

CHAPTER 14

MOBILE HOMES AND MOBILE HOME PARKS

Part 1

Mobile Home Park Regulations

- \$101. Definitions and Word Usage
- \$102. License Required
- \$103. Application for License
- \$104. Nontransferability
- \$105. License Fee
- \$106. Review and Issuance of Application, Appeal Upon Denial
- \$107. Posting of License
- \$108. Mobile Home Park Operations
- \$109. Revocation of Licenses
- \$110. Notice of Violation
- \$111. Violations and Penalties
- \$112. Enforcement
- \$113. Right of Entry

Part 1

Mobile Home Park Regulations

§101. Definitions and Word Usage. In this Part, use of the singular shall include the plural, and use of the plural shall include the singular. The masculine shall include the feminine and the neuter genders. All words and terms used in this Part shall have the same definition as provided in the Earl Township Zoning Ordinance [Chapter 27]. (Ord. 2-1995, 1/3/1995, §1)

§102. License Required. On or after the effective date of this Part, no person shall operate a mobile home park or establish a mobile home park in the Township, except as authorized by this Part and only after having obtained a license for the operation of mobile home park in accordance with this Part and obtaining all other approvals required by applicable ordinances including, but not limited to, zoning and subdivision and/or land development approval. (Ord. 2-1995, 1/3/1995, §2)

§103. Application for License. Application for a license to operate a mobile home park shall be made in writing by any mobile home park operator under oath and in the form prescribed by the Board of Supervisors of the Township and shall contain the name and address of the applicant. The application shall also contain the address and description of the premises upon which the mobile home park is to be operated; the names and addresses of any owner or owners of said property, if other than the applicant; any structures erected on the premises; and a description of the operation plan for said mobile home park. If the applicant is a partnership or association, the application shall furnish the names and addresses of all partners. If the applicant is a corporation, the application shall furnish the names and address of each officer and director thereof. The application shall be signed by the applicant, if the applicant is an individual; by all members of the association or partnership, if the applicant is an association or partnership; or by the president and attested by the secretary, if the applicant is a corporation. (Ord. 2-1995, 1/3/1995, §3)

§104. Nontransferability. No license under this Part shall be transferred or assigned or used by any person other than the one to whom it was issued, and no mobile home park operator's license shall be issued at any location other than the one prescribed in the application upon which it is issued. (Ord. 2-1995, 1/3/1995, §4)

§105. License Fee. Any mobile home park operator shall pay an annual license fee as established by the then current fee schedule established by resolution of the Board of Supervisors. All licenses shall be valid for a term of one (1) year from the date of issuance. (Ord. 2-1995, 1/3/1995, §5)

§106. Review and Issuance of Application; Appeal Upon Denial.

1. Upon receipt of an application, the Board of Supervisors shall review the license application and operation plans contained therein to determine if the requirements of this Part are met. The Board shall determine additionally whether any outstanding notices of violation of Township ordinances exist. No license shall be granted or renewed unless:

A. The application and operational plans are in compliance with this Part.

B. The applicant has received all required zoning and subdivision and/or land development approvals.

C. The applicant has received all approval required from the Department of Environmental Resources.

D. The applicant does not have outstanding violations of other Township codes or ordinances.

2. Any person who has been denied a license or whose license has been suspended or revoked may appeal the denial, suspension or revocation to the Board of Supervisors. Such appeal shall be made in writing within ten (10) days after such decision has been made. The appeal shall be verified by an affidavit and shall be filed with the Township Manager. The appellant or his representative shall have the right to appear and be heard, if such right is requested in the written appeal. The appeal shall be accompanied by the appeal fee established by resolution of the Board of Supervisors, and no appeal shall be considered complete without payment of the appeal fee. A prompt decision on such appeal shall be made by the Board of Supervisors.

3. If the application for a license to operate a mobile home park is granted, the Township Zoning Officer shall issue a license to the applicant designating the name of the mobile home park operator, the address of the mobile home park and the applicable dates of the license.

(Ord. 2-1995, 1/3/1995, §6)

§107. Posting of License. All mobile home park licenses shall be conspicuously posted upon the premises operated as a mobile home park. (Ord. 2-1995, 1/3/1995, §7)

§108. Mobile Home Park Operation. The owner and/or operator of a mobile home park shall be responsible for the maintenance of such mobile home park. Such maintenance shall include, but not be limited to:

A. Maintaining at all times a register of all occupants which shall be open to inspection by the officers or agents of the Township and shall be provided to the Township Security twice a year no later than December 31 and June 30. Such register shall contain the following information as a minimum.

(1) The name and prior address of the occupant and the name and forwarding address for prior occupants.

(2) The date of entrance and departure.

(3) The lot number upon which the mobile home is or was located.

B. Maintaining the mobile home park in a clean, orderly and sanitary condition at all times.

C. Ensuring compliance with all provisions of this Part and reporting to the Township any violations of this Part.

D. Requiring residents of the mobile home park to prevent the running at large of dogs, cats or other animals.

E. Requiring the installation of smoke detectors and fire extinguishers (five (5) pound or greater) in all mobile homes within the mobile home park and taking all steps necessary to ensure compliance with this provision.

F. Prohibiting the burning of trash or rubbish within the mobile home park.

G. Prohibiting the use of any mobile home by a greater number of occupants than that which it is designed to accommodate.

H. Prohibiting the parking of any mobile home for use as living quarters if said mobile home does not contain a minimum of five hundred (500) square feet of floor space.

I. Maintaining control of rodents, vermin, insects and other pests in all common areas and requiring all mobile home park residents to maintain their mobile homes and mobile home lots in a manner which will control rodents, vermin, insects and other pests.

J. Preventing disorderly conduct or the violation of laws or ordinances within the mobile home park and immediately reporting to the Township any violation of laws or ordinances.

K. Ensuring that all ground surfaces are paved, covered with solid material or protected with vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather.

L. Maintaining the grounds of the mobile home park free of vegetative growth which is poisonous or which may harbor rodents, insects, harmful to humans or other pests harmful to humans.

M. Ensuring that the roads within the mobile home park are accessible to emergency vehicles at all times and enforcing the parking of vehicles of all residents, employees and visitors of the mobile home park.

(Ord. 2-1995, 1/3/1995, §8)

§109. Revocation of Licenses. Any mobile home park operation license shall be subject to revocation by the Township for the violation of this Part or other applicable ordinances or any applicable laws of the Commonwealth of Pennsylvania or any rules and regulations promulgated by any agency of the Commonwealth. Any revocation of the license shall be made by written notice to the mobile home park operator setting forth the grounds for such revocation, and appeal from the revocation of a mobile home park license shall be made as provided in this Part. Upon revocation of a license, the mobile home park will not be subject to hardship, but no new mobile homes may be installed within the mobile home park until a new application shall be made and granted. Such application shall contain reasonable assurances to prevent further violations of the ordinances or laws or regulations which were violated. The revoked license may be reissued for the remainder of the period for which it was issued upon compliance of the license holder with all conditions for the reissuance. No person shall expand or install mobile homes within a mobile home park during the time period when a license shall have been revoked. (Ord. 2-1995, 1/3/1995, §9)

§110. Notice of Violation.

1. Method of Serving Notice. Prior to the issuance of a citation for a violation of this Part, the Township shall serve written notice upon the mobile home park operator in one (1) of the following ways:

A. By mailing a copy of the notice to the mobile home park operator by any form of mail requiring a receipt signed by the mobile home park operator or his agent.

B. By personal delivery of the notice to the mobile home park operator.

C. By handing a copy of the notice at the residence or office of the mobile home park operator or to an adult person in charge of such residence.

D. By fixing a copy of the notice to the door at the entrance of the residence or office of the mobile home park operator.

2. Contents of Notice. The notice shall set forth:

A. The nature and extent of the violation or offense.

B. The period or periods of time over which the violation has occurred.

C. The identity of the person giving notice.

D. The date and time of the sending or posting of the notice.

E. A time period within which the violation must be removed.

F. A statement to the effect that the Township may take steps to enforce this Part if the violation is not removed within the time set forth in the notice.

3. Appeals. Any appeal from the issuance of a notice of violation may be made within ten (10) days from the date of the notice of violation following the procedure set forth in this Part.

(Ord. 2-1995, 1/3/1995, §10)

§111. Violations and Penalties. Any person operating a mobile home park without obtaining a license as provided for by this Part or violating any of the requirements of this Part shall, upon conviction, be subject to a fine not exceeding six hundred dollars (\$600.00), plus costs of prosecution, or, in default of payment thereof, to a term of imprisonment of not more than thirty (30) days. Each day's violation shall be considered a separate offense. (Ord. 2-1995, 1/3/1995, §11)

§112. Enforcement. The Board of Supervisors is hereby empowered to take any action at law or equity to enforce the provisions of this Part, and this Part shall in no way impair or restrict remedies otherwise provided by any other law or ordinance. (Ord. 2-1995, 1/3/1995, §12)

§113. Right of Entry. The Board of Supervisors of the Township or the duly authorized agent thereof may at any time enter upon and inspect the licensed premises for which an application under this Part is pending. (Ord. 2-1995, 1/3/1995, §13)