

## CHAPTER 23

## MOBILE HOMES

## Mobile Home Parks and Tourist Camps

preamble Regulating the parking and location of mobile homes and travel trailers and the location, design, maintenance and conduct of mobile home parks and tourist camps for travel trailers, tourist cabins or tents.

23.10 DEFINITIONS

- new 23.11 Mobile Home means a structure, transportable in one or more sections, which is eight body feet or more in width and thirty-two body feet or more in length, and which is built on a permanent chassis and designed to be used as a dwelling with or without permanent foundation and which is tied to conventional utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein.
1. Class I Mobile Home - A mobile home as is required for conventional housing: which conforms to the United States Department of Housing and Urban Development (HUD) Mobile Home Construction and Safety Standards Code, as adopted under the National Mobile Homes Construction and Safety Standards Act of 1974, P. D. 93-383; and meets all electrical, plumbing and reasonable building code requirements of the City as it is required for conventional housing.
  2. Class II Mobile Home - All other types of mobile home construction.
- new 23.12 - Travel Trailer or Camper - unit intended as temporary sleeping quarters, transported by or on a passenger vehicle.
- new 23.13 - Tourist Cabin or Cottage - structure not equipped for year-round occupancy as a dwelling as required by Chapter 24, Housing Code, and intended as temporary sleeping quarters for transients for periods not to exceed 60 days in any one calendar year for any tenant whether or not a charge is made.
- 23.14 - Mobile Home Park - means a parcel of land, under single ownership, subdivided into two or more sites in accordance with Section 23.42 and Section 22.5 and Section 22.9 for the purpose of rent or lease for the occupancy of mobile homes.

new 23.15 Tourist Camp - a parcel of land developed into camp sites for occupancy by travel trailers, tourist cabins, each housing one family, or tent sites or any combination thereof according to the requirements of Section 23.43.

23.16 - Person - individual, partnership, firm, company, corporation, tenant, owner, lessee or licensee; their agents, heirs or assigns.

23.17 Developable Land Area - The entire acreage of the park less the land within the Federally designated Flood Plain, with slopes in excess of 15%, the surface area of existing water bodies and that classified as wetland according to Chapter 19.7 2 d.

23.18 Mobile Home Subdivision - means a division of lot, tract, parcel of land into six (6) or more separate lots for the specific purpose of the placement of Class I mobile homes on individually owned lots within the subdivision, subject to the provisions of Sections 22.4, 22.9C and 19.3D.

#### 23.20 LOCATION

new wording

23.21 - No mobile home shall be located outside of an approved mobile park or mobile home subdivision pursuant to Chapter 19 3D and no travel trailer shall be located outside of an approved tourist camp as provided below:

a. emergency or temporary stopping is permitted on any street, alley or highway for not longer than twenty-four hours subject to any other and further prohibitions, regulations, or limitations imposed by the traffic and parking regulations or ordinance for that location.

23.3C Modified b. one bona fide visiting family may occupy their mobile home or travel trailer on a lot belonging to or occupied by their host provided: (1) the wheels of the mobile home or trailer are not removed; (2) the visit is limited to not more than 60 days in any one calendar year;

23.3D c. one unoccupied mobile home or travel trailer MAY be stored in an accessory private garage building, driveway, or in the rear yard of any district; Amended October 3, 1972

23.22 - Mobile Home Parks - Mobile home parks shall be allowed only in Residential Mobile Home Districts by special exception.

23.23 - Tourist Camps - Tourist Camps shall be allowed only:

- 23.5A a. in the Industrial, Business and Agricultural  
reworded districts;  
23.5C
- b. If City water and fire protection facilities are available.
- new c. by Special Exception, unless in a Business District.

### 23.30 PERMITS

new 23.31 - Special Exception Required - Before applying for a permit from the Building Inspector, the person responsible for the proposed mobile-home park or tourist camp, except for a tourist camp in a Business district, shall have obtained a Special Exception from the Zoning Board of Adjustment in accordance with the provisions of RSA 31:72-II. Before granting such Special Exception, the Board shall:

- a. ask for the recommendations of the Planning Board allowing 30 days for a response.
- b. obtain the advice of the Fire Department and Health Department:
- c. determine that the proposed site will not interfere with the orderly development of industry, business or residence;
- d. determine that the proposed development will not conflict with formally adopted plans or policies of the City Conservation Commission;
- e. determine that access will be adequate and safe for the seasons in use;
- f. find that the proposed use will not be injurious to the neighborhood and will be so designed and managed as to provide safe and attractive shelter and environment, meeting the temporary requirements of transients or the year-round requirements of mobile home occupants as the case may be.
- g. the burden of furnishing (a) thru (f) shall be on the applicant.

new, 23.32. - Application for Special Exception - The  
with application for a Special Exception shall be made  
parts of on three sets of printed forms furnished by the  
24.3B Building Inspector and shall include the name and  
address of the owner in fee of the tract of land  
and such a legal description of the premises as

will readily identify and locate the premises. The application shall be accompanied by three copies of a Preliminary Plan for the Mobile home park or tourist camp prepared by a registered professional engineer at the scale of 1" = 100' or larger, showing the following:

- MOSTLY  
NEW
- a. All existing structures, roads, facilities and property lines within the tract and on adjacent tracts within 100 feet of the area proposed for development;
- b. existing and proposed grades at two-foot intervals and such natural features as streams, swamps, outcrops, trees over 12-inch caliber;
- 23.4.B  
(3) c. locations, size and number of proposed sites for mobile homes, travel trailers, cabins or tents and, in the case of mobile home parks, total acreage of the tract in square feet;
- new d. location and plans for any buildings to be constructed on the tract;
- new e. location, width and surface of all existing and proposed roads and walkways;
- 23.4.B  
(4) f. when applicable, the location and number of sanitary conveniences to be used by the occupants of a tourist camp, including toilets, washrooms, laundries and utility rooms;
- 23.4.B  
(5) g. method and plan of sewerage removal;
- 23.4.B  
(7) h. Plan for water supply;
- new i. plan for storm drainage removal.
- new The Building Inspector shall deliver one copy of the application and Preliminary Plan to the Zoning Board of Adjustment and one to the Planning Board.
- 23.4.A 23.33 - Annual Permit Required - It shall be unlawful for any person to establish, operate or maintain, or permit to be established, operated or maintained upon any property owned or controlled by him a mobile home park or tourist camp or combination of the two within the limits of the City of Somersworth without first having obtained a permit for each of them from the Building Inspector to be issued in compliance with the terms of this Ordinance. Such permit may be renewed under the provisions of this Ordinance for additional periods of one year.

23.34 - Original Application for Annual Permit -  
The original application for a permit from the Building Inspector shall be accompanied by the following:

- new a. a Special Exception from the Zoning Board of Adjustment (except in the case of a tourist camp in a Business district);
- 23.4.B part b. a permit bond of \$1,000 or a certified check to guarantee compliance with the terms of this Ordinance;
- new provision c. A Final Plan showing the following, in addition to the information required for the Preliminary Plan:
- new (1) location and size of all existing and proposed storm drainage facilities, sanitary sewers or disposal facilities, and source of water supply and water lines, certified by a licensed professional engineer;
- new (2) profiles of all existing and proposed roads, storm drainage facilities, sanitary sewers and water lines at a vertical scale of 1" = 4";
- new (3) plans for the landscaping, where required, of recreation areas and of yards around the tract;
- 23.4.B (8) modified (4) plans for the electrical lighting of roads, walkways and cabins or other buildings;
- 23.4.B (6) (5) method and plan of garbage removal.
- new 23.35 - Final Review - Before the Building Inspector may issue a permit.
- similar to 24.3 C a. a Final Plan shall have been approved by a majority of the Planning Board;
- new b. the Health Department shall have approved the provisions for water and for the disposal of sanitary wastes, storm drainage and garbage;
- from 24.3.C c. the premises shall have been inspected and approved by the building inspector and a committee appointed for such purpose by the Planning Board as complying with all the provisions of this Ordinance and all other applicable City Ordinances.
- part of 24.3.D 23.36 - Limitations of Permit - Permits issued under the terms of this Ordinance convey no right to erect, move, add to or alter any building other than as specified in the Final Plan submitted and

as listed on the permit issued.

23.11 23.37 - Other Permits Required - All plumbing, electrical, building and other work on or at a mobile home park or tourist camp permitted under this Ordinance shall be in accordance with the ordinances of the City of Somersworth unless said ordinances are specifically made inapplicable under the terms of this Ordinance.

23.12 23.38 - Revocation and Suspension - The Building Inspector and/or the Board of Health Official is hereby authorized to revoke any permit issued pursuant to the terms of this Ordinance if after due investigation he determines that the holder thereof has violated any of the provisions of this Ordinance or that any mobile-home park or tourist camp is operated or maintained in an unsanitary or unsafe manner or is a nuisance.

new Optional 23.39 - Annual Fee for Renewal of Permit - The operator of a mobile home park shall be subject to a permit fee payable annually at the rate of \$2.00 for each occupied mobile home, provided the minimum fee for a mobile home park shall be \$10.00. (Amended 3/11/80).

23.40 DESIGN OF MOBILE HOME PARKS AND TOURIST CAMPS.

23.41 General Requirements - all mobile home parks and tourist camps shall conform to these general requirements:

23.6.A a. they shall be located on a well-drained area and the premises shall be properly graded so as to prevent the accumulation of surface of sub-surface water or sewage and freedom from stagnant pools, erosion or flooding;

part of 23.6.B b. sites for mobile homes, travel trailer or tents shall be clearly designated;

part of c. all sites for mobile homes or travel trailers shall be so arranged as to face or abut on an internal driveway of not less than 24 feet in width giving easy access from all units to a public street. Such driveway shall be maintained in good condition, having natural drainage, be well lighted at night and shall not be obstructed;

23.6.E d. every site shall be furnished with an electric service outlet. Such outlet shall be equipped with an externally operated switch and fuse or not less than 30 amperes capacity and a heavy duty outlet receptacle;

new e. wherever feasible, natural assets of the site,

such as streams, trees over 12 inch caliber, areas of unusual ecological interest and views to and from the site shall be preserved, in accordance with the advice of the City Conservation Commission;

f. screening shall be provided and maintained between the mobile-home park or tourist camp and adjoining properties in the form of shrubbery or fencing as required by the Planning Board.

23.42 Mobile Home Parks - All mobile home parks shall be subject to the following requirements:

a. The minimum area of a mobile home park shall consist of ten (10) acres of developable land.

b. The dimensional controls for Mobile Home Parks are as set forth in Chapter 19.3D.

c. a 75 (seventy-five) foot buffer zone shall be provided along the perimeter of the tract separating mobile home sites from adjacent property. If said buffer is predominantly open land, it shall be suitably landscaped.

d. The number of mobile home sites shall not exceed the developable area of the mobile home park in square feet divided by 12,000.

e. any mobile home park containing 20 mobile home sites or more shall provide one or more areas totaling not less than 1,000 square feet multiplied by the number of mobile home sites, suitable and developed for outdoor recreation and so located as to be within 1,000 feet of walking distance of at least 80 per cent of the mobile home sites.

f. interior roadways within the park shall have rights of way of at least 50 feet width and shall be paved at least 24 feet wide, curbed and maintained in good condition. A sidewalk shall be provided on at least one side of all streets, except for cul-de-sacs of less than 200 feet;

g. paved off-street parking areas or on-street parking lanes or bays not less than 8 feet wide shall be provided at the rate of not less than 1.5 parking spaces per mobile home;

h. the provisions of Chapter 22, Subdivision Regulations, shall apply where not specifically waived by this Ordinance.

23.43 - Tourist Camps - All tourist camps shall be subject to the following requirements:

a. no camp site for a travel trailer, cabin or tent shall be less than 1,200 square feet in area nor have a frontage of less than 30 feet. No cabin shall be placed closer than 10 feet to any public road or walkway within the camp;

b. there shall be a yard of not less than 50 feet between any camp site and any adjoining property line. Such yard shall be unoccupied except for access driveways and a structure used as the office for the park, subject to the usual requirements for the district;

23.6.D c. the camp shall be so laid out that no camp site shall be located farther than 200 feet from the toilets and service buildings provided for herein, and walkways to such buildings shall be maintained in good condition and well lighted at night.

23.6.C d. no cabin shall be less than 168 square feet in area, nor less than 12 feet wide at its narrowest point and not less than 7 feet, 6 inches high from floor to ceiling and shall have not less than 24 square feet of ventilated openings and all windows and outside doors must be fully screened. If the floor is of wood, it shall be raised not less than 12 inches above the ground level.

### 23.50 SANITARY AND UTILITY REQUIREMENTS

23.51 - Facilities for Mobile Home Parks - All mobile home parks shall have the following facilities:

new a. septic tanks and percolator systems shall be provided for each mobile home, with proper connections thereto, in accordance with the requirements of the Board of Health for dwellings where said requirements are more stringent than the requirements of the State of New Hampshire governing tourist camps;

new b. a supply of 300 gallons of potable water per mobile home per day shall be provided from a source approved by the Board of Health and shall be properly connected to each mobile-home as required by said Board;

23.9.D modified c. each mobile home shall have at least one 15-gallon refuse can with tight-fitting cover, screened from view. Garbage so collected shall be deposited in the City garbage disposal weekly by the management.

23.52 - Facilities for Tourist Camps - All tourist camps shall be equipped as follows:

23.7.A a. water shall be furnished as follows:

(1) an adequate supply of pure water, furnished through a pipe distribution system connected directly with the City water main, with supply faucets located not more than 200 feet from any camp site shall be furnished for drinking and domestic purposes. Where there is no public water available, the supply proposed to be used by the proprietor and the system for distributing this supply shall be approved by the City Engineer and the State Board of Health and any expense



incurred shall be borne by the proprietor;

- 23.7.B (2) no common drinking vessel shall be permitted, nor shall any drinking water faucets be placed in any toilet room or water closet compartment;
- 23.7.C (3) an abundant supply of hot water shall be provided at all times for bathing, washing and laundry facilities;
- 23.8.A modified b. service building and accommodations: except where all accommodations in a tourist camp are to be provided in cabins having independent sanitary facilities meeting the requirements of Chapter 24, Housing Code, Section 24.3. every tourist camp shall have erected thereon, at a distance not greater than 200 feet from any camp site or cabin it is intended to serve, a suitable building for housing toilets, showers and toilet facilities as required by this Ordinance, such building to be known as the Service Building, which shall meet the following requirements:
- 23.8.B (1) there shall be provided separate toilet rooms for each sex. Flush toilets provided with an adequate water supply shall be enclosed in separate compartments having a minimum width of 2 feet, 4 inches and shall be provided for each sex in the ratio of one toilet for each eight camp sites or cabins or fraction thereof. Every male toilet room shall have one urinal for each sixteen camp sites or cabins, but in no case shall any male toilet be without one urinal. Toilet rooms shall contain lavatories with hot and cold water in the ratio of one lavatory to every two or less water closets. No dry or chemical toilet closets shall be installed or used within the limits of any tourist camp and all such closets shall be sealed while within the limits of the City of Somersworth;
- 23.8.C (2) separate bathing facilities for each sex shall be provided with one shower enclosed in a compartment at least four feet square, for each eight camp sites or cabins or fraction thereof. Each shower compartment shall be supplemented by an individual dressing compartment of at least twelve square feet;
- 23.8.D (3) laundry facilities shall be provided in the ratio of one double tray and one ironing board for each 16 camp sites or cabins;
- 23.8.E. (4) the above accommodations shall be based on the total camp capacity according to an accepted plan;
- 23.8.F (5) floors or toilets, showers and laundry shall be of concrete, tile or similar material impervious to water and easily cleaned and pitched to a floor drain;

c. waste and garbage disposal: wastes in tourist camps shall be disposed of as follows:

- 23.9.A (1) all waste from showers, toilets, laundries, faucets and lavatories located in the Service Building or Buildings shall be wasted into a sewer system or with a septic tank of adequate size and properly installed, and approved in accordance with the Building Code of the City of Somersworth.
- 23.9.B (2) all sanitary facilities in any travel trailer which are not connected with the City sewer system or approved septic tank installation by means of rigid pipe connection shall be sealed and their use is hereby unlawful;
- 23.9.C (3) such faucet site shall be equipped with facilities for drainage of waste and excess water into the sewer or approved septic tank installation. In no case shall any waste water be thrown or discharged upon the surface of the ground or disposed of by means other than as herein provided;
- 23.9.D (4) there shall be provided a substantial flytight metal garbage depository for every two units. Garbage so collected shall be deposited in the City garbage disposal weekly by the management.

#### 23.60 MANAGEMENT

23.10 In every mobile home park or tourist camp there shall be an office building in which shall be located the office of the person in charge of said park or camp. A copy of the park or camp permit and of this Ordinance shall be posted therein and the park or camp register shall at all times be kept in said office. The attendant or person in charge together with the owner is hereby charged with the following duties:

23.61 - Register - To keep at all times a register of all tenants or guests, which shall be open at all times to inspection by state and federal offices and officers of the City of Somersworth and which shall not be destroyed for a period of three years following the date of registration, showing for all tenants or guests:

- a. name and address;
- b. dates of entrance and departure;
- c. license numbers of all mobile homes, travel trailers and towing or other automobiles;
- d. state issuing such licenses.

23.62 - Operation - It shall be a duty to:

- a. Maintain the park or camp in a clean, orderly and sanitary condition at all times;
- b. see that the provisions of this Ordinance are complied with and enforced and report promptly to the proper authorities any violations of law which come to his attention;
- c. report to the Health Officer all cases of persons or animals affected or suspected of being affected with any communicable disease;
- d. prevent the running loose of dogs, cats or other animals or pets;
- e. maintain in convenient places, approved by the Fire Department, hand fire extinguishers in the ratio of one to each eight mobile home sites, camp sites or cabins;
- f. prohibit the lighting of open fires on the premises;
- g. prohibit the use of any mobile-home, travel trailer or cabin by a greater number of occupants than that which it is designed to accommodate.

23.70 NON-CONFORMING MOBILE HOME PARKS AND TOURIST CAMPS.

23.13.A The provisions of this Ordinance shall not be deemed to be retroactive except for the following provisions:

23.71 - Limit on Size

23.13.A a. no existing area developed as a mobile-home  
(1) park or tourist camp shall contain at its fullest capacity more than the number of mobile homes or travel trailers registered in the park or camp during peak occupancy in the 12 months preceding the effective date of this Ordinance;

new provision b. new mobile homes or camp sites may be added to a non-conforming park or camp only if the new sites conform to the requirements of this Ordinance, and only by Special Exception in districts where such use is allowed.

23.13.B 23.72 - Location in Existing Parks and Camps - No mobile home or travel trailer in an existing mobile home park or tourist camp shall be parked within one hundred (100) yards of any church, school or public building.

23.13.C  
modified

23.73 - Continuance of Permits for Non-Conforming Parks and Camps. No permits for an existing mobile home park or tourist camp shall be granted in the future until the applicant shall have complied with all of the provisions in Section 23.50 (Sanitary and Utility Requirements) and Section 23.60 (Management) of this Ordinance and shall present to the Building Inspector a certificate of compliance with trailer and trailer camp regulations of the Department of Health of the State of New Hampshire.

part of  
23.13.D

23.74 - Continuance of Permit for a Mobile Home - Any owner of a mobile home being used for dwelling purposes under a lawfully issued permit, on the effective date of this Ordinance may renew said permit to maintain said mobile home as then located, each twelve (12) months hereafter, upon presenting to the Building Inspector a certificate signed by the Health Officer of the City of Somersworth certifying that all sanitary regulations of the City of Somersworth have been satisfied by the applicant, and by the applicant paying to the Building Inspector a fee of five (\$5.00) dollars.

part of  
23.13.D  
modified

23.75 - Inspection - Mobile home parks and tourist camps shall be inspected by the Building Inspector each six months of the year and the owner of said park or camp shall pay the Building Inspector a fee of five (\$5.00) dollars for each inspection.

23.13.E

23.76 - Abandonment - The use of mobile homes, travel trailers, lots of land, plots of land, tracts of land or premises in a manner not conforming to Sections 23.10, 23.20 and 23.30 of this Ordinance shall be deemed non-conforming and a discontinuance of such non-conforming uses for a period of thirty (30) successive days shall be deemed to be an abandonment of such uses which shall not thereafter be resumed.

#### 23.80 ENFORCEMENT

23.2

23.81 - Powers of Building Inspector. - It shall be the duty of the Building Inspector to enforce the provisions of this Ordinance in a manner and form and with powers similar to those practiced and provided under the Building Code of the City of Somersworth.

- 23.14 23.82 - Appeals - Any person aggrieved by an order of the Building Inspector granting, denying, renewing, or revoking a permit for a mobile home park or tourist camp, under this Ordinance, may take an appeal to the Zoning Board of Adjustment in accordance with RSA 31:69.
- 23.15 23.83 - Court Review - Any person aggrieved by any decision of the Zoning Board of Adjustment may appeal such decision to the Superior Court in conformity with RSA 31:74.
- 23.16 23.84 Penalties - Any person found guilty of violating any provision of this Ordinance shall be deemed guilty of a misdemeanor and shall be fined not less than five dollars and not more than \$500, and every day such violation exists shall constitute a separate offense and be punishable as such hereunder.
- 23.90 VALIDITY
- 23.17.A 23.91 - Separability - If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.
- 23.17.B 23.92 - Conflict - All ordinances or parts of ordinances inconsistent with or contrary hereto are hereby repealed. Where sections of this Ordinance conflict with regulations of the State of New Hampshire governing tourist and trailer camps, the more stringent shall apply.
- new 23.93 - Effective Date - This Ordinance shall become effective on \_\_\_\_\_.

### 3. Related Amendments to Chapter 19, Zoning Ordinance

(Amend 19.4.2 regarding Business districts to read:)

19.4.2. Lodging houses, apartment houses, hotels, motels, tourist camps as defined and regulated by Chapter 23, Mobile Home Parks and Tourist Camps, including such retail uses within these permitted buildings as are conducted for the convenience of the residents or guests.

(Amend 19.5.A.1 regarding Industrial districts to read:)

19.5.A.1 Any use permitted in a business district, except that tourist camps shall be permitted only by special exception from the Zoning Board of Adjustment as provided for in Chapter 23.

(Add new paragraph 19.5.A.2)

19.5.A.2 Mobile homes and, by Special Exception from the Zoning Board of Adjustment, mobile home parks as defined and regulated by Chapter 23, Mobile Home Parks and Tourist Camps. The Board may permit the following additional uses within a mobile home park:

a. clubhouse, meeting room, hobby shop, provided they are operated primarily as a service for the residents of the mobile home park;

b. retail store, coffee shop, laundromat or similar convenience store or service, provided that:

(1) the mobile home park contains at least 100 approved sites; and

(2) their aggregate floor areas do not exceed 5 square feet per mobile-home site; and

(3) the establishment is so placed as not to be visible from a public way and is not advertised in any way except by a sign of not more than 2 square feet in area on the building itself.

(Add sentence to paragraph 19.6.9, regarding Special Exceptions in agricultural districts:)

19.6.9 In this district, no building or premises shall be erected, altered, reconstructed or used for any use or purpose not specified unless the Zoning Board of Adjustment shall rule that such purpose or use under such conditions and in such a building as it may prescribe will not be detrimental or injurious to the neighborhood. Tourist camps in an Agricultural district may be allowed by Special Exception, as provided for in Chapter 23, Mobile Home Parks and Tourist Camps.

#### ARTICLE VIII, SECTION I, ADMINISTRATION

(Amend B,2 to refer to RSA 31 instead of 51)

B.2 The Zoning Board of Adjustment shall have the power and authority and be subject to all the duties

as provided in Chapter 31 of New Hampshire Revised Statutes Annotated as amended.

(Amend B.3 to allow for Special Exceptions as well as variances).

B.3 The Zoning Board of Adjustment shall, as authorized by RSA 31:72 and RSA 31:66, have the powers to hear and decide:

- I - appeals alleging administrative error;
- II - applications for Special Exceptions; and
- III - Appeals for variances.