

1 2	FIRST REGULAR SESSION					
3 4	ONE HUNDRED AND ELEVENTH LEGISLATURE					
5 <b>6</b>	Legislative Document No. 1441					
7 8	S.P. 475 In Senate, April 8, 1983 Referred to the Committee on Local and County Government. Sent down					
9 10	for concurrence and ordered printed. JOY J. O'BRIEN, Secretary of the Senate Presented by Senator Twitchell of Oxford. Cosponsors: Representative Jackson of Harrison and Senator Erwin of					
11 12 <b>13</b>	OxfordSTATE OF MAINE					
14 15 16	IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-THREE					
17 18 19 20	AN ACT to Permit the Location of Manufactured Housing on Individual House Lots.					
. 21 . 22	Be it enacted by the People of the State of Maine as follows:					
23	30 MRSA §4965 is enacted to read:					
24	§4965. Regulation of manufactured housing					
25 26 27	1. Definitions. As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.					
28 29 30 31 32 33	A. "Manufactured housing" means a structural unit or units designed for occupancy, and con- structed in a manufacturing facility and then transported by the use of its own chassis, or placed on an independent chassis, to a building site. The term includes any type of building					

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(1) Those units constructed after June 15, 1976, commonly called "newer mobile homes," which the manufacturer certifies are constructed in compliance with the United States Housing and Urban Development standards, meaning structures, transportable in one or more sections, which, in the traveling mode, are 8 body feet or more in width and 40 body feet or more in length or, when erected on site, are 320 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 and electrical systems contained therein; except that the term shall include any structure which meets all the requirements of this paragraph, 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

(2) Those units commonly called "modular homes," which the manufacturer certifies are constructed in compliance with the state's Manufactured Housing Act and regulations, 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 therein.

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1	B. "Mobile home park" means a parcel of land
2	under unified ownership approved by the munici-
3	pality for the placement of manufactured housing.
4	C. "Mobile home subdivision or development"
5	means a parcel of land approved by the municipal
6	reviewing authority under section 4956, for the
7	placement of manufactured houses on
8	individually-owned lots.
9	2. Location of manufactured housing. Municipal-
10	ities shall permit manufactured housing, as defined

11 in this section, to be placed or erected indion 12 vidual house lots in a wide variety of locations on 13 undeveloped lots where single-family dwellings are 14 allowed, subject to the same requirements as For the locations required 15 single-family dwellings. 16 by this section, municipal ordinances may not require 17 that manufactured housing on individual lots be 18 greater than 14 feet in width, although municipali-19 ties may establish design criteria, such as а pitched, shingled roof and exterior 20 siding that is 21 residential in appearance, provided that the require-22 ments do not have the effect of circumventing the purposes of this section. It shall not constitute 23 24 compliance with this section simply to provide one or 25 more zones or locations where mobile home parks or mobile home subdivisions or developments are allowed. 26 27 Municipal ordinances which do not comply with the provisions of this section by April 1, 1984, shall be 28 29 allow manufactured housing on all lots deemed to 30 where single-family dwellings are allowed.

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## STATEMENT OF FACT

32 This bill requires municipalities to allow manu-33 factured housing, as defined in Title 30, section 34 4965, in most locations where there is a mixture of 35 housing types and opportunities. At the same time, 36 it gives municipalities latitude in excluding manu-37 factured housing from limited areas in which manufac-38 tured housing would not be compatible with the archi-39 tecture of existing structures, such as an historic district or a village area composed of older-period 40 41 homes.

During the past 20 years, municipalities have re-1 2 stricted the location of trailers and mobile homes, many of which were unsafe, poorly built and deemed to 3 4 be an undesirable form of housing. Since 1975, however, the State Government and the Federal Government 5 6 have regulated the construction of mobile and modular 7 homes, resulting in a significant increase in safety 8 and durability, to the point where the quality of 9 manufactured housing is now on a par with site-built 10 Yet, most of the municipal restrictions housing. 11 remain in place and apply to the newer homes. At the 12 same time, the cost of conventional housing has risen 13 beyond the means of most Maine citizens.

14 Efforts to convince municipalities to voluntarily 15 change their restrictions have either failed or met 16 with limited success, despite the fact that manufac-17 tured housing is a viable, safe and affordable hous-18 ing alternative for many people who could not other-19 wise afford to own their own homes. This bill requires that such municipalities take affirmative ac-20 tion, and exert a good-faith effort, to reasonably 21 accommodate manufactured housing, as defined in Title 22 23 30, section 4965. It would apply only to the newer 24 homes that meet federal or state construction stan-25 dards; and municipalities would be able to require that manufactured homes be residential in appearance 26 27 and blend harmoniously into the neighborhood.

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