

**APPENDIX "6"**

## **Section 3733.01**

**General Assembly: 120.**

**Bill Number: Amended House Bill 375**

**Effective Date: 06/23/94**

As used in this chapter:

(A) "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. A tract of land that is subdivided and the individual lots are not for rent or rented, but are for sale or sold for the purpose of installation of manufactured homes on the lots is not a manufactured home park even though three or more manufactured homes are parked thereon if the roadways are dedicated to the local government authority.

"Manufactured home park" does not include any tract of land used solely for the storage or display for sale of manufactured homes or solely as a temporary park-camp.

(B) "Recreational vehicle park" means any tract of land used for parking five or more self-contained recreational vehicles and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the park facilities and any tract of land that is subdivided for lease or other contract of the individual lots for the express or implied purpose of placing self-contained recreational vehicles for recreation, vacation, or business purposes.

"Recreational vehicle park" does not include any tract of land used solely for the storage or display for sale of self-contained recreational vehicles or solely as a temporary park-camp.

(C) "Portable camping units" means dependent recreational vehicles, tents, portable sleeping equipment, and similar camping equipment used for travel, recreation, vacation, or business purposes.

(D) "Manufactured home" and "recreational vehicle" have the meanings set forth in section 4501.01 of the Revised Code.

(E) "Self-contained recreational vehicle" means a recreational vehicle that can operate independent of connections to sewer and water and has plumbing fixtures or appliances all of which are connected to sewage holding tanks located within the vehicle.

(F) "Dependent recreational vehicle" means a recreational vehicle other than a self-contained recreational vehicle.

(G) "Recreation camp" means any tract of land upon which five or more portable camping units are placed and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of the camp. A tract of land that is subdivided for lease or other contract of the individual lots is a recreation camp if five or more portable camping units are placed on it for

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recreation, vacation, or business purposes.

"Recreation camp" does not include any tract of land used solely for the storage or display for sale of dependent recreational vehicles or solely as a temporary park-camp.

(H) "Combined park-camp" means any tract of land upon which a combination of five or more self-contained recreational vehicles or portable camping units are placed and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the park facilities. A tract of land that is subdivided for lease or other contract of the individual lots is a combined park-camp if a combination of five or more recreational vehicles or portable camping units are placed on it for recreation, vacation, or business purposes.

"Combined park-camp" does not include any tract of land used solely as a temporary park-camp.

(I) "Licensor" means either the board of health of a city or general health district, or the authority having the duties of a board of health in any city as authorized by section 3709.05 of the Revised Code, or the director of health, when required under division (B) of section 3733.031 of the Revised Code. "Licensor" also means an authorized representative of any of those entities or of the director.

(J) "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.

(K) "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.

(L) "Resident" means a person entitled under a rental agreement to the use and occupancy of residential premises to the exclusion of others. It includes both tenants and owners.

(M) "Operator" means the person who has responsible charge of a manufactured home park, recreational vehicle park, recreation camp, combined park-camp, or temporary park-camp and who is licensed under sections 3733.01 to 3733.08 of the Revised Code.

(N) "Park operator" means a manufactured home park operator.

(O) "Residential premises" means a lot located within a manufactured home park and the grounds, areas, and facilities contained within the manufactured home park for the use of residents generally or the use of which is promised to a resident.

(P) "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.

(Q) "Security deposit" means any deposit of money or property to secure performance by the resident under a rental agreement.

(R) "Temporary park-camp" means any tract of land used for a period not to exceed a total of twenty-one days per calendar year for the purpose of parking five or more recreational vehicles, dependent

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recreational vehicles, or portable camping units, or any combination thereof, for one or more periods of time that do not exceed seven consecutive days or parts thereof.

(S) "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, recreational vehicle park, recreation camp, or combined park-camp, for which plan review is required under division (A) of section 3733.021 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.

(T) "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;

(c) Mudslides that are proximately caused by flooding as defined in division (T)(1)(b) of this section 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, by an abnormal tidal surge, or by some similarly unusual and unforeseeable event, that results in flooding as defined in division (T)(1)(a) of this section.

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

(V) "One hundred year flood" means a flood having a one per cent chance of being equaled or exceeded in any given year.

(W) "One hundred year flood plain" means that portion of a flood plain inundated by a one hundred year flood.

(X) "Person" has the same meaning as in section 001.59 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.

(Y) "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.

(Z) "Substantially alter" means a change in the layout or design of a manufactured home park,