

MONTOUR TOWNSHIP
COLUMBIA COUNTY, PENNSYLVANIA

#2022-6

AN ORDINANCE REGULATING MOBILE HOME PARKS
AND THE MOBILE HOMES LOCATED THEREIN IN
MONTOUR TOWNSHIP

WHEREAS, the population of Montour Township according to the 2010 Census is 1400 persons; and,

WHEREAS, there are two mobile home parks located in Montour Township, in which approximately 70 mobile homes are located, and it is estimated that 300 citizens reside in mobile home parks in Montour Township; and,

WHEREAS, the Board of Supervisors of Montour Township are desirous of enacting an Ordinance to establish maintenance, repair, and sanitary standards for mobile homes located in mobile home parks in Montour Township by assigning responsibilities to owners and operators of mobile home parks, owners of mobile homes located in mobile home parks, and occupants of mobile homes in mobile home parks in Montour Township; and,

WHEREAS, because of the proximity of mobile homes to each other in mobile home parks, the Board of Supervisors of Montour Township are desirous of assuring a quality of life and of promoting the health, safety, and welfare of the residents of mobile home parks in Montour Township by imposing certain duties upon the owners of mobile homes with regard to the property upon which the mobile homes are located and by imposing certain duties upon the occupants of mobile homes in mobile home parks; and,

WHEREAS, to assure the identification of occupants in the mobile home parks for purposes of code enforcement, the Board of Supervisors of Montour Township are desirous that the owners of mobile home parks maintain a current log of occupants of mobile homes in the mobile home parks and other duties as set forth herein; and,

WHEREAS, under the Second-Class Township Code, the Board of Supervisors of Montour Township have the authority to enact Ordinances to secure the health, safety, and welfare of the citizens of Montour Township; and,

WHEREAS, since the within Ordinance regulates building, housing, property, health, fire, and public safety, enforcement of this Ordinance shall be by a criminal action in the same manner as the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure as provided at 53 P.S. 66601(c.1)(2); and,

WHEREAS, pursuant to 53 P.S. 66601(c.1)(7), Board of Supervisors of Montour Township may delegate the initial determination of Ordinance violations to a qualified officer or agent, such as the Montour Township Code Enforcement Officer; and,

WHEREAS, it is the intention of the Board of Supervisors of Montour Township to enact this Ordinance for the benefit of Montour Township, the residents of mobile homes located in mobile home parks, and the public in general.

NOW, THEREFORE, BE IT ENACTED, AND IT IS HEREBY ENACTED, by the Board of Supervisors of Montour Township that the following shall be the Ordinance regulating mobile home parks and the mobile homes located in those mobile home parks in Montour Township:

SECTION 1: TITLE:

This Ordinance shall be known as the Montour Township Mobile Home Park and Mobile Home Regulation Ordinance.

SECTION 2: APPLICABILITY:

This Ordinance shall apply to all mobile home parks and mobile homes located in such mobile home parks presently located in Montour Township on the date of enactment of this Ordinance and those mobile home parks established after the date of enactment of this Ordinance.

SECTION 3: INCORPORATION:

Select provisions of the 2021 International Property Maintenance Code are set forth in this Ordinance, and nothing in this Ordinance shall repeal or rescind any of the applicable provisions of the 2021 International Property Maintenance Code. Definitions set forth in this Ordinance supersede definitions set forth in the 2021 International Property Maintenance Code.

SECTION 4: DEFINITIONS:

CHANGE IN OCCUPANCY: A change of the Occupant or Occupants of a Mobile Home when those Persons vacate the Mobile Home with no intention of returning.

GARBAGE: The animal or vegetable waste resulting from the handling, preparation, cooking, and consumption of food.

LET FOR OCCUPANCY OR LET: To permit, provide, or offer possession or Occupancy of a Mobile Home by a Person who is not the legal owner of record thereof pursuant to a written or unwritten agreement.

MOBILE HOME: A transportable, single-family dwelling intended for permanent Occupancy, contained in one unit, or in two or more units designed to join into one integral unit capable of being separated for repeated towing, which arrives at a site complete and ready for Occupancy, except for minor incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

MOBILE HOME LOT: A parcel of land in a Mobile Home Park improved with the necessary utility connections and other appurtenances necessary for the placement thereon of a single Mobile Home.

MOBILE HOME OWNER: Any person, agent, firm, or corporation having legal interest in a Mobile Home or who retains evidence of ownership such as the collection of rent, the payment of taxes, or any other evidence of ownership, or whose name appears on the Certificate of Title to the Mobile Home. A person occupying a Mobile Home under a "rent to own" or similar arrangement is not a Mobile Home Owner.

MOBILE HOME PARK: A parcel or continuous parcels of land which has/have been so designed and improved that it/they contain/s two or more Mobile Home Lots for the placement thereon of Mobile Homes.

MOBILE HOME PARK LICENSE: A license required to own or operate a Mobile Home Park.

MOBILE HOME PARK OWNER: Any person, agent, firm, or corporation having legal or equitable interest in a Mobile Home Park.

OCCUPANCY: The purpose for which a building is utilized or occupied.

OCCUPANCY PERMIT: A permit required prior to the Occupancy of a Mobile Home after initial placement of a Mobile Home on a Mobile Home Lot in a Mobile Home Park or after a Change in Occupancy.

OCCUPANT: Any individual or group of individuals residing in a Mobile Home who is/are not the Mobile Home Park Owner, but may or may not be the Mobile Home Owner.

OPERATOR: Any person who has charge, custody, or control of a Mobile Home or Premises which is Let or offered for Occupancy.

PERSON: An individual, corporation, partnership, or any other group acting as a unit.

PLACEMENT PERMIT: A permit required prior to the placement of a Mobile Home on a Mobile Home Lot.

PREMISES: A lot, plot, or parcel of land, including structures, porches, and patios thereon.

REMOVAL PERMIT: A permit required prior to the removal of a Mobile Home from a Mobile Home Lot.

RUBBISH: Combustible and non-combustible waste materials except Garbage; the term shall include the residue from burning coal or wood, coke, and other combustible materials including, but not limited to, paper, rags, cartons, boxes, excelsior, rubber,

leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, and dust and other similar materials.

SECTION 5: MOBILE HOME PARK LICENSE REQUIREMENT:

A. It shall be unlawful for any Person to operate a Mobile Home Park in Montour Township without a valid Mobile Home Park License.

B. The Mobile Home Park Owner or the Operator of a Mobile Home Park shall obtain a Mobile Home Park License from the Montour Township Code Enforcement Officer which shall be valid for one (1) year from the date of issuance. All licenses for subsequent years must be secured no later than thirty (30) days prior to the expiration of an existing Mobile Home Park License.

C. If a Mobile Home Park is not in existence as of the date of enactment of this Ordinance, the Mobile Home Park Owner or the Operator of the Mobile Home Park shall obtain a Mobile Home Park License from the Montour Township Code Enforcement Officer prior to a Mobile Home being placed in the Mobile Home Park.

D. An applicant for a Mobile Home Park License shall submit an Application on a form provided by the Montour Township Code Enforcement Officer and pay the applicable fee.

E. An applicant for a Mobile Home Park License shall furnish the following to Montour Township:

1. The name of the Mobile Home Park.
2. The name and address of the Mobile Home Park Owner.

3. The name and address of the Owner of each Mobile Home in the Mobile Home Park, regardless of whether or not it is occupied, and accompanying documents proving ownership.

4. The name and address of all Persons occupying Mobile Homes in the Mobile Home Park.

5. The address of all vacant Mobile Homes in the Mobile Home Park.

6. The address of all Mobile Homes in the Mobile Home Park which are subject to any installment sales contracts, lease purchase agreements, rent to own agreements, or similar agreements, or lease agreements.

7. A copy of all Certificates of Title, installment sales contracts, lease purchase agreements, rent to own agreements, or similar agreements, or lease agreements that relate to the Mobile Homes in the Mobile Home Park.

F. Within fifteen (15) days of submission of an Application for a Mobile Home Park License, the Montour Township Code Officer shall review the Application and, if the Mobile Home Park is in compliance with this Ordinance and all other applicable Ordinances of Montour Township, the Code Enforcement Officer shall issue the Mobile Home Park License. In the event that the Mobile Home Park is not in compliance with this Ordinance and all other applicable Ordinances of Montour Township, the Code Enforcement Officer shall advise the applicant of the specifics of the non-compliance and shall require compliance within a specific time period set by the Code Enforcement

Officer. If compliance is not met by the expiration of the time limit imposed, the Code Enforcement Officer shall reject the Application.

G. During the term of any Mobile Home Park License, the Mobile Home Park Owner shall advise the Montour Township Code Enforcement Officer, in writing, of any Change in Occupancy of a Mobile Home setting forth the identity of the new Occupants.

H. In the event of change in ownership of a Mobile Home Park, the new Mobile Home Park Owner shall notify the Montour Township Code Enforcement Officer within forty-eight (48) hours of such change and identify, by name and address, the new Mobile Home Park Owner.

I. Failure to comply with any provisions of this Section may result in the revocation of the Mobile Home Park License, as provided for hereafter.

SECTION 6: PLACEMENT PERMIT AND DUTIES OF A MOBILE HOME OWNER:

A. Placement Permit:

1. Prior to the placement of a Mobile Home in a Mobile Home Park, the Mobile Home Owner shall obtain a Placement Permit and pay the applicable permit fee, as set forth by the Township's Fee Resolution.

2. On a form provided by Montour Township, the applicant shall provide the following:

- a. The name and address of the Mobile Home Owner and the facts and circumstances that support the ownership of the Mobile Home by the Owner.
- b. The name of all Occupants of the Mobile Home.

- c. The lot number upon which the Mobile Home will be located.
- d. A description of the Mobile Home, including the name of the manufacturer and the model.
- e. A copy of the Certificate of Title to the Mobile Home, or installment sales contract, lease purchase agreement, rent to own agreement, or similar agreement, or other document that identifies the Person with a legal interest or equitable interest in the Mobile Home.

B. Duties of the Mobile Home Owner Relating to the Issuance of a Placement Permit:

1. Within seven (7) days of the placement of a Mobile Home in the Mobile Home Park, the Mobile Home Owner shall install an enclosure of compatible design and material, commonly called skirting, around the entire base of the Mobile Home so that sufficient ventilation is provided to inhibit decay and deterioration of the Mobile Home.

2. Within seven (7) days of the placement of a Mobile Home in the Mobile Home Park, the Mobile Home Owner shall anchor the Mobile Home. The anchoring system shall be able to withstand ninety (90) mile per hour winds and shall be designed by a registered professional engineer to prevent tilting of the Mobile Home.

3. Within seven (7) days of the placement of a Mobile Home in the Mobile Home Park, the Mobile Home Owner shall remove the hitch or tow bar that is attached to the Mobile Home and the same shall remain removed from the Mobile Home when it is placed on its Mobile Home Lot.

4. Within seven (7) days of the placement of a Mobile Home in the Mobile Home Park, the Mobile Home Owner shall remove any accumulation of junk, rubbish, litter, or inoperative or unlicensed motor vehicles from the Mobile Home Lot. In the event that a Placement Permit is issued to a Person other than the Mobile Home Owner, the Person to whom the Placement Permit was issued shall be responsible for the duties set forth above.

SECTION 7: OCCUPANCY PERMITS AND REMOVAL PERMITS:

A. Occupancy Permit:

1. A Mobile Home shall not be occupied prior to the issuance of an Occupancy Permit to the Mobile Home Owner by the Montour Township Code Enforcement Officer, the initial fee for which shall be included in the Placement Permit fee.
2. There shall be no change in Occupancy without the prior issuance of an Occupancy Permit by the Montour Township Code Enforcement Officer and payment of the applicable fee to reissue the Occupancy Permit.
3. The application shall be submitted on a form provided by Montour Township.
4. Prior to the issuance of an Occupancy Permit, either upon the initial placement of a Mobile Home in a Mobile Home Park or upon Change in Occupancy, the Mobile Home shall be inspected by the Montour Township Code Enforcement Officer to assure compliance with the Uniform Construction Code relating, but not limited, to electrical connections, water supply, sewage connection, skirting installation, removal of the hitch, and compliance with this Ordinance.

5. Prior to the issuance of an Occupancy Permit, either upon initial placement of the Mobile Home in a Mobile Home Park or upon Change in Occupancy, the Mobile Home Owner shall provide the Montour Township Code Enforcement Officer with a certification by a certified exterminator that the Mobile Home is rodent free and pest free.

B. Removal Permit:

1. Prior to the removal of a Mobile Home from a Mobile Home Park, the Mobile Home Owner shall apply for and secure a Removal Permit from the Montour Township Code Enforcement Officer.

2. The application shall be submitted on a form provided by the Montour Township Code Enforcement Officer, and the Applicant shall pay the applicable fee, as set forth in the Township Fee Resolution.

3. The Applicant shall certify whether or not all taxes assessed against the Mobile Home have been paid.

SECTION 8: REGISTER OF OCCUPANTS:

The Mobile Home Park Owner or the Operator of the Mobile Home Park shall maintain a register of all Occupants within the Mobile Home Park which shall be made available for inspection by the Montour Township Code Enforcement Officer upon reasonable notice by Montour Township. The register shall include the following:

A. Name and prior address of the Mobile Home Owner and the Occupants of each Mobile Home.

B. Dates of entry and departure of each Mobile Home in the Mobile Home Park.

C. The lot number on which each Mobile Home is located.

D. The state license number of each Mobile Home and of the vehicle that towed the Mobile Home to the Mobile Home Lot.

E. A description of the interest that the Occupant of each Mobile Home has in the Mobile Home and the documents that establish such interest.

SECTION 9: GENERAL DUTIES OF MOBILE HOME PARK OWNERS, MOBILE HOME OWNERS, OR OCCUPANTS OF MOBILE HOMES:

A. The Mobile Home Park Owner shall cause to be removed from the Mobile Home Park any Mobile Home that has been vacated or abandoned within sixty (60) days of the vacation or abandonment regardless of ownership.

B. The Mobile Home Owner shall maintain the exterior of the Mobile Home and shall comply with all applicable requirements of the 2021 International Property Maintenance Code and the specific requirements of this Ordinance relating to Mobile Home Parks. (IPMC 304)

C. A Mobile Home Owner shall not occupy nor permit another person to occupy a Mobile Home that is not kept in a clean, safe, and sanitary condition and in compliance with the applicable requirements of the 2021 International Property Maintenance Code and this Ordinance.

D. Occupants of a Mobile Home shall keep the Mobile Home in a clean, safe, and sanitary condition. (IPMC 301)

E. Weeds: The Mobile Home Owner or the Occupant of the Mobile Home shall be responsible for the Mobile Home Lot which shall be maintained free of weeds or plant growth in excess of ten (10) inches in height. Noxious weeds shall be prohibited. Weeds shall be defined as all grass, annual plants, and vegetation; however, this term

shall not include cultivated flowers and gardens.

In the event that the Mobile Home Owner or Occupant of the Mobile Home does not remove the weeds after notice of violation by the Montour Township Code Enforcement Officer, the Mobile Home Park Owner shall be responsible for removing the weeds.

F. Motor Vehicles: No inoperative or unlicensed motor vehicle shall be parked, kept, or stored on the Premises, and no motor vehicle shall at any time be situated on the Premises in a state of disassembly, disrepair, or in the process of being stripped or dismantled. The painting of motor vehicles on the Premises is prohibited.

In the event that the Mobile Home Owner or Occupant of the Mobile Home does not remove an inoperative or unlicensed motor vehicle after notice of violation by the Montour Township Code Enforcement Officer, the Mobile Home Park Owner shall be responsible for removing the inoperative or unlicensed motor vehicle.

G. Mobile Home Identification: The Mobile Home Park Owner shall be responsible for the placement of permanent address numbers upon each Mobile Home in the Mobile Home Park, which shall be in a form approved by the Montour Township Code Enforcement Officer and placed in a position to be plainly visible from the street or road fronting the Mobile Home. The numbers shall be Arabic numerals not less than four inches (4") in height with a minimum width of one-half inch (1/2") and shall contrast with their background. The Mobile Home Park Owner shall be responsible for replacing any and all permanent address numbers that are removed or are no longer visible. All existing Mobile Home permanent address numbers shall be brought into compliance with this Ordinance within one (1) month of the enactment of the same. (IPMC 304.3) Failure to comply with

any provisions of this subsection may result in the revocation of the Mobile Home Park License, as provided for hereafter.

H. Insect Screen: Annually, during the period from April 1 to October 31, every door, window, and other outside opening required for ventilation of habitable rooms, food preparation areas, or food storage areas shall be supplied with tightly fitted screens of minimum sixteen (16) mesh per inch, approved by the Montour Township Code Enforcement Officer, and every doorway shall be equipped with a self-closing door in good working condition. The Mobile Home Owner shall be responsible for compliance with this section of this Ordinance. (IPMC 304.14)

I. Building Security: Doors and windows for Mobile Homes shall be equipped with devices, approved by the Montour Township Code Enforcement Officer, designed to provide security for the Occupant and personal property within the Mobile Home. The Mobile Home Owner shall be responsible for compliance with this section of this Ordinance. (IPMC 304.18)

J. Interior Structure: General: (IPMC 305.1)

1. The interior structure of the Mobile Home and equipment therein shall be maintained by the Mobile Home Owner in good repair and be structurally sound.

2. The Occupant/s of the Mobile Home shall keep the Mobile Home that he/she/they occupy in a clean, safe, and sanitary condition.

K. Interior Structure: Interior Surfaces: (IPMC 305.3)

1. The Mobile Home Owner shall repair, remove, or cover peeling, chipping, flaking, or abraded paint, and the Mobile Home Owner shall correct cracked or loose plaster, decayed surfaces, and other defective surface conditions.

2. The Occupant/s of a Mobile Home shall maintain interior surfaces, including windows and doors, in a clean, safe, and sanitary condition.

L. Interior Structure: Interior:

The Mobile Home Owner shall maintain every interior door so that each door fits reasonably well within its frame, is capable of being opened and closed properly, and is securely attached to jambs, headers, or tracks with attachment hardware, as intended by the manufacturer.

SECTION 10: RUBBISH AND GARBAGE:

A. Accumulation of Rubbish or Garbage: The interior and exterior of all Mobile Homes, including the Mobile Home Lot upon which they are situate, shall be free from any accumulation of Rubbish or Garbage. (IPMC 308.1)

In the event that the Mobile Home Owner or Occupant of the Mobile Home does not remove any accumulation of Rubbish or Garbage after notice of violation by the Montour Township Code Enforcement Officer, the Mobile Home Park Owner shall be responsible for removing the accumulation of Rubbish or Garbage.

B. Disposal of Rubbish:

1. Rubbish Storage Facilities: Every Occupant of a Mobile Home shall dispose of all Rubbish in a clean, safe, and sanitary manner by placing such Rubbish in approved containers. The Mobile Home Park Owner shall supply approved covered containers for Rubbish, and the Mobile Home Owner shall be responsible for the removal of Rubbish on a regular schedule.

2. Refrigerators: Refrigerators and similar equipment which are not in operation shall not be placed on the Premises without first removing the doors. Refrigerators and similar equipment shall not be discarded, disposed of, or stored on the Premises. In the event that the Mobile Home Owner or Occupant of the Mobile Home does not remove the doors prior to the removal of refrigerators or similar equipment from the Premises, after notice of violation by the Montour Township Code Enforcement Officer, the Mobile Home Park Owner shall be responsible for the removal of the doors and the discarding and disposal of the refrigerators or similar equipment from the Premises.

C. Disposal of Garbage: (IPMC 308.3)

1. All Occupants of a Mobile Home shall dispose of Garbage in a clean, safe, and sanitary manner by placing such Garbage in leak-proof, covered, outdoor garbage containers, as approved by the Montour Township Code Enforcement Officer.

2. All Mobile Home Owners shall provide, and at all times cause to be utilized, leak-proof garbage containers, as approved by the Montour Township Code Enforcement Officer, with close fitting covers for the storage of such materials until the garbage is removed from the Premises for disposal on a regular basis.

SECTION 11: PEST ELIMINATION:

A. Infestation: (IPMC 309.1)

All Mobile Homes shall be kept free from insect and rodent infestations. Mobile Homes in which insects or rodents are found shall be promptly exterminated by a certified exterminator.

B. Mobile Home Owner: (IPMC 309.2)

The Mobile Home Owner shall be responsible for pest elimination within the Mobile Home prior to occupancy.

C. Occupant: (IPMC 309.3)

The Occupant of a Mobile Home shall be responsible for pest elimination on the Premises and shall be responsible for the continued rodent and pest free condition of the Premises during Occupancy.

In the event that the Occupant of the Mobile Home does not keep the Mobile Home free from insect and rodent infestations, after notice of violation by the Montour Township Code Enforcement Officer, the Mobile Home Owner shall be responsible for keeping the Mobile Home free from insect and rodent infestations.

SECTION 12: OCCUPANCY OF SHEDS & OUTBUILDINGS:

It shall be unlawful for any person to occupy a shed or outbuilding on a Mobile Home Lot, and it shall be unlawful for any Mobile Home Owner or Occupant of a Mobile Home to permit a person to occupy a shed or outbuilding on any Mobile Home Lot.

SECTION 13: SUBDIVISION AND LAND DEVELOPMENT ORDINANCE:

After the enactment of this Ordinance, all new Mobile Home Parks or any expansion of existing Mobile Home Parks shall be required to secure subdivision and/or land development approval as required by the Montour Township Subdivision and Land Development Ordinance.

SECTION 14: FEES:

All fees referenced in this Ordinance shall be set by Resolution of Board of Supervisors of Montour Township from time to time.

SECTION 15: APPEAL BY AGGRIEVED PARTY:

Any party aggrieved by a decision of the Montour Township Code Enforcement Officer arising from the denial of a permit or license shall have the right to appeal to the Montour Township Board of Supervisors in accordance with the provisions of the Local Agency Act, upon submission of a notice of appeal on a form as provided by Montour Township along with payment of the applicable appeal fee, within thirty (30) days from the date of the Montour Township Code Enforcement Officer's decision denying the permit or the license.

SECTION 16: TICKETING:

A. Upon a finding of a violation of any of the following sections of this Ordinance, when the violations do not present a threat to the health, safety, and welfare of persons or property, the Montour Township Code Enforcement Officer shall issue a Ticket to the Mobile Home Park Owner, the Mobile Home Owner, or the Occupant, as the case may be:

1. §6(A)(I) relating to the failure to obtain a placement permit.
2. §6(B)(1) relating to the failure to install an enclosure around the

entire base of the Mobile Home.

3. §6(B)(2) relating to the failure to anchor the Mobile Home.
4. §6(B)(3) relating to the failure to remove a hitch or tow bar from a Mobile Home.
5. §6(B)(4) relating to the failure to remove any accumulation of junk, Rubbish, litter, or inoperative or unlicensed motor vehicles from the Mobile HomeLot.
6. §8 relating to the failure to maintain a register of all Occupants within a Mobile Home Park.
7. §9(A) relating to the failure to remove a vacated or abandoned Mobile Home from the Mobile Home Park as set forth therein.
8. §9(B) relating to the failure to maintain the exterior of a Mobile Home.
9. §9(C) relating to the failure of a Mobile Home Owner to prevent occupancy of a Mobile Home that is not kept in a clean, safe, and sanitary condition.
10. §9(D) relating to the failure of an Occupant to keep a Mobile Home in a clean, safe, and sanitary condition.
11. §9(E) relating to the failure of an Occupant to maintain the Mobile HomeLot free and clear of weeds as set forth therein.
12. §9(F) relating to the failure to remove inoperative or unlicensed motor vehicles from the Premises as set forth therein.

13. §9(H) relating to the failure to install screens and doors as set forth therein.
14. §9(I) relating to the failure to secure doors and windows as set forth therein.
15. §9(J)(1) relating to the failure to maintain the interior of a Mobile Home in good repair and structural soundness.
16. §9(J)(2) relating to the failure to keep a Mobile Home in a clean, safe, and sanitary condition.
17. §9(K)(1) relating to the failure to maintain interior surface conditions as set forth therein.
18. §9(K)(2) relating to the failure to maintain interior surfaces including windows and doors in a clean and sanitary condition.
19. §9(L) relating to the failure to maintain proper installation of interior doors.
20. §10 relating to the failure to prevent accumulation of Rubbish and Garbage and the failure to dispose of Rubbish and Garbage as specifically set forth therein.
21. §11 relating to the failure to keep a Mobile Home free of insect and rodent infestations as set forth therein.

B. The Ticket shall be served on a Mobile Home Park Owner, a Mobile Home Owner, or Occupant, as the case may be, by personal delivery or by United States regular mail. The Ticket shall be on a form provided by Montour Township.

C. The Ticket shall set forth the following:

1. The date of the Ticket.
2. The name and address of the Mobile Home Park Owner, Mobile Home Owner, or Occupant, as the case may be, who is responsible for the violation of this Ordinance.
3. The section of this Ordinance that is claimed to have been violated.
4. The facts upon which the violation is based, including the date of violation.
5. The date by which the violation shall be remedied.
6. A statement that if the violation is not remedied within the time period set forth on the Ticket, a Notice of Violation shall be issued as set forth below.
7. The amount of the fine associated with the Ticket for the violation of the Ordinance shall not exceed the amount as set by Resolution of the Board of Supervisors of Montour Township from time to time.

D. Thereafter, a Notice of Violation shall be issued for any subsequent violations of the same sub-section.

SECTION 17: VIOLATIONS AND APPEALS:

A. Upon violation of this Ordinance by a Mobile Home Park Owner, Mobile Home Owner, or an Occupant of a Mobile Home, as the case may be, the Montour Township Code Officer shall issue a Notice of Violation and serve it by United States regular mail addressed to the Mobile Home Park Owner, Mobile Home Owner, or the Occupant of the Mobile Home, as the case may be. The Notice of Violation shall be on

a form provided by Montour Township.

B. The Notice of Violation shall set forth the following:

1. The date of the Notice of Violation.
2. The names and addresses of the Mobile Home Park Owner, Mobile Home Owner, or the Occupant of the Mobile Home, as the case may be.
3. The section of this Ordinance that is claimed to have been violated.
4. The facts upon which the violation is based, including the date of violation.
5. The date by which this Ordinance must be complied with.
6. A statement that the Mobile Home Park Owner, Mobile Home Owner, or the Occupant of the Mobile Home may appeal the Notice of Violation, on a form provided by Montour Township, to the Montour Township Board of Supervisors within thirty (30) days of the date of mailing of the Notice of Violation and include the applicable fee for the filing of an appeal.

C. Appeals of a Notice or Order, other than Notices or Orders that allege imminent danger, shall Stay the enforcement thereof until a decision is rendered by the Montour Township Board of Supervisors.

D. In the event that a violation of this Ordinance presents an immediate danger, Montour Township may have the violation remedied and thereafter assess the cost of remediation on the Occupant of the Mobile Home, the Mobile Home Owner, or the Mobile Home Park Owner, as the case may be.

E. In the event that an appeal is not taken to the Montour Township Board of Supervisors, as provided for herein, or in the event that an appeal is taken and denied, the

Montour Township Code Enforcement Officer may initiate enforcement action as provided for herein.

F. A violation of this Ordinance shall be by a criminal action in the same manner as a summary offense under the Pennsylvania Rules of Criminal Procedure.

G. Montour Township, through its Code Enforcement Officer and/or Solicitor, is authorized to file a non-traffic criminal citation pursuant to the Rule of Criminal Procedure 4403, as a summary offense punishable by a one thousand dollar (\$1,000.00) fine and/or 90 days of imprisonment per offense, pursuant to the Rule of Criminal Procedure 4462(b).

H. Each day of a violation shall constitute a separate offense, and violations of different sections of this Ordinance will constitute separate offenses.

I. Montour Township, through its Solicitor, may prosecute any de novo summary appeal of any conviction of such violations as approved by the District Attorney's Office of Columbia County, Pennsylvania via written correspondence.

J. Upon a finding of guilt, the costs of enforcement and reasonable attorney fees may be assessed against the guilty party.

K. In addition to other remedies provided by law, Montour Township may also institute legal proceedings at law or in equity to enforce this Ordinance.

SECTION 18: REVOCATION OF MOBILE HOME PARK LICENSE:

A Mobile Home Park License may be revoked because of the failure of a Mobile Home Park Owner to comply with specific provisions of this Ordinance, as previously set forth. The procedure shall be in accordance with the following:

A. After taking into account the number of prior violations of this Ordinance,

the present number of violations of this Ordinance, the nature of the violations, the effect of the violations on the health, safety, and welfare of the Occupants of the Mobile Home Park, and the attempts at remediation of such violations, the Montour Township Code Enforcement Officer shall issue a Notice of Revocation to the Mobile Home Park Owner that the Mobile Home Park License is to be revoked.

B. The Notice of Revocation shall set forth the requirements that the Mobile Home Park Owner must meet in order to come into compliance with this Ordinance, and the Notice of Revocation shall set forth a reasonable period of time for the Mobile Home Park Owner to achieve compliance with the Ordinance. The Notice of Violation shall be served on the Mobile Home Park Owner by United States regular mail at the address set forth in the application for the Mobile Home Park License.

C. The Mobile Home Park Owner may file an appeal to the Supervisors of Montour Township, upon submission of a form as provided by Montour Township along with payment of the applicable fee, within thirty (30) days of the date of mailing of the Notice of Revocation. If no appeal is taken, the Montour Township Code Enforcement Officer shall revoke the Mobile Home Park License. If a timely appeal is filed, it shall be governed by the Local Agency Act.

SECTION 19: SEVERABILITY:

In the event that any provision of this Ordinance is declared unconstitutional, unlawful, or unenforceable by a Court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance or of this Ordinance as a whole, but such shall continue in full force and effect as though the unconstitutional, unlawful, or

unenforceable provision had never been a part hereof.

SECTION 20: REPEALER:

Any Ordinance or parts thereof that are inconsistent with this Ordinance are hereby repealed.

This Ordinance shall take effect and be enforced upon its adoption as provided by law.

DULY ENACTED AND ORDAINED this 14th day of July, 2022.

MONTOUR TOWNSHIP:

BY: Lori Ebricht, Chair
LORI EBRIGHT, CHAIR

ATTEST:

Lori Ebricht Secretary
LORI EBRIGHT, SECRETARY

(SEAL)

