

ARTICLE 10 MOBILE HOME PARKS

1001 APPROVALS AND LICENSE

1001.1 All new mobile home parks or expanded mobile home parks shall require subdivision and site plan approval as required in this Land Use Code.

1001.2 REQUIREMENT OF LICENSE

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

1001.3 LICENSE REVOCATION

The City Council may revoke a license for any violation of this Article, the charter, codes and ordinances of the City of Brewer, and State statutes.

1002 APPLICATION PROCEDURE

1002.1 APPLICATION PROCEDURE FOR THE CONSTRUCTION, DEVELOPMENT AND EXPANSION OF PARKS

An applicant for construction and/or development of a mobile home park shall file one velum or mylar and four (4) copies of a site plan with the City Planner. 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 or 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 drainage ways 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 12 inch caliper and over, measured at a point 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.

1002.2 APPLICATION FEE

At the time the site plan is filed, the applicant shall pay to the City Clerk fees as established by the City Council.

1003 STANDARDS

New mobile home parks and expansion of existing mobile home parks shall conform to the following minimum requirements:

- 1003.1** Mobile home parks may be authorized for development only in such locations as provided for in Article 3 of the Land Use Code.
- 1003.2** Mobile home parks shall be located on a well-drained site properly graded to insure rapid drainage and freedom from stagnant pools of water. The site shall not be exposed to objectionable smoke, noise, odors or any other adverse influences, and no portion subject to unpredictable sudden flooding, subsidence or erosion shall be used for any purpose that would expose persons or property to hazards.
- 1003.3** A mobile home park shall be located on a single parcel of land having sufficient overall area to accommodate, in addition to the individual mobile home lots, all roads rights-of-way and all buffer strips, open space, and other areas required under this Land Use Code or under any other applicable law, rule or regulation.
- 1003.4** All mobile homes shall be located at least fifty (50) feet from all mobile home park boundary lines and shall be screened from adjacent properties and public streets using the buffer strip criteria in site plan review (Article 6 of this Land Use Code). Provided that the fifty foot requirement shall be waived for all mobile home parks in which the projected density of mobile homes per acre is less than twice the density of existing residential units on adjacent residential properties, or if any adjacent parcel remains undeveloped, less than twice the maximum density of residential units

permitted under the existing zoning classifications. Where the fifty (50) foot requirement is waived under this provision, all units in the mobile home park shall be set back from existing or proposed public streets the same distance as required for adjacent residential developments.

1003.5 No structures, streets or utilities may be placed in any buffer strip required under this Land Use Code, except that utilities may be permitted to cross a buffer strip to provide services to the mobile home park.

1003.6 A minimum of twenty-five (25) mobile home lots shall be completed and provided with all utilities, streets and sidewalks by this Land Use Code before occupancy of the mobile home park shall be permitted.

1003.7 Lot size and setback requirements:

1. Each individual mobile home lot shall not be less than 6,500 square feet in area, and shall not be less than fifty-five (55) feet wide.
2. No mobile home or accessory structure shall be located less than five (5) feet from the side and twenty (20) feet from the rear lines of an individual mobile home lot, and there shall be a minimum distance of twenty (20) feet between adjacent mobile homes.
3. No mobile homes shall be located less than thirty (30) feet from the right-of-way line of any street, or less than forty (40) feet from a service building, within the park.

1003.8 Streets, Walks 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 adequately lighted at night. All streets within the park shall have a minimum right-of-way of fifty (50) feet. Pavement width shall be no less than thirty-six (36) feet where parking is permitted on both sides of the street. Where parking is permitted on only one side of a street, the minimum pavement width shall be twenty (20) feet. Provided, that any roads within a mobile home park to remain in private ownership shall be not less than twenty-three (23) feet in width, of which twenty (20) feet must be suitably paved.
2. All streets within a mobile home park shall be constructed in accordance with sound engineering standards and practices, and designed by a registered professional engineer.
3. All streets with a mobile home park shall be furnished with lighting units to provide the following average maintained levels of illumination:
 - A. All parts of street system 0.6 foot candle with a minimum of 0.3 foot candle.

B. Street intersections, steps or ramps - individually illuminated with a minimum of 0.3 foot candle.

4. Dead-end streets shall be limited in length to 1,000 feet and at the closed end shall be provided with a turnaround having a minimum radius of forty (40) feet.
5. Paved walkways not less than three (3) feet in width shall connect each mobile home stand to a paved street or to a paved driveway connecting to a paved street.
6. Two (2) off-street parking spaces shall be provided on each mobile home lot.

1003.9 Mobile home lots shall provide an adequate support system, approved by the Code Enforcement Officer, for the placement of the mobile home as required in Article 3, Section 309.3.10, 309.3.13 and 309.3.14.

1003.10 All individual mobile homes shall be equipped with skirting.

1003.11 Landscaping

1. Where possible, existing trees shall be preserved, and mobile home support systems shall be oriented with respect to scenic vistas, natural landscape features, topography, and natural drainage areas.
2. 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. In no case, will the impervious surface ratio of a mobile home park exceed 0.25.
3. Screen planting, providing a dense visual barrier at all times, shall be provided around the boundaries of the park and around laundry drying yards, garbage and trash collection stations, non-residential uses, and along rear lot lines of all mobile home lots. 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 for a mature height of at least ten (10) feet. The screen planting zone extending along boundary lines shall have a minimum width of twenty-five (25) feet.
4. 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.

1003.12 Recreation areas shall be provided for the use of mobile home park residents. The size of such areas shall be based upon a minimum of 10% of the area of the mobile home lots in the development with no single recreation area being less than 12,000 square feet of usable open space. Such areas shall be easily accessible to all park residents, located so as to be free of traffic hazards and, where topography permits,

centrally located. Any buildings provided for recreation areas shall contain adequate toilet facilities. The number and location of such facilities shall be determined by the Planning Board.

1003.13 All transformer boxes, substations, pumping stations and meters shall be located and designed as not to be unsightly and hazardous to the public.

1003.14 Any construction of, or in, a mobile home park shall be done according to an approved plan and shall be completed no later than the expiration date of the site plan approval. Construction shall be deemed to be completed although the final site and grading work has not been completed as to any individual mobile home lot; provided, however, that said final site and grading work will be completed as to any individual mobile home lot prior to any occupancy and within a period of sixty (60) days from the date that any mobile home is placed on said lot. Final paving of streets and driveways shall be completed no later than June 30 of the year following construction of said streets.

1003.15 STORAGE STRUCTURES

Separate storage structures not exceeding 96 square feet in floor area or seven feet in height may be erected on an individual leased lot. Setback requirements for an accessory structure per this Land Use Code must be met. Only one such separate storage structure shall be permitted per mobile home.

1003.16 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 certification 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.

1003.17 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 five hundred (500) feet of each other and within four hundred (400) feet 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 The Federal Safe Drinking Water Act of 1975 can be supplied to the mobile home park at the rate of 350 gallons per day per dwelling unit. Systems with fire hydrants on them must provide seven hundred and fifty (750) 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 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.

1003.18 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.

1003.19 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.

1003.20 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.

1003.21 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.

1003.22 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 this Land Use Code.

1003.23 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 48-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.

1003.24 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.