

WEST PARIS
MOBILE HOME PARK ORDINANCE

SECTION I. Purpose

- A. To promote the orderly development of mobile home parks to insure the health, safety, and general welfare of the residents of the park and the Town of West Paris.

SECTION II. Legislative Authority

A. Authority

1. This ordinance is adopted pursuant to Home Rule Powers as provided for in Article VII-A of the Maine Constitution and Title 30, M.R.S.A., Section 1917.
2. This ordinance shall be known as the Mobile Home Park Ordinance of the Town of West Paris, adopted and effective by vote of the Town Meeting on March, 4, 1986
(month) (day)

B. Administration

1. The Planning Board of the Town of West Paris shall administer this ordinance.
2. No person shall construct, develop, establish, expand or operate a mobile home park without having first obtained a permit from the Planning Board. A permit shall be granted for a period of one (1) year. If construction is not initiated within the one (1) year period, the permit expires and the applicant must reapply to the Planning Board for another permit. Each permit shall be issued only for the site designated in the plans accompanying the application and shall not be transferable or assignable to any other site.

SECTION III Validity and Severability

A. Validity and Severability

1. Should any section or provision of this ordinance be declared by any court to be invalid, such decision shall not affect the validity of any other section or provision of the ordinance.

SECTION IV Applicability

- A. This ordinance shall apply to all development proposals for new construction of mobile home parks and to any expansion of existing mobile home parks.

SECTION V Application Procedure and Site Plan Content

- A. The Mobile Home Park Application shall consist of an application form and a subdivision plan, (items with an X shall be required in all instances; items without an X may be required at the discretion of the Planning Board). The application form shall be provided by the Planning Board and contain the following information:

1. Information on the Applicant

- ☒ a. Name of Owner.
- ☒ b. Name of Applicant (if other than owner).
- ☒ c. If Applicant is a corporation, state whether the corporation is licensed to do business in Maine, and attach a copy of Secretary of State's Registration.
- ☒ d. Name of Applicant's authorized representative.
- ☒ e. Name, address, and number of Registered Professional Engineer, Land Surveyor or Planner who prepared the plan.
- ☒ f. Address to which all correspondence from the Planning Board should be sent.
- ☒ g. What interest does the Applicant have in the parcel to be developed (option, land purchase contract, record ownership, etc.)?
- ☒ h. What interest does the applicant have in any property abutting the parcel to be developed?
- ☒ i. State whether the development covers the entire or contiguous holdings of applicant or not.

2. Information on the Parcel to be Developed

- ☒ a. Location of property: Book and page (from Register or Deeds).
- ☒ b. Location of property: Map and lot (from Assessor's Office).
- ☒ c. Map survey of tract to be developed, certified by a Registered Land Surveyor, tied to established reference points (attached to application form).
- ☒ d. Current zoning of property.
- ☒ e. Acreage of parcel to be developed.

- X f. A soils report prepared by a Licensed Site Evaluator, identifying soil types and location of soil test areas. Based on soil test results, certain modifications of the subdivision may be required (attach a copy of the soils report to the application). There shall be at least one soils test per lot.
 - X g. Names of property owners abutting the parcel to be developed, and on the opposite side of the road from the parcel to be developed (show on plat).
- B. The Site Plan shall be a map survey of the tract to be developed, certified by a Registered Land Surveyor and tied to established reference points. The plan shall not be less than 18" by 24" and shall be drawn to a scale not greater than 1" equals 100' nor less than 1" equals 400' with contour lines at intervals specified by the Planning Board. At least an original transparency and three copies of the plan shall be provided one each for the Applicant, Planning Board, and Selectmen with the original to be filed in the County Registry of Deed.
1. Information on the Site Plan
- X a. Proposed name of mobile home park.
 - X b. Lot numbers.
 - X c. Date, north point, graphic map scale (show on plat).
 - X d. Proposed lot lines with approximate dimensions and suggested locations of buildings, subsurface sewage disposal systems, and wells (show on plat).
 - X e. Location of permanent or temporary markers adequately located to enable the Planning Board to locate lots readily and appraise the basic layout in the field (show on plat).
 - X f. Location of all parcels to be dedicated to public use, the conditions of such dedication, and the location of all natural features or site elements to be preserved (show on plat).
 - X g. A location map, consisting of a U.S.G.S. Topographical Map, showing the relation of the proposed mobile home park to adjacent properties and to the general surrounding area. The location map shall show all the area within 2,000 feet of any property line of the proposed mobile home park (attach to plan).

- 4. Other information not indicated above, as specified by the Planning Board on the application.

D. Application Procedures

1. Submission of Application

- a. Applications for mobile home park permits shall be submitted to the Chairman of the Planning Board who shall issue to the applicant a dated receipt. Within thirty (30) days from the date of receipt, the Planning Board shall notify the applicant in writing either that the application is complete or, if the application is incomplete, the specific additional material needed to make a complete application. Determination by the Planning Board that the application is complete in no way commits or binds the Planning Board as to the adequacy of the application to meet the criteria of Title 30, M.R.S.A., Section 4956 or of these regulations. The Planning Board shall make a determination as to the completeness of the application. The applicant assumes all responsibility as to its completeness.

2. Public Hearing

- a. In the event that the Planning Board determines to hold a public hearing on the proposed mobile home park, it shall hold such public hearing within 30 days of having notified the applicant in writing that a complete application has been received and shall cause notice of the date, time and place of such hearing to be given to the applicant, all property owners within one thousand (1,000) feet of the boundaries of the mobile home park and published in a newspaper of general circulation in the municipality in which the mobile home park is proposed to be located at least two times; the date of the first publication shall be at least seven (7) days prior to the hearing. The decision to hold a public hearing is discretionary, and in making its

decision, the Planning Board may consider the size and type of mobile home park, the community impact, and whether any written requests for such a hearing have been received. Public hearings shall be conducted in accordance with the procedures in Title 30, M.R.S.A., Section 2411, Subsection 3(a), (b), (c), (d), (e).

3. Planning Board Decision on the Mobile Home Park

- a. The Planning Board shall, within 30 days of a public hearing, or within 60 days of having received a complete application, if no hearing is held, or within such other time limit as may be mutually agreed to, issue an order denying or granting approval of the proposed mobile home park, or granting approval on such terms and conditions as it may deem advisable to satisfy the criteria contained in these regulations and in Title 30, M.R.S.A. Section 4956, and to preserve the public's health, safety, and general welfare. In all instances, the burden of proof shall be upon the applicant. In issuing its decision, the Planning Board shall make a written finding of fact establishing that the proposed mobile home park does or does not meet the provisions of these regulations and Title 30, M.R.S.A., Section 4956.
- b. Upon approval of the mobile home park, a majority of the Board shall sign all four copies of the development plan. The original shall be filed by the applicant with the County Registry of Deeds. One copy shall be retained by the applicant, one copy shall be retained by the Planning Board, and one copy shall be filed with the Selectmen. The Planning Board shall maintain a permanent record of their action on the mobile home park plan.

SECTION VI Minimum Design and Performance Standards

A. Lot Size and Dimension Requirements

1. Each individual mobile home lot in a mobile home park connected to a municipal sewer or a centralized private sewer system shall contain a minimum of 12,000 square feet.

2. Each individual mobile home lot in a mobile home park not connected to a municipal sewer or a centralized private sewer system shall contain a minimum of 20,000 square feet.
3. No mobile home lot shall be less than 100 feet in width nor 120 feet in depth.

B. Setback requirements

1. No mobile home shall be located less than 15 feet from the side and rear lot lines of an individual mobile home lot and there shall be a minimum side and end clearance of 30 feet between adjacent mobile homes.
2. No mobile home shall be located closer than 25 feet to the right-of-way line of a street within the park.
3. A mobile home lot which abutts a lake, pond, river, stream or brook shall have a minimum setback of 100 feet.

C. Mobile Home Stand/Pad

1. Each mobile home lot in a mobile home park shall be provided with a pad or foundation of suitable construction as to prevent heaving, shifting or settling due to frost action.
2. All individual mobile homes shall be equipped with suitable skirting.

D. Streets

1. If the municipality is to be petitioned to accept streets within a proposed mobile home park such streets shall conform to existing design standards for town roads and street.
2. Where streets in a proposed mobile home park are to be maintained by the mobile home park owner, they shall meet the following minimum standards.
 - a. All mobile home parks shall be provided with safe and convenient vehicular access from abutting public streets or roads to each lot. Alignment and gradient shall be properly adapted to the sites topography.
 - b. Access to mobile home parks shall be designed to minimize congestion and hazards at the entrances or exits and allow for free movement of traffic on adjacent streets. All street intersections shall be at angles as close to ninety (90) degrees as possible. In no instances shall street intersections be at an angle less than sixty (60) degrees.

- c. Except where topographic or other conditions make a greater length unavoidable, cul-de-sacs or dead-end streets shall not be greater in length than 1,000 feet. They shall be provided at the closed end with a turn-around, having a property line diameter of at least 100 feet and a traveled way radius of at least 35 feet. The use of a T-shaped turnaround will be permitted as an alternative. In the latter case, the turn-around shall be at least 24 feet wide, 40 feet long and shall be located between 50 and 100 feet from the end of the street. All dimensions cited for the T-shaped turnaround are for the traveled way.
- d. All streets in a mobile home park shall have a minimum right-of-way of fifty (50) feet.
- e. All streets in a mobile home park shall be paved with hot bituminous pavement or Cut-Back Asphalt.
- f. Minimum pavement widths in mobile home parks shall be twenty (20) feet.
- g. Reasonable shoulders shall be graded on both sides of every street in a mobile home park.
- h. Adequate provisions shall be made for disposal of all surface water and underground water through ditches, culverts and/or storm water system.
- i. All streets in a mobile home park shall be so designed to discourage through traffic.
- j. All streets to be maintained by park owner.

E. Illumination of Park Streets

- 1. Mobile home park streets shall be illuminated to provide for safe vehicular and pedestrian movement during dark hours.

F. Off Street Parking

- 1 Each mobile home lot in a mobile home park shall be furnished with space for off-street parking for two (2) automobiles.
- 2. An area of 240 square feet shall be considered as 2 off-street parking space.

G. Water Supply

1. An accessible, adequate, safe and potable supply of water shall be provided in each mobile home park.
2. Where a public supply of water of satisfactory quantity, quality, and pressure is available, connection shall be made there too and its supply used exclusively.
3. When a public water supply is not available, a private water supply shall be developed and used subject to approval by the local plumbing inspector and the Department of Human Services.
4. The water supply shall be capable of delivering a minimum of 200 gallons per day to each mobile home with a minimum of 30 pounds per square inch pressure at all time.
5. All elements of the water system shall be designed and constructed in a manner that underground or surface contamination shall not reach the water supply.
6. All elements of the water system shall be so designed and constructed to prevent freezing and heaving.

H. Sewage Disposal

1. All water carried sewage shall be disposed of by means of one of the following:
 - a. Any mobile home park located within 500 feet of an existing public sewer shall connect to that existing public sewer if the municipal system has the capacity to accept the volume of sewage to be produced by the mobile home park.
 - b. Each mobile home lot in a mobile home park shall be served by a centralized private sewer system approved by the Department of Human Services.

- c. Individual subsurface sewage system meeting the requirements of the State Plumbing Code.

I. Electrical Distribution System

1. Every mobile home park and each lot within a mobile home park shall be served by an electrical wiring system which shall be installed and maintained in accordance with all applicable State of Maine laws and local codes and regulations governing such system.
2. All electrical and telephone distribution facilities shall be located underground.

J. Fuel Supply and Storage

1. Natural gas and liquefied petroleum gas systems shall comply with all applicable codes and regulations. Installation of systems shall be subject to inspection and approval by the Code Enforcement Officer.
2. All fuel oil supply systems shall be constructed and installed underground in each mobile home lot in accordance with all applicable codes and regulations. Installation of the system shall be subject to inspection and approval of the Code Enforcement Officer.

K. Refuse Disposal

1. The storage, collection and disposal of refuse in the mobile home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution.

L. Fire Protection

1. The mobile home park shall be subject to any and all existing and future Town fire prevention regulations.
2. Each lot shall be legibly marked for identification, and easily accessible to emergency vehicles (permitting fire apparatus to approach within 100 feet).

M. General Requirements

1. Ditches, Catch Basins - The Planning Board may require the installation of ditches, catch basins, piping systems, and other appurtenances for the conveyance, control, or disposal of surface waters. Adequate drainage shall be provided so as to reduce the danger of flooding and erosion.
2. Basement Drainage - If lots are being created to accommodate structures with basements, the subdivider shall show that the basement can be drained by gravity to the ground surface, or storm sewers, if they are required to be installed or that the seasonal high water table is below the level of the basement.
3. Open Space Provisions - The Planning Board may require that a proposed mobile home park design include a landscape plan that will show the preservation of existing trees, the replacement of trees and vegetation, graded contours, streams, and the preservation of scenic, historic, or environmentally desirable areas.
4. Buffer Strip - The Planning Board may require a buffer strip, such as natural vegetation, when the proposed subdivision will be located adjacent to a use where separation is desirable.
5. Construction Prohibited - No utility installations, no ditching, grading, or construction of roads, no grading of land or lots, and no construction of buildings shall be done on any part of the mobile home park until the application has been prepared, submitted, reviewed, approved, and endorsed as provided for by these regulations, nor until an attested copy of the plan so approved and endorsed has been recorded by the subdivider in the Registry of Deeds. Plans for road construction, grading and ditching should be reviewed by the Road Commissioners for recommendations prior to Planning Board Approval.
6. Conformance with other Laws, Regulations - The proposed mobile home park shall be in conformance with all pertinent local, State, and Federal ordinances, statutes, laws, and regulations. If the proposed mobile home park meets the definition of a subdivision as defined in the Site Location Act, Title 38, M.R.S.A.,

Section 482, the developer must secure the concurrent approval of the Board of Environmental Protection and the Town Planning Board before any construction activity may begin in the subdivision.

7. Plan Revisions After Approval - No changes, erasures, modifications, or revisions shall be made in any mobile home park plan after approval has been given by the Planning Board and endorsed in writing on the plan, unless the plan is first re-submitted and the Planning Board approves any modifications. In the event that the mobile home park plan is recorded without complying with this requirement, the plan shall be considered null and void, and the Planning Board shall institute proceedings to have the plan stricken from the records of the Selectmen and the Registry of Deeds.

SECTION VII General Provisions

- A. Where the Planning Board finds that extraordinary and unnecessary hardships may result from strict compliance with these regulations, or where there are special circumstances of a particular plan, it may waive any of these regulations provided that such waiver will not have the effect of nullifying the purpose of these regulations, the Comprehensive Plan, the Shoreland Zoning Ordinance, or any other ordinance.

SECTION VIII Violation, Enforcement and Fines

- A. Violation and Enforcement: The Planning Board, the Selectmen or the appropriate municipal official, upon a finding that any provision of this ordinance or the condition(s) of a permit issued under this ordinance is being violated, are authorized to institute legal proceedings to enjoin violations of this ordinance.
- B. Fines: A person who violates the provisions of this ordinance or the condition(s) of a permit shall be guilty of a civil violation, and on conviction shall be fined not less than \$100 nor more than \$2,500 for each day such violation continues. The violator shall also be liable for court costs and reasonable attorney fees incurred by the municipality.

SECTION IX Appeals

- A. If the Planning Board disapproves an application or grants approval with conditions that are objectionable to the applicant or any abutting landowner or any aggrieved party, or when it is claimed that the provisions of the ordinance do not apply, or that the true intent and meaning of the ordinance has been misconstrued or wrongfully interpreted, the applicant, an abutting landowner, or aggrieved party may appeal the decision to the West Paris Board of Appeals within thirty (30) days from the Planning Board's final decision in accordance with Title 30, M.R.S.A. Section 2411.

SECTION X Amendments

- A. This ordinance may be amended by a majority vote of the Town Meeting. Amendments may be initiated by a majority vote of the Planning Board or by request of the Board of Selectmen to the Planning Board or on petition of 10% of the votes cast in the last gubernatorial election in the Town. The Planning Board shall conduct a public hearing on any proposed amendment.

SECTION XI Definitions

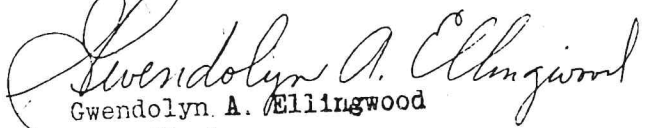
A. Mobile Home

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 12 body feet, or more in width and are 650 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.

- B. Mobile Home Park is defined as a parcel or adjoining parcel of land under single ownership, which has been planned and improved for the placement of 3 and not more than 30 mobile homes per parcel, for non transient use.
- C. Mobile Home Lot is defined as a parcel of land for the placement of a single mobile home and the exclusive use of its occupants.
- D. Mobile Home Stand/Pad is defined as that part of an individual lot that has been reserved for the placement of the mobile home.
- E. Planning Board shall mean the West Paris Planning Board.
- F. Person shall mean any individual, group of individuals, firm, corporation, association, partnership or private or public entity, including a district, county, city, town or other governmental unit or agent thereof; and, in the case of a corporation, any individual having active and general supervision of the properties of such corporation.

ATTEST: a true copy of an ordinance entitled
"West Paris Mobile Home Park Ordinance" as
certified to me by the Municipal Officers of West Paris on
the 14th day of February, 1986.
A True Copy, ATTEST:


Gwendolyn A. Ellingwood
Town Clerk
West Paris, Maine

2/14/86