

BY-LAW NO. L-2

**A BY-LAW REGULATING MOBILE HOME PARKS AND SITES
IN THE TOWN OF NACKAWIC**

BE IT ENACTED by the Council of the Town of Nackawic as follows:

1. Definitions

In this by-law,

“Accessory building” means any building or structure which is constructed or otherwise placed on a mobile home space and used exclusively as a use which is accessory to the use of the mobile home as a dwelling.

“Addition” means any deck, enclosed space, stairway or wheelchair ramp and any similar structure which is attached to the mobile home or otherwise added to the mobile home space but shall not include the foundation and skirting.

“Development officer” means the Development Officer of the Town of Nackawic duly appointed by Council.

“Mobile home” means a prefabricated dwelling unit built for long term and continuous residential occupancy, which is designed to be moved on wheels, as a whole or in sections, and, on arrival at the site, is complete and ready for occupancy, except for incidental unpacking, assembly, placing on support or a permanent foundation, or installation as a unit in a previously prepared structure, and connection to permanent water and sewer systems and other utilities.

“Mobile home park” means any premises used or permitted to be used for the placement or storage of more than one mobile home.

“Owner” means an owner, agent, lessor, or manager of, or any person, who operates a mobile home park.

“Park street” means a street situated within a mobile home park, which is not a public street or highway owned by and maintained by the Town of Nackawic or the Province of New Brunswick, and shall also include any privately owned access road leading from a public road to a mobile home park.

“Space” means a plot of land within a mobile home park designated to accommodate, or accommodating, a mobile home.

2. Interpretation

This by-law provides for the regulating and licensing of mobile home parks and sites, and the designation of areas within the municipality, which may be, used for mobile home parks or mobile home sites.

3. Prohibition

3.01 No person shall,

(a) undertake a development without having first obtained the approval of the Development Officer,

(b) operate a mobile home park without having a valid mobile home park-operating license from the Town Clerk,

(c) place in a mobile home park a mobile home, which does or did not meet the standards established by the Canadian Standards Association at the time of construction of said mobile home and without first having obtained a building permit,

(d) construct or locate in a mobile home park an accessory building, a service building or any addition to a mobile home without first having obtained a building permit.

(e) cause or allow a mobile home to be parked or to remain in a mobile home park in contravention of this by-law.

4. Exclusion

4.01 The provisions of this by-law do not apply to a mobile home park or any part of a mobile home park existing prior to coming into force of this by-law.

(a) Nackawic Trailer Court Ltd., Hwy. 105, Nackawic, NB.

4.02 No person shall be compelled to upgrade existing parks to the standards of this by-law, but any upgrading shall not lessen the compliance with the by-law and expansion shall meet by-law provisions.

5. Administration

5.01 The Building Inspector or such other person appointed by the Council shall administer this by-law.

5.02 Persons appointed under subsection 5.01 may enter any mobile home park at any reasonable time for the purpose of administering or enforcing this by-law.

5.03 No mobile home shall be located elsewhere in a mobile home park than in the mobile home area.

6. Responsibilities of the Owner

6.01 The mobile park owner shall:

- (a) maintain the mobile home park, including all related facilities and services, in good repair and in a clean and sanitary condition,
- (b) have all garbage and refuse removed from the mobile home park at least once each week,
- (c) cap all sewerage and water connections when not in use, subject to the inspection and approval of the Building Inspector,
- (d) provide continuous supply of potable water to all mobile homes in the mobile home park,
- (e) notify all mobile home owners at least twenty-four (24) hours in advance of any anticipated interruption in water service,
- (f) maintain all park streets so as to be accessible to emergency vehicles at all times, and ensure that hydrants remain clear from ice, snow or other obstructions that could interfere in any way with access by emergency vehicles,
- (g) erect and maintain speed limit signs and street signs, as supplied by the Town, in the mobile home park in accordance with the *Motor Vehicle Act*, and

7. Skirting

- (a) Skirting shall be installed within sixty (60) days of installation of a mobile home on a mobile home pad and shall have two easily removable access panels of a minimum width of 1.2 meters (3.94 feet), one providing access to the area enclosed by the skirting for inspection or servicing the service connections to the mobile home. Such an access panel shall be located close to the point at which such services are located under the mobile home, and the other providing access to the area enclosed by the skirting for storage.
- (b) Skirting shall be factory pre-fabricated or of equivalent quality and shall be painted or pre-finished so that the design and construction shall complement the main structure.

- (c) Skirting shall have two screen openings, each with minimum area of 0.2 square meters (2.15 square feet) for the purpose of providing cross ventilation beneath the mobile home.

8. Mobile Home Park Application, Approval and Permit

8.01 Application Plans and Specifications

All applications for approval of plans and specifications shall be made in writing and shall contain:

- (a) the name and address of the applicant,
- (b) the intended use of the land,
- (c) a legal description of the land on which the proposed mobile home park is to be established, constructed, altered, or extended,
- (d) a map showing the location of the source of the proposed water supply, and the location and extent of the area proposed for sewage disposal, wastewater disposal, and garbage disposal,
- (e) street lighting plan showing location and type of fixtures, electrical distribution system or underground wiring, and
- (f) any other information deemed necessary by the Development Officer to determine if plans for the development conforms to this by-law and other applicable laws.

8.02 Approval and Permit

- (a) No person shall establish, construct, alter, or subdivide a mobile home park until written approval of detailed plans and specifications is received and a permit issued by the Development Officer.
- (b) Written approval and permit under sub-section (a) shall not be given until the sewage system, water supply system, and garbage disposal method has been approved by the Development Officer.
- (c) The Development Officer may require the applicant to provide additional relevant information, including but not limited to topographic and soil condition data, and may conduct inspections and tests in the vicinity of the site of the proposed mobile home park.
- (d) If the issuance of a mobile home park permit is refused, the applicant shall be notified in writing by the Development Officer of the reasons for refusal.

(e) A mobile home park permit shall permit the establishment of a mobile home park on the land concerned only in compliance with the mobile home park plan approved and permit issued.

(f) A mobile home park permit will be considered expired when the mobile home for which it was issued has been removed from the mobile home subdivision lot.

8.03 Fees

The charge for permits for the construction of buildings or structures in the mobile home park shall be the same as specified in the Building By-law in effect in the Town of Nackawic.

8.04 No application for a mobile home park permit shall be accepted for processing unless it includes all documents, information, and fees required in accordance with the provisions in this by-law.

9. General Provisions

9.01 No person shall locate a mobile home except on a well-drained site that is at all times free of stagnant pools, and is graded for rapid drainage.

9.02 The plumbing, electrical and building in any mobile home park, including additions and alterations, shall comply with the by-laws or regulations in force in which the mobile home park is situate.

9.03 No mobile home shall be located elsewhere in a mobile home park than in the mobile home area.

9.04 No more than one mobile home shall be located in a mobile home space.

10. Design and Layout Standards

10.01 General Purpose

The general purpose of these standards/regulations is to ensure the development of mobile home parks in an environment appropriate for residential use.

10.02 Mobile Home/Lot Requirements

(a) The minimum area for a mobile home space shall be 696.8 square meters (7500 square feet) and have a width or frontage of at least 22.86 meters (75 feet).

(b) Each mobile home space shall be clearly marked off by suitable means.

(c) All mobile home spaces shall:

- i. be drained properly,
 - ii. be clearly numbered,
 - iii. have a clearly discernible mobile home pad of compacted gravel or surfaced with asphalt or concrete pavement.
- (d) All mobile homes shall be serviced by public power and the Town water and sewer system.
- (e) The frontage of every mobile home lot shall abut on a street.
- (f) Every mobile home subdivision must be located in a R-1 or R-2 zoning district as defined in the Town of Nackawic Zoning By-law.
- (g) Every mobile home subdivision lot must be landscaped within a period of one (1) year following the placement of a mobile home on the lot.
- (h) No mobile home or structure shall be placed or erected on a mobile home subdivision lot within 7.62 meters (25 feet) of any street, and must be placed within 1.82 meters (6 feet) of a side line of the lot.
- (i) No garage or accessory building shall be placed or erected within 0.9144 meters (3 feet) of a sideline of or within 7.62 meters (25 feet) of the rear line of a mobile home subdivision lot.

11. Spaces

11.01 The space shall be,

- (a) provided with one (1) mobile home stand which shall properly support the mobile home in accordance with the provisions of the latest edition of the Canadian Standards Association's Recommended Practice for the Site Preparation, Foundation and Anchorage of Mobile Homes, and
- (b) equipped with building sewer and water service pipe connections in accordance with the latest edition of the Canadian Plumbing Code.
- (c) A useable area of land consisting of the greater of six percent (6%) of the total area of the proposed mobile home park development shall be reserved for recreation purposes.
- (d) Notwithstanding subsection (c), recreation space shall not be required in new mobile home parks, which contain less than ten (10) mobile homes.

11.02 Where the adjacent land use is single or two-family dwellings, and preceded the development, the mobile home park shall provide a buffer in the form of coniferous trees and/or coniferous hedges to a minimum of 1.5 meters in height and to such a density as to form a visual screen there from.

12. Permissible Additions

- (a) No additions to mobile homes are permitted, except
 - i. carports,
 - ii. shelters against sun or rain,
 - iii. vestibules and storage rooms,
 - iv. rooms added to a mobile home provided that any such added room shall have an exit or access to exit other than through the mobile home.
- (b) All attached or accessory structures such as porches, sun rooms, additions, and storage facilities shall be factory pre-fabricated units or of an equivalent quality and shall be painted or pre-finished so that the design and construction shall complement the main structure.
- (c) All attached or accessory structures shall require a building permit and shall comply with the requirements of the Town of Nackawic Building By-law.

13. Access and Roadways

13.01 Access

- (a) No mobile home park shall be established or extended unless the highway access to the mobile home park is approved by the authority having jurisdiction.
- (b) A second access from a public highway separated by at least 60 meters (196.85 square feet) from the first access, shall be provided to each mobile home park containing 50 or more home spaces.

13.02 Roadways

- (a) All mobile home spaces, owner's residential plot, storage areas, and service buildings, as well as other facilities where access is required shall have access by internal street systems.
- (b) Access to and from a mobile home park shall have a minimum surfaced width of 7.6 meters (25 feet). No parking shall be allowed on the access road.
- (c) All roads in the mobile home park shall be paved, well drained, and maintained.

(d) Dead end roads and cul-de-sacs shall have a turning circle right-of-way at the dead end with a radius of at least 15 meters (50 feet).

(e) Roads shall be adapted to the topography, and shall have suitable gradient for safety to traffic.

14. Water Distribution and Sanitary Sewerage Systems

14.01 All new water distribution, sanitary sewerage or storm drainage systems installed in mobile home parks which can be connected to an adjacent municipal water/sewer system shall be designed, constructed and connected in accordance with standard municipal specifications. All systems shall be designed by and constructed under the supervision of a professional engineer.

14.02 Private water distribution systems installed in a mobile home park development shall be capable of maintaining a minimum water pressure of 20 psi during all peak demand periods, and shall be constructed using materials and components approved for use in a potable water system.

14.03 Sewage treatment lagoons in mobile home parks shall be enclosed by a security fence of at least 2 meters in height and have a minimum separation distance of 100 meters from any mobile home or adjacent lands.

15. Street Lights

15.01 Street lighting shall be installed and maintained to adequately illuminate the traveled portion of the roadway at the intersection of access roads and public highways, at all internal intersections, and at any turning circle of cul-de-sacs.

15.02 Street lights shall be provided in the proposed mobile home parks in accordance with New Brunswick Electric Power Commission standards.

16. Street Signs

Mobile home park streets shall:

- i. be named by way of street signs to be placed at the main entrance and at each intersection,
- ii. have "Stop" signs located at the intersection with all other park streets and public streets or highways, and
- iii. have regulation speed limit signs placed at all entrances to mobile home parks in accordance with the *Motor Vehicle Act*.

17. Permitted Uses

No person shall, within any mobile home park zone use any lot, or erect, alter or use any building or structure for any purpose except in accordance with the applicable provisions of the Town of Nackawic Zoning Bylaw.

18. Penalty Provision

Any person who violates any provision of this by-law is guilty of an offence and is liable on conviction to a minimum fine of Fifty Dollars (\$50.00), and a maximum fine of Five Hundred Dollars (\$500.00).

19. Repeal Provision

19.01 By-law No. 25, Mobile Home Subdivision By-law, passed by Town Council on February 11, 1974, and amendments thereto, and By-law No. 19-83, A By-law Respecting Mobile Home Parks And Sites, passed by Town Council on April 12, 1983, and amendments thereto, is hereby repealed.

19.02 The repeal of By-law No. 25, Mobile Home Subdivision By-law, and amendments thereto, and By-law No. 19-83, A By-law Respecting Mobile Home Parks And Sites, and amendments thereto, shall not affect any penalty, forfeiture or liability, incurred before such repeal or any proceeding for enforcing the same completed or pending at the time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thing whatsoever completed, existing or pending at the time of repeal.

DULY PASSED AND ENACTED BY THE COUNCIL OF THE TOWN OF
NACKAWIC ON MARCH 15, 2004.

Robert G. Connors, Mayor

Nancy Cronkhite, Chief Administrative Officer

First Reading: March 1, 2004
Second Reading: March 15, 2004
Third Reading: March 15, 2004