

ROCKINGHAM COUNTY BOARD OF HEALTH
RULES GOVERNING THE SANITARY DESIGN, CONSTRUCTION,
ALTERATION, MAINTENANCE, OPERATION AND USE
OF MANUFACTURED HOME PARKS
IN ROCKINGHAM COUNTY, NORTH CAROLINA

The Rockingham County Board of Health is of the opinion that it is necessary, in order to protect and advance the public health of the people of Rockingham County, that the Board of Health regulate the water supply, sewage disposal, and solid waste management in manufactured home parks.

BE IT ORDAINED by the Rockingham County Board of Health:

That the Rockingham County Board of Health Regulations Governing the Operation and Use of Mobile Homes and Mobile Home Parks in Rockingham County as adopted by the Rockingham County Board of Health on March 7, 1995 be amended and replaced to read as follows:

IT IS RESOLVED by the Rockingham County Board of Health that the following regulations for the protection and advancement of public health of the people of Rockingham County are hereby adopted. The Board of Health has the authority pursuant to Article 2, Chapter 130A-39(a) of the N.C. General Statutes to enact rules necessary to protect and promote the public health. These rules may be enforced through injunctive relief pursuant to N.C. G.S. 130A-18(a), and criminal prosecution pursuant to N.C.G.S. 130A-25, and are necessary to the Board of Health's exercise of its power to enact rules to protect and promote the public health.

SECTION I. DEFINITIONS.

The following definitions shall apply in the interpretation and enforcement of these regulations:

- A. The term manufactured home shall mean and include any structure classified as a manufactured home in accordance with the state of North Carolina regulations for manufactured homes, any manufactured home, travel trailer, or other vehicle which is maintained, offered, or used for living or sleeping purposes and is equipped or intended to be equipped with a wheel or wheels or similar devices for the purpose of transporting the unit. Such unit shall be considered a manufactured home whether or not the wheels have been removed and whether or not set on jacks, skirting, masonry, block, or other temporary or permanent foundations. A mobile home is a manufactured home. The term manufactured home shall not include a modular home.
- B. The term manufactured home park shall mean and include any place, area or tract of land maintained, offered, or used for the parking of two or more manufactured homes or intended

to be used for living or sleeping purposes in such manufactured home park. The term shall also include all contiguous or adjoining parcels owned or controlled by the same person(s) which has been planned or improved for the placement and RENTAL of either two or more manufactured homes or two or more land sites for placement of manufactured homes for dwelling or sleeping purposes. This will not apply to manufactured homes occupied by members of a family residing on land owned by a member of this family.

- C. The term manufactured home space shall mean that area or space of land in a manufactured home park allotted or assigned for accommodations of one manufactured home.
- D. The term modular home shall mean a dwelling unit constructed and labeled in accordance with the North Carolina State Building Code and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. A modular home shall not be considered a manufactured home.
- E. The term person shall mean and include any individual, firm, corporation, association, government body or partnership.
- F. The term operator shall mean the person who owns or is responsible for the operation of a manufactured home park.
- G. The term Health Director shall mean the Rockingham County Health Director or his/ her authorized representatives.
- H. The term malfunction shall mean that a sanitary sewage treatment and disposal system or a component thereof has ceased to effectively dispose of sewage and wastewater in a manner that renders it innocuous as approved by the Health Director.
- I. The term sewage shall mean the liquid and solid human body waste and liquid waste generated by water-using fixtures and appliances including those associated with foodhandling. It shall include that wastewater and contents from kitchen fixtures and appliances, toilet fixtures, lavatories, laundry facilities, and nitrification lines of any residence, place of business and place of public assembly. It does not include industrial process wastewater or sewage that is combined with industrial process wastewater.
- J. The term solid waste means any garbage, refuse, rubbish, trash, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, institutional, commercial, and agricultural operations, and from community activities.
- K. The term location means the initial placement for occupancy of a manufactured home, not necessarily contained in or connected with a manufactured home park.
- L. The term septage means waste that is a fluid mixture of partially treated sewage solids, liquids, and sludge of human or domestic waste origin pumped from septic tanks, grease,

traps, or privies.

- M. The term sanitary sewage system means a complete system of sewage collection, treatment and disposal including approved privies, septic tank systems, connection to public or community sewage systems, sewage reuse or recycle systems, mechanical or biological treatment systems, or other such systems.
- N. The term ground absorption sewage treatment and disposal system shall mean and include every septic tank system and its subsurface disposal field, together with all facilities and appurtenances pertaining thereto.
- O. The term peak demand shall mean the volume of potable water that must be provided for use for each manufactured home park connection during the hours of peak usage. The peak demand must be supplied in an increment of twenty (20) minutes.
- P. The term effective volume shall mean the volume of water in the storage tank which is discharged between the high and low pressure gauge settings during proper pump operation.
- Q. The term well yield shall mean the volume of water a water supply well can provide at a maximum pumping capacity.

SECTION II. APPROVAL OF PLANS FOR MANUFACTURED HOME PARKS .

- A. No person shall construct, alter or expand a manufactured home park in Rockingham County unless the plans and specifications for such work have been submitted and approved, according to the Rockingham County Unified Development Ordinance; and plans for water supplies, sanitary sewer, and methods of garbage disposal have been approved by the Health Director. The plans for water supplies, sanitary sewer and garbage disposal shall be accompanied by duplicate sets of such plans and specifications fully describing the proposed or existing mobile home park. These plans shall become a permanent part of the records of the Health Director. Chapter 2 Zoning - of the Rockingham County Unified Development Ordinance - Article IX Special Uses 9-10 Plat Approval Procedures for Subdivisions Requiring a Special Use Permit - is adopted by reference. This adoption includes sections: (e) Mobile Home Park; (o) Manufactured Housing, Class AA.
- B. Application for approval of all plans and specifications required for water supplies, sanitary sewer facilities, and methods of solid waste disposal shall be made on forms provided by the Health Director, and shall be accompanied by duplicate sets of such plans and specifications fully describing the proposed or existing manufactured home park. These plans shall become a permanent part of the records of the Health Director.

These plans, accompanied by a plat survey and legal description of the property shown, and referenced to major streets, shall be drawn to scale and must clearly show the extent and area to be used for manufactured home park purposes. An engineer, architect, land surveyor, soil scientist, professional geologist or other such professional licensed to practice in North Carolina shall be enlisted to complete these drawings and descriptions. The plans shall show clearly:

1. The number, size, and location of all manufactured home spaces, proposed and/or existing.
2. The name of the manufactured home park, the name of the owner of the property, and the address of the park.
3. The size and location of septic tanks and associated nitrification lines or, for manufactured home parks using the sewage disposal facilities of a municipality, the proposed layout and specifications for those connections.
4. The source of the water supply and distribution system and the location of any and all existing wells or springs within 500 feet on or off the property.
5. The location and specifications of water taps, sewage disposal connections and other facilities on each manufactured home space.
6. The location of all buildings, proposed or existing, in the area to be used as a manufactured home park and the number and kind of sanitary facilities, if any, to be housed therein.
7. A site plan shall be provided showing the location of existing and/ or proposed underground water, sanitary sewer, storm sewer, gas, underground storage tanks, electric and telephone lines.
8. Methods of garbage disposal.

C. The Health Director shall review the plans for water supplies, sanitary sewer facilities, and methods of solid waste disposal and inspect the premises of the manufactured home park in accordance with applicable state and local regulations, and if satisfied that the plans, specifications, and operations in every way fulfill the requirements of these regulations and in no way constitute a danger to the public health, he shall issue a written approval of the plans to the applicant. If the Health Director is not satisfied that the plans, specifications, and operations in every way fulfill the requirements of these regulations, the Health Director shall specify to the applicant such changes and modifications that will make the plans acceptable. When said changes and modifications are completed, the applicant shall be entitled to written approval of the plans.

SECTION III. INSPECTIONS, RECORDS AND REPORTS

- A. The Health Director shall make, as a minimum, annual inspections or surveys of manufactured home parks and manufactured home locations as may be necessary to determine compliance with these regulations.
- B. The Health Director shall, within constitutional limitations, have power and authority to enter upon the grounds and premises of every manufactured home or manufactured home park at

all reasonable times for the purposes of determining compliance with these regulations. The Health Director shall obtain consent for entry or an administrative search and inspection warrant shall be obtained pursuant to N.C. General Statute 15-27.2. However, if the Health Director determines that an imminent hazard exists, no warrant is required for entry upon the premises to abate such while the Health Director is engaged in making inspections. No person shall deny entry, detain, obstruct, or otherwise interfere with the Health Director while he/she is engaged in making such inspections.

- C. The Health Director shall have power and authority to collect from-the manufactured home park and manufactured home location - and to analyze or cause to be analyzed such samples or specimens of water or other substances as he/she may deem necessary to determine compliance with these regulations.
- D. It shall be the duty of every manufactured home park operator and of every employee of such operator to furnish such records and information as the Health Director may deem necessary to determine compliance with these regulations.

SECTION IV. WATER SUPPLY AND DISTRIBUTION SYSTEMS FOR MANUFACTURED HOME PARKS.

- A. An adequate and safe supply of potable running water for domestic purposes, under pressure, shall be provided to serve each manufactured home space in a manufactured home park. The source and distribution system shall meet applicable construction and monitoring requirements of the Health Department and other state agencies having jurisdiction.
- B. A water supply that provides service to 15 or more connections or manufactured home park lots, or 25 or more consumers shall comply with the North Carolina Drinking Water Act, Article 10 Chapter 130A, 311-332 and the Rules Governing Public Water Supplies, Section .0100 of 15A North Carolina Administrative Code 18C. A water supply that provides services to fewer than 15 connections in a manufactured home park shall comply with applicable state and county regulations as set forth in these regulations.
- C. All ground water supplies shall be constructed on an approved site and in accordance with applicable state and local regulations to include well design as outlined in Department of Environment, and Natural Resources Rules Governing Protection of Water Supplies, Section .1700 Title 15A Subchapter 18A of the North Carolina Administrative Code and any subsequent revisions as made thereto by the Department of Environment and Natural Resources.
- D. The well shall have sufficient capacity to supply the usage demands of the manufactured home park and there shall be provided adequate approved storage-tank capacity based on effective volume as determined by the peak demand, the yield of the well, and the capacity of the pump utilized. Electric air-water volume controls can be used where necessary to improve water pressure and enable reduction of the storage tank capacity. The peak demand shall be calculated at no less than 25 gallons per minute per connection.

- E. The well pump shall be approved and appropriately sized to provide adequate pressure to each manufactured home lot connection at a minimum of 20 pounds per square inch. The hydropneumatic tank shall exert at least 30 pounds per square inch at the lowest pressure.
- F. The water supply for each manufactured home and connection shall be obtained only from a faucet, 3/4 inch valved outlet or similar outlet provided on each manufactured home lot. The faucet or valved outlet shall allow for easy access and connection to the manufactured home, shall be located above ground level, and shall be equipped with a freeze-proof faucet or otherwise afforded adequate freeze protection.
- G. No manufactured home park or manufactured home shall be so located that the drainage from the area will endanger any public or private water supply.
- H. It shall be the duty of the manufactured home park operator to immediately notify each resident in the manufactured home park when a water sample tests positive for total and/or fecal coliform bacteria. When a water sample is positive for coliform bacteria, two consecutive negative samples for coliform bacteria collected by the Health Director at least 48 hours apart shall be required prior to approval of the supply. There shall be no treatment procedures between the two consecutive negative samples. Residents must be immediately notified by the operator of any chemical, petroleum product, or pesticide contamination found in the water supply determined to be hazardous to a potential user.
- I. Whenever the Health Director receives results of a water analysis that indicate a non-public water supply serving a manufactured home park is positive for fecal coliform, or when results for other contaminants are identified by the State as unsafe to drink, the procedure below shall be followed:
1. The operator shall provide a copy of notice to every tenant in the manufactured home park that the water supply, identified by the State as unsafe to drink, has fecal coliform or other contaminants. Such notice shall be delivered within 24 hours of oral or written notification from the Health Director that the water supply contains fecal coliform or other contaminants that are identified by the State as unsafe to drink.
 2. The operator shall provide the Health Director a notarized statement that all tenants in the manufactured home park have been provided with written notice. This notarized statement shall be delivered to the Health Director within 48 hours of the Health Director's notification to the manufactured home park operator. The notarized statement shall not be required if the Health Director is present when the tenants receive written notice.
 3. If an operator fails to provide written notice to every tenant within 24 hours of the Health Director's notification or fails to provide a notarized statement thereof, the Health Director shall deliver written notice to every tenant within 72 hours either by hand or by mail, at the expense of the manufactured home park operator.

4. The manufactured home park operator shall provide the aforesaid written notice to all potential tenants prior to entering into a lease agreement.
 5. The notice and notification shall remain in effect until laboratory analysis indicates there is not any fecal coliform or contaminants that are identified by the State as unsafe to drink, and the Health Director so notifies the operator.
- J. Failure to provide a continuous supply of water through an approved distribution system because of the disconnection associated with non-payment of utility bills is a violation of this section.
- K. No improvement or expansion shall be approved for proposed or existing manufactured home parks until all requirements, with respect to such improvement or expansion, of these regulations are complied with as prescribed by the Health Director, the N.C. Department of Environment and Natural Resources, and other agencies that are determined to have jurisdiction and responsibilities.

SECTION V. TOILETS AND BATHING FACILITIES.

Toilets and bathing facilities as approved by the Health Director shall be provided for manufactured homes that do not have self-contained facilities. These facilities shall comply with applicable state and local regulations.

SECTION VI. WASTE DISPOSAL FOR MANUFACTURED HOME PARKS AND MANUFACTURED HOME LOCATIONS.

Every manufactured home location and manufactured home park shall be provided with an adequate sewage treatment and disposal system, either by connection to a municipal sewerage system, by connection to a septic-tank system or systems, or by connection to a sanitary sewage treatment system. All sewage wastes from every manufactured home park and manufactured home location shall be piped into an approved sewage disposal system or systems. Plumbing connections must prevent leakage of sewage. Sewage connection lines must be tightly sealed when not in use. All sewage treatment and disposal systems for individual manufactured home locations and all sanitary sewage systems for manufactured home parks shall be constructed according to Article 11, Chapter 130A, 333-345 of the General Statutes of N. C. and 15A NCAC 18A .1900, Rules for Sewage Collection, Treatment, and Disposal. These rules are on file in the office of the Health Director and the Clerk to the Board of County Commissioners.

- A. Sewage treatment systems not under the authority of the local Health Director shall be approved and permitted by the agency having jurisdiction.
- B. The following are established as minimum requirements for sewer plumbing installed to serve manufactured home parks:
 1. Manufactured home sewer connections shall rise to a point at least four (4) inches above the finished grade level. This connection shall be protected by a concrete

apron at least four (4) inches thick and extending outward from the connection at least six (6) inches or other appropriate protection approved by the Health Director. Each connection shall be provided with a plug or equivalent so that the connection can be sealed when not in use.

C. The disposal of septage shall comply with applicable State regulations.

SECTION VII. SOLID WASTE DISPOSAL AND GENERAL MAINTENANCE.

All garbage and refuse in every manufactured home park shall be stored in suitable water-tight and fly-tight individual receptacles and shall be kept tightly covered as approved by the Health Director. At least one such receptacle shall be provided and conveniently located for every manufactured home space. All outside garbage and refuse receptacles shall be approved, water-tight and fly-tight containers and shall be kept closed. Approved dumpsters, and similar containers are acceptable in lieu of individual receptacles. It shall be the duty of the manufactured home park operator to see that all garbage and refuse is disposed of in accordance with the Rules and Regulations Governing the Storage, Collection, Transporting, and Disposal of Solid Waste in Rockingham County, N.C. and the applicable State law. These rules and regulations are on file in the office of the Health Director and the Clerk to the Board of County Commissioners. It shall also be the responsibility of the manufactured home park operator to see that no materials which attract or which afford harborage for insects, rodents or vermin are stored or allowed to remain on the premises. All areas of the premises shall be kept clean and free from weeds or heavy undergrowth.

SECTION VIII. MANUFACTURED HOMES CONNECTED WITH A FAIR.

Manufactured homes serving itinerant workers connected with a fair may be parked on the fairgrounds for the period of the fair, but not exceeding 20 days, provided they are connected to an approved sewage disposal system.

SECTION IX. MANUFACTURED HOME CONNECTIONS IN MANUFACTURED HOME PARKS.

No authorization shall be issued by the Health Director for new connections or relocations of manufactured homes in a manufactured home park unless the park is provided with a safe and adequate water supply, properly functioning sewage disposal systems, and solid waste managed in accordance with Section VII of these rules.

SECTION X. MANUFACTURED HOMES SERVING AS MIGRANT LABOR HOUSING.

Manufactured homes used for migrant labor are regulated under State law in the Migrant Housing Act of North Carolina G.S. 95-222 et seq. and any rules adopted under the authority of the Migrant Housing Act and are not regulated as a manufactured home park under these rules.

SECTION XI. VIOLATIONS.

If any person shall violate the rules adopted by the County Board of Health, he/she shall be guilty of a misdemeanor punishable subject to N. C. General Statute 130A-25.

SECTION XII. INJUNCTIVE RELIEF.

The Health Director may institute an action for injunctive relief for violation of this regulation as stipulated in Article 1, Chapter 130A-18(a) of the North Carolina General Statutes. It shall not constitute a defense to an action for injunctive relief that the Health Director has an adequate remedy at law.

SECTION XIII. MISCELLANEOUS PROVISIONS.

- A. Jurisdiction and Venue: Jurisdiction over any legal action or proceeding instituted and maintained by or against the Health Director, the Board of Health, the Health Department or Rockingham County or any of these entities, commissioners, agents, officers and employees and any law enforcement officer of Rockingham County shall be only in the appropriate division of the General Court of Justice in Rockingham County.
- B. No Liability against the Health Department: The Board of Health declares that all actions, functions, duties, inspections and enforcement provided by these rules are declared to be essential activities of Rockingham County. Neither Board of Health, the Health Department, Health Director or any commissioners, agents, employees or officers shall be liable for any damage to persons or property arising from any action or omission in the enforcement of these rules.

SECTION- XIV. APPEALS.

Appeals relating to the requirements of these regulations, or the decisions thereof, shall be in accordance with Article 1, Chapter 130A-24 (b)(c)(d) of the General Statutes of North Carolina.

SECTION XV. PRIOR ORDINANCES, RULES AND REGULATIONS REPEALED.

All ordinances and rules and regulations heretofore adopted by the Rockingham County Board of Health governing manufactured homes and manufactured home courts, parks, trailers, and trailer parks, which are in conflict with the provisions of these rules are hereby repealed.

SECTION XVI. PARTIAL INVALIDITY.


If any provision or clause of these rules affecting manufactured homes and manufactured home parks in Rockingham County shall be declared invalid, such declaration shall not invalidate any other provision or clause of the rules.

SECTION XVII. CONFLICT WITH OTHER ORDINANCES OR REGULATIONS

When other applicable rules, ordinances or statutes impose more restrictive standards than those contained in these rules, the more restrictive rules, ordinances or statutes shall govern.


SECTION XVIII. EFFECTIVE DATE.

As adopted at the June 7, 2011 meeting of the Rockingham County Board of Health.



Dr. Steven Halm, Chairman
Rockingham County Board of Health

Attest:



Glenn L. Martin, M.S.E.H., R.E.H.S.
Secretary
Rockingham County Health Department

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