

OPINION NO. 82-061**Syllabus:**

A forty-acre tract of land upon which four house trailers used for habitation are located is a "house trailer park" as that term is defined in R.C. 3733.01(A).

To: Robert B. Hines, Holmes County Prosecuting Attorney, Millersburg, Ohio
By: William J. Brown, Attorney General, September 28, 1982

I have before me your request for my opinion concerning the licensing of house trailer parks pursuant to R.C. Chapter 3733. It is my understanding, based on a telephone conversation between a member of my staff and your office, that your specific concern is whether a forty-acre tract of land upon which there are four mobile homes is a house trailer park within the meaning of R.C. 3733.01(A).

R.C. 3733.03 requires "every person or governmental entity that intends to operate a house trailer park. . .[to] procure a license to operate such park." A "house trailer park" is defined by R.C. 3733.01(A) as follows:

any tract of land upon which three or more house trailers 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 such park. A tract of land which is subdivided for lease or contract of the individual lots is a house trailer park if three or more house trailers are parked thereon.

Thus, under R.C. 3733.01(A), any tract of land upon which three or more house trailers used for habitation are parked is a "house trailer park." A tract of land has been defined as "an indefinite area either large or small." Lakewood Homes v. Board of Adjustment, 25 Ohio App. 2d 125, 135, 267 N.E.2d 595, 601 (1971). You have stated that the tract of land in question has four house trailers parked upon it and that the trailers are used for habitation. This tract of land, therefore, falls within the definition of a house trailer park set forth in R.C. 3733.01(A).

As you note in your letter, the tract of land at issue differs from the usual concept of a house trailer park due to the fact that there are so few house trailers scattered over such a large area. The definition of "house trailer park," however, depends on the number of house trailers on a particular tract of land rather than on the ratio of house trailers to acreage. Moreover, the concept of a "tract" of land encompasses both small and large areas of property. Lakewood Homes. When the language of a statute is plain upon its face, there is no authority to attempt further statutory construction. Swetland v. Miles, 101 Ohio St. 501, 130 N.E. 22 (1920); R.C. 1.47.

You note in your letter that the purpose of the statutes governing house trailer parks is to ensure, among other things, proper drainage and sewer facilities, adequate recreation areas and proper streets and walkways. I recognize that such requirements may appear somewhat anomalous in the context of the facts described in your letter. However, since the language of the statutes is plain and unambiguous, I am constrained to conclude that the tract of land described in your letter is a house trailer park for purposes of R.C. Chapter 3733.

Therefore, it is my opinion, and you are advised, that a forty-acre tract of land upon which four house trailers used for habitation are located is a "house trailer park" as that term is defined in R.C. 3733.01(A).