

557B.1 Definitions.

As used in this chapter, unless the context otherwise requires:

1. “*Advertisement*” means an attempt by publication, dissemination, solicitation, or circulation to induce directly or indirectly any person to enter into an obligation or acquire a title or interest in a membership camping contract.

2. “*Affiliate*” means any person who, directly or indirectly through one or more intermediaries, controls or is controlled by or is under common control with the person specified.

3. “*Blanket encumbrance*” means any mortgage, deed of trust, option to purchase, vendor’s lien or interest under a contract or agreement of sale, judgment lien, federal or state tax lien, or any other material lien or encumbrance which secures or evidences the obligation to pay money or to sell or convey all or part of a campground located in this state, made available to purchasers by the membership camping operator, and which authorizes, permits, or requires the foreclosure or other disposition of the campground. “*Blanket encumbrance*” also includes the lessor’s interest in a lease of all or part of a campground which is located in this state and which is made available to purchasers by a membership camping operator. “*Blanket encumbrance*” does not include a lien for taxes or assessments levied by a public body which are not yet due and payable.

4. “*Business day*” means any day except Saturday, Sunday, or a legal holiday.

5. “*Campground*” means real property made available to persons for camping, whether by tent, trailer, camper, cabin, recreational vehicle, or similar device and includes the outdoor recreational facilities located on the real property. “*Campground*” does not include a manufactured home community or mobile home park as defined in section 435.1.

6. “*Controlling persons of a membership camping operator*” means each director and officer and each owner of twenty-five percent or more of the stock of the operator, if the operator is a corporation; and each general partner and each owner of twenty-five percent or more of the partnership or other interests, if the operator is a general or limited partnership; or other person doing business as a membership camping operator.

7. “*Membership camping contract*” means an agreement offered or sold within this state evidencing a purchaser’s right to use a campground of a membership camping operator for more than thirty days during the term of the agreement.

8. “*Membership camping operator*” or “*operator*” means any person other than one who is tax exempt under section 501(c)(3) of the Internal Revenue Code, as defined in section 422.3, who owns or operates a campground and offers or sells membership camping contracts paid for by a fee or periodic payments. “*Membership camping operator*” does not include the operator of a manufactured home community or mobile home park as defined in chapter 435.

9. “*Offer*” means an inducement, solicitation, or attempt to encourage a person to acquire a membership camping contract.

10. “*Purchaser*” means a person who enters into a membership camping contract with a membership camping operator and obtains the right to use the campground owned or operated by the membership camping operator.

87 Acts, ch 181, §5; 2001 Acts, ch 153, §16