

MOBILE HOME PARK ORDINANCE

AN ORDINANCE FOR THE REGULATION OF MOBILE HOME PARKS
IN THE TOWN OF NEW DURHAM, NEW HAMPSHIRE
ADOPTED -- MARCH 9, 1971

SECTION I. PURPOSE

The purpose of this ordinance is to provide certain minimum standards for the licensing and regulation of mobile home parks within the Town of New Durham, New Hampshire.

SECTION II. DEFINITIONS

As used in this ordinance the following terms shall have the respective meanings here assigned to them:

- A. "Person" shall mean any individual, partnership, firm, company, corporation, owner, lessee or their agents.
- B. "Mobile Home" means a dwelling on wheels, commonly known as a house trailer, with at least five hundred (500) square feet of floor space equipped with sanitary facilities, bath and toilet. If the unit is jacked or blocked up so as to be immobile, it shall nevertheless be governed by this ordinance.
- C. A "Mobile Home Park" is land owned by one person upon which two or more mobile homes are parked and occupied for living purposes.

SECTION III. PERMITS

- A. Permit required. It shall be unlawful for any person to construct, maintain, operate or alter any mobile home park within the limits of the Town of New Durham unless the person holds a valid permit issued annually by the Zoning Inspector in the name of such person or persons for the specific Mobile Home Park.

- B. Initial application. All initial application for permits shall be made to the Planning Board, in writing, signed by the applicant who shall furnish with the application:
1. proof of ownership of the premises or of a lease, or written permission from the owner for such usage, and
 2. a complete preliminary layout per Section VI, Land Subdivision Regulations of New Durham, with the exceptions listed in Section IV of this ordinance.
- C. Issuance. Upon approval of the Planning Board by a majority vote, the Zoning Inspector shall issue a permit contingent upon:
1. compliance with all sanitary laws and regulations of the State of New Hampshire and the Town of New Durham, and
 2. compliance with this ordinance.
- D. Renewal. The Zoning Inspector shall annually renew such permit contingent upon compliance with all regulations of this ordinance.
- E. Fees. The annual fee for each mobile home space shall be Ten (\$10) dollars, two dollars (\$2.00) to be kept by the Zoning Inspector and the balance to be kept by the Town.

SECTION IV. GENERAL PARK REQUIREMENTS

- A. Mobile Home Parks must conform with the Land Subdivision Regulations of the Town of New Durham with the following exceptions:
1. Section IV paragraph E and F
 2. Section V paragraph E through N, and paragraph U
 3. Section VI paragraph E
 4. Section VII, VIII, and XI
- B. A minimum area of thirty thousand (30,000) square feet shall be provided for each mobile home lot or space. Each space shall be a minimum of one hundred (100) feet wide.
- C. There shall be a minimum of thirty (30) feet clearance between adjacent mobile homes and between mobile homes and other structures.

- D. All Mobile Home lots shall abut on a roadway of not less than thirty (30) feet width where off-road parking is provided, or forty (40) feet where no off-road parking is provided.
- E. All roads and walkways within the park shall be well drained, paved with hard surface, and shall be maintained in good condition by the person holding the mobile home park permit or his representative. All streets shall be lighted at night in a satisfactory manner.
- F. No Mobile Home shall be located closer than one hundred fifty (150) feet from the traveled portion of any public highway or property line of the park.
- G. For parks involving ten (10) or more acres, whether done at one time or in a series, a minimum of five (5%) per cent of the area shall be reserved for recreational purposes for common use by all tenants in the park. Such areas shall be suitable for neighborhood playgrounds.
- H. It shall be illegal to allow any Mobile Home to remain in a Mobile Home Park unless a Mobile Home space is available.
- I. All Mobile Home Parks shall be located in areas free from marshes, swamps, stagnant pools or other potential breeding places for insects and rodents.

SECTION V. CONSTRUCTION

- A. The provisions of this ordinance and of the building regulations of this Town of New Durham shall apply to all construction, alterations, repairs and additions to mobile homes and structures within the Mobile Home Park unless otherwise stated herein.
- B. All piping from outside fuel storage tanks and liquefied petroleum gas cylinders to Mobile Homes shall be copper or other acceptable metallic tubing mechanically connected, permanently installed and securely fastened in place. All fuel storage tanks shall be securely fastened in place and shall not be located inside or beneath the Mobile Home or within five (5) feet of any Mobile Home exit. Racks to hold all fuel tanks and cylinders shall be of a design which will prevent tipping or accidental overturning.

- C. Electrical outlets supplying at least sixty (60) amps at two hundred twenty (220) volts and thirty (30) amps at one hundred ten (110) volts shall be provided for each Mobile Home space. The installation shall comply with all State Electrical Codes. Such electrical outlets shall be weatherproof. No power line shall be permitted to lie on the ground or to be suspended less than twelve (12) feet above the ground.

SECTION VI. SANITARY REQUIREMENTS

- A. An adequate and potable supply of water with a minimum of twenty (20) pounds per square inch pressure at all times shall be provided for each Mobile Home space or lot. The water source shall be capable of producing three hundred (300) gallons of potable water per Mobile Home lot per day from a source approved by the Health Officer of the Town of New Durham.
- B. Where the sewer lines of a Mobile Home Park are not connected to a public sewer, the means of disposal of all sewerage must be approved by the State Board of Health and the Health Officer of the Town of New Durham.
- C. Permittees shall furnish suitable disposal facilities for refuse at locations convenient to all occupied Mobile Home lots.
- D. Refuse shall be collected and removed regularly, and in such manner that no nuisance shall be maintained. It shall be the responsibility of each permittee to maintain a proper sanitary conditions with respect to waste and refuse material.

SECTION VII. FIRE PROTECTION

- A. The Mobile Home park area shall be subject to the rules and regulations of the Town of New Durham fire prevention authority.
- B. No open fires shall be permitted except in specified areas approved by the fire prevention authorities.
- C. The fire prevention authority of the Town of New Durham may make whatever additional requirements for adequate fire and safety conditions it feels is necessary for each Mobile Home Park.

SECTION VIII. REGISTRATION

- A. Each person holding a Mobile Home Park permit or his representative shall keep a register in which the following information shall be recorded immediately upon the letting of each Mobile Home space:
1. Full name and legal address of Mobile Home owner.
 2. Full name of all persons living in the Mobile Home.
 3. Make, model, size, serial number and year of manufacture of the Mobile Home
 4. Mobile Home license number and state or governmental unit issuing license.
 5. Make, model and license number of all motor vehicles belonging to persons living in the Mobile Home.
 6. Dates of arrival and departure of Mobile Home.
- B. This register shall be made available to any authorized person inspecting the park and shall be preserved for three (3) years after the date of the last entry.
- C. The person holding a Mobile Home park permit shall be responsible for assuring that no Mobile Home is removed from his or her park until any property tax due to the Town of New Durham has been paid. The person holding the permit shall be liable for the unpaid tax if any Mobile Home is removed.

SECTION IX. MAINTENANCE

- A. The person holding a Mobile Home park permit or his representative shall visit the Mobile Home park each week the park is occupied and shall do whatever may be necessary to keep the park and its equipment in a clean and sanitary condition, to maintain order and see that all sanitary regulations are observed.
- B. The person holding a Mobile Home park permit shall assume responsibility for maintaining in good repair all buildings, streets, walks, sanitary facilities and utilities within the park and shall take such action as is necessary to eject from the grounds any person who willfully or maliciously fails to comply with these and other applicable regulations.

SECTION X. INSPECTION

- A. The Building Inspector, Zoning Inspector, Health Officer and Fire Chief are hereby authorized and directed to make periodic and reasonable inspection to determine the condition of the Mobile Home park and the Mobile Home spaces located within the Town of New Durham and to determine if the requirements of this ordinance are being observed.

SECTION XI. PENALTY

- A. A violation of, or variation from the terms and conditions of this ordinance and/or the conditions of the license to operate or maintain a Mobile Home Park by the holder thereof or his agent, architect or contractor shall be cause for the revocation of said license. Such revocation shall be made at the discretion of the Planning Board.
- B. After revocation of the license has been ordered by the Planning Board, additional violations shall result in a fine of Twenty (\$20.00) dollars per day for each and every day that the violations continue. The provision shall be in effect even should an appeal be taken from the Planning Board's revocation order. All fines shall become the property of the Town of New Durham.

SECTION XII. APPEAL

- A. Any party whose application for a license or any party whose license has been revoked may appeal the decision of the Planning Board in the same manner as other appeals taken to the Board of Adjustment.

SECTION XIII. CONFLICT

- A. In any case where a provision of this ordinance is found to be in conflict with any other ordinance of this Town, the provision which, in the judgment of the Planning Board, established the higher standard for the health and safety of the people prevail.
- B. The invalidity of any part of this ordinance, no matter how small, shall not affect the validity of the remainder of this ordinance. The provisions of this ordinance are severable.