

**LONDONDERRY TOWNSHIP
DAUPHIN COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2021-05

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE TOWNSHIP OF LONDONDERRY, CHAPTER 14, MANUFACTURED/MOBILE HOMES AND MANUFACTURED/MOBILE HOME PARKS, TO EXPRESSLY ESTABLISH NEW REGULATIONS ON MANUFACTURED/MOBILE HOMES WITHIN THE TOWNSHIP; TO PROVIDE FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCE PROVISIONS; TO PROVIDE FOR THE SEVERABILITY OF THE PROVISIONS THEREOF; AND TO PROVIDE FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, the Londonderry Township Board of Supervisors previously duly enacted the Code of Ordinances of Londonderry Township, Dauphin County, Pennsylvania pursuant to its statutory authority under the Second Class Township Code, *as amended*, 53 P.S. §65101, *et seq.*,

WHEREAS, since its adoption, the Board of Supervisors has from time to time duly amended the Ordinance; and

WHEREAS, the Board of Supervisors has met the procedural requirements of the Second Class Township Code and of the Township's ordinances for the adoption of the proposed ordinance, including notice and review; and

WHEREAS, the Board of Supervisors of Londonderry Township, Dauphin County, Pennsylvania amends Chapter 14 (Manufactured/Mobile Home Parks), to add Part 1 (Purpose and Applicability), Part 2 (Definitions), Part 3 (Manufactured/Mobile Home Park Maintenance and Standards), Part 4 (Manufactured/Mobile Home and Property Maintenance), Part 5 (Installation, Change of Occupancy, Removal, Construction and Demolition of Manufactured/Mobile Homes), Part 6 (Landowner, Operator and Manager Requirements), Part 7 (Manufactured/Mobile Home Park License Issuance and Annual Renewal), Part 8 (Inspections), Part 9 (Waivers, Appeals and Hearings), Part 10 (Enforcement and Penalties), and Part 11 (Manufactured/Mobile Homes not Located within a Manufactured/Mobile Home Park). Included in Part 3 are sections addressing lots and common facilities, streets and bridges, driveways and parking areas, sidewalks and pathways, setbacks, landscaping, screening and buffering, water supplies, sewage disposal systems, signage, solid waste collection, illumination, recreation areas, fire protection, heat, electricity, natural gas systems, liquefied petroleum gas systems, fuel oil supply systems, skirting and miscellaneous provisions.

WHEREAS, after due consideration of the proposed Ordinance Amendment at a duly advertised public hearing, the Board of Supervisors has determined that the health, safety, and general welfare of the residents of Londonderry Township will be served by the proposed Ordinance amendment.

NOW THEREFORE, it is hereby ordained by the Board of Supervisors of Londonderry Township, Dauphin County, Pennsylvania, that the Code of Ordinances of the Township of Londonderry is amended to add the following language to Chapter 14:

SECTION 1. "CHAPTER 14. MANUFACTURED/ MOBILE HOMES AND MANUFACTURED/ MOBILE HOME PARKS.

Part 1 PURPOSE AND APPLICABILITY

§ 14-101 Title

The Manufactured/Mobile Home and Manufactured/Mobile Home Park Ordinance of Londonderry Township, Dauphin County, Pennsylvania.

§ 14-102 Purpose and Applicability.

1. This Chapter applies to and is intended to ensure that existing Manufactured/Mobile Home Parks ("MHP") are maintained and operated in accordance with accepted standards and are licensed and managed in a manner that protects public health and safety of residents of the MHP and the general public.
2. This Chapter applies to and is intended to ensure that existing Manufactured/Mobile Homes are maintained and used in accordance with the provisions contained herein and all applicable Township Ordinances including applicable Zoning Ordinances (Chapter 27), International Property Maintenance Code requirements ("IPMC") (Chapter 5, Part 2), and adopted Construction Codes.
3. This Chapter applies in addition to provisions of Chapter 22 (the Subdivision and Land Development Ordinance ("SALDO")), as was applicable at the time of the official plan submittal and approval. When a provision of this Chapter regulates the exact same matter as a provision in the SALDO, and the provisions differ, the provision of the SALDO shall be determined to apply to a new or expanded development, while this Chapter shall apply to an existing development and associated compliance agreements.
4. This Chapter shall also apply to any MHP regardless of the date of original development.
5. Part 11 of this Chapter shall apply to individual Manufactured/Mobile Homes that are not within a MHP.

Part 2 DEFINITIONS

§ 14-201 General

If a term is not defined by this Chapter, but is defined by the Zoning Ordinance (Chapter 27) or the SALDO (Chapter 22), the provision of that other ordinance shall apply to this Chapter.

§ 14-202 Specific Terms

The following words, terms, and phrases, when used in this Ordinance, unless the context clearly indicates otherwise, shall have the following meanings ascribed to them:

BUILDING PERMIT - An official approval issued by the Township that allows for the construction, alternation, addition, repair, demolition, removal or installation of any Manufactured/Mobile Home, the placement of any accessory structure including but not limited to unenclosed porches, steps, wheelchair ramps, decks or stoops and is intended to ensure compliance with Township standards for building, construction, land use, and zoning.

DCED - The Pennsylvania Department of Community and Economic Development, or its successor agency.

HABITABILITY GUIDELINES - The standards establishing whether a relocated Manufactured/Mobile Home installed or intended for installation on a Manufactured/Mobile Home Stand remains in compliance with the Manufactured Home Construction and Safety Standard in effect when the Manufactured/Mobile Home was originally produced.

IPMC - The version of the International Property Maintenance Code that is in effect within Londonderry Township.

MANUFACTURED/MOBILE HOME - A transportable single-family dwelling intended for permanent occupancy, when attached to the required utilities, contained in one Unit or in two Units designed to be joined into one integral unit capable of and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed upon a permanent chassis so that it may be used without necessarily needing a permanent perimeter foundation.

MANUFACTURED/MOBILE HOME PARK ("MHP") - A lot of record that is occupied by two or more Manufactured/Mobile Homes. The terms "Mobile Home" and "Manufactured Home" shall have the same meaning for the purposes of this Chapter.

RELOCATED - A Manufactured/Mobile Home, as herein defined, that was installed or occupied previously at any other site and moved to any other location.

MANAGER - An individual designated by the Landowner or Operator of the Manufactured/Mobile Home Park responsible to ensure daily compliance with this Chapter.

OPERATOR - The person(s) or legal entity identified as the responsible party to maintain the MHP and ensure compliance with Township requirements to obtain the annual Park license.

CODE AMINISTRATOR - A municipal code official, Construction Code official or third-party agency acting on behalf of the Township. The term includes a Code Enforcement Officer or an individual certified to perform plan review of construction documents or administer and enforce codes and regulations.

SKIRT – A panel specifically designed for the purpose of the screening the underside of a Manufactured/Mobile Home by forming an extension of the vertical exterior walls of the Manufactured/Mobile Home and covering the entire distance between the bottom of the exterior walls and the ground elevation below.

SEPARATION DISTANCE- A clear distance of a minimum of ten (10) feet measured between the side lot line and the Manufactured/Mobile Home.

Part 3 MANUFACTURERD/MOBILE HOME PARK MAINTENANCE AND STANDARDS

§ 14-301 Lots and Common Facilities

The Landowner or Operator of a MHP shall be responsible for maintaining all common facilities and common open spaces including, but not limited to, streets, driveways, parking areas, sidewalks and pathways, landscaping, screening, buffering, water supply and sewage disposal systems, signage, waste collection, illumination, recreation areas, service and other common buildings in compliance with this Chapter, the IPMC, the Zoning Ordinance, and adopted Construction Codes.

§ 14-302 Streets and Bridges

1. Streets shall be paved and maintained in a passable condition, free of cracks, grass, holes and other depressions that create a hazard for vehicular or pedestrian traffic.
2. A paved street shall be maintained to reach within 200 feet of each occupied building.
3. Streets shall be maintained such that storm water runoff does not create ponded areas within the roadway or block a driveway, cause erosion, deteriorate the roadway, or cause a storm water runoff problem for a dwelling or adjacent property.
4. Streets shall be maintained in a condition that allows safe access by fuel trucks, utility repair vehicles, moving trucks, emergency and similar service vehicles including plowing of streets after snow storms. Streets shall be cleared of snow and ice within 24 hours from the end of the precipitation.
5. Streets shall have a 13 feet 6 inch minimum height clearance, and trees shall be trimmed as necessary to maintain this clearance.
6. The owner and manager shall prohibit parking along one or both sides of streets where that parking would obstruct a 22 foot wide minimum cartway.
7. Any dead end streets or parking courts with a Township-approved turnaround needed for fire access shall be maintained in accordance with the original approved plans for the MHP or any subsequently approved plans associated with changes and improvements to the MHP.
8. Access to a MHP shall be maintained free of congestion and hazards at each entrance and exit to the MHP to allow for safe, free and convenient vehicular access from abutting public streets.
9. Streets and bridges within the MHP shall be maintained in a condition to allow access by all fire apparatus that serves the Township.

§ 14-303 Driveways and Parking Areas

1. The Operator of the MHP shall ensure that driveways and parking areas are properly maintained and improved with impervious material to be mud free.
2. Parking Areas shall be paved or gravel, and shall be graded such that storm water runoff drains away and does not create ponded areas within the parking area itself, cause erosion or deterioration of the roadway or surrounding areas or cause a storm water runoff issue for a Manufactured/Mobile Home lot or unit or adjacent roadway or property.
3. Each unit shall be provided with a minimum of one defined paved off-street parking space with minimum dimensions of 9 feet by 18 feet and shall be located a minimum of 10 feet from a MHP through-street. Existing parking areas that lawfully existed in stone as of the effective date of this Ordinance may continue to exist in stone, but shall be improved to be mud-free. However, parking space(s) with a slope greater than 10 percent shall be paved.
4. Existing parking space(s) that lawfully existed as of the effective date of this Ordinance shall be permitted to remain subject to any compliance agreements previously executed with the Township.

§ 14-304 Sidewalks and Pathways

1. Sidewalks and pathways shall be maintained in a passable condition, free of significant holes, cracks, or other breakages that create a tripping hazard for pedestrian traffic. Adjacent sections of sidewalk or pathways shall be maintained at a consistent grade as to not create a tripping or other hazard for pedestrian traffic.
2. Sidewalks and pathways shall remain free of tree limbs, debris, refuse and obstructions. Tree branches shall be trimmed as needed to avoid hazards to pedestrians.
3. Sidewalks and pathways shall be completely cleared of snow and ice within 24 hours from the end of the precipitation.
4. Existing pedestrian sidewalks and pathways shall be maintained, unless they are relocated to serve the same purposes, and shall have a minimum width of 2 feet.

§ 14-305 Setbacks

1. The minimum building setback line of 15 feet as required by SALDO shall be measured between a dwelling and the common walkway or the edge of street or common driveway and may be reduced to 10 feet if two off-street parking spaces are provided per unit and if one of the following two conditions are met:
 - a. A smaller setback was approved previously in writing by the Township within a particular MHP or a particular section of a Park, or
 - b. The Code Administrator determines that such smaller building setback distance is necessary to allow for the replacement of an existing unit that does not meet the HUD Manufactured Housing Construction and Safety standards with a unit that bears a label which certifies that it conforms to Federal construction and safety standards adopted under the Housing and Community Development Act of 1974 (42 U.S.C.A. §§ 5401-5426).
2. Manufactured/Mobile Homes shall be separated from each other by a minimum of 20 feet. An unenclosed porch, steps, wheelchair ramp, deck or stoop for each dwelling may

collectively intrude up to 5 feet into the minimum separation distance. If a smaller setback between dwellings was established in part of a MHP under a previous development approval, that smaller setback may continue to apply to those units.

§ 14-306 Landscaping, Screening and Buffering

1. New or expanded portions of MHPs shall comply with the landscaping, screening and buffering requirements of the SALDO.
2. Planting areas shall be provided around the sides of an existing MHP that abuts a public street or a residential lot, to the maximum extent feasible. This planting area shall be maintained in vegetative ground cover, with trees and shrubs.
3. Planting areas, landscaping, screening and buffering shall be maintained in accordance with the original approved plans for the MHP or any subsequently approved plans associated with changes and improvements to the MHP.

§ 14-307 Water Supplies

1. The Operator of a MHP shall be responsible to ensure that a reliable source of potable water is provided to each occupied dwelling, with adequate water pressure.
2. Water supplies shall be maintained in accordance with the requirements of the applicable water authority and DEP standards.
3. Water Rise Pipes shall be capped when a Manufactured/Mobile Home does not occupy the Manufactured/Mobile Home Stand.

§ 14-308 Sewage Disposal Systems

1. The Operator of the MHP shall be responsible to ensure that a suitable method of sewage collection and disposal is provided for each occupied dwelling. If this involves:
 - a. Connection to a public or other centralized sewage system, the Operator shall be responsible to ensure that the internal collection system properly operates.
 - b. On-site septic systems, the Operator shall be responsible to ensure that each septic tank is regularly pumped out with lawful disposal of the waste in accordance with Chapter 18 (Sewers and Sewage Disposal), and that the drain field is functioning properly without wastewater reaching the surface.
2. Sewage disposal systems shall be maintained in accordance with the requirements of the applicable sewer authority and DEP.
3. The Landowner or Operator of each MHP discharging sewage into any Municipal Authority's system shall be responsible to ensure that there is not significant infiltration of groundwater, storm water, or any other water into the sewer system, except wastewater generated by the dwellings.
4. Sewer Rise Pipes shall be capped when a Manufactured/Mobile Home does not occupy the Manufactured/Mobile Home Stand.

§ 14-309 Signage

1. The Landowner or Operator shall provide and maintain stop signs at intersections as shown on approved plans or as later may be required by the Code Administrator.
2. A sign shall be provided at all entrances to the MHP stating "Private Drive —No Through Traffic,"
3. Speed limit signs shall be posted on all streets.
4. Each dwelling unit shall be clearly identified with a number that is visible from a street and that is tied into the 911 address system.
5. Each street within the MHP shall have clearly visible street name signs.
6. Parking restriction signs shall be used as needed and shall be enforced by the Operator of the MHP in order to ensure sufficient width and turning radius for emergency vehicles. The Code Administrator may require such signs and enforcement where emergency access could be obstructed.

§ 14-310 **Solid Waste Collection**

1. All MHPs not serviced by curb-side solid waste collection shall be provided with solid waste collection / recycling stations accessible for truck pick-up and shall be completely screened.
2. The Operator of the MHP shall provide a sufficient number of enclosed dumpsters at a community disposal site to prevent accumulation of rubbish or garbage on the ground unless individual approved containers for rubbish or individual approved leakproof containers with secure lids are used by households to store garbage.
3. Community collection sites shall be conveniently located for use by residents, unless rubbish or garbage is collected at each dwelling.
4. Garbage and rubbish shall be managed in a way that does not attract rodents, and if rodents become present, the Operator shall be responsible to properly exterminate them by an approved process that will not be injurious to human health.
5. The MHP Operator shall contract with a solid waste contractor to collect and dispose of waste at least once a week or more frequently to prevent the accumulation of waste.
6. Provisions shall be made for the collection of common recyclable materials.

§ 14-311 **Illumination**

1. All MHP streets, common parking lots, and common walkways shall be illuminated sufficiently for safety and security during nighttime hours, by the use of luminaries, with a minimum lighting level of at least 0.5 foot-candle.
2. Common steps and common ramps shall be individually illuminated.
3. Luminaries shall be maintained at maximum intervals of 200 feet along MHP streets and walkways, and at street intersections.
4. One luminary shall be provided at the intersection of a MHP street and a public street. Such luminary shall be consistent with the Township lighting standards for street intersections.

§ 14-312 **Recreation Areas**

Recreation areas shall be prepared and maintained to be suitable for recreation and any recreation facilities shall be properly maintained and kept in a safe condition at all times.

§ 14-313 Fire Protection

1. Portable fire extinguishers of a type suitable for use on oil fires, dry-chemical or foam type, shall be kept in public service buildings under MHP control and a sufficient number shall be maintained throughout the MHP in readily accessible and well-marked positions, unless each Manufactured/Mobile Home is provided with its own fire extinguisher.
2. Combustible or flammable materials shall not be stored within the undercarriage area of the Manufactured/Mobile Home.

§ 14-314 Heat

1. Where the Landowner or Operator of the MHP or their authorized agent rents dwelling units to tenants, the Operator shall be responsible to ensure that heating equipment is provided that is able to maintain a minimum temperature of 68 degrees.
2. If such heating equipment fails for more than 48 hours in any 30-day period, the Operator of the MHP shall be responsible to provide a safe alternative source of heat or other temporary housing. This requirement shall not apply if the electric supply company is experiencing an area-wide power outage.

§ 14-315 Electricity

1. The Operator of the MHP shall be responsible to ensure that a safe and reliable source of electricity is available to each occupied dwelling.
2. Individual electrical connections shall be provided with an approved disconnecting device and over-current protective equipment that meets the requirements of the electricity provider.
3. When the Landowner or Operator of the MHP or their authorized agent leases dwelling units to tenants, the Operator shall be responsible to ensure that:
 - a. the electrical system within the dwelling is safe and reliable;
 - b. Connections meet the requirements of the electricity provider and the NFPA 501 Standards (relating to Standard on Manufactured Housing (2017 edition));
 - c. Permits are obtained as required under the Construction Codes;
 - d. The electrical system within the dwelling is safe and reliable in accordance with the electrical standards for Manufactured / Mobile Homes with a minimum service per outlet shall be 120 - 240 volts A.C. 100 amperes.

§ 14-316 Natural Gas Systems

Any Manufactured/Mobile Home that is provided with piped gas shall have an approved shut-off valve installed upstream of the gas outlet and, when not in use, shall be equipped with an approved mechanism to prevent the accidental discharge of gas.

§ 14-317 Liquefied Petroleum Gas Systems

The design, installation, and construction of containers and pertinent equipment for the storage and handling of liquefied petroleum gasses shall conform to the Propane and Liquefied Petroleum Gas Act, 35 P.S. § 1329.1 et seq., and to the regulations therefore promulgated by the Pennsylvania Department of Labor and Industry, or its successor agency and Township adopted Construction Codes and IPMC.

§ 14-318 Fuel Oil Supply Systems

1. All fuel oil supply systems provided for Manufactured/Mobile Homes, service buildings and other structures shall be maintained in conformance with the rules and regulations of the authority having jurisdiction, Township adopted Construction Codes, and the IPMC.
2. All fuel oil storage tanks shall be securely placed to prevent overturning and located at least 5 feet from a Manufactured/Mobile Home exit and at least 3 feet from any window. Storage tanks in areas subject to traffic shall be protected against physical damage.
3. All fuel oil supply systems shall have at least one accessible means for shutting off the system located outside the Manufactured/Mobile Home and shall be maintained in effective operating condition.
4. All piping associated with the fuel oil system shall be securely, but not permanently fastened in place.

§ 14-319 Skirting

1. Unless a solid enclosure is installed around the bottom of the Manufactured/Mobile Home, skirting shall be provided around the entire perimeter of the Manufactured/Mobile Home, for the purpose of concealing the wheel assembly and piping.
2. Skirting shall be installed by the individual Manufactured/Mobile Home owner within 60 days after placement of the Manufactured/Mobile Home, unless another suitable form of perimeter enclosure is pre-approved by the Code Administrator.
3. Skirting shall be installed per the manufacturer's installation instructions or the following:
 - a. skirting must be attached in such a manner to prevent water from being trapped between the skirting siding or trim.
 - b. skirting must have vent openings.
 - c. vent openings must be located close to corners, protected to prevent entrance of rodents and located to provide cross ventilation on at least two opposite sides.
4. Skirting material shall be durable and suitable for exposure to weather conditions consistent with Manufactured/Mobile Home manufacturer specifications and shall be designed to form an extension of the vertical exterior walls that complement the appearance of the Manufactured/Mobile Home covering the entire distance from the bottom of the exterior wall to the ground elevation below. Plywood, lattice and other materials that decompose or degrade are not suitable skirting materials.
5. Skirting material shall be maintained free from holes, cuts and defects.
6. Any enclosure shall include an access point for maintenance having a covered opening not less than 18 by 24 inches to reach any shut off valves. The cover must be of the same material as the skirting.

§ 14-320 **Miscellaneous Provisions**

1. Standing water and used tires shall not be allowed to remain in a manner that promotes the breeding of mosquitos.
2. Grounds, buildings and structures shall be maintained free of insects and redolent harborage and infestation.
3. Use of pesticides shall comply with Federal regulations and product specifications.
4. A copy of resident rules shall be posted in the MHP office.

Part 4. MANUFACTURED/MOBILE HOME AND PROPERTY MAINTENANCE

§ 14-401 **Maintenance of Manufactured/Mobile Home Property**

The owner of the Manufactured/Mobile Home shall be responsible for proper maintenance and repair of the Manufactured/Mobile Home and property that is part of the lease in compliance with this Part, the IPMC, and other applicable ordinances and Construction Codes adopted by the Township.

§ 14-402 **Vacant structures.**

1. Vacant structures and vacant land shall be maintained in a clean, safe, and sanitary condition, and vacant structures shall be secured to avoid an attractive nuisance for children.
2. If a Manufactured/Mobile Home is not habitable and is not actively under repair or awaiting issuance of permits, it shall be removed from the MHP within 3 months.

§ 14-403 **Repairs**

1. An owner or authorized agent who intends to construct, enlarge, alter, repair, or change the occupancy of a residential building or Manufactured/Mobile Home or erect install, enlarge, alter, repair remove, convert or replace an electrical, gas mechanical or plumbing system regulated by the Uniform Construction Code shall first apply to the Code Administrator and obtain the required permit.
2. All repairs, alterations, modifications to any Manufactured/Mobile Home must be in accordance with one of the following:
 - a. Manufacturers recommended standards;
 - b. NFPA 501 Standard on Manufactured Housing (2017 edition); or
 - c. Uniform Construction Code Standards (2015 edition).

Part 5 INSTALLATION, CHANGE OF OCCUPANCY, REMOVAL, CONSTRUCTION AND DEMOLITION OF MANUFACTURED/MOBILE HOMES

§ 14-501 Location of Manufactured/Mobile Homes

1. Within a MHP, Manufactured/Mobile Homes may be located on designated Manufactured/Mobile Home Stands provided they comply with the setback requirements contained in 14-305.
2. Within a MH-R Mobile Home Residential District, two or more Manufactured/Mobile Homes shall be allowed on the same lot of record only if there is compliance with this Chapter and the Zoning requirements for a Manufactured/Mobile Home Park in that District.
3. Manufactured/Mobile Homes and MHPs located in designated floodplain districts shall meet applicable floodplain requirements, including those in the Zoning Ordinance (Chapter 27) and Construction Codes.
4. A single Manufactured/Mobile Home on a single fee-simple lot shall comply with Part 11 of this Chapter and the zoning requirements for the zoning district in which the Manufactured/Mobile Home will be located.

§ 14-502 Installation and Relocation of a Manufactured/Mobile Home

1. The Operator of the MHP or his/her authorized agent and Manufactured/Mobile Home owner shall first obtain a permit(s) and be responsible to ensure that any installation of a relocated or new Manufactured/Mobile Home occurs in compliance with all State and Township requirements including a Certificate of Origin or Title. Such person or designee shall supervise the placement of each Manufactured/Mobile Home, including all utility connections.
2. Installation of a new Manufactured /Mobile Home must be in compliance with the manufacturer's approved installation design under the Design Approval Primary Inspection Agency (DAPIA), 24 CFR § 3282.361. Any construction activities or processes including but not limited to foundations, utility connections and site grading not addressed by the manufacturer's approved DAPIA design must comply with the Uniform Construction Code 34 P.S. § 403.25(a)(2).
3. Installation of a relocated Manufactured/Mobile Homes must be in compliance with the Installation Guidelines for Relocated Manufactured Homes as adopted by DCED (January 2017 edition) when the original manufacturer's installation instructions are not available. These guidelines apply to all Manufactured/Mobile Homes built after June 1976 that have been regulated by HUD as authorized by the National Home Construction and Safety Standards Act of 1974 (42 U.S.C. § 5401).
4. Prior to the issuance of an Occupancy Certificate:
 - a. The Operator must demonstrate compliance with the approved installation guidelines for new or relocated Manufactured/Mobile Homes.
 - b. Relocated Manufactured/Mobile Homes must also comply with the DCED Habitability Guidelines for relocated Manufactured Homes (January 2019). Compliance with the Habitability Guidelines are deemed to comply with the Uniform Construction Code.

- c. Any element of the site construction work including, but not limited to, foundations and utility connections not addressed by the Habitability Guidelines or the appropriate installation requirements must meet the requirements of the Uniform Construction Code, 34 P.S. § 403.25(a)(2).
- d. Any element of the installation procedures not addressed by the Habitability Guidelines or the appropriate Installation Guide for Relocated Manufactured Homes must meet the requirements of the original equipment manufacturer. If the requirements of the original equipment manufacturer are not available, the requirements of NFPA 225 Model Manufactured Home Installation Standard (2017 Edition) shall apply.

§ 14-503. HUD Standards.

1. No Manufactured/mobile home shall be newly placed or relocated within a MHP or within any other property within Londonderry Township unless there is evidence that the home was built to comply with the 1974 or later National Manufactured Housing Construction and Safety Standards of the U.S. Department of Housing and Urban Development (“HUD Standards”).
2. An existing Manufactured/Mobile Home may remain on the same lot provided that if a Manufactured/Mobile Home does not meet either the HUD Standards enacted in 1974 or the 1969 or later specifications for Mobile Homes as set forth by the American National Standards Institute (“ANSI”), then such Manufactured/Mobile Home shall be removed from Londonderry Township if the Manufactured/Mobile Home remains vacant for 12 or more continuous months.
3. A change of use or location shall be prohibited for an existing Manufactured/Mobile Home that does not meet either the 1974 HUD Standards or the 1969 or later specifications for Mobile Homes as set forth by the ANSI.
4. An existing Manufactured/Mobile Home originally designed and built as a dwelling unit shall not be converted into an accessory structure or an accessory use.
5. An existing Manufactured/Mobile Home that does not meet either the 1974 HUD Standards or the 1969 or later specifications for Mobile Homes as set forth by the ANSI shall not undergo any expansion or structural modification or be relocated within the Township.

§ 14-504. UCC Standards

Section §403.25(a)(3) of the Uniform Construction Code applies to all of the following situations:

1. An alteration or repair to an existing Manufactured/Mobile Home that does not fall within 24 CFR 3280.1-3280.904 relating to Manufactured Home construction and safety standards and the manufacturer’s installation instructions after assembly and shipment by the manufacturer;
2. Any additions to the Manufactured/Mobile Home after delivery to the site;

3. Construction, alteration, repair or change of occupancy if the Manufactured/Mobile Home is resold to a subsequent purchaser; and
4. Construction, alteration, repair or change of occupancy if the original purchaser relocates the Manufactured/Mobile Home.

§ 14-505 DCED Habitability Guidelines.

1. DCED Habitability Guidelines, as adopted by DCED (January 2019), are applicable to the use and condition of Manufactured Homes, as defined under Section 603 of the National Manufactured Home Construction and Safety Standards Act of 1974 (effective June 15, 1976), that are designed and constructed to be used solely as dwelling units and are to be used for relocated Manufactured/Mobile Homes.
2. DCED Guidelines do not apply if a Manufactured/Mobile Home does not meet either the 1974 HUD Standards or the 1969 or later specifications for Mobile Homes as set forth by the American National Standards Institute. Under such circumstances, the Manufactured/Mobile Home is prohibited from being relocated within the Township.
3. Manufactured/Mobile Homes that have been altered or modified beyond basic maintenance and repair are outside the scope of these Guidelines shall comply with the Uniform Construction Code § 403.25(a)(3) or its successor section.

§ 14-506 Removal/Demolition of Manufactured/Mobile Homes

1. The Operator of the MHP shall provide at least 5 business days advance notice to the Township Code Administrator that a Manufactured/Mobile Home is being removed from the MHP or is being demolished.
2. The demolition of any structure requires a demolition permit.
3. No Manufactured/Mobile Home shall be removed from the Township without first obtaining a removal permit from the Londonderry Township Tax Collector as required by Act No. 54 of 1969 of the Pennsylvania General Assembly, 72 P.S. § 5453.617a. Such permit shall be issued upon payment of a fee as set by resolution of the Board and all real estate taxes assessed against the home that are unpaid at the time the permit is requested.

§ 14-507 Permits.

1. An owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a Manufactured/Mobile Home or erect install, enlarge, alter, repair, remove, convert or replace an electrical, gas, mechanical or plumbing system regulated by the Uniform Construction Code shall first apply to the Code Administrator and obtain the required permits.

- a. Township demolition and/or building permits shall be displayed in a manner that is visible from outside of a building while work is underway.
 - b. The Operator of the MHP shall be responsible to ensure that any alterations or additions to dwelling units owned by the Operator occurs only after any required permit has been obtained from the Township.
 - c. The Operator shall also notify other owners of dwelling units that Township permits may be needed for additions and alterations and shall notify the Township if the Operator becomes aware that work is underway without a required Township permit.
 - d. Any other person owning or renting a Manufactured/Mobile Home shall also be responsible to ensure that required Construction Permits are issued and that there is compliance with the permit.
2. Additions or changes to a Manufactured/Mobile Home shall be made in a way that does not diminish the structural integrity of the Manufactured/Mobile Home. Any addition to a Manufactured/Mobile Home shall be structurally separate from the home, unless otherwise approved by the Code Administrator.
 3. The Township may delay the issuance of a Demolition or Removal Permit until after all past due Township taxes have been paid.

§ 14-508 Prohibited Uses

1. Manufactured/Mobile Homes designed for residential use shall not be converted, altered or modified to any non-residential or accessory use.
2. Manufactured/Mobile Homes designed for non-residential use shall not be converted, altered or modified for residential use.
3. Temporary Housing - A Recreational Vehicle shall not be used as a dwelling unit for more than 60 days in any calendar year, and shall only be used as temporary emergency housing after a fire or similar event or during repair of a dwelling.
4. A Manufactured/Mobile Home shall not be installed on any lot or Stand in the Township without a Certificate of Origin or Title.

§ 14-509 Change of Occupancy

1. Within 30 business days of a new resident age 18 or older moving into or out of the MHP, the Operator shall provide written notice of the name and MHP address of the person to the Township Tax Collector with a copy to the Township.
2. The Township reserves the right to conduct an interior inspection of the Manufactured/Mobile Home whenever there is a change in occupancy.

Part 6. LANDOWNER, OPERATOR AND MANAGER REQUIREMENTS

§ 14-601 Landowner and Operator Requirements

1. The Landowner shall designate an Operator who shall be responsible to ensure compliance with Township requirements on a daily basis.
2. Any change in the ownership or the Operator of the MHP shall require notification in writing to the Code Administrator within two business days after selling, transferring, or otherwise

- disposing of interest in or control of any Manufactured/Mobile Home Park.
3. The person to whom a license for a Manufactured/Mobile Home Park is issued shall operate and maintain the MHP in compliance with this Chapter and all other applicable ordinances and statutes and shall ensure that the MHP, its facilities and equipment are maintained in good repair and in a clean and sanitary condition.
 4. The Operator of the Manufactured/Mobile Home Park shall be responsible to ensure that any alterations or additions to dwelling units owned by the Operator occur only after all required permits have been obtained from the Township.
 5. The Operator of the Manufactured/Mobile Home Park shall provide the name, business address and telephone number of a Manager. However, the identification of a Manager shall not relieve the Landowner and Operator of the MHP from their responsibility to comply with Township ordinances. Such Manager shall be based at the MHP or have a weekday business office within 20 miles of the MHP and shall be authorized to accept, at the business office, enforcement notices and enforcement communications on behalf of the Landowner.
 6. The Operator shall keep a register containing a record of all Manufactured/Mobile Homes, owners, and occupants within the Manufactured/Mobile Home Park. The register shall be available for inspection by the Township or its designated official at any time. The register records pertaining to any Manufactured/Mobile Home shall not be destroyed for a period of one year after the date of departure for the Manufactured/Mobile Home in question. The register shall contain the following information:
 - a. Name and address of each occupant age 18 years or older.
 - b. The make, model, and year of all Manufactured/Mobile Homes within the Manufactured/Mobile Home Park.
 - c. The date of arrival and departure of each Manufactured/Mobile Home.
 - d. The last known forwarding address for residents who leave the MHP.

§ 14-602 Manager Requirements

1. The Manager of the MHP shall be based at the MHP or have a weekday business office within 20 miles of the MHP.
2. The Manager shall provide regular supervision and maintenance of the MHP, its common facilities and equipment, Manufactured/Mobile Home Stands and Manufactured/Mobile Home Units to make sure they are in good repair, clean, orderly and properly function in a sanitary manner in accordance with the provisions of this Chapter, the IPMC, and all other applicable Township Ordinances and adopted Construction Codes.
3. The Manager shall also notify the owner of a Manufactured/Mobile Home that Township permits may be needed for additions and alterations and shall notify the Township if the Manager becomes aware that work is underway without a required Township permit.

Part 7 MANUFACTURED/MOBILE HOME PARK LICENSE ISSUANCE AND ANNUAL RENEWAL

§ 14-701 MHP License Issuance and Annual Renewal

1. It shall be unlawful for any person to maintain or operate a MHP unless such person has first obtained a MHP License from the Township.

2. The MHP Operator shall be required to obtain and annually renew a Township MHP License in accordance with the following Township requirements:
 - a. A MHP license application or renewal form shall be completed and returned to the Township office accompanied by a filing fee, in accordance with the fee schedule adopted by the Township, at least 60 days prior to the current license expiration, if applicable.
 - b. The annual MHP license application shall include the legal names and business addresses of all persons holding more than a 5 percent ownership interest in the MHP.
 - c. A MHP inspection shall be completed prior to issuance of a MHP license.
 - d. A MHP license to operate shall be valid for a period of one year beginning July 1 and ending on June 30. For example, if an initial license is issued on January 1, the license shall be valid through June 30 of the same year and, upon renewal, from July 1 through June 30 thereafter.
3. Any person whose application for a MHP License under this Part has been denied may appeal the Code Administrator's decision in accordance with Part 9 (Waivers, Appeals and Hearings) of this Chapter.
4. A new Landowner or Operator shall apply in writing for the transfer of the MHP License and shall be bound by the License requirements of the previous Landowner or Operator, unless those requirements are revised by the Township.
5. The requirements of this Chapter and the MHP's approved SALDO Plan shall apply for a MHP license renewal.

Part 8 INSPECTIONS

§ 14-801 Inspections

1. The Operator or Manager shall regularly make the property available for inspections by the Code Administrator, during reasonable hours to determine satisfactory compliance with this Part and regulations issued hereunder to safeguard the health and safety of the occupants of the MHP. If the Operator or Manager does not allow entry to the Code Administrator, then the Officer may seek an administrative search warrant from the Magisterial District Judge.
2. For purposes of making such inspections, subject to above relating to search warrants, the Code Administrator is hereby authorized to enter, examine and survey, at all reasonable times after notice, all service buildings, structures, facilities, and vacant Manufactured/Mobile Homes to determine compliance with the provisions of this Chapter or with any lawful rule or regulation adopted, or any lawful order issued pursuant to the provisions of this Chapter.
3. Provisions regarding notice to enter shall not apply in any emergency situation, where in the opinion of the Code Administrator, there is an imminent threat to the public health and safety because of a suspected violation of this Chapter.
4. Except in emergency situations, the Code Administrator shall give to the Operator or Manager a minimum of 3 days' notice of the intention to conduct an inspection.
5. When, upon inspection of any MHP, the Code Administrator finds that conditions or practices exist which are in violation of any provision of this Chapter or regulations issued hereunder, the Code Administrator shall give notice in accordance with this Section.
6. Failure to Maintain:

- a. If upon inspection by the Code Administrator, it is determined that:
 - i. The MHP, including the common facilities and/or Manufactured/Mobile Home lots are not in compliance with this Chapter, the IPMC, or other applicable ordinances and Construction Codes adopted by the Township, the Landowner or Operator shall be considered in violation of this Chapter. The Code Administrator shall notify the Landowner and Operator, if different than Landowner, of such violations.
 - ii. The Manufactured/Mobile Home is not in compliance with this Chapter, the IPMC, or other applicable ordinances and Construction Codes adopted by the Township, the owner of the Manufactured/Mobile Home shall be considered in violation of this Chapter and the Code Administrator shall notify the owner, the Landowner, and the Operator, if different than Landowner, of such violations.
 - b. The Landowner, Operator or owner of a Manufactured/Mobile Home 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 Administrator to constitute a hazard to the health, safety or welfare of the residents of the MHP, an order shall be issued to correct the violation forthwith.
7. Upon proper notification, as herein provided, and suspension of the Manufactured/Mobile Home Park License, the Township may make such repairs, alterations or improvements as are necessary to comply with the regulations herein; the cost of which shall be a Municipal lien against the real property upon which the cost was incurred.

Part 9 WAIVERS, APPEALS AND HEARINGS

§ 14-901 Waivers

- 1. If the Landowner or Operator of a MHP believes that compliance with this Chapter would create an unnecessary hardship, such entity may appeal to the Board of Supervisors for relief from the strict application of the provisions of this Chapter. A hardship that was not self-created shall be required to be shown in order to obtain a waiver of a requirement of this Chapter. A modification of a requirement may be approved without proof of hardship if the applicant proves that the modified standard would serve the same public purposes as the required standard.

§ 14-902 Appeals

- 1. Appeals related to an enforcement notice under this Chapter or a determination of the Code Administrator shall be filed in writing to the Board of Supervisors within 30 days after receipt of notice of the action being appealed and must be accompanied by the appropriate fee set by resolution of the Board.
- 2. Appeals shall meet the following standards, as applicable:
 - a. Be in writing;
 - b. State the grounds upon which the appeal is being filed;
 - c. Include all relevant information upon which the appellant is alleging hardship and the reason why the strict adherence will cause that hardship;
 - d. Include a description of the relief sought; and

- e. Propose an alternative standard that the entity requests to be used in order to serve the same purpose.

§ 14-903 **Hearings**

1. Within 30 days of receipt of an appeal that complies with the requirements in § 14-902, the Board shall schedule a public hearing, which shall be conducted pursuant to the Local Agency Law (2 Pa.C.S.A. § 551 et seq.), unless the applicant grants a written time extension.
2. The Board of Supervisors shall issue a written decision within 30 days of the end of the hearing. All decisions of the Board shall contain findings and the reasons for the decision and shall be served upon all parties.
3. The Board of Supervisors may establish reasonable written conditions upon a waiver or modification or may defer compliance with a specific requirement to a future date to allow reasonable time to achieve compliance.
4. Decisions of the Board of Supervisors under this Section may be appealed to the Court of Common Pleas. Such appeals shall be filed within 30 days after the decision is served on the parties.

Part 10 **ENFORCEMENT AND PENALTIES**

§ 14-1001 **Enforcement**

1. The Code Administrator shall have the power and duty to enforce the provisions of this Ordinance. The term Code Administrator shall include his/her designated assistant(s).
2. When there is a violation of this Chapter, the Code Administrator shall mail or deliver a written Enforcement Order to the Landowner of the property or to the violator. The Township may, in an Enforcement Order, require corrective actions within a specified time period, with the time period taking into account the severity of any hazards. The notice shall state the nature of the violation, and ordinance provisions that were relied upon in the determination. If the violator(s) is a business entity or employees or other representative(s) of the business entity, the address of the business entity shall be presumed to be the correct mailing address for such business entity.

§ 14-1002 **Penalties**

1. This Chapter shall be enforced by action brought before a Magisterial District Judge in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The Township Solicitor may assume charge of the prosecution without the consent of the District Attorney. The Landowner or Operator shall be sentenced to pay a fine of not less than \$300 nor more than \$1,000, plus costs of prosecution and the Township's reasonable attorney's fees for each separate offense. Each time a Section of this Chapter is found to have been violated and each day that a violation of this Chapter continues shall constitute a separate offense.

2. This Chapter may also be enforced by the Township through an action in equity brought in the Court of Common Pleas.
3. The Landowner or Operator who causes or allows a violation of this Chapter shall be liable for the cost of any needed abatement. For purposes of collecting or recovering the costs involved in taking corrective action or pursuing a cost recovery action pursuant to an order or recovering the cost of abatement, litigation, oversight, monitoring, sampling, testing, and investigation related to a corrective action, the Township may collect the amount in the same manner as civil penalties are assessed and collected following the process for assessment and collection of a civil penalty.

**Part 11 MANUFACTURED/MOBILE HOMES NOT LOCATED WITHIN A
MANUFACTURED/MOBILE HOME PARK**

§ 14-1101 Applicability

1. This Part applies to a Manufactured/Mobile Home not located in a MHP.
2. It shall be unlawful for an owner, tenant or custodian of an existing manufactured/mobile home to convert, alter or modify the structure for purposes of a change of use from which it was originally designed and constructed, such as to convert a Manufactured/Mobile Home into a Storage Building.

§ 14-1102 Installation, Repair and Removal/Demolition Requirements

1. It shall be unlawful for an owner, tenant or custodian of an existing Manufactured/Mobile Home to relocate the building without first obtaining a permit.
2. The owner of a Manufactured/Mobile Home shall be responsible to ensure that any installation of a relocated or new Manufactured/Mobile Home complies with all State and Township requirements including zoning, SALDO, IPMC and Uniform Construction Codes. Such person or designee shall supervise the placement of each Manufactured/Mobile Home, including all utility connections and skirting installation.
3. The installation of a new or relocated Manufactured/Mobile Home shall comply with the requirements in § 14-502(2)-(4) and § 14-507.
4. The repair or alteration of a Manufactured/Mobile Home shall comply with the requirements in § 14-403, § 14-504, § 14-505, and § 14-507.
5. The removal or demolition of a Manufactured/Mobile Home shall comply with the requirements in § 14-506 and § 14-507.

SECTION 2. Repealer.

Unless specifically stated in this Chapter, all ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

SECTION 3. Severability.

In the event any provisions, sections, sentences, clause, or part of this Ordinance Amendment shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality, or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Ordinance Amendment, it being the intent of the Board of Supervisors that the remainder of the Ordinance Amendment shall remain in full force and effect.

SECTION 4. Effective Date.


This Ordinance Amendment shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of Londonderry Township as provided by law.

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DULY ORDAINED and ENACTED this 16th day of March, 2021, by the Board of Supervisors of Londonderry Township, Dauphin County, Pennsylvania, in lawful session duly assembled.

**BOARD OF SUPERVISORS
LONDONDERRY TOWNSHIP**

By:



Steve Letavic, Township Manager