

## **Article VI – MOBILE HOME PARKS**

This Article contains provisions setting forth minimum standards for the design, construction, alteration, extension, and maintenance of mobile home parks and related utilities and facilities. Provisions are also included authorizing the issuance of permits for such construction, alteration, and extension of mobile home parks, the licensing of those who operate mobile home parks, the inspection of mobile home parks by authorized Borough officials; and the fixing of penalties for the violation of any of these provisions.

### **SECTION 601 – Definitions**

1. License – written approval, in whatever form as issued by the Borough of Somerset annually, authorizing a person to operate and maintain a mobile home park.
2. Mobile Home – a transportable, single-family dwelling intended for permanent occupancy, office, or place of assembly contained in one unit, or in two 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 or incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.
3. Mobile Home Lot – a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.
4. Mobile Home Park – a parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two or more mobile home lots.
5. Person – any individual, firm, trust, partnership, public or private association or corporation, or other entity.
6. Recreation Vehicle – a vehicle which is designed for human occupancy under transient circumstances, such as camping, travel, or other recreation, sometimes variously known as a “travel trailer” or a “camping trailer.”
7. Service or Recreational Building – a structure housing operational office, recreational, park maintenance, and other facilities built to conform to required local standards.

**SECTION 602– Plan Approval for Mobile Home Park Construction, Alteration, or Extension**

1. Permits Required

It shall be unlawful for any person to construct, alter, or extent any mobile home park within the limits of Somerset Borough unless a valid certificate has been issued by the Pennsylvania Department of Environmental Resources, in the name of such person for the specific construction, alteration, or extension proposed, and also a plan approval and license by the Borough of Somerset.

2. Application to the Pennsylvania Department of Environmental Resources

All applications for a Certificate of Registration shall be made by the owner of the mobile home park or his authorized representative to the Pennsylvania Department of Environmental Resources in accordance with their rules and regulations.

3. Application to Borough Concerning Mobile Home Parks

Copies of the application submitted to the Pennsylvania Department of Environmental Resources shall be concurrently filed with the Borough Secretary. Such application shall be accompanied by a plan at a scale not smaller than one (1) inch equaling forty (40) feet and containing the following information:

- a. All information as required by the Pennsylvania Department of Environmental Resources.
- b. Name of mobile home park.
- c. Name and address of owner of record and/or applicant.
- d. Name of engineer, surveyor, or other qualified person preparing plan.
- e. North arrow, scale, and date of plan preparation.
- f. Location map.
- g. Site data:
  - number of mobile home lots
  - total number of acres

- number of lots/acres
  - zoning district – conditional use approved
  - number of off-street parking spaces
- h. Topography showing existing and proposed contours at intervals of two (2) or five (5) feet, depending upon the slope of the land.
  - i. The location of any existing bodies of water or watercourses, flood plain areas, tree masses, buildings or structures, public facilities, and any other man-made or natural features within or near the proposed mobile home park area.
  - j. A storm water management plan.
  - k. Existing and proposed property, lot and boundary lines, including setback lines, and information concerning lot dimensions, lot areas, and the location of all utilities and easements.
  - l. Location and dimension of all mobile home stands.
  - m. The location of all existing and proposed streets with information concerning pavement widths, types of paving, and street names.
  - n. Typical cross-sections of all streets.
  - o. Street center line profiles.
  - p. Location of all off-street parking areas.
  - q. Location and dimension of all pedestrian ways and sidewalks.
  - r. Location of proposed recreation areas.
  - s. Location of all plantings and landscaping.
  - t. Location, dimensions, and proposed use of all service and accessory structures.
  - u. Location any type of all fire extinguishers and waste containers.
  - v. Location of bench mark and datum used.

- w. Location of proposed monuments and markers.
  - x. Engineer's or surveyor's seal with certification that survey and plan are correct.
  - y. Block for approval by Planning Commission.
  - z. Block for approval by Borough Council.
4. Review of Plans and Issuance of Permit
- a. with the exception of Section 306 Preliminary Plan Specifications and Section 208 Final Plan Specifications, the procedures to be followed in reviewing proposed plans which have been submitted to the Borough for approval, shall be the same as those contained in Article III of this ordinance.
  - b. At the time a final plan is approved, Borough Council shall authorize the Zoning Officer to issue a permit to the applicant.

5. Plan Review Fees

Each application for a preliminary plan approval shall be accompanied by a fee in accordance with the provisions of the fee schedule established in the appendix to this ordinance.

**SECTION 603 – Registration and Licensing**

1. License Required

It shall be unlawful for any person to operate any mobile home park within the limits of the Borough unless he holds a Certificate or Registration issued annually by the Pennsylvania Department of Environmental Resources, and a license issued annually by the Borough of Somerset.

2. Renewal Licenses

Annual licenses shall be issued by the Somerset Borough Zoning Officer upon the furnishing of proof by the applicant that his park meets the standards prescribed by the Pennsylvania Department of Environmental Resources, this ordinance, and the Somerset Borough Housing Code.

3. Application to Borough for Annual License

Application for initial or renewal licenses to operate a mobile home park shall be made, in writing, to the Borough zoning Officer using a form furnished by the Borough. All such applications shall be accompanied by a fee of one hundred dollars (\$100.00) and shall contain any change in the information submitted since the original license was issued or latest renewal issued.

4. Transfer of Ownership

Every person holding a Department of Environmental Resources Certificate and/or Borough license shall file a written notice to the Pennsylvania Department of Environmental Resources and the Somerset Borough Zoning Officer within ten (10) days after having sold, transferred, given away, or otherwise disposed or, interest in or control of any mobile home park. If the Certificate of Registration and/or license is transferred by the Pennsylvania Department of Environmental Resources, proof of such transfer shall be furnished to the Borough Zoning Officer.

5. Suspension

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, the Somerset Borough Zoning Officer shall give written notice to the person to whom the Department of Environmental Resources Certificate of Registration and Borough license was issued, advising him that unless such conditions or practices are corrected within a reasonable period of time specified in the notice, the license to operate in the Borough shall be suspended. At the time end of such period, such mobile home park shall be inspected and if such conditions or practices have not been corrected, and the licensee has not requested a hearing, the Zoning Officer shall suspend the license and give notice, in writing, of such suspension to the person to whom the certificate and license is issued.

**SECTION 604 – Inspection of Mobile Home Parks**

The Somerset Borough Zoning Officer or other authorized Borough representative may inspect a mobile home park periodically to determine compliance with this ordinance. As a result of such inspection, the Zoning Officer may give notice for any violation of this ordinance.

**SECTION 605 – Design and Construction Requirements**

1. Minimum Park Area

A mobile home park shall have a gross area of at least four (4) acres, except that the minimum area may be two (2) acres where the proposed park is to be located adjacent to an existing mobile home park containing an area of four (4) acres or more.

## 2. Site Location

The location of all mobile home parks shall comply with the following minimum requirements:

- a. Free from adverse influence by swamps, marshes, garbage or rubbish disposal areas, or other potential breeding places for insects or rodents.
- b. Not subject to flooding.
- c. Not subject to any hazard or nuisance, such as excessive noise, vibration, smoke, toxic matter, heat, odor, glare, etc.

## 3. Storm Water Management

- a. The ground surface in all parts of a park shall be graded and equipped to drain surface water in a safe, efficient manner. Where necessary, storm sewers, culverts, and related facilities shall be provided to permit the unimpeded flow of natural watercourses and ensure the adequate drainage of all locations within the park.
- b. A drainage plan in accordance with the provisions of Section 504 shall be prepared and submitted prior to the granting of a plan approval or license for any mobile home park.
- c. All storm water facilities shall be kept completely separate from any sanitary waste facilities

## 4. Soil and Ground Cover Requirements

- a. Ground surfaces in all parts of every park shall be paved, covered with stone or other acceptable material, or planted with a vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather.
- b. Park grounds shall be maintained free of vegetative growth which is poisonous or which may harbor rodents, insects, or other pests.

## 5. Park Areas for Non-Residential Uses

- a. No part of any park shall be used for non-residential purposes, except such uses that are required for direct servicing, management or maintenance of the park and its residents.
- b. Nothing contained in this section shall be deemed as prohibiting the sale of a mobile home located on a mobile home lot and connected to utilities.

#### 6. Setbacks, Buffer Strips, and Screening

- a. Mobile homes shall be located at least sixty (60) feet from the center line of any abutting existing or proposed public local street, seventy (70) feet from the center line of any abutting existing or proposed public collector street.
- b. There shall be a minimum distance of twenty-five (25) feet between an individual mobile home, including accessory structures attached thereto, and adjoining pavement of a park street, or common parking area or other common areas and structures.
- c. Mobile home parks shall provide a screen planting (trees, shrubs) along the property boundary line separating the park and adjacent uses. The landscaped strip shall provide an open space of fifty (50) feet along the street frontage with a collector or arterial street and twenty-five (25) feet wide and along all other boundary lines or street frontages.
- d. Mobile homes shall be located at least twenty-five (25) feet from any park property line and at least ten (10) feet from any side or rear mobile home lot line.

#### 7. Placement of Mobile Homes

- a. Mobile homes shall be separated from each other and from other buildings, structures, and outdoor living areas by at least twenty (20) feet on all sides.
- b. An enclosure of compatible design and material shall be erected around the entire base of each mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.
- c. All mobile homes shall be properly placed upon a mobile home stand and securely fastened to the foundation.

#### 8. Park Street System

- a. A safe and convenient vehicular access shall be provided from abutting public streets or roads.
- b. The entrance road, or area, connecting the park with a public street or road shall have a minimum pavement width of thirty-six (36) feet.
- c. Other internal streets shall be as follows:
  - 1. Where parking is permitted on both sides, a minimum width of thirty-six (36) feet will be required.
  - 2. A minimum pavement width of twenty-eight (28) feet will be required where parking is limited to one (1) side.
  - 3. A minimum pavement width of twenty-five (25) feet will be required if no on-street parking is allowed.
  - 4. Dead end streets shall be provided at the closed end with a paved turn-around having an outside diameter of at least sixty (60) feet.
- d. Grades of all streets shall be at least 0.5 percent and not more than 8.0 percent.
- e. Intersections of more than two (2) streets are prohibited.
- f. Within one hundred (100) feet of an intersection, streets shall be approximately right angles. In no case shall streets intersect at less than seventy-five (75) degrees.
- g. If intersecting streets are not in alignment, a distance of at least one hundred twenty-five (125) feet shall be provided between the center line of intersecting streets.
- h. Minimum curb or edge of pavement radii at intersections shall be as follows:

Minor street with minor street	15 feet
Minor street with collector street	20 feet
Collector street with collector street	20 feet



- i. All streets shall be constructed in accordance with Borough specifications.
- j. All streets within a mobile home park shall be privately owned and maintained.

#### 9. Off-Street Parking Areas

A paved off-street parking space for two (2) motor vehicles shall be provided at each mobile home lot.

#### 10. Walks

- a. All mobile home parks shall be provided with pedestrian walks on both sides of the street. Such walks shall be at least three and one-half (3 ½) feet in width.
- b. All mobile home lots shall be connected to a pedestrian walk with an individual walk at least two (2) feet in width.
- c. All pedestrian walks shall be constructed of a hard, durable, all-weather material that can be easily maintained, in accordance with Borough specifications.

#### 11. Mobile Home Lots

- a. All lots shall abut and be accessible from a park street.
- b. Mobile home lots within the park shall have a minimum area of four thousand (4,000) square feet and a minimum width of forty (40) feet frontage in any direction.
- c. Each mobile home lot shall be improved to provide a hard surfaced mobile home stand and adequate frost-free foundation for the placement of the mobile home unit.

#### 12. Recreation Areas

- a. In all mobile home parks a recreation area, or in areas, with suitable facilities shall be maintained within the park for the use of all park residents.
- b. Land required for such recreation areas shall not be less than ten (10) percent of the gross area of the mobile home park.

#### 13. Outdoor Living Area

An outdoor living and service space shall be provided for each mobile home as follows:

- a. Such space shall be located for privacy, convenience, and optimum use.
- b. The minimum size of such space shall be not less than three hundred (300) square feet with a least dimension of fifteen (15) feet.
- c. A paved or hard surface area shall be provided which shall be at least one hundred (100) square feet in area with a least dimension of ten (10) feet.
- d. Visual barriers such as walls, fences, or planting shall be of a size and character to assure reasonable privacy and visual appeal.

#### **SECTION 606 – Water Supply**

##### 1. General

All mobile home parks shall connect to the public water supply system, and every mobile home, service building, and other accessory facilities shall use water from the public system exclusively.

##### 2. Individual Connections

- a. Individual water riser pipes having an inside diameter of no less than one-half (1/2) inch shall be provided on each mobile home stand and shall terminate no less than four (4) inches above the ground level. The water outlet shall be capped when a mobile home does not occupy the lot.
- b. Adequate provisions shall be made to prevent freezing of service lines, valves, and riser pipes and to protect risers from heaving and thawing actions of ground during freezing weather.
- c. A shut-off valve below the frost line shall be provided near the water riser pipe on each mobile home lot.

## **SECTION 607 – Sewage Disposal**

### 1. General

All mobile home parks shall be connected to the public sewage system, and every mobile home, service building, and other accessory facilities shall use the public sewage system exclusively. All such proposed sewage disposal facilities shall be approved by the Somerset Borough Sewer Authority.

### 2. Individual Connections

- a. Individual sewer riser pipes having at least a four (4) inch diameter shall be located on each mobile home stand and shall extend at least one (1) inch above the ground level.
- b. Provisions shall be made for plugging the sewer riser pipe when the mobile home lot is unoccupied.

## **SECTION 608 – Electrical Distribution System**

### 1. General

Every park shall contain an electrical wiring system consisting of wiring, fixtures, equipment, and appurtenances, which shall be installed and maintained in accordance with local electric power company's specifications regulating such systems.

### 2. Power Distribution Lines

- a. All power lines shall be placed underground at least eighteen (18) inches below the ground surface and shall be insulated and specifically designed for such installation. Such lines shall be located not less than one (1) foot distance from any other utility line, facility, or installation.
- b. Meter poles shall have a maximum height of six (6) feet.

### 3. Individual Electrical Connections

Each mobile home lot shall be provided with an approved disconnecting device and over-current protective equipment. The minimum service per outlet shall be 120/240 volts, AC, 100 amperes.

### 4. Required grounding

All exposed non-current-carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved grounding conductor run with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for the mobile home or other equipment.

## **SECTION 609 – Service Buildings and Other Park Service Facilities**

### 1. Applicability

The requirements of this section shall apply to other service buildings, recreation buildings, and other community service facilities as follows:

- a. Management offices, repair shops, and storage area.
- b. Laundry facilities.
- c. Indoor recreation areas.
- d. Commercial uses supplying essential goods or services for the exclusive use of park occupants.

### 2. Facilities

- a. Every mobile home park shall have a structure clearly designed as the office of the mobile home park manager.
- b. Service and accessory buildings located in a mobile home park shall be used only by the residents of the mobile home park.

### 3. Structural Requirements for Buildings

- a. 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.
- b. All rooms containing lavatory facilities shall:
  1. 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-absorbent, waterproof material or covered with moisture-resistant materials.

2. 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.
  3. Have at least one (1) window, which can be easily opened, or a mechanical device, which will adequately ventilate the room.
- c. Toilets shall be located in separate compartments equipped with self-closing doors.

#### **SECTION 610 – 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 and shall comply with all applicable Borough and state regulations.

#### **SECTION 611 – 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 Borough and state regulations.

#### **SECTION 612 – Fuel Supply and Storage**

1. Natural Gas System
  - a. 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.
  - b. 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.
2. Liquefied Petroleum Gas System

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:

- a. Systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.
- b. 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.
- c. 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.
- d. Vessels of more than twelve (12) and less than sixty (60) U.S. gallons gross capacity may be securely but not permanently fastened to prevent accidental overturning.
- e. No LPG vessels 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.

### 3. Fuel Oil Supply Systems

- a. All fuel oil supply systems provided for mobile homes, service buildings, and other structures shall be installed and maintained in conformity with any applicable rules and regulations.
- b. All piping from outside fuel storage tanks or cylinders to mobile homes shall be securely, but not permanently, fastened in place.
- c. 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.
- d. All fuel storage tanks or cylinders shall be securely placed and shall not be less than five (5) feet from any mobile home exit.
- e. Storage tanks located in areas subject to traffic shall be protected against physical damage.

## **SECTION 613 – Fire Protection**

### 1. Local Regulations

The mobile home park area shall be subject to any local fire protection rules and regulations.

### 2. Litter Control

Mobile home park areas shall be kept free from litter, rubbish, and other flammable materials.

### 3. Fire Extinguishers

Portable fire extinguishers of a type approved by the fire prevention authority shall be kept in public service buildings under park control and a sufficient number shall be maintained throughout the park in readily accessible and well marked positions.

### 4. Fire Hydrants

- a. Fire hydrants shall be installed if their water supply source is capable to serve them in accordance with the following requirements:
  1. The water supply source shall permit the operation of a minimum of one (1) four and one-half (4 ½) inch connection for a fire engine pumper, and two (2) two and one-half (2 ½) inch connections for direct hose connection.
  2. Each of the nozzles, held four (4) feet above the ground, shall deliver at least seventy-five (75) gallons of water per minute at a flowing pressure of at least thirty (30) pounds per square inch at the highest point of the park.
- b. Fire hydrants shall be located within five hundred (500) feet of any mobile home, service building, or other structure in the park, and shall be installed in accordance with all applicable Borough specifications.
- c. The park management shall give the Borough Zoning Officer or other authorized Borough representative free access to all mobile home lots, service buildings, and other community service facilities for inspection purposes.

#### **SECTION 614 – Register of Occupants**

The management shall maintain a register containing the names of all park occupants. Such register shall be available to any authorized person inspecting the park. The management shall notify the appropriate officer in accordance with state and local taxation laws of the arrival and departure of each mobile home and in accordance with the Somerset Borough Housing Code.

#### **SECTION 615 – Removal of Mobile Home**

No mobile home, whether installed on a single lot or in a mobile home park, shall be removed from the Borough without first obtaining a removal permit from the Borough Tax Collector as required by Act No. 54, 1969, the Pennsylvania General Assembly. Such permit shall be issued upon payment of a fee of two dollars (\$2.00) and real estate taxes assessed against the home and unpaid at time the permit is requested.

#### **SECTION 616 – Notices, Hearings, and Orders**

1. Whenever the Borough Zoning Officer or other authorized Borough 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, certificate, or license 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 required;
  - d. be served upon the owner or his agent as the case may require; provided, however, that such notice or order shall be deemed to have been properly served upon such owner or agent with a copy thereof has been served with such notice by any other method authorized or required by the laws of this state;
  - 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.
2. Hearing

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 Somerset Borough Council,



provided that such person shall file in the office of the municipal authority 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 Borough Zoning Officer 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 shall 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, Borough Zoning Officer 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.

### 3. Findings and Order

After such hearing the Borough Council shall make findings as to compliance with the provisions of this ordinance and regulations issued thereunder and shall issue an order, in writing, sustaining, modifying, or withdrawing the notice which shall be served as provided in Section 616.1 (d). Upon failure to comply with any order sustaining or modifying a notice, the license of the mobile park affected by the order shall be revoked.

### 4. Record, Appeal

The proceedings at such a hearing, including the findings and decision of Borough Council, 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 Borough 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 Borough Council may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of this Commonwealth.

## **SECTION 617 – Penalties, Operations, Violations**

### 1. Summary Offense

Any person who violates any operation or maintenance provision of this Article shall be guilty of a summary offence, and upon conviction shall be required to pay a penalty for the use of Somerset Borough in a sum not less than twenty-five dollars (\$25) nor more than three hundred dollars (\$300), together with the costs of prosecution, and in

default of such payment, shall be imprisoned in county prison for a term not to exceed ten (10) days. Each day during which any violation of this ordinance continues shall constitute a separate offense. The Borough of Somerset may also bring any actions at law or equity to enforce the terms of this ordinance at their sole discretion.

2. Revocation or Suspension of License

Upon repeated violations by the same licensee, his right to the issuance of a license, or to continued operation under a license, may be suspended for a fixed term or permanently revoked after notice and hearing by Somerset Borough Council subject to the right of appeal to the Somerset County Court of Common Pleas.