

HONEY BROOK TOWNSHIP  
CHESTER COUNTY, PA  
ORDINANCE #177-2014

**AN ORDINANCE OF THE TOWNSHIP OF HONEY BROOK AMENDING THE HONEY BROOK TOWNSHIP MOBILE HOME AND MOBILE HOME PARK ORDINANCE, CHAPTER 14, OF THE HONEY BROOK TOWNSHIP CODE OF ORDINANCES TO UPDATE TERMS AND CONSTRUCTION AND MAINTENANCE STANDARDS FOR UNITS, LOTS, AND COMMON FACILITIES.**

**BE IT ENACTED AND IT IS HEREBY ENACTED**, by the Board of Supervisors of Honey Brook Township, that the Mobile Home and Mobile Home Park Ordinance of Honey Brook Township is amended as follows:

**SECTION 1.** Revise the title of the Ordinance, known as Chapter 14 of the Code of Ordinances, to read "Manufactured Home and Manufactured Home Parks" and amend the title of Part 1 to read "Manufactured Home Parks".

**SECTION 2.** Amend §14-101 *Definitions*, by:

1. Within the definitions of "hitch" and "skirt" change all references of "mobile home" to "manufactured home".
2. Add a definition of "Manufactured Home" to read "Manufactured home - a structure, transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when attached to the required utilities. Manufactured homes shall be constructed in accordance with Safety and Construction Standards of the U.S. Department of Housing and Urban Development. The term "manufactured home" shall not be deemed to include "recreation vehicle" nor a "modular home" placed on a permanent perimeter foundation."
3. Add a definition of "Manufactured home lot" to read "Manufactured 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 manufactured home."
4. Add a definition of "Manufactured home park" to read "Manufactured home park - a parcel or contiguous parcels of land which has been so designated and improved that it contains two or more manufactured home lots for the placement thereon of manufactured homes."
5. Add a definition of "Manufactured home park permit" to read "Manufactured home park permit - a written permit issued by the Code Enforcement Officer and subject to annual renewal, permitting the manufactured home park to operate under this Part and other pertinent ordinances and regulations."
6. Add a definition of "Manufactured home unit" to read "Manufactured home unit - a manufactured home within a manufactured home park that is placed on a manufactured home lot, including any addition or accessory structure, including but not limited to porches, sheds, decks or additional rooms."
7. Amend the definition of "Mobile home" in its entirety to read "see "Manufactured home"".
8. Amend the definition of "Mobile home lot" in its entirety to read "see "Manufactured home lot"".
9. Amend the definition of "Mobile home park" in its entirety to read "see "Manufactured home park"".
10. Amend the definition of "Mobile home park permit" in its entirety to read "see "Manufactured home park permit"".

**SECTION 3.** Amend §14-102 *Mobile Home Park Permit Required* by replacing all instances of the words "mobile home(s)" with "manufactured home(s)" in the section title and all subsections.

**SECTION 4.** Amend §14-103 *Mobile Home Park Permit Application Procedure* by

1. Replacing all instances of the words "mobile home(s)" with "manufactured home(s)" in the section title and all subsections.
2. Revising Section 103.3 in its entirety to read "Manufactured home park permits shall be renewed annually under the requirements of this Part".

**SECTION 5.** Amend §14-104 *Inspections* by replacing all instances of the words "mobile home(s)" with "manufactured home(s)" in the section title and all subsections.

**SECTION 6.** Amend §14-105 *Register of Occupants* by

1. Replacing all instances of the words "mobile home(s)" with "manufactured home(s)" in the section title and all subsections.
2. Deleting, in the first sentence, the words "or park operator".
3. In the last sentence, changing the work "operator" to "landowner".

**SECTION 7.** Amend §14-106 *Removal of Mobile Homes* by replacing all instances of the words "mobile home(s)" with "manufactured home(s)" in the section title and all subsections.

**SECTION 8.** Amend §14-107 *Maintenance* by:

1. Replacing subsection 1. *Maintenance of Common Facilities* in its entirety with "1. *Maintenance of Common Facilities.* The landowner of a manufactured home park shall be responsible for maintaining all common facilities, including but not limited to, roads, parking areas, sidewalks or pathways, common open space, buffering, screening, landscaping, water supply and sewage disposal systems, service buildings, and other common buildings in compliance with this Part, the Honey Brook Township Property Maintenance Code, the Honey Brook Township Zoning Ordinance, and adopted building codes. The following additional standards also apply:
  - A. Roadways and parking areas shall be paved or gravel, and maintained in a passable condition, free of significant cracks, potholes, or other depressions that create a hazard for vehicular or pedestrian traffic. Roadways and parking areas shall be graded such that stormwater runoff drains away and does not create ponded areas within the driveway and parking area itself, cause erosion or deterioration of the roadway or surrounding areas or cause a stormwater runoff issue for a manufactured home lot or unit or adjacent roadway or property. Roadways shall be cleared of snow and ice within 24 hours from the end of the precipitation.
  - B. Sidewalks and pathways shall be maintained in a passable condition, free of significant holes, cracks, or other breakages that create a hazard for pedestrian traffic. Adjacent sections of sidewalk or pathways shall be of consistent grade as to not create a tripping or other hazard for pedestrian traffic. In addition, sidewalks and pathways shall remain free of leaves, tree limbs, grass clippings, debris, cinders; gravel or any other refuse on such sidewalk or projecting branches and other obstructions. The removal of projecting tree limbs and branches must result in a walking clearance of at least seven (7) feet above the sidewalk. Sidewalks and pathways shall be cleared of snow and ice to a minimum width of 48" within 24 hours from the end of the precipitation.
  - C. Landscaping, screening and buffering shall be maintained in accordance with the original approved plans for the manufactured home park or any subsequently approved plans associated with changes and improvements to the manufactured home park.

- D. Water supplies shall also be maintained in accordance with the requirements of the applicable water authorities, Chester County Health Department and PaDEP.
- E. Sewage disposal systems shall also be maintained in accordance with the requirements of the applicable sewer authorities, Chester County Health Department and PaDEP. Furthermore, the landowner of each manufactured home park discharging sewage into the Northwester Chester County Municipal Authority's system shall be responsible to ensure that there is no infiltration of groundwater, stormwater, or any other water into the sewer system except liquid generated by the disposal of sewer from an individual manufactured home. Honey Brook Township hereby deputizes and authorizes inspectors from the Northwester Chester County Municipal Authority as its agent to inspect mobile home parks for unlawful infiltration and authorizes the authority to take all necessary measures to ensure that the landowner corrects conditions to ensure that there is no unlawful infiltration of groundwater, stormwater or other sources of water excepting that generated by the discharge of sewage from individual units."

2. Replacing Subsection 2. *Maintenance of Mobile Home Lots* in its entirety with the following: "2. *Maintenance of Manufactured Home Lots*. The landowner of the manufactured home park shall be responsible for maintaining the manufactured home lots in a condition of proper repair and maintenance, in compliance with this Part, the Honey Brook Township Property Maintenance Code, the Honey Brook Township Zoning Ordinance, and other applicable ordinances and building codes adopted by the Township."

3. Replacing Subsection 3. *Failure to Maintain* in its entirety with the following: "3. *Maintenance of Manufactured Home Units*. The owner of the manufactured home unit shall be responsible for maintaining the manufactured home units in a condition of proper repair and maintenance in compliance with this Part, the Honey Brook Township Property Maintenance Code, the Honey Brook Township Zoning Ordinance, and other applicable ordinances and building codes adopted by the Township."

4. Add Subsection "4. *Failure to Maintain*" to read:

"4. *Failure to Maintain*.

A. Common Facilities and Manufactured Home Lots

(1) If upon inspection by the Code Enforcement Officer, it is determined that the manufactured home park, including the Common Facilities and/or Manufactured home lots are not in compliance with this Part, the Honey Brook Township Property Maintenance Code, the Honey Brook Township Zoning Ordinance, or other applicable ordinances and building codes adopted by the Township, the landowner of the manufactured home park shall be considered to be in violation of this Part and the Code Enforcement Officer shall notify the landowner and manufactured home park operator, if different than landowner, of the particulars of any such violation.

(2) The landowner shall thereafter have 30 days from the receipt of the notice of violation in which to correct any such violations, except that if the violation is determined by the Code Enforcement Officer to constitute a hazard to the health, safety or welfare of the residents of the manufactured home park, he shall order that the violation be corrected forthwith."

## B. Manufactured Home Units

- (1) If upon inspection by the Code Enforcement Officer, it is determined that the a manufactured home unit(s) is not in compliance with this Part, the Honey Brook Township Property Maintenance Code, the Honey Brook Township Zoning Ordinance, or other applicable ordinances and building codes adopted by the Township, the owner of the manufactured home unit shall be considered to be in violation of this Part and the Code Enforcement Officer shall notify the manufactured home unit owner, the landowner, and the manufactured home park operator, if different than landowner, of the particulars of any such violation.
- (2) The manufactured home unit owner shall thereafter have 30 days from the receipt of the notice of violation in which to correct any such violations, except that if the violation is determined by the Code Enforcement Officer to constitute a hazard to the health, safety or welfare of the residents of the manufactured home park, he shall order that the violation be corrected forthwith."

### **SECTION 9.** Amend §14-108 *Fuel Supply and Storage* by:

1. Adding, at the end of subsection 1, after "adopted building codes" the words "and Property Maintenance Code".
2. Deleting the existing language of both subsection 2's, one beginning "liquefied petroleum gas systems provided for" and the other beginning "fuel oil supply system" including associated lettered subsections.
3. Adding subsection "2. *Fuel Oil Supply Systems*" to read:

#### "2. *Fuel Oil Supply Systems*

- A. All fuel oil supply systems provided for manufactured homes, service buildings and other structures shall be maintained in conformance with the rules and regulations of the authority having jurisdiction, Township adopted building codes, and the Township property maintenance code.
- B. All fuel oil storage tanks shall be securely placed to prevent overturning and located at least 5' from a manufactured home exit and at least 3' from any window. Storage tanks in areas subject to traffic shall be protected against physical damage.
- C. All fuel oil supply systems shall have at least one accessible means for shutting off the system located outside the manufactured home and maintained in effective operating condition.
- D. All piping associated with the fuel oil system shall be securely, but not permanently, fastened in place."

### **SECTION 10.** Amend §14-109 *Solid Waste Collection and Disposal* by deleting the existing language in its entirety and replacing it with the following:

"1. All manufactured home parks not serviced by curb-side solid waste collection shall be provided with solid waste collection stations and recycling stations on concrete slabs at convenient but inconspicuous locations, accessible for truck pick-up and completely screened from view by solid fencing.

2. The storage, collection and disposal of solid waste and recycling in any manufactured home park shall be in compliance with the Township Property Maintenance Code and the Township Recycling Ordinance."

**SECTION 11.** Amend §14-110 *Miscellaneous Structural Requirements* by deleting the existing language in its entirety including the title and replacing it with the following:

"14-110 *Miscellaneous Structural Requirements for Manufactured Homes*

1. Any structure or manufactured home placed upon a manufactured home lot shall be placed only after written permission is received from the landowner and the required zoning and/or building permits have been issued by the Township Zoning Officer or Building Code Official as required by Township Ordinances.

2. Any addition to a manufactured home or mechanical, plumbing or electrical alteration or repair for a manufactured home shall be made in accordance with all applicable state, county, and Township laws, ordinances and regulations, including issuance of required permits by the Township.

3. *Manufactured Home Foundation.* A foundation with dimensions sufficient to support the intended mobile home unit shall be provided for all homes and properly placed, constructed and maintained in accordance with the manufacturer's requirements, Township adopted building codes and Property Maintenance Code so as to be durable and adequate for the support of the maximum anticipated loads during all seasons.

4. *Anchoring.* Every manufactured home placed within a manufactured home park shall be anchored in accordance with the applicable requirements of the International Residential Code, Appendix E, "Manufactured Housing Used as Dwellings" implemented as part of the Building Code. The anchoring shall be maintained in accordance with all applicable codes for the duration that the manufactured home unit is situated on the manufactured home lot.

5. *Skirts.* Each manufactured home placed within a manufactured home park shall, prior to occupancy and for the entire duration that the manufactured home is situated upon a manufactured home lot, have a skirt installed.

6. *Hitch and Wheels.* If a hitch, towbar or wheels are attached to a manufactured home for transport purposes, they shall be removed from the manufactured home when the manufactured home is placed on its foundation and remain removed until the manufactured home is removed from the manufactured home lot."

**SECTION 12.** Amend §14-111 *Supervision* by deleting the existing language in its entirety and replacing it with the following:

"The landowner shall be responsible for maintaining the manufactured home park, its common facilities and equipment and the manufactured home lots in a clean, orderly and sanitary condition in accordance with the provisions of this Part, the Township Property Maintenance Code, the Township Zoning Ordinance, and all other applicable Township Ordinances and adopted building codes. The landowner may designate a responsible attendant, caretaker or

operator to be the primary point of contact for park operation who shall be available by telephone during normal business hours. Contact information for the primary point of contact for park operations shall be posted at the park office and/or central community facility such as mailboxes or laundry room."

**SECTION 13.** Amend §14-112 *Posting of Mobile Home Park Permit Certificate* by replacing the words "Mobile Home" in the section title and within the section with "manufactured home".

**SECTION 14. SEVERABILITY.** If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Board of Supervisors of Honey Brook Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**SECTION 15. REPEALER.** All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

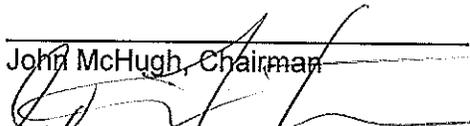
**SECTION 16. EFFECTIVE DATE.** This Ordinance shall become effective five days after enactment as provided by law.

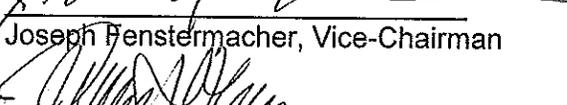
SO IT IS ENACTED AND ORDAINED this 12<sup>th</sup> day of November, 2014.

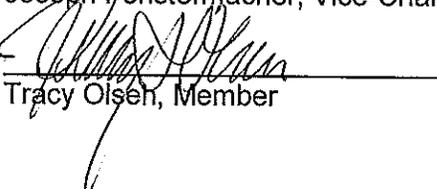
ATTEST:

  
Antoinette Antonini, Secretary

HONEY BROOK TOWNSHIP  
BOARD OF SUPERVISORS

  
John McHugh, Chairman

  
Joseph Fenstermacher, Vice-Chairman

  
Tracy Olsen, Member