

BY-LAW NO. 19
MOBILE HOME PARK BY-LAW

PART 1

Title

This By-law shall be known and may be cited as “Mobile Home Park By-law No. 19” of the Municipality of the District of Barrington.

PART 2

Definitions

In this By-law the word “shall” is mandatory and not permissive. Words used in the present tense shall include the future. Words used in the singular number shall include the plural and words used in the plural number shall include the singular, unless otherwise indicated. All other words shall carry their customary meaning except those defined hereinafter.

- 2.1 *Accessory Building* means any building or structure which is constructed or otherwise placed on a mobile home space and is used exclusively as a use which is accessory to the use of the mobile home as a dwelling.
- 2.2 *Addition* means any deck, enclosed space, stairway or wheelchair ramp and any similar structure which is attached to the mobile home or otherwise added onto the mobile home space and shall exclude the foundation and skirting of the mobile home.
- 2.3 *Applicant* means the mobile home park owner or designated agent as the case may be.
- 2.4 *Building Inspector* means the Building Inspector of the Municipality of the District of Barrington.
- 2.5 *Council* means the Council of the Municipality of the District of Barrington.
- 2.6 *Development Officer* means the Development Officer of the Municipality of the District of Barrington.
- 2.7 *“K” Road* means a public road owned but not maintained by the province and identified in Appendix “A” of the subdivision By-law.
- 2.8 *Land Surveyor* means a land surveyor who is a registered member, in good standing of the Association of Nova Scotia Land Surveyors.

- 2.9 *Land Use By-law* means the Land Use By-law of the Municipality of the District of Barrington.
- 2.10 *Mobile Home or Mini Home* means a vehicular portable single detached dwelling built in compliance to the Canadian Standards Association (CSA) Z240 set of standards and for the purpose of the By-law shall include any mobile home which was not built to the aforementioned standards but shall not include a travel trailer, recreational vehicle, school bus, trailer otherwise designed or a multi-sectional modular home.
- 2.11 *Mobile Home Owner* means the owner of a mobile home located within a mobile home park.
- 2.12 *Mobile Home Park* means a lot or area of land which contains four (4) or more mobile home spaces and includes any service building and services used as part of the equipment of the mobile home park. For the purpose of this by-law mobile home park shall be referred to as park.
- 2.13 *Mobile Home Park Development* means the construction of a new mobile home park and any expansion of an existing mobile home park.
- 2.14 *Mobile Home Park Owner* means the owner of a mobile home park.
- 2.15 *Mobile Home Park Sanitary Sewer* means a sewer and any appurtenances thereof which are privately owned and maintained by the park owner and which may be connected to the municipal sewer.
- 2.16 *Mobile Home Space* means a parcel of land which is developed to accommodate one (1) mobile home within a mobile home park.
- 2.17 *Municipal Sewer* mean any sewer controlled by the Municipality.
- 2.18 *Park Street* means a street situated within a park which is not a public or private road herein defined and which street has access directly on to a public road or private road or “K” road.
- 2.19 *Private Road* means any road which is not public shown on a plan of subdivision which:
- a) extends to and has access to a public road and where not totally located within the area of land being subdivided, the private road shall have an easement for right-of-way and access which has been clearly granted by deed, registered in The Registry of Deeds for the County of Shelburne; and

- b) includes any private road approved by the Department of Transportation and Public Works and shown on an approved plan of subdivision prior to the first day of August, 1987 and filed in the Registry of Deeds;
- 2.20 Public Road includes any road owned and maintained by the Municipality or the Province; and a
- a) municipal public road means any road owned and maintained by the Municipality;
 - b) provincial public road means any road owned and maintained by the Department of Transportation and Public Works excluding designated controlled access highways pursuant to Section 20 of the Public Highways Act.
- 2.21 *Public Works Department* means the Public Works Department of the Municipality of the District of Barrington.
- 2.22 *Sanitary Sewer* means a sewer receiving and carrying liquid and water carried wastes and to which storm, surface or groundwaters are not intentionally admitted.
- 2.23 *Service Building* means any building or structure which is constructed or otherwise placed within the mobile home park designed to be in association with the operation of the mobile home park and for the purpose of this By-law shall include a business office associated with a mobile home display.
- 2.24 *Sewer* means a pipe conduit for carrying sewage, groundwater, stormwater or surface runoff, and includes all sewer drains storm sewers, clearwater sewers, storm drains and combined sewers vested in, or under the control of the Municipality but does not include a mobile home park sewer.
- 2.25 *Supervisor of Public Works* means the Supervisor of the Public Works of the Municipality of the District of Barrington.

PART 3

Application

- 3.1 This By-law shall apply to the development and maintenance of all new parks and all expansions to existing parks in any area of the Municipality where parks are permitted by the Land Use By-law.

PART 4

General Requirements

- 4.1 Nothing in this By-law shall exempt any person from obtaining any license, permission, permit, authority or approval required by any other By-law or Regulation of the Municipality or any Statute and Regulation of the Province of Nova Scotia.
- 4.2 Where the provisions of this By-law conflict with those of any other Municipal or Provincial Regulation, By-law or code, the higher or more stringent requirements shall prevail.
- 4.3 All mobile home spaces, service building and recreational spaces shall only have direct access and egress to a park street and no road in any development outside a park shall connect to a park street except where provided in Section 11.4(a)(ii).

PART 5

Preliminary Plan Requirements

- 5.1 Any person proposing a new park or the expansion of an existing park may submit to the Development Officer eight (8) copies of a preliminary plan or sketch showing the following information:
 - a) the approximate dimensions and area of the mobile home park and of each proposed mobile home space;
 - b) the approximate location, dimensions and names of all existing and proposed park streets and private roads within the park and of all abutting public, private and “K” roads;
 - c) the layout of the proposed water distribution and sanitary sewer systems;
 - d) the approximate location and dimensions of all existing rights-of-way, easements, utility lines and all accesses to existing park streets and public streets and highways;
 - e) the approximate location, dimensions and area of land to be reserved for recreation purposes;

- f) the approximate location of any watercourse, swamp, prominent rock formation, wooded area, area subject to flooding and any other prominent natural feature which might affect the number of mobile home spaces, the provision or layout of sanitary sewer systems, water distribution systems and park street.

PART 6

Procedure for Preliminary Plan Evaluation

- 6.1 The Development Officer shall, if applicable, forward a copy of all plans received pursuant to Part 5 to:
 - a) the Public Works Department;
 - b) the Nova Scotia Department of Environment;
 - c) the Nova Scotia Department of Health and Fitness;
 - d) the Nova Scotia Power Inc.;
 - e) the Nova Scotia Department of Transportation and Communication;
 - f) any other department or agency deemed necessary by the Department Officer in order to evaluate the design, environmental, planning and public safety aspects of the proposed mobile home park.
- 6.2 The Development Officer shall advise the applicant in writing of all departments and agencies which have not responded within thirty (30) days of the date on which the preliminary plan was forwarded.
- 6.3 The Development Officer shall within fifteen (15) days of receiving written comments of all applicable agencies pursuant to Section 6.1, provide an evaluation and forward a copy of the evaluation and all comments received to the applicant.

PART 7

Final Plan Requirements

- 7.1 Any person proposing to acquire a permit to construct, alter, expand, repair, maintain or operate a mobile home park shall submit a written application thereof to the Office of the Building Inspector/Development Officer.

- 7.2 The application required by Subsection 71. Shall be accompanied by eight (8) copies of a final plan showing the boundaries of the proposed mobile home park and being certified by a Provincial Land Surveyor and containing the following information:
- a) the name and address of the applicant, and if the applicant is not the owner of the mobile home park, the name of the owner;
 - b) a location certificate of the mobile home park boundary showing the dimensions and total area of land to be developed as a mobile home park, which shall be certified and stamped by a Nova Scotia Land Surveyor in accordance with the Nova Scotia Land Surveyors Act and the Regulations made thereunder;
 - c) the location, boundaries, dimensions and total area of each proposed mobile home space, park street and recreation area drawn to a scale sufficient for clarity of all particulars of the mobile home park;
 - d) each mobile home space identified by a number;
 - e) the location and dimension and names of all existing and proposed park streets and private roads within the park and of all abutting public, private and “K” roads;
 - f) the location and dimensions of all existing rights-of-way, easements, utility lines and accesses to all existing park streets and public streets, highways or private roads;
 - g) the approximate location of all existing and proposed structures on the land to be developed as a mobile home park;
 - h) the location of any watercourse, swamp, prominent rock formation, wooded area, area subject to flooding and any other prominent natural feature which might affect the number of mobile home spaces or the provision of layout of sanitary sewer systems, water distribution systems, park streets and public streets or highways;
 - i) the date on which the plan was drawn;
 - j) the scale to which the plan is drawn;
 - k) the North Point;
 - l) any other information deemed necessary by the Development Office to determine whether the plan conforms to the By-law.

- 7.3 In addition to the requirements of Section 7.1, the applicant shall provide four (4) copies drainage plan and engineering drawings of the proposed water distribution and sanitary sewer systems.
- 7.4 Engineering designs and drawings shall be prepared, certified and stamped by a Professional Engineer.

PART 8

Procedure for Issuing a Mobile Home Park Permit

- 8.1 When the Development Officer is satisfied that the mobile home park development plan is complete and accompanied by all information required by Part 7, the Development Officer shall forward a copy of the plan and documentation to the Public Works Department for approval of the sanitary sewer system.
- 8.2 The applicant shall obtain from the Nova Scotia Department of the Environment a certificate approving the design of the water distribution system and a certificate approving the design of the sanitary sewer and shall forward a copy of each certificate to the Development Officer.
- 8.3 The applicant shall obtain approval from the Nova Scotia Department of Health where a mobile home park is to be served by an on-site sewage disposal system and shall forward a copy of the approval to the Development Officer.
- 8.4 The applicant shall obtain written acceptance of the electrical distribution system, street lighting pattern and method of installation from the Nova Scotia Power Inc. and shall forward a copy of the acceptance to the Development Officer.
- 8.5 Within fifteen (15) days of receiving approvals from all agencies and departments to which the application has been referred, the Development Officer shall:
- a) issue a Mobile Home park Permit; or
 - b) notify the applicant in writing of any objectionable features.
- 8.6 A permit to develop a mobile home park issued under this Part shall expire one (1) year after its date of issue if the development for which the permit has been issued has not been commenced, and may be renewed before expiry for a period of one (1) year only.

PART 9

Responsibilities of the Mobile Home Park Owner

- 9.1 The mobile home park owner shall comply with the applicable permit requirements of Part 12.
- 9.2 The mobile home park owner shall maintain the mobile home park, including all related facilities and services, in good repair and in a clean and sanitary condition.
- 9.3 The mobile home park owner shall arrange to have all garbage and refuse removed from the mobile home park at least once each week.
- 9.4 The mobile home park owner shall cap all sewer and water connections when not in use.
- 9.5 The mobile home park owner shall:
 - a) provide a continuous supply of potable water to all mobile homes in the mobile home park; and
 - b) notify all mobile home owners at least twenty-four (24) hours in advance if an interruption in water service is anticipated.
- 9.6 The mobile home park owner shall maintain all park streets in good condition and shall plow all park streets within twenty-four (24) hours of the cessation of a snowfall.
- 9.7 The mobile home park owner shall erect and maintain street signs in the mobile home park according to Section 11.4

PART 10

Responsibilities of the Mobile Home Owner

- 10.1 The mobile home owner shall comply with the applicable permit requirements of Part 12.
- 10.2 When the Municipality has established a street numbering system within a mobile home park, the mobile home owner shall clearly display the appropriate number on the mobile home space or affixed to the mobile home. Any changes to the street numbering system shall be approved by the Development Officer.

PART 11

Mobile Home Park: Standards and Requirements

11.1 Water Distribution and Sanitary Sewer Systems

- a) In any proposed park development that connects to the municipal sewer, the Supervisor of Public Works shall inspect the connection of the park sanitary sewer before backfilling commences.
- b) Following construction of the park's water distribution and sanitary sewer systems, the applicant shall provide the Development Officer with a declaration by a Professional Engineer certifying that these systems comply with the provisions of the certificates issued by the Department of the Environment.
- c) Where a park sanitary sewer is connected to the municipal sewer, no other sanitary sewer or lateral connection from any development outside the park shall connect to the park sanitary sewer.

11.2 Design of Park Streets

All park streets shall be designed in accordance with the following:

- a) park streets shall be laid out where reasonably possible in prolongations of other existing park streets;
- b) park streets shall have a minimum width of forty (40) feet and where the park street terminates in a cul-de-sac, the radius of the cul-de-sac shall be at least forty-eight (48) feet;
- c) the traveled surface shall be centered within the park street and shall have a minimum width of twenty-four (24) feet and where the park street terminates in a cul-de-sac, the turning circle of the travelled surface shall have a radius of at least forty (40) feet;
- d) the grade of a park street shall no exceed eight (8) percent except as otherwise approved by the engineer;
- e) lands lying between the travel surface and the boundary of the park street shall be contoured to provide for proper drainage;
- f) culverts of adequate size shall be installed under driveways to all mobile home, service building and display spaces;

- g) lands lying between the travel surface and the park street boundary shall be kept free from fences, walls, trellises, hedges, shrubs or other obstructions;
- h) any intersecting park streets shall intersect at an angle of seventy-five (75) degrees to ninety (90) degrees for a minimum distance of one hundred (100) feet from the intersection measured from the respective centre lines; and
- i) no more than four (4) park streets shall converge at any one point.

11.3 Construction of Park Streets

Park streets shall be constructed in accordance with the following:

- a) Subgrade (or earth grade) shall be well drained, uniformly graded with reference to the condition of the grade and compacted to ninety-five (95) percent proctor density. A course of granular material shall be laid on the subgrade. The thickness of this granular course shall be based on subgrade conditions.
- b) Streets which have neither flexible nor rigid pavement shall consist of gravel, crushed stone or other materials of equal function and durability. Surfacing material which tends to produce dust or loose particles shall be suitably treated to eliminate these characteristics.

11.4 Private Roads

This section shall only apply where a park owner proposed the construction of a private road over park property.

- a) Purpose
 - i) The private road shall only be for the purpose of providing access to a public road for residential developments only on properties which are landlocked and immediately adjacent to or near the park property and which cannot otherwise provide for a private road over other land to a public road.
 - ii) the private road may serve as a park access to a public road only where a park street connects to the private road.
- b) Requirements
 - i) The private road shall be shown on a plan and shall be designed in accordance with Section 14.01 and 14.02 and other relevant sections of the Subdivision By-law.

- ii) The private road shall be constructed in accordance with Section 14.03 and 14.04 and other relevant sections of the Subdivision By-law.
- iii) The private road shall be located outside the main area containing mobile home spaces.
- iv) No mobile home space shall have direct access unto the private road.

11.5 Park Street as Right-of-Way

Nothing in the By-law shall prevent the use of a park street as a right-of-way for lots which are to be created from any area of land in accordance with Sections 5.01 (a) and 5.02 of the Subdivision By-law where the area of land is landlocked and immediately adjacent to or near a park and the lots cannot otherwise be served by a right-of-way over other lands to a public road provided that the lots shall only be used for residential purposes.

11.6 Street Signs

Park streets shall:

- a) be named by way of street signs to be placed at the main entrance and at each intersection and any changes to street names shall be approved by the Development Officer;
- b) have regulation “Stop” signs located at the intersection with all other park streets and public and private roads.

11.7 Mobile Home Spaces

Each mobile home space shall:

- a) have a minimum area of six thousand (6,000) square feet and be clearly defined by permanent markers; and
- b) have a minimum frontage of fifty (50) feet; and
- c) be provided with at least one (1) off-street parking space having a minimum area of one hundred sixty (160) square feet and measuring eight (8) feet by twenty (20) feet; and

- d) be free and clear from all refuse; and
- e) be equipped with building sewer and water service pipe connections in accordance with the latest edition of the Canadian Plumbing Code.

11.8 Recreation Space

Recreation space shall be developed at the ratio of at least two hundred (200) square feet per mobile home space. This recreation space shall be placed in locations convenient to all park residents, free from traffic hazard, shall not be included in areas designated as buffer strips, and shall be clearly defined. Where these requirements exceed ten thousand (10,000) square feet, more than one recreation area shall be provided.

PART 12

Permits Required

- 12.1 A Development Permit for a mobile home park shall be obtained by the mobile home park owner in accordance with the provisions of the Land Use By-law.
- 12.2 A Development Permit and a Building Permit shall be obtained by the mobile home park owner for:
 - a) the location or relocation of a mobile home on a mobile home space; and
 - b) the location or construction of a service building within a mobile home park.
- 12.3 A Development Permit and a Building Permit shall be obtained by the mobile home owner for:
 - a) the locations, construction, repair, placement or replacement of additions and accessory buildings on a mobile home space; and
 - b) a home occupation, professional or business use within a mobile home or in an accessory building thereof where the owner has received written permission from the mobile home park owner to conduct such undertaking.

PART 13

Mobile Home, Accessory and Service Building Requirements

- 13.1 A mobile home being located shall have a minimum separation distance of at least:
- a) fifteen (15) feet from any park street and twenty-five (25) feet from the boundary of any public street or highway; and
 - b) fifteen (15) feet from the boundary of the mobile home park; and
 - c) eight (8) feet from any adjacent mobile home space.
- 13.2 Accessory buildings shall be constructed in accordance with the provisions of the National Building Code and shall not be:
- a) greater than fifteen (15) feet in height; and
 - b) located closer to any park street or public street or highway than the minimum distance required for the mobile home; or
 - c) located within:
 - i) two (2) feet of any side or rear boundary of a mobile home space;
 - ii) four (4) feet of the boundary of the mobile home park.
- 13.3 Home occupations, professional or business uses in mobile homes or accessory buildings thereof shall:
- a) be wholly contained within the mobile home or accessory building thereof and the mobile home is the principle residence of the operator of the home occupation, professional or business use; and
 - b) not occupy more than twenty-five (25) percent of the floor area of the mobile home or two hundred fifty (250) square feet of the accessory building or a combined floor area of the mobile home and accessory building of not more than two hundred and fifty (250) square feet; and
 - c) not be obnoxious nor create a nuisance, by nature of operation, in terms of noise, fumes or objectionable odour; and

- d) provide one (1) parking space, other than that required for the mobile home, in accordance with the provisions of Section 11.6(c).

13.4 Service buildings shall not be located within:

- a) fifteen (15) feet of any adjacent mobile home space;
- b) fifteen (15) feet of the boundary line of a park street;
- c) twenty-five (25) feet of the boundary line of a public or private or “K” road.

PART 14

Mobile Home Display Requirements

14.1 Mobile home display units shall be permitted at a ratio of one (1) unit for every five (5) mobile home rental spaces to a maximum of three (3) display units per mobile home park provided:

- a) the mobile home space to be occupied by a display unit forms part of the mobile home space rental area; and
- b) the display unit is located on a mobile home space in accordance with the minimum separation distance requirements of Section 13.1.

PART 15

Aggrieved Person

15.1 Any person aggrieved by a decision of the Development Officer or Building Inspector made under this By-law may appeal that decision to the Council, by written notice given to the Clerk within fourteen (14) days from the date of the written decision of the Development Officer or the Building Inspector.

15.2 The Council, in hearing an appeal pursuant to 15.1 may confirm the decision of the Development Officer or Building Inspector or make such other decision within the Development Officer’s or Building Inspector’s power under this By-law.

PART 16

Penalties

- 16.1 Any person who violates any provision or requirement of this By-law is guilty of an offence and liable upon summary conviction to a fine not exceeding five hundred dollars (\$500.00) and in default of payment of such fine to a term of imprisonment not exceeding sixty (60) days.