

SOUTH MIDDLETON TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. __04-19
OF THE BOARD OF SUPERVISORS OF
SOUTH MIDDLETON TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA

AN ORDINANCE PROVIDING FOR
THE PERMITTING AND REGULATION OF
MOBILE HOME PARKS AND MOBILE/MANUFACTURED HOMES
AND TO ESTABLISH STANDARDS FOR THE
CONSTRUCTION AND INSTALLATION
FOR MOBILE/MANUFACTURED HOMES

IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors of South Middleton Township, Cumberland County, Pennsylvania, as follows:

SECTION 1 - TITLE

Mobile/Manufactured Home Ordinance

SECTION 2 - PURPOSE

To provide for the protection of life, limb, health, property, environment and for the safety and welfare of consumer, general public and owners, and occupants of manufactured homes by creating minimum standards for construction and installation of **all** new or replacement mobile/manufactured homes located/placed within South Middleton Township.

SECTION 3 - APPLICATION

This ordinance shall apply to all mobile/manufactured homes whether they are placed on individual lots or within a mobile/manufactured home park.

SECTION 4 - DEFINITIONS

Mobile/Manufactured Home - A transportable, single family dwelling intended for permanent occupancy, contained in one (1) unit, or in two (2) or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

SECTION 5 - PERMITS AND INSPECTION

A building permit is required for all new mobile/manufactured homes as well as the replacement of existing mobile/manufactured homes whether in individual lots or located in a mobile/manufactured home park. No building permit shall be issued and no mobile/manufactured home shall be installed, constructed or otherwise be placed in the Township for the purpose of use or occupancy, unless such mobile/manufactured home complies with Section 6 hereof and all other applicable federal, state or local statutes, ordinances, rules and regulations.

SECTION 6 - INSTALLATION/CONSTRUCTION REQUIREMENTS

1. Mobile/Manufactured Home – Individual Lots

- a. Shall be manufactured and/or constructed in accordance with the Safety and Construction Standards of the United States Department of Housing and Urban Development. Said standards are incorporated in and made a part of this ordinance.
- b. Shall have a site graded to provide a level, stable and well-drained area.
- c. Shall have wheels, axles and hitch mechanisms removed.
- d. Shall be placed on a permanent foundation in accordance with the manufacturer's installation requirements and in accordance with the Uniform Construction Code, Ordinance 11 of 2004, as amended from time to time.

1. Mobile/Manufactured Home Parks

- a. All existing mobile/manufactured home parks must be permitted in accordance with Article VIII of the Subdivision and Land Development Ordinance.
- b. All applicable provisions of Article VIII of the Subdivision and Land Development Ordinance shall be complied with for all new and existing mobile/manufactured home parks.
- c. Each new or replacement unit in the mobile/manufactured home park shall comply with all the installation/construction requirements contained in this ordinance for mobile/manufactured homes on individual lots in accordance with Section 6 of this ordinance.

- d. All new mobile/manufactured home parks must comply with NFPA 501A (Standard for Fire Safety Criteria for Manufactured Home Installations, Sites, and Communities) 1992 Edition, as amended.

SECTION 7 - PENALTIES AND REMEDIES FOR VIOLATIONS

1. In the event a violation of this Ordinance occurs, in addition to such other remedies as may be available under existing law, the Township may institute an action in equity to prevent, restrain, correct, abate or enjoin use/occupancy of any new or replacement mobile/manufactured home.

2. Any person, whether as principal or agent, who violates this Ordinance or assists or abets its violation shall, upon conviction thereof before any magistrate, be sentenced to pay a fine of not less than One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars, together with the costs of prosecution, and to recover all costs, fees, or other expense or expenditure. The Township may also institute an action to enjoin the use and/or occupancy of any mobile/manufactured home which does not comply with the standards and requirements of this ordinance. Each violation shall constitute a separate offense, for which a summary conviction may be sought.

SECTION 8 - SEVERABILITY

The provisions of this Ordinance shall be severable, and if any provision hereof shall be declared unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as the legislative intent of the Township that this Ordinance would have been amended as if such unconstitutional, illegal or invalid provision or provisions had not been included herein.

SECTION 9 - REPEALER

All Ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance hereby adopted are hereby repealed.

ENACTED AND ORDAINED this __23rd__ day of __November__, 2004__.

BOARD OF SUPERVISORS
SOUTH MIDDLETON TOWNSHIP

Attest:

SANDRA A. QUICKEL, Secretary

RONALD L. REEDER, Chairman

THOMAS E. FALEY, Vice Chairman

PHYLLIS W. GIVLER

JAMES N. BAKER

BRYAN A. GEMBUSIA