

**CHAPTER 14
MOBILE HOMES AND MOBILE HOME PARKS**

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| §101. Definitions | §116. Maintenance of Facilities,
Damage |
| §102. License | §117. Play Areas |
| §103. License Fees | §118. Skirts |
| §104. Application for License | §119. Water Supply |
| §105. Inspector | §120. Sewage Disposal |
| §106. Duties of Inspector | §121. Electrical Distribution System |
| §107. Size and Specifications of Parks | §122. Service Building and Other Park
Service Facilities |
| §108. Garbage | §123. Refuse Hauling |
| §109. Lot Lines | §124. Insect and Rodent Control |
| §110. Parking | §125. Fuel Supply and Storage |
| §111. Streets and Driveways Within
Area | §126. Miscellaneous Responsibilities of
the Park Management |
| §112. Sewerage Systems | §127. Notices, Hearings and Orders |
| §113. Electric Lines | §128. Saving Clause |
| §114. Registration of Park | §129. Penalty |
| §115. Registration of Occupants | |

[HISTORY: Adopted by the Sewickley Township Board of Supervisors at a public meeting held September 16, 2015 as Ordinance No. 1 of 2015 which updated, revised and restated the prior provisions regulating mobile home parks. Further amendments where noted.]

§101. Definitions. The following words and phrases shall have the meaning herein ascribed to them when hereafter used herein unless another meaning is clearly evident:

- A. TOWNSHIP – The Township of Sewickley of Westmoreland County, Pennsylvania.
- B. MOBILE HOME PARK OR PARK – Any site, lot, field, or tract of land within Township, privately or publicly owned or operated, upon which two or more mobile homes are or are intended to be located, whether operated for or without compensation by whatsoever name or title they are colloquially or commercially termed, except the following, which shall not be subject to this Ordinance:

1. Mobile homes both owned and lived in by persons related to the owner of the land. Only degrees of relationship permitted are parent, grandparent, child, grandchild, brother or sister and spouses of the foregoing. Where more than two persons are owners of land, this subsection shall be inapplicable.
 2. Tracts of land acquired by any person at different times and each tract containing not less than one-fourth acre shall be considered separate tracts of land for the purpose of this Ordinance, even though contiguous.
- C. MOBILE HOME – Any structure intended for or capable of human habitation, with or without wheels and capable of being driven, propelled, transported, or towed from place to place, by whatsoever name or title it is colloquially or commercially known, provided that this definition shall not include transport trucks or vans equipped with sleeping space for a driver or drivers.
- D. SPACE – That plot of ground upon which one mobile home is or is to be located.
- E. PERSON – Any individual, partnership, corporation, association, municipality, county, authority, Commonwealth of Pennsylvania, or any other private or public entity.
- F. GARBAGE – All petruscible wastes, except sewage and body waste, including animal and vegetable offal.
- G. REFUSE – All nonpetruscible wastes generally regarded and classified as rubbish, trash, junk, and similar designations which have been rejected by the owner or possessor thereof as useless or worthless to him.
- H. SEWERAGE SYSTEM – Any system whether community or individual, publicly or privately owned, for the collection and disposal of sewage and wastes of a liquid nature or both, including various devices for the treatment of such sewage or industrial wastes.
- I. SEWAGE – Any substance that contains any of the waste products or excrements or other discharge from the bodies of human beings or animals and any noxious or deleterious substance being harmful or inimical to the public health or to animal or aquatic life or to the use of water for domestic supply or for recreation.
- J. INSPECTOR – The person appointed by the township pursuant to this Ordinance 1to make inspections of matters required by it and enforcement of it.
- K. LICENSE – The license required by this Ordinance.
- L. OWNER – The owner, operator, licensee, or proprietor of any park, including an applicant for a license.

§102. License. It shall be unlawful for any person to maintain or operate within the Township any park unless such person shall first obtain a license therefor. All parks in existence upon the effective date of this Ordinance shall within ninety days thereafter obtain such license and in all other respects comply fully with the requirements of this Ordinance, provided, however, that reconstruction of existing licensed mobile home parks in the Township shall not be required to meet:

- A. Minimum square footage requirements for space; and
- B. Underground electric installations.

Provided further that upon any enlargement or addition to presently licensed premises increasing spaces thereat the entire park shall be brought in conformity in all respects with this Ordinance as to such increase in spaces and as to spaces and areas originally licensed.

§103. License Fees. An annual license fee shall be set from time to time by Resolution of the Board of Supervisors.

§104. Application for License. An application for a park license shall be filed with and issued by the Township. Applications shall be made by the owner in writing, signed by the owner, and shall contain:

- A. The name and address of the owner.
- B. Whether the owner is the owner, lessee, licensee, or proprietor of the land upon which the park is situated and if the applicant is lessee or licensee the name of the land owner.
- C. The location and legal description of the park.
- D. A complete plan of the park, showing compliance with the full and complete terms of the ordinance and showing the number and location of spaces.
- E. Plans of all buildings and other improvements c constructed or to be constructed within the park.
- F. Such further information as may be reasonable requested by the Township.

The application and all accompanying plans shall be filed in duplicate. The Township shall inspect and review the proposed plans. If the application is found to comply with all provisions of this Ordinance and all other applicable ordinances or statutes, it will be approved, and upon completion of the park according to the said plans, the license will be issued.

§105. Inspector. The Township shall appoint an inspector and set his salary.

§106. Duties of Inspector.

- A. It shall be the duty of the inspector to examine all parks within the Township at the time of the original application and thereafter from time to time. Should he find any violation of this Ordinance, he shall give a written notice to the owner, setting forth the said violations; and it shall thereupon be the duty of the aforesaid owner to correct the conditions set forth in the aforesaid notice within fifteen days of the receipt of such notice.
- B. In the event that the aforesaid owner shall neglect, refuse, or fail to make corrections set forth in such notice from the inspector or remedy violations within the fifteen days aforesaid, the owner

- 1. Shall then be subject to the penalties for the violation of this Ordinance as hereinafter more specifically set forth; and
- 2. The inspector may recommend to the Township that the owner's license be revoked.

After notice to the owner by the Township, the Township may revoke such license after first affording to the owner a chance to appear and present his case.

- C. The inspector may institute proceedings for violation, fines, or penalties in the name of the Township.

§107. Size and Specifications of Parks. Every park hereinafter opened shall contain an area of at least three acres, and each space must be clearly designated on the ground by posts or other similar markings and shall contain not less than four thousand five hundred square feet. Roadway widths through any park shall not be included in the computation of area in any space.

§108. Garbage. All garbage and refuse shall be collected and removed from the park at least once every week.

§109. Lot Lines. No mobile home shall be placed closer to any property line of the park or road in the park than twenty feet.

§110. Parking. Off-street automobile parking within the park shall be provided for each space.

§111. Streets and Driveways Within Area. All streets and driveways in every park shall have a minimum width of twenty-five feet and shall be constructed and maintained by the owner and kept in a passable and dust-free condition at all times. No such roads shall be public, and the Township shall not maintain or provide any service therefor.

§112. Sewerage Systems. All parks must have sewerage collection and disposal systems which have been approved by the Pennsylvania Department of Environmental Protection (PaDEP). No plan shall be submitted to the PaDEP unless a preliminary layout of all spaces has been first approved by the Township. Following approval by PaDEP, the plan shall be resubmitted in final

form to the Township for final action. Any sewerage system not operated or installed in accordance with regulations of the PaDEP must be brought into conformance by the owner of the park, or the license will be revoked.

§113. Electric Lines. All electric lines in any park shall be underground. Failure to provide adequate supply of electricity to any space will be a ground for revocation of the license.

§114. Registration of Park.

- A. Permit Required. It shall be unlawful for any person to operate any mobile home park within the limits of the township unless he holds a permit issued annually by the Township of Sewickley.
- B. Renewal Permits. A renewal permit shall be issued annually by the Sewickley Township Secretary upon the furnishing of proof by the applicant that his park meets the standards prescribed by this Ordinance.
- C. Application to Township for Annual Permit. Applications for initial or renewal permits to operate a mobile home park shall be made, in writing, to the Township Secretary using a form furnished by the township. All such applications shall contain any change in the information submitted since the original permit was issued or latest renewal issued.
- D. Transfer of Ownership. Every person holding a permit shall file a written notice to the Township of Sewickley within ten (10) days after having sold, transferred, given away, or otherwise disposed of, interest in or control of any mobile home park.
- E. Revocation of Permit. Whenever, upon inspection of any mobile home park, it is determined that conditions or practices exist which are in violation of any provisions of this Ordinance, or of any regulations adopted pursuant thereto, action shall be taken in accordance with the provisions of this Ordinance.

§115. Registration of Occupants. It shall be the duty of the owner to keep a register containing a record of all mobile home owners and occupants located within the park. The register shall contain:

- A. The name and address of each occupant.
- B. The make, model, and year of all automobiles and mobile homes.
- C. The date of arrival and departure of each mobile home.

The owner shall keep the register available for inspection at all times by law enforcement officers, public health officials, and other officials whose duties necessitate acquisition of the information contained in the register. The register records shall not be destroyed for a period of three years following the date of the registration.

§116. Maintenance of Facilities, Damage. The owner shall assume full responsibility for maintaining in good repair and condition all sanitary and safety appliances on such park and shall promptly bring such action as is necessary to prosecute or eject from said park any person or persons who willfully or maliciously damage such appliances or any person or persons who fail to comply with the regulations of this Ordinance.

§117. Play Areas. Each park shall have provisions for play areas for children and the owner shall cut grass and otherwise maintain such areas.

§118. Skirts. Each mobile home in the park shall be required by the owner to have a skirt around each mobile home of esthetically pleasing materials, which may be the same as that used in exterior construction of the mobile home.

§119. Water Supply.

A. General Requirements. An adequate supply of water shall be provided for mobile homes, service buildings, and other accessory facilities as required by this Ordinance. Where a public water supply system of satisfactory quantity, quality and pressure is available, connection shall be made thereto and its supply shall be used exclusively. Where a satisfactory public water system is not available, the development of a private supply system shall be approved by the Pennsylvania Department of Environmental Resources or other authorities having jurisdiction.

B. Source of Supply.

1. The water supply shall be capable of supplying a minimum of one hundred fifty (150) gallons per day per mobile home.
2. The well or suction line of the water supply system shall be located and constructed in such a manner that neither underground nor surface contamination will reach the water supply from any source.
3. No well-casings, pumps, pumping machinery or suction pipes shall be placed in any pit, room or space above ground which is walled in or otherwise enclosed, unless such rooms, whether above or below ground, have free drainage by gravity to the surface of the ground.
4. Water supply treatment, if necessary, shall be in accordance with the requirements of the Pennsylvania Department of Environmental Resources.

C. Water Storage Facilities. All water storage reservoirs shall be covered, water-tight and constructed of impervious material and provide a minimum two and one-half (2 1/2) inch fire apparatus tap. Overflows and vents of such reservoirs shall be effectively screened. Manholes shall be constructed with overlapping covers, so as to prevent the entrance of contaminated material. Reservoir overflow pipes shall discharge through an acceptable air gap.

D. Water Distribution System.

1. All water piping, fixtures and other equipment shall be constructed and maintained in accordance with state and local regulations.
2. The water piping system shall not be connected with non-potable or questionable water supplies and shall be protected against the hazards of backflow or back-siphonage.
3. The system shall be so designed and maintained as to provide a pressure of not less than thirty (30) pounds per square inch, under normal operating conditions, at service buildings and other locations requiring potable water supply.

E. Individual Water-Riser Pipes and Connections.

1. Individual water-riser pipes shall be located within the confined area of the mobile home stand at a point where the water connection will approximate a vertical position, thereby insuring the shortest water connection possible and decreasing susceptibility to water pipe freezing.
2. The water-riser pipe shall have a minimum inside diameter of three-fourths (3/4) of an inch and terminate at least four (4) inches above the ground surface. The water outlet shall be provided with a cap when a mobile home does not occupy the lot.
3. Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipe and to protect risers from heaving and thawing actions of ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.
4. A shut-off valve below the frost line shall be provided near the water-riser pipe on each mobile home lot. Underground stop-and waste-valves are prohibited unless their type of manufacture and their method of installation are approved.

§120. Sewage Disposal. All sewer lines shall be located in trenches of sufficient depth to be free of breakage from traffic or other movements and shall be separated from the park water supply system. All sewer lines shall be constructed of approved materials and shall have watertight joints. All sewer lines shall be inspected by the designated representatives of the appropriate public sewage authority and/or the Township of Sewickley before they are covered.

§121. Electrical Distribution System. Every park shall contain an underground electrical wiring system which shall be installed and maintained in accordance with the local electric power company and the National Electric Code.

§122. Service Building and Other Park Service Facilities.

A. Applicability. The requirements of this section shall apply to service buildings, recreation buildings and other community service facilities including but not limited to:

1. Management offices, repair shops and storage area.

2. Laundry facilities.
3. Commercial uses supplying essential goods or services for the exclusive use of park occupants.

B. Facilities.

1. Every mobile home park shall have a structure clearly designated as the office of the mobile home park manager.
2. Service and accessory buildings located in a mobile home park shall be used only by the residents and guests of the residents of the mobile home park.

C. Structural Requirements for Buildings.

1. All portions of the structure shall be properly protected from damage by ordinary uses and by decay, corrosion, termites and other destructive elements. Exterior portions shall be of such materials and be so constructed as to prevent entrance or penetration of moisture and weather.
2. All rooms containing lavatory facilities shall:
 - i. Have sound resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions in lavatories and other plumbing fixtures shall be constructed of dense, non-absorbant, waterproof material or covered with moisture-resistant materials.
 - ii. Have at least one (1) window or skylight facing directly to the outdoors. The minimum aggregate gross area of windows for each required room shall be not less than ten (10) percent of the floor area served by them.
 - iii. Have at least one (1) window which can be easily opened, or a mechanical device which will adequately ventilate the room
3. Toilets shall be located in separate compartments equipped with self-closing doors.

§123. Refuse Handling. The storage, collection and disposal of refuse in the mobile home park shall be the responsibility of the mobile home park owner or manager and shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution.

§124. Insect and Rodent Control. Grounds, buildings and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall comply with all applicable township and state regulations.

§125. Fuel Supply and Storage.

A. Natural Gas System.

1. Natural gas piping systems when installed in mobile home parks, shall be installed and maintained in conformity with the specifications of the company serving the area.

2. Each mobile home lot provided with piped gas shall have an approved shutoff valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.

B. Liquefied Petroleum Gas Systems. Liquefied petroleum gas systems provided for mobile homes, service buildings and other structures when installed shall be maintained in conformity with any applicable rules and regulations and shall include the following:

1. Systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.
2. Systems shall have at least one (1) accessible means for shutting off gas. Such means shall be located outside the mobile home and shall be maintained in effective operating condition.
3. All LPG piping outside of the mobile homes shall be well supported and protected against mechanical injury. Undiluted liquefied petroleum gas in liquid form shall not be conveyed through piping equipment and systems in mobile homes.
4. Vessels of more than twelve (12) and less than sixty (60) U. S. gallons gross capacity must be securely but not permanently fastened to prevent accidental overturning.
5. No LPG vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile home or any other structure unless such installations are specially approved by the authority having jurisdiction.

C. Fuel Oil Supply Systems:

1. All fuel oil supply systems provided for mobile homes, service buildings and other structures shall be installed and maintained in conformity with these rules and regulations.
2. All piping from outside fuel storage tanks or cylinders to mobile homes shall be securely, but not permanently, fastened in place.
3. All fuel oil supply systems provided for mobile homes, service buildings and other structures shall have shut-off valves located within five (5) inches of storage tanks.
4. All fuel storage tanks or cylinders shall be securely placed and shall not be less than five (5) feet from any mobile home exit.
5. Storage tanks located in areas subject to traffic shall be protected against physical damage.

§126. Miscellaneous Responsibilities of the Park Management. In all instances and at all times, the owner/manager of a mobile home park shall:

- A. Maintain and make available to the Township a listing of the location and type of all fire-fighting equipment and extinguishers within the Park.
- B. Maintain park grounds free of poisonous vegetative growth or conditions which may harbor harmful pests.
- C. Operate the park in compliance with this Ordinance and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.
- D. Shall supervise the placement of each mobile home on its mobile home stand which includes securing its stability and installing all utility connections.
- E. Shall the authorized township representative free access to all mobile home lots, service buildings and other community service facilities for the purpose of inspection.
- F. Notify the Pennsylvania Department of Health immediately of any suspected communicable or contagious disease within the park.

§127. Notices, Hearings and Orders.

- A. Notices. Whenever an authorized township representative determines that there are reasonable grounds to believe that there has been a violation of any provision of this Ordinance, or of any regulation adopted pursuant thereto, such authority shall give notice of such alleged violation to the person to whom the permit was issued, as hereinafter provided. Such notice shall: (a) be in writing; (b) include a statement of the reasons for its issuance; (c) allow a reasonable time for the performance of any act it requires; (d) be served upon the owner or his agent by any method authorized or required by the laws of this Commonwealth; (e) contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Ordinance, or any part thereof, and with the regulations adopted pursuant thereto; (f) contain an inspection date to determine if violations of this Ordinance have been corrected in the specified time. If action has not been taken in the specified period of time or the permittee has not requested a hearing before the Board of Supervisors, written notice shall be given of the revocation of this permit.
- B. Hearings. Any person affected by any notice which has been issued in connection with the enforcement of any provision of this Ordinance, or of any regulation adopted pursuant thereto, may request and shall be granted a hearing on the matter before the Sewickley Township Board of Supervisors, provided that such person shall file in the office of the Board of Supervisors a written petition requesting such hearing and setting forth a brief statement of the grounds therefore within ten (10) days after the notice was served. The filing of the request for a hearing shall operate as a stay of the notice and the suspension. Upon receipt of such petition, the authorized township representative shall set a time and

place for such hearing and shall give the petitioner written notice thereof. At such hearing the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn. The hearing shall be commenced not later than ten (10) days after the day on which the petition was filed; provided that upon application of the petitioner, the authorized township representative may postpone the date of the hearing for a reasonable time beyond such ten (10) day period when, in his judgment, the petitioner has submitted good and sufficient reasons for such postponement.

- C. Findings and Order. After such hearing, the Sewickley Township Board of Supervisors shall make findings as to compliance with the provision of this Ordinance and regulations issued thereunder and shall issue an order, in writing, sustaining, modifying, or withdrawing the notice, which order shall be served upon and in the same manner as notices are served in Subsection A hereof. Upon failure to comply with any order sustaining or modifying a notice, the permit of the mobile home park affected by the order shall be revoked
- D. Record and Appeal. The proceedings at such a hearing, including the findings and decision of the Sewickley Township Board of Supervisors, together with a copy of every notice and order related thereto, shall be entered as a matter of public record in the office of the township but the transcript of the proceedings need not be transcribed unless judicial review of the decision is sought as provided by this Section. Any person aggrieved by the decision of the Sewickley Township Board of Supervisors may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of this Commonwealth.

§128. Saving Clause. The provisions of this Ordinance shall be severable; and if any of its provisions shall be declared unconstitutional or illegal by court of competent jurisdiction, the decision of the court shall not affect the validity of the remaining provisions of this Ordinance; it is hereby declared to be the legislative intent that this Ordinance would have been adopted had such illegal or unconstitutional provisions not been included therein.

§129. Penalty.

- A. Summary Violation. Any person, firm or corporation who shall violate any provision of this Ordinance shall, upon being found liable in a summary offense proceeding, pay a fine of not more than \$1,000.00 for each violation, plus court costs and such other costs and expenses as permitted by law, or upon default in payment of such fine and costs, undergo imprisonment to the extent allowed by the law for punishment of summary offenses. In addition to the other powers set forth herein for violation, the Township of Sewickley may institute proceedings in courts of equity to compel the cessation of violation and, further, to collect all costs, charges and expenses incurred in the enforcement process.
- B. Revocation or Suspension of Permit. Upon repeated violations by the same permittee, his right to the issuance of a permit, or to continued operation under a permit, may be suspended for a fixed term or permanently revoked after notice.