN 11 2013

AUDITORS OFFICE MISSY

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NK
WB



Sue Ann Mitchell

Kosciusko County Treasurer

100 W Center Street, Rm 215, Warsaw, IN 46580

Phone 1-574-372-2372 Fax 1-574-372-2469

smitchell@kcgov.com

Kosciusko County Council
100 W Center St.
Warsaw, IN 46580

RE: Mobile Home Permit Fee Ordinance

Dear County Council Members:

I am enclosing a copy of an ordinance I hope you will consider at your January 10th meeting. The ordinance addresses the collection of a Mobile Home Permit Fee for the processing of paper work to transfer mobile homes. I sent a copy of the ordinance to County Attorney Mike Miner's office. Chad Miner has reviewed the ordinance and has given his approval.

The Kosciusko County tax assessment summary shows that there were 3659 mobile homes billed in Kosciusko County for 2012. The collection rate for 2012 indicates that only 51% of the property taxes being billed were collected. The processing of mobile home transfer permits is required by the BMV before the title to a mobile home can be transferred. The process is to verify that all property taxes on the mobile home being transferred are paid in full.

The Kosciusko County Treasurer's Office has done 447 mobile home permits for 2012. Basically, that figure indicates approximately 12% of all mobile homes in the county have transferred this year. Mobile home property taxes that are delinquent from the prior year become "demands" and are certified to the Clerk of the Courts if not paid. When properties become "demands" they are sent to AFCS which is a collection agency that pursues collection on behalf of Kosciusko County. Once the taxes become a certified judgment to the Clerk of the Courts, they are no longer maintained on the Kosciusko County tax billing system. Verification of taxes being paid on the mobile homes requires looking at the county tax billing system as well as the AFCS website.

Several permits have been prepared more than one time because they are only effective for 30 days. When the effective date expires, a new permit must be obtained. This requires redoing the entire permit to be presented to the BMV. Four copies of the permit are required including one for the County Assessor, Treasurer, BMV and mobile home owner.

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Mobile Home Permit Fee Ordinance

Several counties in Indiana have a Mobile Home Permit Fee. Most charge \$10 for the preparation of the Mobile Home Transfer Permit. I am requesting Council approval for a \$10 Mobile Home Transfer Fee to be receipted into the County General Fund at the time of spring and fall settlement. The tracking of the money collected will be done through the Treasurer's Cash book much like the Excise Tax Collections are handled. An individual receipt consecutively numbered will be issued by the County Treasurer's Office for the permit fee much like the Excise Tax process. The receipt can be provided to the Auditor's Office on a daily basis much like the Excise Tax process. This will simplify the procedure since mobile home owners will be writing one check to pay both the property tax and the fee. By following this process the Auditor's Office will not be required to issue a separate quietus for each permit, but they will receive copies of the receipts on a daily basis so the checks and balances will be in place.

We have worked very hard over the past four years to clean up outstanding mobile home property tax. The Assessor's Office is no longer transferring a mobile home unless they receive a permit from the County Treasurer's Office. The County Treasurer's Office is requiring a copy of the mobile home title before the permit is issued so we can build a data base of VIN numbers for easier identification of the mobile home. Implementing those steps has helped close up some of the loop holes causing collections to be reduced. Unfortunately, the non-payment of property tax and the non-payment of the judgment certified to the Clerk of the Courts means very little to the mobile home owner. Generally, unless a person is applying for a mortgage the judgments seldom surface. Legislation is being proposed this year to go even further to help with collections.

There is some urgency to implement this as the County Assessor's Office will be sending out the assessments for mobile homes shortly after January 15th. We could include information on the additional charge with the assessment notice which would mean no postage expense to notify current mobile home owners of the newly created fee. I respectfully request you consider the adoption of this ordinance that should generate in excess of \$4,000 each year. Please feel free to give me a call if you have questions. Thank you for your consideration of this issue.

Sincerely,

Sue Ann Mitchell
Kosciusko County Treasurer

