

Town of Dedham  
Ordinance

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| A. | Title:                                   | Mobile Home Park Ordinance |
| B. | Author:                                  | Planning Board             |
| C. | Date approved by the<br>Legislative body | June 17, 2006              |
| D. | Date amended by the<br>Legislative body  |                            |
| E. | Responsible for review:                  | Planning Board             |
| F. | Narrative                                |                            |

**ARTICLE I - Definitions**

With regard to Title 30A, MRSA Section 4358-1, and for the purpose of this Ordinance, the following words and phrases shall, unless the context otherwise indicates, have the following meanings:

- **Manufactured/Mobile Home**, hereinafter means a structural unit or units designed for occupancy and constructed in a manufacturing facility and transported by the use of its own chassis to a building site. The term includes any type of building which is constructed at a manufacturing facility and transported to a building site where it is used for housing and may be purchased or sold by a dealer in the interim. Those units constructed after June 15, 1976, commonly called "newer mobile homes," which the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development (HUD) standards, meaning structures transportable in one or more sections, which in the traveling mode are fourteen (14) body feet or more in width and are seven hundred and fifty (750) square feet, and which are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities including the plumbing, heating, air-conditioning &/or electrical systems contained in the unit. This term also includes any structure which meets all the requirements of this subparagraph, except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing and Construction and Safety Standards Act of 1974, United States Code, Title 42, Section 5401, et seq.
- **Mobile Home Park** shall mean a parcel of land under unified ownership approved by the municipality for the placement of three (3) or more manufactured homes which are owned either by the owner of the land or others.
- **Mobile Home Park Lot** shall mean the land on which an individual home and any appurtenant structures or additions, is situated within a mobile home park and

which is reserved for use by the occupants of that home. Such lots shall be designated on the plan for a mobile home park.

- **Mobile Home Subdivision or Development** means a parcel of land approved by the Planning Board under Subsection 4401 of Title 30-A MRSA, for the placement of manufactured homes on individually owned lots. All Mobile Home Parks shall be reviewed under the Town of Dedham (Town) Subdivision Ordinance.
- **Building Permit** shall mean a written permit issued by the Code Enforcement Officer (CEO) permitting construction or alteration of a mobile home park.
- **License** shall mean a written authorization issued by the Town's Board of Selectmen or the Town Clerk allowing operation of a mobile home park.
- **"Pitched, shingled roof"** means a roof with a pitch of two (2) or more vertical units for every twelve (12) horizontal units or measurement and which is covered with asphalt or Fiberglas composition shingles or other materials, but specifically excludes corrugated metal roofing material.
- **"Shall"** means that which is required, mandatory, the only acceptable method under this Ordinance.
- **"Should"** means a term used to reflect the more preferable procedure, yet providing for the use of effective alternatives.
- **Person** shall be construed to include an individual person, partnership, firm, company, corporation, owner, lessor, lessee or their agents.

## ARTICLE II - PERMITS

- It shall be unlawful for any person to construct or alter a mobile home park as defined in this Ordinance unless such person shall first have obtained a Construction Permit from the CEO as hereinafter provided. It shall also be unlawful for any person to operate a mobile home park as defined by this Ordinance unless such person shall first have obtained a License from the Town Selectmen or Town Clerk as hereinafter provided.
- An application for a mobile home park Construction Permit shall be filed with the CEO. Such application shall be in writing and signed by the applicant and shall contain the following, when applicable:
  - Plans prepared by an engineer or land surveyor registered in the State of Maine which include the following information:
    - Name and address of applicant;
    - Name or title of mobile home park;
    - Area and dimensions of the tract of land;
    - Scale, date, direction of magnetic north;
    - Location, ground floor area and elevation of existing and proposed buildings and other structures, including use thereof;
    - Number, size and location of all mobile home sites;
    - Name(s) of abutting owners;
    - Name, location, width, profile, radius of all curves of all existing and proposed streets, roads or other right-of-ways;

- Location and arrangement of proposed off-street parking and load-areas and their appurtenant drives and maneuvering areas;
    - Location of features, natural and man-made, affecting the park such as water bodies, streams, swamps, wooded area, railroads, ditches, buildings, etc.;
    - Location of all underground utilities
    - Kind, location and profile of all existing and proposed drainage;
    - Location and proposed uses of area proposed for outdoor recreation;
    - Contour lines at intervals of twenty (20) feet or less of existing grades for areas proposed to be excavated or filled;
    - Location of existing and proposed pedestrian walkways;
    - Location of existing natural drain ways and proposed storm drainage facilities, including dimensions of culverts, pipes, etc.;
    - Location of existing and proposed fences, hedges, etc.
  - An on-site soils investigation by a Department of Health & Human Services (DHHS) licensed site evaluator shall be provided. The report shall contain the types of soil, location of test pits, and proposed location and design of the best practical sub-surface disposal system for the site.
  - Evidence that the Maine DHHS, Division of Health Engineering, has been provided with copies of the plan and all other submittals.
- The applicant shall pay to the CEO an application fee as set forth in the Town's fee policy ADM 1 which shall be in payment for advertising fees and all notices of public hearings, as well as other cost incurred by the Town in processing of said application.
- Code Enforcement Officer, after determining that the provisions of Sections 2 and 3 of this Article have been met, shall:
  - Notify the Local Plumbing Inspector (LPI), Chief of the Fire Department and the Road Commissioner of such application and request each of these officials to make a recommendation in writing as to the feasibility of any such mobile home park with respect to the areas of their responsibilities.
  - Refer the application to the Town's Planning Board which shall forthwith set the matter for a public hearing to be held after notice of such application has been published in a newspaper of general circulation and after persons whose property abuts the proposed mobile home park are notified in writing of the time, date and place of the public hearing. The Planning Board, within thirty (30) days after such hearing, shall make its written recommendations to the Board of Selectmen, which shall include the Planning Board's determination of the following:
    - If the proposed mobile home park is in a location suitable for such park as determined with reference to the zoning ordinance.
    - If the street and road patterns in the proposed park are adequate for the use intended and for ingress and egress for the protection of the park inhabitants, their property, and the public;

- If the proposed mobile home park shall otherwise meet the requirements of good planning as determined under the laws of the State of Maine and the decisions of its courts.
- The Planning Board, upon determining that all of the requirements of this Article, as hereinbefore provided, shall make their determination whether the proposed mobile home park meets the requirements of this Ordinance and all other ordinances of the Town and shall thereafter, based upon this determination, grant or withhold final approval of the said application and if approved cause the CEO to issue a Construction Permit for the construction of said mobile home park.

The CEO or Planning Board may request the applicant to provide any studies deemed necessary or advisable to protect and assure the health, safety and welfare of persons affected by the mobile home park, including future occupants of the same.

- The applicant thereafter shall notify the CEO of the completion of said park under his Construction Permit and request a certificate of completeness.
- Upon receipt of the determination of completion request, the CEO shall determine whether or not a certificate of completeness shall be issued and upon a favorable final determination, issue said certificate to the applicant for the proposed mobile home park.
- In addition to the Certificate provided for above, the owner(s) of a mobile home park shall annually, on or before April 1st, apply for a License from the Town Clerk to continue to operate a mobile home park and before issuing said License, the Town Clerk shall refer the application to the Fire Chief and CEO for their approvals. In the event that any of said officials should fail to issue an approval, he/she must state reasons for same in writing to the Town Clerk who shall also refuse to grant said license. Failure on the part of any of said officials to grant or deny approval of License within thirty (30) days of the application being filed with the Town Clerk shall constitute renewal of the License. The applicant may, within ten (10) days of a denial, appeal to the Board of Selectmen who shall review said application and either grant or deny it. In granting or denying renewals of a License, said officials, including the Board of Selectmen, shall determine whether the mobile home park is being operated pursuant to the provisions of this Ordinance and the laws of the State of Maine applicable thereto.

A fee as set forth in the Town's Fee Policy (ADM 14) shall be paid to the Town Clerk with the application for annual renewal of said License.

Failure to renew a license shall constitute a violation under this ordinance.

- No mobile home park existing at the time of the effective date of this Ordinance shall be altered in any way except in compliance with the provisions of this Ordinance. All mobile home park owners shall apply for an annual renewal of License as mentioned in the section above whether the parks in question are new or existing prior to the effective date of this Ordinance.

- Any License or Construction Permit authorized by this Ordinance for a mobile home park may be revoked or suspended by the CEO after notice to the owner. Said revocation or suspension shall be based upon failure of the owner to comply with the provisions of this Ordinance or any State Statute or Regulation applicable to same and the CEO shall give a written decision setting forth the reasons for revocation or suspension. Notification must be made in writing and delivered by certified mail
- No manufactured home shall be located anywhere in the Town without certification of payment of Maine State sales or use tax or exemption therefrom.

### **ARTICLE III - Location, Site and General Layout**

- **Density & lot size:** The minimum lot area for lots served by individual subsurface sewage disposal systems shall be twenty thousand (20,000) square feet and the minimum lot width, one hundred (100) feet. The minimum lot areas for lots served by a central subsurface sewage disposal system shall be twelve thousand (12,000) square feet and the minimum lot width, seventy-five (75) feet.

The overall density of a mobile home park served by a central subsurface sewage disposal system shall be no greater than one unit per twenty thousand (20,000) square feet of total park area. All sites or spaces shall abut a park street or road.

Off-road parking shall be adequate for two (2) vehicles per site or space.

Sites or spaces shall be clearly defined and manufactured homes shall be parked on such sites or spaces so that there will be a minimum of thirty (30) feet between the lived-in portion of said manufactured homes and so that the lived-in portion of no manufactured home will be less than twenty-five (25) feet from the exterior boundary line of the mobile home park.

Lots within the Shoreland zoning district shall meet the lot area, lot width, setback and shore frontage requirements of the district.

- **Setback requirements.** The lived-in portion of a manufactured home shall not be located closer than fifteen (15) feet from any park street or road, nor forty (40) feet from any public street or highway right-of-way line.
- **Manufactured home site or space availability required.** No manufactured home shall remain in a mobile home park unless placed on a mobile home site or space.
- **Roadways.** For fire prevention and protection, every mobile home park shall have access to a public street by directly abutting thereon or by means of a private, well-kept road, which shall:
  - Be built according to acceptable engineering standards and with a professional engineer's seal as required by the Manufactured Housing Board;
  - Have a right-of way of a minimum of twenty-three (23) feet in width;

- Conform to reasonable safety standards applicable to intersections with public ways adjacent to the mobile home park.

The roadways in a mobile home park shall have adequate lighting facilities. Each manufactured home shall have access to such a road. Any dead-end road shall be constructed with a cul-de-sac with a radius of fifty (50) feet. All roads shall be provided with a smooth, hard and dense surface which shall be durable and well-drained under normal use and weather conditions. Roads shall be maintained and retained by the licensee.

#### **ARTICLE IV - Sanitation**

- **Water Supply Requirements.** An accessible, adequate, safe and potable supply of water shall be provided in each mobile home park, capable of furnishing a minimum of one hundred fifty (150) gallons per day per manufactured home site or space.
- **Sewage Disposal.** Mobile home parks shall be served by a private disposal system which has been approved by the DHHS of the State of Maine and the LPI. Each manufactured home site or space shall be provided with a satisfactory sewer connection.
- **Refuse and Garbage Disposal.** The storage, collection and disposal of refuse in the park shall not create health hazards, rodent harborage, insect breeding area, accident hazards or air pollution. All refuse and garbage shall be stored in fly-tight, watertight, rodent-proof containers, which shall be provided in sufficient number and capacity to prevent any refuse from overflowing. Satisfactory container racks or holders shall be provided by the mobile home park owner or operator and shall be located not more than one hundred fifty (150) feet from any manufactured home site or space. There shall be regularly scheduled collection of all refuse and garbage. Costs for collection and disposal will be the responsibility of the park owner.

#### **ARTICLE V - Electricity**

- The park electrical system or electrical equipment shall comply with applicable state standards and regulations.

#### **ARTICLE VI – Public Safety**

- The Fire Chief and appropriate law enforcement official will provide a review of the plans concerning access for emergency equipment to mobile home parks.
- Manufactured home and service buildings shall be placed so that fire equipment can approach within one hundred (100) feet.

#### **ARTICLE VII - Register**

- The owner or operator of every mobile home park shall maintain a register in which shall be written the true name of every occupant renting a manufactured home site or space. The owner or operator shall write opposite each name the space or site assigned to the occupant. The foregoing information shall be made available to any agent of the DHHS, the representative of any law enforcement agency, or any authorized person inspecting the park.

#### **ARTICLE VIII - Penalties**

- Any person who violates any provision of this Ordinance upon conviction shall be guilty of a civil violation subject to a minimum fine of \$100.00 and up to a maximum fine of \$2,500 for each violation. Each day which a violation continues shall constitute a separate offense.