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## CHAPTER 28

### MANUFACTURED HOUSING PARK ORDINANCE

Purpose: The purpose of this ordinance is to encourage innovations in manufactured home parks development so that the demand for manufactured home living may be met by imaginative design and layout of manufactured homes, and by efficient use of open space ancillary to such dwellings; so that opportunities for better housing and recreation may be provided in an atmosphere of health and safety for occupants of manufactured homes and their property; to encourage a more efficient use of land and public services. These regulations are part of a long-range plan to guide and facilitate the orderly beneficial growth of the community, and to promote the public health, safety, convenience, comfort, prosperity and general welfare.

#### Article I.

##### General Considerations

#### **SEC. 28-1. INCORPORATION OF STATE LAWS.**

This ordinance is adopted by authority of Sections 15.2-1200 and 15.2-2247 of the Code of Virginia.

#### **SEC. 28-2. DEFINITIONS.**

For the purpose of this ordinance, certain words and terms used herein shall be interpreted or defined as follows: words used in the present tense include the future, words in the singular number include the plural, and the plural the singular, unless the natural construction of the word indicates otherwise; the word "lot" includes the word "parcel"; the word "shall" is mandatory and not discretionary; the word "approve" shall be considered to be followed by the words "or disapprove"; and reference to this ordinance includes all ordinances amending or supplementing the same; all distances and areas refer to measurement in a horizontal plane.

Accessory Structure. Any structural addition to the manufactured home, or other structures located on the lot, which includes awnings, patios, storage lockers, and similar appurtenant structures.

Agent. The representative of the Board of Supervisors of Pittsylvania County who has been appointed agent of the Board in approving manufactured home developments.

Alley. A permanent service way providing a secondary means of access to abutting properties.

Collector Street. One carrying traffic from minor streets to the major arterial system.

Commission. The Planning Commission of Pittsylvania County, Virginia.

Cul-de-sac. A street with only one outlet and having an appropriate turn-around for a safe and convenient reverse traffic movement.

Density. The number of manufactured homes or manufactured home lots per gross acre.

Developer. An owner of property being developed, whether or not represented by an agent.

Dwelling Unit. A manufactured home residential unit, as defined in the definition of manufactured home, providing complete, independent living facilities for one (1) family, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Easement. A grant by a property owner of the use of land for a specific purpose or purposes.

Engineer. An engineer licensed by the Commonwealth of Virginia.

Front. The front of the manufactured home shall mean the area at or near the front door. This is not meant to be the side which the tongue is attached in order to pull the manufactured home.

Governing Body. The Board of Supervisors of Pittsylvania County, Virginia.

Gross Area. All the land contained within the boundaries of the development or tract.

Health Department. The Virginia State Health Department or its authorized representatives in the County.

Health Official. Either the County health director or sanitarian of Pittsylvania County.

Highway Engineer. The resident engineer employed by the Virginia Department of Transportation.

Jurisdiction. The area or territory subject to the legislative control of the governing body.

Lot. A numbered and recorded portion of land intended for transfer of ownership or for building/manufactured home development for a single building/manufactured home and its accessory building.

Lot Corner. A lot abutting upon two (2) or more streets at their intersection; the shortest side fronting upon a street shall be considered the front of the lot, and the longest side fronting upon a street shall be considered the side of the lot.

Lot, depth of. The mean horizontal distance between the front and rear lot lines.

Lot, double frontage. An interior lot having frontage on two (2) streets.

Lot, interior. A lot other than a corner lot.

Lot of record. A lot which has been recorded in the office of the County Administrator.

Lot, width of. The mean horizontal distance between the side lot lines.

Manufactured Home. A structure subject to federal regulation, which is transportable in one or more sections; is eight (8) body feet or more in width and forty (40) body feet or more in length in the traveling mode, or is three hundred twenty (320) or more square feet when erected on site; is built on a permanent chassis; is designed to be used as a single-family dwelling, with or without a

permanent foundation, when connected to the required utilities; and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure.

Manufactured Home Lot. A parcel of land for the placement of a manufactured home and the exclusive use of its occupants.

Manufactured Home Pad. That part of an individual lot which has been reserved for the placement of a manufactured home.

Manufactured Home Park. Three (3) or more manufactured home lots, tracts or parcels of land, corporately or privately owned, used or offered for use in whole or part for consideration, for the parking of manufactured homes. Under no circumstances are lots in a manufactured home park to be sold unless in accordance with the Pittsylvania County Subdivision Ordinance.

Minor Street. One used primarily for access to manufactured home lots with anticipated traffic or less than two hundred fifty (250) vehicles per day.

Mobile Home. A structure, transportable in one (1) or more sections which in the traveling mode is eight (8) body feet or more in width or forty (40) body feet or more in length or when erected on the site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein.

Permanent Building. A structure enclosed with exterior walls or fire walls, built, erected and framed of component structural parts, designed for the shelter, enclosure and support of individuals, animals or property of any kind.

Private Street. A privately owned thoroughfare.

Property. Any tract, lot, parcel or several of the same collected together for the purpose of developing.

Property Line. The recorded boundary of a manufactured home park or court plot.

Public Street. A public thoroughfare which affords principal means of access to abutting properties.

Remnant. There shall be no remnants of land left in a manufactured home park.

Setback line. The distance which a manufactured home/building is from the front lot line or front boundary line.

Shall. Indicates that which is required, must be.

Should. Indicates that which is recommended, but not required.

Site Development Plan. A detailed, to scale, layout of the proposed manufactured home Park Development meeting the requirements of Article IV of this ordinance.

Street. The principal means of access to abutting properties.

Street, or alley, public use of. The unrestricted use of a specified area or right-of-way for ingress and egress to two (2) or more abutting properties.

Street, major. A heavily traveled thoroughfare or highway that carries a large volume of through traffic, or anticipated traffic exceeding five hundred (500) vehicles per day.

Street, other. A street that is used primarily as a means of public access to the abutting properties with anticipated traffic of less than five hundred (500) vehicles per day.

Street, service drive. A public right-of-way generally paralleled and contiguous to a major highway, primarily designed to promote safety by eliminating promiscuous ingress and egress to the right-of-way by providing safe and orderly points of access to the highway.

Street width. The total width of the strip of land dedicated or reserved for public travel, including roadway, curbs, gutters, sidewalks, and planting strips.

Surveyor. Certified land surveyor as licensed by the Commonwealth of Virginia.

### **SEC. 28-3. ADMINISTRATION.**

The County Administrator is hereby designated the agent to administer this ordinance. In so acting, the agent shall be considered the agent of the Board of Supervisors, and approval or disapproval by the agent shall constitute approval or disapproval. Any decision of the agent may be modified, reversed or affirmed by the Board of Supervisors on appeal by the applicant, or any other person aggrieved if such appeal is filed with the agent in writing within thirty (30) days of the agent's decision.

### **SEC. 28-4. DUTIES.**

The agent shall perform its duties as regards approvals of manufactured homes and manufactured home parks in accordance with this ordinance.

### **SEC. 28-5. CONSULTATION.**

In performance of its duties the agent may call for opinions or decisions, either verbal or written, from other departments in considering details of a manufactured home park plan or site development plan submitted. This authority by the agent shall have particular reference to the resident highway engineer and the County health officer.

## **Article II.**

### **Review, Approval, and Recording Procedures for Site Development Plans**

#### **SEC. 28-6. GENERAL.**

The purpose of this article is to set forth procedures for processing site plans and making recordation of site development plan.

#### **SEC. 28.7. APPLICATION.**

Application shall be made by the property owner or developer to the agent. The application shall be accompanied by the site development plan (in four copies) which is required to demonstrate that conditions set forth in this chapter will be complied with, together with any other necessary data. The submitted site development plan shall meet the requirements of the site plan check list on file in the agent's office.

#### **SEC. 28-8. ACTION OF THE COUNTY AGENT.**

Upon receipt of the application, the agent shall refer the site plan to the highway resident engineer and health official to check its compliance with pertinent standards and regulations of the respective agencies. Upon approval from these agencies, the County agent shall approve the site development plan as submitted, approve the site plan with modifications, or disapprove the site development plan. The agent shall notify the applicant of the decision within sixty (60) days after receiving the application. If the application is disapproved, the agent shall notify the applicant of the reasons for disapproval and shall state the modifications necessary for approval of the site plan. No approval of the site development plan shall be issued prior to approval of sewerage disposal sites by the County health officer. Notification of disapproval shall state the reasons in writing.

#### **SEC. 28-9. EFFECT OF APPROVAL.**

An approved site development plan shall be binding upon the applicants and their successors or assignees. No building permit shall be issued for any building or structure not in accord with the site development plan. The construction, locations, use or operation of all land and structures within the site shall conform to all conditions and limitations set forth in the site development plan.

#### **SEC. 28-10. AMENDMENTS.**

After final approval of a site plan, minor adjustments, as determined by the agent, which comply with the spirit of these regulations, may be approved by the agent. Major revisions to the plan, as determined by the agent, shall require resubmission of the plan with the same procedures employed upon original review of the plan.



### **SEC. 28-11. FEES.**

There shall be a charge for the examination and approval of each site development plan reviewed by the agent. At the time that the final site development plan is submitted, the developer shall deposit with the County agent a check payable to Pittsylvania County in the amount of fifty (\$50.00) dollars.

### **SEC. 28-12. SITE DEVELOPMENT PLAN REQUIRED.**

Any owner or developer of any tract of land situated within Pittsylvania County who develops land into a manufactured home park shall cause a site development plan of such Manufactured Home Park or court, with reference to known or permanent monuments, to be made and filed in the office of the County Administrator. No such plan of a manufactured home park or court shall, be filed unless and until it shall have been submitted, approved and certified by the County agent in accordance with the regulations set forth in this chapter. No lot shall be rented, leased or issued a building or manufactured home permit in a park before the plan shall have been filed in Pittsylvania County and the requirements of this ordinance are in place (in effect, roads required are completed, lots have numbered signs, a location sign is in place, and so on). Any covenants or restrictions applicable to the park must be recorded along with the final site development plan.

### **SEC. 28-13. VALIDITY.**

If any section, subsection, sentence, clause or phrase of this chapter is for any reason by a court of competent jurisdiction ruled to be invalid, such decision shall not affect the validity of the remaining portions of this chapter. The County hereby declares that it would have passed this chapter and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses or phrases might be declared invalid. Where a conflict exists between private contract restrictions and/or standards and the provisions of this chapter, the provisions hereof shall control.

### **SEC. 28-14. REGULATION ENFORCEMENT AND PENALTIES.**

All officials and public employees of the County vested with the duty or authority to issue permits shall conform to the provisions of this chapter and shall issue no permit, certificate or license issued in conflict with the provisions of this chapter, intentionally or otherwise. It shall be the duty of the building inspector to enforce provisions of this chapter pertaining to the erection, construction, reconstruction, moving, conversions, alterations or additions to any manufactured home park; and the enforcing officer and the attorney for the County shall immediately commence action or proceedings for the abatement and removal or to enjoin occupancy of such land in the manner provided by law, and shall take such other steps and shall apply to such courts as may have jurisdictions to grant relief from use Of property contrary to the provisions of this chapter. The remedies provided for herein shall be cumulative and not exclusive. Any person, firm, or corporation, whether as principal, agent, employee or otherwise, violating or causing the violation of any of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by fines of not more than one thousand (\$1,000) dollars. Such person, firm or corporation shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of this chapter is committed or continued by such person, firm or corporation, and shall be punishable as herein provided; where the court judicates the existence of a public nuisance, the defendant shall be required to pay reasonable attorney fees.

### **Article III.**

#### **Requirements and Standards Of Manufactured Home Parks or Courts**

##### **SEC. 28-15. SITE DEVELOPMENT PLAN ENGINEER OR SURVEYOR.**

The site development plan for the Manufactured Home Park or Court shall be prepared by a professional engineer and/or land surveyor licensed in the Commonwealth of Virginia.

##### **SEC. 28-16. PERMITTED USES.**

Planned manufactured home parks or courts shall be for residential purposes only, except those uses required for the direct servicing and well-being of the residents and for professional management and maintenance of the manufactured home park or court development.

##### **SEC. 28.17. FRONT YARDS.**

The minimum front yard for each manufactured home shall be twenty (20) feet, such distance to be measured between the lot line and front wall of the manufactured home.

##### **SEC. 28.18. AREA REQUIREMENTS.**

Each manufactured home lot within a manufactured home park or court shall not be less than six thousand (6,000) square feet. The minimum lot width shall be fifty (50) feet. Greater lot areas may be required where individual septic systems or wells are used if the health official determines that there are factors of drainage, soil conditions, or other conditions to cause potential health problems.

##### **SEC. 28-19. SPACING REQUIREMENTS.**

- A. Manufactured homes shall be placed on manufactured home lots so that, at the nearest point, they shall be eight (8) feet from the detached enclosed carports (garages) and twenty (20) feet from any other manufactured home, or attachment thereto, or other buildings.
- B. Public roads require that the setback from the right of way must be thirty (30) feet. For the purpose of spacing requirements, a manufactured home includes any attached, enclosed structure. Detached enclosed carports (garages) and storage structures are not considered to be a part of a manufactured home nor are attached enclosed awnings, porches and carports.

##### **SEC. 28-20. RECREATION AND OPEN SPACES.**

Reserved.

##### **SEC. 28-21. PARKING.**

At least two (2) off-road parking spaces, ten (10) feet by twenty (20) feet shall be provided for each manufactured home space on, or adjacent to, or in a consolidated parking area within sixty (60) feet of the manufactured home lot.

### **SEC. 28-22. STREETS**

The base and surface of streets shall be a minimum of twenty (20) feet in width, with a minimum thirty (30) foot right-of-way, a maximum of ten percent (10%) grade and be properly graded and ditched to ensure adequate drainage. All streets shall be of gravel construction or better. It shall be the responsibility of the owner of the park to maintain the streets.

### **SEC. 28-23. REFUSE DISPOSAL.**

The storage and collection of refuse shall be so managed as to not create a health or fire hazard. The park management shall be responsible for the collection and proper disposal of such refuse, unless rental agreement shall supersede.

### **SEC. 28-24. MANUFACTURED HOME LOTS .**

The limits of each manufactured home lot should be marked on the ground by suitable means by a professional engineer or land surveyor licensed in the Commonwealth of Virginia. Locations of limits on the ground shall be the same as shown on accepted plans. Steps at all doors of all manufactured homes must be constructed to meet the regulations of the Uniform Statewide Building Code. Each manufactured home lot shall be numbered and the numbers shall be shown on the final site development plan. In addition, each lot shall have a numbered sign not less than six (6) inches by eight (8) inches in size, erected approximately two (2) feet from the manufactured home or mounted on the home. This sign must be visible from the street.

### **SEC. 28-25. SEWERAGE DISPOSAL.**

An opinion is required from the health officer regarding the suitability or unsuitability of each lot within the manufactured home park for installation of subsurface sewage disposal systems where such method of sewage disposal is to be utilized in the development of a manufactured home park.

### **SEC. 28-26. OIL TANKS/FUEL TANKS.**

When oil or other liquid fuel is used within a manufactured home, the tank supplying or containing such fuel shall be placed not closer than three (3) feet from any exit or entrance to such unit; there must be no leakage on the ground; and when piped into the unit, all connections shall be tight, thereby creating no fire hazard.

### **SEC. 28-27. STORAGE OF FLAMMABLE MATERIALS.**

The storage of highly flammable materials under manufactured homes shall be unlawful.

### **SEC. 28-28. LISTING OF TENANTS ON LOTS.**

The owners or operators of each manufactured home park shall report, on or before January 30th of each year, in writing to the Commissioner of Revenue of Pittsylvania County, the name and address of the owner of each unit located in or on said park on January 1st of each year, so as to enable said Commissioner to properly assess same for personal Property taxation. Forms will be provided annually by the Commissioner of Revenue.

**SEC. 28-29. SIGNS.**

Each manufactured home park shall, at all time have a sign at its entrance designating the name of the manufactured home park or court. The sign and markings shall be visible from a distance of forty (40) feet in either direction; minimum letter sized shall be six (6) inches.

**SEC. 28-30. PERMANENT BUILDINGS.**

All permanent buildings and their appurtenant constructions in a manufactured home park community shall be built to meet the Uniform Statewide Building Code of the Commonwealth of Virginia.

**SEC. 28-31. PROVISION OF UNDERGROUND UTILITIES.**

All new manufactured home parks and courts planned and developed after the effective date of this ordinance must have underground secondary electric and telephone utility service.

**Article IV.**

**Site Development Plan Content**

**SEC. 28-32. CONTENTS OF SITE DEVELOPMENT PLAN.**

The applicant shall present to the agent four (4) copies of the site development plan at a scale of not less than one hundred (100) feet to the inch.

**SEC. 28-33. IDENTIFICATION ON SITE PLAN SHEET.**

The sheet shall include: name of manufactured home park or court; owner; surveyor or engineer; date of drawing; number of sheets; adjoining property owners; magnetic north pointer and scale; and a utility schematic plan to determine utility line locations.

**SEC. 28-34. VICINITY MAP.**

A location map of the proposed manufactured home park by an insert map at a scale of not less than two (2) inches equal one (1) mile showing adjoining roads, their names and numbers, towns and other landmarks.

**SEC. 28-35. RIGHT OF WAYS AFFECTING MANUFACTURED HOME PARK.**

The site development plan should include the location, dimensions, and names of all existing or proposed right of ways, public or private, within, on adjacent to, or extending from the site (such as the right of way for driveways, streets or alleys across from or within twenty-five (25) feet of the site, refuse collection, utilities, drainage ways, railroads, public areas, and so on).

**SEC. 28-36. SETBACKS.**

The plan should show dimensions of all building setbacks along all property lines.

**SEC. 28-37. AREA AND DENSITY.**

The plan should indicate the total area of the park development in acres and the total number of spaces planned with indications of density.

**SEC. 28-38. WATER AND SEWER CONNECTIONS.**

The plan should indicate proposed connections with existing sanitary sewers and existing water supply or alternate means of sewage disposal and water.

**SEC. 28-39. PARKING ARRANGEMENT.**

The plan should indicate the location, number of, dimensions of, and design of off-street parking facilities for each lot, including:

- a. Driveways, islands, planters.
- b. Striping and safety curbs.
- c. Ingress and egress points.
- d. Loading facilities, if any.
- e. Type of surface.
- f. Directional signs.

**SEC. 28-40. SERVICE FACILITIES.**

The plan should indicate the location of any service facilities, if provided, and all such facilities shall be so marked.

**SEC. 28-41. ACCESSORY USES.**

The plan should indicate the location and dimensions of all accessory uses including swimming pools, patio, covers, and tennis courts.

**SEC. 28-42. LOTS/SPACES.**

The plan should indicate each lot, or space, with number and with dimensions of lots or spaces.

**SEC. 28-43. GENERAL DESCRIPTION.**

The plan should indicate any other pertinent information which will help clarify the design and layout of the manufactured home park.

**SEC. 28-44. VARIANCES.**

In cases of unusual situations or when strict adherence to the general regulations of the Pittsylvania County Manufactured Home Park Ordinance would result in substantial injustice or hardship, the

agent may grant variations or exceptions to .the general regulations of the Manufactured Home Park Ordinance.

### **Article V.**

#### **Permits Required**

Permits are required in two (2) phases in the County. Health Department and County permits are required prior to commencing construction. Secondly, once construction is completed, the developer calls for inspection of construction and the Health Department is asked for an operator's permit and the County is asked for an operator's permit.

#### **SEC. 28-45. HEALTH DEPARTMENT PERMITS PRIOR TO CONSTRUCTION PHASE.**

A permit from the County health official approving the water and sewer facilities proposed for the park must be obtained prior to making application to the County for a park construction permit.

#### **SEC. 28-46. PITTSYLVANIA COUNTY PERMIT TO BEGIN CONSTRUCTION.**

1. Prior to commencement of construction of any manufactured home park, a construction permit must be obtained from the Building Inspector's Office. Items required include:
  - a. A signed application letter or form requesting a construction permit including a description to identify the project and its location.
  - b. A permit (see above) from the County health official approving the water and sewer facilities proposed for the manufactured home park development.
  - c. Plans for the manufactured home park development in three (3) sets of copies showing the information requested in Article IV. of this ordinance.
2. Processing. After receipt of a complete application for a construction permit, the County agent shall have a maximum of ten (10) working days to review said application and either issue the permit or give reasons for not approving the application submitted. If an applicant is aggrieved by a decision of the County agent by virtue of rejection of an application, the applicant may appeal the decision to the Board of Supervisors.
3. Inspection of Construction. Once a construction permit is approved, the applicant has twelve (12) months to complete work shown on approved plans, otherwise the applicant must renew a permit for another twelve (12) months or reapply for a construction permit. The agent through the building inspection officials of the County shall be responsible for inspecting the completed construction to determine satisfactory completion according to approved plans.

#### **SEC. 28-47. EROSION AND SEDIMENTATION CONTROL PERMIT.**

The applicant owner must also apply for an be granted an erosion and sedimentation control permit after his submission of his erosion and sedimentation control plans to the building inspection

department of Pittsylvania County. The park owner should obtain information and instructions from the department as to requirements to gain approval.

**SEC. 28-48. OPERATION PERMIT FROM HEALTH OFFICIAL.**

Once construction is completed, each park owner and/or developer is responsible for obtaining an operating permit from the County health official. Before receiving a health department, operating permit, an inspection shall be made by the health official to determine the requirements of health law have been complied with: later visits of health officials must be expected from time to time in order to insure that compliance with laws are being met. Revocation of permit may be made for violation of permit being shown by health officials. Certificates or permits issued hereunder are no transferable or assignable except as provided under law.

**SEC. 28-49. OPERATION PERMIT FROM COUNTY AGENT/OFFICIALS.**

1. Prior to any spaces in a newly constructed manufactured home park being rented or occupied, the owner of the park must obtain an operation permit from the County building inspection department. The permit will allow the park owner to operate the park in accord with the rules and regulations of this ordinance and in convergence with the plans for the park as originally submitted and approved for construction. The County building inspection officials shall be responsible for a minimum of an annual inspection of a park to insure it is operating in accord with the permit approvals. Should violations be found by the County officials, they should deliver written notice to the park owner to correct them, citing the nature of the violation and problems. The owner shall be given thirty (30) days to correct violations and bring the park in full compliance with this ordinance. If the owner fails to correct the alleged violations within the allotted time, he shall be cited to appear before the Board of Supervisors, after reasonable notice, to show cause, if any he can, why his operation permit should not be revoked.
2. Before a Pittsylvania County agent or building inspections department official shall issue a County operator's permit to an owner, the official of the County health department shall have issued an operator's permit indicating compliance with health laws of the Commonwealth and the County.

**SEC. 28-50. DEPARTMENT OF TRANSPORTATION REQUIREMENTS.**

1. If it is intended for the streets within a manufactured home park be private, the developer shall be required to specify on both the recorded site development plan and the selling plans, that the streets are "PRIVATE" and "NOT SUBJECT TO BE MAINTAINED BY THE STATE OF VIRGINIA, PITTSYLVANIA COUNTY OR ANY INCORPORATED TOWN WITHIN PITTSYLVANIA COUNTY". The developer further agrees to the release discharge and absolve Pittsylvania County and the State of Virginia from all immediate or future responsibility in regard to maintenance of the private roads and right of way so established. Where private streets are intended for a manufactured home park, the State Highway Department shall not be required to approve a street and drainage plan before recording of the manufactured home park.
2. It is necessary to acquire a commercial entrance permit for the street entrance from any road in the Department of Transportation's System. This would be the same type of entrance that

is required of all commercial businesses, of which the Department classifies a manufactured home park.

**Adopted by the Board of Supervisors on June 5, 1989.**