

TOWN OF SMITHFIELD MOBILE HOME PARK ORDINANCE

March 13, 1999,
Amendments: March 12, 2016, **March 9, 2024**

SECTION 1. TITLE

This Ordinance shall be known as the “Mobile Home Park Ordinance of the Town of Smithfield” and will be referred to herein as the Ordinance.

SECTION 2. AUTHORITY

This Ordinance has been prepared in accordance with the provisions of Title 30-A, Maine revised Statutes Annotated, Section 2001, Home Rule; Section 4401-4407, Shoreland Zoning; and Section 4358, Manufactured Housing.

SECTION 3. PURPOSE

The purpose of this Ordinance is to promote the health, safety and general welfare of the residents of the Town of Smithfield by the establishment of regulations to control the design of Mobile Home Parks. This Ordinance conforms to all applicable State of Maine laws and regulations dealing with manufactured housing in order to provide an affordable housing opportunity for the residents of the Town.

SECTION 4. CONFLICT WITH OTHER ORDINANCES

In any case where a provision of this Ordinance is found to be in conflict with a provision of any other Ordinance or Code of the Town existing on the effective date of this Ordinance or State or Federal regulation, the provision, which establishes the higher standard for the promotion and protection of health and safety, shall prevail.

SECTION 5. VALIDITY AND SEVERABILITY

Should any section or provision of this Ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

SECTION 6. EXISTING MOBILE HOME PARKS

Mobile Home Parks legally in existence at the time of adoption of this Ordinance shall continue as a legal use, however, any expansion or enlargement shall conform to the applicable standards contained in this Ordinance.

SECTION 7. AMENDMENTS

This Ordinance may be amended by a majority vote of the legally constituted municipal governing body. Amendments may be initiated by the municipal officers, a majority vote of the Planning Board, or written petition by a number of voters equal to at least 10% of the number of votes cast on the municipality in the last gubernatorial election.

SECTION 8. APPEALS

An appeal may be taken, within 30 days from the Planning Board’s decision on the mobile home park application, by any aggrieved party to Superior Court in accordance with Rule 80B of the Rules of Civil Procedure.

SECTION 9. EFFECTIVE DATE

The following requirements shall apply to all manufactured housing units located within a mobile home park:

SECTION 15. ROAD STANDARDS

A. MINIMUM STANDARDS FOR STREET DESIGN AND CONSTRUCTION

1. Minor streets shall be designed to discourage through traffic.
2. The width of right-of-way private roadways shall be a minimum of 50 feet with 66 feet desirable 23 feet wide and the Planning Board may require additional width where the street may reasonably expect heavy usage.
3. The width of traveled ways private roadways shall be a minimum of two 10-foot traffic lanes plus 2 feet 1 foot shoulder on each side and 2 to 1 foot slope to the ditch. The Planning Board may require that additional width be required for streets, which will receive heavy usage.
4. The radius of centerline curves shall be 100 feet at the minimum, with streets, which will receive heavy usage up to 500 feet.
5. The angle of street intersections shall be as close to 90 degrees as possible; but in no case less those 60 degrees.
6. Street grades shall be a minimum of 0.5 percent and a maximum of 10 percent, which may be varied by the Planning Board in certain cases. Grade at intersections shall be a maximum of 3 percent within 50 feet of the intersection.
7. Cul-de-sac and dead-end streets shall have a maximum length of 800 feet with a minimum property line radius of 100 feet and a minimum turning radius of 50 feet at the closed end. Use of a T-shaped turn-around will be permitted as an alternative. In the latter case, the turnaround shall be at least 24 feet wide, 40 feet long and shall be located between 50 and 100 feet from the end of the street (all dimensions cited for the T-shaped turnaround are for the traveled way).
8. Construction of streets shall conform to the requirements of the Town of Smithfield Road Ordinance or shall meet the following minimum requirements:
 - A. 18 inches of road base bank gravel with no rocks larger than 8 inches shall be required.
 - B. 4 inches of upper base fine bank run gravel (with no stones larger than 2 inches) shall be required.
 - c. Road crown shall be at least 1/4 inch/one foot.
 - d. Bituminous paving 3 inches thick (2-inch base, 1 inch surface) may be required.

All street construction shall conform to good engineering practices and be suitable for the intended usage of the street. The developer will notify the selectmen when the road is completed.

The Road Commissioner and Selectmen will periodically inspect the road during construction

9. Mobile home park roads that intersect with public roads shall meet the following:
 - a. The desired angle of intersection shall be 90 degrees. The minimum angle of intersection shall be 75 degrees.
 - b. The maximum grade within 75 feet of intersection shall be 2%.
 - c. The minimum sight distance shall be 10 times the posted speed limit on the existing road. Sight distance shall be measured from the driver's seat of a vehicle that is 10 feet behind the curb or edge of shoulder line with the height of the eye 3 ½ feet above the pavement and the height of the object 4 ½ feet. Where necessary, the parkland bordering the intersection shall be cleared of all growth and sight obstructions to achieve the required visibility.
 - d. The centerline of any street within a park intersecting an existing public street shall be at least 125 feet from the centerline of any other street intersecting that public street.