

VILLAGE OF MCADAM

BY-LAW NO. 28

A BY-LAW RESPECTING MOBILE HOME

PARKS AND SITES

PASSED

BE IT ENACTED by the Mayor and the
Councillors of the Village of McAdam as
follows:

Original signed by the Mayor

Frank M. Carroll

1. This By-Law may be cited as the Village of McAdam Mobile Home Parks By-Law

Interpretation

2. In this By-Law:
 - (a) “natural or artificial barrier” means any river, pond, canal, railway, embankment, fence, bridge or wall; and
 - (b) words phrases and terms used in this By-Law which are defined in sub-section (1) of section 187 of the Municipalities Act, Stats N.B. 1996, c.20 as amended, shall have the meaning as so defined.
3. This By-Law provides for:
 - (a) the regulating and licensing of mobile home parks;
 - (b) the regulating of mobile home sites; and
 - (c) the designation of areas within the municipality which may be used for mobile home parks or mobile home sites.

Prohibition

4. (1) Subject to subsection (4), no person may place or locate a mobile home or other trailer within the municipality other than:
 - (a) in the case of a mobile home,
 - (i) in the licensed mobile home park,
 - (ii) on a mobile home site permitted under section 9, or
 - (iii) in a tourist camp operated by the village;
 - (b) in the case of a trailer other than a mobile home, in a tourist camp or trailer camp operated by or licensed by the Village.
- (2) No mobile home park or mobile home site may be located in the Village except in the area bounded and described as set out in section 5.
- (3) No person may establish, operate or maintain a mobile home park within the Village unless such person holds a valid licence therefore issued under this By-Law.
- (4) This section does not apply to the placing or locating of trailers where permitted by the zoning By-Law for the purpose of storage or sale.

Areas Which May Be Used For Mobile Home Parks

5. The areas bounded and described as follows may be used for mobile home parks and sited as indicated:
 - (a) any location on the Scott Road – Parks and Sites
 - (b) from the point of change of Maple Street and West Street heading north on West Street – Parks and Sites.
 - (c) from the point of change between Rose Street and Highland Ave along Highland Ave and Old Harvey Road until reaching the junction of the Old Harvey Road with Highway #4 – sites only.
 - (d) any location along 24th Street and the Reagon Road – sites only.
 - (e) from Jeffrey lot located on the New Harvey Road heading east on the New Harvey Road until reaching the Government Garage lot – sites only.
 - (f) any location on the Farm Road – Parks and Sites.
 - (g) any location on Tracy Street – sites only.
 - (h) from the intersecting of West Street and Lake Avenue heading west on Lake Avenue – sites only.
 - (i) any location on Pleasant Avenue – sites only.
 - (j) any location on Speedy Street – sites only.
 - (k) any location on Clifford Street – sites only.

Any new streets developed to be considered by Council for designation as Parks and/or sites.

Licenses

6. (1) An application for a mobile home park license shall be in a form prescribed by the Council and signed by the applicant, containing:
 - (a) the name and address of the applicant;
 - (b) the location and description of the park by metes and bounds;
 - (c) plans and dimensions of all buildings and other improvements constructed within the park;
 - (d) a complete plan of the park disclosing compliance with the requirements of this By-Law and other applicable By-Law; and
 - (e) such other information as may be requested by Council or the clerk to ascertain the merits of the application.

- (2) The clerk shall issue a mobile home park license when:
 - (a) an application under subsection (1) has been received;
 - (b) the Council, subject to subsection (3) hereof:
 - (i) approves the plans for the park as complying with the requirements of this By-Law and any other applicable By-Law, and
 - (ii) is satisfied that development of the park will proceed in such a manner as to comply with the requirements of this By-Law; and
 - (c) the fee set out in subsection (6) has been paid.

- (3) Before approving any plan for a mobile home park pursuant to clause (b) of subsection (2) the Council shall refer the plans to the Advisory Committee and request it to report thereon.

- (4) In respect to any mobile home park in existence in the Village on the coming into force of this By-Law:
 - (a) the owner or operator thereof shall within one month thereafter make application to the clerk for a mobile home park license, and
 - (b) the Council may waive in whole or in part or for a specified period of time any of the requirements of section 7.

- (5) A license under subsection (2):
 - (a) is valid until December 31st of the year in which it is issued;
 - (b) is valid only for carrying out of such plans as have been approved under clause (b) thereof; and
 - (c) is renewable.

- (6) The fee for a mobile home park license or a renewal thereof, is 5.00 dollars.

Park Requirements

7. (1) A mobile home park shall conform to the requirements that:
 - (a) It is located on well-drained site that is properly graded to insure rapid drainage and freedom from stagnant pools of water;
 - (b) Clearly defined spaces are provided therein, having and containing:
 - (i) An area of at least 4,000 square feet, and
 - (ii) A width of at least 40 feet at the abutting driveway;
 - (c) Subject to subsection (2):
 - (i) It is separated from adjoining properties and abutting public streets by a natural or artificial barrier.
 - (ii) No space therein is within 25 feet of a public street,
 - (iii) No building, structure or mobile home therein is within
 - (a) 40 feet of a public street, or
 - (b) 15 feet of a boundary line of the park, and
 - (iv) All spaces about a driveway which has unobstructed access to a public street;
 - (d) All spaces therein are serviced by adequate water and public power and sewerage facilities;
 - (e) No mobile home is located within 25 feet of a service building; and
 - (f) The clearance between mobile homes on adjacent spaces is at least
 - (i) subject to sub clause
 - (ii), 25 feet, or
 - (ii) when parked end to end, 10 feet.
- (2) Spaces in a mobile home park may front on a public street if such street:
 - (a) is built especially for the park;
 - (b) Intersects only one existing public street;
 - (c) has no more than two intersections with the street mentioned in clause (b); and
 - (d) incorporates a turn-around or loupe within the park.
- (3) Where spaces in mobile home park front on a public street, no mobile home may be placed or located so that it is closer to the boundary of such street than 25 feet.

Garbage and Rubbish Disposal

8. The owner or operator of a mobile home park is responsible for:
 - (a) providing a tightly-covered metal or plastic garbage can, or other container acceptable to the clerk, for each mobile home in the park for the deposit of garbage and rubbish;

(b) Maintaining containers mentioned in clause (a) in a sanitary condition at all times; and

(c) Collecting and disposing of garbage and rubbish deposited by the occupant of each mobile home at least as often as the service is supplied for the majority of homes in the village.

Mobile Home Sites

9. (1) Where such use is expressly permitted by the Zoning By-Law, spaces mentioned in subsection (3) of section 7 may be converted to mobile home sites by conveyance to individual owners provided such spaces meet the requirements of the Zoning By-Law with respect to the minimum dimensions of a lot for a single family dwelling and there is compliance with all other applicable requirements of the Zoning By-Law and with the provisions of the Sub-Division By-Law.
- (2) No mobile home may be placed or located on a mobile home site so that it is within
- (a) 25 feet of the boundary of the public street; or
 - (b) 5 feet of a property line.
- (3) Every mobile home site shall be serviced by adequate water and public power and sewerage facilities.
- (4) No license is required under this By-Law in respect of a mobile home site.
- (5) No mobile home may be placed or located on a mobile home site unless a building permit therefore has been issued under the Building By-Law.
- (6) Notwithstanding anything contained in a Building By-Law, the fee for a building permit mentioned in subsection (5) is \$5.

Enforcement

10. (1) A person who violates any provision of the By-Law is guilty of an offense and is liable on summary conviction to a fine of not less than twenty-five dollars and not more than one hundred dollars.
- (2) When a person is convicted of establishing, operating or maintaining a mobile home park without a valid license issued under this By-Law, a judge of this Provincial Court

may, unless such person has paid the fee for such license, order payment thereof in addition to the fine.

Read first time: March 14, 1974
Read second time: March 14, 1974
Read third time & enacted: April 4, 1974

Original signed by the Clerk

Majorie o'Keefe

original signed by the Mayor

Frank M. Carroll