
MOBILE HOME PARK ORDINANCE

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Ordinance Enacted 1/4/72
Amended 10/6/81
Amended 6/2/87

I. Scope

A. This Ordinance shall regulate the establishment, enlargement and operation of mobile home parks in the Town of Gorham. No person, firm, or corporation shall establish or enlarge a mobile home park without a permit, or shall maintain a mobile home park without a license, issued in conformity with the provisions of this Ordinance.

II. Administration

A. Purpose

This Ordinance has been prepared for the purpose of defining and regulating mobile home parks in the following manner: to establish minimum standards governing the construction and maintenance of mobile home parks; to establish minimum standards governing utilities and facilities; to make mobile home parks safe and sanitary for human habitation; to establish the responsibilities and duties of owners and operators of mobile home parks; to authorize the inspection of mobile home parks and establish penalties for violations; and to establish procedures for municipal review of all proposed mobile home park construction and maintenance.

B. Jurisdiction

The provisions of this Ordinance shall apply to all land within the boundaries of the municipality.

C. Administration

- 1) The Planning Board of the municipality, hereinafter called the Board, shall administer this Ordinance in accordance with all of the provisions set forth herein.
- 2) It shall be the duty of the Building Inspector to enforce the provisions of this Ordinance.
- 3) A variation in the strict application of the Mobile Home Park Ordinance may be permitted when, in the opinion of the Board, topography, natural conditions including soil or other influences on development, shape and size of land under consideration, undue hardship, or other considerations warrant such variation provided that public convenience, safety, health and welfare will not be affected adversely.

D. Appeals

The failure of the Planning Board to issue a written notice of its decision, directed to the applicant within 30 days after the application for the proposed mobile home park has been submitted, constitutes its disapproval.

E. Conflict with other Ordinances

In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance or code of the municipality existing on the effective date of this ordinance, the provision which establishes the higher standards for the promotion and protection of health and safety shall prevail.

F. Severability

The invalidity of any section, subsection, paragraph, sentence, clause, phrase or word of this Ordinance shall not be held to invalidate any other section, subsection, paragraph, sentence, clause, phrase or work of this Ordinance; and to this end, the provisions of this Ordinance are hereby declared to be severable.

III. Definitions

Developer An individual, firm, association, syndicate, partnership, corporation, trust, or any other legal entity, or agent thereof, that undertakes the activities governed by this Ordinance.

License That document issued annually by the Town Clerk for the operation of a mobile home park.

Mobile Home A detached residential dwelling unit designed for transpiration, after fabrication, on streets or highways on its own wheels, or on a flat bed or other trailer or on detachable wheels, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy, except for location of jacks or other temporary or permanent foundations and connection to approved utilities of a mobile home park. A

mobile home shall contain not less than 450 square feet of floor area. For purposes of this Ordinance, a mobile home shall include any dwelling unit defined as a "mobile home" in the Land Use and Development Code of the Town of Gorham.

Mobile Home Park A continuous parcel of land having a minimum area of 25 acres and plotted for the development of a minimum of 25 mobile home lots which are to be rented, leased or sold.

Mobile Home Lot A parcel of land having a minimum area of 7,000 square feet for the exclusive use of the occupants of a mobile home with all required utilities and services available.

Mobile Home Stand That part of an individual mobile home lot which has been reserved for the placement of a mobile home, appurtenant structures or structures.

Patio - An outdoor living space surfaced with asphalt or other durable material and designed to supplement the mobile home living area.

Permit - That document issued by the Building Inspector granting permission to establish or enlarge a mobile home park.

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 temporary dwelling for one or more persons. A trailer shall not be construed as a mobile home for the purposes of this Ordinance.

IV. General Provisions

A. No mobile home shall be moved into a duly licensed mobile home park unless (1) it has been approved and certified by the Maine State Housing Authority or other appropriate State inspection agency, or by the U.S. Department of Housing and Urban Development; or (2) it meets standards comparable to the Federal Mobile Home Construction and Safety Standards, Code of Federal Regulations, Title 24, Part 3280 (published as Part 280 in Federal Register, Vol. 40, No. 244, December 18, 1975).

B. Mobile home parks will be authorized for development only in zones where permitted by the zoning ordinance for the Town of Gorham.

V. Permits and Licenses

A. Application for a permit to establish or enlarge a mobile home park shall be submitted to the Building Inspector. The applicant shall file with the application proof of ownership of the premises or of a lease or written permission from the owners.

B. Initial application for a permit to establish or enlarge a mobile home park shall be accompanied by a Preliminary Plan, and after approval, a Final Plan in accordance with Section VI of this Ordinance. If the proposed mobile home park is located in a zoning district permitting mobile home parks as special exceptions or conditional uses, the developer shall go before the Zoning Board of Appeals in accordance with Section 13 of the Zoning Ordinance, after receiving Final Approval by the Planning Board.

C. The issuance of a permit to establish or enlarge a mobile home park shall have prior approval of the park design by the Planning Board and, if permitted as a special exception or conditional use, by the Zoning Board of Appeals.

D. The making of extensions or alterations to an existing mobile home park without the obtaining of a permit from the Building Inspector shall be cause of immediate revocation of the mobile home park license.

E. No mobile home park shall be in operation or shall be occupied without a valid license issued by the Town Clerk.

F. A license for the operation of a new or existing mobile home park may be issued annually by the Town Clerk provided such parks conform with all the health and sanitation requirements of this Ordinance, and other State and local codes, even though existing parks do not meet the design standards set forth in this Ordinance.

G. A license for a mobile home park shall expire annually upon July 1. Before the Town Clerk may issue a renewal of the license, the park shall be inspected by the Health Officer and the Building Inspector, who shall certify in writing whether the park continues to conform to the provisions of this Ordinance. If the park fails to so conform, said license shall not be renewed.

H. Each application for a renewable license or a renewal thereof shall be accompanied by a fee of \$25.00, except that for each and every mobile home lot exceeding 10 there shall be an additional fee of \$2.00. The license fee for seasonal campgrounds or trailer parks shall be \$25.00 for the first fifty (50) lots and \$1.00 per lot for each lot in excess of fifty (50).

Each application for a permit to establish or enlarge a mobile home park shall be accompanied by a fee of \$150.00 plus \$20.00 for each new or additional lot. Each application for a permit to establish or enlarge a seasonal campground or trailer park shall be accompanied by a fee of \$150.00 for the initial twenty-five (25) new or additional trailer or tent sites and \$10.00 for each site thereafter. Each permit application shall also be accompanied by an independent consulting and peer review escrow deposit of \$50.00 per lot or tent or trailer site, in accordance with Chapter II, Section VIII of the Land Use and Development Code.

VI. Procedure for the Submission and Approval of Plans

A. Pre-Application

- 1) Prior to the formal submission of a preliminary plan, the developer may appear informally to discuss the proposed mobile home park at a regular meeting of the Planning Board.
- 2) The Preliminary Sketch of the proposed mobile home park should relate existing to proposed land usage; any preliminary observations and general ideas on what might be accomplished on the land.
- 3) Binding commitments shall not be made between a developer and a municipality at this stage. A clear understanding of what is proposed, what is possible and what is acceptable is the aim of the pre-application meeting.

B. Preliminary Plan Requirements

- 1) Following the application to the Building Inspector for a permit, a request for approval of a mobile home park shall be made to the Planning Board in writing and shall be accompanied by 3 copies of a preliminary plan. The plan shall be drawn at no smaller scale than 100 feet to the inch. There shall be included a location map showing the relationship of the proposed mobile home park to adjacent properties and public access and drawn at no smaller scale than 500 feet to the inch.
- 2) When practical, a standard sized sheet, 24' x 36" shall be used for all plans and shall contain the following information:
 - a) Name of mobile home park, owner(s) and engineer(s) or surveyor(s).
 - b) Graphic scale, date and north point.
 - c) Boundaries of tract.
 - d) Existing zoning.
 - e) Ownership and location of abutting properties.
 - f) Name, location, width, profile, cross-section, radius of curves, angles of change in direction and center line length of all existing and/or proposed streets, other public ways, building lines and easements in the mobile home park. All street names for proposed streets located in a mobile home park shall be checked against existing street names or so similar as to cause confusion.
 - g) Type, location, profile and cross-section of all existing and/or proposed surface water drainage.
 - h) Location of all existing and/or proposed utilities -- water, gas, electricity or other.
 - l) Location of all existing and/or proposed sanitary sewers showing size, profile and cross-section; or description, plan, location of other means or sewage disposal with evidence of successful percolation tests. In areas outside of those presently sewered where disposal is proposed by use of septic tanks, the Board shall require a written statement from the local public health officer or other authorized person that suitable percolation tests have been made and that the land is considered suitable for disposal systems using septic tanks.
 - m) Proposed public recreation, conservation or other areas, if any.
 - n) Acreage of land.
- 3) In addition to the Preliminary Plan, the Board may require the developer or others to submit additional information to assist the Board in carrying out its duties under the provisions of this Ordinance.

C. Preliminary Plan Review

- 1) An application for approval of a Preliminary Plan shall be considered at a regular meeting of the Board within 30 days after receipt of such application. The Board shall, after such consideration and within 30 days of receipt of an application and Preliminary Plan, issue a written statement informing the owner or his authorized agent of any approval, disapproval or conditioned approval and of any changes required prior to the submission of the Final Plan. In reviewing a Preliminary Plan, the Board shall consider the following general requirements and design standards in addition to those found in Section VII of this Ordinance.

General

- 2) Any proposed mobile home park shall be in conformity with the Comprehensive Plan of the municipality and with the provisions of all pertinent State and local codes and ordinances.
- 3) Land designed for public use may not be subdivided or put to any other purpose.
- 4) Any proposed mobile home park shall be reviewed by the Board with respect to its effect upon existing community services and facilities including schools and recreational areas. The Board shall advise the municipality and the developer regarding the designation of space for future community facilities and may withhold approval of Final Plan pending such designation.
- 5) Any proposed mobile home park shall be so designed that every lot has access to a public, private or dedicated street in accordance with Section VII of this Ordinance.

- 6) Land susceptible to flooding, and land not suitable for development because of soil characteristics, which may also be hazardous to life, health or property shall not be used, unless approved by the Board and other pertinent authorities, for open space purposes public or otherwise.
- 7) Any natural drainageways and their easements shall be so incorporated that no flooding will occur and all storm water can be disposed of properly.
- 8) The Board may require that a proposed mobile home park design will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, or rare or irreplaceable natural areas.
- 9) Street trees, esplanades and open spaces may be required at the discretion of the Board. When such improvements are required, they shall be incorporated in the Final Plan.
- 10) The following are required improvements: street signs, streets, sidewalks, water supply, sewage disposal and storm drainage, except where the Board may waive or vary such improvements in accordance with the provisions of this Ordinance.
- 11) The size, type and location of public utilities, such as street lights, electricity, telephones, gas line, fire hydrants, etc., shall be approved by the Board and installed in accordance with local practice.
- 12) Utilities shall be installed underground except as otherwise approved by the Board in accordance with Section II:D:3.

D. Final Plan

- 1) A request for Final Approval of a mobile home park shall be made within 12 months of Preliminary Approval to the Planning Board in writing and shall be accompanied by a Final Plan of such mobile home park legibly drawn.
- 2) The Plan shall be accompanied by certification from authorized public officials and/or agencies that the design of sewage disposal and storm drainage facilities, streets and utilities in the proposed Mobil home park conform to the requirements of all pertinent State and local codes and ordinances.
- 3) Two signed copies of the Final Plan, as approved, shall be filed with the municipality, one with the Town Clerk and one with the Planning Board. The developer shall be required to record and file the signed original transparency of the Final Plan with the Cumberland County Registry of Deeds prior to the sale of any individual lots.
- 4) If the proposed mobile home park, or any extension to one existing, falls within and is subject to review by the Environmental Improvement Commission, then the approval of the Environmental Improvement Commission shall be secured, in writing, prior to the submission of the Final Plan.

Requirements

The plan may be presented on one or more sheets of standard 24" x 36" size and shall contain the following information:

- a) All the information required for the Preliminary Plan and amendments thereto suggested by the Planning Board excepting that information not deemed necessary by the Board.
- b) Existing and final proposed lines of streets, ways, lots, easements for utilities and/or drainage and public areas within the mobile home park.
- c) Sufficient data to determine the exact location, direction, and length of every street line, easement, lot line and boundary line and to reproduce these lines upon the ground.
- d) Location of all permanent monuments existing and/or proposed.
- e) Lot numbers and letters in accordance with the prevailing policy on existing tax maps.

E. Bond Required

- 1) After Final Approval by the Planning Board, and if the proposed mobile home park is located in a zone permitting mobile home parks as a special exception or conditional use, after a favorable decision by the Zoning Board of Appeals, the mobile home park developer shall file with the Town Clerk prior to the issuance of a permit a performance guarantee in an amount sufficient to defray all expenses. This may be tendered in the form of a certified check payable to the municipality, a faithful performance bond running to the municipality and issued by a Surety Company acceptable to the municipality or a savings account in the name of the Town with possession of the passbook by the Town. The condition and amount of such certified check, performance bond, or savings account shall be determined by the Planning Board of the municipality with the advice of the various municipal departments and agencies concerned. The amount shall be at least equal to the total cost of furnishing, installing, connecting, and completing all of the street grading, paving, storm drainage and utilities and other improvements specified on the Final Plan within two years of the date of the certified check or performance bond.
- 2) The Planning Board may grant a maximum extension of 12 months to a guaranteed performance period when the developer can demonstrate, to the satisfaction of the Board, good cause for such extension.
- 3) Before a mobile home park developer may be released from any obligation required by his guarantee of performance, the Planning Board will require certification from the various departments

and agencies concerned to the effect that all improvements have been satisfactorily completed in accordance with all applicable standards, State and local codes and ordinances.

4) The Board may substitute the requirement of a performance guarantee with a properly executed conditional agreement with the municipality. Such agreement, if executed with the municipality, shall be endorsed in writing on the Final Plan and shall provide that the Board may approve the Final Plan, or any part thereof on condition that no lot in such mobile home park shall be leased or rented until it shall have been certified in the manner set forth in Section VI:E:3 above, that all improvements have been made within 2 years of the date of executing such conditional agreement.

5) After filing the performance guarantee, the mobile home park developer shall be issued a permit by the Building Inspector to establish the approved mobile home park.

VII. Design: Parks for Mobile Homes

A. Minimum Project Size

1) The minimum area of any lot to be used as a mobile home park shall be 25 acres.

B. Location

1) A mobile home park may be constructed or extended only where such a use is permitted by the Zoning Ordinance of the Town of Gorham.

2) A mobile home park shall be reasonably accessible to essential community services, such as shopping areas, schools, and police and fire protection.

3) Topography, soil, rock formations, ground level, and drainage shall be such as not to constitute hazards to the health and safety of the occupants or to their property.

C. Site Plan

1) Adaptation to site: The Park shall be fitted to the terrain with a minimum disturbance of the land. Existing trees, rock formations and other natural site features shall be preserved wherever it is practicable to do so in order that a monotonous layout may be avoided.

2) Street Plan: A mobile home park shall be so laid out that those areas that will be served by both water and sewerage systems can readily be converted to a conventional subdivision of privately owned, single-family lots of 10,000 square feet, or the minimum lot size permitted in the district in which the proposed mobile home park is located, whichever is greater, or to other housing permitted in the same zoning district by the Zoning Ordinance of the Town of Gorham. All streets shall have not less than a 50' right-of-way. The plan shall provide for convenient extension of streets into adjacent properties where, in the opinion of the Planning Board, such streets may be needed in the future. The layout of streets shall conform to the standards concerning grades, alignment, intersection, turning circles and backing spaces set forth in the Subdivision Ordinance of the Town of Gorham.

3) Access: A mobile home park shall be provided with safe and convenient vehicular access from a public street. The Planning Board may require two access streets for a mobile home park containing 40 lots or more.

4) Space for Recreation: At least 10% of the area of the mobile home park shall be reserved for recreational facilities, such as a playground, swimming pool, or park for the use of the occupants of the park.

5) Drainage: Adequate provision shall be made for the collection and disposal of surface and subsurface water to protect all mobile home stands and to provide safe and convenient use of all parts of the park. Drainage ditches shall be protected effectively from erosion by the use of ground cover, rip-rap or other means, and they shall not hold standing water. The diameter of any culvert shall be not less than 12".

6) Screening: Fences, hedges, shrubbery or free-standing walls shall be installed where necessary to provide screening around laundry yards, refuse collection points, and playgrounds. The Planning Board may require additional screening where it is needed as a buffer between the park and nearby uses in order to avoid an adverse effect between uses in the park and adjacent areas.

D. Streets and Walks

1) The right-of-way of every street shall be not less than 50' in width. Streets shall be constructed and paved in the same way as a public street, in accordance with the provisions set forth in the Street Acceptance Ordinance. The street pavement shall be at least 26 feet in width and shall lie within the middle of the right-of-way.

2) A system of common walks shall be provided and maintained for the convenience of pedestrian traffic. Walks shall be provided on at least one side of each street within the mobile home park. The Planning Board may require walks on both sides where, in their opinion, they are necessary for public safety. Common walks shall be at least 3 1/2 feet per side and shall be separated from the street pavement by at least 5 feet. The surface shall be durable and easy to maintain.

E. Utilities

1) Water: All lots shall be supplied with water for a domestic use, either from mains belonging to a public utility or from a private system approved by the Health Officer. The water supply system shall be capable of supplying a minimum of 150 gallons per day per mobile home and of maintaining a

pressure of at least 40 pounds per square inch with normal demand. Where a public water supply is available, hydrants shall be installed in accordance with the standards of the New England Fire Rating Association.

F. Regulations Concerning Individual Lots

- 1) Each mobile home lot shall contain a minimum of 7,000 square feet.
- 2) No part of a mobile home shall be located nearer than 12 feet to the boundary of its lot, or nearer than 50 feet to the right-of-way of any public street. For the purpose of this section, one or more roofed accessory structures occupying a total area of 25 square feet or more shall be considered to be part of the mobile home.
- 3) The stand shall be made of appropriate material, properly graded, placed and compacted, so as to remain durable and adequate for the support of the maximum anticipated loads during all seasons. Convenient access shall be provided to each mobile home stand by means of an accessway reserved for maneuvering the mobile home into position and kept free from trees and other immovable obstructions. The minimum width of the accessway shall be 12 feet.
- 4) A patio, containing not less than 180 square feet, shall be provided for each stand as appropriate outdoor living space to supplement the interior space of a mobile home except that a patio may be omitted if its equivalent is provided by the mobile home itself. The patio shall be appropriately placed and fitted to the terrain.
- 5) The limits of each mobile home lot shall be clearly marked, by suitable durable markers.
- 6) At least 2 off-street parking spaces shall be provided for each mobile home lot, either upon the lot itself or within 100 feet of it.
- 7) A mobile home stand shall be connected by a private walk, not less than 3 feet in width, to a common walk or to a paved street, or to a paved driveway or parking bay leading off a paved road.

G. Common Facilities

- 1) Laundry: Facilities for drying clothes shall be provided either for individual lots or within a common area conveniently located for the use of the occupants of the park. All area provided for the drying of clothes shall be well-drained.
- 2) Storage: At least 100 cubic feet of storage space shall be provided for each mobile home lot. Such storage shall be provided on each lot or in compounds located within a reasonable distance or under the mobile home in accordance with Section VIII:D of this ordinance. Storage facilities shall be designed in a manner that will enhance the appearance of the park and shall be constructed of suitable weather-resistant materials.
- 3) Location: Consolidation of management, laundry and other common facilities in a single building or area is acceptable if the location will adequately serve all mobile home lots.

VIII. Maintenance

- A. Park management shall maintain all common areas, and park occupants shall maintain their lots and accessory facilities, in a clean, sanitary and neat condition. Mobile home parks shall be kept free of litter, rubbish and other combustible material, and of accumulations of debris which may provide harborage of rodents or breeding places for flies and other pests.
- B. The collection and disposal of trash and garbage shall satisfy the requirements of the Health Officer and shall comply with State and municipal laws and regulations. Until properly disposed, refuse shall be stored in tight containers which shall be located not closer than 150 feet to any mobile home.
- C. Exposed ground surfaces in all parts of the park, other than streets and walks, shall be covered either with a hard, durable surface such as flagstones or concrete, or with grass or other vegetation that is susceptible of maintenance in an attractive manner.
- D. Skirtings, porches, awnings and other additions shall be installed only if permitted and approved by the park management. When installed, they shall be maintained in good repair. The space immediately underneath a mobile home shall be used for storage only if permitted by the management. If permitted, the following conditions shall be satisfied:
- 1) The storage area shall be provided with a base of impervious material.
 - 2) Stored items shall be located so as not to interfere with convenient inspection of the undersides and connections of the mobile home.
 - 3) The storage area shall be enclosed by skirting.

IX. Violation and Revocation of License

- A. The licensee shall maintain the mobile home park in a clean and sanitary condition to the satisfaction of the Health Officer, and shall maintain properly all roads, drains, sidewalks and other facilities as required by this Ordinance.
- B. Upon complaint of dirty or unsanitary conditions within the mobile home park, or upon their own motion, the Municipal Officers may instruct the Health Officer to inspect it. If, upon such inspection, the Health Officer finds evidence of unclean and unsanitary conditions, he shall require prompt rectification and shall set a time

limit for compliance. If the licensee has not complied with the requirements upon expiration of the time limit, the Health Officer shall direct the Town Clerk to revoke the license, and said Clerk shall forthwith revoke it.

C. Upon complaint of inadequate maintenance by the licensee of any street, sidewalk, drain, utility, structure, or other facility required by this Ordinance, or upon their own motion, the Municipal Officers may require an inspection by the Building Inspector. The Inspector shall report his findings to the licensee and to the Municipal Officers who may institute legal proceedings to see that the provisions of this Ordinance are enforced.

D. A licensee who fails to keep a mobile home park in a clean and sanitary condition, or who fails to maintain facilities in proper condition, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than \$10 and not more than \$100. Each day that such violation continues shall constitute a separate offense.

E. Appeals from the refusal to issue or renew a license, or from the revocation of a license, may be entertained by the Municipal Officers in accordance with the provisions of Title 30, Maine Revised Statutes, Section 2151.

The "Trainer Park Ordinance, Town of Gorham" enacted March 7, 1966 be and hereby is repealed.