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**Maine's New
Mobile Home Park Law
A Guidebook for Local Officials**

Office of Comprehensive Planning
Department of Economic and Community Development
September 1989



Maine's New Mobile Home Park Law A Guidebook for Local Officials

prepared for the
Office of Comprehensive Planning
Maine Department of Economic and Community Development
by
Maine Tomorrow
Hallowell, Maine

September 1989

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The authors of this report are Brian Kent and Rich Rothe of the Hallowell consulting firm Maine Tomorrow.

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SECTION 1

Introduction

Title 30-A MRSA Section 4358, sub-section 3, includes provisions enacted by the Maine Legislature in 1988 and 1989 which limit municipal control of certain dimensional requirements for mobile home parks and mandate that by January 1, 1990 municipalities designate environmentally suitable areas for the location or expansion of mobile home parks. This Guidebook will assist municipalities in complying with the law's new mobile home park requirements. Towns must continue to allow single-wide manufactured housing units on individual lots in a number of locations where single-family dwellings are allowed; this part of the law is not dealt with by this Guidebook.

Providing affordable housing for Maine citizens is a concern in every community. There are several alternatives to the traditional site-built single family residence, including manufactured housing, which may provide affordable housing options in Maine towns. The Legislature has determined that certain dimensional requirements such as lot size and road widths of private roads may contribute to increased costs for the development of mobile home parks. The restriction on municipal control of these features is aimed at increasing the supply of affordable housing in Maine by ensuring adequate opportunities for the development of mobile home parks.

While the law mandates some immediate changes in the manner in which some communities are currently regulating mobile home parks, it does not eliminate the need for long range planning for parks. In fact, the new Growth Management Law requires towns to address affordable housing and in doing so, to consider mobile home parks in compliance with the mobile home park law. While completing their comprehensive plans under the Growth Management Law, towns will inventory existing housing stock; assess the community's housing needs for the next ten years; and finally, develop a housing strategy to meet these needs. This housing strategy should include housing of different types such as mobile home parks, clustered housing, multi-family housing and other innovative housing types which will meet the community's housing needs.

This Guidebook will provide guidance to local officials in evaluating their community's existing regulation of mobile home parks and offer suggested ordinance language which meets the requirements of the law while ensuring that minimum health and safety standards are met. In addition, considerations for identifying suitable locations for parks are provided to assist towns in designating appropriate areas for new and expanded development of mobile home parks.

SECTION 2

The Law

INTRODUCTION

Title 30 MRSA Section 4358, Regulation of Manufactured Housing, contains 3 sub-sections:

1. Definitions
2. Location of Manufactured Housing (individual units)
3. Regulation of Mobile Home Parks (the new law)

Section 4358 has been reproduced in its entirety on the following pages, despite the fact that this Guidebook focuses on sub-section 3 of the law (page 11). Sub-sections 1 and 2 contain information that is useful in understanding the provisions of sub-section 3.

The text of Section 4358 of the law is contained in the left hand column. Illustrations and comments on the Law are included in the right hand column.

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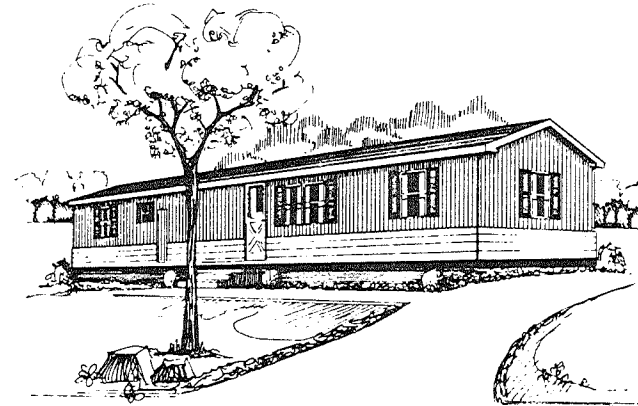
COMMENTS AND ILLUSTRATIONS

§4358. Regulation of Manufactured Housing

1. **Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.
 - A. “Manufactured housing” means a structural unit or units designed for occupancy and constructed in a manufacturing facility and transported, by the use of its own chassis or an independent chassis, to a building site. The term includes any type of building which is constructed at a manufacturing facility and transported to a building site where it is used for housing and may be purchased or sold by a dealer in the interim. For purposes of this section, two types of manufactured housing are included. Those two types are:

Manufactured housing generally includes all factory made houses shipped to a site on wheels.

Mobile homes and modular homes made in one or two sections are considered to be "manufactured housing".



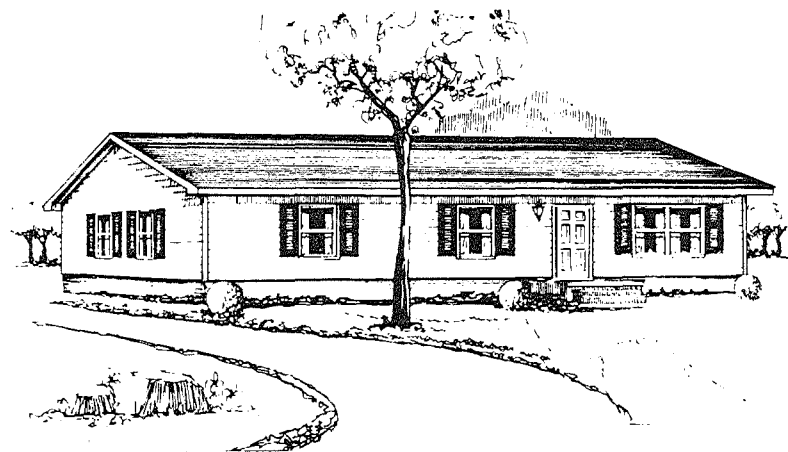
A single-wide manufactured home.

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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 Department of Housing and Urban Development standards, meaning structures transportable in one or more sections, which in the traveling mode are 14 body feet or more in width and are 750 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 or electrical systems contained in the unit;



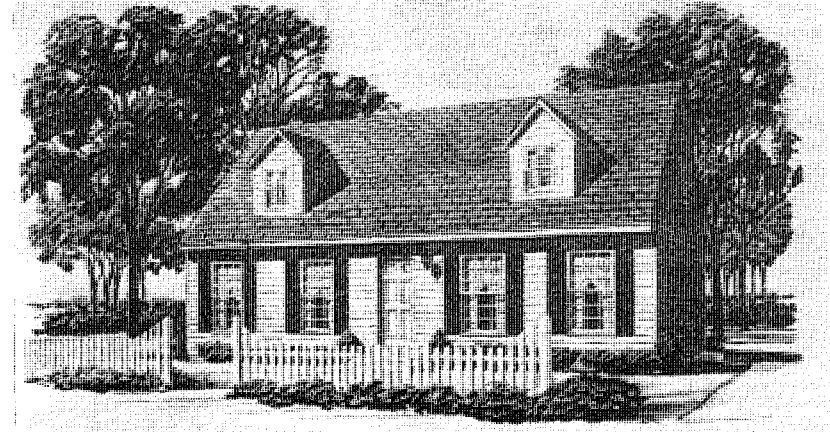
A double-wide manufactured home.

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- (a) This term also includes any structure which meets all the requirements of this subparagraph, 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



This is a modular home, made in two sections, and designed to be placed on a foundation. It is considered to be "manufactured housing" under the law.

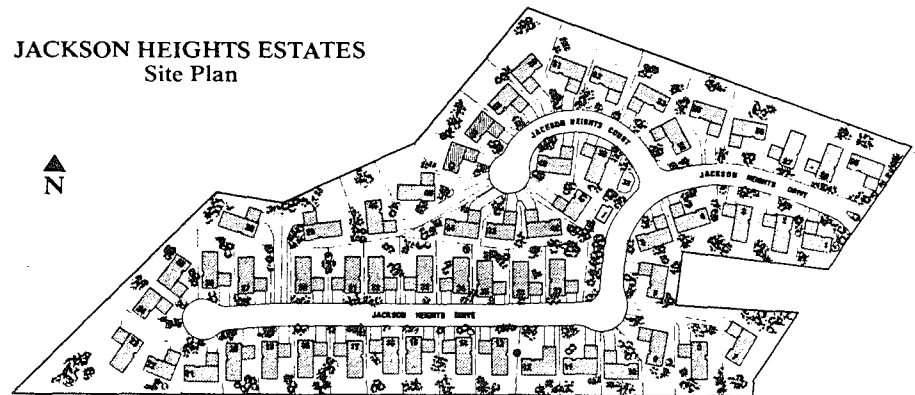
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- (2) Those units commonly called “modular homes,” which the manufacturer certifies are constructed in compliance with Title 10, chapter 957, and rules adopted under that chapter, meaning structures, transportable in one or more sections, which are 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 in the unit.

- B. “Mobile home park” means a parcel of land under unified ownership approved by the municipality for the placement of 3 or more manufactured homes.

COMMENTS AND ILLUSTRATIONS



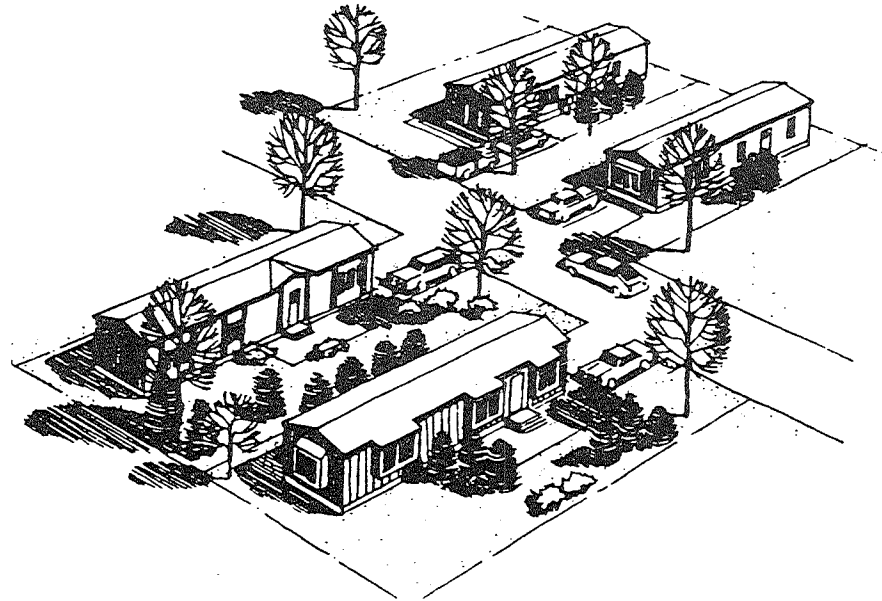
An example of a "Mobile home park" site plan.

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- B-1. "Mobile home park lot" means the area of land on which an individual home is situated within a mobile home park and which is reserved for use by the occupants of that home. A municipality may require a lot to be designated on a mobile home park plan.
- C. "Mobile home subdivision or development" means a parcel of land approved by the municipal reviewing authority under subchapter IV for the placement of manufactured houses on individually owned lots.



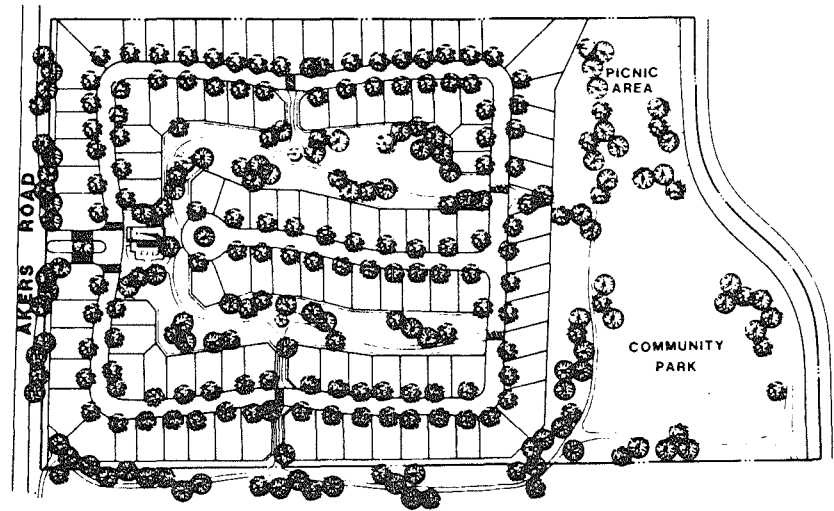
Four "Mobile home park lots", with homes, in a mobile home park.

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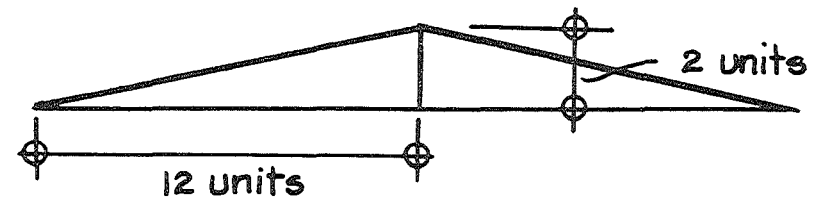
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- D. "Permanent foundation" means all of the following:
- (1) A full, poured concrete or masonry foundation;
 - (2) A poured concrete frost wall or a mortared masonry frost wall, with or without a concrete floor;
 - (3) A reinforced, floating concrete pad for which the municipality may require an engineer's certification if it is to be placed on soil with high frost susceptibility; and
 - (4) Any foundation which, pursuant to the building code of the municipality, is permitted for other types of single-family dwellings.
- E. "Pitched, shingled roof" means a roof with a pitch of 2 or more vertical units for every 12 horizontal units of measurement and which is covered with asphalt or fiberglass composition shingles or other materials, but specifically excludes corrugated metal roofing material.



If these lots were individually owned and had manufactured homes on them, this project would not be a mobile home park as defined by the law, but would be considered a "Mobile home subdivision or development."



The minimum slope for a pitched roof.

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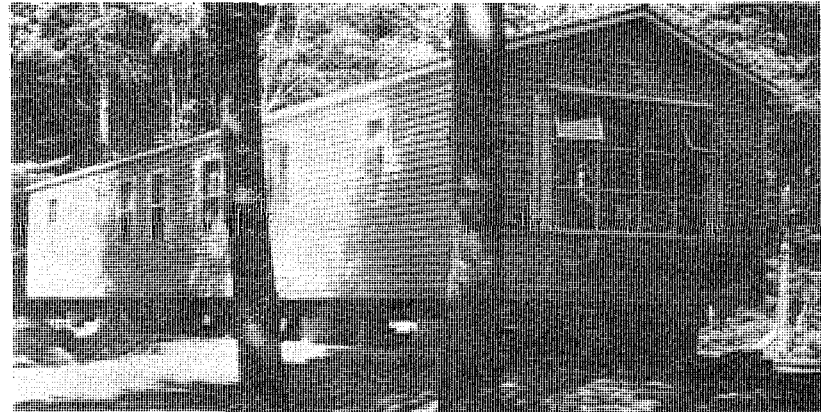
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2. **Location of manufactured housing.**
Municipalities shall permit manufactured housing to be placed or erected on individual house lots in a number of locations on undeveloped lots where single-family dwellings are allowed, subject to the same requirements as single-family dwellings, except as otherwise provided in this section.
- A. For the locations required by this section, municipal ordinances may not require that manufactured housing on individual lots be greater than 14 feet in width, although municipalities may establish design criteria, including, but not limited to, a pitched, shingled roof; a permanent foundation; and exterior siding that is residential in appearance, provided that:
- (1) The requirements do not have the effect of circumventing the purposes of this section; and

Municipalities may not ban manufactured housing and must allow this type of housing in a number of locations where other single family residences are permitted. However, a town may:

- *establish design criteria to make sure the homes are well sited and look attractive, provided the design requirements don't have the effect of banning manufactured houses.*



This mobile home is sited among trees and placed on a slab. A skirting is to be added. The roof pitch exceeds the 2:12 minimum.

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

- B. Providing one or more zones or locations where mobile home parks or mobile home subdivisions or developments are allowed does not constitute compliance with this section.
- C. This section does not prohibit municipalities from establishing controls on manufactured housing which are less restrictive than are permitted by this section.

A municipality cannot restrict manufactured homes to mobile home parks, nor can they ban manufactured homes just because they're old or built before June 14, 1976, but they can require that units meet reasonable safety and design standards.

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

See Appendix A for more information on suggested safety standards.

3. **Regulation of mobile home parks.**
This subsection governs a municipality's regulation of mobile home parks.

Title 38 refers to a municipality's Shoreland Zoning Ordinance.

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A. Except as required under Title 38, or an ordinance adopted pursuant to Title 38, a municipality shall not require:

- (1) The size of any mobile home park lot served by a public sewer system to be larger than the smaller of:
 - a. Six thousand five hundred square feet; or
 - b. The area of the smallest residential lot permitted in the municipality;

- (2) The size of any mobile home park lot with on-site subsurface wastewater disposal to be larger than 20,000 square feet; or

Lot Size Requirements

Except in a shoreland area, a municipality cannot require mobile home park lots larger than the following:

6,500
sq.ft.
LOT

If the lots are served by public sewer, the maximum requirement shall be 6,500 square feet, or if smaller residential lots are allowed elsewhere in the community, then the same size lots are to be permitted in the park.

20,000
sq.ft.
LOT

If each lot in the mobile park is served by an on-site subsurface septic system, and the soils are suitable, the maximum requirement shall be 20,000 square feet.

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- (3) The size of any mobile home park lot served by a central on-site subsurface waste water disposal system approved by the Department of Human Services to be larger than 12,000 square feet, provided that a municipality may require that the overall density of the mobile home park be no more than one home for every 20,000 square feet.

12,000
 sq.ft.
 LOT

If all the lots in the mobile home park are served by a central on-site waste water system, the maximum requirement shall be 12,000 square feet.

However, for the park with a central, on-site system, the town may require an overall (gross) density of 20,000 square feet per lot.

The above lot size requirements do not apply to a municipality's 250-foot Shoreland Zone. In the Shoreland Zone, lots must comply with Shoreland Zoning Standards.

- B. A municipality shall not require the overall area of a mobile home park to be greater than the combined area of its mobile home park lots plus:

Mobile Home Park Size:

A municipality cannot require a mobile home park to be larger than the sum of:

- (1) The area required for road rights-of-way
- (2) The area required for buffer strips, if any; and
- (3) For mobile home parks served by a public sewer, an additional area for

*Area for road rights-of-way
 + Area for buffer strips (if required)
 + Area for all individual lots
 (+ 10% of lot area for open space, if park is on public sewer)
 (+ Area of land within shoreland zoning setback)
 = maximum park size*

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open space, storage or recreation, as those terms are defined by local ordinances applicable to all residential developments. A municipality shall not require this additional area to be greater than 10% of the combined area of the individual lots within a mobile home park, and

- (4) The area of any setbacks required under Title 38 or an ordinance adopted pursuant to Title 38.

C. Except as required under Title 38 or an ordinance adopted pursuant to Title 38, a municipality shall not require setbacks that have the effect of requiring lots larger than those permitted under paragraph A.

D. Notwithstanding paragraph C, a municipality may require that mobile homes on lots adjacent to a public road be set back from the public road according to requirements applicable to other residential developments.

Except in a shoreland area, a municipality cannot mandate setbacks or frontage requirements which have the effect of requiring lots larger than those set forth in paragraph A, above (6,500 sf, 12,000 sf, 20,000 sf)

A municipality may require that mobile homes on lots adjacent to a public road be set back from the public road the same distance as other residential structures.

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E. A municipality shall not require road frontage on individual lots within a mobile home park that has the effect of requiring a manufactured home on the lot to be placed parallel to an adjacent private or public roadway.

A municipality cannot mandate road frontages in a park which have the effect of requiring manufactured homes to be placed with their long side parallel to the road.

F. Except as provided by paragraph G, municipal road standards shall not apply to private roads within a mobile home park unless the developer intends to offer the roads to the municipality for acceptance as town ways.

Municipal road standards cannot be applied to private roads in a mobile home park unless those roads are to be offered to the community for acceptance as town ways.

G. A municipality may require by ordinance or rule that privately owned roads within a mobile home park:

Private Road Standards in Mobile Home Parks

A municipality may require that park roads:

- (1) Be built according to acceptable engineering standards and with a professional engineer's seal as required by the Manufactured Housing Board;

- meet accepted standards and are designed by a professional engineer;

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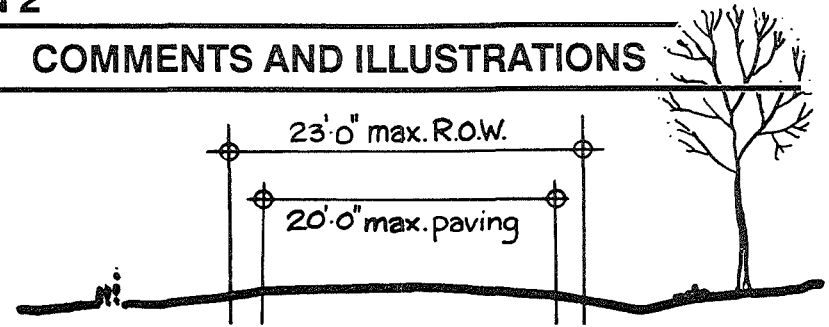
- (2) Have a right of way up to 23 feet in width, 20 feet of which the municipality may require to be paved; and
- (3) Conform to reasonable safety standards applicable to intersections with public ways adjacent to the mobile home park.

H. The Manufactured Housing Board shall develop standards for construction of roads within a mobile home park no later than January 1, 1990. The board shall submit these standards to the joint standing committee of the Legislature having jurisdiction over legal affairs matters for that committee's review.

I. A municipality may require buffer strips, not to exceed 50 feet including individual lot setbacks, along any mobile home park boundary which abuts land used for residential use if the per-acre density of homes within the mobile home park is at least 2 times greater than:

- (1) The density of residential development on immediately adjacent parcels of land; or

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- meet reasonable safety standards where they intersect with public roads; (See section 5)

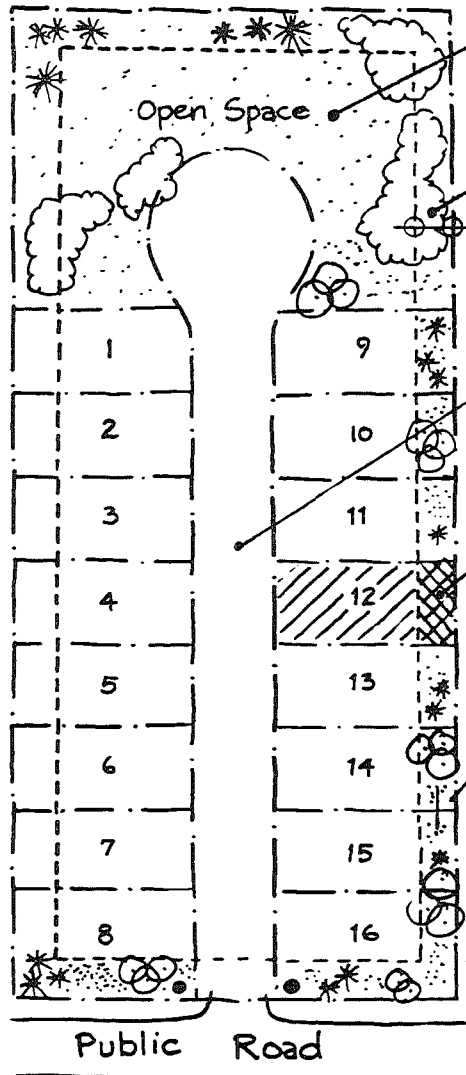
The State's Manufactured Housing Board is required to prepare additional standards by January 1, 1990.

How Open Space, Buffer and Landscape Standards Work.

(See next page)

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EXAMPLE: Mobile Home Park with Central On-Site Sewage Disposal



Space for on-site underground sewage system and recreation. (50,000 square feet)

Buffer Area: This may be required if the adjacent residential density (as built or as required by the municipality) is less than half the mobile home park density. (100,000 square feet)

Area reserved for R.O.W. for road and services. (30,000 square feet)

Buffer may not exceed 50 feet width; structures are not allowed within the buffer.

Town may require natural screening of first 25 feet buffer, provided this requirement applies to other areas.

Setback from public road, provided it is consistent with other residential setbacks.

Maximum required Park Size:

Area in R.O.W.	= 30,000 sq. ft.
Area in Buffer	= 100,000 sq. ft.
Area in Open Space	= 50,000 sq. ft.
Area in lots	= 140,000 sq. ft.

Total size	= 320,000 sq. ft. (or 16 lots x 20,000 sq. ft.)
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- (2) If the immediately adjacent parcels of land are undeveloped, the maximum net residential density permitted by applicable municipal ordinances or state law.

No structures, streets or utilities may be placed in the buffer strip, except that utilities may cross a buffer strip to provide services to a mobile home park. Municipalities may impose reasonable natural screening requirements within the first 25 feet of the buffer strip as measured from the exterior boundaries of the mobile home park if the requirements are no greater than those for other residential developments.

- J. A municipality shall not require electrical utilities and telephone lines to be located underground within a mobile home park. A municipality shall allow a developer to install utilities anywhere within the mobile home park.

A municipality cannot regulate electrical, telephone, water, sewer, cable or gas utilities in a mobile home park, other than for public safety purposes.

- K. Except as required under Title 38, or an ordinance adopted pursuant to Title 38,

Except in a shoreland area, a municipality may not establish a minimum or a maximum number of lots in a mobile home park or establish requirements which circumvent the law.

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a municipality may not enact or enforce land use regulations or ordinances, including, but not limited to, subdivision regulations or ordinances, which limit the number of lots in a mobile home park, which circumvent the intent of this section or which conflict with the provisions of this section.

- L. Notwithstanding any provision in this subsection, a person developing or expanding a mobile home park has the burden of proving that development will not pollute a public water supply or aquifer or violate any state law relating to land development, subdivision or use.
- M. A municipality shall permit mobile home parks to expand and to be developed in a number of environmentally suitable locations in the municipality with reasonable consideration being given to permit existing mobile home parks to expand in their existing locations. A municipality may not select a location for a mobile home park development which is not reasonably suitable because of:

A developer has the burden of proving that what he or she proposes as a mobile home park will not pollute public water resources. Note also that the subdivision law applies to all mobile home parks and that special site conditions, such as floodplains or wetlands, may require more open space, larger lots or fewer lots. An application for subdivision approval may be denied if it is in a floodplain or wetland.

Municipalities must allow mobile home parks in a number of environmentally suitable locations by January 1, 1990.

The locations a municipality selects for mobile home parks must be suitable and appropriate for development.

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- (1) Prior lot division;
- (2) Locational setting within the municipality;
- (3) Natural features; or
- (4) Other similar features.

This paragraph is effective January 1, 1990.

4. **Certification of payment of sales tax.** No municipality may allow the construction or location of any new manufactured housing within the municipality by any person other than a dealer licensed by the State with a sales tax certificate, without:
 - A. A bill of sale indicating the name, address, dealer registration number and sales tax certificate number of the person who sold or provided the manufactured housing to the buyer locating the housing in the municipality; or

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- B. If no such bill of sale is presented, evidence of certification of payment of the sales tax in accordance with Title 36, section 1760, subsection 40, and Title 36, section 1952-B.

In municipalities which require any type of permit for manufactured housing, the permit is deemed to be not approved or valid until payment of the sales tax has been certified.

SECTION 3

Questions And Answers Concerning Sub-Section 3 Of The New Law

1. **Question:** What do I, as a local official, have to do?

Answer: If you have no zoning, site plan review, mobile home park or other ordinance which regulates mobile home parks, your community already complies with the law. However, your community will be better served by adopting some of the suggested standards contained in sections 5 and 6 of the Guidebook (For example, requiring a minimum lot size of 6,500 square feet in sewerred areas, rather than the 5,000 square feet which is permissible if the town has no ordinance). In addition you should read the answer to Question 2 below regarding the subdivision law.

If you have local ordinances which regulate mobile home parks, check the ordinances to see if: 1) mobile home parks are allowed in a number of environmentally suitable locations; and 2) local regulations, such as lot size requirements, are consistent with the law. If ordinance changes are

necessary, draft ordinance revisions and present them to the community's legislative body. In drafting changes, you may want to seek help from the Office of Comprehensive Planning, the Maine Municipal Association, your Regional Planning Council, private consultants familiar with the law, or your municipal attorney.

When your community drafts its comprehensive plan to comply with Maine's Growth Management Law, be sure that mobile home parks are included in the consideration of affordable housing issues.

2. **Question:** Does the subdivision law apply to mobile home parks?

Answer: Yes. Mobile home parks are subject to the subdivision law and must meet all subdivision requirements except those requirements which are preempted by the new law. Developers of mobile home parks must prove that their park proposals "will not result in pollution...will have

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sufficient water...will not cause unreasonable soil erosion..." etc., as required by the subdivision law, Title 30-A MRSA Sections 4401-4407.

In meeting the requirements of the new law, it may not be possible to develop a mobile home park at the density levels specified in the new law on all land parcels. For example, wetlands and floodplains should be protected from negative impacts such as filling; manufactured housing units should not be located in these areas.

3. **Question:** Can we require a local permit or local approval for the establishment or expansion of a mobile home park?

Answer: Yes. Municipalities may administer and enforce a mobile home park ordinance, or require that mobile home parks be subject to a site plan review or other ordinance, provided that dimensional requirements comply with the new law. Municipalities may not use such an ordinance to circumvent the law by imposing overly restrictive requirements.

4. **Question:** What lot size requirements apply if we have no local ordinances?

Answer: The requirements of the State Manu-

factured Housing Board and the new law would apply. There are three possibilities:

- a. *On public sewer. If the park is on a public sewer, the minimum lot size would be 5,000 square feet. The new law allows communities to increase this, by ordinance, to 6,500 square feet.*
- b. *On individual septic systems. The lots would have to meet the requirements of the State's minimum lot size law and be 20,000 square feet.*
- c. *On "packaged" or central system. The minimum lot size would be 5,000 square feet. The new law allows municipalities to increase this, by ordinance, to 12,000 square feet, with an overall park density of 1 unit per 20,000 square feet.*

5. **Question:** How does the new law affect our zoning ordinance?

Answer: In all areas subject to shoreland zoning, a mobile home park must meet shoreland zoning requirements, including those for lot size and setback. For example, if your shoreland zoning ordinance requires lots to be 40,000 square feet,

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each mobile home park lot located in a shoreland area would have to be 40,000 square feet.

In non-shoreland areas, the new law over-rides more restrictive standards contained in a local ordinance.

6. **Question:** How does this law address the problem of affordable housing?

Answer: This law is not the total answer to affordable housing. However, it was based on a presumption that manufactured housing is generally less expensive than site-built housing, and that smaller lots can reduce housing costs.

7. **Question:** What types of manufactured housing should be allowed in parks?

Answer: The new law does not limit the types of manufactured housing units that may be located in a mobile home park. A park could therefore include a mobile home, a single-wide modular, or a double-wide modular, but not a site-built home. Your community may wish to exclude from parks travel trailers, units not suitable for year-round occupancy, and mobile homes that do not meet minimum safety standards (see next question) from its mobile home parks.

8. **Question:** Can we protect people from locating unsafe units in parks?

Answer: Yes. While federal safety standards went into effect in 1976, many of the pre-1976 mobile homes are unsafe due to the extreme fire hazards they pose to occupants. Sub-section 2 of the law prevents municipalities from prohibiting all pre-1976 units outright, but does allow municipalities to establish minimum safety standards for these units.

At a minimum, safety standards should regulate window size (to allow escape if there is a fire), exit locations, and the installation and maintenance of smoke detectors and wood stoves. See appendix A for suggested safety standards.

9. **Question:** Are there some types of mobile home regulations that would be acceptable under some circumstances but not others?

Answer: Yes. The new law places limits on certain municipal requirements as follows:

- a. *Public road setbacks. The setbacks from public roads which apply to other residential developments may also be applied to individual mobile homes in a park which*

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face a public road.

- b. *Local road standards. Local road standards may be applied to parks only if the roads are to be offered for public acceptance.*
- c. *Buffer strips. A 50 foot buffer strip along park boundaries may be required only if the density of the park is at least 2 times greater than land immediately adjacent to the park .*
- d. *Natural screening. Natural screening within the first 25 feet of the buffer strip may be required only if it is also required of other residential developments (e.g., multi-family developments adjacent to commercial areas).*
- e. *Open Space. An additional area of no more than 10% of the combined area of the individual lots may be required for open space, storage or recreation if the park is served by public sewer and if the same requirement is applied to all other residential development.*

10. **Question:** Can we regulate aesthetics?

Answer: Yes. Sub-section 2 of the law, which pertains to single-wide units located on individual house lots, states that municipalities may require a foundation, a pitched shingled roof, and siding that is residential in appearance.

Since the law is silent about units located in a mobile home park, municipalities may impose reasonable aesthetic controls. However, such controls may not be necessary, since these units will not have to blend in with other types of housing. Moreover, such controls should only be considered if they also apply to other types of homes. If such controls are deemed necessary, they could include a pitched shingled roof, residential siding, a pad, a skirt, buffer strips, improved lot layout and design, a requirement for open space (only if the park is served by public sewer), and outside storage of property and solid waste. A requirement for a full foundation would not be practical, as units could not be easily moved into and out of the park.

11. **Question:** Can we prohibit parks from Town if they have a negative financial impact to the community?

Answer: No. The law does not permit financial impact considerations to be a basis for denial of a

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mobile home park application. However, a municipality may impose impact fees on all developments in accordance with Title 30-A, MRSA Section 4354, including mobile home parks. In addition, municipalities may continue to impose service fees, such as fees for sewer hookups.

12. **Question:** Can we exclude mobile home parks if we allow single units on individual house lots?

Answer: No. Sub-section 2 of the law requires that municipalities allow single-wide units on individual house lots in a number of locations where single family dwellings are allowed; sub-section 3 requires that municipalities allow mobile home parks in a number of environmentally suitable locations. Communities must allow individual units and parks.

13. **Question:** Do we have to identify a number of specific locations for mobile home parks?

Answer: Only if you have a zoning ordinance which restricts mobile home parks from certain areas. The law specifically requires that municipalities allow mobile home parks in a number of environmentally suitable locations. Exact numbers of areas and acreages are not specified. At a minimum, check the local zoning ordinance to be

sure that mobile home parks are allowed in one or more districts, and that there is suitable land within the district(s). The comprehensive plan should be amended if necessary to allow mobile home parks in specific districts.

If your community does not specify districts for parks within the existing ordinance or if there is no ordinance, your community will have to allow parks everywhere.

14. **Question:** Should our comprehensive plan deal directly with mobile home parks?

Answer: Yes. The comprehensive plan should link discussion of affordable housing to mobile home parks.

15. **Question:** Can we assume that State regulations will result in high quality mobile home parks?

Answer: State standards, which are adopted by the Manufactured Housing Board, located in the Department of Professional and Financial Regulation, are minimum standards and address only consumer protection, safety, and sanitary issues. They do not address issues of local concern such as storm water management and environmental protection. Your community may want to con-

SECTION 3

sider a local ordinance to regulate areas of local concern. See sections 5 and 6 for recommended design standards.

16. **Question:** Does the law apply to a condominium type mobile home park?

Answer: The new law defines a mobile home park as a parcel under unified ownership (i.e. one owner). If the mobile home park is owned in common by the owners, the new law would apply. If there are any deeds to individual sites, it would no longer be a mobile home park and the limitations of the new law would not apply (e.g., the lot sizes set forth in the law would not apply).

17. **Question:** If a condominium type park is proposed without platted lots, how do we determine if it meets lot size requirements?

Answer: The best way to assure that the proposed park will meet the lot size requirements is to require that the plan show individual lots. Under sub-section 1, paragraph B-1 of the new law, "A municipality may require a lot to be designated on a mobile home park plan."

18. **Question:** In addition to the rules of the State's Manufactured Housing Board, are there other regulations that may apply to a mobile home park proposal?

Answer: Yes. The state subdivision law (Title 30-A, MRSA Sections 4401-4407) would apply, as would a local subdivision ordinance, or subdivision regulations adopted by the planning board. Local ordinances such as an aquifer protection ordinance may also apply. If the site is over 20 acres in size, or if part of the park is in the shoreland area and there are more than 10 units, the project is subject to review by the Board of Environmental Protection under the provisions of the site location act. If the site is in a shoreland area, it must meet all shoreland zoning requirements. If it is in an area that is subject to the state's natural resources protection act (stream, great pond, coastal wetland), it may be subject to review and approval by the Board of Environmental Protection.

SECTION 4

IDENTIFYING LOCATIONS FOR MOBILE HOME PARKS

Municipalities must make provision for the location of mobile home parks within their jurisdiction.

It is wise to plan carefully and to designate suitable locations for the parks and to make sure that the local zoning ordinance addresses mobile home parks as a legitimate land use; further the municipality should develop specific ordinance language for mobile home parks. Examples of ordinance language are included in Sections 5 and 6 of this Guidebook.

PARK LOCATIONS

With regard to mobile home park locations, the community may elect to:

1. Allow mobile home parks in all areas; or
2. Restrict them to certain residential zones.

Remember, however, that no “unreasonable” restrictions may be incorporated in the ordinance language that have the effect of limiting or discouraging mobile home park development. The municipality must make a genuine effort to identify areas suitable for mobile home parks.

MOBILE HOME PARK SITE CHARACTERISTICS

Before determining the best locations for mobile home parks in your town recognize that parks will:

1. Vary in size - from less than an acre to many acres;
2. Vary in density - from up to 7 units per acre to 2 or less units per acre;
3. Contain a wide variety of manufactured house types and sizes;
4. Require basic community services, just like site-built housing;

SECTION 4

5. Be controlled by state and local regulations (provided the town adopts them) that address health, fire and safety issues.

SUITABLE PARK LOCATIONS

Generally, mobile home parks should be considered as appropriate land uses in the following locations: Note the best locations will be those that have a number of these characteristics.

1. Areas on public sewer (and water) lines or areas adjacent to such lines, where a line extension is possible.
2. Areas with well-drained, permeable soils suitable for septic sewer systems on small lots - but preferably not on land that is considered prime farm land.
3. Adjacent to or within residential areas that have similar density requirements.
4. Adjacent to built-up and/or expanding residential areas on the periphery of the village or downtown.

5. Within existing developed areas that have a mix of land uses but also have vacant land suitable for "infill" mobile home parks.
6. In areas recommended for growth where there are: suitable sites, compatible lot sizes, no severe traffic conditions, reasonably flat to gently sloping sites and reasonable access to stores and other services.

UNSUITABLE PARK LOCATIONS

Generally mobile home parks should not be located in the following areas:

1. Designated historic districts.
2. Well established residential areas that have strong architectural merit; (unless design and aesthetic standards can be put in place that guarantee that new manufactured homes will be compatible with the existing character of the area).
3. Commercial or industrial zones or districts.

SECTION 4

4. Environmentally sensitive areas such as:
 - a. Wildlife habitat areas
 - b. Wetlands, swamps or dune areas
 - c. Prime agricultural lands
 - d. Areas with steep slopes
 - e. Areas with poorly drained soils if not on public sewer.
 - f. Flood plain areas (subject to a 100 year flood).

Finally, it should be recognized that a community should not select a location (or locations) for mobile home parks which are inherently unsuitable because:

1. There are limited opportunities to purchase suitably sized lots for development;
2. The location is near a noxious, noisy, polluted or other undesirable use such as a solid waste landfill; and/or
3. There are natural site conditions, such as rugged topography, poor soils or wetlands, for example, that make the area unsuitable.

SECTION 5

Suggested Standards Which Comply With The Law

NOTE: If you have no local ordinances regulating mobile home parks, your community already complies with the new law. If you would like to develop an ordinance to regulate mobile home parks or amend an existing ordinance, the suggested standards contained in this section are minimums which comply with the new law.

Your community is not obligated to adopt mobile home park standards, but if you have no standards, your community will have to review and accept any and all mobile home parks which are developed according to minimal state standards.

The standards below are not written in the form of a complete model ordinance; you should not just adopt the language below as is. It needs to be shaped to your local needs and incorporated into specific ordinance language. You may want to obtain assistance in drafting these standards into an ordinance. Assistance can be obtained from the Office of Comprehensive Planning, the Maine Municipal Association, your Regional Planning Council, private consultants, or your municipal attorney.

SECTION 5

MODEL LANGUAGE

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A. COMPLIANCE WITH LAWS AND ORDINANCES

Except as stipulated below, mobile home parks shall comply with all state laws and municipal ordinances, and shall meet the requirements of the subdivision law.

The new law states that a mobile home park shall not "violate any state law relating to land development, subdivision or use."

B. LOT SIZE, WIDTH, AND DENSITY

Lots in a mobile home park shall meet the following lot size, width, and density requirements.

The following paragraphs describe the maximum lot size requirement which the law allows municipalities to impose.

1. Lots served by public sewer

Minimum lot area - 6,500 sq. ft. or the smallest lot size set forth in the zoning ordinance, whichever is less.

The law prohibits municipalities from requiring lots greater than 6,500 square feet. State standards of the State Manufactured Housing Board require that lots be at least 5,000 square feet in size.

Minimum lot width - 50 ft.

The 50-ft. standard is based on the State Manufactured Housing Board's Rules for mobile home parks. Since the law prohibits municipalities from requiring mobile homes to be placed parallel to the road, 50 feet appears to be reasonable. Lots may need to be wider if double-wides are installed.

SECTION 5

MODEL LANGUAGE

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| 2. | Lots served by individual subsurface sewage disposal system

Minimum lot area 20,000 sq. ft.
Minimum lot width 100 feet. | <i>20,000 sq. ft. is the maximum that can be required, provided the developer can show that soils are suitable (see next section for suggested groundwater provisions). The 100-foot frontage is suggested to allow lots with a 2:1 length to width ratio.</i> |
| 3. | Lots served by a central subsurface wastewater disposal system

Minimum lot area 12,000 sq. ft.
Minimum lot width 75 feet. | <i>A 75-foot wide lot is recommended to allow proper length to width ratios.</i> |
| 4. | The overall density of a mobile home park served by a central subsurface sewage disposal system shall be no greater than one unit per 20,000 square feet of total park area. | <i>The Law allows a 12,000 sq. ft. lot size but does not mandate the 20,000 sq. ft. gross density. You may require less than 20,000 square feet but not more. But remember to allow for space for the disposal fields and for road rights-of-way.</i> |
| 5. | Where lots front on a curved right-of-way or are served by a driveway, the frontage requirement shall be measured in a straight line perpendicular to the setback line. | <i>This will provide a method for measuring lot frontage along a curving road.</i> |
| 6. | Lots within a shoreland zoning district shall meet the lot area, lot width, setback, and shore frontage requirements for that district. | <i>The law requires that mobile home park lots meet all shoreland zoning requirements.</i> |

SECTION 5

MODEL LANGUAGE

COMMENTS

7. The overall density of the mobile home park shall be the combined area of its mobile home lots plus:
- (a) The area required for road rights-of-way;
 - (b) The area required for buffer strips, if any;
 - (c) For areas served by public sewer, an open space area for storage and recreation equal to 10% of the combined area of the individual lots; and
 - (d) The area within the municipality's shoreland setback.

This language allows the community to impose an overall density requirement. The requirements set forth here are the maximum; communities can impose lesser requirements. Developers voluntarily can provide lesser densities.

C. LOT SETBACKS

Mobile homes in a mobile home park but adjacent to a public road shall be set back from the road a distance equal to the setback requirements for other residential developments.

SECTION 5

MODEL LANGUAGE

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D. OWNERSHIP

Where a developer elects to create a mobile home park where all land is under one ownership, the park plan shall show lots and the developer shall demonstrate that the development standards described herein are met.

This will ensure that condominium-type developments will comply with all required standards.

E. ROAD STANDARDS

1. Privately owned roads within the mobile home park shall be designed by a Professional Engineer, registered in the State of Maine, and shall be built according to accepted engineering standards.

The reference to "accepted engineering standards" in the law is vague. The Manufactured Housing Board is required to develop road standards for review by the Legislature by January 1, 1990. You may want to incorporate these standards after they are promulgated, or reference them in accordance with the requirements of Title 30-A, MRSA Section 3003.

2. Roads within mobile home parks which are to be offered for acceptance to the community shall meet the minimum road standards of _____.

The community's road standards for right-of-way, road width and paving may exceed the minimums contained in the law, only if the road is to be offered for public acceptance.

SECTION 5

MODEL LANGUAGE

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3. Roads shall have a minimum right-of-way of 23 feet, of which 20 feet shall be paved.

This is the maximum standard which municipalities may apply to private roads in a mobile home park. You do not have to require that these roads be paved. Roads which are this narrow are not suitable for on-street parking; (see optional parking standards and optional sidewalk requirements in Section 6 to ensure pedestrian safety).

4. Mobile home park roads which intersect with public roads shall meet the following standards:

The law allows municipalities to adopt reasonable safety standards where park roads intersect with public roads. The Institute of Traffic Engineers (I.T.E.) recommends "skewed intersections should be avoided and in no case should the angle be less than 75 degrees. Studies have shown that "skewed intersections have generally higher accident rates than those intersecting at 90 degrees.

- (a) **Angle of intersection.** The desired angle of intersection shall be 90 degrees. The minimum angle of intersection shall be 75 degrees.

ITE recommends that "intersection areas should be designed with a flat grade".

- (b) **Grade.** Maximum grade within 75 feet of intersection. The maximum permissible grade within 75 feet of the intersection shall be 2%.

- (c) **Minimum sight distance.** The minimum sight distance shall be 10 times the posted speed limit on the existing road. Sight distances shall be measured from the driver's seat of a vehicle that is 10 feet behind

The sight distance requirement is based on the standards of the Maine Department of Transportation.

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the curb or edge of shoulder line with the height of the eye 3 1/2 feet above the pavement and the height of object 4 1/4 feet. Where necessary, the park land bordering the intersection shall be cleared of all growth and sight obstructions to achieve the required visibility.

- (d) **Distance from other intersections.** The centerline of any street within a park intersecting an existing public street shall be at least 125 feet from the centerline of any other street intersecting that public street.

This is the minimum requirement as recommended by I.T.E.

F. OPEN SPACE

1. For mobile home parks served by a public sewer, an area amounting to no more than 10% of the total area devoted to individual lots shall be set aside for open space and/or recreation. Such space shall be accessible and useable by all residents of the park. Parking space, driveways and streets and buffer areas are not considered useable open space but community

This open space requirement is limited to mobile home parks on a public sewer and may be applied only where the same requirement applies to all residential developments. Municipalities may not impose an open space requirement on parks which are not located on a public sewer. You may want to add a provision allowing the planning board to waive the open space requirement if a public park is within 1/2 mile of the mobile home park.

SECTION 5

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recreation buildings, pools and courts are considered as open space.

G. BUFFER STRIPS

1. A 50 ft. wide buffer strip shall be provided along all property boundaries that:

- (a) Abut residential land which has a gross density of less than half of that proposed in the park, or

- (b) Abut residential land that is zoned at a density of less than half of that proposed in the park.

Further, no structures, streets or utilities may be placed in the buffer strip except that they may cross a buffer strip to provide services to the park.

2. Within 25 feet of any property line and within the buffer strip, visual screening and/or landscaping shall be provided. The visual screening may consist of fences, berms, landscaping (such as shrubs and trees) and/or natural existing vegetation. This screening shall effectively

*A municipality can **not** require buffer strips unless the criteria at left are met.*

If the density criteria are met, a municipality may, of course, require smaller buffer strips but not buffer strips in excess of 50 feet.

NOTE: Lots may extend into the buffer strip but structures may not.

*These screening requirements can **only** be imposed on mobile home parks if like screening requirements are mandated around other residential developments where they abut another use district or a residential district with a substantially lower density.*

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screen at least 80% of the homes from view from the adjacent property and shall be maintained throughout the life of the project.

H. CONVERSION OF PARK

No lot in a mobile home park may be sold or conveyed without the prior approval of the Planning Board. Any such lot sold or conveyed shall meet the lot size requirement of the district in which it is located.

This will prevent smaller lots in a mobile home park from being conveyed for use as a conventional subdivision. Lots will first have to be combined to meet the requirements of the local zoning ordinance or other ordinance.

SECTION 6

Additional Options For Regulating Mobile Home Parks

NOTE: The following model language may be used in conjunction with the standards in the preceding section to create a more complete mobil home park ordinance. Read the model language and the com-

ments before selecting the language you wish to use. Further, make sure that the language you select is skillfully combined with that of Section 5 to create a complete, legally defensible ordinance that satisfies local needs.

MODEL LANGUAGE

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A. LOT SETBACKS

1. The following lot setbacks shall apply to all homes and accessory buildings:

Front setback:	20 feet
Side setback:	20 feet
Rear setback:	10 feet

If these requirements conflict with the requirements of the Shoreland Zone, the stricter standards shall apply. If a lot is on a public road, the setback shall conform with the residential setback requirements applicable to residential dwelling units.

Neither the existing law nor the state rules contain mobile home setbacks. These suggested setbacks could be changed if the municipality wishes to encourage innovative design.

Where the park is in a Shoreland Zone, shoreland zoning requirements shall apply if they are stricter.

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2. So as to avoid monotony and sameness, the Planning Board may allow the front setback on a private road within a mobile park to be varied provided that no home may be closer than 10 feet from the right-of-way and the average distance is at least 20 ft. for all units.

This will allow mobile homes within a park to be staggered.

3. Carports of non-combustible materials are not subject to side setback requirements.

This allows a single carport to serve two lots. If such carports were built of combustible materials, they could pose a safety hazard to nearby units.

4. The Planning Board may allow lot side yard setbacks to be reduced to 5 feet provided a distance of 20 feet is maintained between units for the purpose of providing more usable yard space on one side of the home.

The purpose of this provision is to make more, useable yard space available on one side of the home, preferably on the south side.

5. **Distance Between Homes**

A minimum 20 foot separation shall be maintained between all manufactured homes in all directions.

This 20 ft. recommendation provides a measure of fire safety.

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B. LOT COVERAGE

All buildings on the lot, including accessory buildings and structures, but excluding open decks and parking spaces, shall not cover more than 50% of the lot area.

The setback, coverage and distance between homes requirements must not have the effect of limiting or restricting mobile home park development in a manner that is more restrictive than that required of other residential development.

C. OPEN SPACE REQUIREMENTS FOR LOTS SERVED BY PUBLIC SEWER

1. Open Space Suitability

At least 50% of the required open space shall consist of land that is suitable for active recreation or storage.

This language will ensure that the required open space does not simply consist of wetlands, steep slopes, or other areas that would not be suitable for active recreation or storage.

2. Developed Open Space

All developed open space shall be designed and landscaped for the use and enjoyment of the park residents and shall be maintained for their long term use. Plans for these areas shall be submitted by the developer.

This language will ensure that developed open space areas are suitable for active recreation or storage.

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3. **Undeveloped Open Space**

To the maximum extent possible, undeveloped open space shall be left in its natural state. Improvements to make trails for walking and jogging or to make picnic areas are permitted.

This will enhance the attractiveness of the park and allow residents to enjoy the natural surroundings.

4. **Open Space Ownership**

The developer shall submit, as part of his/her application, a copy of that portion of the proposed park rules and a plan which specify how the open space is to be used and maintained and what conditions are to apply to its use. The plan shall specify the areas to be dedicated to open space, recreation, and storage.

This will help ensure that open space is retained on a permanent basis for its intended use.

5. **Open space shall be maintained and used for its stated purpose.**

SECTION 6

MODEL LANGUAGE

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D. ROADS

1. Access and Circulation

(a) The layout and general development plan for major and minor access streets and driveways within the mobile home park, together with the location and dimensions of access junctions with existing public streets and rights-of-way shall be approved by the _____.

The street layout and general design are critical, especially for parks with small lot sizes. Local review is important for safety reasons.

(b) A traffic impact analysis shall be required if the park will generate more than 500 trips/day.

A traffic impact analysis will address potential traffic flow and safety problems generated by the larger parks. This requirement should apply to all developments that generate more than 500 vehicle trips per day, not just mobile home parks.

(c) For mobile home parks expected to generate 200 trips per day or more, there shall be at least two entrances from public streets or roads.

For larger parks, a second access is critical for emergency vehicle access. A single entrance can be blocked by a vehicle accident, fallen tree, or other hazard. The 200 trips per day limit for dead end streets comes from a National Association of Home Builders publication, as reported in "Recommended Guidelines for Subdivision Streets" published by the Institute of Transportation Engineers. Mobile

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- homes typically produce an average of 5 trips per day per unit (Development and Application of Trip Generation Rates, Federal Highway Administration). Therefore any park with more than 40 units should have two street entrances. This requirement should apply to all developments that generate more than 200 vehicle trips per day.*
- (d) On-street parking shall be prohibited unless an eight foot parking lane is provided, in which case on-street parking may be permitted on the side of the road where the parking lane is located.
- The minimum road widths provided in the law do not provide for on-street parking.*
- (e) Curvilinear streets shall be utilized wherever possible. No street within the park shall be more than 200 feet without a curve or bend.
- Curvilinear streets result in a more attractive park and serve to slow internal traffic.*
- (f) No mobile home lot may have vehicular access directly onto a state highway.
- For safety reasons, access to state highways should be limited. This will prevent driveways every 50 feet or so along state highways. This same provision could be applied to collector roads with heavy traffic or high speed limits. This requirement should apply to other developments of similar density.*

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2. Right-of-way and Pavement Width

- (a) Two-way park roads shall have a minimum right-of-way of 23 feet and a minimum paved surface of 20 feet. On-street parking shall be prohibited.
- (b) One-way streets shall have a minimum right-of-way of 18 feet and a minimum paved surface of 14 feet. On-street parking shall be prohibited.
- (c) Parking lanes shall be a minimum of 8 feet in width, if provided.
- (d) Cul-de-sac turnarounds shall have a minimum radii of 50 feet at the outer edge of the pavement, exclusive of any parking areas.
- (e) If the developer intends to dedicate park streets to the public, such streets shall meet municipal road standards.

While the law does not require private roads to be paved, it is recommended to reduce dust and maintenance.

One-way streets need not be as wide, provided that on-street parking is prohibited.

Municipalities cannot require a parking lane; this standard is recommended when one is proposed.

This will allow sufficient turn-around room for larger vehicles.

Streets can be public if agreed to by the developer and the legislative body.

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MODEL LANGUAGE

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E. PARKING REQUIREMENTS

For each mobile home lot there shall be provided and maintained at least 2 off-street parking spaces. Each parking space shall contain a minimum area of 200 square feet with minimum dimensions of 10 feet by 20 feet. This requirement may be waived if an equivalent number of spaces is provided by a parking lane.

For safety reasons, off-street parking is essential in developments which comply with the minimum road widths set forth in the law (20 feet). Tenant and guest parking can probably be accommodated if all streets have an 8 foot parking lane.

In addition to occupant parking, off-street guest and service parking shall be provided within the boundaries of the park at a ratio of 1 space for each 4 mobile home lots. Such parking shall be hard-surfaced and the spaces shall be reserved for that sole use. This requirement shall be waived if a parking lane provides an equivalent number of spaces.

F. UTILITY REQUIREMENTS

All mobile home parks shall provide permanent electrical, water and sewage disposal connections to each mobile home in accordance with applicable state and local rules and regulations.

This is required by the rules established by the State Manufactured Housing Board.

SECTION 6

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G. SIDEWALKS/WALKWAYS

The mobile home park shall contain pedestrian walkways that link all units and all service and recreational facilities. Such walkways shall be adequately surfaced and lit. A portion of the road surface may be reserved for walkways provided the roadway width is increased accordingly. Walkways shall be a minimum width of 3 feet.

Walkways are essential for public safety, particularly where residents would otherwise have to walk in roadways to get to service and recreation facilities. However, municipalities cannot require an additional 3 feet of roadway to meet the walkway requirement.

H. LIGHTING

Outdoor lighting shall be provided to adequately illuminate internal streets and pedestrian walkways. Lights shall be sized and directed to avoid adverse impact on adjacent properties.

This requirement, which is for the safety and well-being of the residents, should not apply just to mobile home parks.

I. SIGNS

Signs and advertising devices shall be prohibited in a mobile home park except:

1. One (1) identifying sign at each entrance of the mobile home park no larger than 24 square feet which may be indirectly lit, but not flashing.

This requirement may have to be changed to be consistent with local sign requirements.

SECTION 6

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2. Directional and informational signs for the convenience of tenants and the public relative to parking, office, traffic movement, etc.

No limit is placed on these signs, as they would be internal signs.

3. Mobile/manufactured home "for sale" signs, provided that such signs that face a public road shall be no more than 10 square feet and shall be limited to two signs per mobile home park.

This requirement may have to be changed to be consistent with local sign requirements.

4. Mobile/manufactured homes address signs.

The styles and location of the identifying sign shall not interfere with vehicle sight distance and shall be constructed in accordance with the local sign regulations.

J. STORAGE

At least 300 cubic feet of enclosed tenant storage facilities shall be conveniently provided on or near each mobile home lot for the storage of materials and equipment.

In the absence of suitable facilities, storage of tenant property can be unsightly and create unsafe conditions.

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K. STORM DRAINAGE

A storm drainage plan shall be prepared by a professional engineer showing ditching, culverts, storm drains, easements, and other proposed improvements sufficient to accommodate a 25-year storm.

Storm drainage should be an important consideration in all developments.

L. GROUND WATER

1. Application

For mobile home parks not served by a public sewer, an assessment of the impacts of park development on ground water quality shall be submitted prior to final approval of the park. The assessment shall be prepared by a Certified Geologist or Registered Professional Engineer, and shall include the following:

- (a) A map showing the basic soil types.
- (b) The depth to the water table at representative points throughout the mobile home park.

The new law states that a person developing or expanding a mobile home park has the burden of proving that development will not pollute a public water supply or aquifer. The subdivision law contains a similar requirement.

Nitrate and bacterial contamination can result from densities such as those allowed by the law.

The model subdivision regulations prepared by the Southern Maine Regional Planning Commission recommends that a hydrogeologic assessment be conducted when subsurface sewage disposal is to be used on lots of 100,000 sq. ft. or less.

These provisions should apply to all types of subdivisions, not just mobile home parks.

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- (c) Drainage conditions throughout the mobile home park.
- (d) Data on the existing ground water quality, either from test wells in the mobile home park or from existing wells on neighboring properties.
- (e) An analysis and evaluation of the effect of the mobile home park on ground water resources. The evaluation shall, at a minimum, include a projection of post development nitrate-nitrogen concentrations at any wells within the mobile home park, at the mobile home park boundaries and at a distance of 1000 feet from potential contamination sources, whichever is a shorter distance. For mobile home parks within the watershed of a lake, projections of the development's impact on ground water phosphate concentrations shall also be provided.

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- (f) A map showing the location of any subsurface wastewater disposal systems and drinking water wells within the mobile home park and within 200 feet of the mobile home park boundaries.
2. **Standards**
- (a) Projections of ground water quality shall be based on the assumption of drought conditions (assuming 60% of annual average precipitation).
- (b) No mobile home park shall increase any contaminant concentration in the ground water to more than one half of the Primary Drinking Water Standards. No mobile home park shall increase any contaminant concentration in the ground water to more than the Secondary Drinking Water Standards.

Projections of ground water quality are based on drought conditions.

The Primary Drinking Water Standards, adopted by the Maine Department of Human Services, are health-related standards which include nitrate concentrations. The Secondary Drinking Water Standards relate to aesthetics and include iron and manganese concentrations.

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- (c) If ground water contains contaminants in excess of the primary standards, and the mobile home park is to be served by on-site ground water supplies, the applicant shall demonstrate how water quality will be improved or treated.
- (d) If ground water contains contaminants in excess of the secondary standards, the mobile home park shall not cause the concentration of the parameters in question to exceed 150% of the ambient concentration.

The applicant must demonstrate how water quality will be improved or treated if ground water contains contaminants in excess of standards.

3. Development

Subsurface wastewater disposal systems and drinking water wells shall be constructed as shown on the map submitted with the assessment. If construction standards for drinking water wells are recommended in the assessment, those standards shall be included as a note on the Plan.

Wastewater disposal and water supply systems shall be constructed as shown on the plan.

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M. PARK ADMINISTRATION

The owner or operator of a mobile home park shall be responsible for ensuring the maintenance of all park-owned structures and their sites. Park management shall conform to state laws.

The owner or operator of the park is responsible for complying with all laws.

Compliance with this ordinance shall not exempt the park owner, developer, or manager from complying with other applicable local, state, and federal codes and regulations.

The mobile home park must comply with all other laws and ordinances.

APPENDIX

APPENDIX A

Suggested Safety Standards For Older Mobile Homes

NOTE: The following standards are adapted from a draft entitled "Used Manufactured Home Standard" being considered by the State Manufactured Housing Board.

PURPOSE

The purpose of these standards is to establish a condition of safety that will allow the home to perform in a manner that will greatly reduce hazards that present an imminent and unreasonable risk of death or serious personal injury.

APPLICABILITY

These standards shall apply to all manufactured housing built before June 15, 1976, or not built according to the National Manufactured Housing Construction and Safety Standards Act of 1974, United States Code, Title 42, Chapter 70, to be located on an individual lot or in a mobile home park in the Town of _____.

EXIT FACILITIES - EXTERIOR DOOR

1. Required egress doors shall not be located where a lockable interior door must be used in order to exit.
2. Homes shall have a minimum of two exterior doors not less than 12 feet from each other as measured in any straight line direction regardless of the length of the travel between doors. One of the required exit doors must be accessible from the doorway of each bedroom without traveling more than 35 feet.
3. All exterior swinging doors shall provide a minimum 28 inches wide by 74 inches high clear opening. All exterior sliding glass doors shall provide a minimum 28 inches wide by 72 inches high clear opening. Locks shall not require the use of a key for operation from the inside.

EXIT FACILITIES - EGRESS WINDOWS AND DEVICES

Homes shall have the following emergency egress facilities:

1. Every room designed expressly for sleeping purposes, unless it has an exit door, shall have at least one outside window or approved exit device. If an exit window or device is installed, it shall be listed in accordance with procedures and requirements of AAMA 1704-1985.
2. The bottom of the window opening shall not be more than 36 inches above the floor.
3. Locks, latches, operating handles, tabs and any other window, screen or storm window devices, which need to be operated in order to permit exiting, shall not be located in excess of 54 inches from the finished floor.

INTERIOR DOORS

Each interior door, when provided with a privacy lock, shall have a privacy lock that has an emergency release on the outside to permit entry when the lock has been locked by a locking knob, lever, button or other locking devices on the inside.

FIRE DETECTION EQUIPMENT

1. At least one smoke detector (which may be a single station alarm device) shall be installed in the home in the following locations:
 - A. A smoke detector shall be installed on any wall in the hallway or space communicating with each bedroom area between the living area and the first bedroom door unless a door separates the living area from that bedroom area, in which case the detector shall be installed on the living area side as close to the door as practical. Homes having bedroom areas separated by any one or combination of communication areas such as kitchen, dining room, living room, or family room (but not a bathroom or utility room) shall have at least one detector protecting each bedroom area.
 - B. When located in hallways, the detector shall be between the return air intake and the living area.
 - C. The smoke detector shall not be placed in a location which impairs its effectiveness.

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- D. Smoke detectors shall be labeled as conforming with the requirements of Underwriters Laboratory Standards No. 217, Third Edition, 1985, as amended through October 8, 1985, for single and multiple station smoke detectors.
- E. Each smoke detector shall be installed in accordance with its listing. The top of the detector shall be located on a wall 4 inches to 12 inches below the ceiling. However, when a detector is mounted on an interior wall below a sloping ceiling, it shall be located 4 inches to 12 inches below the intersection on the connecting exterior wall and the sloping ceiling (cathedral ceiling). The required detector(s) shall be attached to an electrical outlet box and the detector connected by permanent wiring method into a general electrical circuit. There shall be no switches in the circuit to the detector between the over-current protection device protecting the branch circuit and the detector. The smoke detector shall not be placed on the same branch circuit or any circuit protected by a ground fault circuit interrupter.

FLAME SPREAD

- 1. Ceiling interior finish shall not have a flame spread rating exceeding 75.
- 2. Walls and ceilings adjacent to or enclosing a furnace or water heater shall have an interior finish with a flame spread rating not exceeding 25. Sealants and other trim material 2 inches or less in width used to finish adjacent surfaces within this space are exempt if supported by framing members or by materials having a flame spread rating not exceeding 25.
- 3. Exposed interior finishes adjacent to the cooking range shall have a flame spread rating not exceeding 50.
- 4. Kitchen cabinet doors, countertops, back splashes, exposed bottoms, and end panels shall have a flame spread rating not to exceed 200.
- 5. Finish surfaces of plastic bathtubs, shower units, and tub or shower doors shall not exceed a flame spread of 200.
- 6. No burner of a surface cooking unit shall be closer than 12 horizontal inches to a window or an exterior door.

KITCHEN CABINET PROTECTORS

1. The bottom and sides of combustible kitchen cabinets over cooking ranges to a horizontal distance of 6 inches from the outside edge of the cooking range shall be protected with at least 5/16-inch thick gypsum board or equivalent limited combustible material. One-inch nominal framing members and trim are exempted from this requirement. The cabinet area over the cooking range or cooktops shall be protected by a metal hood with not less than a 3-inch eyebrow projecting horizontally from the front cabinet face. The 5/16-inch thick gypsum board or equivalent material which is above the top of the hood may be supported by the hood. A 3/8-inch enclosed air space shall be provided between the bottom surface of the cabinet and the gypsum board or equivalent material. The hood shall be at least as wide as the cooking range.
2. The metal hood will not be required if there is an oven installed between the cabinet and the range.
3. Ranges shall have a vertical clearance above the cooking top of not less than 24 inches to the bottom of combustible cabinets.

CARPETING

1. Carpeting shall not be used in a space or compartment designed to contain only a furnace and/or water heater. Carpeting may be installed in other areas where a furnace or water heater is installed, provided that it is not located under the furnace or water heater.

ROOF LOADS

1. All homes with roofs added after construction will require a professional engineer to inspect the roof to determine that the roof and home can withstand the rigors of a State of Maine winter or wind uplifts that may occur.

HEATING AND FUEL BURNING SYSTEM

1. A person holding a master license issued by The State of Maine Oil and Solid Fuel Examining Board shall inspect and certify that the heating and fuel system meets the requirements of NFPA-31 - Installation of Oil Burning Equipment as adopted by that Board, or other applicable standards.

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ELECTRICAL SYSTEM

1. A person holding a master license issued by the State of Maine Electricians Examining Board shall inspect and certify that the electrical system is safe and meets the National Electrical code in effect at the time the home was constructed.