

**ERIE COUNTY DEPARTMENT OF HEALTH**  
**MANUFACTURED HOME PARK ORDINANCE**

Effective October 20, 2010

# GENERAL PROVISIONS

## 1.1 Legal Authority

The following rules and regulations are adopted under the provisions of the “Local Health Administration Law”, Act No. 315, approved August 24, 1951. P.L. 1304

## 1.2 Provisions

The provisions of these rules and regulations shall apply to all municipalities in Erie County within the jurisdiction of the Department and shall apply equally to all persons.

## 1.3 Rules and Regulations

These rules and regulations shall supersede the previously adopted Erie County Mobile Home Park Ordinance effective October 29, 1965.

## 2.1 Definitions

Certificate of Registration - the document issued by the Erie County Department of Health which authorizes a person to operate a manufactured home park.

Department – The Erie County Department of Health

Emergency - Any situation requiring immediate action to protect the health, environment, or safety of any occupant of a manufactured home park, or the public.

Garbage - All putrescible wastes except sewage and body waste.

Manufactured Home- Any structure transportable in one or more sections, greater than 320 sq.ft. built on a permanent chassis, designed to be used as a dwelling, with or without permanent foundations

Manufactured Home Park - Any site, lot, field, or tract of land, privately or publicly owned or operated, upon which two (2) or more manufactured home spaces used for living, eating, shelter, or sleeping by persons not related to owner

or agent, are or are intended to be located, whether operated for or without compensation. Jurisdiction of the Department shall be retained and shall be in full force and effect in the event that said space(s) as herein defined, is situate on any site(s), lot(s), field(s), and/or tract(s) of land contiguous with and/or adjacent to another site(s), etc. containing one or more spaces.

Person – Any individual, landowner, landlord, lessor, firm, partnership, company, corporation, trustee, association, or any public or private entity.

Plumbing - Water pipes, wastewater pipes, together with all connections to water and sewer lines.

Public Water Supply - Any water supply which provides water to the public for human consumption which has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year.

Refuse - All nonputrescible wastes, generally regarded and classified as rubbish, trash, junk, and similar designations, which have been rejected by the owner or possessor as useless or worthless.

Safe Drinking Water Act - The Act of May 1, 1984 (P.L. 206, No. 43) (35P.S. §§ 721.1-721.17) known as the Pennsylvania Safe Drinking Water Act and associated regulations.

Sewage - Any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substances being harmful or inimical to the public health, or to animal or aquatic life, or to the use for domestic water or for recreation, or which constitutes pollution under the Act of June 22, 1937 (P.L. 1937, No. 394), known as "The Clean Streams Law", as amended. The term shall include, but not be limited to toilet, lavatory, kitchen or laundry waste water, liquid waste and seepage from floor drains, garbage cans, dumpsters or compactors and the cleaning waste from these garbage storage containers.

Sewage disposal system - Any community or individual system, publicly or privately owned, for the collection and disposal of sewage and industrial wastes of a liquid nature, including various devices for the treatment of such sewage or industrial wastes.

Sewage Regulations - The Pennsylvania Sewage Facilities Act (P.L. 1535, No. 537) (35 P.S. § 750.9) and appropriate 25 PA Code Chapters 71, 72, 73.

Source - Any well, spring, cistern, infiltration gallery, stream, reservoir, pond, or lake from which by any means water is taken either intermittently or continuously for use by the public in a manufactured home park.

Space - A plot of ground upon which one manufactured home is or will be located.

Vector - Any rodent, insect or other animal which is capable of carrying or harboring a disease infectious to man.

Water supply - A source or sources of water, and any or all water collection, treatment, storage, and distribution facilities used in connection with the system.

Waters of the Commonwealth - Any and all rivers, streams, creeks, rivulets, lakes, dammed water, ponds, springs, and all other bodies of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of the Commonwealth of Pennsylvania.

## **CERTIFICATES OF REGISTRATION**

### **3.1 General Requirements**

No person shall establish, maintain, conduct, or operate a manufactured home park at any place within the jurisdiction of the Department, and no person shall permit to be operated on his premises, within the jurisdiction of the Department, any manufactured home park who does not possess a valid Certificate of Registration to operate such a facility.

Certificates of Registration are not transferable.

Certificates of Registration are valid from the date of issuance, shall expire and must be renewed every year thereafter.

### **3.2 Initial Application**

Any person desiring to operate a manufactured home park in Erie County shall make written application for a Certificate of Registration on forms provided by the Department. Such application shall include the name, address of each applicant, and the location of the proposed manufactured home park and the signature of the applicant or their authorized representative and date.

### **3.3 Certificate of Registration Renewal**

Certificate of Registration shall be renewed annually on forms provided by the Department.

Renewal must be submitted to this Department with the appropriate fee prior to the expiration date of the existing Certificate of Registration.

### **3.4 Issuance**

The Certificate of Registration will be issued annually on the basis of satisfactory compliance with the provisions of this Chapter, on forms provided by the Department, and subject to suspension or revocation upon finding the manufactured home park not in compliance with these provisions.

### **3.5 Fees**

The fee for a Certificate of Registration shall be that provided for in the Environmental Fee Schedule established by Erie County Council.

### **3.6 Revocation and Suspension**

A Certificate of Registration may be revoked or suspended at any time if the Department finds that the manufactured home park is established, maintained, conducted, operated, or occupied in violation of any provision of this Chapter, at which time the manufactured home park shall close and cease operation if a situation is present which is inimical to the health of the occupants.

## **PLAN REVIEWS**

### **4.1 Submission of Plans**

Whenever a manufactured home park is to be constructed, remodeled or expanded, properly prepared plans and specifications for such construction, remodeling or expansion shall be submitted to the Department for review and approval before construction, remodeling or expansion is begun.

The plans and specifications of new manufactured home parks shall be prepared by a Registered Architect, Registered Professional Engineer or Surveyor legally qualified to practice in Pennsylvania. Existing manufactured home parks must provide acceptable plans to the Department. The Department shall approve the plans and specifications if they meet the requirements of these rules and regulations. No manufactured home park shall be constructed,

extensively remodeled, or expanded except in accordance with plans and specifications approved by the Department.

The plans shall include, but not be limited to, the following:

(1) Manufactured home park layout showing lot sizes, streets, roads, water supply, location of sewer and water lines, sewage disposal system(s), refuse storage areas, and swimming pools.

(2) A permit for proper sewage disposal obtained in accordance with these rules and regulations.

(3) Water supply details including the location of the well(s), the disinfection facilities and storage capacity, size of the well, pump rating, water storage facilities and capacity, well construction, housing for the pump and storage tank, distribution system including size, materials and valve location.

(4) Anticipated number of spaces as would be permitted by available land area, including space for future development.

Manufactured home parks must comply with all applicable local codes of the municipality in which it is located.

## **WATER SUPPLY**

### **5.1 General**

All manufactured home parks shall be provided with a supply of safe and potable water to each manufactured home. All water supplied to a manufactured home shall be adequate in quantity and shall meet bacteriological, chemical, physical and radiological standards acceptable to the Department.

Where a public water supply under permit from the Pennsylvania Department of Environmental Protection (DEP) is available to the manufactured home park, it must be connected thereto and used.

Where a manufactured home park meets the criteria of a community water supply as defined in the Pennsylvania Safe Drinking Water regulations the water supply must have a valid permit from DEP and maintain compliance with all conditions of the permit.

Where a manufactured home park is not connected to a public water supply the water supply of manufactured home parks established after the

adoption of these regulations shall be constructed in accordance with the Pennsylvania Department of Environmental Protection Public Water Supply Manual, Part II, Community System Design Standards, latest edition.

## **5.2 Plumbing**

Plumbing shall be so sized, installed, and maintained to carry adequate quantities of water to required locations throughout the manufactured home park; and to properly convey sewage and liquid wastes from each manufactured home to the sewage disposal system.

Plumbing shall serve to prevent contamination of the water supply, and shall not create an unsanitary condition or nuisance.

## **SEWAGE DISPOSAL**

### **6.1 General**

No sewage, including kitchen or laundry waste water, shall be allowed to discharge to the surface of the ground or flow into any gutter, street, roadway, public place or the Waters of the Commonwealth.

When a manufactured home space is not in use, the sewer connection shall be capped to prevent sewage and sewer gas escape.

All sewage disposal systems serving a manufactured home park shall be approved by the Department prior to the installation, repair or alteration of any sewage disposal facility. No person may install or construct an individual or community sewage system, or install, construct, occupy or use a manufactured home or a building to be served by that system without first obtaining the appropriate permit from the Commonwealth or the Department.

### **6.2 On lot sewage disposal**

Any on lot sewage disposal system and its components serving a manufactured home park shall comply with the provisions of the Pennsylvania Sewage Facility Act (35 P.S. § 750.1 et. seq.). No person may install or construct an individual or community on-lot sewage system, or install, construct, occupy or use a manufactured home or a building to be served by that system without first obtaining a permit from this Department.

### **6.3 Sewage disposal treatment plant**

Any sewage disposal treatment plant and its components serving a manufactured home park shall comply with the provisions of the facility's National Pollution Discharge Elimination System (NPDES) permit.

## **PUBLIC BATHING PLACES**

### **7.1 Design and Operation**

The construction, modification, maintenance and operation of any public bathing place in a manufactured home park shall be subject to the provisions of the "Public Bathing Law" (35 P.S. §672, et. seq.).

## **GARBAGE REFUSE AND VECTOR CONTROL**

### **8.1 Garbage and Refuse**

The storage, collection and disposal of garbage and refuse from the manufactured home park shall be conducted as often as necessary to avoid the creation of public health hazards and nuisance conditions.

The manufactured home park owner/operator shall be responsible for the proper storage, collection and disposal of all garbage and refuse generated by tenants and employees.

Collection and disposal of garbage and refuse shall be scheduled to avoid the overflowing of containers.

If applicable, waste containers shall be distributed in the manufactured home park in adequate numbers to be readily accessible to the manufactured home park residents.

### **8.2 Vector Control**

Adequate measures shall be taken by the owner/operator to prevent infestations by insects, rodents and other vermin within the manufactured home park and any conditions that may lead to an infestation.

### **8.3 Abandoned Manufactured Homes**

An abandoned, unoccupied manufactured home shall be removed unless it is parked on a space provided with appropriate utility services.

Any and all abandoned, demolished, destroyed and/or dismantled manufactured homes or parts thereof shall be removed from the manufactured home park as required by applicable statute.

## **PENALTIES**

### **9.1 Summary Offenses**

Any person who violates any of the provisions of these rules and regulations of the Erie County Department of Health, or who interferes with the Health Director or any other agent of the Erie County Department of Health in the discharge of his official duties, shall, for the first offense, upon conviction thereof in a summary proceeding before a Magisterial District Justice of Erie County wherein said offense was committed, be sentenced to pay the costs of prosecution and a fine of not less than thirty dollars (\$30) nor more than three hundred dollars (\$300), and in default thereof, to undergo imprisonment of not less than ten (10) days nor more than thirty (30) days.

### **9.2 Misdemeanors**

Any person who violates any of the provisions of these rules and regulations of the Erie County Department of Health, or who interferes with the Health Director or any other agent of the Erie County Department of Health in the discharge of his official duties, convicted of a second or subsequent offense, shall be guilty of a misdemeanor and shall, upon conviction thereof, be sentenced to pay a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000) or to undergo imprisonment not exceeding one (1) year, or both.

### **9.3 Separate Offenses**

For the purpose of this Section, violations on separate days shall be considered separate offenses.

## **9.4 Injunctions**

The Erie County Department of Health may seek to enjoin violations of these rules and regulations or may proceed in any court of law or equity to obtain any additional cumulative remedies to abate any violation under these rules and regulations. Nothing in these rules and regulations shall in anyway alter rights or action or remedies now or hereafter existing in equity, or under the common law or statutory law, criminal or civil.

### **SEVERABILITY**

If any section, sub-section, paragraph, clause, or provision of these rules and regulations shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the rules and regulations as a whole or any part thereof. It is here by declared to be the intention of the Erie County Department of Health, the Erie County Board of Health, and the Erie County Council that the remainder of the rules and regulations would have been enacted if such invalid section had not been enacted and that it is their intent, intention and desire that the remaining portion of the rules and regulations remain in effect.