

# MOBILE HOME PARK ORDINANCE

of the

## TOWN OF GLENBURN

### **100 Purpose and Scope**

#### 110 Purpose

The purpose of this mobile home park ordinance is to promote the orderly development of mobile home parks; to insure the health, safety, and general welfare of the residents of the parks; to encourage the most appropriate use of land within the Town; and to maintain and protect property values within the Town of Glenburn.

#### 120 Scope

This ordinance is composed of Sections 100 through 948 and Appendices A through F. The Appendices are an integral part of this ordinance.

### **200 Authority, Administration, and Enforcement**

#### 210 Authority

211 This ordinance is adopted pursuant to and consistent with the Home Rule Powers as provided for in Article 8, Pt. 2, Sec. I of the Maine Constitution, and Title 30-A, M.R.S.A., Section 3001, and Section 3.04(h) of the Glenburn Charter.

212 This ordinance shall be known and cited as the ‘Mobile Home Park Ordinance of the Town of Glenburn’.

#### 220 Administration

221 Except where otherwise provided, the provisions of this ordinance shall be administered by the Code Enforcement Officer of the Town of Glenburn.

222 No person shall construct, develop, establish, or expand a mobile home park without having first received Final Plat Plan approval from the Planning Board and a Mobile Home Park Construction permit from the Code Enforcement Officer.

223 No person shall operate a mobile home park unless that person holds a valid mobile home park operating license issued by the Glenburn Code Enforcement Officer in compliance with the provisions of Appendix F of this ordinance.

224 This ordinance shall apply to all land in the Town of Glenburn. Mobile Home Parks shall be allowed, however, only in those districts, and subject to the conditions as specified by the provisions of the “Zoning Ordinance of the Town of Glenburn” and the “Shoreland Zoning Ordinance for the Town of Glenburn”, as amended.

#### 230 Enforcement

231 The Municipal Officers or their duly authorized representative, upon a finding that any provision of this ordinance or the condition(s) of a permit issued under this ordinance is

being violated, are authorized to institute legal proceedings to enjoin violations of this ordinance.

232 A person who violates the provisions of this ordinance or the condition(s) of a permit shall be guilty of a civil violation punishable as provided in 30-A M.R.S.A., Section 4452.

### **300 Waiver and Modification of these Regulations**

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

320 In granting any waiver, the Planning Board shall require such conditions as will substantially secure the objectives of the requirements so waived. Such waiver shall not in any way jeopardize the health, welfare, or safety of the community. The Planning Board shall enter into its records the reasons for granting any waiver and any conditions which it has required.

### **400 Validity, Effective Date, Conflict of Ordinance, and Filing**

410 Should any section, subsection or other provision of this ordinance be held or become invalid or void, by virtue of any decision of any court of competent jurisdiction, or by virtue of any controlling federal, state, or other law, then only such section, subsection or other provision which is specifically mentioned in such decision of court, or which is specifically controlled by such federal, state, or other law, shall be affected, and the remaining portions of this ordinance shall continue to be valid and remain in full force and effect.

420 This Ordinance shall become effective on the 31st day following its adoption by the Glenburn Town Council.

430 This ordinance shall not repeal, annul, or in any way impair or remove the necessity of compliance with any other rule, regulation, by-law, permit, or provision of law except that mobile home parks need not also undergo review under the Glenburn Subdivision Ordinance. Where this ordinance conflicts with any municipal, State, or Federal ordinance, statute, rule regulation, or other provision of law, the more stringent provision shall apply.

440 A copy of this ordinance shall be filed with the Town Clerk and shall be accessible to any member of the public.

### **500 Amendments**

510 This ordinance may be amended by the Glenburn Town Council in compliance with the procedures established in Section 3.10 of the Glenburn Charter. A copy of all amendments shall be filed with the Town Clerk.

## **600 Appeals**

610 If the Planning Board disapproves an application or grants approval with any provisions that are objectionable to the applicant or any abutting landowner or any aggrieved party, or when it is claimed that the provisions of the ordinance do not apply, or that the true intent and meaning of the ordinance has been misconstrued or wrongfully interpreted, the applicant, an abutting landowner, or aggrieved party may appeal the decision to the Glenburn Board of Appeals within thirty (30) days from the Planning Board's final decision in accordance with the Town of Glenburn's Ordinance Establishing Board of Appeals and with Title 30-A, M.R.S.A. Section 2691. Any appeals from the granting or denying of a license under Appendix F of this ordinance shall proceed in accordance with the provisions of Section 25 of said Appendix F.

## **700 Non-Conforming Mobile Home Parks**

### **710 Non-Conforming Mobile Home Parks**

- 711 The use of a mobile home park or part thereof existing at the effective date of this ordinance, or amendments thereto, and not in conformance with the provisions of such ordinance or amendment is a non-conforming mobile home park.
- 712 Non-conforming mobile home parks which were lawful at the time of adoption of this ordinance, or subsequent amendments thereto, may continue to be used provided the Mobile Home park owner complies with the provisions of Appendix F of this ordinance.
- 713 Expansion of a non-conforming mobile home park shall be permitted provided however that the expanded portion of the non-conforming mobile home park shall be governed by this ordinance.

## **800 Definitions**

810 Words and terms not defined in Section 820 shall have their customary dictionary meanings.

820 The following words and terms, for the purpose of this ordinance, shall be defined as follows:

### **821 Definitions**

1. Accessory Structure A detached, subordinate structure, the use of which is clearly incidental and related to that of the principal structure or use of the land, and which is located on the same lot as that of the principal structure or use.
2. Aquifer A porous formation of ice-contact and glacial outwash sand and gravel or fractured bedrock that contains significant recoverable quantities of water which is likely to provide drinking water supplies.
3. Centralized Private Sewer System A subsurface wastewater system not located on any mobile home lot which disposes of the waste of more than one individual mobile home and which meets all requirements of the Maine State Plumbing Code and of the Department of Human Services.

4. Code Enforcement Officer The Code Enforcement Officer appointed in compliance with 38 M.R.S.A., Section 441 and Section 4.04(6) of the Glenburn Charter shall be the Code Enforcement Officer referenced in this ordinance.
5. Developed Portion The Developed Portion of a park means any part of the parcel to be developed which:
  - a. is contained within a mobile home lot;
  - b. is cleared of any natural vegetation for purposes of development;
  - c. contains any structure, roadways, septic disposal systems, or wells; or
  - d. has any use in conjunction with the park other than as a natural buffer zone or natural parkland for residents.
6. Major Mobile Home Park A mobile home park which is not a minor mobile home park.
7. Minor Mobile Home Park A mobile home park with fewer than five (5) lots and which does not involve the construction or reconstruction of a street.
8. Mobile Home
  - a. A structure transportable in one or more sections which is 12 body feet or more in width, 32 body feet or more in length, 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, and electrical systems contained therein, or
  - b. Those units constructed after June 15, 1976, commonly called “newer mobile homes,” which the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development standards, meaning structures, transportable in one or more sections, which, in the traveling mode, are 14 body feet or more in width and are 750 or more square feet, and which are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained therein; except that the term shall include any structure which meets all the requirements of this paragraph, except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, United States Code, Title 42, Section 5401, et. seq.
9. Mobile Home Lot That area within a mobile home park shown as a lot on the mobile home park plan that provides facilities for long term occupancy of a mobile home and is designed for the exclusive use of its occupants.

10. Mobile Home Park A parcel or adjoining parcels of land, under unified ownership, which has been planned and improved for the placement of three or more mobile homes per parcel for non transient use.
11. Mobile Home Stand/Pad That part of an individual lot that has been reserved for the placement of a mobile home.
12. Person Any individual, group of individuals, firm, corporation, association, partnership or private or public entity, including a district, county, city, town or other governmental unit or agent thereof; and, in the case of a corporation, any individual having active and general supervision of the properties of such corporation.
13. Planning Board The Glenburn Planning Board as established by the Glenburn Planning Board ordinance.
14. Recharge Area The surface area directly overlying sand and gravel formations that provide direct replenishment of ground water in sand and gravel and fractured bedrock aquifers. The term does not include areas overlying formations that have been identified as unsaturated and are not contiguous with saturated formations.
15. Stream A waterway with clearly defined banks and with a scoured, mineral bottom.

### **900 Procedures for Mobile Home Park Review**

#### **910 Introduction**

Whenever the creation or expansion of any mobile home park is proposed in the Town of Glenburn, the developer or duly authorized agent shall apply for approval of such proposed mobile home park in accordance with the procedures set forth in Section 920 (Sketch Plan Review Phase), 930 (Preliminary Plan Phase), and 940 (Final Plan Phase). The applicant shall provide copies of submitted materials for the Applicant, the Planning Board, the Assessor, the Code Enforcement Officer, and the Town Manager.

#### **920 Sketch Plan Review Phase (Pre application Proposal)**

921 The purpose of the Sketch Plan Review Phase is for the Planning Board to understand what is being proposed and for the Board to inform the developer of the requirements of the State Mobile Home Laws, the subdivision review criteria as contained in 30-A M.R.S.A., Sec. 4404, of this Glenburn Mobile Home Park Ordinance, and of any other known applicable laws, ordinances, or regulations.

#### **922 Submission of Pre application Proposal**

The developer shall submit the pre application proposal to the Code Enforcement Officer at least 14 days prior to the regularly scheduled Planning Board meeting at which the proposal will be first heard. The Code Enforcement Officer shall place the proposal on the Planning Board agenda. The developer or authorized agent shall be present at the Planning Board meeting to officially file the pre application proposal with

the Board and to discuss the proposal with them. The pre application proposal shall consist of a sketch plan and written supporting data.

1. The sketch plan shall consist of an outline of the proposed mobile home park, drawn on a map and showing the proposed layout of streets, lots, and other features in relation to existing conditions which may be of assistance to the Planning Board in making its determinations. The sketch plan may be a free hand pencil sketch.
2. The supporting data shall be prepared on forms provided by the Town Office and shall include:
  - a. The name, address, and telephone number of the applicant;
  - b. Identification of the parcel by tax map and lot numbers;
  - c. A description of any known existing covenants or easements;
  - d. The zoning of the parcel;
  - e. Outline of the proposed mobile home park drawn on a medium intensity soils map to be provided by the town;
  - f. Listing of soil suitability for each intended use for each soil type in the proposed mobile home park - to be taken from "Soil Suitability Guide for Land Use Planning in Maine", latest edition, published by the Cooperative Extension Service, University of Maine at Orono;
  - g. Information about available community facilities and utilities on or near the site;
  - h. Information describing the mobile home park proposal including the number of mobile home lots and typical lot width and depth;
  - i. Information regarding proposed sewer and water service and road construction; and
  - j. Identification of any proposed non-residential areas.
3. The Code Enforcement Officer shall, within 7 days of the submission, review the of any pre application proposal and shall notify the applicant and the Planning Board, in writing, deficiencies. The applicant may submit the required corrections to the Code Enforcement Officer prior to the meeting or to the Planning Board during the meeting.
4. Upon submission, the Code Enforcement Officer shall send notification of such submission, by mail, to the Superintendent of Schools, to the Glenburn Fire Chief, and to all owners of property of which any part lies within 1,000 feet of the proposed mobile home park.

#### 923 Planning Board Meeting with Developer

During this Planning Board meeting, with the developer or agent present, the Planning Board shall:

1. Informally review with the developer the developer's ideas for use of the land.

2. Review with the applicant the procedures for mobile home park review and approval that are specified in this ordinance.
3. Discuss any apparent potential problems associated with the mobile home park.
4. Arrange for on-site inspection of the mobile home park site with the developer or agent and a majority of the Planning Board to be present. Unless a waiver of inspection has been voted by the Board, the sketch plan phase of the review process shall not be considered complete until such inspection has been made.

At this meeting no binding commitments shall be made between the developer and the Planning Board. Review and action upon the pre application proposal under this section shall not constitute a pending application for the purposes of 1 M.R.S.A., Section 302.

#### 924 Construction Prohibited

Subsequent to the submission of the sketch plan, no utility installations, ditching, grading, construction or reconstruction of streets, grading of land or lots, and no construction of buildings shall be done on any part of the mobile home park until the Final Plat Plan of the mobile home park has been approved and endorsed by the Planning Board and the Final Plat Plan recorded by the developer in the Penobscot County Registry of Deeds. Any violation of this section shall be enforced in accordance with Section 231 of this ordinance.

#### 925 Planning Board Action on Pre application Proposal

After having made an on site inspection and within 35 days of its first review of the sketch plan and supplementary data, the Planning Board shall:

1. Classify the mobile home park as a major or a minor mobile home park;
2. Vote on whether or not to waive the requirement for submission of a Preliminary Plan if the mobile home park is a minor mobile home park; and
3. Within 10 days of taking such action, notify the developer in writing of such action.

#### 930 Preliminary Plan Phase

931 The purpose of the Preliminary Plan Phase is to give the Planning Board an opportunity to review the developer's proposal while it is in the planning stage and to make such recommendations to the developer as seem appropriate based on state and local laws and regulations. The intent is that most major issues relative to the design of the mobile home park will be identified and resolved prior to the submission of the final plan.

#### 932 Application

1. Within six months after the classification of the sketch plan by the Planning Board, the developer may submit an application for the consideration of the Preliminary Plan. The developer shall submit the Preliminary Plan to the Code Enforcement Officer at least 14 days prior to the Planning Board meeting at which the developer wishes the Preliminary Plan considered. The Preliminary Plan shall substantially conform to the layout shown on the Sketch Plan plus any recommendations made by the Planning Board. Failure to submit an application within the required six month period shall require re-submission of the Sketch Plan to the Planning Board for reclassification.

2. The application shall consist of the Preliminary Plat Plan and the supporting data as defined in Appendix C (Preliminary Plan Submissions) of this ordinance. Each listed item of supporting data must be included unless the Planning Board has specifically voted to waive the item upon request of the applicant. Any waiver so voted must conform with Section 300 of this ordinance.
3. The Code Enforcement Officer shall, within 7 days of the submission, review the preliminary plan and shall notify the applicant and the Planning Board, in writing, of any deficiencies. The applicant may submit the required corrections to the Code Enforcement Officer prior to the meeting or to the Planning Board during the meeting.
4. The developer shall pay a non-refundable Preliminary Plan fee of \$25.00\* plus \$5.00\* per lot for all lots in the mobile home park. The application for consideration of the Preliminary Plan shall be accompanied by a copy of the Glenburn Treasurer's receipt issued at the town office when the fee was paid.
5. The developer, or duly authorized representative, shall attend the meeting of the Planning Board, at which the Preliminary Plan is submitted, to explain and discuss the Preliminary Plan.
6. At the time of submission of the Preliminary Plan, the Planning Board shall issue a dated receipt to the developer. The time of submission of the Preliminary Plan shall be the date of the regular meeting of the Planning Board at which the application for Preliminary Plan consideration, and the required fee, have been filed with the Planning Board by the developer or duly authorized representative in person.

#### 933 Planning Board Update of Map

Prior to their next regular meeting following the submission of the Preliminary Plan, the Planning Board shall cause the mobile home park to be temporarily drawn on the Town's master subdivision map in accordance with Appendix E of this ordinance.

#### 934 On-Site Inspection

Prior to taking action on the Preliminary Plan and after the developer has placed temporary markers in conformance with Appendix C, Section 13(5), the Planning Board shall make a second on-site inspection of the parcel to be developed as a mobile home park.

#### 935 Planning Board Action on Preliminary Plan

1. Within 35 days of the date of the written receipt, the Planning Board shall review the Preliminary Plan and shall take action to determine either that:
  - a. The application is a complete application with the exception of the submission of the Final Plat Plan and the written information required in Column B of Appendix D of this ordinance; or
  - b. The application is a complete application with the exception of the submission of the Final Plat Plan, the written information required in Column B of Appendix D of this ordinance, and certain other specific materials. The Planning Board shall list all of the specific additional materials that must be submitted along with the Final Plat Plan to make the application complete. Submission of the Final Flat Plan without the written



information required in Column B of Appendix I) and the specific additional materials listed by the Planning Board shall be grounds for disapproval of the application for mobile home park approval.

- c. The application is not a complete application because of a number of apparent deficiencies with the proposal. The Planning Board shall indicate in writing the specific nature of these deficiencies.
2. Upon determining that the Preliminary Plan application is complete, (a or b above), the Planning Board shall state in writing:
  - a. Specific changes which it will require in the Final Plan.
  - b. The character and extent of the required improvements for which waivers may have been requested and which in its opinion may be waived in compliance with Section 300 of this ordinance.
3. If the Planning Board determines that the application is not complete because of a number of apparent deficiencies with the proposal, it shall so notify the applicant within 10 days of the time it makes its determination. Within 70 days of such determination, the applicant may submit the materials required to correct the deficiencies. The applicant shall so notify the Town Office at least 10 days prior to the Planning Board meeting so that the submission of additional materials can be put on the agenda of the meeting. Failure to submit the materials within the required 70 days shall require resubmission of the Sketch Plan to the Planning Board for reclassification. Within 35 days of the submission by the developer of materials required to correct the deficiencies, the Planning Board shall again review the Preliminary Plan in accordance with Section 935 of this ordinance. This process may be repeated until the Planning Board determines that the application is a complete application (a or b above).
4. Within 10 days of making its determinations in items 1 and 2 above, the Planning Board shall notify the developer in writing of its determinations.
5. The determination that a Preliminary Mobile Home Park Plan is complete shall not constitute approval of the Final Plan but only that the Planning Board has received the information that it needs to begin a full evaluation of the proposal. Prior to the approval of the Final Mobile Home Park Plan, the Planning Board may require additional changes as a result of further study of the mobile home park in final form or as a result of new information obtained at a public hearing.
6. Failure of the Planning Board to act within the required time limit shall indicate acceptance of the completed Preliminary Plan application.
7. An application found to be complete under this section shall not constitute a pending application for the purposes of I M.R.S.A., Sec. 302.

#### 940 Final Plan Phase

- 941 The purpose of the Final Plan Phase is to thoroughly review the proposed mobile home park plan to see that it meets all of the requirements of State mobile home park law, this ordinance, and any other applicable laws, regulations, or ordinances.

## 942 Application

1. Within 6 months of the date of the Planning Board's determination that the Preliminary Plan is a complete plan, or if the Preliminary Plan requirement for a minor mobile home park has been waived, within 6 months of the Planning Board's vote to waive the requirement, the developer may submit the Final Plan. The developer shall submit the Final Plan to the Code Enforcement Officer at least 14 days prior to the Planning Board meeting at which the Final Plan will be considered. The Final Plan shall substantially conform to the Preliminary Plan plus any recommendations made by the Planning Board. Failure to submit the Final Plan within the designated time period shall require resubmission of the Preliminary Plan if such was required or of the sketch plan if the Preliminary Plan was not required.
2. The Code Enforcement Officer shall, within 7 days of the submission, review the Final Plan and accompanying written data and shall notify the applicant and the Planning Board, in writing, of any deficiencies. The applicant may submit the required corrections to the Code Enforcement Officer prior to the meeting or to the Planning Board during the meeting except that any deficiencies on the Final Plat Plan must have been corrected on the Plan prior to the meeting.
3. The developer shall pay a non-refundable Final Plan fee in accordance with the schedule below. The Final Plan shall be accompanied by a copy of the Glenburn Treasurer's receipt issued at the town office when the fee was paid.
  - a. \$5.00\* per lot for all lots in a major mobile home park; or
  - b. \$5.00\* per lot for all lots in a minor mobile home park if submission of a preliminary plan is required.
  - c. \$25.00\* plus \$10.00\* per lot if the mobile home park is a minor mobile home park and the submission of the preliminary plan has been waived.

\*The Town of Glenburn Fees Ordinance and Fee Schedule supersedes any and all fees in this ordinance.

4. The developer, or duly authorized representative, shall attend the meeting of the Planning Board to discuss the Final Plan.
5. The Final Plan shall include all of the items listed in Appendix D (Final Plan Submissions) of this ordinance. Each item listed shall be included unless specifically waived by vote of the Planning Board at the request of the developer. The Planning Board shall not waive the performance guarantee requirement. Any waiver so voted must conform with Section 300 of this ordinance.

## 943 Planning Board Determination

During the meeting at which the Final Plan is submitted, the Planning Board shall determine whether or not the Final Plan is complete in accordance with Section 942(5).

1. If the Planning Board determines that the Final Plan is complete, then the Board shall issue a dated receipt to the developer. The Board may then begin its full evaluation of the proposed mobile home park.

2. If the Planning Board determines that the Final Plan is not complete in accordance with Section 942(5), it shall give to the applicant a dated receipt stating that the Final Plan has been received but that it is not complete. The receipt shall be accompanied by a written listing of the specific materials that are needed to make the Final Plan complete. Within 70 days of such determination, the applicant may again submit the Final Plan application in accordance with section 942. Failure to submit the materials within the required 70 days shall require resubmission of the Sketch Plan to the Planning Board for reclassification. This process may be repeated until the Planning Board determines that the Final Plan is complete.

#### 944 Public Hearing

The Planning Board shall hold a public hearing on the proposed mobile home park. Such hearing shall be held within 30 days of the issuance of the dated receipt for the complete Final Plan. The Planning Board shall advertise the public hearing in a newspaper of general circulation in Glenburn at least two times, the date of the first publication to be at least 7 days prior to the hearing. The Planning Board shall notify the applicant in writing of the date, time, and place of such hearing. The Planning Board shall also mail a notice of said hearing to all owners of property of which any part lies within 1,000 feet of the proposed mobile home park.

The purpose of the public hearing shall be for the Planning Board to receive testimony from the public relative to any municipal or state ordinance, standard, or regulation which is applicable to the proposed mobile home park and the relationship of the mobile home park to the ordinance, standard, or regulation.

#### 945 Planning Board Review and Action on Final Plan

1. Within 30 days of the public hearing held in compliance with Section 944 or within such other time limit as may be mutually agreed to by the Planning Board and the developer, the Planning Board shall review the application and:
  - a. Deny approval of the proposed mobile home park; or
  - b. Grant approval of the proposed mobile home park; or
  - c. Grant approval on such terms and conditions as it may deem advisable to satisfy the criteria contained in this ordinance and to preserve the public's health, safety and general welfare.
2. In arriving at its decision, the Planning Board shall make written findings of fact establishing that:
  - a. The proposed mobile home park does or does not meet each of the General Requirements and Design Standards contained in Appendix A of this ordinance;
  - b. The proposed mobile home park does or does not meet each of the requirements set forth in 30-A M.R.S.A., Section 4404. When reviewing the requirements set down in Section 4404, the Planning Board shall substitute the words 'mobile home park' for the word 'subdivision' and the word 'developer' for the word 'subdivider', wherever those words appear.

- c. If applicable, the performance guarantee submitted to insure completion of required mobile home park improvements does or does not meet the requirements of Appendix B of this ordinance; and

The Planning Board shall maintain a permanent record of their action on the Final Plan. Such record shall include: the action itself; any terms or conditions imposed and the reasons for such imposition; and, if approval is denied, the reasons for such denial.

In all instances, the burden of proof shall be upon the developer. The Planning Board, with the consent of the developer, may engage the services of outside consultants to aid them in the review or evaluation of the proposed mobile home park. The cost of such consultant services shall be borne by the developer. Refusal of the developer to consent shall be grounds for denial of the mobile home park approval. In no instance shall the Planning Board or its members, the municipality, or any of its officers or officials be held liable for expenses or other costs which may be incurred by a developer in meeting the requirements of this ordinance.

3. Upon approval of the plan, a majority of the Board members shall sign and date both transparencies and shall write any conditions of approval on both transparencies. One signed transparency shall be returned to the developer for filing with the Registry of Deeds and one signed transparency shall be retained by the Planning Board.
4. No changes, erasures, modifications, or revisions shall be made in any mobile home park plan after approval has been given by the Planning Board and endorsed, in writing on the plan, unless the plan is first re-submitted to the Planning Board and the Board approves the modifications. In the event that any such mobile home park plan is recorded without complying with this requirement, the Planning Board shall file an amended plan at the Registry of Deeds stating that the original plan is null and void and the reasons therefore.

#### 946 Planning Board Update of Map

Upon recording of the Final Plat Plan in the Registry of Deeds, the Planning Board shall cause the mobile home park to be recorded on the master subdivision map in accordance with Appendix E.

#### 947 Developer's Post Approval Responsibilities

1. The developer shall file the signed mobile home park plan at the Penobscot County Registry of Deeds within 60 days of the date of approval. Any plan not filed within 60 days will be considered null and void. If the mobile home park plan is recorded after the deadline, the Planning Board shall file an amended mobile home park plan stating that the original is null and void.

#### 948 Construction Permit

Upon receipt of evidence from the developer that the Final Plat Plan has been recorded at the Registry of Deeds, the Code Enforcement Officer shall issue a Mobile Home Park Construction Permit. If substantial construction is not initiated within 2 years, the permit expires and the applicant must reapply to the Code Enforcement Officer for another permit. If construction is not completed within 5 years from the issuance of the permit under which construction is started, no further construction may take place until the Planning Board has

again reviewed the project and granted approval for continuation. This continuation review shall be based on the criteria in effect at the time of the review.

The requirements of this section may be waived, if appropriate, under the conditions specified in sections 310 and 320.

## APPENDIX A

### General Requirements and Design Standards

Appendix A contains the general requirements and design standards referred to in Section 945 (1)(a) of this ordinance.

Before granting final approval of a mobile home park plan, the Planning Board shall determine that the proposed mobile home park is in conformance with each of the following items.

#### 10 Conformity with Other Laws and Regulations

The proposed mobile home park shall be in conformity with each of the following:

1. The Comprehensive Plan of the Town of Glenburn, as amended.
2. The latest amendments of all Zoning Ordinances and Building Codes of the Town of Glenburn.
3. The latest revision of the Rules of the Department of Professional and Financial Regulation, Rules and Regulations Relating to Mobile Home Parks.
4. The Mandatory Shoreland Zoning Act of the State of Maine, 38 M.R.S.A. Section 435 et seq., if applicable, and the Glenburn Shoreland Zoning Ordinance.
5. The Natural Resources Protection Act of the State of Maine, 38 M.R.S.A. Section 480-A et seq., if applicable.
6. The Site Location of Development Act of the State of Maine, 38 M.R.S.A. Section 481 et seq., if applicable.
7. The Flood Hazard Ordinance of the Town of Glenburn, if applicable.
8. The Glenburn Road Ordinance, if applicable.
9. The Farmland Adjacency Act of the State of Maine, 7 M.R.S.A. Section 52 et seq., if applicable.
10. Any other Federal, State and local codes, ordinances, laws and regulations known to be in effect at the time of the mobile home park review.
11. The applicant shall have obtained or applied for all applicable permits from other governmental offices including the Army Corps of Engineers, the Department of Environmental Protection, and the Maine Manufactured Housing Board.

If the proposed mobile home park or certain aspects of it require the approval of other Governmental agencies, then each review may be conducted simultaneously. However, each review will be conducted independently, and the Planning Board may deny approval of the

mobile home park even though the other agency has granted an approval. An example of this would be a large mobile home park requiring approval of the Board of Environmental Protection under the Site Location Act, 38 M.R.S.A., Sec 482.

## 20 Lot Size, Layout, and Stand/Pad Construction

21. Lot layout should be planned so as to meet the following requirements.

1. Each individual mobile home lot shall be designed so that a mobile home located thereon will be connected to a municipal sewer or a centralized private sewer system and shall contain a minimum of (12,000) square feet, exclusive of roads.
2. Each individual mobile home lot in a mobile home park not connected to a municipal sewer or a centralized private sewer system shall contain a minimum of 20,000 square feet.
3. Each mobile home lot shall be at least 75 feet in width in its narrowest place and shall be at least 100 feet in depth in its shortest depth.
4. The lot arrangement shall be such that in locating a mobile home in compliance with the laws and ordinances of the Town of Glenburn and the State of Maine there will be no foreseeable difficulties for reasons of topography or other conditions.
5. Corner lots should be designed so as to provide a desirable mobile home site and to allow for adequate structure setback from each street even if this requires that the corner lots be larger than the interior lots.
6. The lot arrangement shall be such that there is adequate maneuvering room for placing manufactured home on stands, considering the home sizes likely to be located on the lots in the foreseeable future.

## 22. Setback Requirements

1. Park Boundaries

- a. Any Mobile Home Park whose total generated wastewater is less than 2,000 gallons per day shall have the outermost boundary of the developed portion of said park no closer than 300 feet from the outermost boundary of the Shoreland Zone of the Town of Glenburn and 300 feet from the actual boundary of any aquifer or recharge area.
- b. Any Mobile Home Park whose total generated wastewater is equal to or greater than 2,000 gallons per day shall have the outermost boundary of the developed portion of said park no closer than 500 feet from the outermost boundary of the Shoreland Zone of Glenburn and 500 feet from the actual boundary of any aquifer or recharge area.
- c. It shall be the responsibility of the developer to establish that the proposed park is the requisite distance from the outermost boundary of the Shoreland Zone or the actual boundary of any aquifer or recharge area through the use of a qualified professional geologist or soil scientist.

- d. The location of any expansion of an existing mobile home park within the Town of Glenburn shall require compliance with this section.

## 2. Mobile Homes

- a. No mobile home shall be located less than 10 feet from the side and rear lot lines of any individual mobile home lot and there shall be a minimum side and end clearance of 22 feet between adjacent mobile homes.
- b. No mobile home shall be located closer than 10 feet to the right-of-way line of a public way or a privately owned road.

## 23. Mobile Home Stand/Pad

Each mobile home lot in a mobile home park shall be provided with a stand/pad of suitable construction as to prevent heaving, shifting or settling due to frost action such as standards contained in the State of Maine Manufactured Home Installation Standards.

## 30 Character of the Land

### 31 General Character

Land to be used for mobile home lots shall be of such character that it can be used safely for location of a mobile home without danger to health or peril from fire, flood, or other menace. Mobile home lots shall not contain land within the 100 year floodplain, land containing floodplain soils, or land created by diverting a watercourse.

### 32 Open Space Provisions

The Planning Board may require that a proposed mobile home park design include a landscape plan that will show the preservation of existing trees, the replacement of trees and vegetation, graded contours, streams, and the preservation of scenic, historic, or environmentally desirable areas.

### 33 Buffer Strip

The Planning Board may require a buffer strip, such as natural vegetation providing a dense visual barrier at all times, when the proposed subdivision will be located adjacent to a use where separation is desirable.

## 40 Drainage Improvements

### 41 Removal of spring and surface water

The developer may be required by the Planning Board to carry away by piping systems, catch basins, or open ditches any spring, surface, or storm water that may exist either previous to, or as a result of the development of the mobile home park. Such drainage facilities shall be located in the street right-of-way where feasible, or in perpetual unobstructed easements of appropriate width.

### 42 Drainage structure to accommodate potential development upstream

Culverts and other drainage facilities shall be large enough to accommodate potential run-off from its entire upstream drainage area, whether inside or outside the mobile home park.

### 43 Responsibility for Down Stream Drainage

If requested by the Planning Board, the developer's engineer shall study the effect of the proposed mobile home park on the existing down-stream drainage facilities outside the area of the mobile home park. Where it is anticipated that the additional run-off incident to the development of the mobile home park will overload an existing down-stream drainage facility during a storm with recurrence interval of twenty five years, the Planning Board shall notify the Town Council of such potential condition. In such case the Planning Board shall not approve the mobile home park until provision has been made by the developer for the improvement of said condition.

#### 44 Drainage Easements

The Planning Board may require that easements for drainage be turned over to the Town.

#### 45 Basement Drainage

Basement Drainage- If any lots are being created to accommodate structures with basements, the developer shall show that the basement can be drained by gravity to the ground surface, or storm sewers, if they are required to be installed, or that the seasonal high water table is below the lowest level of the basement.

#### 50 Street Standards

##### 51 Layout of streets

All streets in a mobile home park, whether intended to be dedicated to the town as town ways or to be maintained as privately owned roads, shall be planned so as to meet the following standards:

1. The proposed streets shall conform, as far as practical, to the adopted Comprehensive Plan of the Town of Glenburn.
2. All streets in the mobile home park shall be designed so as to provide safe vehicular travel and to discourage movement of through traffic.
3. Intersections of streets shall be at angles as close to ninety degrees as possible. In no case shall two streets intersect at an angle of less than sixty degrees.
4. A distance of at least 150 feet shall be maintained between centerlines of offset intersecting streets.
5. The Planning Board shall require that the layout of lots and roads in a mobile home park be designed so as to minimize dangerous access points from the mobile home park onto heavily traveled roads.

##### 52 Design and Construction Standards

Any streets in a mobile home park planned with a right of way of 50 feet or more s designed and constructed in accordance with the street standards in Section 52 of the Glenburn Subdivision Ordinance. All other streets in a mobile home park shall be built according to acceptable engineering standards and with a professional engineer's seal. At a minimum, they shall be designed and constructed to meet the following standards.

1. Streets
  - a. Minimum thickness of material after compaction\*



Street Materials

Minimum Requirements

Aggregate sub-base coarse  
(Max sized stone 4")

12" (1)

Crushed aggregate base course

3" (1)

\*The 12" aggregate sub-base is in most instances not acceptable for municipal streets. If your long range plan is to have your park streets accepted as public ways, you should check with your municipality. Most municipalities require at least 18" aggregate sub-base.

- b. Before clearing has started on a park street, the center and side lines of the new street shall be staked or flagged at fifty foot intervals.
- c. Before grading is started, the entire park Street shall be cleared of all stumps, roots, brush, and other objectionable material. All ledge, large boulders and tree stumps shall be removed from the park street.
- d. All organic materials shall be removed to a depth of two feet below the subgrade of the street. Rocks and boulders shall also be removed to a depth of two feet below the subgrade of the roadway. On soils which have been identified as not suitable for roadways, the subsoil shall be removed from the street site to a depth of two feet below the subgrade and replaced with material meeting the specifications for gravel aggregate sub-base below.
- e. Except in a ledge cut, side slope shall be no steeper than a slope of three feet horizontal to one foot vertical, and shall be graded, loamed, limed, fertilized, and seeded according to the specifications of the erosion and sedimentation control plan. When a cut results in exposed ledge, a side slope no steeper than four feet vertical to one foot horizontal is permitted.
- f. The aggregate sub-base course shall be sand or gravel of hard durable particles free from vegetation matter, lumps or balls of clay and other deleterious substances. The gradation of the part that passes a 3 inch square mesh sieve shall meet the following grading requirements.

Sieve Designation	Percentage by Weight Passing
	Square Mesh Sieves
1/4 inch	25%-70%
No. 40	0%-30%
No. 200	0%-7%

- g. Aggregate for the sub-base shall contain no particles of rock exceeding four inches in any dimension.
- h. The aggregate base course shall be sand or gravel of hard durable particles free from vegetative matter, lumps or balls of clay and other deleterious substances. The gradation of the part that passes a 3 inch square mesh sieve shall meet the following grading requirements:

Sieve Designation	Percentage by Weight Passing
	Square Mesh Sieves
1/2 inch	45%-70%
1/4 inch	30%-55%
No. 40	0%-20%
No. 200	0%-5%

- i. Aggregate for the base shall contain no particles of rock exceeding two inches in any dimension.
- j. Pavement joints. Where pavement is used and joins an existing pavement, the existing pavement shall be cut along a smooth line and form a neat, even, vertical joint.
- k. Pavements. If pavement is used, minimal standards for the base layer or pavement shall be the MDOT specifications for plant mix grade B with an aggregate size no more than 1 inch maximum. Minimal standards for the surface layer of pavement shall meet the MDOT specifications for plant mix grade C with an aggregate size no more than 3/4 inch maximum.

## 2. Intersections

- a. Grades of all streets shall conform to the terrain so that cut and fill are minimized.
- b. Where park streets intersect with public roads, sight distances, as measured along the public way which traffic will be entering shall be based upon the posted speed limit and conform to the following:
 

Posted Speed Limit (MPH)	25	30	35	40	45	50	55
Sight Distance (Feet)	250	300	350	400	450	500	550
- c. Sight distances shall be measured from the driver's seat of a vehicle standing on that portion of the exit with the front of the vehicle at the stop line of park street, with the height of the eye 3 1/2 feet, to the top of an object 4 1/2 feet above the pavement.
- d. When necessary, corner lots shall be cleared of all growth and sight obstructions, including ground excavation to achieve the required visibility.

## 3. General

- a. Mobile home park streets shall be posted for 15 MPH speed limits.
- b. All streets shall be provided with adequate drainage facilities to provide for the removal of storm water to prevent flooding on the pavement and erosion of adjacent surfaces. The subgrade shall be shaped to prevent erosion, and any ditches shall extend below the level of the gravel. There shall be at least a 1% longitudinal grade to all streets and ditches.
- c. The maximum grade of any Street shall be 8% and shall not exceed 2% within 75 feet of any intersection.

- d. There shall be adequate provision for access by fire trucks and other safety vehicles including turn-arounds for fire trucks if deemed necessary by the Glenburn Fire Chief. All mobile home rights of way street plans shall be submitted for comment to the Glenburn Fire Chief prior to approval by the Planning Board.
- e. All mobile home park streets shall be at least 23 feet in width.

### 53 Utilities in Streets

Whenever possible, underground utilities shall be placed behind the homes if paving of streets is contemplated. If paving is contemplated, and if underground utilities are planned in any right of way, they shall be installed in the right of way outside of the area of proposed paving (except for driveway paving) or shall be installed prior to paving, along with underground service connections to the property line of each lot within the mobile home park, to avoid cuts in the pavement.

### 54 Illumination of Park Streets

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

### 55 Off Street Parking

1. Each mobile home in a mobile home park shall be furnished with space for off-street parking for two (2) automobiles configured in such a way that when vehicles are parked, no portion of the vehicle shall extend into the street.
2. If off-street parking is not provided on each lot it shall be provided at a distance of not more than two hundred (200) feet from the mobile home it intends to serve.
3. Two hundred square feet shall be considered the minimum area of one off-street parking space.

### 56 Sidewalks

Sidewalks shall be provided and maintained between locations where pedestrian traffic is concentrated and is not separated from automobile traffic.

### 60 Off-site Improvements

Private roads, public easements, and discontinued Town and County ways which will serve as a major access to the proposed mobile home park shall be widened and improved by the developer to the standards required by the Glenburn Subdivision Ordinance from the parcel to be developed to an existing Town way or other public highway. This requirement does not include private roads created by the mobile home park developer as an access road to the mobile home park to the extent they fall within the parcel to be developed. Such improvements, including right of way acquisitions, shall be completed at the developer's expense and shall be subject to the same performance guarantees as are other improvements.

### 70 Utilities

#### 71 Water Supply

1. An accessible, adequate, safe, and potable supply of water shall be provided in each mobile home park.

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

#### 72 Sewage Disposal

1. All water carried sewage shall be disposed of by means of one of the following or a combination thereof:
  - a. Any mobile home park located within 500 feet of an existing public sewer shall connect to that existing public sewer if the municipal system has the capacity to accept the volume of sewage to be produced by the mobile home park.
  - b. Each mobile home lot in a mobile home park shall be served by a centralized private sewer system approved by the Department of Human Services. If this option is used, final approval of the Mobile Home Park Final Plan shall not be given until an alternate system has been sited and designed.
  - c. Each mobile home lot in a mobile home park shall be served by an individual subsurface sewage system meeting the requirements of the State Plumbing Code. If this option is used, then on any lot which contains less than 1 acre or has road frontage of less than 150 feet, the size of the disposal bed shall be increased by at least 10% over the minimum size required by the State Plumbing Code.
  - d. All parts of all subsurface wastewater disposal systems shall be set back at least 20' from any exterior boundary line of the park.
2. All subsurface waste water disposal systems shall be constructed in the locations shown on the Mobile Home Park Final Plan.

#### 73 Electrical Distribution System

Every mobile home park and each lot within a mobile home park shall be served by an electrical wiring system which shall be installed and maintained in accordance with all applicable State of Maine laws and local codes and regulations governing such systems. The electrical supply to each mobile home shall have a power shut off. The shut off shall be marked with the lot number. Both the shut off and the lot number shall be clearly visible from the road. The shut off and access to it from the road shall at all times be kept free from obstructions so as to allow easy access by emergency services personnel.

#### 74 Supply and Storage

1. Natural gas and liquefied petroleum gas systems shall comply with all applicable codes and regulations. Installation of systems shall be subject to inspection and approval by the Code Enforcement Officer of the Town of Glenburn.
2. All fuel oil supply systems shall be constructed and installed in accordance with all applicable codes and regulations. Installation of the system shall be subject to inspection and approval of the Code Enforcement Officer.
3. All above ground fuel storage containers shall be screened in such a way that they are not visible from outside the lot on which they are installed.

## 80 Outside Services

### 81 Refuse Disposal

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

### 82 Fire Protection and Safety

1. The mobile home park shall be subject to any and all existing and future state and local fire prevention regulations.
2. Each lot shall be legibly marked for identification in accordance with the Town of Glenburn's road numbering system, and shall be easily accessible to emergency vehicles (permitting fire apparatus to approach within 100 feet).
3. An easily accessible supply of water for use by the Fire Department shall be provided in all mobile home parks planned or developed for 5 lots or more. It shall be provided at the developer's expense and shall be subject to the same performance guarantees as are other improvements. The park operator shall not allow any mobile homes to be brought into the park and the Code Enforcement Officer shall not issue an occupancy certificate under the Glenburn Building Code until such time as the fire protection water supply is in place and certified as operational by the Glenburn Fire Department. The water supply requirement may be met by one of the following:
  - a. Providing storage for a minimum of 1,000 gallons of water at each of as many locations as are required to insure that no mobile home lot is more than 750 feet, road distance, from at least one such water supply. This requirement may be met by a holding tank, a low boy tank, or other suitable storage container modified to meet Fire Department specifications. Each container shall be installed in such a manner that it will not freeze under the most severe weather conditions.
  - b. Installing a dry hydrant at a pond, stream, or other reliable water source located within the park or located outside the park not more than 1,000 feet from an entrance or exit to the park. If the source of water is outside of the park, any necessary easements will be acquired by the developer. The dry hydrant must be installed in accordance with Fire Department specifications. It will have a minimum 8 inch main laid from the water source to the hydrant. The hydrant must be certified by a Professional Engineer as meeting ISO requirements.

- c. Providing another type of water supply system approved by the Glenburn Fire Chief.

#### 90 Relationship of Mobile Home Park to Community Services

The proposed mobile home park shall be reviewed by the Board with respect to its effect upon existing services and facilities. This review shall include but not be limited to:

1. Schools, including transportation.
2. Road maintenance and snow removal.
3. Vehicle traffic flow patterns.
4. Police and fire protection.
5. Solid Waste disposal.
6. Septic sludge disposal.
7. Recreational facilities.

Upon final approval of the Mobile Home Park application, the Planning Board shall notify the Town Council, in writing, of the projected impact of the mobile home park upon existing services and facilities. The Planning Board shall also notify the School Committee, in writing, of the proposed impact of the mobile home park on the schools, including transportation.

### **APPENDIX B**

#### Improvement Guarantees

#### 10 Improvement Guarantees Required

At the time of submission of a Final Plan, the developer shall provide the Town with improvement guarantees if roads are to be constructed to Town road standards, if fire safety or drainage improvements are planned, or if other similar improvements are planned which the Planning Board, by vote, determines require an improvement guarantee. Such improvement guarantees shall be in the form of one or more of the guarantee options listed in Section 80 of this appendix in amounts and for durations defined in Section 40 of this appendix.

#### 20 Procedure

The developer shall file an improvement guarantee with the Planning Board as part of the Final Plan submission. The Planning Board, with the advice of the Town Council, shall determine whether the form, amount and duration of the improvement guarantee are sufficient. The Planning Board shall not grant final approval of the mobile home park until it has determined that a sufficient improvement guarantee has been filed. The burden of providing improvement guarantees in compliance with this ordinance shall at all times remain with the developer.

#### 30 Time Limits

##### 31 Completion Deadline

All required improvements within a mobile home park shall be completed within 2 years of the date of final mobile home park approval,

32 Extension

The Town Council may extend the completion deadline for two additional years at one year increments only where the developer presents substantial reason for doing so. No request for extension shall be considered until at least 6 months prior to the original or extended completion deadline. Before extending the initial deadline or the initial extension, the Council shall require that the improvement guarantee be extended in duration to cover the extended period of time plus an additional 8 month period. Before extending the initial deadline, or the initial extension, the Council shall review the form and amount of the improvement guarantee to make certain it remains adequate and shall require any necessary adjustments.

33 Dead ends

The developer may delay the construction of the dead end portion of any road for up to 5 years from the date of approval of the Mobile Home Final Plan provided that the developer files a separate improvement guarantee in the amount of 150% of the cost of construction of the dead end, such cost being certified by a registered engineer. In the interim time, the developer shall provide and maintain a temporary turnaround suitable for turning emergency vehicles.

40 Amount and Duration of Improvement Guarantee

41 Amount

The developer shall submit a report prepared by a registered Professional Engineer stating the estimated cost of completion of all improvements for which performance guarantees are required. These improvements shall include the construction of new streets, upgrading existing streets, construction of storm drainage systems and other planned improvements. The amount of the improvement guarantee shall be 125% of the estimated cost of completion or upgrading.

42 Duration

The duration of the performance guarantee shall be for a period of at least 2 years and 8 months. In the event an extension is granted, the Council shall require the duration of the performance guarantee to be extended for at least 8 months beyond the termination of the new time limit.

43 Reduction of Guarantee

No improvement guarantee shall be reduced in value until all required improvements are satisfactorily completed.

50 Inspection and Certification

51 During construction of the required improvements, the Road Commissioner shall cause regular inspections to be conducted to insure that the construction complies with specifications. The developer shall cooperate with the Road Commissioner as these inspections are carried out.

- 52 Upon completion of the improvements, the developer shall file the following with the road commissioner.
1. A sworn certification from the developer's registered professional engineer that all required improvements are completed in strict compliance with all applicable construction standards and the approved mobile home park plan, and that the engineer knows of no defects from any cause, in the improvements.
  2. A sworn statement from the developer that the improvements are free and clear of any encumbrance or lien; and that the developer knows of no defects from any cause, in the improvements.
- 53 Upon completion of the improvements and upon receipt of the materials listed in Section 52 above, the Road Commissioner shall report on same to the Town Council within 15 days of receipt of such materials.
- 54 If the Town Council determines that the improvements have been satisfactorily completed, they shall so certify and shall notify the developer and the Planning Board in writing. If the Town Council determines that the improvements have not been satisfactorily completed, they shall list the defects and shall so notify the developer and the Planning Board. If the deadline for completion has not passed, the developer may make the required improvements and resubmit the documentation required in Section 52.

60 Incomplete or Unsatisfactory Work

If the Town Council determines that the required improvements have not been satisfactorily completed according to the accepted mobile home park plan within the agreed upon time, they shall inform the developer in writing of the Town's intent to exercise its rights against the improvement guarantee unless the developer meets all requirements within 30 days. At the expiration of the 30 days, the Council shall exercise any and all such rights. If the Performance Bond, Letter of Credit, or Cash Escrow options were chosen, the Council shall then cause the incomplete or unsatisfactory work to be completed and to be paid for from the improvement guarantee assets. Any guarantee assets unused in the completion of the unsatisfactory or incomplete work shall be returned to the developer. If the Conditional Agreement option was chosen, the Council shall then cause the Planning Board to prepare, sign, and record in the Penobscot County Registry of Deeds an amended mobile home park plan stating that the original plan is null and void.

70 Release of Guarantee

As soon as the Town Council has certified that the improvements are satisfactorily completed the Council shall release the previously required improvement guarantee.

80 Improvement Guarantee Options

The improvement guarantee options referenced in Section 10 of this appendix are:

81 Performance Bond

A performance bond from a surety bonding company authorized to do business in the State of Maine. The bond shall be payable to the Town of Glenburn.

82 Letter of Credit



An irrevocable letter of credit from a bank or other reputable institution satisfactory to the Planning Board and in a form satisfactory to the Board. The letter of credit shall be deposited with the Town Council and shall certify the following:

1. That the creditor does guarantee funds in the amount and for the duration of time set forth in Section 40 of this appendix; and
2. That, in case of failure on the part of the developer to satisfactorily complete the specified improvements within the required time period, the creditor shall pay to the Town of Glenburn immediately, and without further action, such funds as are necessary to finance the proper completion of the required improvements, up to the credit limit stated in the letter.

#### 83 Cash Escrow

A cash escrow account. The developer shall submit to the Planning Board:

1. Evidence that cash has been deposited in an escrow account at a bank or other reputable institution acceptable to the Planning Board.
2. An escrow agreement acceptable to the Planning Board. The agreement shall provide that in case of failure on the part of the developer to satisfactorily complete the specified improvements within the required time period, the escrow agent shall pay to the Town of Glenburn immediately, and without further action, such funds as are necessary to finance the proper completion of the required improvements, up to the amount of the escrow account.

#### 84 Conditional Agreement

Under this improvement guarantee option, the developer shall enter into a conditional agreement with the municipality, endorsed in writing on the Final Plat Plan. The conditional agreement shall provide that the Planning Board may approve the Final Plan on the condition that no lot in the mobile home park may be rented and no permit shall be issued for construction or placement of any structure on any lot on any street in the mobile home park until it shall have been certified, in the manner set forth in Section 50 of this appendix, that all improvements have been satisfactorily completed within the agreed upon time.

### **APPENDIX C**

#### Preliminary Plan Submissions

Appendix C contains a complete listing of the materials required by Section 932(2) of this ordinance.

#### 10 Submissions

Five copies of the Preliminary mobile home park Plat Plan and supporting data shall be submitted. They may be either printed or reproduced on paper. The Preliminary Plat Plan shall not be less than 17" x 11" and not more than 48" x 36" and shall be drawn to a scale not

greater than one inch equals 100 feet and not less than one inch equals 400 feet. The Preliminary Nat Plan and supporting data shall include the following information:

Col. (A). An “X” in Column (A) indicates that the information must eventually be shown on the Final Plat Plan.

Col. (B). An “X” in column (B) indicates that the information must be shown on the Preliminary Plat Plan.

Col (C) An “X” in column (C) indicates written supporting data which must be submitted with the Preliminary Plat Plan.

11 Information about the Applicant

	(A)	(B)	(C)	
Final		Prelim	Written	
Plan	Plan	Plan	Plan	
X	X	X		1. Name of owner of record of the parcel to be developed as a mobile home park.
X	X	X		2. Maine of applicant (If other than owner).
		X		3. Statement that corporation is licensed to do business in Maine and a copy of the Secretary of State’s Registration if the applicant is a corporation.
		X		4. Name of applicant’s authorized representative, if any.
X	X	X		5. Name, address, and number of registered professional engineer or land surveyor who prepared the plan.
		X		6. Address to which all correspondence from the Planning Board should be sent.
		X		7. Statement of the interest the applicant has in the parcel to be developed as a mobile home park (option, land purchase contract, record ownership, etc).
		X		8. Statement of any interest which the applicant has in any parcel abutting the parcel to be subdivided.
		X		9. Statement of whether or not the preliminary plan covers the entire contiguous holdings of the applicant

12. Information on Parcel to be developed

	(A)	(B)	(C)	
Final		Prelim	Written	
Plan	Plan	Plan	Plan	
				1. Property description.
		X		(a) Deed description.
X	X	X		(b) Volume and Page from Registry of Deeds.
		X		(c) Tax map and lot numbers from Glenburn Assessor

- X (d) All known existing easements and covenants.
- X 2. Map survey of the entire tract to be developed, certified by a Registered Land Surveyor, tied to established reference points, and stating the number of acres in the parcel.
- X X 3. Map survey of the portion of the tract to be developed, certified by a registered land surveyor, tied to established reference points, and stating the number of acres occupied by lots, roads, and other areas.
- X X 4. A soils report prepared by a Maine Licensed Site Evaluator, identifying soil types and location of soil test areas. Evidence of soil suitability according to the Maine Plumbing Code shall be presented if subsurface sewage disposal is proposed. There shall be at least one suitable soil test per sewage disposal unit if subsurface sewage disposal is proposed. The location of the suitable soil tests shall be shown on the Preliminary Plat Plan.
- X X 5. Names of all property owners abutting the parcel to be developed and on the opposite side of the road from the parcel to be developed.
- X X 6. Current zoning of the parcel and any zoning district boundaries affecting the mobile home park.

13. Information on mobile home park

(A) (B) (C)

Final Prelim Written  
Plan Plan Data

- X X X 1. Proposed name of mobile home park and name of municipality.
- X X X 2. Number of lots and lot sizes.
- X X 3. Date, north point, graphic map scale.
- X X 4. The location, bearing, and length of every lot line. All lots shall be numbered sequentially beginning with 1. Even numbered lots shall be on one side of any street, odd numbers on the other side.
- X 5. Location of temporary markers adequate to enable the Board to locate readily and appraise the basic layout in the field.
- X X X 6. Location of all parcels to be dedicated to public use, the conditions of such dedication, and the location of all natural features or site elements to be preserved.
- X X 7. Plans or lighting, utility placement, buffer strips, and natural features to be retained.

- X X 8. A site location map, showing the relation of the proposed mobile home park appropriate for the area shown.
- X 9. Location and size of any existing culverts and drains on the property.
- X X 10. Location, suggested names, and widths of existing and proposed streets, highways, easements, parks, and other open spaces.
- X 11. Contour lines at intervals of not more than 10 feet unless otherwise specified by the Planning Board Board. If the Planning Board requests contour lines at intervals of less than 10 feet on all or part of the parcel to be subdivided, such request shall state the specific purposes for which such detail is needed.
- X 12. Storm drainage plan indicating the approximate location and size of proposed ditches, culverts, storm sewers and means of water disposal.
- X X X 13 .Location of and details concerning fire protection water supply facilities.
- X 14. If the application covers only a part of the developer’s entire holding, a map of the entire tract, drawn at a scale of one inch equals not more than 500 feet, showing an outline of area to be developed with its proposed streets and an indication of the probable future street system in the remaining portion of the tract. The part of the developer’s holding submitted shall be considered in light of the entire holding.
- X X X 15. If this application is a revision or an amendment to an existing mobile home park plan, a statement to that effect including the name of the prior mobile home park and its recording numbers at the Registry of Deeds.

**APPENDIX D**

Final Plan Submissions

Appendix D is a complete listing of the materials required by Section 942(5) of this ordinance.

10 Final Plan Submissions

The Final Plan shall Consist of the Final Plat Plan and five copies of all other items (including maps, drawings, and written information) necessary to complete the submission.

The Final Plat Plan shall consist of two original transparencies of one or more maps or drawings in a size not less than 17” x 11” and not greater than 48” x 36” drawn to a scale not greater than 1 inch equals 100 feet and not less than 1 inch equals 400 feet, and oriented so the north direction is the same on all sheets. Shown on the Final Nat Plan shall be all

applicable items marked “X” in Column A of Appendix C and in Column A of Appendix D of this ordinance.

The other items necessary to complete the submission shall include all items shown in Column C of Appendix C and all items in Column B of Appendix D of this ordinance.

11. Information to be Submitted

Col. (A). An “X” in Column A indicates information which must be shown on the Final Plat Plan.

Col. (B). An “X” in Column B indicates written information which must accompany the plan.

(A) (B)

Final	Written
Plan	Data

- |   |   |  |
|---|---|--|
| X |   | a. <u>Registered Land Surveyor or Engineer</u> The name, registration number, seal, and signature of the land surveyor and/or engineer who prepared the plan.  |
| X | X | b. <u>Street Plan View</u> The names and lines, lengths of all straight lines, the deflection of angles, radii, length of curves, and central angles of all curves, and tangent distances and bearings. The name, registration number, seal and signature of the land surveyor and/or engineer who prepared the road plans shall be on all sheets of the Street Plan View, the Street Profiles, and the Street Cross Sections. |
| X |   | c. <u>Street Profiles</u> Profiles of centerlines of proposed new streets. The profile shall show the grade of the existing ground and the final grade of completed pavement. The horizontal scale shall be one inch equals 50 feet and the vertical scale shall be one inch equals 5 feet unless otherwise specified by the Planning Board.   |
| X |   | d. <u>Street Cross Sections</u> Cross sections at 50 foot horizontal intervals of proposed new streets plotted at a scale of one inch equals 5 feet vertical and one inch equals 10 feet horizontal.   |
| X |   | e. <u>A completed form HHE-200</u> prepared by a Maine Licensed Site Evaluator shall be submitted for each proposed subsurface wastewater disposal system. The location of each system shall be shown on the Final Plan.   |
| X |   | f. <u>Permanent Reference Monuments</u> The location of permanent monuments and/or pins set at all lot corners.  |
| X |   | g. <u>Improvement Guarantee</u> Where applicable, an improvement guarantee to  |

secure completion of all public improvements required by the Planning Board, and written evidence that the Town Council is satisfied with the legal sufficiency of such guarantee.

- X h. Conditional Agreement If the conditional agreement performance guarantee option was chosen, the statement, “No lot in the mobile home park may be rented and no permit may be issued for construction of any structure on any lot on any street in the mobile home park until it has been certified by the Town Council that all required improvements, including road construction, have been satisfactorily completed.”
  
- X i. Hydrological Study For all major mobile home parks in which any lot contains less than one acre or has road frontage of less than fifty feet, certification by a Registered Civil Engineer or a Registered Geologist that the proposed mobile home park, alone or in conjunction with other existing activities, will not adversely affect the quality or quantity of ground water.
  
- X j. Recording Deadline The statement “this mobile home park plan will become null and void if not recorded in the Penobscot County Registry of Deeds within 60 days of final approval.”
  
- X k. Approval Space Suitable space to record on the approved plan the date and conditions of approval, if any. This space shall be similar to the following example:

THIS IS TO CERTIFY THAT AFTER REVIEWING THE MOBILE HOME PARK SHOWN BY THIS PLAN AND CONSIDERING EACH OF THE CRITERIA SET FORTH IN THE MOBILE HOME PARK ORDINANCE OF THE TOWN OF GLENBURN, THE UNDERSIGNED HAVING MADE FINDINGS OF FACT ESTABLISHING THAT THE PROPOSED MOBILE HOME PARK MEETS ALL OF THE CRITERIA SET FORTH THEREIN, AND THEREFORE THE MOBILE HOME PARK IS APPROVED.

GLENBURN PLANNING BOARD:

Date: \_\_\_\_\_

Conditions: \_\_\_\_\_

### APPENDIX E

#### Master Subdivision Map

Upon submission of a preliminary plan, the Planning Board will cause the proposed mobile home park to be temporarily marked on the master subdivision map. Included in this temporary drawing will be an outline of the proposed mobile home park together with its street system and

an indication of the probable street system of the remaining portion of the developer's entire holding.

Upon recording a final mobile home park plan in the Registry of Deeds, the Planning Board will cause that mobile home park to be permanently drawn on the master subdivision map.

## APPENDIX F

### Operation and Licensing of Mobile Home Parks

This appendix contains the regulations pertaining to the Mobile Home Park Operating License referenced in Section 223 of this ordinance.

#### 10 Operation

11. All mobile home parks and mobile home park expansions constructed, developed, or established after the effective date of this ordinance and approved under the terms of this ordinance shall be operated thereafter in accordance with the criteria in Appendices A and F of this ordinance.
12. All mobile home parks and mobile home park expansions constructed, developed, or established before the effective date of this ordinance shall comply with applicable Glenburn ordinances and with State law, including the Rules and Regulations Relating to Mobile Home parks published by the Department of Professional and Financial Regulation. However, such pre-existing parks and expansions need not comply with any portion of this Mobile Home Park Ordinance except for those provisions contained in Appendix F.
13. Mobile home park owners shall be responsible for notifying the Code Enforcement Officer of any connections or disconnections of utilities to each mobile home. The sewage hookup shall not be made until the Local Plumbing Inspector has issued a hookup permit.
14. Accessory structures for which a building permit is required by the Glenburn Building Code Ordinance shall not be established upon a mobile home lot without a building permit from the Code Enforcement Officer.
15. Prior to placing a mobile home in any mobile home park in the Town of Glenburn, the prospective tenant shall obtain a Building Permit from the Code Enforcement Officer and a Plumbing Permit from the Local Plumbing Inspector. A mobile home shall not be occupied for more than 96 hours without the mobile home owner obtaining a Certificate of Occupancy from the Code Enforcement Officer.
16. Mobile home park owners shall maintain a register containing the names and lot numbers of mobile home park occupants. The register shall be available for inspection by state and local authorities upon request during normal business hours or by appointment.
17. Mobile home park owners shall notify the Glenburn Code Enforcement Officer and/or Local Plumbing Inspector prior to allowing any mobile home to be brought into their mobile home park. A minimum fine of \$100.00 per day or the combined costs of the

Building Permit and the Plumbing Permit, whichever is greater, shall be imposed on all mobile home park owners who allow the installment of a mobile home within their park without the tenant's copies of the paid Building Permit and the paid Plumbing Permit issued by the Code Enforcement Officer and the Local Plumbing Inspector.

18. Mobile home park owners shall require all individual mobile homes located in the park to be equipped with skirting or other type of enclosure.
19. Mobile home park owners shall require all mobile homes located in the park to be anchored in accordance with the manufacturer's anchoring standards or State of Maine standards.

## 20 Licensing

21. It shall be unlawful to operate a mobile home park, including a nonconforming mobile home park, within the boundaries of the Town of Glenburn without first obtaining a license from the Glenburn Code Enforcement Officer. Parks existing as of the date of enactment of this ordinance shall be licensed for the number of existing mobile home sites within the park which are available for lease.
22. Mobile home park licenses shall be issued as of July 1 each year and shall remain in effect until June 30 the following year. Licenses issued following July 1 of any year shall remain in effect to June 30 the following year. The license fee for each year or part of a year is \$50.00\*.
23. Mobile home park operating licenses shall be issued to mobile home parks constructed or expanded after the effective date of this ordinance only upon a showing that the park as constructed or as expanded, and as operated, complies with all provisions of this ordinance. Licenses shall be issued to mobile home parks constructed or expanded before the effective date of this ordinance upon a showing that the park as operated complies with all of the relevant criteria in Appendix F of this ordinance and can be operated without detriment to the health and safety of park residents and the general public.
24. Applications for a mobile home park operator's license shall be submitted in writing to the Code Enforcement Officer by May 1 of each year. Upon receipt of the application and the license fee, the Code Enforcement Officer shall inspect the subject premises, shall notify abutting property owners and park residents, shall notify the Town Council, and shall consult with the Fire Chief, the Health Officer, the Plumbing Inspector, and the Assessor before granting or denying a permit.
25. Appeals from the granting or denying of any license may be made to the Glenburn Board of Appeals within 30 days of the date of decision by any interested party including the park owners or operator, abutters, residents of the park, or any other person who claims a particular injury from the construction or operation of the park.
26. It shall be the duty of the Code Enforcement Officer to enforce the provisions of Appendix F of this ordinance. If the Code Enforcement Officer finds that a license cannot be issued according to the criteria in Section 23 above, the nature of the problem and the action necessary to correct it shall be put in writing and forwarded to the applicant. Conditional licenses may be issued for reasonable time periods sufficient to



correct the problems noted. Licenses may be revoked, or the other enforcement actions in this Section may be taken, if violations of Appendix F, and Appendix A where applicable, occur during the term of a license.

27. When the action(s) in Section 26 do not result in the correction of the problems noted, and the license lapses, the municipal officers or their duly authorized representative, upon notice from the Code Enforcement Officer, are authorized to institute legal proceedings seeking injunctions and/or the imposition of fines in accordance with Title 30-A M.R.S.A. Sec. 4506. The municipal officers or their duly authorized representative are hereby authorized to enter into administrative consent agreements for the purpose of eliminating violations of Appendix F, or Appendix A where applicable, and recovering fines without court action.

28. In any and all enforcement action under this Appendix F, municipal officials shall take the residency rights of park residents into account and shall close all or any portion of a mobile home park to residents only as a last resort.

\*The Town of Glenburn Fees Ordinance and Fee Schedule supersedes any and all fees quoted in this ordinance.

#### ORDINANCE HISTORY:

Adopted: 12/08/94; Effective Date: 01/08/95

01/06/11: Section 932-Application and Section 942-Application-Asterisk added to reflect that the Town of Glenburn Fees Ordinance supersedes any and all fees quoted in this ordinance.

02/26/15 Section 20-Licensing (22)-Asterisk added to reflect that the Town of Glenburn Fees Ordinance and Fee Schedule supersedes any and all fees quoted in this ordinance.

11/17/16, effective 12/17/16 Appendix F #15, #17, and #22.