

Town of Alna

MOBILE HOME AND TRAILER ORDINANCE

Section 1: Definitions. For the purpose of this ordinance, the following words and phrases have the meaning ascribed to them in this section.

- A. Mobile Home: Mobile home shall mean a structure, transportable in one or more sections, which is 8 body feet or more in width and is 32 body feet or more in length or has 256 square feet or more of floor area and which is built on a permanent chassis and is 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.
- B. House Trailer, Camper or Recreational Vehicle: A mobile home which does not have a toilet and a bathtub or shower or which does not meet the requirements of a mobile home as defined in Section 1(A). The term shall also include campers and recreational vehicles which are placed on a truck body or chassis either temporarily or permanently.
- C. Mobile Home Parks: Mobile home parks shall mean a plot of ground on which two or more mobile homes occupied for dwelling or sleeping purposes are located.

Section 2: General Prohibitions.

- A. Mobile Home Parks: The establishment of any mobile home park within the bounds of the Town of Alna, Maine is hereby prohibited.
- B. Campers and Recreational Vehicles: A single camper or recreational vehicle which is 8 body feet or less in width and is 32 body feet or less in length or has less than 256 square feet of floor space and which is placed on a truck body or chassis either temporarily or permanently may be located and occupied on a lot for not more than one hundred twenty (120) days during a calendar year provided any and all sewerage discharges are made in accordance with the laws of the State of Maine.

Section 3: Singly Situated Mobile Home Requirements. Mobile Homes permitted by this ordinance shall conform to the following regulations;

- A. Permit Required: Each owner of a mobile home before locating it in the Town of Alna shall first obtain a permit from the Building Inspector/Code Enforcement Officer. Application shall be on a form supplied by the town and include but not be limited to the following data:

1. A deed, option, or purchase contract in the name of the mobile home owner to the land on which he proposes to locate his mobile home, said deed, or option having been recorded in the Lincoln County Registry of Deeds.
 2. The number of occupants.
 3. Make, model, and year of the mobile home.
 4. Estimated period of time mobile home is to be located on the single plot of ground.
 5. Evidence that the mobile home meets the requirements of the national Underwriters Association.
 6. A plot plan with measurements showing the location of the mobile home, driveways, parking areas, wells, septic systems and drainage fields and natural characteristics of the land.
- B. Size of Lot: Each dwelling unit shall be on a lot of ground not less than two(2) acres (87120 sq. ft.) in area, and the lot shall be of such dimensions that it will accommodate within its boundaries a square of not less than 150 feet on a side. All structures and all subsurface sewerage disposal systems shall not be less than twenty (20) feet from adjoining property lines and not less than fifty (50) feet from existing street lines and highways. The division of any lot shall not result in a lot, including the residual lot, with less than these minimum dimensions.
- C. Permanent Additions Prohibited: No permanent additions, foundations, lean-to, studs, or rooms shall be added to any mobile home without a permit from the building Inspector/ CEO.
- D. Permit Approval: The Building Inspector/CEO, after examination of application, shall either issue the permit or notice of refusal within a reasonable time. Notice of refusal shall be in writing, stating reasons therefore. Applicant may appeal ruling to the Appeals Board.
- E. Life of Permit: All permits are non-transferable and unless renewed, shall be void unless work there under is substantially completed within one (1) year of date of issuance.
- F. Fees: Fees shall be \$2.00 for first estimated \$1,000 or part thereof and \$1.00 for each additional \$1,000 or part thereof of work. All fees to be a minimum of \$10.00.

Section 4: When stock in trade. This ordinance shall not apply to trailers or mobile homes in the hands of dealers as stock in trade for resale, as long as said trailers and mobile homes remain unoccupied, except that no trailer or mobile home shall be exhibited for sale for commercial purposes in any area, or singly occupied mobile home site.

- Section 5: When Unoccupied and Temporarily Stored. This ordinance shall not apply to trailers and mobile homes that are unoccupied and stored temporarily in buildings, garages or on private property, if said trailers or mobile homes are located as inconspicuously as possible from any public street or way.
- Section 6: Application to Existing Mobile Homes. This ordinance shall not apply to existing mobile homes on an existing site established prior to its effective date, provided that sanitary and utility requirements comply with State of Maine regulations. However, after said date such mobile home may not be extended, altered or replaced except in conformance with this ordinance.
- Section 7: Penalty for Violation.
- A. Violation and Enforcements: The Selectmen on their own volition or upon the recommendation of the Building Inspector/CEO and upon finding that any provision of this ordinance is being violated are authorized to institute legal proceedings to enjoin violations of this ordinance.
- B. Fines: A person who violates the provisions of this Ordinance shall be guilty of a civil violation and shall be assessed a civil penalty of not more than \$100 for each violation. Each day such violation continues shall constitute a separate violation. Such persons, if found in violation shall be liable for court costs and reasonable attorney fees incurred by the municipality, as provided by Title 30, MRSA Section 4966.
- Section 8: Appointment of Building Inspector/Code Enforcement Officer. It shall be the duty of the Board of Selectmen, and the Board is hereby given power and authority to enforce the provisions of this ordinance. In carrying out its responsibilities, the Board of Selectmen shall appoint a Building Inspector/Code Enforcement Officer and shall delegate to said Building Inspector/Code Enforcement Officer the power and authority in accordance with the provisions of this ordinance, to issue any and all permits.
- Section 9: Board of Appeals: A Board of Appeals is hereby established which shall consist of three members and one associate member, all of whom shall be residents of Alna. Appointments to the Board shall be made by the Selectmen. The terms of office shall be three years except that the initial appointments shall be such that no more than two appointments shall expire in a single year.
- A Selectman or spouse or Planning Board Member or spouse shall not be a member or associate member of the Board of Appeals.

The Associate Member shall act only when one of the regular members is unable to act because of physical incapacity or absence, or has a conflict of interest in the matter.

Section 10: Appeals and Variances: If the Building Inspector/CEO disapproves an application or grants approval with conditions that are objectionable to the applicant or any abutting land owner 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 land owner, or aggrieved party may appeal the decision in writing to the Board of Appeals within thirty (30) days of the decision. The Board of Appeals may reverse the Building Inspector/CEO's decision after holding a public hearing and may grant a variance, which is a relaxation of the terms of this ordinance where such variance would not be contrary to the public interest when, owing to conditions peculiar to the property, a literal enforcement of this ordinance would result in unnecessary or undue hardship. The crucial points of variance are undue hardship and unique circumstances applying to the property. A variance is not justified unless both elements are present in the case.

Appeals from the Board of Appeal's decisions may be taken by any aggrieved party to the Superior Court pursuant to Rule 80B of the Maine Rules of Civil Procedure.

Section 11. Conflict of Ordinance and Validity.

A. Conflict or Ordinance and Validity: In any case where a provision of the Ordinance is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or code of the State of Maine 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. In any case where a provision of this Ordinance is found to be in conflict with a provision of any other Ordinance or Code of the State of Maine, existing on the effective date of this Ordinance which establishes a lower standard for the people, the provisions of this Ordinance shall be deemed to prevail.

B. Saving Clause: If any section, subsection, 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 his Ordinance are hereby declared to be severable.

Section 12: Amendments. This Ordinance may be amended by a majority vote of the Town Meeting. Amendments may be initiated by a majority vote of the

Planning Board or by request of the Board of Selectmen to the Planning Board or on petition of 10% of the votes cast in the last gubernatorial election in the town. The Planning Board shall conduct a public hearing on any proposed amendment.