

MUNICIPALITY OF THE COUNTY OF KINGS



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BY-LAW # 36

MOBILE HOME PARKS BY-LAW

TITLE

1. This by-law shall be known and may be cited as the Municipality of Kings County Mobile Home Parks By-Law.

DEFINITIONS

2. In this by-law:
 - (a) "Development Officer" means the Development Officer of the Municipality.
 - (b) "Mobile Home" means any vehicle or similar portable structure and extension thereof, having no integral foundation other than wheels, jacks, or skirtings, so designed or constructed as to permit occupancy for year-round dwelling purposes, and containing a flush toilet and either a bath or shower.
 - (c) "Dependent Mobile Home" means a mobile home which does not contain a flush toilet and a bath or shower.
 - (d) "Mobile Home Park" means any plot of land intended as the location for residential purposes of ten or more mobile homes upon which two or more mobile homes, occupied for dwelling or sleeping purposes are located for a period exceeding three weeks within any two month period.
 - (e) "Mobile Home Space" means a tract of land, within a mobile home park, designated to accommodate, or accommodating one mobile home.
 - (f) "Mobile Home Stand" means the area within a mobile home space upon which a mobile home is intended to be directly situated.
 - (g) "Sides of the Mobile Home" means the longer sides of the mobile home.
 - (h) "Health Authority" means the Department of Environment, Province of Nova Scotia.
 - (i) "Habitable Room" means any room or space intended primarily for human occupancy, excluding bathrooms, hallways, closets, entranceways and storage rooms.
 - (j) "P-Loop" means a loop street from a single access point.

- (k) "Cul-de-sac" means a street with one end open for public vehicle and pedestrian access and the other end terminating in a vehicular turnaround.
- (l) "Major Collector Roads" means roads intended as major arteries and inter-neighbourhood collectors.
- (m) "Local Streets" means roads intended solely for residential use and from which through traffic is discouraged.
- (n) "Owner" means the owner or operator of a mobile home park.
- (o) "Amenity Area" means the area within the mobile home space to be used by the occupiers of the space for private outdoor activities.

REQUIREMENT FOR PERMIT

- 3. No person shall construct or alter a mobile home park unless he holds a permit therefore issued under this by-law.

DEVELOPMENT OFFICER'S RESTRICTION

- 4. The Development Officer shall not issue a permit to construct or alter a mobile home park unless the application is in accordance with this by-law. Where a mobile home park was developed prior to the coming into force of this by-law, only the addition or alteration for which application is made need comply with this by-law.

CONTENTS OF APPLICATION FOR TENTATIVE APPROVAL

- 5. An application for tentative approval of a mobile home park shall be in a form prescribed by the Development Officer, signed by the applicant, and shall contain the following:
 - (a) A request in writing by the applicant for tentative approval of the proposed mobile home park.
 - (b) Five copies of the plan of the proposed mobile home park at a scale of not less than 1"=100' showing:
 - (i) North point, designated true or magnetic, scale, and date.
 - (ii) Name and address of the applicant.
 - (iii) Name and address of the owners of the land if different.
 - (iv) Name of the proposed mobile home park.

- (v) Area and dimensions of the mobile home park, which need not however be based on an actual field survey.
 - (vi) Number, location, area, and size of all mobile home spaces.
 - (vii) Location, gradient, and width of all streets.
 - (viii) All existing rights-of-way and easements.
 - (ix) Contours of the lands involved at an interval not greater than five feet.
 - (x) All connections to existing public highways.
 - (xi) Location and use of all proposed and existing buildings on the lands.
 - (xii) Location and use of all buildings on adjoining properties which buildings are within fifty feet of the boundaries of the proposed mobile home park.
 - (xiii) Location and description of all service which may be required by this or any other by-law or any statute.
 - (xiv) Location and description of parks, playgrounds, and public open spaces in accordance with this by-law.
 - (xv) SEWAGE COLLECTION AND DISPOSAL IN MOBILE HOME PARKS
6. The maximum number of lots in a mobile home park for which the Development Officer may grant tentative approval shall depend on the type of sewage disposal system available for servicing the mobile home park according to the following:
- (a) A septic tank and disposal field system will be accepted for parks containing ten lots subject to the approval of the appropriate health authority unless the provisions of Section 45 apply.
 - (b) Parks containing over ten lots must be served by a municipal sewer system or a private sewage treatment system meeting the approval of the appropriate health authority and the municipality.

CONTENTS OF APPLICATION FOR PERMIT

7. An application for a permit to construct or alter a mobile home park shall be in a form prescribed by the Development Officer, signed by the applicant, and shall contain the following:

- (a) A statement by the applicant that he is owner of the lands or that he is the lessee of the said lands under a valid lease which has at least five years to run before the expiry date, or that he has the written approval of the owner of the land to make the application.
- (b) A request, in writing, by the owner or lessee of the lands involved, for a permit.
- (c) Five copies of the proposed mobile home park plan at a scale of not smaller than 1"=50' showing:
 - (i) North point, designated true or magnetic, scale and date.
 - (ii) Name and address of applicant
 - (iii) Name of the proposed mobile home park.
 - (iv) Area and dimensions of the mobile home park with accurate distances and bearings as determined by survey in the field.
 - (v) The names of the owners of all parcel abutting the proposed mobile home park.
 - (vi) Number, location, area and size of all mobile home spaces as determined by survey in the field.
 - (vii) Locations, gradient, and width of all streets as determined by survey in the field.
 - (viii) All existing rights-of-way and easements.
 - (ix) Contours of the lands involved at an interval of not greater than five feet.
 - (x) All connections to existing public highways.
 - (xi) Location and use of all proposed and existing buildings on the lands.
 - (xii) Location and use of all buildings on adjoining properties which buildings are within fifty feet of the boundaries of the proposed mobile home park.
 - (xiii) Location and description of all services which may be required by this or any other by-law or any act of the legislature.
 - (xiv) Location and size of the mobile home stands within the mobile home space.

- (xv) Location and description of parks, playgrounds, and public open space in accordance with section 47 of this by-law and as determined by survey in the field.

MINIMUM NUMBER OF SPACES REQUIRED FOR INITIAL PERMIT

- 8. The Development Officer shall not issue a permit to construct a mobile home park of fewer than ten mobile home spaces.

MINIMUM NUMBER OF SPACES REQUIRED FOR SUBSEQUENT PERMITS

- 9. The Development Officer subsequent to granting the initial permit shall grant a permit to construct one or more mobile home spaces within the approved park which meet the requirements of this by-law.

REQUIREMENT FOR LICENSE

- 10. No person shall maintain or operate a mobile home park without first having obtained a license therefore from the Municipal Clerk-Treasurer.

MUNICIPAL CLERK'S RESTRICTIONS ON ISSUING A LICENSE

- 11. The Municipal Clerk shall not issue or renew a license to maintain or operate a mobile home park unless:
 - (a) The applicant has obtained a permit therefore from the Development Officer.
 - (b) The Development Officer of the Municipality has certified to the Municipal Clerk that the mobile home park fulfils the requirements of this by-law or was a park developed prior to the coming into force of this by-law.
 - (c) The applicant pays any license fee or renewal fee for the mobile home park as may be prescribed by the Municipality.

EFFECTIVE DATE

- 12. A license for a mobile home park issued under the provisions of this or any other by-law shall be effective from the date of issue until the thirty-first day of December of the same year, or until earlier revoked under the provisions of this by-law.

REVOCAION OF LICENSE

- 13. (a) The Municipal Clerk may suspend, revoke or cancel a license to maintain or operate a mobile home park when he is satisfied after due investigation that the licensee has violated a provision of this by-law.

- (b) The person whose license has been suspended, revoked or cancelled may appeal.

DEPENDENT UNITS NOT ALLOWED

- 14. Dependent mobile homes shall not be allowed in mobile home parks.

MOVEMENT OF MOBILE HOMES

- 15. No person shall move or cause or allow to be moved a mobile home to or from a mobile home park without first having obtained a permit therefore from the Municipality.

SITE REQUIREMENTS

- 16. No person shall own or operate a mobile home park unless within such mobile home park:
 - (a) Each mobile home space is at least 4,000 square feet in area unless a septic tank system is used in which case section 6 (a) of this by-law shall apply.
 - (b) All mobile homes shall have a minimum setback of forty-five feet from the centreline of the park street measured at right angles to such park street.
 - (c) The minimum side yard shall be ten feet measured from side line of the mobile home space and twenty feet on the opposite side to allow for the mobile home space amenity area. Yard dimensions will be determined by the relationship of mobile home stand to the boundary lines of the mobile home space.
 - (d) Each mobile home space is at least forty-two feet wide at any width measured through the mobile home stand within the said space, but in no case shall the lot width be less than twenty-five feet measured at the front lot line.
 - (e) Each mobile home may be located on the mobile home space as near as but not nearer than fifteen feet from the rear line of the said space.

PERMITTED USES

- 17. Notwithstanding the provisions of the Zoning By-Law of the Municipality the following land and building uses and none other shall be permitted within a mobile home park:
 - (a) Mobile homes.
 - (b) Ancillary service uses including laundry and personal goods storage.

- (c) Recreational, playground, and public open space.
- (d) Mobile home park office.
- (e) Maintenance equipment storage for such items used in the operation and maintenance of the mobile home park.

ACCESS TO SPACES

18. Mobile home stands shall be of such elevation, distance and angle in relation to access streets and the mobile home space that placement and removal of a mobile home can be accomplished without infringement on other property, or another mobile home space, or allowing the undercarriage of the mobile home to make contact with the ground. Planks or steel mats shall be made available by the park operator and shall be used during placement or removal of a mobile home except on paved or gravelled access ways.

STANDS TO BE PAVED OR GRAVELLED

19. Mobile home stands shall be paved or gravelled.

MARKING OF SPACES

20. The limits of each mobile home space shall be permanently marked on the ground by flush stakes, markers, or other suitable means by the owner of the mobile home park.

PARKING

21. Off street parking shall be provided at the rate of at least one standard space per mobile home space.

SITE CHARACTERISTICS

22. A mobile home park shall be located on a properly drained site that is above any high water line, is at all times free of stagnant water pools, is graded for rapid drainage and shall not be located so that its drainage will endanger any water supply or contaminate any water course or water body.

DITCHING

23. Proper ditching along the roadways with culverts adequate to remove surface runoff must be provided by the owner of the mobile home park.

SIGNS

24. The owner of a mobile home park of more than twenty-five mobile home spaces shall erect and maintain street name signs and establish a system of numbering mobile home spaces within the park.
25. No advertising sign or other device shall be allowed within a mobile home park except a single sign at the highway entrances to the mobile home park advertising the park and adhering to the following requirements:
 - (a) The surface area of such sign shall not exceed sixty square feet.
 - (b) A flashing sign or sign which has visible moving parts shall not be permitted.
 - (c) The sign, or its illuminator, shall not cast a reflection upon any mobile home.
 - (d) The sign, or its illuminator, shall not, by reason of its location, shape, or colour, interfere with traffic or conflict with or obstruct the view or effectiveness of any official traffic sign, signal, or marking.
 - (e) Ground signs shall have a minimum setback of forty feet from the centreline of the park street measured at right angles to such park street.
 - (f) No sign shall be located so as to cast a shadow on any mobile home space during the period between one hour after sunrise and one hour before sunset.
 - (g) Wall, pole, and projecting signs shall be erected at a total height not more than fifteen feet above ground.
 - (h) The owner of the mobile home park shall maintain any such signs in good condition.
 - (i) When a sign is not maintained in good condition, the owner of the mobile home park shall carry out the maintenance or remove it within ten days of a written request to do so from the Development Officer or Municipal Clerk.
 - (j) No sign is to be located within or allowed to project over a public right-of-way.

LANDSCAPING

26. All areas in a mobile home park with the exception of water ways, road ways, walk ways, mobile home stands, and parking areas shall be suitably landscaped with grass, trees, shrubs, etc.

STANDARD OF CONSTRUCTION OF STREETS

27. All streets shall be adapted to the topography and shall have suitable alignment and gradient for safety of traffic and movement of mobile homes. All road and street construction shall comply with current Nova Scotia Department of Highways specifications for subdivision roads in Kings County as a minimum unless otherwise specified in this By-Law.

MAINTENANCE BY OWNER

28. The owner of the mobile home park shall be responsible for maintaining the mobile home park, keeping its facilities and equipment in good repair and in a clean sanitary condition and generally to observe the provisions of this By-Law.

SNOW REMOVAL

29. The owner of a mobile home park shall provide for the removal of snow from the road ways within the mobile home park.

ACCESS TO EXTERNAL STREETS

30. No mobile home space shall be accessible directly to any highway external to the park.

STREETS

31. Mobile home park road ways shall intersect existing highways at right angles unless otherwise directed by the Department of Highways.

CUL-DE-SACS

32. Cul-de-sacs shall have a turning circle at the dead end of at least fifty-five feet radius and a length not exceeding 350 feet except that the length may be increased to 750 feet provided there is a ten foot minimum graded and paved or gravelled emergency access located at or near the head of the cul-de-sac and connecting to a road way or public street or highway.

P-LOOP STREETS

33. P-Loop streets shall have an entrance leg not exceeding 750 feet in length and a graded and paved or gravelled emergency access not less than ten feet wide connecting to a road way or a public street or highway.

WIDTH OF MAJOR COLLECTOR STREETS

34. Major collector streets shall have a minimum right-of-way of sixty-six feet.

WIDTH OF LOCAL STREETS

35. Local streets shall have a minimum width of thirty-two feet between ditches and a minimum right-of-way of fifty feet.

STREETS

36. All mobile home spaces and other facilities within a mobile home park shall abut either a major collector road or a local street within the park.
37. No mobile home park will be approved unless its entrance abuts a public road.

INTERSECTIONS

38. Road way intersections within the park shall generally be at right angles. Offsets at intersections and intersections of more than two streets shall not be permitted.

SIDEWALKS

39. Sidewalks or pedestrian walkways where such exist within a park shall be at least four feet in width and shall be graded and gravelled or paved.

LENGTH OF BLOCKS

40. Blocks within a mobile home park shall not be longer than 1200 feet. Blocks longer than 800 feet shall have a graded, paved or gravelled public pedestrian right-of-way between parallel streets not less than ten feet wide and located near the centre of the block.

MOBILE HOME SPACE WALKWAY

41. Mobile home stands shall be connected to a major collector road, local street or parking space by a private graded, stepped, paved, or gravelled walkway.

CONNECTION OF STAND TO SERVICES

42. Mobile home stands shall be connected to the sewer and water system referred to in Section 46, and maintained by the owner.

STREET LIGHTING

43. Park roads shall be provided by the owner with street lighting equipment sufficient to permit the safe movement of vehicles and pedestrians at night.

STREET LIGHTING HOURS

44. Street illumination within a mobile home park shall be provided by the owner from one-half hour after sunset to one-half hour before sunrise.

MUNICIPAL SEWER AND WATER SERVICE

45. A mobile home park shall be connected to a municipal sanitary sewer and water distribution system where these are available.

RESPONSIBILITIES FOR PROVISION OF SERVICES

46. Storm sewer systems, sanitary sewer system, and water supply and distribution systems shall be provided and maintained by the owner. All systems must receive the approval of the Nova Scotia Department of Environment and the Department of Health if applicable before the mobile home park development will be approved by the Municipality.

RECREATION AREAS

47. Not less than seven percent of the total land area in the tentative plan shall be set aside and developed exclusively for parks, playgrounds and public open space uses in mobile home parks.

STORAGE LOCKERS

48. Provision shall be made by the owner for private storage facilities for tenants' personal belongings that are not easily stored within a mobile home. Such facilities shall be either centrally located or located on the mobile home space, and shall be a minimum of 275 cubic feet per mobile home.

SKIRTING

49. Each mobile home shall, within thirty days of its being placed on a mobile home stand, have appropriately painted skirts, or other screening, installed on all four sides. The owner of the mobile home shall be responsible for the installation and maintenance of such skirts or screening.

MAINTENANCE BY MOBILE HOME OWNER

50. All mobile homes shall be maintained in good repair and in a clean and sanitary condition by the owner of the mobile home.

STORING OF WHEELS

51. Mobile home wheels, once removed, must either be stored in a safe sheltered convenient place provided by the owner within the mobile home park, or stored under the mobile home in such a manner that they are not visible.

PENALTIES

52. Any person convicted of violating any of the provisions of this By-law shall be liable to a fine not less than \$100.00 and not more than \$1,000.00 and in default of payment to imprisonment for a term not exceeding fifty days.

History of this By-law

Enacted - November 6, 1973

Amended - February 16, 1986
June 6, 1989
December 3, 1996