

Town of North Attleboro

Board of Health

Rules & Regulations for Mobile Home Parks

Under the provisions of Chapter III, Section 31, Massachusetts General Laws, as amended, and Chapter 140, Section 32B, Massachusetts General Laws, as amended, the North Attleboro Board of Health has adopted the following rules and regulations (hereinafter referred to as “rules”) relating to the establishment, development, extension, alteration, rebuilding and operation of mobile home parks.

Section 1-01 – PURPOSE

These rules are established in accordance with the letter and intent of General Laws, Chapter 40A, 41, 111 and 140, in order to encourage the development and maintenance of attractive and fitting sites for mobile homes, so called; to protect and foster the health, safety and welfare of the residents of mobile home developments and in general, of the town and citizens of North Attleboro and to encourage and order the preservation of the environment and appearance of the areas wherein such parks are established and maintained. These rules shall not be construed as superseding or repealing the Zoning by-laws of the Town of North Attleboro, as amended.

SECTION 1-02 – DEFINITIONS

- A. **MOBILE HOME:** As used in these rules, the words “mobile home” shall mean a dwelling unit built on a chassis and containing complete electrical, plumbing and sanitary facilities and designed to be installed on a temporary or permanent foundation for permanent living quarters.
- B. **MOBILE HOME PARK:** as used herein, the words “mobile home park” shall mean any parcel of land of not less than five (5) acres, exclusive of roads and areas provided for recreation, service and other such permanent installation within the park, under single or common ownership or control which contains or is designed, laid out or adapted to accommodate mobile homes occupied or intended for occupation as living quarters.
- C. **MOBILE HOME LOT:** As used herein, the words “mobile home lot” means a parcel of land provided for the placement of a single mobile home and the exclusive use of it’s occupants within a mobile home park or development.
- D. **MOBILE HOME ACCESSORY:** Mobile home accessory building or structure means any awning, cabana, ramada, storage structure, carport, fence, windbreak or porch established for the use of the occupant of the mobile home on a mobile home lot.
- E. **MOBILE HOME PAD:** Means that area of a mobile home lot which has been reserved for the placement of a mobile home.
- F. **OCCUPIED AREA:** Means the total of all the lot area covered by a mobile home and roofed mobile home accessory building and structures on a mobile home lot.

- G. **PARK STREET:** Means a private way which affords principal means of access and egress to abutting individual mobile home lots and auxiliary buildings.
- H. **PERMANENT BUILDINGS:** Shall mean any structure erected and constructed and permanently affixed to the ground it occupies within any mobile home park.
- I. **LICENSING AUTHORITY:** Shall mean the Board of Health of the Town of North Attleboro.

SECTION 1-03- PROCEDURES FOR APPLICATION TO ESTABLISH, ALTER, MODIFY, REBUILD OR EXTEND A MOBILE HOME PARK

Application for a license to establish or create a mobile home park, or to alter, modify, rebuild or extend any existing mobile home park, shall be made in writing to the Board of Health of the Town of North Attleboro, which shall hold a public hearing within thirty (30) days of the receipt thereof. Said Board shall notify the applicant, in writing, of its findings within sixty (60) days of the close of such hearing. An application may be withdrawn seven (7) days prior to the public hearing, without prejudice, and resubmitted, without restriction of the two (2) year limit, at the discretion of the Board of Health.

Each applicant shall include the following:

- A. **PLANS AND SPECIFICATIONS:** The application shall include a detailed plat of the proposed mobile home park, alteration, modification, rebuilding or extension, drawn to scale, eighty (80) feet to the inch, showing all lots, streets, water and sewer systems, proposed site for individual sewage disposal facilities, if intended: required buffer zones, open space, playgrounds, parking areas; water courses and other bodies of water, natural or artificial; existing trees within proposed mobile home lots, and shall show the contour of the land involved drawn on a scale of five (5) feet concur intervals. In the case of property bordering on, or including permanent flowing or standing waters, or where the high ground water elevation is within six (6) feet of the existing or proposed ground surface level, the Board of Health may require the plat to depict existing and proposed contour of the land on a scale of two (2) foot contour intervals.
- B. **SITE REPORT:** The application shall also include a written site report containing the following information:
 - 1. Name and precise location of the proposed mobile home park, alterations, modification, rebuilding or extension.
 - 2. Name and address of the applicant and nature of his interest in the property involved.
 - 3. Statement of nearest public water system, the size of the water main serving the area, the location of existing fire hydrants along any public roads adjacent to the development, the location of proposed fire hydrants within the mobile home park.
 - 4. Statement of the type of sewage disposal system to be provided or intended to be used in the mobile home park, such as individual system on each lot or the nearest municipal sewage system and whether it is available or feasible to use. If a sewage disposal system other than a community or municipal system or individual lot septic tank and leaching fields is proposed, the application shall include engineering evidence of satisfactory performance as may be required by the Board of Health and shall not include more than two mobile homes per sewage disposal system.

5. Statement of existing use of adjacent properties and intended use of adjacent undeveloped lands, if known.
6. Certified report of a qualified engineer indicating the highest known surface water elevations on the mobile home park site in the last ten (10) years and, if required by the Board of Health, on adjacent properties.
7. Certified report of a qualified engineer, including an updated U.S.G.S. quadrangle map, of 1:1200 scale or map of equal detail and scale, designating the location of all flood areas and rivers, streams, creeks, lakes, ponds, swamps, drains, lagoons, and proposed, within or adjacent to the mobile home park.
8. Statement of proposed surface drainage system, which report shall include storm drainage flow direction in the mobile home park and adjacent properties and evidence that existing drainage systems, natural or man-made, are of sufficient size to contain maximum run off from the site without flooding or erosion.
9. Such additional and supplemental information as the Board of Health may request after review of the application at the public hearing.

C. **SOIL DATA FOR INDIVIDUAL SYSTEM:** If subsurface soil absorption sewage treatment (e.g. leaching fields) are proposed for any portion of a mobile home park, the following information shall be submitted for such portion, certified by a qualified professional engineer.

1. A soil investigation report to determine the suitability of soil conditions to individual sewage disposal systems as proposed for the mobile home park, including at least: date; location on mobile home park plan of each test or boring; percolation test results; soil boring results describing each soil material (i.e. clay, shale, ledge, humus silt, sand, gravel, etc.) and its depth in the core sample, to a depth of a minimum of eight (8) feet, and the opinion of the engineer with respect to the apparent suitability of soil conditions for the proposed method of sewage disposal.
2. A percolation test and soil boring shall be made on each lot in a location appropriate for subsurface disposal field, and the results shall be reported as above, except that the Board of Health may determine that more or less than one test or boring per lot is necessary or allowable because of site conditions or other considerations of soil suitability as indicated by the engineer's report.
3. Percolation test shall conform to the State Sanitary Code of the Commonwealth of Massachusetts, Title 5, as amended. Percolation tests shall be performed during the period of normal high ground water level as set by the Board of Health.
4. The location of bedrock or impervious soil within eight (8) feet of the natural or proposed finish ground surface shall be shown on the plan wherever revealed by borings or outcroppings upon the surface or in any excavations or cuts.
5. The apparent highest seasonal ground water elevation with reference to the natural or proposed finish ground surface shall be indicated within the area designated for each lot. (Report shall indicate how ground water elevations are established.)

SECTION 1-04 – BASIC REGULATIONS

- A. No mobile home park shall be established or operated except in conformance with the Zoning by-laws of the Town of North Attleboro and these rules.
- B. No mobile home park shall be less than five (5) acres in area exclusive of roads and the area provided for recreation, service and other permanent installations.
- C. There shall be no more than six (6) mobile home units with accessories per acre, exclusive of parks and access roads and the area to be set aside for use for recreation, service and other permanent facilities.
- D. There shall be provided central facilities for recreation or services such as laundry, which shall be available to all mobile home park residents.
- E. The occupied area of a mobile home lot shall not exceed fifty percent (50%) of the mobile home lot area.
- F. A mobile home shall not be located closer than fifteen (15) feet to the nearest mobile home lot line or park street; and no mobile home accessory building closer than ten (10) feet to that lot line or park street, except as specifically authorized by the Board of Health and permitted by the said Zoning by-laws in a cluster or other arrangement deemed to be suited to the terrain or other considerations. Each mobile home shall be located with at least a thirty (30) foot set back from any park property abutting a public street or highway. Each mobile home will be no closer than twenty (20) feet to any other mobile home in the mobile home park, including all accessories.
- G. The street systems shall conform to construction standards set forth in the rules and regulations relative to the construction and paving of streets in subdivisions in the Town of North Attleboro and shall have direct connections to a public street or highway sufficient to satisfy the safety requirements for the Highway Department and the Chief of Fire Department and Chief of Police Department. Access streets connecting park streets to public streets or highways shall be no less than forty (40) feet in width, shall be of such safety and other standards as for grading, contour and surface as to acceptable to the Highway Department. Park streets shall be no less than thirty (30) feet wide. All park streets shall be lighted, named and marked and all lots on each street shall be marked with a number. The maintenance of these streets shall be the responsibility of the mobile park developer and operator, specifically, but not limited to; maintenance of the streets in a safe and passable condition at all times, removal of snow when the accumulation is over three (3) inches, and removal of all debris from drains at least once a year.
- H. Each mobile home lot within a mobile home park shall have direct access to a park street.
- I. No mobile home lot in a mobile home park shall be located within one hundred (100) feet of any stream, pond, lake or other waterway, except where public sewage facilities are available and utilized, and the location will not present a potential flood hazard.

- J. The Board of Health in reviewing all proposed water and sewer facilities of a mobile home park to be located in the Flood Plain District established under the Zoning by-laws, as amended, shall require that:
1. new and replacement water supply system be designed to minimize or eliminate infiltration of flood waters into the systems, and
 2. new and replacement sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
- K. No license shall be granted for establishment or development of a mobile home park unless connection is made to a municipal water supply system and all units within the park connected to it. A private water system for use in a central laundry or other similar use may be granted at the discretion of the Board of Health.
- L. Where a public sewage system is available at or within the boundary of the park site, connection shall be made thereto so as to serve all mobile homes and permanent buildings within that park.

Where such public sewage system is not available or feasible, the Board of Health shall not grant a permit for any mobile home park unless or until it is satisfied that the sewage system can be safely and effectively disposed of through lawful and proper means. The Board of Health shall, prior to the issuance of any permit, be assured of compliance with local and state laws.

- M. Mobile homes shall not be stored or displayed on park premises except when mounted in a pad on a lot. New mobile homes displayed for sale by the park owner or operator must be sold for use within that park. Used mobile homes offered for sale by individual mobile home owners must be displayed on a lot within that park, but may be sold either for use within that park to an individual, the park owner or operator, or for use outside that park. The park owner or operator may also display those used units on a pad on a lot for resale within that park premises. Nothing in this section shall be construed as permitting the storage of unoccupied units in any park, for sale in the ordinary course of business, or as inventory, or the sale of such units except in those districts, as determined by the Zoning by-laws, wherein such commercial activity is permissible with or without permits from the proper authority.
- N. The developer shall provide for a buffer zone of at least thirty (30) feet, with appropriate vegetation, between the mobile home park and any adjacent property, and shall establish at least a thirty (30) foot buffer zone where such a mobile home park shall be adjacent to any main highways, roads and so forth; and shall provide appropriate vegetation in the buffer zone between the mobile home park and that passageway.

SECTION 1-05 – APPROVAL OR DENIAL AND APPEAL OF APPLICATION

- A. The Board of Health may issue a license to the applicant subject to such conditions as said Board may impose consistent with the intent of these rules.

- B. Within sixty (60) days next after the close of the hearing conducted by the Board of Health relative to the requested license, the applicant shall be informed in writing by the Board of Health whether the license has been granted or denied together with a statement of the reasons for such grant or denial.
- C. An applicant or other person aggrieved by the Board's decision thereon must have his appeal filed with a Court of competent jurisdiction within twenty (20) days after the aggrieved party receives (1) written notice of such decision by certified mail or a town Constable or (2) by filing with the Town Clerk, whichever occurs first.

SECTION 1-06 – SUSPENSION OR REVOCATION OF LICENSE

- A. The Board of Health may suspend or revoke a license issued under the materials sections of General Laws, Chapter 140 and these rules if the holder of the license violates or fails to comply with a condition, limitation, or restriction contained in the license.
- B. The licensee or holder of the license shall be given at least five (5) days written notice of a possible suspension and/or revocation by the Board of Health together with a written statement of the reasons thereof. Such notice shall set forth the time, date and place at which the Board of Health shall hold a public hearing on the issue of a possible suspension and/or revocation. At said hearing, the licensee or holder of the license shall have the right to present evidence and witnesses as well as cross-examine the witnesses of the Board of Health. The Board of Health shall notify the licensee or the holder of the license of its decision together with the reasons for same by written notice within seven (7) days of the termination of the public hearing. Said notice shall be forwarded by certified mail and filing with the Town Clerk.
- C. A person aggrieved by such suspension or revocation may within thirty (30) days after said mailing and filing, file an appeal with a Court of competent jurisdiction.

SECTION 1-07 – CONSTRUCTION

- A. Mobile Home Pad: The pad shall be constructed from either concrete, bituminous concrete (asphalt concrete), gravel or crushed stone, sufficient to adequately support the mobile home, to prevent abnormal settling or heaving under the weight of the home. The corners of the mobile home shall be anchored to prevent wind overturn and rocking with tie downs such as concrete "dead men", screw augers, arrowhead anchors, or other suitable devices to withstand a tension of at least twenty eight hundred (2800) pounds at the discretion of the owner. The mobile home shall be boxed in to reduce heat loss and thus prevent freezing of the pad.
- B. A plan and profile on water, sewer, electrical and telephone lines shall be submitted to the appropriate department. These utility lines shall not be laid in the same trench, and there shall be a minimum horizontal distance of ten (10) feet between them. Water-sewer crosses shall be kept to a minimum. Where crosses are necessary, every effort shall be made to have the water line pass above sewer lines where adequate depths for cover are practical to obtain. Acceptable sewer pipe materials are cement, asbestos, cast iron and clay. Acceptable water pipe materials are wrought iron, galvanized iron, steel, copper, cement, Asbestos and rigid plastic such as PVC or ABS. The water and sewer riser pipes shall form water tight seals and when not connected to a mobile home shall be tightly and securely plugged. Water and sewer riser pipes shall extend at least six (6) inches above the mobile home pad. The water riser pipes shall be at least $\frac{3}{4}$ inch inside diameter and the sewer riser

pipes at least three (3) inches inside diameter. A shut-off valve below frost line shall serve each mobile home. Underground stop and waste valves shall be installed on any water service.

- C. Electric power lines shall be either underground or strung from poles in a manner acceptable to the servicing electric power company. Wires shall not be strewn about on the ground surface or strung from home to home. All connections shall be properly protected against electric shock in accordance with the National Electric Code.
- D. Refuse, trash and garbage shall not be permitted to accumulate in a manner that creates a potential or real health hazard. It shall be the overall responsibility of the park owner to insure that refuse does not accumulate for longer than a week. That fly control methods are diligently practiced and that refuse is kept covered in barrels or metal containers out of easy reach of children or domestic and wild animals. Garbage shall be stored in underground containers or other containers approved by the Board of Health.

SECTION 1-08 – POLLUTION CONTROL REQUIREMENTS

- A. Where an existing public sewer is to be utilized, the applicant shall present such evidence as will show that such utilization is acceptable to and approved by the Board of Public Works of the Town of North Attleboro.
- B. When a sewerage system is proposed which involves a discharge into the waters under the control of the Commonwealth, the applicant shall present such evidence as will show that his waste treatment system is approved by the appropriate department of the Commonwealth. Notwithstanding such approval, the Board of Health may impose certain reasonable conditions, predicated upon special & local conditions, upon the installation of such system.
- C. All mobile homes serviced by external fuel oil tanks shall have their said tanks properly stabilized to conform to current state code within 3 years. The park owners will provide the concrete pads for the oil tanks prior to the three (3) year time limit.

C-1 Upon visual inspection by the mobile park owner or manager, a repair or replacement of a fuel system may be determined upon written notice received by the tenant. In the absence of an emergency, the tenant shall have thirty (30) days after receipt of such notice to complete the repair or replacement.

C-2 At the request of the mobile park owner or manager, a official fuel oil tank inspection by the Health Agent and/or the Fire Department shall be made. Upon inspection a repair or replacement to said tank can be ordered by the Board of Health if the fuel oil tank is or may result in leaking or spilling. Said repair or replacement shall be completed within thirty (30) days after the order by the Board of Health.

- D. A variance procedure shall be made available through the Board of Health in the event the tenant notifies the Board of Health in writing within seven (7) days that the inspection process was in error and/or that the tenant has good cause to be granted more than thirty (30) days to complete the repair or replacement. This process will not be used to extend the existing time limits of the above paragraph C.

SECTION 1-09 – STANDARDS FOR CONSTRUCTION, INSTALLATION AND OPERATION OF MOBILE HOMES AND BUILDINGS IN A MOBILE HOME PARK

- A. Every building and mobile home except a mobile home accessory building shall be designed and constructed in accordance with the applicable provisions of the Town of North Attleboro Building Code.
- B. Electrical wiring fixtures and equipment installed in a mobile home park shall comply with the applicable provisions of the National Electrical Code (NFPA #70 1971: ANSI CI – 1971).
- C. Plumbing equipment, materials, and installations in a mobile home or in a building within a mobile home park shall comply with the applicable provisions of nationally recognized plumbing codes, and the Massachusetts State Plumbing Code.
- D. Materials, fixtures, devices and fittings and their installation shall conform to nationally recognized standards.
- E. All mobile homes shall be equipped with smoke detectors, which shall not receive energy from electric storage batteries. Mobile homes over fifty (50) feet in length shall have a minimum of two (2) detectors.
- F. Any chemical storage buildings shall be so marked, fire proof and at least thirty (30) feet away from any building or mobile home.
- G. No new mobile home shall hereafter be occupied until a certificate of occupancy has been issued and signed by the Board of Health.

SECTION 2-01 – MISCELLANEOUS

- A. No trailer, mobile home or like structure shall be used for living quarters anywhere in the Town of North Attleboro except in those locations licensed therefore; except that in case of an emergency or disaster when so proclaimed by the Board of Selectmen, temporary permits for such use may be granted by the Board of Health for the time period of the emergency providing there are no potential or real health violations caused by any such proposed temporary permits.
- B. Any person violating these rules or any provisions thereof shall upon conviction in any court of competent jurisdiction be fined not more than two hundred dollars (\$200.00) for each such offense. For purposes of this, each day such offense continues shall be considered a separate offense.
- C. All previously existing rules or parts of these rules relative to the subject matter of these rules are hereby repealed, except the Zoning by-laws.
- D. Should any sentence, paragraph or part of these rules be declared unconstitutional or invalid by any court of competent jurisdiction it shall in no way affect the remaining valid portions hereof.

SECTION 2-01-A - SALE OF A MOBILE HOME

- a. Prior to the time of a mobile home sale, all non-conforming and/or non-approved utilities shall be upgraded to meet current State code, and be permitted by the proper authority; water with copper pipe, sewer with SCH 40 PVC or cast iron, existing fuel systems and electric systems.

SECTION 3-01 - For statutory requirements and rules and regulations that are supplemental to these rules, see Section 32A to 32F of Chapter 140 of the General Laws, as amended.

Adopted by the Board of Health on the 4th day of October 1979.

Revised and approved on the 6th day of March 1986.

Revised and approved on the 9th day of August 1990.

Revised and approved on the 15th day of September 2003

Revised and approved on the 14th day of October 2003

Revised and approved on the 12th day of July 2004

BOARD OF HEALTH

Deborah A. Morse, Chairwoman

Diane Battistello, Member

Jerome Kennedy, Sr., Member