

ORDINANCE NO. 30, 1970

AN ORDINANCE OF THE TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA, REGULATING THE LOCATION, CONSTRUCTION, EQUIPMENT, MAINTENANCE AND OPERATION OF MOBILE HOME PARKS IN THE TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA, REQUIRING A LICENSE FOR THE MAINTENANCE AND OPERATION OF SUCH MOBILE HOME PARKS; FIXING A FEE FOR SUCH LICENSE, PROHIBITING UNSAFE AND UNSANITARY CONDITIONS; PROVIDING FOR INSPECTIONS, AND PROVIDING PENALTIES FOR VIOLATIONS.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Tilden, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

SECTION I. DEFINITIONS.

- (a) "Park" or "Camp" means Mobile Home Park;
- (b) "Persons" means any natural individual, partnership, corporation or business venture whatsoever;
- (c) "Mobile Home" means any structure intended for or capable of human habitation, with or without wheels, and capable of being driven, propelled, transported or towed from place to place, by whatsoever name or title it is colloquially or commercially known; provided, that this definition shall not include transport trucks or vans equipped with sleeping space for a driver or drivers.
- (d) "Mobile Home Park" means any site, lot, field, or tract of land, privately or publicly owned or operated, upon which two or more mobile homes, used for living, eating or sleeping quarters are, or are intended to be located, whether operated for, or without, compensation, by whatsoever name or title it is colloquially or commercially termed.
- (e) "Dependent Mobile Home" means a mobile home which does not have a toilet or which does not have a bathtub or shower;
- (f) "Sanitary Officer"- the person appointed and designated by the Board of Supervisors of the Township of Tilden as the Sanitary Officer, or if no such person is so appointed and designated, then a Sanitation or similar officer employed by the Pennsylvania Department of Health.
- (g) "Independent Mobile Home" means a mobile home that has a toilet and a bathtub or shower;
- (h) "Dependent Mobile Home space" means a mobile home space which is designed to accommodate a dependent mobile home and does not have sewer and water connection to accommodate the toilet and bath or shower in a mobile home;
- (i) "Independent Mobile Home space" means a park space which has power and water connections assigned to accommodate the toilet and bath or shower contained in an independent mobile home.

(j) "Service Building" shall mean a building housing toilet facilities with a stop water closet and laundry facilities, and with separate bath and shower accommodations.

(k) "Transient Mobile Home" shall mean any mobile home which will remain in a Mobile Home Park for a period of time not to exceed two months.

(l) "Permanent Mobile Home" shall mean any mobile home which will remain in a Mobile Home Park for a period in excess of two months.

(m) "Space." The term "space" shall mean that plot of ground upon which one (1) mobile home is or is to be located.

(n) "Garbage." The term "garbage" shall mean all putrescible wastes, except sewage and body waste, including animal and vegetable offal.

(o) "Refuse." The term "refuse" shall mean all non-putrescible wastes generally regarded and classified as rubbish, trash, junk, and similar designations which have been rejected by the owner or possessor thereof as useless or worthless to him.

(p) "Sewerage System." The term "sewerage system" shall mean any system, whether community or individual, publicly or privately owned, for the collection and disposal of sewage or industrial wastes of a liquid nature, or both, including various devices for the treatment of such sewage or industrial wastes.

(q) "Sewage." The term "sewage" shall mean any substance that contains any of the waste products or excrements or other discharge from the bodies of human beings or animals and any noxious or deleterious substance being harmful or inimical to the public health, or to animal or aquatic life, or to the use of water for domestic supply or recreation.

SECTION II. LICENSE REQUIRED.

2.1 : Any two or more inhabited mobile homes shall be located in a licensed Mobile Home Park.

2.2 : It shall be unlawful for any person to maintain or operate within the limits of the Township of Tilden, Berks County, Pennsylvania, any mobile home park containing two or more mobile homes unless such person shall first obtain a license therefor. All mobile home parks in existence upon the effective date of this Ordinance shall within three (3) months thereafter, obtain such license, and in all other respects comply fully with the requirements of this Ordinance within nine (9) months, except that mobile home parks existing on the effective date of this Ordinance need not comply with the usable open space requirements set forth in Section VI hereof, and further, that mobile home parks existing on the effective date of this Ordinance may retain mobile home spaces and roadways and wiring, which spaces and roadways were actually constructed on the effective date of this Ordinance, and which wiring was installed actually on the effective date of this Ordinance, without changing the size or location of the same, even

though said mobile home spaces and/or roads do not conform as to size, width, and/or locations to the requirements of this Ordinance, nor have the required off-street parking spaces, and even though such wiring does not conform to the requirements of this Ordinance, and even though such wiring is not underground, so long as said wiring is safe and adequate in fact.

SECTION III. LICENSE FEES

The annual license fee for each mobile home park shall be Fifty Dollars (\$50.00) plus Two Dollars (\$2.00) for each occupied dependent or independent mobile home space in the park in excess of ten (10) as of the first of January.

SECTION IV. APPLICATION FOR LICENSE.

4.1 : The present rules and regulations of the Commonwealth of Pennsylvania, Department of Health, require that a Certificate of Registration be issued by the Department to any person establishing, maintaining, conducting or operating a Mobile Home Park or intending to establish, maintain, conduct or operate a Mobile Home Park. So long as the Rules and Regulations of the Commonwealth of Pennsylvania, Department of Health, require a Certificate of Registration to operate a Mobile Home Park, no Mobile Home Park license shall be issued under the provisions of this Ordinance until the applicant therefor has obtained a permit from the Pennsylvania Department of Health to operate the Mobile Home Park for which the application for a Mobile Home Park license under the provisions of this Ordinance shall be filed with the Berks County Planning Commission and the Tilden Township Planning Commission. The Tilden Township Planning Commission shall hold a public hearing, and after consideration, make a recommendation to the Tilden Township Board of Supervisors. The Board of Supervisors shall thereafter act upon the application, and, if approved, and if the applicant has obtained a Certificate of Registration from the Pennsylvania Department of Health to operate the Mobile Home Park in question, shall issue a license. Applications shall be in writing, signed by the applicant, and shall contain the following:

- (a) The name and address of the applicant;
- (b) Location and legal description of mobile home park;
- (c) A complete plan of the park showing compliance with Section VI of this Ordinance, including plans for sewage and water facilities;
- (d) Plans and specifications of all building and other improvements constructed to enable the issuing authority to determine if the proposed park will comply with legal requirements.

4.2 : The application and all accompanying plans and specifications shall be filed in triplicate. The Tilden Township Planning Commission and the Tilden Township Board of Supervisors shall inspect the applicant's plans and proposed park to determine compliance with the provisions of this Ordinance, and all other Ordinances and statutes, including the Berks County Planning Commission's Subdivision Regulations. If the applicant has complied with the said Ordinance, Statutes and regulations, the Tilden

Township Board of Supervisors shall approve the application, and upon completion of the park according to the plans, shall issue the license. The Board of Supervisors shall within sixty (60) days of the date of the application, render its decision on the application, otherwise, in the absence of such decision, the application shall be deemed approved as filed.

4.3 Before the plan, size or area of any licensed mobile home park is altered, and before any roadway, street, water facility, sewer facility, service building or service facility in the licensed mobile home park is relocated or materially altered, a new application setting forth such alteration and/or relocation shall be first filed and approved.

4.4: Except when a new application is required under the provisions of Subsection 4.3, a license shall be reissued annually upon payment of the license fee and upon the applicant's furnishing proof that his park continues to meet the standards prescribed by the Pennsylvania Department of Health, and this Ordinance.

SECTION V. PARKING PROHIBITED.

5.1 : Mobile homes shall not be parked on any public thoroughfare, street, alley or public place in the Township of Tilden, Pennsylvania, for longer than twelve (12) hours, when no legitimate emergency for repairs exists.

SECTION VI. MOBILE HOMES PARK PLAN.

The Mobile Home Park shall conform to the following requirements:

6.1 : The park shall be located on a well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water. Walks, driveways and retaining walls shall be constructed as not to interfere with drainage. Drainage shall be away from mobile home spaces, service buildings and recreational areas. Storm water shall not drain into sanitary sewers.

6.2: Mobile home spaces for permanent mobile homes shall be provided consisting of a minimum of six thousand (6,000) square feet for each space, which shall be at least sixty (60') feet wide and at least one hundred (100') feet in length, and clearly defined. Spaces for transient mobile homes may also be provided consisting of a minimum of four thousand (4,000) square feet for each space which shall be at least forty (40') feet wide and one hundred (100') feet in length, and clearly defined. Mobile homes shall be so parked on each space that there shall be at least twenty-five (25') feet clearance between mobile homes. No mobile home shall be located closer than one hundred (100') feet from a permanent building existing at the time the plan for the mobile home park is approved and located on property owned by a person or entity other than the owner of the mobile home park, or closer than twenty-five (25') feet from any property line bounding the park, or closer than forty (40') feet from the cartway areas of any public street or public highway, or closer than twenty (20') feet from a private driveway or private roadway.

6.3: All mobile home spaces shall abut upon a roadway of not less than thirty-three feet (33') in width, with a surfaced macadam area of not less than eighteen feet (18') in width.

6.4: Each Mobile Home Park containing dependent mobile home spaces shall provide service buildings to house toilet facilities, bath facilities, and other sanitary facilities, as hereinafter more particularly prescribed.

6.5: Safety and convenience shall be the major considerations in the layout of roadways, walks and parking areas within the Mobile Home Park, and roadways shall be continuous insofar as possible.

6.6: Two paved or gravel-surfaced off-street parking spaces shall be provided for each mobile home. Each such off-street parking space shall not be less than nine feet (9') wide, and not less than twenty feet (20') long.

SECTION VII. ELECTRICITY AND LIGHTING.

7.1: Every Mobile Home Park shall be provided with electric power. An electric outlet supplying 220-230 volts shall be provided for every mobile home space. The outlets shall be waterproof and in easy reach of parked mobile homes. All water lines and wiring shall be underground, and shall be at least forty inches (40") underground for secondary lines. No above-ground power lines or wiring shall be permitted. All electric wiring in the Mobile Home Park shall be in accordance with the Tilden Township and Pennsylvania Codes or in the absence of local Codes, then in accordance with the National Electrical Code. Adequate over-current protection shall be provided on all circuits. Service lines to each mobile space shall be weatherproof, insulated and not smaller than two (2) number two (#2) copper wires, and one (1) number four (#4) copper wire, or aluminum wires of equal capacity.

7.2: Street and yard lights sufficient in number and intensity to permit the safe movement of vehicles and pedestrians shall be provided. Lights shall be at least equal to 7100 lumens, each spaced at intervals of not more than two hundred feet (200') or 3400 lumens each spaced at intervals of not more than one hundred feet (100'), in either case located not less than twelve feet (12') or more than thirty feet (30') from the ground, and shall be effectively related to buildings, walks, trees, steps and ramps. Lights shall be kept burning from sunset until sunrise.

SECTION VIII. WATER SUPPLY.

8.1: All Mobile Home Parks shall be connected with a public water supply approved by the Pennsylvania Department of Health where such public water supply is available, and water

shall be supplied from such public water supply to each home space by pipe.

8.2: Where a public water supply is not available, a suitable private water supply shall be developed that meets standards prescribed by the Pennsylvania Department of Health as safe for drinking purposes. Water shall be piped to each mobile home space.

8.3: Water distribution and storage facilities shall be adequate to supply a continuous year-round frost-free water supply of at least one hundred twenty-five gallons (125 gals.) per day per mobile home space, at a rate of six (6) gallons per minute, with residual pressure of twenty (20) pounds per square inch. Wells shall be at least ten feet deep and located at least one hundred (100') feet from any privy, septic tank or cesspool, and approved by the Pennsylvania Department of Health.

8.4: Dependent mobile home spaces shall be provided with sanitary facilities in service buildings not less than 25 feet or more than 200 feet from any dependent mobile home, as outlined in Section IX below. Such service buildings shall provide a hot water supply at all times for bathing, washing and laundry facilities.

SECTION IX. SERVICE BUILDINGS.

9.1: Each Mobile Home Park containing one or more dependent home spaces shall be provided with toilets, baths or showers, slop sinks and other sanitation facilities which shall conform to the following requirements:

9.2: Toilet facilities of men and women shall be either in separate buildings at least 20 feet apart, or shall be separated, if in the same building, by a soundproof wall.

9.3: Flush toilets shall be placed in conveniently located buildings not more than a distance of two hundred feet (200') from any dependent mobile home. The buildings shall be well-lighted at all times, ventilated with screened openings, and constructed of moisture-proof materials, permitting satisfactory cleaning. The floors shall be concrete or similar material, slightly pitched to a floor-drain. Toilets shall be enclosed in separate compartments with doors that have the minimum width of two feet eight inches (2'8"). Toilet facilities for women shall consist of not less than one (1) flush toilet for every ten (10) dependent mobile home spaces, one (1) shower or bath for every ten (10) dependent mobile home spaces, and one (1) lavatory with hot and cold running water for every ten (10) dependent mobile home spaces. Each toilet and bathtub shall be in a private compartment. For independent mobile homes, toilet, shower and bathtub facilities shall be in compliance with the Pennsylvania State Regulations pertaining thereto.

9.4: Toilet facilities for men shall consist of not less than one (1) flush toilet for every ten (10) dependent mobile home spaces, one (1) shower or bathtub for every ten (10) dependent mobile home spaces, and one (1) lavatory with hot and cold running water for every ten (10) dependent mobile home spaces. Each toilet, shower and bathtub shall be in a private compartment. For independent mobile homes, toilet, shower and bathtub facilities shall be in compliance with the Pennsylvania State Regulations pertaining thereto.

9.5: An independent mobile home may be parked on a dependent mobile home space, but the requirements of Subsections 9.2, 9.3 and 9.4 immediately hereinabove specified shall not thereby be affected.

9.6: A dependent mobile home may be parked on an independent mobile home space, but in such event such space shall be regarded as being a dependent mobile home space for the purposes of determining compliance with the provisions of Subsections 9.2, 9.3 and 9.4 of this Section.

9.7: Service buildings housing toilet facilities shall be permanent structures, complying with all applicable ordinances and statutes regulating buildings, electrical and plumbing and sanitation systems, and shall be located not closer than twenty-five feet (25') nor farther than two hundred feet (200') from any dependent home space.

9.8: Each service building shall contain at least one slop sink located in a separate compartment.

9.9: The service building shall be well-lighted at all times of the day and night, shall be well-ventilated with screened openings, shall be constructed of such moisture-proof material including painted woodwork, as shall permit repeated cleaning and washing, and shall be maintained at a temperature of at least 68 degrees Fahrenheit during the period from October 1 to May 1. The floors of the service building shall be of water-impervious material and shall slope to a floor-drain connected with the sewerage system.

9.10: All service buildings, mobile homes, mobile home spaces, and the grounds of the park shall be maintained in a clean, sightly condition and kept free from any conditions that will menace the health of any occupant or the public, or constitute a nuisance.

SECTION X. SEWAGE DISPOSAL.

10.1: A system of sanitary sewerage shall be provided in mobile home parks and all waste and soil lines discharging from buildings and mobile homes shall be connected thereto. Each mobile home space shall be provided with a trapped sewer below front lines at least four inches (4") in diameter. The grade of all sanitary sewer lines shall be at least one-eighth inch (1/8") per foot. However, the ten feet (10') of sewer line immediately preceeding the septic tank shall not exceed one-fourth inch (1/4")

per foot. The sewer shall be provided with suitable fittings so that a water and gas-tight connection can be made between the mobile home drain and the sewer connection. Such individual home connections shall be so constructed that they can be closed when not linked to a mobile home and shall be trapped in such a manner as to maintain them in an odor-free condition.

Sufficient clean-outs, hand-holes and man-holes shall be installed in sewer systems so as to maintain serviceable conditions. Sewer lines shall be located in a separate trench from water-mains.

10.2: All sewers shall discharge into a public sewage system where possible. In the absence of a public sewage system adequate private sewage disposal and treatment facilities shall be installed to treat the minimum average of one hundred twenty-five gallons (125 gals.) per day per mobile home space of ultimate capacity of the park. The treatment facility shall be located so that it shall not create a health or odor nuisance to the park or adjacent property occupants, or discharge untreated effluents into any Commonwealth body of water or stream. No privies or cesspools shall be permitted in a mobile home park.

10.3: All sewage systems shall meet applicable local plumbing and sanitary codes, shall be approved by the Sanitary Officer and/or other appropriate officials, and shall meet standards of the Pennsylvania Health Department.

SECTION XI. REFUSE DISPOSAL.

11.1: A fly and water tight metal garbage can shall be provided for each mobile home space adequate to permit disposal of all garbage and rubbish. Garbage shall be collected at least once a week.

11.2: Racks and holders shall be provided for all refuse containers. Such container racks shall be designed so as to prevent containers from being tipped, to minimize spillage and container deterioration, and to facilitate cleaning around them.

11.3: Where collection service is not available, the mobile home park operator shall dispose of the refuse by transporting to an approved disposal site.

11.4: No garbage shall be buried within the mobile home park.

SECTION XII, INSECT AND RODENT CONTROL.

12.1: 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 conform with the requirements of the Pennsylvania Department of Health regulations governing mobile home parks.

SECTION XIII. FIRE PROTECTION.

13.1: Fire alarms and Instructions. Provisions shall be made giving a general alarm in case of fire. A bell, iron hoop or similar manually operated device may be used for this purpose. It shall be the duty of the mobile home park operator or owner to instruct all tenants annually of means of summoning fire fighting apparatus, police, medical help, and of proper operation of fire extinguishers.

13.2: Fire Extinguishers. The license of every mobile home park shall require all mobile homes in the park to be equipped with at least one approved hand-operated fire extinguisher of a type suitable for use on oil fires, preferably the foam type. The extinguisher shall be installed on the inside of the mobile home in a fixed location, preferably near a door, but in no case in close proximity to the cooking or heating stove.

In the absence of a system of yard hydrants and hose a complement of approved fire extinguishers on wheels for every 20 mobile home spaces shall be provided, housed not farther than 150 feet from any mobile home.

Each complement of extinguishers shall contain one (1) foam-type extinguisher (with anti-freeze) of 2½ gallon rated capacity, for Class "A" type fires; and at least one approved carbon dioxide dry chemical or vaporizing liquid extinguisher of at least 25 pound capacity for Class "B" oil type fires. All extinguishers shall be kept in good operating condition and checked yearly by an appropriate authority.

13.3: Mobile Home Park areas shall be kept free from litter, rubbish and other flammable material.

SECTION XIV. OIL BURNING HEATING AND COOKING STOVES.

14.1: Oil burning cooking and heating stoves shall be provided with flue connections to the outside of the mobile home. Flues shall penetrate the roof of the mobile home through a weather-right sheet metal shield or roof jack which shall provide a clearance of at least 2 inches between the flue and combustible roof material if approved outlet flues are provided. A clearance of at least 6 inches shall be provided if metal flues are used. Down-draft diverters shall be provided on all vents from all oil-burning stoves.

14.2: Oil-burning stoves for heating purposes may provide for attachment to fuel tanks located outside and separate from the mobile home. Auxiliary oil storage tanks, when provided, shall be so located as to require filling and drainage on the outside of the mobile home and shall be securely fastened in position in a place readily available for inspection. When installed in closed compartment, outside the mobile home, such compartment can be ventilated at the bottom.

14.3: No gasoline or portable stove equipment shall be permitted. Fires shall be made only in approved stoves, incinerators and other equipment intended for such purposes.

SECTION XV. FUELS.

15.1: Cylinders containing liquified petroleum gas or oils to be used as fuel by mobile home occupants, should be connected to the stove by leak-proof connections. The cylinders should be securely fastened in place, not less than 5 feet from any mobile home. State and local codes applicable shall be followed.

SECTION XVI. ANIMALS AND PETS.

16.1: No owner or person in charge of any dog, cat, or other pet animal shall permit it to run at large.

SECTION XVII. CERTAIN INDEPENDENT MOBILE HOMES PROHIBITED.

17.1: No independent mobile home shall be permitted in a Mobile Home Park for use as an office or for human habitation unless such independent home is equipped with toilet, shower and/or bathtub and lavatory, fully complying with all applicable ordinances and regulations of Tilden Township pertaining thereto, or in the absence of such local regulations, then in full compliance with the regulations of the Pennsylvania State Department of Health pertaining thereto.

SECTION XVIII. RECREATION AREAS.

18.1: Each Mobile Home Park shall maintain an area of usable open space or recreation area of not less than ten per cent (10%) of its overall area.

SECTION XIX. REGISTER OF OCCUPANTS.

19.1: It shall be the duty of the licensee to keep a register containing a record of all mobile homes, owners and occupants located within the park. The register shall contain the following information:

- (a) Name and address of each occupant, and age, if under twenty-one.
- (b) The make, model and year of all automobiles and mobile homes.
- (c) License or title number and owner of each mobile home and the vehicle by which it was towed.
- (d) The State issuing such license.
- (e) The date of arrival and departure of each mobile home.
- (f) Place of previous residence.
- (g) Permanent address.
- (h) Forwarding address.

The Park operator shall keep the register available for inspection by Tilden Township officials at all times. The register records pertaining to any mobile home shall not be destroyed for a period of three (3) years following the date of departure of the mobile home in question.

SECTION XX. REVOCATION OF LICENSE.

20.1: The designated authority or Sanitary Officers shall make inspection of the Park to assure compliance with this Ordinance and Parks shall be open for such inspections at all reasonable hours. In case of non-compliance with any provisions of this Ordinance, this authority shall serve warning to the licensee. Thereafter, upon failure of a licensee to remove said violation, the Tilden Township Board of Supervisors shall hold hearings on the matter, and upon determination of non-compliance, revoke said license. The license may be re-issued if the circumstances leading to the revocation have been remedied and the Park can be maintained and operated in full compliance with the law.

SECTION XXI. POSTING OF LICENSE AND CODE.

21.1: The license certificate and a copy of this Ordinance shall be conspicuously posted in the office or on the premises of the Mobile Home Park at all times.

SECTION XXII. PENALTY.

Any person who shall violate any of the provisions of this Ordinance shall be guilty of a summary offense, and upon conviction thereof, be sentenced to pay a fine of not less than \$25.00 nor more than \$100.00, together with costs of prosecution, and in default of payment thereof, shall be committed to the Berks County Prison for a period of not more than five (5) days. Each day's violation of any of the provisions of this Ordinance shall constitute a separate offense.

SECTION XXIII. SEVERABILITY OF PROVISIONS.

23.1: The provisions of this Ordinance are severable, and in the event that any provisions thereof shall be declared invalid or unconstitutional, it is hereby declared to be the intent of the Tilden Township Board of Supervisors that the remaining portions thereof would have been enacted notwithstanding such judicial determination of the invalidity of any particular provision or provisions in any respect.

SECTION XXIV. CONFLICT OF ORDINANCES.

24.1: In case a provision of this Ordinance is found to be in conflict with a provision of any zoning, building, fire, safety, or health Ordinance of this Township, or State Law Regulation, existing on the effective date of this Ordinance, the provisions which establish the higher standard for the promotion and protection of the health and safety of the people shall prevail.

SECTION XXV. EFFECTIVE DATE OF ORDINANCE.

25.1: This Ordinance shall become effective upon the expiration of five (5) days after passage.

ENACTED AND ORDINANED as an Ordinance by the Board of Supervisors of the Township of Tilden, Berks County, Pennsylvania, in lawful session duly assembled, this 22nd day of December, 1970.

Vernon A. Reppert

George B. Savage

Harold R. Stuebel

Board of Supervisors of Tilden Township
Berks County, Pennsylvania

Attest: :

Anna M. Schlenker

Secretary