

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 700

H.P. 506

House of Representatives, February 20, 1991

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

EDWIN H. PERT, Clerk

Presented by Representative KILKELLY of Wiscasset.

Cosponsored by Representative DAGGETT of Augusta, Representative CARROLL of Gray and Senator McCORMICK of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Bring Conformity to the Application of Comprehensive  
Planning Ordinances.**

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

2  
3       Sec. 1. 30-A MRSA §4358, sub-§2, as enacted by PL 1989, c.  
4 104, Pt. A, §45 and Pt. C, §10, is amended to read:

5       2. Location of manufactured housing. Municipalities shall  
6 permit manufactured housing to be placed or erected on individual  
7 house lots in a number of locations on undeveloped lots where  
8 single-family dwellings are allowed, subject to the same  
9 requirements as single-family dwellings,--except--as--otherwise  
10 provided--in--this--section.

11       A.--For--the--locations--required--by--this--section,--municipal  
12 ordinances--may--not--require--that--manufactured--housing--on  
13 individual--lots--be--greater--than--14--feet--in--width,--although  
14 municipalities--may--establish--design--criteria,--including,--but  
15 not--limited--to,--a--pitched,--shingled--roof,--a--permanent  
16 foundation,--and--exterior--siding--that--is--residential--in  
17 appearance,--provided--that:

18               (1)---The--requirements--do--not--have--the--effect--of  
19 circumventing--the--purposes--of--this--section,--and

20               (2)---The--design--requirements--may--not--be--used--to--prevent  
21 the--relocation--of--any--manufactured--housing,--regardless  
22 of--its--date--of--manufacture,--that--is--legally--sited  
23 within--the--municipality--as--of--August--4,--1988.

24       B.--Providing--one--or--more--zones--or--locations--where--mobile  
25 home--parks--or--mobile--home--subdivisions--or--developments--are  
26 allowed--does--not--constitute--compliance--with--this--section.

27       C.--This--section--does--not--prohibit--municipalities--from  
28 establishing--controls--on--manufactured--housing--which--are--less  
29 restrictive--than--are--permitted--by--this--section.

30       D.--Municipalities--shall--not--prohibit--manufactured--housing,  
31 regardless--of--its--date--of--manufacture,--solely--on--the--basis  
32 of--a--date--of--manufacture--before--June--14,--1976,--or--the  
33 failure--of--a--unit--to--have--been--manufactured--in--accordance  
34 with--the--National--Manufactured--Housing--Construction--and  
35 Safety--Standards--Act--of--1974,--United--States--Code,--Title--42,  
36 Chapter--70.---Municipalities--may--apply--the--design--standards  
37 permitted--by--this--section--to--all--manufactured--housing,  
38 regardless--of--its--date--of--manufacture,--and--may--apply  
39 reasonable--safety--standards--to--manufactured--housing--built  
40 before--June--15,--1976,--or--not--built--in--accordance--with--the  
41 National--Manufactured--Housing--Construction--and--Safety  
42 Standards--Act--of--1974,--United--States--Code,--Title--42,--Chapter  
43 70.

