

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 706

H.P. 521

House of Representatives, March 8, 1989

Reference to the Committee on Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative STEVENS of Sabattus.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-NINE

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An Act to Promote Affordable Housing.

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

3 30-A MRSA §4553, sub-§4 is enacted to read:

5 4. Location and regulation of mobile home parks.  
7 Municipalities:

9 A. Shall permit mobile home parks to expand and be  
11 developed in a number of environmentally suitable locations  
13 in each municipality with reasonable consideration given to  
15 permit existing mobile home parks to expand in their  
17 existing locations. A municipality shall not select a  
location for mobile home park development which, because of  
prior lot division, locational setting within the  
municipality, natural features or other similar factors, is  
not reasonably suitable. This paragraph is effective  
January 1, 1990;

19 B. Shall not enact or enforce any ordinance that requires  
21 the minimum size of lots within a mobile home park to be any  
23 larger than that which is required by the Manufactured  
25 Housing Board, Title 10, section 9005. Municipalities shall  
27 not enact or enforce any ordinance concerning the  
construction of private roads within mobile home parks which  
is more restrictive than the standards established by the  
National Fire Protection Association standard 501A and the  
American National Standards Institute standard 225.1.  
Notwithstanding any provision in this subsection, a person  
developing or expanding a mobile home park shall have the  
burden to prove that development will not pollute a public  
water supply or aquifer or violate any provision of law  
relating to land development, subdivision or use;

33 C. Shall not enact or enforce any ordinance that requires a  
35 lesser density than 8 mobile homes per acre;

37 D. Shall not enact or enforce any ordinance that requires a  
39 setback, buffer area, yard requirement or screening more  
41 restrictive than the requirements for other types of  
single-family detached dwelling developments;

43 E. Shall not enact or enforce any ordinance that requires  
45 road frontage on either public or private roads in excess of  
50 feet for each mobile home;

47 F. Shall not enact or enforce any ordinance that requires a  
49 mobile home park developer to prove that its proposed mobile  
home park development will have no adverse effect on the  
value of neighboring properties; and

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G. Shall not enact or enforce any ordinance that requires more off-street parking or more recreational or open space area than the municipality requires for other types of single-family detached dwelling developments.

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### STATEMENT OF FACT

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This bill clarifies that municipalities are prohibited from enacting and enforcing certain ordinances that discourage the creation of affordable housing through mobile home park development. Specifically, municipalities are prohibited from enacting or enforcing ordinances that set more stringent requirements than are required for other types of single-family detached dwellings. Additionally, minimum lot size, density, frontage and valuation issues are addressed.