

## **4781-12-01 Manufactured home park definitions.**

As used in rules 4781-12-01 to 4781-12-33 of the Ohio Administrative Code:

(A) "Commission" means the Ohio Manufactured Homes Commission.

(B) "Develop" or "development" means any artificial change to improved or unimproved real estate, including, without limitation, buildings or structures, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials, and the construction, expansion, or substantial alteration of a manufactured home park for which plan review is required under division (A) of section 4781.31 of the Revised Code. "Development" does not include the building, construction, erection, or manufacture of any building to which section 3781.06 of the Revised Code is applicable.

(C) "Flood" or "flooding" means either of the following:

(1) A general and temporary condition of partial or complete inundation of normally dry land areas from any of the following:

(a) The overflow of inland or tidal waters;

(b) The unusual and rapid accumulation or runoff of surface waters from any source; or

(c) Mudslides that are proximately caused by flooding as defined in paragraph (B)(1)(b) of this rule and that are akin to a river of liquid and flowing mud on the surface of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

(2) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining that is caused by waves or currents of water exceeding anticipated cyclical levels or that is suddenly caused by an unusually high water level in a natural body of water, and that is accompanied by a severe storm, by an unanticipated force of nature, such as a flash flood, an abnormal tidal surge, or by some similarly unusual and unforeseeable event, that results in flooding as defined in paragraph (B)(1)(a) of this rule.

(D) "Flood plain" means the area adjoining any river, stream watercourse, or lake that has been, or may be, covered by flood water.

(E) "Freestanding auxiliary building" means a building used for storage that rests on its own support. Any structure for the specific purpose of housing or protecting fuel tanks, electrical metering equipment or other service items shall not be considered a freestanding auxiliary building.

(F) "Habitation" means use of a manufactured home as a residence.

(G) "Lateral sanitary sewer" means the portion of the sanitary sewerage system which extends as a single terminal to the manufactured home lot.

(H) "Manufactured home" has the meaning set forth in section 3781.06 of the Revised Code. For purposes of this chapter, "mobile home" also means "manufactured home".

- (I) "Manufactured home drainage system" means the plumbing fixtures, fixture traps, waste and vent pipes, and all connections within or adjacent to the manufactured home.
- (J) "Manufactured home lot" means any portion of a manufactured home park designated for placement of a manufactured home for habitation.
- (K) "Manufactured home park" means any tract of land upon which three or more manufactured homes, used for habitation are parked, either free of charge or for revenue purposes, and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of the park. "Manufactured home park" does not include any of the following:
- (1) A tract of land used solely for the storage or display for sale of manufactured or mobile homes or solely as a temporary park-camp, as defined in section 3729.01 of the Revised Code;
  - (2) A tract of land that is subdivided and the individual lots are for sale or sold for the purpose of installation of manufactured or mobile homes used for habitation and the roadways are dedicated to the local government authority; or
  - (3) A tract of land within an area that is subject to local zoning authority and subdivision requirements and is subdivided, and the individual lots are for sale or sold for the purpose of installation of manufactured or mobile homes for habitation.
- (L) "Manufactured home park operator" or "park operator" or "operator" means the person who has responsible charge of the manufactured home park that is licensed under section 4781.26 to 4781.35 of the Revised Code and this chapter.
- (M) "Manufactured home park site" means the entire tract of land developed or to be developed as a manufactured home park.
- (N) "One hundred year flood" or "based flood" means a flood having a one percent chance of being equaled or exceeded in any given year.
- (O) "One hundred year flood elevation" or "base flood elevation" of a one hundred year flood means the flood level that has a one per cent or greater chance of occurrence in any given year.
- (P) "One hundred year flood plain" or "base flood plain" means that area adjoining any river, stream, water-course, or lake that has been or may be inundated by a one hundred year flood.
- (Q) "Owner" means a person who is entitled under a rental agreement with a manufactured home park operator to occupy a manufactured home park lot and who owns the manufactured home occupying the lot.
- (R) "Person" has the same meaning as in section 1.59 of the Revised Code and also includes this state, any political subdivision of this state, and any other state or local body of this state.
- (S) "Plumbing fixtures" means receptacles designed to receive water from the water system and to discharge liquid, or sewage wastes into the sanitary sewerage system with which they are connected.

- (T) "Public thoroughfare" means a street, highway or road owned or controlled by the state or a political subdivision, devoted to public use and supported and maintained by public funds.
- (U) "Regulatory floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the one hundred year flood without cumulatively increasing the water surface elevation more than a height designated by the federal emergency management agency or designated in local regulations or ordinances whichever is less.
- (V) "Rental Agreement" means any agreement or lease, written or oral, that establishes or modifies the terms, conditions, rules, or any other provisions concerning the use and occupancy of residential premises by one of the parties.
- (W) "Resident" has the same meaning as in section 4781.01 of the Revised Code. For purposes of this chapter, "resident" also means the person or persons using a manufactured home for habitation.
- (X) "Residential premises" means a lot located within a manufactured home park and the grounds, areas, and facilities contained within the manufactured home park for use of residents generally or the use of which is promised to a resident.
- (Y) "Sanitary sewerage system" means pipelines or conduits, pumping stations, and force mains, and all other components used for collecting or conducting liquid or sewage wastes to a point of discharge or treatment.
- (Z) "Security deposit" means any deposit of money or property to secure performance by the resident under a Rental Agreement.
- (AA) "Sewage" means any liquid waste materials resulting from cooking and washing activities or any substance that contains excrementitious waste products.
- (BB) "Sewer connector" means any pipe connecting the manufactured home plumbing system with the lateral sanitary sewer.
- (CC) "Solid wastes" means such unwanted residual solid or semisolid material as results from commercial and community operations, including, but not limited to, garbage, street dirt, debris and combustible and noncombustible material.
- (DD) "Substantial damage" means damage of any origin sustained by a manufactured home that is situated in a manufactured home park located in a flood plain when the cost of restoring the manufactured home to its condition before the damage occurred will equal or exceed fifty per cent of the market value of the manufactured home before the damage occurred. "Substantial damage" also means damage of any origin sustained by freestanding auxiliary buildings, room additions, other accessory structures connected to a manufactured home, water, sewage, or electrical systems, or other service facilities including but not limited to heating, ventilation, plumbing, and air conditioning equipment, fuel oil tanks, and propane gas cylinders situated in such manufactured home parks.
- (EE) "Substantially alter" means a change in the layout or design of a manufactured home park including, without limitation, the movement of utilities or changes in established streets, lots, or in other facilities. In the case of manufactured home parks located within a one hundred year flood plain,

"substantially alter" also includes changes in elevation resulting from the addition of fill, grading, or excavation that may affect flood plain management.

(FF) "Tenant" means a person who is entitled under a rental agreement with a manufactured home park operator to occupy a manufactured home park lot, and who does not own the manufactured home occupying the lot.

(GG) "Tract" means a contiguous area of land that consists of one or more parcels or lots that have been separately surveyed, regardless of whether the individual parcels or lots have been recorded and regardless of whether the one or more parcels or lots are under common or different ownership.

(HH) "Water service pipe" means the pipe from the water main or other source of water supply to the building, manufactured home, or water outlet served.

(II) "Water system" means any facility or part thereof used as a source of supply, or used for collection, treatment, storage, pumping, or distribution of water for human consumption.

(JJ) "Wetlands" means areas of land where the water table is at, near, or above the land surface long enough each year to result in the formation of characteristically wet soil types, and support the growth of water dependent vegetation. Wetlands include, but are not limited to marshes, swamps, bogs, fens, and other such low-lying areas.

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