

MOBILE HOME PARK ORDINANCE

A. PURPOSE

The purpose of this chapter to promote the orderly development of mobile home parks and to ensure the health, safety and general welfare of the residents of the park and the town.

B. DEFINITIONS for Mobile Home Parks Only

These specific definitions apply to this chapter.

1. **Manufactured housing** means a structural unit or units designed as a dwelling unit and constructed in a manufacturing facility and transported, by the use of its own chassis or an independent 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. For purposes of this section, two types of manufactured housing are included. Those two types are:
 - a. Those units constructed after June 15, 1986, commonly called "newer mobile homes," which the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development 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 fifty (750) or more 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 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 Construction and Safety Standards Act of 1974, United States Code, Title 42, Section 5401, et seq.; and
 - b. Those units commonly called "modular homes," which the manufacturer certifies are constructed in compliance with Title 10, chapter 957, and rules adopted under that chapter, meaning structures, transportable in one or more sections, which are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air-conditioning or electrical systems contained in the unit.

2. **Mobile Home Park** means a parcel of land under unified ownership approved by the municipality for the placement of three (3) or more manufactured homes.
3. **Mobile Home Park Lot** means the area of land on which an individual home is situated within a mobile home park and which is reserved for use by the occupants of that home. A municipality may require a lot to be designated on a mobile home park plan.

C. PERMITTED LOCATION

A mobile home park may only be located in the Rural District R.

D. APPLICATIONS

Prior to establishing or expanding a mobile home park, an applicant must apply for approval to the Planning Board

1. The application must include four (4) copies of a narrative description and site plan and other plans and elevations as necessary to describe the proposed project, drawn to scale, containing the following information, where applicable:
 - a. Name and address of applicant.
 - b. Name and address of owner of property, if different from applicant.
 - c. A description of the applicants' interest in the property (option, purchase contract, lease, record ownership, etc.).
 - d. The scale of the drawings submitted and a compass rose.
 - e. Boundaries of the tract of land. The Planning Board may require a survey by a licensed surveyor.
 - f. Location of existing and proposed mobile home sites and other structures.
 - g. Location of buildings on abutting properties within three-hundred (300) feet of the property line of the proposed park.
 - h. A list of the names and addresses of all owners of property within one-thousand (1,000) feet of the boundaries of the mobile home park.
 - i. Location of existing public streets, roads and rights-of-way.
 - j. Location of proposed access drives to the lot from public streets or roads.

- k. Location and arrangement of proposed off-street parking and loading areas and their appurtenant drives and maneuvering areas.
 - l. Location of existing and proposed pedestrian walkways.
 - m. Location of existing and proposed utilities and easements therefore, including sanitary sewerage, water supply, and electricity.
 - n. Location of existing natural drainage and proposed storm drainage facilities, including dimensions of culverts, pipes, et cetera.
 - o. Location, intensity, type, size and direction of all outdoor lighting.
 - p. Location and proposed use of areas for outdoor recreation.
 - q. Location and type of existing and proposed fences, substantial vegetation, and individual trees of six (6) inch diameter and over at a point four and one-half (4½) feet above ground level.
 - r. Contour lines at appropriate intervals to show the effect of existing and proposed grades for areas to be excavated or filled.
 - s. Location and size of signs and all permanent outdoor fixtures.
 - t. Information about Soils Conditions on the Site. If subsurface sewage disposal is proposed, the information shall include evidence of soil suitability according to the State of Maine Subsurface Wastewater Disposal Rules. The Site Plan shall show the location of soil test areas and natural wet areas. If no subsurface sewage disposal is proposed, medium intensity soils survey information about the site shall be included in the application. The Planning Board may require more extensive soils information to adequately review the proposal.
 - u. A groundwater analysis as required by Section 9 of this Ordinance.
 - v. Other information as required by specific provisions of this Ordinance, or requested by the Planning Board to adequately review the proposal.
2. Within thirty (30) days from the date of receipt, the Planning Board shall notify the applicant in writing either that the application is complete or, if the application is incomplete, the specific additional material needed to make a complete application. The Planning Board shall make a determination as to the completeness of the application. Determination by the Planning Board that the application is complete in no way commits or binds the Planning Board as to the adequacy of the application to meet the criteria of this ordinance.

3. The Planning Board may, but is not required, to hold a public hearing on the proposed mobile home park.
 - a. It shall hold that public hearing within thirty (30) days of having notified the applicant in writing that the application is complete.
 - b. The decision to hold a public hearing is discretionary, and in making its decision, the Planning Board may consider the size and type of Mobile Home Park, the community impact, and whether any written requests for such a hearing have been received.
4. The Planning Board shall, within thirty (30) days of a public hearing, or within sixty (60) days of having received a complete application, if no hearing is held, or within such other time limit as may be mutually agreed to, issue an order denying or granting approval of the proposed mobile home park, or granting approval on such terms, conditions or limitations as it may deem advisable.
 - a. In issuing its decision, the Planning Board shall make a written finding of fact establishing that the proposed mobile home park does or does not meet the provisions of these regulations.
 - b. Plans for road construction, grading and ditching must be reviewed by the Road Commissioner for recommendations as part of the Board's consideration.
5. After the effective date of this Ordinance, manufactured housing meeting the safety standards contained in Section 16 of this chapter may be located in an approved mobile home park. No site built home, or manufactured housing unit which fails to meet the safety standards of this chapter, may be located in a mobile home park.

E. MINIMUM DESIGN AND PERFORMANCE STANDARDS

1. No dwelling other than manufactured housing may be located in a mobile home park.
2. Lots in a mobile home park must meet the following lot size, width and density requirements.
 - a. for lots served by public sewer:

Minimum lot area - sixty-five-hundred (6,500) square feet or the smallest lot size permitted under any other Town Ordinance, whichever is less.

Minimum lot width - fifty (50) feet.
Minimum lot frontage - fifty (50) feet.

b. For a lot served by an individual subsurface sewage disposal system:

Minimum lot area - twenty thousand (20,000) square feet.
Minimum lot width - one hundred (100) feet.
Minimum lot frontage - one hundred (100) feet.

c. For lots served by a central subsurface wastewater disposal system as approved by the Department of Human Services:

Minimum lot area - twelve thousand (12,000) square feet.
Minimum lot width - seventy five (75) feet.
Minimum lot frontage - seventy five (75) feet.

d. Lot frontage shall be measured in a straight line between the intersections of the side lot lines and the front lot line. Where lots front on a curved right-of-way or are served by a driveway, the frontage requirement shall be measured in a straight line perpendicular to the setback line and at the face of the unit.

e. The overall density of the mobile home park shall be the combined area of its mobile home lots plus:

- (1) The area required for road rights-of-way;
- (2) The area required for buffer strips, if any;
- (3) For areas served by public sewer, an open space area for storage and recreation of at least ten percent (10%) of the combined area of the individual lots; and
- (4) The area within the Shoreland Zoning setback.

3. The following lot setbacks shall apply to all homes and accessory buildings:

- a. Front setback: twenty (20) feet
- b. Side setback: twenty (20) feet
- c. Rear setback: ten (10) feet
- d. If a lot is on a public road, the setback shall conform with the residential setback requirements applicable to residential dwelling units.

4. All buildings on the lot, including accessory buildings and structures, but excluding open decks and parking spaces may not cover more than fifty percent (50%) of the lot area.
5. The following buffer strips are required:
 - a. A fifty (50) foot wide buffer strip must be provided along all property boundaries that:
 - (1) Abut residential land which has a gross density of less than half of that proposed in the park, or
 - (2) Abut residential land that is zoned at a density of less than half of that proposed in the park.
 - b. No structures, roads or utilities may be placed in the buffer strip except to cross a buffer strip to provide services to the park.
 - c. Within twenty-five (25) feet of any property line and within the buffer strip, visual screening and/or landscaping shall be provided. The visual screening may consist of fences, berms, landscaping (such as shrubs and trees) or natural existing vegetation. This screening must effectively screen at least eighty percent (80%) of the homes from view from the adjacent property and shall be maintained throughout the life of the project.
6. No lot in a mobile home park may be sold without the prior approval of the Planning Board. Any lot sold or conveyed must meet the lot size requirement for a site-built, single family dwelling.
7. Each lot shall be legibly marked on-site for identification, and easily accessible to emergency vehicles (permitting fire apparatus to approach within one-hundred (100) feet).
8. The following provisions apply to the water supply:
 - a. For mobile home parks not served by a public sewer, the application shall include an assessment of the effect of park development on ground water quality. The assessment shall be prepared by a Certified Geologist or Registered Professional Engineer, and shall include the following:
 - (1) A map showing the basic soil types.
 - (2) A map showing the location of any subsurface wastewater disposal systems and drinking water wells within the mobile home park and within two-hundred (200) feet of the mobile home park boundaries.

- (3) The depth to the water table at representative points throughout the mobile home park.
 - (4) Drainage conditions throughout the mobile home park.
 - (5) Data on the existing ground water quality, either from test wells in the park or from existing wells on neighboring properties.
 - (6) An analysis and evaluation of the effect of the mobile home park on ground water resources. The evaluation shall, at a minimum, include a projection of post development nitrate-nitrogen concentrations at whichever of the following is located closest to the subsurface sewage disposal system:
 - (a) any wells within the park;
 - (b) the mobile home park boundaries; or
 - (c) a point located a distance of one-thousand (1,000) feet from the subsurface sewage disposal system. For mobile home parks within the watershed of a lake, projections of the development's effect on ground water phosphate concentrations must also be provided.
- b. The applicant has the burden of proving that the development or expansion of the park will not pollute a public water supply or aquifer. In addition, the park shall meet the following requirements:
- (1) Projections of ground water quality shall be based on the assumption of drought conditions (assuming sixty percent (60%) of annual average precipitation).
 - (2) A mobile home park may not increase any contaminant concentration in the ground water to more than one half of the Primary Drinking Water Standards, or to more than the Secondary Drinking Water Standards.
 - (3) If ground water contains contaminants in excess of the primary standards, and the mobile home park is to be served by on-site ground water supplies, the applicant shall demonstrate how water quality will be improved or treated to bring it into compliance with those standards.
 - (4) If ground water contains contaminants in excess of the secondary standards, the mobile home park may not cause the concentration of the parameters in question to exceed one-hundred-fifty percent

(150%) of the ambient concentration.

- c. Subsurface waste water disposal systems and drinking water wells must be constructed as shown on the map submitted with the assessment. If construction standards for drinking water wells are recommended in the assessment, those standards must be included as a note on the Plan.
9. Outdoor lighting must be provided to adequately illuminate internal streets and pedestrian walkways. Lights must be sized and directed to avoid adverse impact on adjacent properties.
10. The following requirements apply to open space for lots served by a public sewer:
- a. At least fifty percent (50%) of the required open space shall consist of land that is suitable for active recreation or storage.
 - b. All developed open space shall be designed and landscaped for the use and enjoyment of the park residents and shall be maintained for their long term use. Plans for these areas and their maintenance shall be submitted by the developer.
 - c. To the maximum extent possible, undeveloped open space shall be left in its natural state. Improvements to make trails for walking and jogging or to make picnic areas is permitted.
 - d. The developer shall submit, as part of the application, a copy of that portion of the proposed park rules and a plan which specify how the open space is to be used and maintained and what conditions are to apply to its use. The plan shall specify the areas to be dedicated to open space, recreation, and storage.
 - e. Open space shall be maintained and used for its stated purpose.
11. Where a developer elects to create a mobile home park where all land is under one ownership, the park plan shall show lots and the developer shall demonstrate that the development standards are met.
12. The owner or operator of a mobile home park shall be responsible for ensuring the maintenance of all structures and their sites. Park management shall conform to state laws.
13. For each mobile home lot, at least two (2) off-street parking spaces shall be provided and maintained. Each parking space shall contain a minimum area of two-hundred (200) square feet with minimum dimensions of ten (10) feet by twenty (20) feet. This requirement may be waived if a parking lane is provided.

In addition to occupant parking, off-street guest and service parking shall be provided within the boundaries of the park at a ratio of one (1) space for each four (4) mobile home lots. Such parking shall be hard-surfaced.

14. The storage, collection and disposal of refuse in the mobile home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution.

15. The following road standards apply:

- a. Road Design Standards

- (1) Private Roads. Privately owned roads within the mobile home park shall be designed by a Professional Engineer, registered in the State of Maine, and shall be built according to accepted engineering standards.

- (2) Roads for Public Acceptance. Roads within mobile home parks which are to be offered for acceptance to the community shall meet the minimum road standards of Chapter V, Subdivision.

- (3) Intersection with Public Roads. Mobile home park roads which intersect with public roads shall meet the following standards:

- (a) Angle of intersection. The desired angle of intersection is ninety (90) degrees. The minimum angle of intersection is seventy-five (75) degrees.

- (b) Grade. The maximum permissible grade within seventy-five (75) feet of the intersection is two percent (2%).

- (c) Minimum sight distance. The minimum sight distance in feet shall be ten (10) times the posted speed limit in miles per hour (m.p.h.) on the existing road. Sight distances shall be measured from the driver's seat of a vehicle that is ten (10) feet behind the curb or edge of shoulder line with the height of the eye three and one-half (3 1/2) feet above the pavement and the height of object four and one-quarter (4 1/4) feet. Where necessary, the park land bordering the intersection shall be cleared of all growth and sight obstructions to achieve the required visibility.

- b. The layout and general development plan for major and minor access streets and driveways within the mobile home park, together with the location and dimensions of access junctions with existing public streets and rights-of-way shall be approved by the Planning Board.

- (1) A traffic impact analysis shall be required if the park will generate more than five-hundred (500) trips per day.
- (2) For mobile home parks expected to generate two-hundred (200) trips per day or more, there shall be at least two (2) entrances from public streets or roads.
- (3) On-street parking shall be prohibited unless an eight (8) foot parking lane is provided, in which case on-street parking may be permitted on the side of the road where the parking lane is located.
- (4) Curvilinear streets shall be utilized wherever possible. No street within the park shall be more than two-hundred (200) feet without a curve or bend.
- (5) No mobile home lot may have vehicular access directly onto an arterial street.

c. Road widths are to be as follows:

- (1) Two-way park roads shall have a minimum right-of-way of twenty-three (23) feet and a minimum paved surface of twenty (20) feet.
- (2) One-way streets shall have a minimum right-of-way of eighteen (18) feet and a minimum paved surface of fourteen (14) feet.
- (3) Parking lanes shall be a minimum of eight (8) feet in width, if provided.
- (4) Cul-de-sac turnarounds shall have minimum radii of fifty (50) feet at the outer edge of the pavement, exclusive of any parking areas.

16. These standards shall apply to all manufactured housing built before June 15, 1976, or not built according to the National Manufactured Housing Construction and Safety Standards Act of 1974, United States Code, Title 42, Chapter 70, to be located in a mobile home park. The park owner shall have the burden of proving that these standards are met.

a. Required egress doors shall not be located where a lockable interior door must be used in order to exit.

- (1) Units shall have a minimum of two exterior doors not less than twelve (12) feet from each other as measured in any straight line direction regardless of the length of the travel between doors. One of the required exit doors must be accessible from the doorway of each bedroom without traveling more than thirty-five (35) feet.

- (2) All exterior swinging doors shall provide a minimum twenty-eight (28) inches wide by seventy-four (74) inches high clear opening. All exterior sliding glass doors shall provide a minimum twenty-eight (28) inches wide by seventy-two (72) inches high clear opening. Locks shall not require the use of a key for operation from the inside.
- b. Units shall have the following emergency egress facilities:
- (1) Every room designed expressly for sleeping purposes, unless it has an exit door, must have at least one outside window or approved exit device. If an exit window or device is installed, it shall be listed in accordance with procedures and requirements of AAMA 1704-1985.
 - (2) The bottom of the window opening must not be more than thirty-six (36) inches above the floor.
 - (3) Locks, latches, operating handles, tabs and any other window, screen or storm window devices, which need to be operated in order to permit exiting, must not be located in excess of fifty-four (54) inches from the finished floor.
- c. Each interior door, when provided with a privacy lock, shall have a privacy lock that has an emergency release on the outside to permit entry when the lock has been locked by a locking knob, lever, button or other locking devices on the inside.
- d. At least one smoke detector (which may be a single station alarm device) must be installed in the unit in the following locations:
- (1) A smoke detector must be installed on any wall in the hallway or space communicating with each bedroom area between the living area and the first bedroom door unless a door separates the living area from that bedroom area, in which case the detector shall be installed on the living area side as close to the door as practical. Homes having bedroom areas separated by any one or combination of communication areas such as kitchen, dining room, living room, or family room (but not a bathroom or utility room) shall have at least one detector protecting each bedroom area.
 - (2) When located in hallways, the detector shall be between the return air intake and the living area.
 - (3) The smoke detector shall not be placed in a location which impairs its effectiveness.
 - (4) Smoke detectors must be labeled as conforming with the

requirements of Underwriters Laboratory Standards No. 217, Third Edition, 1985, as amended for single and multiple station smoke detectors.

- (5) Each smoke detector shall be installed in accordance with its listing. The top of the detector shall be located on a wall four (4) inches to twelve (12) inches below the ceiling. However, when a detector is mounted on an interior wall below a sloping ceiling, it shall be located four (4) inches to twelve (12) inches below the intersection on the connecting exterior wall and the sloping ceiling (cathedral ceiling). The required detector(s) shall be attached to an electrical outlet box and the detector connected by permanent wiring method into a general electrical circuit. There shall be no switches in the circuit to the detector between the over-current protection device protecting the branch circuit and the detector. The smoke detector shall not be placed on the same branch circuit or any circuit protected by a ground fault circuit interrupter.
- e. Ceiling interior finish must not have a flame spread rating exceeding seventy-five (75).
 - (1) Walls and ceilings adjacent to or enclosing a furnace or water heater must have an interior finish with a flame spread rating not exceeding twenty-five (25). Sealants and other trim material two (2) inches or less in width used to finish adjacent surfaces within this space are exempt if supported by framing members or by materials having a flame spread rating not exceeding twenty-five (25).
 - (2) Exposed interior finishes adjacent to the cooking range must have a flame spread rating not exceeding fifty (50).
 - (3) Kitchen cabinet doors, countertops, backsplashes, exposed bottoms, and end panels must have a flame spread rating not to exceed two-hundred (200).
 - (4) Finish surfaces of plastic bathtubs, shower units, and tub or shower doors must not exceed a flame spread of two-hundred (200).
 - (5) A burner of a surface cooking unit must not be closer than twelve (12) horizontal inches to a window or an exterior door.
- f. The bottom and sides of combustible kitchen cabinets over cooking ranges to a horizontal distance of six (6) inches from the outside edge of the cooking range must be protected with at least five-sixteenths (5/16) inch thick gypsum board or equivalent limited combustible material. One-inch (1") nominal framing members and trim are exempted from

requirement. The cabinet area over the cooking range or cook tops must be protected by a metal hood with not less than a three (3) inch eyebrow projecting horizontally from the front cabinet face. The five- sixteenths (5/16) inch thick gypsum board or equivalent material which is above the top of the hood may be supported by the hood. A three-eighths (3/8) inch enclosed air space shall be provided between the bottom surface of the cabinet and the gypsum board or equivalent material. The hood shall be at least as wide as the cooking range.

- (1) The metal hood will not be required if there is an oven installed between the cabinet and the range.
 - (2) Ranges must have a vertical clearance above the cooking top of not less than twenty-four (24) inches to the bottom of combustible cabinets.
 - g. Carpeting must not be used in a space or compartment designed to contain only a furnace and/or water heater. Carpeting may be installed in other areas where a furnace or water heater is installed, provided that it is not located under the furnace or water heater.
 - h. All units with roofs added after construction will require a professional engineer to inspect the roof to determine that the roof and unit can withstand the rigors of a winter or wind uplifts that may occur.
 - i. A person holding a master license issued by The Oil and Solid Fuel Examining Board must inspect and certify that the heating and fuel system meet the requirements of NFPA-31 - Installation of Oil Burning Equipment as adopted by that Board.
 - j. A person holding a master license issued by The Maine Electricians Examining Board shall inspect and certify that the electrical system is safe and meets the National Electrical code in effect at the time the unit was constructed.
17. All water carried sewage shall be disposed of by means of one of the following:
- a. A public sewer system. Any mobile home park located within five-hundred (500) feet of an existing public sewer must connect to that existing public sewer if the municipal system has the capacity to accept the volume of sewage to be produced by the mobile home park.
 - b. A centralized private sewer system approved by the Department of Human Services, serving each mobile home lot in the mobile home park.
 - c. Individual subsurface sewage systems meeting the requirements of the State Plumbing Code.

18. The mobile home park must contain pedestrian walkways that link all units and all service and recreational facilities. Walkways must be adequately surfaced and lit. A portion of the road surface may be reserved for walkways provided the roadway width is increased accordingly. Walkways must be a minimum width of three (3) feet.
19. A storm drainage plan must be prepared by a professional engineer showing ditching, culverts, storm drains, easements, and other proposed improvements sufficient to accommodate a twenty-five (25) year storm.
20. At least three-hundred (300) cubic feet of enclosed tenant storage facilities must be conveniently provided near each mobile home lot for the storage of materials and equipment.
21. The park must provide permanent electrical, water and sewage disposal connections to each mobile home in accordance with applicable state and local rules and regulations.