

Chapter 7

MOBILE HOMES; MANUFACTURED HOUSING AND MOBILE HOME PARKS*

State law reference(s)--Electrical equipment in mobile home parks, 30 M.R.S.A., § 2554-A; mobile home parks, 30 M.R.S.A., § 4061 et seq.; construction of mobile homes, 30 M.R.S.A., § 4771 et seq.

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Sec. 7-1. Definitions.

- (a) As used in this chapter:
 - (1) *Development* shall mean any use of land for which a building permit is issued or pending.
 - (2) *Manufactured housing unit*: Structures, transportable in one (1) or two (2) sections, which were constructed in a manufacturing facility and are transported to a building site and designed to be used as dwellings when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained therein.

(Ord. No. 2-1991, 7-8-91)

Sec. 7-2. Intent of regulations; administration.

- (a) A mobile home park is a subdivision. Except as stipulated below, mobile home parks shall meet all the requirements for a residential subdivision, and shall conform to all applicable state laws and local ordinances or regulations. Where the provisions of this section conflict with specific provisions of the Winslow Subdivision Ordinance, the provisions of this section shall prevail for review of mobile home park subdivisions.
- (b) The regulations of this chapter shall be held to be the minimum requirements for the promotion of the health, safety, and general welfare. If this chapter is found to be in conflict with any ordinance or provision of law of the town, or state statute, the provision which establishes the higher standard shall prevail.
- (c) The administration of these regulations shall be the responsibility of the planning board. The enforcement of such regulations shall be the responsibility of the code enforcement officer. The administration and enforcement of these regulations shall be as defined in the zoning ordinance.
- (d) Permits to develop or expand a mobile home park shall expire after two (2) years for any portion of the park where the road or utilities have not been put in place.

(Ord. No. 2-1991, 7-8-91)

Sec. 7-3. Manufactured housing dealers excepted.

This chapter shall not apply to manufactured housing in the hands of dealers as stock in trade for resale, so long as the manufactured housing units remain unoccupied. Manufactured housing shall not be exhibited for sale for commercial purposes in any residential zone including the rural zone, or in a mobile home park, except as provided for in section 7-11(a)(4).

(Ord. No. 2-1991, 7-8-91)

Sec. 7-4. Existing mobile home parks exempted.

This chapter shall not apply to mobile home parks established prior to June 7, 1971. Permit fees, and sanitary and utility requirements shall apply to such existing mobile home parks.

(Ord. No. 2-1991, 7-8-91)

Sec. 7-5. Extension or alteration of existing parks.

Mobile home parks established before June 7, 1971, may not be extended or altered except in conformance with the provisions of this Chapter.

(Ord. No. 2-1991, 7-8-91)

Sec. 7-6. Unoccupied or stored mobile homes.

This article shall not apply to travel trailers and campers that are unoccupied and stored temporarily in buildings, garages or on private property.

(Ord. No. 2-1991, 7-8-91)

Sec. 7-7. Mobile home and mobile home park permit required.

No person shall construct, maintain, operate or alter any mobile home park or mobile home or any manufactured housing in the town unless such person shall first obtain a permit issued by the Code Enforcement Officer.

(Ord. No. 2-1991, 7-8-91)

Sec. 7-8. Initial mobile home park application; contents.

- (a) Initial applications for mobile home parks shall be accompanied by a set of plans, drawn to scale showing all information required for a subdivision application including:
 - (1) The area and dimensions of the tract of land;
 - (2) The maximum number, location and size and dimensions of all mobile home spaces;
 - (3) The location and dimensions of any existing buildings and any proposed structures;
 - (4) The location and width of roadways and walkways; and
 - (5) The location of water and sewer lines and sewage disposal system.

(Ord. No. 2-1991, 7-8-91)

Sec. 7-9. Modification applications.

Modification applications shall be accompanied by plans, drawn to scale, showing any proposed extension or alterations, which extensions and alterations shall be made to conform with the provisions of this chapter before such modification application shall be granted. The making of extensions or alterations without such approval shall be cause for immediate revocation of the mobile home park permit. The planning board may require that all information required for an initial application be submitted.

(Ord. No. 2-1991, 7-8-91)

Sec. 7-10. Permit issuance and renewal; fees.

- (a) The code enforcement officer, upon written application of any person, may issue a mobile home park permit to such person upon compliance with the provisions of this chapter and approval by the planning board.
- (b) Fees shall be paid in accordance with the subdivision ordinance, but in no case shall the fee be less than one hundred dollars (\$100.00).

(Ord. No. 2-1991, 7-8-91)

Sec. 7-11. Mobile home park development requirements.

- a. Mobile home parks shall conform to the following minimum requirements:
 - (1) The park shall be located on a well-drained site properly graded to insure rapid drainage and freedom from stagnant pools of water. The park shall not be located near swamps or other potential breeding places for insects and rodents, or on land which is exposed to chronic nuisances such as noise, smoke, fumes and odors.
 - (2) Each individual mobile home space shall be provided with:
 - a. A continuing and potable supply of safe and sanitary water;
 - b. An adequate sewage disposal means;
 - c. An adequate electrical power service. The requirements of this subsection shall comply with state regulations.
 - (3) Garbage and rubbish collection and delivery to a disposal facility designated by the town shall be the responsibility of the mobile home park owner.
 - (4) No unoccupied mobile home or trailer shall be stored or exhibited for sale for commercial purposes within a mobile home park. This restriction is not intended to prevent individual "one time" transactions, but rather to prevent the owner or manager of a mobile home park from using it as a mobile home sales lot. The park

shall be restricted to residential purposes. It shall not serve as a business district.

- (5) Each mobile home will set on an eighteen-inch gravel base.

(Ord. No. 2-1991, 7-8-91)

Sec. 7-12. Design and performance standards for mobile home parks.

- (a) *Lot area and lot width requirements.* Notwithstanding the dimensional requirements table located in Article IV of Chapter 14, lots in a mobile home park shall meet the following lot area and lot width requirements.

- (1) Lots served by public sewer:

Minimum lot area 6,000 sq. ft.

Minimum lot width 50 feet

- (2) Lots served by individual subsurface waste water disposal systems:

Minimum lot area....20,000 sq. ft.

Minimum lot width 100 feet

- (3) Lots served by a central subsurface waste water disposal system approved by the Maine Department of Human Services:

Minimum lot area....12,000 sq. ft.

Minimum lot area 75 feet

- (4) The overall density of any park served by any subsurface wastewater disposal system shall not exceed one (1) dwelling unit per twenty thousand (20,000) square feet of total park area.

- (5) Lots located within any Shoreland zoning district shall meet the lot area, lot width and shore frontage requirements for that district.

- (b) *Unit setback requirements.*

- (1) On lots ten thousand (10,000) square feet in area or larger, structures shall not be located less than fifteen (15) feet from any boundary lines of an individual lot. On lots less than ten thousand (10,000) square feet in area, structures shall not be located less than ten (10) feet from any boundary lines of an individual lot.

- (2) On lots which abut a public way either within the park or adjacent to the park, structures shall meet front yard requirements, frontage, and lot width requirements

defined in Article IV of the Winslow zoning ordinance. On lots which are located within the shoreland area, structures shall meet the setback from high water mark requirements in the dimensional requirements in the Winslow shoreland zoning provisions and the Winslow flood hazard ordinance.

- (c) *Buffering.* If a park is proposed with a residential density at least twice the density of adjacent development in existence, or at least twice the density permitted in the zoning district in which the park is located if the neighboring land is undeveloped, the park shall be designed with a continuous landscaped area not less than fifty (50) feet in width which shall contain no structures or streets. The first twenty-five (25) feet of the buffer strip, as measured from the exterior boundaries of the park shall contain evergreen shrubs, trees, fences, walls or any combination which forms an effective visual barrier to be located on all exterior lot lines of the park, except that driveways shall be kept open to provide visibility for vehicles entering and leaving the park.
- (d) *Open space reservation.* An area no less than ten (10) per cent of the total area of those lots with a lot area of ten thousand (10,000) square feet or less shall be reserved as open space. The area reserved as open space shall be dedicated to and suitable to be used for recreational purposes. Generally, the reserved open space shall not be located on poorly or very poorly drained soils, and shall be accessible directly from roads within the park. The planning board may waive the requirement for open space when owned recreation area. A recreation fee as part of the subdivision procedure also applies.
- (e) *Road design, circulation, and traffic impacts.* Streets within a park shall be designed by a professional engineer, registered in the State of Maine.
 - (1) Streets which the applicant proposes to be dedicated as public ways shall be designed and constructed in accordance with the standards for streets in the Winslow subdivision regulations. Mobile home parks of any size are required to have paved streets. Gravel streets are not acceptable.
 - (2) Streets which the applicant proposes to remain private ways shall meet the following minimum geometric design standards.
 - a. Minimum right-of-way width: 23 feet
 - b. Minimum width of paved traveled way: 20 feet
 - (3) Any mobile home park providing spaces for more than fourteen (14) residential units shall have at least two (2) street connections with existing public streets. Any street within a park which provides access to more than fourteen (14) residential units shall have at least two (2) street connections leading to existing public streets, other streets within the park, or other streets shown on an approved subdivision plan.
 - (4) No individual lot within a park shall have direct vehicular access onto an existing public street.

(f) *Ground water impacts.*

(1) Assessment submitted. Accompanying the application for approval of any mobile home park which is not served by public sewer shall be an analysis of the impacts of the proposed mobile home park on ground water quality. The hydro geologic assessment shall be prepared by a certified geologist or registered professional engineer, experienced in hydrogeology, and shall contain at least the following information.

- a. A map showing the basic soils types.
- b. The depth to the water table at representative points throughout the mobile home park.
- c. Drainage conditions throughout the mobile home park.
- d. Data on the existing ground water quality, either from test wells in the mobile home park or from existing wells on neighboring properties.
- e. 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 any wells within the mobile home park, at the mobile home park boundaries and at a distance of one thousand (1,000) feet from potential contamination sources, whichever is a shorter distance. For mobile home parks within the development's impact on ground water phosphate concentrations shall also be provided.
- f. 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.

(2) Standards for acceptable ground water impacts.

- a. Projections of ground water quality shall be based on the assumption of drought conditions (assuming sixty (60) per cent of annual average precipitation).
- b. No mobile home park shall increase any contaminant concentration in the ground water to more than one-half (1/2) of the primary drinking water standards. No mobile home park shall increase any contaminant concentration in the ground water to more than the secondary drinking water standards.
- c. 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.

- d. If ground water contains contaminants in excess of the secondary standards, the mobile home park shall not cause the concentration of the parameters in question to exceed one hundred fifty (150) per cent.
- (3) Subsurface waste water disposal system and drinking water wells shall 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 shall be included as a note on the plan.
- (g) *Conversion to other use.* No development or subdivision which is approved under this section as a mobile home park may be converted to another use without the approval of the planning board, and meeting the appropriate lot size, lot width, setback and other requirements. The plan to be recorded at the registry of deeds and filed with the municipality shall include the following restrictions as well as any other notes or conditions of approval.
 - (1) The land within the park shall remain in a unified ownership and the fee to lots or portions of lots shall not be transferred.
 - (2) No dwelling unit other than a manufactured housing unit shall be located within the park.

(Ord. No. 2-1991, 7-8-91)

Sec. 7-13. Restrictions on locations.

Mobile home parks may be located only in those zones defined for their location in the Winslow zoning ordinance.

(Ord. No. 2-1991, 7-8-91)

Sec. 7-14. Mobile home and manufactured housing regulations.

- (a) Mobile homes, when permitted by this chapter, shall conform to the following regulations:
 - (1) Skirting, foundations and open porches or awnings may be installed.
 - (2) Excess materials shall not be stored under mobile homes. (Note: The state nuisance law shall apply.)
 - (3) No mobile home shall be without adequate hygiene and sanitation facilities. Water supply shall be an accessible, adequate, safe and potable supply of water to be provided in each mobile home park, capable of furnishing a minimum of one hundred twenty-five (125) gallons per day per mobile home space. The development of an independent water supply to serve the mobile home park shall be made only after express approval has been granted by the code enforcement officer. Water service, plumbing, sewage disposal and treatment, electric power service, bottled gas service, heating equipment and fuels, refuse and garbage storage and disposal, and insect

and rodent control shall be provided in full conformity with applicable state and local health regulations.

(Ord. No. 2-1991, 7-8-91)

Sec. 7-15. Tax receipt required to move trailer.

All persons must have a tax receipt from the town, before a mobile home is moved by them for any other person.

(Ord. No. 2-1991, 7-8-91)

Sec. 7-16. Penalty.

Any person found guilty of violating any provision of this chapter shall be subject to a fine of not more than five hundred (\$500.00) dollars for each offense. Each day in which a violation is proved to exist shall constitute a separate offense.

(Ord. No. 2-1991, 7-8-91)

