

BY-LAW NO. 45

A BY-LAW OF THE CITY OF MIRAMICHI RESPECTING MINI-HOME AND MOBILE HOME PARKS

The Council of the City of Miramichi under authority vested in it by Section 188 of the Municipalities Act, enacts as follows:

INTERPRETATION

1. In this By-Law,
 - (a) "building inspector" means the building inspector appointed by the Council of the City of Miramichi;
 - (b) "Council" means the City Council of Miramichi;
 - (c) "mini-home" means any dwelling other than a mobile home that is manufactured and designed to be transported as one integral unit. A mini-home is a minimum of 4.27 m (14') and a maximum of 5.0 m (16.4') wide (excluding eaves), a maximum of 21.9 m (72') in length and a maximum of 4.4 m (14.4') in height;
 - (d) "mini-home or mobile home site" means a parcel of land not in a mini-home or mobile home park;
 - (e) "mobile home" means a manufactured, movable or portable dwelling unit constructed to be towed to its appropriate site on its own chassis, connected to utilities and designed for year-round living. It may consist of one or more parts that can be folded, collapsed or telescoped for towing to the appropriate site and expanded later for additional cubic capacity to be jointed into one integral unit. The mobile home must contain sleeping accommodation, a flush toilet, a tub or shower, bath and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems and have a floor space not less than 45 m² (485 ft²) and a width not less than 3.65 (12 ft) and not more than 4.26 m (14 ft).
 - (f) "Planning Commission" means the Miramichi Planning District Commission; and
 - (g) "space" means a plot of land within a mini-home park or mobile home park designed to accommodate or accommodating one mini-home or one mobile home.

SCOPE

2. This by-law provides for the regulating and licensing of mini-home or mobile home parks.
3. (1) Unless for purposes of storage of the vehicle itself, no mini-home or mobile home or other trailer may be placed or located within the Municipality except;
 - (a) in the case of a mini-home or a mobile home,
 - (i) in a mini-home or mobile home park licensed hereunder, or
 - (ii) on a mini-home or mobile home site, as prescribed by the municipal plan or zoning by-law.
- (2) No person may establish, operate or maintain a mini-home park or a mobile home park unless such person holds a valid license therefore hereunder.

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- (3) The provisions of this By-Law do not apply to mini-home or mobile home parks existing prior to enactment of this By-Law, however, any subsequent additions, extensions or renovations shall comply with the by-law.
- (4) 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 City of Miramichi or any statute or regulation of the Province of New Brunswick.

Building Permits

- (5) No person shall construct or locate in a mini-home park or a mobile home park any mini home or mobile home, accessory building, structure, service building or an addition to a mini home or mobile home without first obtaining a building permit issued pursuant to By-Law 20 entitled "City of Miramichi Building By-Law".

LICENSES

- 4. (1) An application for a mini-home home park or a mobile home park license shall be
 - (a) in a form prescribed by the Council hereto attached as Schedule "A";
 - (b) signed by the property owner or agent; and
 - (c) received by the building inspector.
- (2) The building inspector shall issue a mini-home or a mobile home park license when
 - (a) a completed application under this section has been received;
 - (b) and is satisfied
 - (i) that with respect to the requirements of this and any other Act or regulation thereunder,
 - (a) the plans for the park comply therewith, and
 - (b) development of the park will proceed in such a manner as to comply therewith.
 - (c) the fee set out in subsection (4) has been paid;
 - (d) the Council is satisfied that the application is in compliance with requirements of the municipal zoning by-law; and
 - (e) such other information as may be required by the building inspector to ascertain the merits of the application.

(3) Subject to subsection (5), a license under this section is valid until December *License*31st of the year in which it is issued and is renewable.

(4) The fee for a license under this section or a renewal thereof is One Hundred *License Fee* Dollars (\$100.00).

(5) *Violations* Where there is a violation of any requirement of the by-law, or where the District Health Medical Health Officer alleges the existence of the nuisance pursuant to regulation under the Health Act R.S.N.B., 1973, Chapter H-12, the building inspector may by written notice served personally or sent by registered mail to the property owner identified on the license, state the nature of the violation or

alleged nuisance and order the cessation thereof within a reasonable time stated in the notice.

- (6) Where a person fails to comply with an order under subsection (5), the building inspector may suspend or cancel the license, if the conditions leading to the suspension are subsequently corrected, reinstate the suspended license.

RESPONSIBILITIES OF THE PARK OWNER

5. (1) A mini-home park or mobile home park shall conform to the following requirements

Site considerations and design

- (a) a park shall be located on a well drained parcel of land, properly graded to insure a rapid drainage and freedom from stagnant pools of water. A new mini-home or mobile home park shall not be established on a Flood Plain;

Buffer area

- (b) a park shall have incorporated a buffer area and this buffer area shall
- (i) consist of an area of at least 6 metres wide within and abutting the boundaries of the park except that where a set-back is required by regulation or by-law, the buffer area shall be in excess of the minimum required set-back,
 - (ii) have trees or other planting planted therein and maintained in good condition, sufficient to screen the park from highways,
 - (iii) be maintained clear of any mini-homes or mobile homes, buildings, structures or service facilities other than waterfront recreation facilities, and
 - (iv) contain no internal roadways except those which cross it as close to right angles as practicable and connect directly with the internal roadway system contained within the remainder of the park.

Roadway System

- (c) a park shall be serviced by an internal roadway system, and this internal roadway system shall be constructed to the standards of the City as applied to residential subdivision development, if the internal street network is to be maintained by the City. If the internal street network is to be private and maintained by the park owner it shall:

- (i) have a width of at least 12 metres,
- (ii) have a travel portion of at least 8 metres wide, surfaced with either asphalt or chip-seal to City of Miramichi specifications,
- (iii) give access to all spaces and service building in the park,
- (iv) afford access to a public highway, such access to meet the highways as per City of Miramichi specifications, and
- (v) mini-home and mobile home parks shall have named streets
 - i) be named by way of street signs to be placed at the main entrance and at each intersection;
 - ii) have "Stop" signs located at the intersection with all other park streets and public streets or highways;

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- iii) have regulation speed limit signs placed at all entrances to mini-home and mobile home parks in accordance with the Motor Vehicle Act;
 - iv) where a conflict exists with a street name in a mini-home or mobile home park and a street name within the City of Miramichi, the name of the street in the park shall be changed to a name acceptable to the City of Miramichi, and
 - v) each space within the park shall be assigned a civic number for 911 emergency response identification.
- Minimum number of spaces* (d) a park shall contain at least 10 spaces;
- Power services* (e) a park shall be serviced by public power and the facilities installed within the park therefore shall be of a standard acceptable to the supplying utility;
- Water and sewer facilities* (f) a park shall be serviced by common water and sewer facilities approved by the Department of Environment and the Department of Health or if available, the park shall be connected to municipal water and sewer services;
- (g) all spaces shall conform with the requirements of Mini/Mobile Home Park zone of the Zoning By-Law and shall:
- Space size and pads*
- (i) be clearly defined on the ground with permanent markers;
 - (ii) have and contain a width of at least 15 metres (50 ft.), a depth of 35 metres (115 ft.), and an area of at least 525 metres squared (5,651 square feet), when a space is parallel to the street, it shall have a width of at least 28 metres (92 ft.), depth of 15 metres (50 ft.) and an area of at least 420 metres squared (4520 square feet);
 - (iii) abut an internal roadway system;
 - (iv) be indicated by numbers corresponding to numbers shown on the plan approved on the issuing of the license for the park;
 - (v) be provided with one (1) mini-home or mobile home stand which shall properly support the mini-home or mobile home in accordance with the provisions of the latest edition of CSA recommended Practice for the Site Preparation, Foundation and Anchorage of Mobile Homes;
 - (vi) be serviced by facilities mentioned in clauses (e) and (f);
 - (vii) accommodate not more than one mini-home or mobile home; and
 - (viii) not include any part of the buffer area required under clause (b).
- Set-backs* (h) no mini-home or mobile home shall be located within:
- (i) 6 metres of an internal roadway system,
 - (ii) 2 metre of the side of a space,
 - (iii) 3 metres of the rear of a space,

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- (iv) 7.5 metres of a boundary of the park, or of a service building within it, or 7.5 metres of another mini-home or mobile home; or
- (v) 30 metres of a dwelling house.

Vehicle parking

- (i) motor vehicle parking accommodation for the occupants vehicle shall be provided on each space and, for each four spaces which do not have further accommodation for visitor parking of one vehicle, one such accommodation shall be provided in parking areas dispersed throughout the park, such accommodation being surfaced with an appropriate dust free material and compacted so as to be durable and adequate to support maximum anticipated loads during all seasons and each parking space shall have a minimum width of 3 m and minimum length of 6 m.

Street Lighting

- (j) all park entrances and exits and the internal roadway system shall be lighted at night, with the lighting so arranged that the direct rays do not fall on adjoining premises;

Service Buildings

- (k) all service buildings shall be permanent structures complying with the National Building Code;

CSA - Standards

- (l) all mini-home and mobile homes shall be skirted within sixty (60) calendar days of the date on which the mini-home or mobile home was located on the mobile home space. Anchorage to resist overturning, connection of multiple section units, air and vapour barriers and skirting shall be in accordance with the latest edition of the Canadian Standards Association's Recommended Practice for the Site Preparation, Foundation and Anchorage of Mobile Homes (Z 240.10.1);

Building Additions

- (m) no building, structure, mini-home or mobile home appurtance may be placed or erected on a space except
 - (i) a canopy, awning, expansion unit, accessory structure, carport or porch, designed for, attached to and harmonizing with the mini-home or mobile home,
 - (ii) a porch or entry, if the floor area thereof does not exceed 2.25 square metres (24 square feet) and it is designed for, attached to and harmonizing with the mini-home or mobile home,
 - (iii) accessory storage building with a maximum floor area of 37m² (400 ft²) and shall be located in the side or rear yard a minimum of 1.5m (5') from the side or rear line of the space, or
 - (iv) a clothes drying line.

Open space

- (n) a minimum of ten (10) percent of the gross area of every mini-home or mobile home park exclusive of streets shall be reserved usable open space; the usable open space may be utilized for playgrounds, tot lots and landscaped rest parks; this requirement shall not include any buffer zone which may be necessary to screen an adjacent incompatible use property. The open space shall be developed and maintained to acceptable standards as determined by the building inspector.

Garbage collection

- (2) The owner or operator of a mini-home or a mobile home park is responsible for ensuring the collection and disposal of garbage and rubbish from each space and from the rest of the park, at least once each week and for the provision of garbage cans or other receptacles satisfactory to the building inspector for use by occupants of spaces.

Fire protection

- (3) Unless the mini-home park or mobile home park is protected by a hydrant system, the owner or operator of the park is responsible for ensuring that each

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mobile home therein is equipped with a 2 ½ pound dry powder or CO₂ fire extinguisher.

6. This by-law shall come into effect on the date of its filing in the Registry Office, in the county of Northumberland of the permissive amendments to the Municipal Plan and Zoning By-Laws as required by the Community Planning Act of New Brunswick.

READ THE FIRST TIME BY TITLE:	February 26, 1998
READ THE SECOND TIME BY TITLE:	March 26, 1998
READ IN ITS ENTIRETY IN COUNCIL:	March 26, 1998
READ THE THIRD TIME BY TITLE AND ENACTED:	March 26, 1998

CLERK

MAYOR

