

CHAPTER 13

MOBILE HOME ORDINANCE

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This Ordinance established the minimum standards governing the locations, construction, and maintenance of Trailer and Mobile Home Parks; the facilities considered necessary for safe and sanitary human habitation; the minimum standards provided (and/or required) utilities; fixing the responsibilities and duties of the operators and owners of trailer and mobile home parks; authorizing the licensing and inspection of trailers and mobile homes as may be located in trailers and mobile parks or upon private property; establishing the enforcing departments and officers necessary for the regular compliance to said minimum standards and fixing the penalties for violations thereof.

ARTICLE I: DEFINITIONS

Section 13.101: DEFINITIONS

- A. For the purpose of this Ordinance, the following words and phrases shall have the meanings ascribed to them in this Section and shall be interpreted or defined as follows:
1. Words used in the present tense include the future tense. The singular number includes the plural. The word "person" includes a corporation as well as partnership, association or an individual. The term "shall" is always mandatory. The words "used" or "occupied" as applied to any land, building, trailer, mobile home, trailer park, or mobile home par, shall be construed to include the words "intended", "arranged", or "designed" to be used or occupied. The word "building" includes the words "structure" and "premises" and the word "premises" includes "buildings" and "land" and also includes the words "vacant land". The words "vacant land" shall include the word "premises". The word "parking" connotes transience. The words "parking place" shall mean a piece of ground upon which motor vehicles or conveyance drawn or towed by motor vehicles are transiently parked.

2. "Enforcing Agents" mean those municipal departments which under the existing administrative code of the City of Portsmouth, New Hampshire, will under the direction of the City Manager regulate and ensure full compliance of this Ordinance.
3. "Fees" shall mean those monetary charges made by the licensing authority upon the issuance of all licenses/permits and for those itemized expenses incurred by the Health, Highway, and Water Departments in their inspection, repair and maintenance of those municipal services located on or directly affected by a trailer or mobile home or mobile home park.
4. "Health Department" shall mean the legally designated authority of the City of Portsmouth, New Hampshire.
5. "Health Officer" shall mean the legally designed enforcing agent of the Health Department.
6. "License" shall mean a statement of allowance issued with or without charge by the Licensing Authority.
7. "Licensee" shall mean any person licensed to operate and maintain a single trailer or single mobile home or a mobile home park under this Ordinance.
8. "Licensing Authority" shall mean the City of Portsmouth, New Hampshire and its administrative departments under the direction of the City Manager.
9. "Mobile Home" shall mean any vehicle used, or so constructed as to permit its being used, as a conveyance upon the public streets, or highways and duly licensed as such, and constructed in such a manner as will permit occupancy thereof as a dwelling or sleeping place for one or more persons, and provided with running motor and sanitary facilities, bath facilities and toilet.
10. "Mobile Home Park" shall mean any plot of ground upon which two or more mobile homes are parked and occupied for living purposes. All mobile homes shall be located in mobile home parks meeting the requirements of the State of N.H. and the Mobile Home Ordinance contained in Chapter 13 of the Municipal Ordinance. Where the requirements of this Zoning Ordinance are more stringent, they shall govern. No mobile home sales or storage or other business uses shall be permitted in such parks. Mobile home parks may be permitted subject to the Planned Development Requirements as set forth in Zoning Ordinance 106L. All mobile homes parks shall be in conformity with the following standards:
 - a. The minimum lot size for a mobile home park shall be five acres.
 - b. A mobile home park shall be set back a minimum distance of 500 feet from any existing public highway and a screen which will prevent view from a public highway or any adjacent property will be erected or left remaining when natural vegetation is utilized for such screens.

11. "Person" shall be construed to include persons, partnerships, firm, company, corporation, owner, leasee, or licensee or their agents.
12. "Planning Board" shall mean the legally appointed Board of the City of Portsmouth, N.H.
13. "Space" or lot shall mean an area of land not less than 2400 square feet in content planned, designated and/or marked for the harboring or an individual trailer or mobile home.
14. "Sanitary Engineer" shall mean that person engaged by the City of Portsmouth, N.H., for the express and technical advice needed in determining proper and safe sewage disposal systems and drainage systems as will be required for any mobile home park or similar group dwelling site. The Sanitary Engineer shall be employed in an advisory capacity and shall submit to the City Manager for report and record, a complete summary of his findings and recommendations. Such report as submitted by the Sanitary Engineer should consist of the following conclusions:
 - a. Approved as planned;
 - b. Approved with specified lots made larger;
 - c. Approved with exception of certain specified areas;
 - d. Disapproved and reasons;
 - e. Disapproved unless public sewers are used;
 - f. Recommendations.
15. "Trailer" shall mean a mobile home, which does not have sanitary facilities, bath and toilet.
16. "Trailer Court/Trailer Park" shall mean any plot of ground upon which one or more trailers occupied for dwelling or sleeping purposes are located.

ARTICLE II: PERMITS/LICENSES AND FEES

Section 13.201: COMPLIANCE BY EXISTING TRAILER PARKS, MOBILE HOME PARKS, TRAILER AND MOBILE HOMES

All trailer or mobile home parks in existence upon the effective date of this Ordinance shall be exempt from the rules and regulations of this Ordinance except:

- A. Existing and/or proposed sanitation procedures and existing or proposed sewage disposal systems shall meet the approval of the Licensing Authority.
- B. License/Permit Fee shall be amended in Section 13.203 of this Ordinance.

Section 13.202: VALID PERMIT REQUIRED

It shall be unlawful for any person to locate, construct, maintain, operate, or alter any trailer or mobile home park or any trailer or mobile home within the limits of the City of Portsmouth, N.H., unless he holds a valid permit issued annually by the licensing authority in the name of such person for the specific mobile home park or trailer or mobile home. All applications for annual Permits/Licenses and temporary license/permits shall be submitted to the City Clerk, who upon proof of compliance with provisions of this Ordinance and of any regulations and amendments adopted pursuant thereto and upon payment of all unpaid fees and charges that the City of Portsmouth, N.H. is legally entitled to receive from the applicant, shall issue said permit/license.

No license/permit shall be transferable. Every person holding such a permit shall give notice in writing to the City Clerk within 24 hours after having sold, transferred, given away, or otherwise disposed of, interest in or control of any mobile home park or trailer sales area. Such notice shall include the name and address of the person succeeding to the ownership or control of such mobile home park, or trailer sales area.

In the case of an original license/permit, public notice of the Licensing Authority's decision shall be made upon the day following the final meeting held for consideration of the application.

Section 13.203: LICENSE/PERMIT FEES

The Licensing Authority shall direct the City Clerk to charge the following amounts as noted:

- A. Mobile home space, occupied, located within a mobile home park. Annual fee to be determined in accordance with Chapter 1, Article XVI or similar wording payable the first day of the month of April. (Amended 3/18/2002).
- B. Minimum Fee: A minimum fee to be determined in accordance with Chapter 1, Article XVI or similar wording per mobile home park shall be charged for those parks having but two or less occupied spaces, and such fee shall be payable for the first day in the month of April. (Amended 3/18/2002).

In the case of overlapping jurisdiction, only one fee per annum may be imposed. When an original license/permit is issued on or after July 1st of any year, the permit fee for the remainder of the year shall be one half the permit fee. The City Clerk shall charge the fee for the transfer of the permit in amount not to exceed \$10.00 for a mobile home park. Such license/permit fees herein provided for in this section of this Ordinance shall be in lieu of all inspection or other fees and all other local taxes other than ad valorem taxes.

Section 13.204: PERMIT APPLICATION PROCEDURE

Applications for permits shall be in writing signed by the applicant, and accompanied by an affidavit of the applicant as to the truth of the application, and shall contain the following:

- A. The name and address of the applicant;
- B. The location and legal description of the trailer court or mobile home park or trailer or mobile home;
- C. A complete plan of the trailer court, or mobile home park, showing compliance with all applicable provisions of this Ordinance and regulations promulgated thereunder;
- D. Such further information as may be requested by the City Clerk to enable him to determine that the proposed mobile home or mobile home park has or will comply with local requirements.

Section 13.205: MOBILE HOME PARK PLAN REQUIRED

A complete plan for the purposes of obtaining an original permit to be issued by the Licensing Authority:

- A. The area and dimensions of the tract of land;
- B. The number, location and size of all mobile home spaces;
- C. The location and width of roadways and walkways;
- D. The location of proposed structures;
- E. The location of water and sewer lines; and
- F. Plans in triplicate and specifications of all buildings and other improvements constructed or to be constructed within the mobile home park. Such plans shall be filed with the Planning Board at least 30 days before such action is taken by the Licensing Authority and such plans shall be in accordance with F.H.A. minimum mobile home park plan standards.

The approval of the Planning Board ruling on a petition for a mobile home park is only advisory to the City Council as the City Council has the discretionary authority to issue permits.

Section 13.206: APPEAL FROM PERMIT DENIAL

Any person whose application for a permit under this Ordinance has been denied may request and shall be granted a hearing on the matter before the City Council, under the procedure provided by Section 13.400 of this Ordinance.

Section 13.207: PERMIT SUSPENSION FOR VIOLATION

Whenever, upon any inspection of any trailer court or mobile home park or trailer or mobile home, a building inspector finds that conditions or practices exist which are in violation of any provision of this Ordinance, or any regulation adopted pursuant thereto, said enforcing agent shall give notice in writing to the person to whom the permit was issued; and unless such conditions or practices have not been corrected within a reasonable period of time, to be determined by the Building Inspector, the permit shall be suspended. At the end of such period, the Building Inspector shall reinspect such trailer court or mobile home park or trailer space or mobile home space, and if such conditions or practices have not been corrected, he shall give notice in writing to the person to whom the permit is issued that the permit has been suspended. Upon receipt of notice of suspension, such person shall cease operation of such trailer court or mobile home park or the occupancy of such trailer or mobile home.

Section 13.208: APPEAL FROM PERMIT SUSPENSION

Any person whose permit has been suspended, or who has received notice from the Building Inspector that his permit will be suspended unless certain conditions or practices at the trailer court or mobile home park or trailer space or mobile home space are corrected, may request and shall be granted a hearing on the matter before the City Manager, under the procedure provided by Section 13.400 of this Ordinance; Provided, that when no petition for such hearings shall have been filed within ten days following the day on which such permit was suspended, such permit shall be deemed to have been automatically revoked.

ARTICLE III: INSPECTION AND INVESTIGATION

Section 13.301: INSPECTION AUTHORIZED

- A. The Health Department, its officer or officers are hereby authorized and directed to make inspections to determine the condition of trailer and mobile home parks and spaces and trailer and mobile homes, inclusive, located within the City of Portsmouth, N.H., in order that they may do their duty of safeguarding the health, safety, and welfare of the general public and all conditions relating to the enforcement of this Ordinance.
- B. The City Manager and Superintendent of Highways are hereby authorized to conduct those inspections and investigations of trailer and mobile home parks, spaces, proposed sites, and abutting right of ways and premises for the general public and all conditions relative to the enforcement of this Ordinance.
- C. It shall be the duty of the owners or occupants of trailer or mobile home parks and trailers and mobile homes contained therein, or of the person in charge thereof, to give the Licensing Authority's agents, as described in Paragraph A and B, free access to such premises at reasonable times for the purpose of inspection and investigation.
- D. A written and signed report shall be made by the Building Inspector of his or her findings within 24 hours after completing his/her inspection. This report shall be made in triplicate and shall clearly state any act of non-compliance to this Ordinance. A copy of said report shall be a matter of record to be placed and kept on file by the City Clerk for not less than 5 years. The original report shall be submitted to the City Manager for review and needed action.

Section 13.302: REGISTRATION OF OCCUPANTS

- A. Each trailer or mobile home park shall maintain a register for the registration of all occupants, which register shall contain information as follows:
 - 1. Name and address of each occupant;
 - 2. Trailer license number and manufacturer's make;
 - 3. Automobile license number and make of automobile;
 - 4. Number of site to which assigned;
 - 5. Last place of location;
 - 6. Date of arrival;
 - 7. Date of departure;
- B. A certified copy of the aforementioned registration and particulars covering arrivals and departures for each month shall be filed in the Office of the Assessor's Department, terms to be furnished by City Clerk, by the owner or lessee of each trailer court or mobile home park.
- C. Said register shall be available for inspection by law enforcement officers, public health officials, and other officials whose duties necessitate acquisition of the information contained in the register. The register records shall not be destroyed for a period of 5 years following the date of registration.

Section 13.303: ACCESS ALLOWED FOR REPAIRS OR ALTERATIONS

It shall be the duty of every occupant of a trailer or mobile home park to give the owner thereof or his agent or employee, access to any part of such trailer court or mobile home part or its premises at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this Ordinance, or with any lawful regulation adopted thereunder, or with any lawful order issued pursuant to the provisions of this Ordinance.

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ARTICLE IV: NOTICES, HEARINGS, AND ORDERS

Section 13.401: NOTICE OF VIOLATIONS

If a Building Inspector determines that there are reasonable grounds to believe that there has been a violation of any provision of this Ordinance or any regulation adopted pursuant thereto, he shall give notice of such alleged violation to the City Manager, and to the person or persons responsible therefor as hereinafter provided. Such notice shall:

- A. Be put in writing;
- B. Include a statement of the reasons for its issuance;
- C. Allow a reasonable time for the performance of any act it requires;
- D. Be served upon the owner or his agent, or the occupant, as the case may require.

Provided, that such notice or order shall be deemed to have been properly served upon such owner or agent, or upon such occupant when a copy thereof has been posted in a conspicuous place in or about the dwelling affected by the notice; or when he has been served with such notice by any other method authorized or required by the laws of the State of New Hampshire.

- E. Contain an outline of remedial action, which, if taken, will effect compliance with the provisions of this Ordinance, and with regulations, adopted pursuant thereto.

Section 13.402: HEARING GRANTED AFTER NOTICE OF VIOLATION ON PETITION OF AGGRIEVED PERSON

Any person affected by any notice which has been issued in connection with the enforcement of any provision of this Ordinance, or of any regulation adopted pursuant thereto, may require and shall be granted a hearing on the matter before the City Council; provided that such person shall file in the Office of the City Manager a written petition requesting such hearing and setting forth a brief statement of the grounds therefor within ten days after the day the notice was served or the decision was made. Upon receipt of such petition, the City Manager shall set a time and place for such hearing, and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard, and to show why such notice or deposition should be modified or withdrawn. The hearing shall be commenced not later than 30 days after the day on which the petition was filed, provided that upon application of the petitioner the City Manager may postpone the date of the hearing for a reasonable time beyond such 30 days period on his judgement that the petitioner has submitted a good and sufficient reason for such postponement.

Section 13.403: AFTER HEARING BY CITY COUNCIL

After such hearing by the City Council, the City Manager shall sustain, modify or withdraw the notice depending upon the Council's findings as to compliance or non-compliance with the provisions of this Ordinance, and of regulations adopted pursuant thereto. If the City Manager should so sustain or modify such notice or decision, it shall be deemed an order.

Any notice served pursuant to Section 13.301 of this Ordinance shall automatically become an order if a written petition for a hearing shall not be filed in the Office of the City Manager within 48 hours after such notice is served. After a hearing in the case of any notice suspending any permit required by this Ordinance, or by any regulation adopted pursuant thereto, when such notice has been sustained by the City Council the permit shall be deemed to have been revoked.

Section 13.404: RECORD OF HEARING AND APPEAL FROM ORDERS

The proceeding at such hearing, including the findings and decision of the enforcing agent, shall be reduced to writing and entered as a matter of public record in the Office of the City Clerk. Such record shall include also a copy of every action or order issued in connection with the matter. Any person aggrieved by the decision of the Building Inspector may seek relief from the Building Inspector if a petition for a hearing shall have been filed in the Office of the City Manager within 20 days after the order is issued by the Building Inspector in connection with this matter.

Section 13.405: COURT REVIEW

Any person aggrieved by a decision of the City Council may seek relief therefrom in the Superior Court having jurisdiction as provided by the Laws of this State, if such appeal is filed within 20 days of such decision.

Section 13.406: EMERGENCY ORDER BY HEALTH DEPARTMENT

Wherever the Health Department finds that an emergency exists which requires immediate action to protect the public health, they may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as they may deem necessary to meet the emergency. Notwithstanding any other provisions of this Ordinance, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately, but, upon petition, to the City Manager, shall be afforded a hearing as soon as possible. After such hearing, depending upon his finding as to compliance or non-compliance with the provisions of this Ordinance, and of regulations adopted pursuant thereto, have been complied with, the City Manager shall continue such order in effect, or modify it or revoke it pursuant to the provisions of Section 13.404 and 13.405 of this Ordinance.

ARTICLE V: ADOPTION OF REGULATIONS BY THE CITY MANAGER

Section 13.501: AUTHORIZATION FOR ADOPTIONS

The City Manager is hereby authorized to make and after a public hearing, to adopt such written regulations as may be necessary for the proper enforcement of the provisions of this Ordinance; provided, that such regulations shall not be in conflict with the provisions of this Ordinance. Such regulations, shall have the same force and effect as the provisions of this Ordinance, and the penalty for violation of the provisions thereof shall be the same as the penalty for violation of the provisions of this Ordinance, as hereinafter provided.

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ARTICLE VI: ALLOWED LOCATIONS, SPACE, AND GENERAL LAYOUT

Section 13.601: PRIOR CONSULTATION WITH LICENSING AUTHORITY

Before land is acquired for the mobile home park or space, the City Manager should be consulted regarding the compliance of the proposed site with the existing health regulations of the Health Department and the regulations of the Planning Board which are relative to the subdivision of land within the City of Portsmouth, N.H.

Section 13.602: PERMITTED LOCATIONS

A. Mobile Home Parks

1. The mobile home park shall be located on a well drained site and shall be so located that the drainage will not endanger any water supply.
2. The park shall not be subject to nor will it in itself be the cause of such hazards as objectionable smoke, noxious odors, unusual noise, the possibility of subsidence, the probability of flood or erosion or the probably of insect or rodent infestation.
3. A mobile home park shall be permitted in a general residence, local business, commercial or industrial district, but will not be permitted in a single residence area or apartment house district under the Zoning Ordinance.
4. No mobile home park will be allowed within that area of land regardless of its present zoning restriction, which is bounded as follows:

Starting at a point bounded by the southerly side of New Castle Avenue and the Piscataqua River; thence running northwesterly along the southerly side of Middle Road to the easterly side of land owned by the Maine/N.H. Bridge Authority; thence running in a northerly direction to the Woodbury Avenue overpass; thence turning and running along the southerly side of the Interstate Highway in an easterly direction to the Interstate Bridge; thence turning and running in a southeasterly direction along the Piscataqua River to the point of beginning.

5. In each and every instance where a mobile home park original license is applied for, the City Council shall refer such request to the Planning Board for consideration and public hearing, subject to the regular rules and procedures that govern a public hearing in the City of Portsmouth. The City Council shall defer any allowance of license until the Planning Board recommendations and findings have been completed.

B. Mobile Homes

1. A single occupied mobile home shall not be parked outside an approved mobile home camp for more than 36 hours, unless a temporary permit is issued by the City Manager for the temporary parking of not more than one occupied mobile home on a single premises and not exceeding 30 days and such temporary grant shall not be renewable.

2. All single occupied mobile homes parked under temporary permit shall be subject to inspection by the Health Department and owners of such homes must tender to the City Manager upon permit application evidence of satisfactory sanitary facilities and water supply.
3. In no event shall a detached mobile home be parked in a public street or private right of way under any permit.
4. No temporary permit for the parking of a single occupied home shall be issued by the City Manager for the temporary parking of said home on any land in a single residence or apartment house district.
5. The owner of an area of land which is not less than 10,000 square feet in content with a frontage of not less than 100 feet, may petition the Board of Adjustment and may receive permission (as they may rule) to park one occupied mobile home upon said land providing:
 - a. He owns said home and land;
 - b. Public utility services are to be used and connected;
 - c. It is located not nearer than 30 feet of any property line or right of way line;
 - d. That it be placed upon a block foundation suitable to the Building Inspector;
 - e. That it is in keeping with surrounding properties as to value, material and appearance.

Such a mobile home so converted may not be situated within a single residence, general residence or apartment house district.

C. Trailers

1. Trailers are as defined in Section 13.101 of this Ordinance and, according, no two trailers shall be harbored on any land area in the City of Portsmouth, N.H. for a period of longer than 36 hours.
2. A single occupied trailer may be parked on private premises with the permission of the owner, or within the parking area of a mobile home park for a period of not more than 48 hours with or without charge providing proper on site sanitary facilities are available.

The occupant/owner of said trailer shall register with the owner of said premises his name, home address, registration and number of trailer occupants. Such registration shall be submitted to the City Manager by the owner of the premises not later than 12 hours from the time of the trailer's arrival.

3. All trailers regardless of location must be subject to inspection by the Department of Health and/or City Manager.

4. All trailer owners, regardless of the location of the trailer must comply with local and state laws and regulations and in case of non-compliance are subject to all local penalties relative to such non-compliance.

D. Trailer and Mobile Home Sale Areas

1. The parking and exhibiting of more than one unoccupied trailer or mobile home for the purpose of sale or exchange of said conveyances shall be permitted in General Residence, Commercial and Industrial areas only after approval has been given to said venture by the City Council.
2. In each and every instance where a trailer or mobile home sales permit is applied for on land located in General Residence district, the City Council shall hold a public hearing subject to the regular rules governing such hearings before a final action is taken by the City Council on any such permit application.
3. Each trailer or mobile home shall be allocated within the sales area a space of not less than 600 square feet, except as may be otherwise required by Sub-Section 4 of this Section and in no instance shall any part of the trailers or mobile homes so exhibited or located be less than 35 feet from any public street or right of way nor less than 50 feet from the property line of an abutter. The allocation and use of all spaces shall be subject to Section 13.606.
4. A single mobile home within said sales area may be used or occupied for a dwelling, sleeping and/or salesroom purposes. Such occupancy shall be permitted only on the part of the owner or proprietor at such sales area or his or its authorized sales area manager or superintendent, and shall be restricted to one such supervisory person and his or her immediately family. Such mobile home, its site and facilities, shall in all aspects conform to the requirements of this Ordinance, respecting construction, maintenance and use of mobile home for dwelling purposes. This permissive use shall be subject to Health Department Inspection and authority, in addition to the authority of the Building Inspector of this Ordinance.
5. Stands properly placed and not less than 5 feet by 40 feet may be used but wheels may not be removed.

Section 13.603: AREA REQUIREMENTS

The area of the mobile home park shall be large enough to accommodate:

- A. The designated number of mobile home spaces;
- B. Necessary streets and road ways;
- C. Parking areas for mobile vehicles;
- D. Service areas and playgrounds;
- E. Maintenance Building and Office.

Section 13.604: MOBILE HOME SPACE REQUIREMENTS

Each space for a mobile home shall contain a minimum of 9,000 square feet, shall have a minimum width (frontage) of 60 feet and shall abut on an access roadway of a width not less than 30 feet. Such space shall be clearly defined, and each mobile home shall be so parked that there will be a minimum of 30 feet from any exterior boundary of the mobile home space.

Section 13.605: ROADWAY REQUIREMENTS

In all mobile home parks, roadways shall be a well-drained hard surface, or paved, and maintained in good condition and be lighted at night.

Section 13.606: PARKING DISTANCES

Trailers and/or mobile homes shall not be parked within 50 feet of the said boundaries of any public street or highway that is under 100 feet in width and said conveyances shall not be parked within 300 feet of the boundaries of any street or other highway having a right of way width of 100 feet. The obstruction of any street, highway, roadway or walkway by any part of said conveyance will not be allowed.

Section 13.607: ALLOCATED SPACE REQUIRED

It shall be illegal to allow any trailer or mobile home to be parked within a mobile home park area unless a properly designated space is available. Unoccupied trailers or mobile homes may be stored upon said space for periods not in excess of 6 months and such storage parking shall be done solely on behalf of its owner, who shall be duly responsible for the fees and taxes required under this Ordinance. In no case shall more than one such unoccupied trailer or mobile home be so stored for every 5 spaces occupied or unoccupied located within the mobile home park concerned. All space and area within a mobile home park shall be considered subordinate to the residential use of said park spaces and shall not be used for vehicle or conveyance sales purposes.

Section 13.608: ACCESS ROAD REQUIREMENTS

Access roads shall be provided to each mobile home space. Each access road shall be continuous, shall connect with a street or highway, and shall have a minimum width of 20 feet.

Section 13.609: MOTOR VEHICLE PARKING

Areas shall be provided for the parking of motor vehicles. Such areas shall accommodate at least the number of vehicles equal to the number of mobile home spaces provided.

Section 13.610: PLAYGROUND AREA REQUIREMENTS

Playground areas shall be provided, and shall be restricted to such used. These areas shall be protected from the main highway and from parking spaces. A minimum of 100 square feet per mobile home space shall be made available in one or more places for such playground areas.

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Section 13.611: LAUNDRY DRYING AREA REQUIREMENTS

An outside drying area adjacent to clothes drying facilities, if any, shall be provided in the area used for clothes drying. Such space shall be adequately screened. Such areas shall be located where they will not impair views from living areas, surfacing of such areas shall consist of not less than:

- A. 1.5 inches of bituminous asphaltic concrete; or
- B. 12 inches of surface treated gravel, compacted and rolled to grade.

Section 13.612: SIGNAGE REQUIREMENTS

- A. This ordinance shall be to protect the public health, safety and general welfare of persons in the City and to enable fire, police, medical and other official emergency personnel to respond to calls at locations in mobile home parks in the City as quickly and safely as possible.
- B. Any person issued a permit under Section 13.202 of Article II of this Chapter 13 to operate a mobile home park in the City shall erect signs at the intersection of all streets and roadways within said mobile home park identifying the intersected streets or roadways, said signs to be on wooden or metal poles at such distance from all streets and roadways so as not to present a safety hazard to vehicular traffic on said roadways, and with letters of such size as are visible to the naked eye from a distance of not less than twenty-five (25) feet.
- C. A written notice of the violation shall be issued to any person found by the City to be in violation of this ordinance and shall include the following:
 - 1. The name of the mobile home park and the location of the intersection;
 - 2. A description of any and all violation(s) and the acts necessary to correct the violation; and,
 - 3. A time limit of not less than (10) days within which to correct the violation(s)
- D. Any person or persons violating any act or provision of this ordinance shall be fined not more than \$100 per day for each offense unless mandated correction is completed within the time period contained in the notification.
- E. Notwithstanding any permissible provision contained herein, the City Attorney is hereby authorized to pursue injunctive proceedings in a court of competent jurisdiction to protect the public health.

(Section 13.612 adopted 9/17/2001).

ARTICLE VII: WATER SUPPLY

Section 13.701: WATER SUPPLY

Consistent with any requirements in the Water Ordinance, Licensee shall supply water of adequate pressure, safety and quality as determined by the Health Officer and City of Portsmouth Public Works Department, Water Division. Volume shall be determined by local water consumption, but in no case shall be less than 125 gallons per unit per day. Licensee shall supply water at proper pressure within the mobile home park for fire protection. (Amended 12/4/2006)

Section 13.702: SOURCE OF WATER SUPPLY

- A. Where the municipal water supply system is available, Licensee shall make application to the system in accord with the water ordinance and, if the connection is granted, undertake all steps to connect to the system for the park's exclusive water supply. (Amended 12/4/2006)
- B. Where the municipal water supply system is not available, a private water system or on site water system shall be allowed, provided, nevertheless, that said system shall be constructed according to approved methods and that the owner of said park shall give reasonable assurance that said system is sufficient in quantity to meet the required needs of said park, and that the water proposed to be used shall meet the standards required by law.

Section 13.703: INDIVIDUAL TRAILER AND MOBILE HOMES NOT LOCATED WITHIN A MOBILE HOME PARK

The use and taking of water by a trailer or mobile home owner shall be governed and controlled by the Water Ordinance. (Amended 12/4/2006)

Section 13.704: MOBILE HOME PARK WATER SUPPLY

The supply use, taking and metering of water shall be governed by the Water Ordinance except to the extent state law provides for alternative metering options. (Amended 12/4/2006)

Section 13.705: MOBILE HOME PARK SPACE SERVICES

An individual water connection shall be located at least ten feet (10') from the sewer connection, such distance to be determined by the Health Department. (Amended 12/4/2006)

The connection shall consist of a riser terminating at least 4 inches above the ground surface with two 3/4 inch valved outlets. The riser pipe shall be protected within a curb or concrete collar extending at least 3 inches below finished grade and shall be sloped to divert surface drainage away from the connection. Adequate provision shall be included to prevent freezing of riser, valved outlets and service line. If a drain valve is included to drain the riser an adequate no turn system must be provided to prevent a cross connection.

Section 13.706: PLUMBING CODE

The installation of all services and water connections made within a mobile home space shall be in accord with the Plumbing Code of the City of Portsmouth. (Amended 12/4/2006).

Section 13.707: DRAINAGE REQUIREMENTS

No well casings, pumps, pumping machinery or section pipes should be located in any pit room or spaces extending below ground level without permission given by the Health Department and/or the Public Works Director. (Amended 12/4/2006).

Waste pipe shall not be allowed to flow on any mobile home space surface. Any waste line of 8 feet in length must be vented.

ARTICLE VIII: SEWER SYSTEM

Section 13.801: SEWERAGE COLLECTION AND DISPOSAL

Each mobile home and utility building shall be furnished with an adequate and sanitary method of sewage disposal by a water carriage system designed for a minimum flow of 125 gallons per day, per mobile home space. Such sewerage system shall be of a design recommended by a qualified Sanitary Engineer and said system must meet the approval of the Licensing Authority. Wherever feasible, main connections shall be made to a public sewer.

Section 13.802: SEWER LINE CONSTRUCTION REQUIREMENTS

Sewer lines shall be constructed with the approval of the Superintendent of Highways and City Engineer and shall be in accordance with recommendations made prior to construction by a Sanitary Engineer and the Department of Health. All sewer lines shall be adequately vented, and shall be laid with sufficient earth cover to prevent breakage from traffic and shall be constructed as follows:

- A. Sewer line material must be acceptable to the Licensing Authority;
- B. Lines shall be laid in trenches separated a safe distance from water supply lines;
- C. Line gradients shall be such as to insure a velocity of 2 feet per second flowing full;
- D. Joints shall be water tight and mortar joints shall not be used;
- E. Manholes shall be provided at each change of direction or grade and at intervals of more than 200 feet;
- F. Cleanouts extending to grade shall be installed as required by Superintendent of Highways on all 4-inch lines and shall be capped with cleanout plugs;
- G. Beddings and cover of all sewer lines shall consist of clay free and boulder free gravel.

Section 13.803: NON-PUBLIC SEWAGE DISPOSAL

Where the sewer lines of a mobile home park cannot be connected to existing municipal sewer mains, it shall be necessary to construct an on site sewage treatment plant or system. It shall be the responsibility of the park/site owner to retain an experienced consulting Sanitary Engineer for the development of all plans and the making of all tests necessary for the preliminary study of such disposal systems. Upon completion of such plans and tests all data and exhibits relating to said disposal systems shall be presented at the time of original application to the Licensing Authority. Any Sanitary Engineer so employed or consulted by the park site developer shall also consult the Health Department and Superintendent of Highways prior to any work he may do relative to the mobile home park site.

Sewerage treatment plant effluents shall not be discharged into any sewers of the State except with prior joint approval of the appropriate State Water Pollution Commission and Licensing Authority.

Section 13.804: PLUMBING REQUIREMENTS

All plumbing in the mobile home park shall comply with State regulations and the Plumbing Code of the City of Portsmouth, N.H. (Chapter 15). The Health Department shall promptly

condemn and order the removal or replacement of any work not done in strict accordance with said regulation and code.

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ARTICLE IX: REFUSE DISPOSAL

Section 13.901: REFUSE PROVISIONS

The storage, collection and disposal of refuse in the court or parks shall be so managed as to create no health hazards, rodent harborage, insect breeding areas, accident hazards or air pollution.

Section 13.902: STORAGE OF REFUSE

All refuse shall be stored in fly-tight, water-tight, rodent proof containers, which shall be located not more than 150 feet from any mobile home space. They shall be provided in sufficient number and capacity to prevent any refuse from overflowing.

Section 13.903: REFUSE CONTAINER DESIGN

Racks or holders shall be provided for all refuse containers. Said container racks or holders shall be so designed as to prevent containers from being tipped, to minimize spillage and container deteriorations and to facilitate cleaning around them.

Section 13.904: GARBAGE AND RUBBISH COLLECTION

All garbage shall be collected at least once weekly. Rubbish shall be collected frequently enough to prevent it from overflowing available containers. All refuse shall be collected and transported in covered vehicles or covered containers by the existing public system.

Section 13.905: NON-PUBLIC REFUSE COLLECTIONS

When collection service is not available, the mobile home park operator shall dispose of the mobile home park refuse by transporting to an approved disposal site. Approval for such disposal must be requested of the City Manager.

Section 13.906: GARBAGE BURIAL

Garbage shall not be buried within a mobile home park but only at a place of space authorized by the Health Department.

Section 13.907: INCINERATOR DESIGN

Incinerators shall be constructed only with approval of the State and Local Health Officers. Such approval shall be based on a review of the plans and specifications for such incinerators and approval of the site where they will be located. Such approval shall specify the type of material, which may be placed in the incinerators.

Section 13.908: INCINERATOR FIRING

Incinerators shall be fired only when attended by some person specifically authorized by the owner or operator of the mobile home park.

Section 13.909: PROHIBITION OF GARBAGE INCINERATION

Trash incinerators shall not be used for the disposal of garbage.

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ARTICLE X: INSECT AND RODENT CONTROL

Section 13.1001: INSECT AND RODENT CONTROL MEASURES

Insect and rodent control measures to safeguard public health, as recommended by the Health Department, shall be applied in the mobile home park.

Section 13.1002: LARVICIDAL TREATMENT

Effective larvicidal solutions shall be recommended by the Health Department for fly or mosquito breeding areas, which cannot be controlled by other more permanent measures.

Section 13.1003: PROHIBITION OF DEBRIS ACCUMULATION

Accumulations of debris which may provide harborage for rodents shall not be permitted in the mobile home park and such debris shall be removed without expense to the City of Portsmouth, N.H.

Section 13.1004: RODENT EXTERMINATION

When rats or other rodents are known to be in the mobile home park, the park operator shall take definite action, as directed by the Health Department, to exterminate them.

Section 13.1005: INSECT AND WEED CONTROL

Suitable measures recommended by the Health Department shall be taken by the mobile home park operator to control other insects and obnoxious weeds.

ARTICLE XI: ELECTRICITY

Section 13.1101: ELECTRICAL DISTRIBUTION

All electrical installation within a mobile home and mobile home parks shall comply with State and Local Codes and the National Electrical Code.

Section 13.1102: ELECTRICAL DISTRIBUTION SYSTEMS

Except outlets and risers to outlets, electrical distribution systems shall be underground with provisions for 110/120 Volts and 220/240 Volts service to each mobile home space. All above ground piping and appurtenances, including motor boxes where installed, shall be of the weatherproof type and shall be arranged by location, locked covers or otherwise so as to not constitute a hazard or an attractive nuisance to children.

Section 13.1103: INDIVIDUAL SERVICE OUTLETS

Individual service outlets, 110/120 V or 220/240 V shall be 30-ampere minimum.

Section 13.1104: ADEQUATE STREET AND YARD LIGHTS

Adequate street and yard lights shall be provided to permit safe movement of vehicles and pedestrians at all times.

Section 13.1105: UNDERGROUND ELECTRICAL LINES

All underground electrical lines shall be located within substantial conduits and boxes, and shall have no less than 2.5 feet of stable earth cover above them.

ARTICLE XII: FUEL

Section 13.1201: LIQUIFIED PETROLEUM GAS CONTAINER REQUIREMENTS

Liquified petroleum gas for cooking purposes shall not be used at individual mobile home spaces unless the containers are properly connected by copper or other suitable metallic tubing. Liquified petroleum gas cylinders shall be secured, fastened in place, and shall be adequately protected from the weather. No cylinder containing liquified petroleum gas shall be located in mobile homes in or within 5 feet of a door thereof.

Section 13.1202: FUEL OIL CONTAINERS

Racks to hold such containers shall be of uniform design, which will prevent tipping or accidental over turning.

Section 13.1203: FUEL DEVICES AND SYSTEMS

All fuel devices and systems shall be of a design approved by the Fire Prevention Authority.

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ARTICLE XIII: FIRE PROTECTION

Section 13.1301: FIRE PROTECTION REGULATION

The mobile home park area shall be subject to the rules and regulations of the City of Portsmouth, N.H., Fire Prevention Authority, and will be subject at all times to necessary fire prevention inspection.

Section 13.1302: ELIMINATION OF INFLAMMABLE MATERIALS

Mobile home parks shall be kept free of litter, rubbish and other flammable materials.

Section 13.1303: ACCESSIBILITY OR PORTABLE FIRE EXTINGUISHERS

Portable fire extinguishers of a type approved by the Fire Prevention Authority shall be kept in locations named by such Fire Prevention Authority, and shall be maintained in good operating condition.

Section 13.1304: FIRE HYDRANT LOCATION

Standard fire hydrants shall be located within 450 feet of each mobile home located within a mobile home park.

Section 13.1305: STARTING OF CONTROLLED FIRES

Fires shall be made only in stoves, incinerators and other equipment intended for such purposes. No open fires shall be permitted except in specified areas and as approved by the Fire Prevention Authorities.

ARTICLE XIV: ALTERATIONS/ADDITIONS & RESTRICTION OF ANIMALS/PETS

Section 13.1401: PERMANENT ATTACHMENT TO GROUND PROHIBITED

No permanent additions of any kind shall be built onto, nor become a part of any mobile home except in Section 13.602 (B) 5., single mobile home. Skirting of mobile homes is permissible but such skirting shall not attach the mobile home permanently to the ground, provide a harborage for rodents, or create a fire hazard; otherwise such mobile home becomes subject to the provisions of the local building code.

Section 13.1402: PERMANENT WHEEL REMOVAL PROHIBITED

The wheels of the mobile home shall not be removed, except temporarily when necessary for repairing. Stands and/or stabilizers shall be placed under the frame of the mobile home to prevent movement on the springs and provide retention of the mobile home in satisfactory relationship to its surroundings. The size of such stand should be 5 feet by 40 feet minimum.

Section 13.1403: ANIMAL PETS TO BE RESTRAINED

No owner or person in charge of a dog, cat or other pet animal shall permit it to run at large, or commit any nuisance within the limits of any trailer court. No occupant of a mobile home located within a mobile home park shall keep animals for the purpose of breeding for sale and no mobile home park operator shall allow animal rest homes or kennels within said park.

ARTICLE XV: REPORTING OF COMMUNICABLE DISEASES

Section 13.1501: OPERATORS OF MOBILE HOME PARKS

Every owner, operator, attendant or other person operating a mobile home park shall notify the Local Health Department immediately of any suspected communicable or contagious disease within the mobile home park. In the case of diseases diagnosed by a physician as being subject to quarantine, such owner, operator, attendant, or other person operating a mobile home park shall not permit the departing of a mobile home or its occupant, or the removal therefrom of clothing or other articles which have been exposed to infection, without approval of the Health Department's assigned physician.

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ARTICLE XVI: PENALTIES

Section 13.1601: PENALTIES

Any person who violates any provision of any regulation adopted by the Health Department pursuant to authority granted by this Ordinance, shall upon conviction be punished by a fine of not less than \$10.00, nor more than \$100.00 and each day of failure of compliance with any such provision shall constitute a separate violation.

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ARTICLE XVII: CONFLICT OF ORDINANCES: EFFECT OF PARTIAL INVALIDITY

Section 13.1701: PRIORITY OF ORDINANCE WITH HIGHER STANDARDS

In any case where a provision of this Ordinance is found to be in conflict with a provision of any zoning, building, fire safety, or health ordinance, or code of the City of Portsmouth, N.H. existing on the effective date of this Ordinance, the provision which, in the judgement of the Licensing Authority establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail. 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 this City of Portsmouth, N.H., existing on the effective date of this Ordinance which establishes a lower standards for the promotion and protection of the health and safety of the people, the provisions of this Ordinance shall be deemed to prevail, and such other Ordinances or codes are hereby declared to be repealed to the extent that they may be found in conflict with this Ordinance.

Section 13.1702: SAVING CLAUSE

If any section, sub-section, paragraph, sentence, clause, or phrase of this Ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

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