

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 1441

6  
7 S.P. 475

In Senate, April 8, 1983

8 Referred to the Committee on Local and County Government. Sent down  
9 for concurrence and ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Twitchell of Oxford.

Cosponsors: Representative Jackson of Harrison and Senator Erwin of  
11 Oxford.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-THREE  
16

17 AN ACT to Permit the Location of  
18 Manufactured Housing on Individual  
19 House Lots.  
20

21 Be it enacted by the People of the State of Maine as  
22 follows:

23 30 MRSA §4965 is enacted to read:

24 §4965. Regulation of manufactured housing

25 1. Definitions. As used in this subchapter,  
26 unless the context otherwise indicates, the following  
27 terms have the following meanings.

28 A. "Manufactured housing" means a structural  
29 unit or units designed for occupancy, and con-  
30 structed in a manufacturing facility and then  
31 transported by the use of its own chassis, or  
32 placed on an independent chassis, to a building  
33 site. The term includes any type of building

1 which is constructed at a manufacturing facility  
2 and then transported to a building site where it  
3 is utilized for housing and may be purchased or  
4 sold by a dealer in the interim. For purposes of  
5 this section, 2 types of manufactured housing are  
6 included. They are:

7 (1) Those units constructed after June 15,  
8 1976, commonly called "newer mobile homes,"  
9 which the manufacturer certifies are con-  
10 structed in compliance with the United  
11 States Housing and Urban Development stan-  
12 dards, meaning structures, transportable in  
13 one or more sections, which, in the travel-  
14 ing mode, are 8 body feet or more in width  
15 and 40 body feet or more in length or, when  
16 erected on site, are 320 or more square  
17 feet, and which are built on a permanent  
18 chassis and designed to be used as dwell-  
19 ings, with or without permanent foundations,  
20 when connected to the required utilities,  
21 including the plumbing, heating, air condi-  
22 tioning and electrical systems contained  
23 therein; except that the term shall include  
24 any structure which meets all the require-  
25 ments of this paragraph, except the size re-  
26 quirements and with respect to which the  
27 manufacturer voluntarily files a certifica-  
28 tion required by the Secretary of the United  
29 States Department of Housing and Urban  
30 Development and complies with the standards  
31 established under the National Manufactured  
32 Housing Construction and Safety Standards  
33 Act of 1974, United States Code, Title 42,  
34 Section 5401, et seq.; and

35 (2) Those units commonly called "modular  
36 homes," which the manufacturer certifies are  
37 constructed in compliance with the state's  
38 Manufactured Housing Act and regulations,  
39 meaning structures, transportable in one or  
40 more sections, which are not constructed on  
41 a permanent chassis and are designed to be  
42 used as dwellings on foundations when con-  
43 ected to required utilities, including the  
44 plumbing, heating, air-conditioning or elec-  
45 trical systems contained therein.



1           During the past 20 years, municipalities have re-  
2           stricted the location of trailers and mobile homes,  
3           many of which were unsafe, poorly built and deemed to  
4           be an undesirable form of housing. Since 1975, how-  
5           ever, the State Government and the Federal Government  
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          housing. Yet, most of the municipal restrictions  
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 re-  
20          quires that such municipalities take affirmative ac-  
21          tion, and exert a good-faith effort, to reasonably  
22          accommodate manufactured housing, as defined in Title  
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  
26          that manufactured homes be residential in appearance  
27          and blend harmoniously into the neighborhood.

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