

Revised
MOBILE HOME PARK ORDINANCE

Hancock, Maine
Enacted May 9, 2005

Repealed Ordinance
Enacted March 9, 1987
Amended May 13, 1991
Amended May 10, 2004
Repealed May 9, 2005

MOBILE HOME PARK ORDINANCE OF THE TOWN OF HANCOCK, MAINE

ARTICLE I – Definitions

In accordance with Title 30-A, 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.

1. **Mobile Home** hereinafter referred to as “Manufactured Housing,” means a structural unit or units designed for occupancy 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 that 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 (2) types of manufactured housing are included:

a) 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 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) or more square feet, and that 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 that 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.; and

b) Those units commonly called “modular homes,” that the manufacturer certifies are constructed in compliance with Title 10, Chapter 951, and rules adopted under that chapter, meaning structures, transportable in one or more sections, that 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** 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.

3. **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.

4. **Mobile Home Subdivision or Development** means a parcel of land approved by the Planning Board under Section 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 Hancock Subdivision Ordinance.

5. **Mobile Home Pad** shall mean that area, or “permanent foundation,” upon which the home rests directly within the site or space. “Permanent Foundation” means:

(a) For “newer mobile homes,” as defined in paragraph 1., subparagraph (a), a foundation that conforms to the installation standards established by the Manufactured Housing Board; or

(b) For “modular homes”, as defined in paragraph 1., subparagraph (b), a foundation that conforms to the municipal building code or, in the absence of a municipal building code, a foundation that conforms to the Building Officials and Code Administrators National Code (1990), as amended.

6. Construction Permit shall mean a written permit issued by the Code Enforcement Officer permitting construction or alteration of a mobile home park.

7. License shall mean a written authorization issued by the Town Clerk allowing operation of a mobile home park.

8. Pitched, shingled roof means a roof with a pitch of two (2) or more vertical units for every twelve (12) horizontal units of measurement and which is covered with asphalt or fiberglass composition shingles or other materials, but specifically excludes corrugated metal roofing material.

9. Shall means that which is required, mandatory, the only acceptable method under this Ordinance.

10. Should means a term used to reflect the more preferable procedure, yet providing for the use of effective alternatives.

11. Person shall be construed to include an individual person, partnership, firm, company, corporation, owner, lessor, lessee or their agents.

ARTICLE II – Permits

1. 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 Code Enforcement Officer 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 Clerk as hereinafter provided.

2. An application for a mobile home park Construction Permit shall be filed with the Code Enforcement Officer. Such application shall be in writing and signed by the applicant and shall contain the following, when applicable:

(a) Plans prepared by an engineer or land surveyor registered in the State of Maine which include the following information:

- (1) Name and address of applicant;
- (2) Name or title of mobile home park;
- (3) Area and dimensions of the tract of land; -2-
- (4) Scale, date, direction of magnetic north;
- (5) Location, ground floor area and elevation of existing and proposed buildings and other structures, including use thereof;
- (6) Number, size and location of all mobile home sites;
- (7) Name(s) of abutting owners;
- (8) Name, location, width, profile, radius of all curves of all existing and proposed streets, roads or other rights-of-way;
- (9) Location and arrangement of proposed off-street parking and load-areas and their appurtenant drives and maneuvering areas;
- (10) Location of features, natural and man-made, affecting the park such as water bodies, streams, swamps, wooded area, railroads, ditches, buildings, etc.;
- (11) Location of water lines, sewer lines, etc.;
- (12) Kind, location and profile of all existing and proposed drainage;
- (13) Location and proposed uses of area proposed for outdoor recreation;
- (14) Contour lines at intervals of twenty (20) feet or less of existing grades for areas proposed to be excavated or filled;
- (15) Location of existing and proposed pedestrian walkways;
- (16) Location of existing natural drain ways and proposed storm drainage facilities, including dimensions of culverts, pipes, etc.;
- (17) Location of existing and proposed fences, hedges, etc.

(b) An on-site soils investigation by a Department of Human Services 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.

(c) Evidence that the Maine Department of Human Services, Division of Health Engineering, has been provided with copies of the plan and all other submittals.

3. The applicant shall pay to the Town Clerk a non-refundable application fee as the same may be established from time to time by the Board of Selectmen, after notice and hearing. The fee shall reflect the reasonable cost of processing, review, regulation and supervision of the application including advertising fees and all notices of public hearings, as well as other costs incurred by the Town in processing of said application. (See Fee Schedule) The applicant shall also pay to the Town the fee for the Planning Board's subdivision review of plans for new Mobile

Home Parks and for the expansion of existing Mobile Home Parks as provided in the Hancock Subdivision Ordinance.

4. The Code Enforcement Officer, after determining that the provisions of Sections 2 and 3 of this Article have been met, shall:

(a) Notify the Local Plumbing Inspector, Town Health Officer, Chief of Police and Chief of the Fire Department for the Town of such application and request each of these officials to make a recommendation in writing, within fourteen (14) days of date of notification, to the Planning Board and Town Selectmen as to the feasibility of any such mobile home park with respect to the areas of their responsibilities;

(b) Refer the application to the Town 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 Town Selectmen, which written recommendation shall include the Planning Board's determination of the following:

- (1) Whether the proposed mobile home park is in a location suitable for such park as determined with reference to the Comprehensive Plan and Environmental Control Ordinance of Hancock;
- (2) Whether the street and road patterns in the proposed park are adequate for use intended and for ingress and egress for the protection of the park inhabitants, their property and the public.
- (3) That the proposed Mobile Home Park or expansion of an existing park has been reviewed as a residential subdivision pursuant to the Town's adopted Subdivision Ordinance and the Subdivision Laws of the State of Maine and whether it has met those laws and been approved by the Planning Board.

5. The Code Enforcement Officer, upon determining that all of the requirements of this Article, as hereinbefore provided, shall have been met, shall refer the application to the Town Selectmen. The Town Selectmen shall thereupon review the recommendations of the Town officials and Planning Board as hereinbefore provided and make their determination whether the proposed mobile home park meets the requirements of this Ordinance and all other ordinances of the Town of Hancock and shall thereafter, based upon this determination, grant or withhold final approval of the said application and if approved cause the Code Enforcement Officer to issue a Construction Permit for the construction of said mobile home park. Upon issuance of a Construction Permit, the Code Enforcement Officer shall make a routine inspection.

The Town Selectmen 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 costs of studies shall be at the applicant's expense.

If the Construction Permit has been issued, the applicant shall be deemed to have met the requirements of this Ordinance to the extent necessary to meet the requirements of the Town of Hancock's Environmental Control Ordinance.

6. The applicant thereafter shall notify the Code Enforcement Officer of the completion of said park under the Construction Permit and request a License. The Code Enforcement Officer shall forthwith inspect the mobile home park and make a determination in writing to be forwarded to the Town Selectmen as to whether or not the completed park meets the requirements of this Ordinance and other Town Ordinances and whether said mobile home park, as constructed, complies with application for same.

7. Upon receipt of the determination as requested in Section 6, the Town Selectmen shall determine whether or not a License shall be issued and upon a favorable final determination, shall authorize the Town Clerk to issue said License to the applicant for the proposed mobile home park. 8. In addition to the License provided for above, the owner or owners of a mobile home park shall annually, on May 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 Town Health Officer, Fire Chief and Code Enforcement Officer 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 Town Selectmen who shall review said application and either grant or deny it. In granting or denying renewals of a License, said officials, including the Town 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 shall be paid to the Town Clerk with the application for annual renewal of said License. The fee, as the same may be established from time to time by the Board of Selectmen, after notice and hearing, shall reflect the reasonable cost of processing, review, regulation and supervision of the renewal. (see Fee Schedule)

9. 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 Section 8 above whether the parks in question are new or existing prior to the effective date of this Ordinance.

10. Any License or Construction Permit authorized by this Ordinance for a mobile home park may be revoked or suspended by the Town Selectmen after notice to the owner thereof and hearing before said Town Selectmen. 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 Town Selectmen shall give a written decision setting forth the reasons for revocation or suspension.

11. No manufactured home shall be located anywhere in the Town of Hancock without certification of payment of Maine State sales tax.

ARTICLE III – Location, Site and General Layout

1. 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.

2. 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 twenty-five (25) feet from any public street or highway right-of-way line.

3. 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.

4. 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:

- (a) Be built according to acceptable engineering standards and with a professional engineer's seal as required by the Manufactured Housing Board;

- (b) Have a right-of-way up to twenty-three (23) feet in width;
- (c) 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 by the licensee.

ARTICLE IV – Sanitation

1. 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.
2. Sewage Disposal. Mobile home parks shall be served by a private disposal system which has been approved by the Department of Human Services of the State of Maine and the Local Plumbing -6- Inspector. Each manufactured home site or space shall be provided with a satisfactory sewer connection.
3. 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 flytight, 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.

ARTICLE V – Electricity

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

ARTICLE VI – Fire Protection

1. The Fire Chief and Police Chief will provide a review of the plans concerning access for emergency equipment to mobile home parks.
2. 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 Department of Human Services, the representative of any law enforcement agency or any authorized person inspecting the park.

Every owner or operator of a mobile home park shall notify the local Health Office immediately of any suspected communicable diseases within the park.

ARTICLE VIII – Penalties

Any person who violates any provisions 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 as provided in 30-A MRSA Section 4452, as amended. Each day that a violation occurs may be deemed to constitute a separate offense. In addition, any such person found to have violated this Ordinance shall reimburse the Town for its reasonable attorney fees, expert witness fees, and costs.

Mobile Home Park Fee Schedule

Renewal Fees

\$125.00	1-10 Sites
\$150.00	11-20 Sites
\$175.00	21-40 Sites
\$200.00	Over 41 Sites