

## **CHAPTER 25 MOBILE HOME PARK AND CAMPING PARK ORDINANCE**

### **ARTICLE 1**

#### **SECTION 101 DEFINITIONS**

For the purposes of this Ordinance, the following words and phrases shall have the meaning ascribed to them in this section:

**ANNUAL LICENSE:** Annual License means the license to be issued in accordance with Article 3.

**CAMP GROUND:** Is a facility for the temporary parking of campers or tents for temporary human habitation. Temporary human habitations shall mean use of tent or camper on the campground for no more than ninety (90) days in one (1) calendar year. Use of any tent or camper for more than ninety (90) days in any one (1) calendar year or any five (5) weeks during the period from November, December, January, February and March, shall be presumed to be permanent occupancy.

**CAMP TRAILER:** Camp Trailer shall mean a trailer used primarily or exclusively for vacation and recreation purposes and shall include tent-trailers, self-propelled camping units and camping units mounted on or otherwise affixed to a motor vehicle.

**CAMPING PARK:** Camping Park shall mean a plot of ground on which two (2) or more camp trailers, tents or trailers, occupied for sleeping purposes, may be located.

**CONSTRUCTION LICENSE:** Construction License means the preliminary steps set forth in Article hereof.

**DEVELOPED LOT:** Developed Lot means a mobile home lot, trailer lot or camping lot which has been developed.

**LICENSEE:** Licensee means any person licensed to operate and maintain a mobile home park or camping park under this ordinance.

**LICENSING AUTHORITY:** Licensing Authority means the City Council of the City of Brewer.

**MOBILE HOME:** A structure, transportable in one or more sections which is eight (8) body feet or more in width and is thirty

two(32) body feet or more in length and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein.

**MOBILE HOME PARK:** A parcel or adjoining parcels of land under single ownership, which has been planned and improved for the placement of two (2) or more mobile homes per parcel.

**PERSON:** Person shall be construed to include a person, partnership, firm, company, corporation, owner, lessee or their agents.

**TENT:** Tent shall mean a portable sleeping shelter.

**TRAILER:** Trailer shall mean any vehicle used or so constructed as to permit its being used as conveyance on the public streets and highways and duly licensed as such, and constructed in such a manner as will permit occupancy thereof as a dwelling or sleeping place for one (1) or more persons, and not provided with a toilet and a bathtub or shower, or any structure transportable in one or more sections which is less than eight (8) body feet wide and less than thirty two (32) body feet in length, which would otherwise meet the definition of a "mobile home" under this ordinance.

## **ARTICLE 2**

### **SECTION 201 REQUIREMENT OF LICENSE**

It shall be unlawful for any person to maintain or operate within the limits of the City of Brewer any mobile home park or camping park as defined by this Ordinance, unless such person shall first obtain from the licensing authority a license therefore as hereinafter provided.

## **ARTICLE 3**

### **SECTION 301 APPLICATION PROCEDURE FOR THE CONSTRUCTION, DEVELOPMENT AND EXPANSION OF PARKS**

An applicant for construction and/or development of a mobile home park or camping park shall file one velum or mylar and four (4) copies of a site plan with the City Clerk. The site plan shall contain the following information:

1. Name and address of applicant. An application will be considered only when an applicant has demonstrated sufficient title, right of interest in all of the property which is proposed for development or use. An applicant shall demonstrate in writing sufficient title, right or interest as follows:
  - A. When an applicant claims ownership of the property, copies of the deeds to the property shall be supplied.
  - B. When the applicant has an option to buy the property, a copy of the option agreement shall be supplied. Option agreements shall contain terms deemed sufficient by the Board to establish future title.
  - C. When the applicant has a lease on the property, a copy of the lease shall be supplied. The lease shall be of sufficient duration, as determined by the Board, to permit construction and reasonable use of the development.
  - D. When the applicant has eminent domain power over the property, evidence shall be supplied of the ability and intent to use the eminent domain power to acquire sufficient title, right or interest as determined by the Board.
  - E. When the applicant has a bond for a deed on the property, a copy of the bond for a deed shall be supplied.
  - F. When the applicant has a purchase and sales agreement to purchase the property, the applicant shall provide a copy of the purchase and sales agreement.
2. Exterior boundaries of the tract of land, as well as boundaries of each lot therein.
3. Location, ground floor area and elevation of existing and proposed buildings and other structures, including use and proposed use thereof.
4. Location, ground floor area and elevation of buildings on abutting properties.
5. Location of existing public streets.
6. Location of proposed access drives to the park from public streets.
7. Location and arrangement of proposed off-street parking and loading areas and their appurtenant drives

- and maneuvering areas.
8. Location of existing and proposed pedestrian walkways.
  9. Location and dimensions of existing and proposed utilities and easements therefore, including sanitary sewerage, water and electricity. If the park is not to be served by a public sewer line then an on-site soils investigation report by a Department of Human Services licensed site-evaluator shall be provided. The report shall contain the types of soil, location of test pits, and proposed location and design of the best practical subsurface disposal system for the site.
  10. Location of existing natural drainageways and proposed storm drainage facilities, including dimensions of culverts, pipes, etc.
  11. Location, intensity, type, size and direction of all outdoor lighting.
  12. Location and proposed use of areas proposed for outdoor recreation.
  13. Location and type of existing and proposed fences, edges, and trees of twelve (12) inch caliper and over, measured at a point four and one half (4.5) feet above ground level.
  14. Contour lines at intervals of two (2) feet or less of existing and proposed grades for areas proposed to be excavated or filled.
  15. Location and size of signs and all permanent outdoor fixtures.
  16. In cases where construction may adversely affect such things as light, noise, safety and electro-magnetic effects, the applicant may be required to provide expert outside testimony.
  17. The site plan shall have a scale of not more than one hundred (100) feet to the inch.

**SECTION 302 APPLICATION FEE** At the time the site plan is filed, the applicant shall pay to the City Clerk the following fees, which will be used to defray the costs incurred by the City in processing the said site plan:

<u>Water and Sewer Services to the Park</u>	<u>Fee</u>
Off lot - City water and sewer	\$100.00 plus \$1.00 for each proposed lot
On lot water and City sewer	\$150.00 plus \$1.00 for each

City water and on lot sewer	proposed lot \$200.00 plus \$1.00 for each proposed lot
On lot water and sewer	\$250.00 plus \$1.00 for each proposed lot

**SECTION 303 REVIEW BY CITY STAFF** The City Clerk shall refer the velum or mylar and all copies of the site plan to the Code Enforcement Officer, along with notification of the fee paid. Within three (3) working days after receipt of the site plan, the Code Enforcement Officer shall determine whether Sections 301 and 302 of this Ordinance have been met. In the event the Code Enforcement Officer determines a deficiency exists, he shall notify the applicant in writing. The applicant shall correct any deficiency.

Once the Code Enforcement Officer is satisfied that the site plan is complete, he shall:

- a) Refer one (1) copy of the site plan to the Chairman of the Planning Board, one (1) copy to the City Engineer, one (1) copy to the Chief of Police and one (1) copy to the Chief of the Fire Department.
- b) Notify the City Health Officer and City Manager of the site plan. The City Health Officer, Chief of Police, Chief of the Fire Department and City Engineer shall review the site plan and make their recommendations in writing to the Planning Board within fourteen (14) days after they either receive a copy of the site plan or are notified of the plan by the Code Enforcement Officer. The Code Enforcement Officer shall make his recommendation to the Planning Board within fourteen (14) days after he receives the complete site plan.

**SECTION 304 REVIEW BY THE PLANNING BOARD** The Planning Board shall take the following action:

- a) The Planning Board shall notify the applicant in writing within thirty (30) days from the receipt of the site plan, or such time as is agreed upon in writing, whether the site plan is complete.
- b) The Planning Board shall hold a public hearing on the site plan. The public hearing shall be held within thirty (30) days from the receipt of the complete site plan or a

mutually agreed upon, and the Planning Board shall cause notice of the date, time and place of such hearing to be given to the applicant, to the owners of properties within five hundred (500) feet of the boundary lines of property upon which the proposed park is to be located, and to be published at least two (2) times, at the applicant's expense, in a newspaper of general circulation in the City of Brewer, the date of the first publication to be at least seven (7) days prior to the date of the hearing.

- c) The Planning Board within fifteen (15) days of the public hearing, or as mutually agreed upon, shall make a written recommendation to deny, grant or grant upon such terms and conditions as it may deem advisable, subject to the criteria hereinafter set forth.
- d) The Chairman of the Planning Board shall then refer the matter to the Brewer City Council along with the Planning Board's written recommendation and a written statement of findings supporting said recommendation.

**SECTION 305 REVIEW BY THE CITY COUNCIL** The City Council shall take the following action:

- a) The City Council shall hold a public hearing within thirty (30) days after receipt of the above material from the Chairman of the Planning board. The City Council shall cause notice of the date, time and place of such hearing to be given to the applicant; to the owners of the properties adjoining within five hundred (500) feet of the boundary lines of the property upon which the proposed park is to be located, and to be published at least two (2) times, at the applicant's expense, in a newspaper of general circulation in the City of Brewer, the date of the first publication to be at least seven (7) days prior to the date of the hearing.
- b) Within fifteen (15) days after the City Council holds a public hearing it shall issue its decision, denying, approving or approving the site subject to certain restrictions. In the event of approval or approval subject to certain restrictions, a majority of the City Council members present and voting shall sign the site plan. The application shall be affixed to the site plan.
- c) The applicant shall file the approved site plan with the terms and conditions thereon in the Penobscot County Registry of Deeds within sixty (60) days thereafter. In the event the site plan is not recorded within said sixty

(60) days time period; the approval by the City Council shall be null and void.

- d) The City Council shall not issue a license until the approved site plan has been recorded in the Penobscot County Registry of Deeds. The license shall expire on June 30th next following the date of issuance.

**SECTION 306 APPLICATION OF OTHER ORDINANCES** In reviewing the site plan, the Planning Board and City Council shall consider the criteria set forth under Title 30 M.R.S.A., et seg, Chapter 24, Brewer Zoning Ordinance of the City of Brewer Charter and Ordinances; and this Ordinance and such other Ordinances of the City of Brewer as the same may be applicable.

**SECTION 307 ANNUAL LICENSE** After the initial license which has been issued by the City Council has expired, the City Council delegates to the City Clerk the authority to issue an annual license thereafter as long as no violations of the site plan, City ordinance or state statute are present and the annual fee, as hereinafter provided, has been received.

By May 15 of each year, the applicant shall file an application with the City Clerk, along with the annual fee. The form of the application shall be as determined by the City Clerk.

Within three (3) working days after the receipt of the application and annual fee, the City Clerk shall notify the Health Officer, Police Chief, Chief of the Fire Department and City Engineer of the filing of the application. The respective departments shall review the application and view the park if necessary, to determine if the park meets the conditions of the site plan, City Ordinances and State Statutes where applicable.

The departments shall file a written report with the City Clerk within ten (10) days after notification by the City Clerk of the pending application. The City Clerk shall send copies of any adverse reports to the applicant.

In the event of a violation of the site plan, City Ordinance or State Statute, the City Clerk shall refer the matter to the City Council. The City Council shall issue the license only when it is satisfied the violation has been corrected.

**SECTION 308 LICENSE FEE** The fee for the initial license shall be Fifty (\$50.00) Dollars if the date of issuance is six (6) months or greater from July 1st following the date of issuance of said

license or Twenty Five (\$25.00) Dollars if the date of issuance is less than six (6) months from July 1st next following the date of issuance of said license. Thereafter the annual license shall be Fifty (\$50.00) Dollars plus One (\$1.00) Dollar for each developed lot.

**SECTION 309 LICENSING YEAR** The licensing year shall be from July 1 to June 30 of each year. If a change in ownership of the park occurs during the licensing year, the new owner shall pay the City Clerk ten dollars (\$10.00) and obtain a license from the City Clerk for the balance of the licensing year.

**SECTION 310 LICENSES RELATING TO EXISTING PARKS** All mobile home or camping parks existing at the time of the enactment of this revised Ordinance shall be required to pay 1/2 the fees required in Section 308 upon renewal of their 1983 license on or before January 1, 1984. This license and subsequent renewals shall expire on June 30 each year.

**SECTION 311 APPLICATION OF ORDINANCE TO EXISTING PARKS** All mobile home or camping parks in existence at the time of the enactment of this revised Ordinance shall follow the requirements of this Ordinance for any extension or enlargement thereof.

#### **ARTICLE 4**

**SECTION 401 LOCATION OF PARKS** All parks shall be located on a well-drained site properly graded to insure rapid drainage and freedom from stagnant pools of water. No park sites shall be developed within the one hundred (100) year floodplain.

**SECTION 402 SIZE OF PROPERTY UPON WHICH A PARK MUST BE LOCATED** The property upon which the mobile home park is located shall contain at least ten (10) acres of land.

**SECTION 403 DENSITY AND LOT SIZE** Mobile home parks shall conform with the density and lot coverage requirements of the Zoning District for which they are proposed. In any instance, net density shall not exceed the following:

Low Density Residential:	one (1) unit per 40,000 square feet;
High Density Residential-Two:	six (6) units per acre



Net density shall be determined by deducting Fifteen (15%) percent of the total area of the property for streets and dividing by the units per acre figure shown for the respective districts above; however, lot sizes shall be a minimum of Fifty (50) foot. Frontage by One Hundred (100) foot depth, regardless of zone.

## **SECTION 404 YARDS AND OPEN SPACES**

**404.1 Intent** Yards and other open spaces required herein in relation to mobile homes in mobile home parks are intended to perform a variety of functions. Among these are assuring (as appropriated to and required by the mobile homes as designed, located, and constructed) adequate privacy, usable outdoor living space, desirable outlook, natural light and ventilation, access to and around dwelling, off-street parking space, and spacing between dwellings and portions of dwellings and other buildings for reducing potential adverse effects of noise, odor, glare, or hazards from fire.

It is intended in these regulations to relate provisions to performance of these functions, allowing maximum flexibility in detailed site planning and use so long as performance requirements and related standards are met.

**404.2 Dwelling Exposure and Outlook** For purposes of relating requirements to function, yards and other open spaces around mobile homes, and the distance between mobile homes and other buildings shall be determined by exposures and outlooks from the portions of the mobile home involved. Such exposures are defined and classified as follows:

Class A - Portions of walls containing principal living room exposure to outdoor living area through major windows and/or glassed doors. Prime consideration here is direct view of, and convenient access to, outdoor livability\* space. In cases where two (2) walls provide this type of exposure from a living room, either may be selected as the Class A exposure and the other shall be considered Class C.

Class B - Portions of walls containing the only windows for bedrooms, or principal windows and/or glassed doors for bedrooms, where privacy, moderate outlook, and light and air are principal considerations.

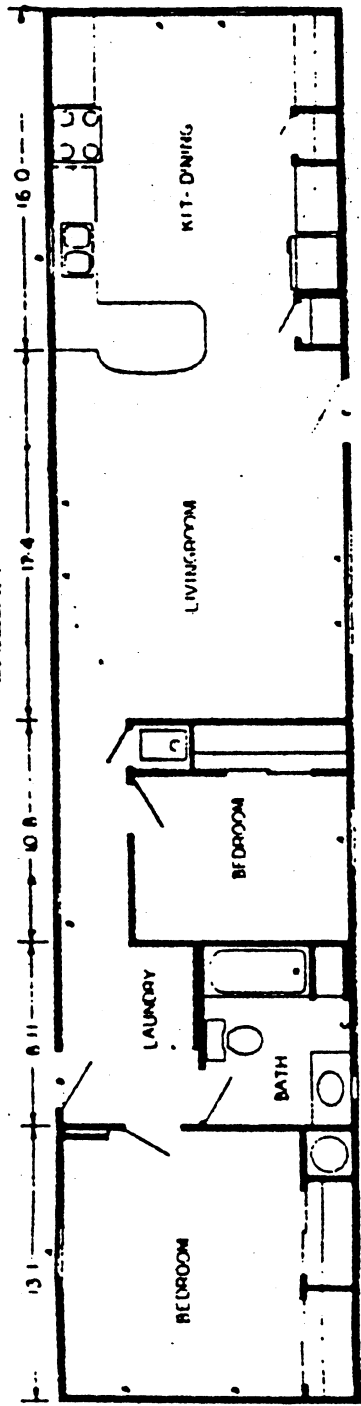
Class C - Portions of walls containing secondary windows for bedrooms, windows for kitchens, bathrooms, utility rooms, and the like, secondary windows for living rooms, or exterior doors other than entries with Class A orientation, where such windows do not involve privacy or are so located, shielded, or are of such nature that necessary privacy is assured, and where light, air and fire protection are principal considerations.

Class D - Portions of walls containing no windows, doors, or other openings, but not so constructed or safeguarded as to be suitable for attachment to other dwelling units or principal buildings. Principal concern in such cases is with fire protection.

Class E - Portions of walls containing no windows, doors, or other openings, and so constructed or safeguarded as to provide at least on-hour fire protection when attached to other dwelling units or principal buildings, and to meet the acoustic controls and living unit to living unit sound transmission limitations of Minimum Property Standards for Multi-family Housing, U.S. Department of Housing and Urban Development.

\*"Livability space" is pedestrian open space, landscaped and otherwise improved for active or passive use by occupants and closed to vehicular use.

"A"

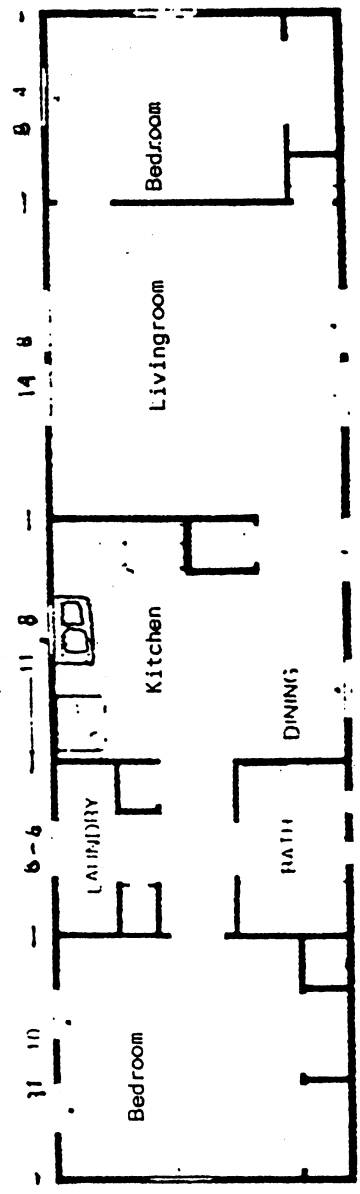


"C"

"C" (A" & "C" could be interchanged)

EXAMPLES OF DWELLING UNIT EXPOSURES PROVIDED IN 4.2 PROPOSAL (CLASS "D" & "E" RELATE TO MULTI-UNIT STRUCTURES)

"C"



OR "D"

HERE IS NOT AN IDEAL DERATION

"D" BEDROOMS

"A" PRINCIPAL LIVING ROOM EXPOSURE / ACCESS TO OUTDOOR LIVABILITY SPACE

**404.3 Open Space Depth** Open space depth is the minimum open space distance on the lot (except as otherwise specifically provided) perpendicular to the wall of the mobile home at any point, or to any addition of the dwelling which is enclosed for more than sixty (60) percent of its perimeter or for more than ten (10) percent of the portion of its perimeter opposite any A, B, or C exposure of a dwelling.

**404.3.1 Distance to Common Areas** Distance from any Class B to Class E exposure of a mobile home to a street pavement or to the edge of a common driveway, a common parking area, a common walk, or other common area, shall be at least eight (8) feet. In the case of Class A exposures this distance shall be twenty (20) feet.

**404.3.2 Other Minimum Open Space Depth Requirements** Other open space depth requirements shall be, by exposure, Class A, twenty (20) feet; Class B, ten (10) feet; Class C, eight (8) feet; Class D, five (5) feet; Class E, none. Mobile homes on lots adjoining non-residential buildings shall be separated from such buildings by at least ten (10) feet more than the above requirements.

**404.3.3 Occupancy of Open Space by Carports, Recreational Shelters, Storage Structures** A carport, enclosed for fifty (50%) percent or less of its total perimeter by attachment to the mobile home and by a wall at the inner end perpendicular to the mobile home, may extend into any open space on the lot, required or other, that does not adjoin the outdoor living area on an adjacent lot or any common non-vehicular open space.

A recreational shelter, enclosed for fifty (50%) percent or less of its total perimeter, may extend into any open space on the lot, required or other, constituting outdoor living area. Such shelter shall not exceed one hundred fifty (150) square feet in floor area.

Enclosed storage facilities combined with and included within such carports or recreational shelters shall not exceed ten (10%) percent of the floor area of such carport or shelter. Separate storage structures not exceeding ninety-six (96) square feet in floor area or seven (7) feet in height may occupy any open space on the lot, required or other, that it is farther from a street or common non-vehicular open space than the nearest portion of the mobile home. Only one (1) such separate storage structure shall be permitted per mobile home.

Carports, recreational shelters and storage facilities for adjacent lots may be so located as to attach across lot lines, provided that as located and constructed they do not constitute undesirable impediments to view (including visibility at intersections of streets or the intersections of driveways with streets) or increase fire hazards.

**404.4 Spacing Between Mobile Homes on Adjacent Lots** Minimum required distances between mobile homes or additions thereto enclosed for more than fifty (50%) percent of their perimeters or for more than ten (10%) percent of the perimeters opposite any A,B or C exposures, shall be the sum of the required distances for the exposures involved.

As an alternative to providing required open space for each mobile home exposure on its own lot, where an equivalent spacing can be assured in for appropriate to the exposures involved by decreasing clearance from the lot line on one lot and increasing clearance on the adjacent lot, this arrangement may be permitted, provided that access for servicing and maintenance of mobile homes involved can be assured, and further provided that minimum open space depth for Class A exposures shall be located on the same lot as the mobile home.

**404.5 Outdoor Living Space on Lots** An outdoor living area shall be provided on each lot to at least ten (10%) percent of its area. The minimum horizontal dimension of such area shall be not less than twenty (20) feet.

#### **SECTION 405 GARBAGE AND RUBBISH**

In all parks, rubbish cans and garbage cans shall be provided with tight fitting covers or an incinerator or other means of disposal, approved by the City of Brewer. Adequate garbage and rubbish collection must be provided by the licensee.

#### **SECTION 406 LOCATION IN RELATION TO EXTERIOR BOUNDARIES AND SCREENING**

Mobile homes shall be parked on the lot so that the mobile home will not be less than thirty-five (35) feet from the exterior boundary of the mobile home park. Where need to enhance aesthetics, the mobile home park shall be enclosed by a fence, wall, landscape screening, earth mounds or other approved designs which will complement the landscape, prevent access to adjoining property and assure compatibility with adjacent land uses.

#### **SECTION 407 RECREATIONAL AREAS AND FACILITIES**

No less than eight (8%) percent of the total area of any mobile home park established under these ordinances shall be devoted to common recreational areas and facilities, such as playgrounds, swimming pools, community buildings, ways for cyclists and pedestrians away from streets and play areas for small children away from streets or other recreational areas in block interiors. Each park shall have at least one (1) principal recreation and community center which shall contain not less than five (5%) percent of the total area of the park. To be countable as a common recreational area, interior-block ways for pedestrians or bi/tri-cyclists shall be at least ten (10) feet in width and form part of a system leading to principal destinations. Such ways may also be used for installations or utilities. To be countable as a common recreational area, inner-block play areas for small children or other inner-block recreational areas shall be at least twenty (20) feet in least dimension and shall contain not less than one thousand (1,000) square feet.

Common recreational area shall not include streets nor parking areas; shall be closed to automotive traffic, except for maintenance and service vehicles; and shall be maintained for the uses intended.

#### **SECTION 408 MARKING OF LOTS**

The corners of each developed mobile home lot shall be clearly marked on the ground by permanent, flush, stakes or markers.

#### **SECTION 409 STANDS**

Mobile home lots shall provide an adequate stand, approved by the Code Enforcement Officer, for the placement of a mobile home. Stands shall be of such construction as to prevent heaving, shifting or settling as a result of frost action, poor drainage or other such forces.

All individual mobile homes shall be equipped with skirting or other type of enclosure.

#### **SECTION 410 STREETS**

The following shall apply to all mobile home park streets and parking:

(1) All mobile home parks shall be provided with safe and convenient vehicular access from abutting public streets or roads to each mobile home lot. All park streets shall be well drained, paved, maintained in good condition, and at night adequately lighted. The following standards shall provide minimum right of way and pavement

criteria:

<u>Classification</u>	<u>Right of Way</u>	<u>Pavement Width</u>
All entrance streets or those serving more than 50 units	60 feet	30 feet
Local street serving 15 or fewer units	40 feet	26 feet
Local street serving 16 to 50 units	50 feet	26 feet

\*Pavement widths are based on parking one side of the street.

(2) Mobile home park lighting shall be designed to produce a minimum of 0.1 foot-candles at street level throughout the system. Potentially hazardous locations, such as major street intersections and steps or stepped ramps shall be individually illuminated at 0.3 foot-candles.

(3) Two (2) off-street parking spaces shall be provided on each mobile home lot.

The following shall apply to streets in all mobile home parks and camping parks:

(4) Intersections between streets shall:

- (a) be at an angle of not less than eighty (80) degrees and
- (b) have a minimum curb radius of thirty (30) feet. Mobile home lot lines at intersections shall be rounded with a curve having a minimum radius of twenty (20) feet.

(5) Maximum grade of road within seventy-five (75) feet of street intersection shall be Three (3.0%) percent. Maximum grade of tangent to vertical curve shall be Eight (8%) percent; the minimum shall be One (1%) percent.

(6) Minimum length of vertical curve for each One (1%) percent change of grade.

20 MPH (posted)	10'	10'
30 MPH (posted)	20'	20'

(7) Sight Distance - the following table shall be used to determine the required stopping sight distance necessary as measured from the traveling vehicle to the access approach:

Post speed, mph	30	35	40	45	50	55
Required stopping sight distance in feet	200	250	300	375	450	550

(8) Dead end streets shall be limited to a length of one thousand (1,000) feet and shall be provided at the closed end with a turn-around having an outside roadway diameter of at least one hundred fifty (150) feet.

(9) Streets in all parks shall be maintained and snowplowed by the licensee when in use.

**SECTION 411 LANDSCAPING**

(a) Where possible, existing trees shall be preserved, and mobile home stands shall be oriented with respect to scenic vistas, natural landscape features, topography, and natural drainage areas.

(b) Lawn and other ground cover shall be installed on all areas except those covered by structures, paved or surfaced areas and planting beds, and undisturbed areas such as woods and ravines which are to be preserved in their natural state.

(c) Screen planting, providing a dense visual barrier at all times, shall be provided around laundry drying yards, garbage and trash collection stations and non-residential uses. The Planning board may on the basis of site review criteria require screen plantings (or similar architectural techniques) around the boundaries of the park. Screens shall consist of shrubs or trees at least five (5) feet wide and at the time of planting at least four (4) feet in height and eventually reaching a mature height of at least six (6) feet.

(d) Other planting shall be provided and shall be adequate in size, quantity and character to provide an attractive setting for the mobile homes and other improvements, to provide adequate privacy and pleasant outlooks for living units, to minimize reflected glare and to afford summer shade.

(e) All transformer boxes, substations, pumping stations and meters shall be located and designated as not to be unsightly or hazardous to the public.

**SECTION 412 MOBILE HOME CERTIFICATION**

No mobile home shall be moved onto a lot unless it bears certification of conformity to the Federal Construction and Safety



Standards Act of 1974. Such certification shall be in the form of a label or tag permanently affixed to each mobile home.

Mobile homes manufactured prior to the effective implementation date of this Federal act shall meet the certification requirement if they meet the standards of the National Fire Protection Association No. 501B-1968 Standard for Mobile Homes or the "State of Maine Seal of Approval" as issued under the Maine "industrialized Housing Law" (30 MRSA 4771-4733). Evidence of the meeting either of these certifications tests is in the form of a label or tag bearing the referenced approval which was permanently affixed to the mobile home at the time of manufacture.

#### **SECTION 413 WATER SUPPLY**

A water supply system shall be installed at the expense of the applicant. Fire hydrants shall be provided on the same or separate system, which are located within three hundred (300) feet of each other and within three hundred (300) of any mobile home, at the applicant's expense, along the system.

The applicant shall demonstrate by actual test or by signed affidavit from an authorized representative of the servicing water company that water meeting Public Health Service Drinking Water Standards, 1962 can be supplied to the mobile home park at the rate of three hundred fifty (350) gallons per day per dwelling unit. Systems with fire hydrants on them must provide five hundred (500) gallons of water per minute, at sixty (60) pounds of pressure for a minimum of two (2) hours, at each hydrant, which the applicant must prove by affidavit or test. Storage shall be provided as necessary to meet peak domestic demands or fire protection needs.

It shall be demonstrated by the applicant that the proposed project will not result in an undue burden on the water source, treatment facilities or distribution system involved; or in the instance that the preceding is not feasible, assurance that such source, treatment facility or distribution system will be modified to meet the expanded needs.

Signed affidavits from the servicing water company or engineering reports prepared by a civil engineer registered in the State of Maine shall be used to demonstrate such conditions.

The minimum water main permitted shall be six- (6) inch and shall be installed at the expense of the applicant.

The water supply system shall be designed and installed in

accordance with the requirements of the Maine Department of Human Services. Any central water system provided for the project shall conform to the recommendations included in the Manual for Evaluating Public Drinking Water Supplies, Public Health Service No. 1180, (1969) as to the following factors: locations and protection of the source; design, construction and operation of the distribution system, appurtenances and treatment facilities.

**SECTION 414 SEWAGE DISPOSAL**

A sanitary sewer system shall be installed at the expense of the project principal.

An applicant shall submit plans for sewage disposal designed by a licensed civil engineer in full compliance with the requirements of the State of Maine Plumbing Code and/or Department of Environmental Protection.

Where a public sanitary sewer line is located within two hundred (200) feet of a proposed mobile home park at its nearest point, the project principal shall connect with such sanitary sewer line with main not less than eight (8) inches in diameter, provided the appropriate municipal agencies certify that extending the services will not be an undue burden on the system.

**SECTION 415 SURFACE DRAINAGE**

Where a mobile home park or camping park is traversed by a watercourse, drainage way; future sewer line as indicated by the comprehensive land use or sewer plan or plans; or where the Council feels that surface water drainage to be created by the mobile home park or camping park should be controlled for the protection the mobile home park or camping park and other property owners, there shall be provided an easement or drainage right-of-way and culverts, catch basins, or other means of channeling surface water within such mobile home park or camping park and over other properties, of such nature, width and location as the Municipal Engineer deems adequate. The applicant shall provide a statement that the proposed mobile home park or camping park will not create erosion, drainage, or runoff problems either in the mobile home park or camping park or in other properties. Accompanying such a statement and integral to its finding shall be the calculations, maps and materials used in determining the impact of the mobile home park or camping park on surface drainage. The applicant shall submit a surface drainage plan showing ditching, culverts, easements and other proposed improvements to the City Engineer.

Topsoil shall be considered part of the mobile home park or camping

park, except for surplus topsoil from roads, parking areas and mobile homes or camper stand excavations, it is not to be removed from the site. The applicant shall submit a landscape plan showing the preservation of existing trees (Six (6) inch diameter at breast height and larger) the placement of trees and vegetation, graded contours, streams and the preservation of scenic, historic or environmentally desirable areas which are included in a duly recognized Comprehensive, Land Use or Conservation Plan.

**SECTION 416 RELATIONSHIP OF MOBILE HOME PARK TO COMMUNITY CONVENIENCE**

Any proposed mobile home park may be reviewed by the Council and Board with respect to its effect upon existing services and facilities. The plan shall include a list of Construction items that will be completed prior to the mobile home park being first occupied; and the list of Construction and maintenance items that must be borne by the City, which shall include, but not be limited to: schools, including busing; police and fire protection, solid waste disposal, runoff water disposal drainage ways and/or storm sewer enlargement with sediment traps.

The Council and Board may further require the developer to provide accurate cost estimates to the City for such services and the expected tax revenue.

The Council and Board shall consider the amount of solid waste to be generated by the mobile home park in the context of the capability of the City to provide for solid waste disposal. For computational purposes a figure of five hundred forty (540) pounds of solid waste per year shall be used for each person. Unless there is evidence to support a different ratio, a figure of Three (3) persons per mobile home shall be used. The Board shall examine the impact of the mobile home park on this factor.

The Council and Board shall consider the amount of sewage to be generated by the mobile home park, if City services are to be used, in the context of the capability of the City to provide for sewage treatment. For computational purposes design flows in the Maine Plumbing Code shall be used for facilities and dwelling units in the park and the design and operating capacity of the City's sewage treatment facilities.

**SECTION 417 OPEN FIRES AND INCINERATORS**

In a mobile home park, no open fires are to be permitted except where the Ordinances of the City of Brewer would permit such open

fires. Incinerators for the burning of burnables may be located in any park, license hereunder, provided they meet the approval of the Fire Chief of the City of Brewer as to the adequacy protection to persons and property from fire with respect to their location and construction.

**SECTION 418 REGISTRATION OF TENANTS**

In mobile home parks, the licensee shall keep a current register, which shall contain the following information:

- (a) The name of the owner of each mobile home in said park.
- (b) The lot location by number of said mobile home.
- (c) The manufacturer's name, model number and serial number of said mobile home.
- (d) Names of the usual occupants of said mobile home.
- (e) The licensee shall notify the Code Enforcement Office when a mobile home is moved on or off a lot.

**SECTION 419 AVAILABILITY OF TENANT INFORMATION TO PUBLIC OFFICERS**

The foregoing information shall be made available to the City Manager of the City of Brewer or to the Chiefs of Police or the Fire Department of said City upon request. Refusal to keep or render up said records shall be grounds for revocation or refusal to renew any license granted hereunder. Licensees shall keep such records for a period of at least three (3) years.

**SECTION 420 INSPECTION**

The City Council, its departments or their respective agents shall have the right to inspect the park or any part thereof at any time.

**SECTION 421 USE OF A MOBILE HOME AS A PERMANENT RESIDENCE**

No mobile home or trailer shall be occupied as a residence either permanently or temporarily in the City of Brewer, whether altered for placement upon a permanent foundation or not, except in a licensed park or as permitted under the provisions of Chapter 24 of the City Ordinances entitled "Brewer Zoning Ordinance-Revision (Restructured)".

**SECTION 422 OCCUPANCY OF A MOBILE HOME IN A PARK**

No mobile home placed on any space in a mobile home park shall be occupied for any use, beyond a ninety-eight (98) hour period, until a Certificate of Occupancy shall have been issued by the Code Enforcement Officer certifying that such mobile home conforms to the provisions of applicable City Codes and Ordinances.

**SECTION 423 NOTICE TO CODE ENFORCEMENT OFFICER OF THE ADMISSION OF A**

**MOBILE HOME INTO A PARK AND CERTIFICATE OF OCCUPANCY**

The license of a mobile home park shall notify the Code Enforcement Officer on each occasion that a mobile home is moved onto a lot in the Mobile Home Park.

The Code Enforcement Officer shall upon receipt of such notice and upon receipt of an application for a Certificate of Occupancy by the mobile home owner, make an inspection of the mobile home to determine if it meets the provisions of applicable City Codes and Ordinances. The fee for this certificate of occupancy shall be ten dollars (\$10.00).

**ARTICLE 5 - CAMPING PARK**

**SECTION 501 LOCATION AND MINIMUM SIZE**

All parks shall be located on a well-drained site properly graded to insure rapid drainage and freedom from stagnant pools of water. No park sites shall be developed within the one hundred (100) year floodplain.

Camping parks shall be located on property not less than two (2) acres in size.

**SECTION 502 RESERVED**

**SECTION 503 SETBACKS AND SCREENING**

Camping parks shall be designed to provide a setback of at least two hundred (200) feet between the individual camping lots and the front boundary of the park and fifty (50) feet between the individual camping lots and the side and rear boundaries of the park. The camping park shall be enclosed by a fence, wall, landscape, screening, earth mounds or other approved barriers, which will prevent access to adjoining properties other than streets.

The Planning Board may provide a waiver of these standards where exceptional or unique topography of the lot would cause unusual hardship provided that a written finding determines the proposed development is in keeping with the spirit and intent of this ordinance, including protection and preservation of the public health, welfare and safety and that the uniqueness of topographic form provides an equivalent form of separation due to its elevation.

**SECTION 504 STATE LICENSE REQUIREMENTS**

The camping park shall meet the minimum license requirements of the Maine Department of Human Services per Chapter 205, "Tent and Recreational Vehicle Parks and Wilderness Recreation Parks".

**SECTION 505 ROAD AND STREETS**

All R.V. and tent parking sites shall be provided with safe and convenient vehicular access.

Access shall be in accordance with the provisions of the text, A Policy of Geometric Design of Highways and Streets, 1984 edition by American Association of State Highway and Transportation Officials Chapter V, Recreation Roads with the following design criteria:

- Design Speed: Maximum 25 (mph)
- Maximum Grade: 7%
- Superelevation Rate: 6%
- all access roads which abut a public street shall be paved for a minimum of 100 feet and meet the entrance standards in Chapter 37, Road and Street Ordinance.
- Loops, rather than dead-end streets, shall be encouraged. All dead-end roads shall provide a cul-de-sac meeting design standards for a thirty- (30) foot motor home. Dead-end streets shall not exceed one thousand (1,000) feet in length.

**SECTION 506 RECREATION AREA** No less than eight (8) percent of the total area of any camping park established under these ordinances shall be devoted to common recreational areas and facilities, such as playgrounds, swimming pools or community buildings. Each park shall have at least one (1) principal recreation and community center, which shall contain not less than five (5) percent of the total area of the park. Recreation land shall be of slope and size configuration to provide for the stated purpose. The principal recreation center shall provide a minimum of eight thousand (8,000) square feet.

**SECTION 507 LANDSCAPING**

The applicant shall submit a landscape plan showing the preservation of existing trees twelve (12" in diameter at breast height and larger), the placement of trees and vegetation, graded contours, streams and the preservation of scenic, historic or environmentally desirable areas which are included in a duly recognized Comprehensive, Land Use or Conservation Plan.

- (a) Where possible, existing trees shall be preserved. Natural landscape features, such as woods and ravines shall be preserved in their natural state.
- (b) Screen planting, providing a dense visual barrier at all times, shall be provided around laundry drying yards, garbage and trash collection stations and non-residential uses. The

Planning Board may on the basis of site review criteria require screen plantings (or similar architectural techniques) around the boundaries of the park. Screens shall consist of shrubs or trees at least four (4) feet in height and eventually reaching a mature height of at least six (6) feet.

- (c) Other planting shall be provided and shall be adequate in size, quantity and character to provide an attractive setting for the park, to provide adequate privacy, to minimize reflected glare, and to afford summer shade.

The objective is to provide for a minimum tree canopy coverage of forth percent exclusive of roadways and buildings. "Tree canopy" is the area in square feet of a tree's spread at maturity with the following values used:

<u>1,000 sq. ft.</u>	<u>700 sq. ft.</u>	<u>300 sq. ft.</u>
Maple	Pine	Arborvitae
Beech	Spruce	Larch
Oak	Fir	Crabapple
Ash	Hemlock	N. White Cedar
	Aspen	
	Linden	

**SECTION 508 SANITARY FACILITIES**

**Sewage Disposal:** A sanitary sewer system shall be installed at the expense of the applicant.

An applicant shall submit plans for sewage disposal designed by a licensed civil engineer in full compliance with the requirements of the State of Maine Plumbing Code and/or Department of Environmental Protection.

State sanitary disposal standards for tent and recreational parks shall be followed, except that privies are not allowed. Inclusion of State sanitary disposal standards for tent and recreational parks includes provisions for "sanitary station", including performance.

**Water Supply:** Water supply to camping parks shall conform to the rules of the Department of Human Services, relating to tent and recreational vehicle parks and wilderness recreational parks, section 3, revised May, 1990, and as may be amended from time to time.

**Garbage and Trash Disposal:** In all parks, rubbish and garbage cans

shall be provided with tight fitting covers or other means of disposal, approved by the City of Brewer Health Officer. Adequate garbage and rubbish collection must be provided by the licensee.

**Lighting:** All public areas and facilities shall be sufficiently illuminated to ensure the security and safety of persons using such facilities. A lighting level of 0.3 minimum average horizontal foot-candles shall be the standard.

#### **SECTION 509 FIRE**

In a camping park, open fires shall be permitted only in areas designated on the plan of said park as cooking areas. Said facilities for such fires must meet the approval of the Fire Chief of the City of Brewer as to adequacy for protection to persons and property from fire with respect to their location and construction.

#### **SECTION 510 SURFACE DRAINAGE**

Where a camping park is traversed by a watercourse; drainageways; future sewer line as indicated by the comprehensive land use or sewer plan or plans; or where the Planning Board feels that surface water drainage to be created by the camping park should be controlled for the protection of the camping park, there shall be provided an easement or drainage right-of-way and culverts, catch basins or other means of channeling surface water within such camping park and over other properties, of such nature, width and location as the City Engineer deems adequate. No action of City Engineer shall constitute a taking of land.

The applicant shall provide statement that the proposed camping park will not create erosion, drainage, or runoff problems either in the camping park or other properties. Accompanying such a statement and integral to its findings shall be calculations, maps and materials used in determining the impact of the camping park on surface drainage. The applicant shall submit a surface drainage plan showing ditching, culverts, easements and other proposed improvements to the City Engineer.

Topsoil shall be considered part of the camping park. Except for surplus topsoil from roads, parking areas and camper stand excavations, it is not to be removed from the site.

#### **SECTION 511 RESERVED**

#### **SECTION 512 SERVICE BUILDINGS**

Each camping park shall have erected therein, a service building, which shall contain the following:



- (a) Separate toilet room for each sex at the ratio of one (1) toilet room for each eight (8) trailers, camp trailers, tents or fraction thereof. Every male toilet facility shall have an urinal for each sixteen (16) trailers, camp trailers, tents or fraction thereof.
- (b) Toilet rooms shall contain lavatories with hot and cold running water in the ratio of one (1) lavatory to every two (2) or less water closets.
- (c) Separate shower or bathing facilities shall be provided for each sex in the same ratio of toilets.
- (d) Laundry facilities shall be provided.

#### **SECTION 513 LOTS**

A minimum width of thirty (30) feet for each unit in a camping park shall be provided. An accessway shall not be included as part of a unit space requirement. A minimum site of twelve hundred (1200) square feet shall be provided for each unit in a camping park. Each site shall contain a stabilized vehicular parking pad. No part of the trailer or other unit placed on such site shall be closer than seven (7) feet to a camping site line.

Land meeting the State of Maine wetland designation shall not be included in calculating land area per site.

#### **SECTION 514 REGISTRATION**

In camping parks, the licensee shall keep a current register, which shall contain the following information:

- (a) the name of the owner of each trailer or tent and the lot number on which said trailer or tent is located;
- (b) State of registration and number on the license plate on any trailers located therein; and
- (c) inclusive dates of stay.

NOTATION: No camp trailer or tent shall be used as a permanent place of dwelling or for indefinite period of time. Continuous occupancy extending beyond three (3) months in any one calendar year or any five (5) weeks during the period from November, December, January, February and March, shall be presumed to be permanent occupancy.

#### **SECTION 515 DISCLOSURE OF REGISTRATION INFORMATION**

The foregoing information shall be made available to the City Manager of the City of Brewer of the Chiefs of Police and/or Fire Department of said City upon request. Refusal to keep or render up

said records shall be grounds for revocation or refusal to renew any license granted hereunder. Licensees shall keep such records for a period of at least three (3) years.

**SECTION 516 INSPECTION**

The City Council, its departments or their respective agents shall have the right to inspect the park or any park thereof at any time.

**ARTICLE 6**

**SECTION 600 CONFLICTS BETWEEN ORDINANCES**

This Ordinance takes precedence over all other Ordinances with respect to the regulation of mobile home parks and camping parks, except the Zoning Ordinance. Any conflict with other Ordinances with respect to such regulations shall be resolved by applying the requirements of this Ordinance.

**SECTION 601 SEVERABILITY**

In the event that any Section, Subsection, Regulation or Requirement of this Ordinance is declared invalid for any reason by any court of competent jurisdiction, such declaration shall not invalidate any other section, regulation or requirement of this Ordinance.

**ARTICLE 7**

**SECTION 700 PENALTY OF VIOLATION**

Violations of this Ordinance are subject to the civil penalties as outline in Title 30A, Section 4452, M.R.S.A.

**SECTION 701 LICENSE REVOCATION**

The City Council may revoke a license for any violation of this Ordinance, the Ordinances of the City of Brewer and State Statutes.