

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 949

H.P. 614

House of Representatives, March 11, 2025

An Act to Clarify Licensing Jurisdiction for Manufactured Housing Communities

Received by the Clerk of the House on March 5, 2025. Referred to the Committee on Housing and Economic Development pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative GOLEK of Harpswell.
Cosponsored by Senator BRADSTREET of Kennebec and
Representatives: ARATA of New Gloucester, Speaker FECTEAU of Biddeford, GERE of
Kennebunkport, MALON of Biddeford, MINGO of Calais, YUSUF of Portland, Senators:
BENNETT of Oxford, CURRY of Waldo.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 10 MRSA §9083**, as amended by PL 2017, c. 210, Pt. B, §30, is further
3 amended to read:

4 **§9083. Fees**

5 Application and license fees for manufactured housing communities are set under
6 section 9021, subsection 2-A, including applications for manufactured housing community
7 expansion and license renewal. Fees are also set under section 9021, subsection 2-A for
8 manufactured housing community inspections; for the cost of reviewing engineering and
9 site plans; for costs incurred in evaluating an applicant's eligibility for licensure as a
10 manufactured housing community; and for costs incurred in evaluating a licensee's
11 ongoing compliance with the requirements of this subchapter and the rules of the board.
12 Failure to pay costs billed to an applicant or licensee within 90 days of the billing date
13 constitutes grounds for license revocation, unless an extension for an additional period not
14 to exceed 90 days is granted in writing by the board. A municipality shall accept a license
15 issued by the board as evidence a manufactured housing community meets all requirements
16 to operate. A municipality may not charge any additional fees for a manufactured housing
17 community to operate.

18 **Sec. 2. 10 MRSA §9088, sub-§5**, as enacted by PL 1983, c. 553, §17, is amended
19 to read:

20 **5. Charge.** Municipalities may not charge the board for performing those inspections.

21 **Sec. 3. 10 MRSA §9088, sub-§6**, as amended by PL 2007, c. 402, Pt. D, §15, is
22 repealed.

23 **Sec. 4. 30-A MRSA §4358, sub-§2**, as amended by PL 2023, c. 552, §1, is further
24 amended to read:

25 **2. Location of manufactured housing.** Municipalities shall ~~permit~~ allow
26 manufactured housing to be placed or erected on individual house lots where single-family
27 dwellings are allowed, subject to the same requirements as single-family dwellings, except
28 as otherwise provided in this section.

29 A. Municipalities may establish design criteria, including, but not limited to, a pitched,
30 shingled roof; a permanent foundation; and exterior siding that is residential in
31 appearance, as long as:

32 (1) The requirements do not have the effect of circumventing the purposes of this
33 section; and

34 (2) The design requirements are not used to prevent the relocation of any
35 manufactured housing, regardless of its date of manufacture, that is legally sited
36 within the municipality as of August 4, 1988.

37 B. Providing one or more zones or locations where mobile home parks or mobile home
38 subdivisions or developments are allowed does not constitute compliance with this
39 section.

40 C. This section does not prohibit municipalities from establishing controls on
41 manufactured housing that are less restrictive than are permitted by this section.

1 D. Municipalities may not prohibit manufactured housing, regardless of its date of
2 manufacture, solely on the basis of a date of manufacture before June 14, 1976, or the
3 failure of a unit to have been manufactured in accordance with the National
4 Manufactured Housing Construction and Safety Standards Act of 1974, United States
5 Code, Title 42, Chapter 70. Municipalities may apply the design standards permitted
6 by this section to all manufactured housing, regardless of its date of manufacture, and
7 may apply reasonable safety standards to manufactured housing built before June 15,
8 1976, or not built in accordance with the National Manufactured Housing Construction
9 and Safety Standards Act of 1974, United States Code, Title 42, Chapter 70.

10 E. Notwithstanding any provision of law to the contrary, manufactured housing and
11 any modular home that meets construction standards for state-certified manufactured
12 housing adopted pursuant to Title 10, section 9042 must be allowed in all zones where
13 other single-family homes are allowed.

14 **Sec. 5. 30-A MRSA §4358, sub-§4**, as enacted by PL 1989, c. 104, Pt. A, §45 and
15 Pt. C, §10, is amended by amending the first blocked paragraph to read:

16 In municipalities ~~which~~ that require any type of permit for manufactured housing, the
17 permit is deemed to be not approved or valid until payment of the sales tax has been
18 certified. A municipality may not charge a fee for any type of permit for manufactured
19 housing or the installation of manufactured housing if the manufactured housing or
20 installation is governed by rules of the United States Department of Housing and Urban
21 Development or the Manufactured Housing Board.

22 **SUMMARY**

23 This bill requires a municipality to accept a license issued by the Manufactured
24 Housing Board as evidence a manufactured housing community meets all requirements to
25 operate. The bill provides that a municipality may not charge any additional fees for a
26 manufactured housing community to operate. The bill also provides that a municipality
27 may not charge a fee for any type of permit for manufactured housing if the manufactured
28 housing or the installation thereof is governed by rules of the United States Department of
29 Housing and Urban Development or the Manufactured Housing Board.