

**Town of Patten, Maine**  
**Manufactured Housing Ordinance**  
**[Second Draft]**

Adopted on November 1st, 2022

**Section 1 – Title.**

This Ordinance shall be known as the *Town of Patten Manufactured Housing Ordinance*, hereinafter the “Ordinance”.

**Section 2 – Purpose; Authority.**

The purpose of this Ordinance is to regulate manufactured housing in the Town of Patten to protect the health, safety, and general welfare of the inhabitants of Patten; and is adopted pursuant to the home rule authority of the Town of Patten under the Maine Constitution and 30-A M.R.S. § 3001 et. al.

**Section 3 - Definitions of Terms.**

Manufactured Housing - A structural unit or units designed for occupancy and constructed in a manufacturing facility and transported, by the use of its own chassis or an independent chassis, to a building site. For the purposes of this Ordinance, three types of manufactured housing are included.

Those are:

1. Those units constructed after June 15, 1976, commonly called newer Manufactured Housings, 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 or electrical systems contained in the unit. This term also includes any structure which meets all the requirements of the preceding paragraph, except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the U.S. Department of Housing and Urban Development and complies with the standards established under the National Page 73 Manufactured Housing Construction and Safety Standards Act of 1974, USC, Title 42, Section 5401, et seq.;
2. Those units commonly called modular homes, which the manufacturer certifies are constructed in compliance with Title 10, Chapter 957, United States Code, and rules adopted under that chapter, meaning structures, transportable in one or more sections, which are not constructed on a permanent chassis and are designed to be used as dwelling, on foundations when connected to required utilities, including the plumbing, heating, air-conditioning or electrical system, contained in the unit; and
3. Those units called older Manufactured Housings, "house trailers" and "trailers," which are terms that may be used interchangeably, and mean any factory-built home which fails to meet the definition of "newer Manufactured Housings" above.

#### **Section 4 – Applicability; Permit Required.**

This Ordinance applies to the placement or relocation of any Manufactured Housing within the Town.

A building permit is required prior to locating Manufactured Housing within the Town. A building permit is also required prior to relocating Manufactured Housing within the Town. Evidence of payment of sales tax and property tax shall accompany any application for a permit.

A building permit shall not be issued unless it is determined all applicable standards of this Ordinance have been met. Issuance of a building permit under this Ordinance does not relieve any person from complying with other standards and/or obtaining other permits, licenses, or governmental approvals under the Town's ordinances or state or federal laws and regulations.

#### **Section 5 – Administration.**

Except as otherwise set forth herein, the Town of Patten Code Enforcement Officer shall be the reviewing authority for any building permit applications under this Ordinance. Notwithstanding the foregoing, any manufactured housing unit development shall also be subject to the all other Town ordinances and applicable reviewing authorities (e.g., Planning Board under the Subdivision Ordinance).

#### **Section 6 – Minimum Lot Standards for all Manufactured Housing to be located or relocated within the Town of Patten.**

2.1 All Manufactured Housing will meet the following minimum setbacks:

2.1.1 Front setback. 50 feet from center of the road (25 feet from edge of road right of way).

2.1.2 Side setback. 10 feet.

2.1.3 Back setback. 10 feet.

2.1.4 All side and back setbacks will be a minimum of 20 feet from any abutter structures that were in existence prior to the adoption of this Ordinance.

2.2 Minimum Lot size for Manufactured Housing is 20,000 square feet or if lot is serviced by a public sewer system minimum lot size is 9,000 square feet or, in the case of any mobile home parks, 6,500 square feet as defined and set forth in 30-A M.R.S. § 4358 or successor statute.

2.3 Minimum Road frontage for Manufactured Housing is 100 feet or 75 feet if lot is serviced by a public sewer system.

2.4 Multiple principal residences may be placed on the same lot only if there is minimum of 60 feet separation between principal residences and all other setbacks conform to the minimum standards and if the lot was divided into two or more lots that must meet the minimum lot size is maintained with their own driveway, waste water disposal systems and water supply.

(Note: all other subdivision standards must be maintained)

2.5 Replacing an existing Manufactured House of record with a new Manufactured House on a non-conforming lot is allowed provided that the size remains the same and setbacks shall be met to the greatest practical extent as recommended by the planning board. Up to 30% larger footprint in size may be allowed provided that all setbacks can be conformed to.

2.6 A vacant lot of record before the acceptance date of this ordinance that is non-conforming in size may be deemed buildable if setbacks can be maintained and 3/5 of the Planning board and the selectman's board approve the building permit.

### **Section 7 - Non-conforming Manufactured Housing.**

3.1 A Manufactured home not constructed according to the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 USC, Chapter 70, and was constructed before June 15, 1976 may not be located or relocated within the Town of Patten unless the application includes an engineer's report certifying that all internal electrical (including hardwire smoke detectors) and plumbing are safe, and that the structure has a pitched roof of at least a 4/12 pitch with a snow load of a minimum of 100 pound snow load certified by a structural engineer. Such Manufactured Housing must also meet the following safety standards:

#### 3.1.1 Exit Facilities.

3.1.1.1. Required egress doors shall not be located where a lockable interior door must be used in order to exit.

3.1.1.2. Homes shall have a minimum of 2 exterior doors not less than 12 feet from each other. One of the required exit doors must be accessible from the doorway of each bedroom without traveling more than 35 feet. All exterior doors shall provide a minimum of 28" wide by 74" high clear opening.

3.1.1.3. Locks shall not require the use of a key for operation from the inside.

#### 3.1.2. Egress Windows and Devices.

3.1.2.1. Every room designed expressly for sleeping purposes, unless it has an exit door, shall have at least one outside window

3.1.2.2. The bottom of the window opening shall not be more than 36 inches above the floor.

3.1.2.3. Locks, latches, operating handles, tabs and any other window, screen or storm window devices, which need to be operated in order to permit exiting, shall not be located in excess of 54 inches from the finished floor.

3.1.3. Interior Doors. Each interior door, when provided with a privacy lock, shall have a privacy lock that has an emergency release on the outside to permit entry when the lock has been locked by a locking knob, lever, button or other locking device on the inside.

#### 3.1.4. Fire Detection Equipment.

3.1.4.1. All homes shall contain at least one operable smoke detector centrally located within the home and one operable smoke detector in each bedroom.

3.1.5.2. Cabinet areas over cooking ranges or cook tops shall be protected by a metal hood.

3.1.4.3. Ranges shall have a vertical clearance above the cooking top of not less than 24 inches to the bottom of combustible cabinets.

3.1.5. Carpeting. Carpeting shall not be used in a space or compartment designed to contain only a furnace and/or water heater. Carpeting may be installed in other areas where a furnace or water heater is installed, provided that it is not located under the furnace or water heater.

3.1.6. Heating and Fuel Burning System. A person holding a master license issued by the State of Maine Oil and Solid Fuel Examining Board shall inspect and certify that the heating and fuel system meets the requirements of NFPA-31-Installing of Oil Burning Equipment as adopted by that Board, or other applicable standards.

3.1.7. Electrical Systems. A person holding a master license issued by the State of Maine Electricians Examining Board shall inspect and certify that the electrical system is safe and meets the National Electrical Code in effect at the time the home was constructed.

Note: Date of Manufacture is determined by the original manufacturer's identification label (usually located inside a closet or cabinet) or by the original bill of sale if it states the date of manufacture and the serial number. A copy of either or both is required for all permit applications.

Note: Any Manufactured home that does not have a manufacturer's identification label or the original bill of sale will be considered older than June 15, 1976 for all permit applications.

## **Section 8 - Construction standards:**

### 4.1 Site preparation for Manufactured Housing:

4.1.1 Driveway minimum standard is 10 feet wide with 18 inches deep of compacted gravel and at least 2 off street parking spaces that make it possible to re-enter the public way without backing out into traffic.

4.1.2 Culverts, length diameter and type if required, determined by either the state DOT (for State roads), or Patten public works department (for town roads)

4.1.3 Wastewater disposal: Either connection to public sewer or a private septic system is required for a manufactured housing in Patten Maine. Either a subsurface wastewater plan for new septic installation or an engineer's report as to size capacity and the usable condition of existing systems must be provided with building permit application.

4.1.4 A public or private water supply must be installed and done in a manner that will protect the pipping from freezing in cold weather.

### 4.2 Foundation standards for Manufactured Housing:

4.2.1 All Manufactured Housing must be affixed to a foundation of the following standards:

A) Full foundation of 8-inch concrete wall placed below the frost line of 48 inches with a concrete floor with a minimum of 4-inch thickness. The structure must be anchored to the foundation at each corner and minimum of every 12 feet around the perimeter of foundation.

B) 12 inches of gravel with a concrete slab of 6-inch thickness with Vi inch rebar installed with two rows at 6 inches and 12 inches in from the edges and a grid of 2 foot on centers into the remainder of the slab. All rebar to be on rebar pedestals that are of 3 inches high. The structure must be anchored to the slab at each corner and minimum of every 12 feet around the perimeter of slab.

4.2.2 Outside fuel tanks. Any outside fuel tank that is placed above grade must be on a 6-inch-thick concrete slab that is 12 inches larger than the tank. (Note: no vertical type oil tanks are allowed.)

4.3 Skirting Requirement for Manufactured Housing. Skirting shall be required and be residential in appearance and shall be in place within six (6) months of placement of the unit. Skirting material shall consist of properly treated all-weather materials which may include, without limitation, wood, masonry, masonry-like stone, decorative lattice, or commercially available metal or plastic skirting.

### **Section 9 – Manufactured Housing Use.**

No Manufactured Housing shall be used for any purpose other than a dwelling. Notwithstanding the foregoing, the Patten Code Enforcement Officer may issue a special for use of Manufactured Housing for a temporary office for the length of a construction project on construction sites anywhere in the Town.

### **Section 10 – Fees**

Applicants for building permits shall submit a fee together with a completed application according to a schedule of fees as adopted from time to time by the Patten Board of Selectmen.

### **Section 11 – Appeals.**

Any final decision by the Code Enforcement Officer rendered pursuant to this Ordinance may be appealed to the Patten Board of Selectmen within 30 days. Appeals to the Patten Board of Selectmen shall be conducted using a *de novo* standard of review.

Any final decision by the Patten Board of Selectmen may be appealed to Maine Superior Court in accordance with Rule 80B of the Maine Rules of Civil Procedures.

### **Section 12 – Enforcement; Legal Actions.**

It shall be the duty of the Code Enforcement Officer to enforce the provision of this Ordinance. If the Code Enforcement Officer shall find that any provision of this Ordinance is being violated, he shall notify in writing the Town Manager, Selectmen and the person responsible for such violation, indicating the nature of the violations and ordering the action necessary to correct it within a certain time not to exceed 90 days, including immediate discontinuance of illegal buildings, structures, or work being done, removal of illegal buildings or structures, and abatement of nuisance conditions. A copy of such notices

shall be maintained as a permanent record.

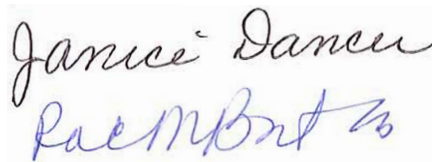
When the above action does not result in the correction or abatement of the violation of nuisance conditions, the Code Enforcement Officer shall notify the Board of Selectmen, who are hereby authorized to institute any and all actions and proceedings, either legal or equitable, including rights and remedies pursuant to 30-A M.R.S. § 4452 such as seeking injunctions of violations and the imposition of penalties, that are appropriate or necessary to enforce the provisions of this Ordinance in the name of the Town of Patten.

**Section 13 – Severability.**

The invalidity of any section or provision of this Ordinance shall not be held to invalidate any other section or provision.

**Section 14 – Effective Date.**

The effective date of this Ordinance shall be its date of adoption, November 1st, 2022.

A handwritten signature in black ink that reads "Greg Smallwood". The signature is written in a cursive style with a large, sweeping "G" and "S".A handwritten signature in blue ink that reads "Janice Dancer". Below the name, there are initials "RaeMBrt" followed by a flourish.