

# **Town of Sabattus**

## **"MOBILE HOME PARK ORDINANCE"**

### **SECTION I - MOBILE HOME PARK ORDINANCE**

#### **Title**

This ordinance shall be known as "The Mobile Home Park Ordinance of the Town of Sabattus."

#### **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; to establish penalties for violations; and to prohibit the location of trailers in mobile home parks.

#### **Jurisdiction**

This ordinance shall have jurisdiction within the boundaries of the Town of Sabattus. It regulates the development and operations of mobile home parks and requires approval from the Board of Selectmen for the development and operation of said parks.

### **SECTION II - DEFINITIONS**

1. As used in this ordinance the word "person" shall be construed to include persons, partnerships, firms, companies, corporations, owners, lessees, or licensees or their agents.
2. **Licensee** means any person licensed to operate and maintain a mobile home park under this ordinance.
3. **Licensing authority** means the Town of Sabattus.
4. **Mobile Home Park** means a contiguous parcel of land under one ownership upon which three or more mobile homes are parked and occupied for living purposes. The park shall provide spaces for at least ten individual mobile homes.
5. **Trailer** - The following shall be considered a trailer:
  - Travel trailer:** A vehicular, portable structure built on a chassis, designed as a temporary dwelling for travel, recreation, and vacation, having body width not exceeding 8 feet and its body length does not exceed 32 feet.
  - Pick-up coach:** A structure to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.
  - Motor home:** A portable, temporary dwelling to be used for travel, recreation, and vacation, constructed as an integral part of a self-propelled vehicle.
  - Camping trailer:** A canvas, folding structure, mounted on wheels and designed for travel, recreation, and vacation use.
6. **License** means a written license issued by the Board of Selectmen allowing a person to operate and maintain a mobile home park under the provisions of this Ordinance and regulations issued here-under.

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7. **Mobile home** is a transportable single family dwelling unit suitable for year round occupancy and containing water supply, toilet, tub or shower, waste disposal and electrical facilities.
8. **Mobile home lot** means a parcel of land for the placement of a single mobile home and the exclusive use of its occupants.
9. **Park Management** means the person who owns or has charge, care, or control of the mobile home park.

### **SECTION III - PERMIT AND LICENSE**

#### **1. Construction Permit**

No trailer or mobile home park shall be established in the Town of Sabattus except upon application to the Sabattus Planning Board and the Sabattus Board of Selectmen and payment to the Treasurer, Town of Sabattus, of an application fee of fifty dollars - \$50.00. The Board of Selectmen shall issue a construction permit to any individual, firm, partnership, or corporation when the applicant shall have complied with the planning provisions of this Ordinance and the Sabattus Planning Board has approved adequacy of the park design with respect to arrangements of lots, streets, and other facilities to assure conditions favorable to health, safety, and convenience.

An Mobile Home Park Developer shall be limited to 4 new Mobile Home Lots at the start and only 4 new Mobile Home Lots after the starting. All existing Mobile Home Parks shall be limited to adding only 4 new Mobile Home lots per year.

Such Application shall contain the following information.

- A. **Interested Party:** The name and address of the applicant, and the name and address of the real party in interest if other than the applicant.
- B. **Plot Plan:** A plot plan made by the licensed surveyor under seal showing the site of the mobile home park, roads, location, size, shape and identification, number of mobile, name of abutting property owners according to the records of the Board of Assessors for the Town of Sabattus. All final plans or maps shall be of overall size not larger than 25 inches long including border. That it shall be drawn or traced on a transparent linen tracing cloth on a scale not more than 100 feet to the inch.  
The tracings or drawings shall be made with waterproof black India ink. Two blueprints or other type of copies must accompany the linen drawings. Said linen drawings shall be filed with the Town Clerk and shall not be accepted for recording until and unless signed "As Approved" by the Board of Selectmen.
- C. **Certification:** Certificate of Approval of the Town Health Officer as to the compliance with the sanitary requirements of the Town of Sabattus.
- D. **Proof:** Proof of ownership, option or valid lease of the premises to be used as a mobile home park.

## **2. Operating Permit or License**

An operating permit or license shall be issued by the board of Selectmen when the Board is satisfied as to the conformance of the mobile home park with the provisions of this ordinance. No mobile homes are to be located on any site within a mobile home park until a mobile home park license covering that site has been issued by the Board of Selectmen. There shall be no charge for the initial license which shall cover the period from the date of the granting of the license to the following May 1. Licenses shall be renewable annually on the first day of May with an annual fee of 25 dollars. Annual licenses shall be required for mobile home parks established prior to the effective date of this Ordinance which fall within the definition of the Ordinance.

## **3. Inspection of Mobile Home Parks**

- A. During the construction stage of the mobile home park, the building inspector shall periodically inspect the premises to assure compliance with the provisions of the Ordinance. The building inspector shall report to the Board of Selectmen any non-compliance with the Ordinance, and the Selectmen shall refuse to issue a Mobile Home Park License until all conditions of the Ordinance are fulfilled.
- B. The Building Inspector and Health Officer are hereby authorized and directed to make inspections to determine the conditions of the mobile home parks located within the Town of Sabattus in order that they may perform their duties of safeguarding the health and safety of occupants of mobile home parks and of the general public. The Building Inspector and Health Officer or their duly authorized representatives shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this Ordinance.
- C. **Trailers**  
Trailers as defined in this Ordinance shall not be occupied in a mobile home park.

## **4. Exemptions**

Any mobile home park existing at the time of adoption of this Ordinance may be continued although it does not conform to the standards and provisions contained herein. All such mobile home parks must obtain an annual operating license and comply with and maintain the minimum standards for sanitation set forth in this Ordinance and by the State Department of Health for Mobile Home Parks.

## **SECTION IV - LOCATION, SPACE, AND GENERAL LAYOUT**

- 1. The park shall be located on a site which is properly graded to insure drainage of surface water, sub-surface water, sewerage and freedom from stagnate pools.
- 2. **Area Requirements:** The area of the mobile home park shall be large enough to accommodate:
  - A. The designated number of mobile home lots.
  - B. Necessary streets, parking areas, walkways and amenity space.

C. **Sewage disposal system.**

3. **Space Requirements:** Each mobile home lot shall be at least 75 feet wide and 100 feet deep, and shall abut on a driveway or other clear area with unobstructed access to a public street. Such lots shall be clearly defined and mobile homes shall be so located that a minimum of ten feet clearance exists between any part of the mobile home and the lot lines of the mobile home space. All mobile homes shall be located at least 75 feet from all mobile home park boundary lines.
4. **Mobile Home Space Availability Required:** It shall be illegal to allow any mobile home to remain in a mobile home park unless a mobile home lot is available.
5. **Set-Back Requirement:** No mobile home in a mobile home park may be located within 75 feet of any public right-of-way.
6. Before approval of a plan, the Planning Board shall require a developer to establish a park or recreation area suitably located so as to serve the development. The area of such park and recreation facility shall be reasonably related to the land being developed, the proposed use of such land, and the intensity of such use. Not less than 8% of the gross mobile home area shall be devoted to park and recreational use. Recreational facilities shall include playgrounds and may include swimming pools and community buildings. Drinking fountains shall be provided in or near park or play areas.

**SECTION V - ROADWAYS**

1. For fire protection and prevention, mobile home parks shall have access to a public street by directly abutting thereon, or by means of a private hard surfaced road not less than twenty feet wide within a 50 foot right-of-way. The roadways in a mobile home park shall have a paved width of at least twenty feet, with a right-of-way of 50 feet. Each mobile home shall have access to such a road and shall be provided with at least two paved off street parking spaces. Each roadway within a mobile home park shall have a minimum gravel base of 12 inches. Roadways will be lighted according to the same standards practiced in the urban area of the town.
2. Dead end streets shall be limited in length to 1000 feet and at the closed end shall be provided with a turn-around having a minimum radius of 50 feet."

**SECTION VI - SANITATION**

1. **Water Supply Requirements:** An accessible, adequate, safe, and potable supply of water shall be provided in each mobile home park. Where a public supply of water of satisfactory quantity, quality, and pressure is available at the site or at the boundary of the site, connection shall be made thereto and its supply used exclusively. When a satisfactory public water supply is not available, a private water supply system may be developed and used as approved by the health authority. All water supply shall conform with the standards and requirements of the State Department of Health and Welfare. The water supply shall be capable of supplying a minimum of 200 gallons per day per mobile home.
2. **Plumbing:** All plumbing in the mobile home park shall comply with State and local plumbing laws and regulations and shall be maintained in good operating condition.

3. **Sewage Disposal:** Mobile home parks shall be served by a public sewage system, or by a private disposal system which meets the requirements of the Maine State Plumbing and the State Department of Health and Welfare. Each mobile home space shall be provided with a satisfactory sewer connection. All sewage disposal apparatus including appurtenances thereto, shall be provided, maintained, and operated so as not to create a nuisance or health hazard. Individual septic tank systems will not be required.
4. **Refuse and Garbage Disposal:** The storage, collection, and disposal of refuse in the park shall not create health hazards, rodent harborage, insect breeding areas, accident hazards, or air pollution. All refuse and garbage shall be stored in flytight, watertight, rodent-proof containers, which shall be provided in sufficient number and capacity to prevent any refuse from overflowing.

Garbage and rubbish shall be collected and disposed of as frequently as may be necessary to insure that the garbage cans shall not overflow.
5. **Insect and Rodent Control:** Open areas shall be maintained free of accumulations of debris which may provide rodent harborage or breeding places for flies or other pests.
6. **Soil and Ground Cover Requirements:** Exposed ground surfaces in all parts of every mobile home park shall be paved or covered with stone screening or other solid material or protected with a vegetative growth capable of preventing soil erosion and objectionable dust.

## **SECTION VII - ELECTRICITY**

1. **Electric Installations and Outlet Requirements:** An electrical outlet supplying at least 110 volts shall be provided for each mobile home space. The installation shall comply with all state and local electrical codes and ordinances. Such electrical outlets shall be weatherproof. No power lines shall be permitted to lie on the ground or to be suspended less than 12 feet above the ground.

## **SECTION VIII - MISCELLANEOUS REQUIREMENTS**

1. **Responsibilities of the Park Management**
  - (a) The person to whom a license for a mobile home park is issued shall operate the park in compliance with the Ordinance and shall provide adequate supervision to maintain park, its facilities and equipment in good repair and in a clean and sanitary condition.
  - (b) The park management shall notify park occupants of all applicable provisions of this Ordinance and inform them of their duties and responsibilities under this Ordinance.
  - (c) The park management shall supervise the placement of each mobile home on its mobile home stand which includes securing its stability and installing all utility connections. The park management shall notify the health authority immediately of any suspected communicable or contagious disease within the park.

- (d) The park management shall maintain a register containing the names of all park occupants identified by lot number or street address and the name of the make, year, serial number, length, and owner of each mobile home. Such register shall be available to any authorized person inspecting the park.
- (e) Immediately upon obtaining knowledge, the park management shall notify the Town Tax Collector when a Mobile Home from his Park is being transported or is to be transported out of his mobile home park.

## **2. Responsibilities of Park Occupants**

- (a) The park occupant shall comply with all applicable requirements of this Ordinance and shall maintain his mobile home lot, its facilities and equipment in good repair and in a clean and sanitary condition.
- (b) The park occupant shall be responsible for proper placement of his mobile home on its mobile home stand and prior installation of all utility connections in accordance with the instructions of the park management.
- (c) Pets, if permitted in the park, shall be prohibited to run at large or to commit any nuisance within the limits of any mobile home lot.
- (d) Skirtings, porches, awning, 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 park management. If permitted, the following conditions shall be satisfied:
  - (1) Store items shall be located so as not to interfere with the underneath inspection of the mobile home.
  - (2) The storage area shall be enclosed by skirting.
- (e) The park occupant shall store and dispose of all his rubbish and garbage in a clean, sanitary and safe manner. The garbage container shall be rodentproof, insectproof, and watertight.
- (f) First aid fire extinguishers for class B and C fires shall be kept at the premises and maintained in working condition.

## **SECTION IX - ALTERATIONS AND ADDITIONS**

- 1. **Alterations and Additions.** All alterations and/or additions shall be made only after a permit for the same has been issued by the Building Inspector.

## **SECTION X - PENALTIES**

- 1. **Penalty.** Any person who violates any provision of this Ordinance may upon conviction be punished by a fine of not more than fifty (50) dollars each day's failure of compliance with any such provision shall constitute a separate violation.

## **SECTION XI - BUILDING INSPECTOR**

The Board of Selectmen shall appoint a building inspector and fix his rate of compensation. If a vacancy exists the Selectmen are authorized to perform the duties of the Building Inspector.

## **SECTION XII - CONFLICT OF ORDINANCES AND VALIDITY**

1. **Conflict of Ordinances and Validity.** In any case where a provision of this ordinance is found to be in conflict with a provision of any other local or State code existing on the effective date of this ordinance, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.
2. **Saving Clause.** If any section, sub-section, paragraph, sentence, clause, or phrase of this ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance, which shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared to be severable.

## **SECTION XIII - EFFECTIVE DATE**

This ordinance shall take effect 15 days after passage at a regular or Special Town meeting.

## **SECTION XIV - AMENDMENT OF THIS ORDINANCE**

1. On petition or on recommendation of the Planning Board or on their own motion the municipal officers may present warrants for consideration by the Town to amend, supplement, or repeal the regulations and provisions of this ordinance.
2. The municipal officers shall fix the time and place of a public hearing on the proposed amendments to amendment and cause notice to be given in accordance with the laws of the State of Maine.
3. The municipal officers shall refer proposed amendments to the Planning Board for report thereon at least ten days before public hearing.

# **MINIMUM LOT SIZE & BUILDING CODE**

## **TOWN OF SABATTUS**

An ordinance designed to protect the values of the Town of Sabattus and promote the health, safety and welfare of residents of the Town by regulating minimum lot size and minimum construction standards for new construction, alterations, additions, relocation and replacement of buildings.

## **SECTION I - DEFINITIONS**

- A. **Dwelling.** A building or mobile home including seasonal dwellings used for family occupancy, as home.

- B. **Lot.** A parcel of Land.
- C. **Public Sewer System.** The centralized sewage collection and treatment system which is owned and operated by the Sabattus Sanitary District.

## SECTION II - LOT SIZE FOR PERMANENT OR SEASONAL DWELLINGS

The Town shall have three lot sizes based on the public facilities and environmental need of the community.

- A. Lots served by the public sewer system shall be 20,000 sq. ft. with a minimum frontage of 100 feet on a public or private road.
- B. ✕ Lots located over the sand and gravel aquifer delineated on the Sand and Gravel Aquifer Map produced by the Maine Geological Survey in 19\_\_ and not connected to the public sewer system shall have a minimum lot size of 20,000 sq. ft. with a minimum frontage of 200 feet on a public or private road. The Sand and Gravel Aquifer Map has been reproduced on a 1" = 1,000' scale map, which map is on file at the Sabattus Town Office.
- C. The minimum lot size shall be 40,000 sq. ft. with a minimum frontage of 200 feet on a public or private road.
- D. **Set-back.** All buildings shall be set back at least 25 feet from the street line and not less than 10 feet from an adjoining lot line.
- E. **Exemptions:**  
The following lots are exempt from the provision of this Ordinance:
  - 1. Lots small than those specified above, surrounded by roads, right-of-ways, land owned by another, or a combination of these limits; provided that these limits exist at the time of the adoption of this ordinance or occur afterwards through no cause or fault of the owner.
  - 2. Lots in a mobile home park which are 50 by 100 feet or larger served by a public or private community sewer system.
  - 3. Any lots sold or under a valid and enforceable purchase and sale agreement prior to the effective date of this ordinance or for which a plan has been recorded at the Registry of Deeds in Androscoggin County prior to the effective date of this ordinance.
  - 4. This ordinance shall not be interpreted to prevent or prohibit lots of any size being used for:
    - a. Erecting special-purpose, small (not over 100 sq. ft.) buildings such as gatehouses, well houses, and pump houses.
    - b. Erecting shelters, open to the weather, for sheep, cattle, horses, or other animals.
    - c. Erecting outbuildings, such as garages, sheds, barns, workshops, etc., on lots with existing dwellings or other buildings.

\* Adopted 3/9/91

### SECTION III - MINIMUM CONSTRUCTION STANDARDS

- A. **Foundations.** All dwellings shall be set upon a solid foundation of concrete, stone, or other masonry extending 6 inches below the frost line.

**Exemption:** Cottages and seasonal dwellings.

Concrete slabs shall be permitted when properly constructed with a minimum of 4 inches reinforced concrete on a minimum of 18 inches of compacted gravel. For mobile homes a base of 18" of compacted gravel may be used in place of a concrete slab.

- B. **Size of Dwellings.** Every dwelling shall have a minimum ground floor area of 400 square feet.
- C. **Outside Wall Construction.** The outside walls of all buildings shall be constructed of materials commonly used for permanent outside construction and materials usually painted shall be painted. Such covering shall be completed within one year after the outside studding is in place. Tared paper or tared felt of similar substances shall not be used unless completely hidden from view by the finished exterior wall covering.
- D. **Roof Construction.** The roofs of all buildings shall be covered with a non-combustible or fire-resistant roofing material.
- E. **Chimney Construction.** No chimney shall be built, erected or altered below the roof unless containing a tile or fire clay lining and with an iron clean-out door at or near its base and shall extend at least two feet above the roof. No chimney shall be built, erected or altered below the roof having any wood or other combustible material within one inch of the chimney or with its base resting upon any floor or beam unless the methods used and the materials provided are approved by the National Board of Fire Underwriters.
- F. **Sewage Disposal.** All dwellings shall be connected to a sewage disposal system in accordance with the requirements of the Laws of the State of Maine.
- G. **Electric Wiring.** All electric wiring shall be done in accordance with the Laws of the State of Maine.
- H. **Heating Systems.** All heating systems shall comply with the Laws of the State of Maine.

### SECTION IV - ADMINISTRATION

- A. **Building Inspector.** A building inspector shall be appointed annually by the selectmen and paid such salary as they deem suitable.
- B. **Duties and Rights of Building Inspector**
1. **Building Permits.** The building inspector shall issue, in writing building permits to persons or corporations intending to build new buildings, relocate or replace buildings or add more living area to existing buildings, provided such persons or corporations shall have given proof, in application, that they plan to build as required by the provisions of this ordinance. The fee for this permit shall be \$5.00 for the first \$1,000.00 value and \$1.00 for each \$1,000.00 value on the estimated cost of the project completed, and shall be payable to the

Town of Sabattus. Permits shall be good for six months after date of issue. Not more than four building permits to any sub-division or development will be issued in any one calendar year. After the first permit is issued there will be no charge for renewal permits up to a two year period. The exterior portion of any construction must be completed within two years from date construction started.

2. **Inspection During Construction.** The building inspector shall inspect all buildings during construction, as he deems necessary, to insure compliance with the ordinance.
3. **Right of Entry.** The building inspector shall be granted the right to enter, at any reasonable hour, any building for the purpose of inspection.

#### **SECTION V - APPEALS**

- A. The selectmen shall serve as a Board of Appeals and shall serve without compensation. The selectmen shall have the authority to allow slight variances from the specific terms of this ordinance, where it can be shown that unnecessary hardship would otherwise result.
- B. Any ruling of the building inspector may be appealed to the selectmen and to the Superior Court as provided under the Laws of the State of Maine.

#### **SECTION VI - ENFORCEMENT**

- A. Whenever the building inspector is satisfied that the provisions of this ordinance are being violated he shall notify the person responsible for the violation in writing. He shall also give a copy of his written notice to the selectmen.
- B. Any violation of the provisions of this ordinance shall be considered a nuisance. The building inspector, in the name of the Town of Sabattus, shall take appropriate legal action when violations are found.
- C. Any person or corporation found guilty of violating any provisions of this ordinance shall be subject to a fine of not more than \$50 for each offense. Each day in which a violation is proved to exist shall constitute a separate offense under this section.

#### **SECTION VII - AMENDMENT**

- A. Any change in this ordinance must be made by action of the voters of the Town at an Annual or Special Town Meeting after due notice of said meeting as required by the Laws of the State of Maine.

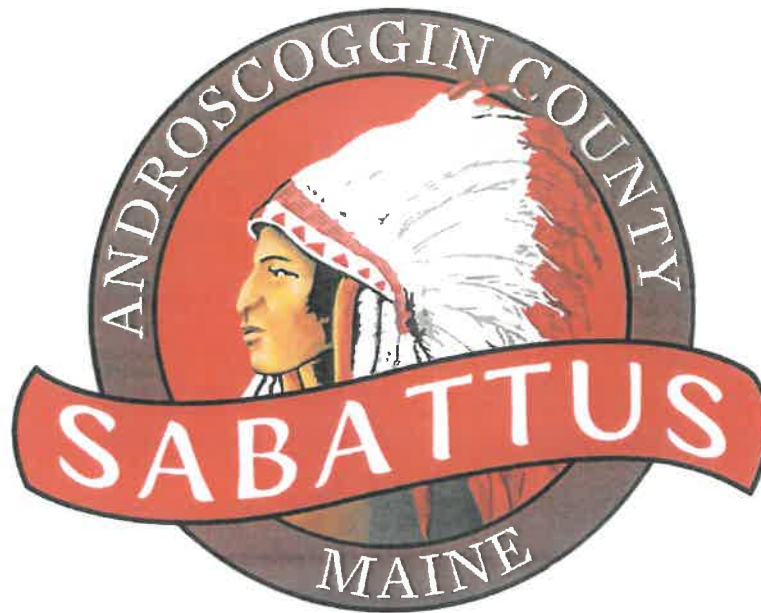
#### **SECTION VIII - GENERAL**

- A. **Effective Date.** This ordinance shall take effect upon its passage.
- B. **Validity.** If any section, clause, provision or phrase of this ordinance shall be held to be invalid or unconstitutional by any court or competent authority, such holding shall not affect, impair or invalidate any other section, clause, provision, portion, or phrase of this ordinance.

- C. **Existing Buildings.** Any building not used as a dwelling or any building not occupied as a dwelling at the time this ordinance is passed shall come under the provisions of this ordinance if it is used as a dwelling after passage.

#### **SECTION IX - ORDINANCE FOR BUILDING ROADS & INSTALLING CULVERTS**

- A. **Roads.** Under separate cover.
- B. Anyone building a new driveway for any purpose, shall be required to install a culvert of proper size, providing that conditions require it. The expense of the culvert will be that of the land owner. The size of the culvert will be determined by the Road Commissioner and the installing of the culvert shall be done under his direction. Anyone whosoever refuses to comply with this code, the culvert will be installed by the Town Aid and the cost shall be assessed to the property owner or his taxes.



## **Minimum Lot Size and Set Backs**

1. Lots served by the public sewer system shall be 20,000 square feet with a minimum road frontage of 100 feet.
2. Lots located over an aquifer delineated on the Sand and Gravel Aquifer Maps produced by the Maine Geological survey and not connected to the public sewer system shall be a minimum lot size of 80,000 square feet.
3. The minimum lot size shall be 40,000 square feet with a minimum road frontage of 200 feet
4. Set Backs. All building shall be set back at least 25 feet from the right of way and not less than 10 feet from an adjoining lot line.