

CV-2020-347
Road Docket #2020-352

ORDINANCE 2020-01

Landisburg Borough Manufactured Homes Ordinance

Purpose: The purpose of this ordinance is to promote the general health and welfare of the Borough of Landisburg and its residents by limiting and prohibiting the use of certain prefabricated buildings.

1-1 Short title

This Ordinance may be referred to as the "Landisburg Borough Manufactured Home Ordinance."

1-2 Definitions

For the purpose of this Ordinance, the following words and terms shall have the following meanings:

A. **Manufactured home:** Manufactured home means a dwelling unit constructed in a factory in accordance with current federal standards and meeting the definitions set forth in the federal standards and under 42 U.S.C. § 5402(6)

B. **Mobile Home:** A single family dwelling that is fabricated in an offsite facility prior to the enactment of the Federal Manufactured Home Construction and Safety Standards (24 CFR 3280), the same being no longer permitted in the Borough of Landisburg except as outlined in Section 1-5 of this ordinance.

1-3 Manufactured homes – Prohibitions and exceptions

The following prohibitions and exceptions shall apply to all manufactured homes within the Borough limits of Landisburg:

A. Manufactured homes may be placed within the Borough of Landisburg only as authorized by this ordinance.

B. Manufactured and mobile homes shall not be permitted for the following permanent and temporary uses: accessory facilities to commercial buildings, temporary office or commercial facilities (e.g., financial institutions), temporary or permanent additions to schools, churches, hospitals or other such institutions, or any similar uses.

C. For the safety, health and welfare of the occupants, all manufactured homes placed within the Borough of Landisburg after the effective date of this ordinance and as authorized by this ordinance, shall have been manufactured no more than 5 years prior to set-up and establishment within the borough.

D. All mobile homes set-up in the Borough shall meet all State and Federal Construction and Safety Standards.

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1-4 Manufactured home lot size

In addition to the other applicable sections of this ordinance, manufactured homes located in the borough shall comply with the following rules and regulations.

- A. Minimum lot sizes for manufactured home placement shall be 14,520 square feet.
- B. Two paved parking spaces will be provided in the front portion of each manufactured home lot. The parking pad may be placed within the front yard 30-foot setback area.
- C. Minimum setbacks from other housing units shall be as follows: front, 30 feet; side 20 feet; and rear 30 feet.
- D. Skirting: The manufactured home shall have skirting, or curtain wall constructed of materials approved by the borough including, but not limited to: masonry, brick block, rock, vinyl or fiberglass. Such enclosure shall be installed and ventilated in accordance with the manufacturer's instructions and applicable county building codes.
- E. Landing and steps: The manufactured home shall have permanent landings and steps provided at each exterior doorway from the door threshold to ground level. All decks, landings, steps, porches and exterior appendages shall comply with the applicable county building codes.
- F. Installation: The manufactured home shall be installed in accordance with the installation instructions provided by the manufacturer and applicable county building codes and shall include: site preparation, pier foundations-footings, pier support, and columns and anchoring.
- G. Towing Devices: Towing devices must be removed, if possible, or concealed in a manner acceptable to the borough.
- H. In addition to the following requirements, other ordinances that are applicable to other single-family dwellings in the borough zone shall be applicable to manufactured homes.

1-5 Pre-existing manufactured homes

The provisions of this ordinance shall not apply to mobile or manufactured homes installed prior to the effective date of this ordinance. Provided, however, that such pre-existing uses must continue to remain in compliance with the conditions, if any imposed as part of the original conditional use permit.

1-6 Replacement of pre-existing individual manufactured or mobile homes

Future replacement of manufactured homes within the Borough is permitted, providing the replacement building is of similar size and purpose as the original building and all other requirements specified in this Ordinance are met. Changes in the size or purpose of the manufactured building will require a written variance by the Landisburg Borough Council.

1-7 Violations

- A. Any person or company who owns or installs a mobile or manufactured home, or any owner of real property on which a mobile or manufactured home, (the "Violator") that is not in compliance with this Ordinance within the Borough of Landisburg shall be in violation of this Ordinance.
- B. Any violation of this ordinance is deemed to be a nuisance per se.
- C. The provisions of this Ordinance shall be enforced in compliance with the Landisburg Borough Code.
- D. A violation of this ordinance is a municipal civil infraction, for which the fines shall be \$600 per day for each day the person, company, or property owner is in violation of this Ordinance.
- E. The foregoing fines and penalties shall be in addition to the rights of the Borough to proceed at law or equity with other appropriate and proper remedies, including, but not limited to, the right for the Borough to remove the mobile or manufactured home at the expense of the Violator.
- F. The Violator shall pay costs which may include all expenses, direct and indirect, that the Borough incurs in connection with enforcement of this ordinance.
- G. Each day during which any violation continues shall be deemed a separate offense.
- H. In addition, the Borough may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law.

1-8 Severability

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

ENACTED AND ORDAINED by the Landisburg Borough Council, Borough of Landisburg, County of Perry, Pennsylvania, this 9th day of March, 2020.

**BOROUGH OF LANDISBURG,
PERRY COUNTY, PENNSYLVANIA**

By: Stephen J. Kowalski
President of Landisburg Borough Council

ATTEST:

Thomas W. Peter
Landisburg Borough Secretary

BOROUGH SEAL



Wayne Thomas Ewing
Mayor, Borough of Landisburg, Perry County, PA