

TOWN OF CRESTON

BYLAW NO. 1393

A bylaw to regulate the establishment, extension, design and servicing of mobile home parks.

WHEREAS the *Municipal Act* allows Council, by bylaw, to regulate the extension, design and servicing of mobile home parks;

NOW THEREFORE the Council of the Town of Creston, in open meeting assembled, enacts as follows:

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PART 1 INTERPRETATION AND ADMINISTRATION

1.01 Title

This By-Law may be cited as "Mobile Home Parks Bylaw No. 1393, 1997".

1.02 Repeal

Mobile Home Parks Bylaw No. 1060, 1987 is hereby repealed.

1.03 Definitions

In this by-law, unless the context otherwise requires:

“Approval” means approval in writing;

“Buffer area” means the buffer area described in Part 4;

“Building Inspector” means the person appointed to that position by Council;

“Double blocking” means a system of blocking in which blocks of alternate courses are placed at 90 degrees and in which the bottom course is treated in accordance with the national Building Code;

“Floor area” means an area on any storey of a building or mobile home that is occupied or intended for occupancy but does not include exits, or attic, crawl or duct spaces;

“Medical Health Officer” means the Medical Health Officer appointed under the Health Act for the territorial jurisdiction of the area in which a mobile home park is located;

“Mobile home” means a single family dwelling unit equipped with a water-closet and a bathtub or shower, waste from which may be disposed of directly into a sewer, and manufactured as a unit or units intended to be occupied in a place other than that of its manufacture on a year-round, long-term basis. It may be designed with detachable towing and touring gear and upon arrival at the site, can be completed and ready for occupancy except for placing on foundations, connections of utilities and some incidental assembly;

“Mobile home area” means that part of a mobile home park used primarily for installed mobile homes, including permissible additions, and which is not used for buffer area, roadways, owner's residential plot, the procuring and treatment of water, collective sewage treatment, effluent disposal from a collective sewage treatment plant, garbage disposal or service buildings;

“Mobile home park” means any parcel of land on which are located two or more mobile homes;

“Mobile home space” means an area of land for the installation of one mobile home with permissible additions and situated within a mobile home area;

“Municipality” and derivatives, mean, according to the context, the Town of Creston or within the boundaries of the Town of Creston;

“Owner” means an owner, agent, lessor, or manager of, or any person who operates, a mobile home park;

“Potable water” means water which is approved for drinking purposes by the Medical Health Officer;

“Roadway” means an allowance within a mobile home park part of or all of which is made suitable for normal vehicular use so vehicles can gain access to abutting spaces;

“Service building” means a building housing any toilet, bathing or other sanitation facilities, or laundry or clothes-drying facilities, recreation facilities, and such other facilities or services for the use or benefit of tenants or a mobile home park.

1.04 Prohibitions

1. No person shall locate, establish, construct, extend, alter, subdivide, or operate a mobile home park in contravention of this by-law.
2. No person shall cause or allow a mobile home to be parked or remain parked in a mobile home park in contravention of this by-law.

1.05 Administration

1. The Building Inspector or such other person appointed by the Council shall administer this by-law.
2. Persons appointed under Subsection 1 may enter any mobile home park at any reasonable time for the purpose of administering or enforcing this by-law.

1.06 Violation

1. It shall be unlawful for any person to cause, suffer or permit the establishment, extension, or operation of a mobile home park in contravention of this by-law or otherwise to contravene or fail to comply with this by-law.
2. It shall be unlawful for any person to prevent or obstruct any municipal official from carrying out the provisions of this by-law.

1.07 Penalty

1. Any person who violates any provisions of this by-law is liable on summary conviction to a penalty not exceeding five hundred dollars (\$500.00), and also the cost of the prosecution.
2. Each day during which such violation is continued shall be deemed to constitute a new and separate offence.
3. Upon conviction, the magistrate may direct that no prosecution under Subsection 2 may be made, with respect to the continuance of the violation, for such period of time as he directs.

1.08 Severability

If any section, subsection, sentence, clause, or phrase of this by-law is for any reason held to be invalid by the decision of any court of competent jurisdiction, it shall be severable and shall not affect the validity of the remaining portions of this bylaw.

PART 2 GENERAL PROVISIONS

2.01 Siting

1. A mobile home park shall be located on a well-drained site that is above the high-water line, is at all times free of stagnant pools, and is graded for rapid drainage.
2. Every part of the land included in a mobile home park site shall be contiguous with some one or more other parts of the land.

2.02 Duties of Mobile Home Park Owner

1. A copy of the plan required in Section 3.02.06 and a copy of this by-law shall be posted prominently and permanently in a protected place in each mobile home part for the reference of the residents.
2. The owner shall maintain all equipment in or on the mobile home park in a clean, safe, and sanitary condition.
3. The owner shall take adequate steps to exterminate vermin and keep the mobile home park free therefrom.
4. Subject to Section 2.03.4, every mobile home park shall be kept free of inflammable debris and rubbish at all times.
5. Fires shall be made only in stoves, incinerators, or other structures designed for that purpose.
6. The owner shall report the installation of each mobile home or permitted addition, with the exception of skirtings, to the Building Inspector.

2.03 Compliance with Regulations

1. The plumbing and building in any mobile home park, including additions and alterations, shall comply with the by-laws or regulations in force in the Town of Creston.
2. No person shall connect a mobile home to a water or sewer system unless the mobile home has a plumbing system designed and installed according to recognized standards with a vented trap for each fixture.
3. No person shall dispose of garbage or refuse or any sort of waste except in accordance with the arrangements made by the owner of the mobile home park as approved by the Medical Health Officer.
4. In mobile homes:
 - (a) the installation and maintenance of all oil burners and oil-burning equipment and appliances using inflammable liquids as fuel;
 - (b) the storage and disposal of inflammable liquids and oils;
 - (c) the installation, maintenance, carriage, and use of compressed-gas systems;shall be in accordance with the regulations of the Fire Service Act and the Gas Safety Act.

PART 3 PLANS AND SPECIFICATIONS

3.01 Approval

1. No person shall establish, construct, alter, or subdivide a mobile home park until written approval of plans and specifications is received from the person appointed under Section 1.04.1 to administer this by-law.
2. Prior to receiving approval under Subsection 1, the applicant must have received permission to connect the mobile home park to the municipal water, sanitary sewer and storm drainage systems. If municipal services are not available, the applicant must produce:
 - (a) evidence that he will be permitted to connect to an approved source of potable water;
 - (b) approval from the Medical Health Officer of the sewage disposal system.
3. A permit fee of \$40.00 shall be paid for each mobile home space to be constructed.

3.02 Application Requirements

- All applications for approval of plans and specifications shall be made in writing and contain
1. the name and address of the applicant;
 2. the legal description of the land on which the proposed mobile home park is to be constructed, altered, or extended;
 3. where the water to be provided does not come from a public water distribution system:

- (a) a map showing the location of the source of the proposed water supply;
- (b) a Certificate signed by the Medical Health Officer stating that the water from the source indicated on the map is potable;
4. where the sewage is not disposed of into the municipal system:
 - (a) a map showing the location and extent of the proposed sewage and storm drainage collection and disposal systems;
 - (b) a Certificate from the Medical Health Officer approving the location and extent of the areas proposed for sewage and storm water disposal.
5. two complete and legible sets of plans to scale showing:
 - (a) the area dimensions and legal description of the parcel of land;
 - (b) the dimension and location of the buffer area;
 - (c) the number, location, dimensions and designation of all mobile home areas, the location and dimensions of all roadways, the owner's residential plot, and any amenity or recreation area.
 - (d) the dimensions and location of all service buildings, the owner's residence, and other structures;
 - (e) the location and details of the source of water, treatment plants, water distribution lines and outlets;
 - (f) the location and details of all connections to the sewer, sewer lines, septic tanks and sub-surface disposal fields or other private sewage treatment plants and disposal methods;
 - (g) the location and details of all on-site garbage and refuse disposal areas;
 - (h) a north arrow and notation of the scales used;
 - (i) all steep banks or slopes within or adjacent to the land concerned.
 - (j) the existing topography of the site with contours intervals of one metre or less in all areas of proposed development and contour intervals of two to five metres in areas of steep slopes where no development is proposed;
 - (k) the location of all watercourses within and adjacent to the site, storm drainage, catch basins, ditches, culverts and detention ponds;
 - (l) detailed plans and specifications of roadways, water distribution system, sewage collection and disposal, site drainage and storm drainage shall be signed by a Professional Engineer.
6. The Building Inspector may require the applicant to provide additional relevant information, including but not limited to soil condition data.

Part 4 BUFFER AREA

4.01 Restrictions

1. Every mobile home park shall have immediately within all its boundaries a buffer area a minimum of 7.5 metres in depth within which none of the following shall be located:
 - (a) recreation, amenity or service areas, except water front recreation or amenity areas;
 - (b) mobile home area;
 - (c) owner's residential plot;
 - (d) buildings or structures except a sign placed within 7.5 m of any highway, a fence and a wall;
 - (e) garbage disposal system, other than such parts of such system as may be underground;
 - (f) any private sewage disposal system, other than such parts as may be underground;
 - (g) vehicle parking areas.
2. Except where danger is involved, no plant material may be removed nor may any substance of which land is composed be deposited or removed, except as a part of a recognizable beautification scheme.

4.02 Roadways

The only roads permitted in the buffer areas are those which cross it as close to right angles as practicable and connect directly with the road system contained within the remainder of the mobile home park. No road shall traverse the buffer area which gives direct access from any public highway to any mobile home space.

4.03 Bordering Water

For the purpose of establishing the buffer area where a mobile home park is separated from neighbouring property by a body of water, the mobile home park boundary shall be deemed to be the centre line of that body of water.

PART 5 MOBILE HOMES AND MOBILE HOME SPACES

5.01 General

1. A mobile home shall be located only in a mobile home area of the mobile home park.
2. No more than one mobile home shall be located in a mobile home space.
3. Each mobile home space shall be clearly and permanently marked flush to the ground with iron posts or rods at least 10 mm in diameter and 500 mm in length.
4. All mobile home spaces shall:
 - (a) be drained properly;
 - (b) be clearly numbered;
 - (c) be level;
 - (d) have a clearly discernible mobile home pad of compacted gravel which may be surfaced with concrete or bituminous asphalt pavement, which shall be suitably crowned to prevent an accumulation of water, and which shall contain anchors in accordance with the standards specified by the Building Codes in force in the municipality.
5. No building or structure shall exceed 7.5 metres in height.
6. All mobile homes shall meet or exceed the Canadian Standards Association Standard Z-240 or A-277 as the case may be.

5.02 Lot Coverage

1. The mobile home, including permissible additions but exclusive of a carport, shall not cover more than 35% of the mobile home space upon which it is situated.

5.03 Site Area

1. The minimum area for a mobile home space shall be:
 - (a) 375 m² where sewage disposal is by means of a system serving the entire mobile home area;
 - (b) 420 m² or such larger area as may be specified by the Medical Health Officer where sewage disposal is by means of individual system or systems serving pairs of mobile home spaces.

5.04 Frontage

1. The minimum frontage of each mobile home space abutting an internal roadway right-of-way shall be 12.5 m except in the case of a mobile home space abutting a cul-de-sac or a panhandle mobile home space, in which case the minimum frontage shall be 6 m, provided that the average width is not less than 12.5 m.

5.05 Setbacks

1. No mobile home or any permissible addition shall be located
 - (a) closer than 3 metres to any other mobile home or addition;
 - (b) within 0 metres of any buffer area;
 - (c) within 6 metres of an internal access road right-of-way or common parking area;
 - (d) within 3 metres of rear mobile home space lines.
 - (e) within 1.5 metres of an interior side mobile home space line.

5.06 Skirtings

1. Skirtings shall be installed within 60 days of installation of a mobile home on a mobile home pad and shall comply with standards set out in the CSA Z240.10.1 Standards.
2. There shall be two easily removable access panels, each of a minimum width of 1.2 metres and a minimum height of 0.6 metres, for:

- (a) providing access to the area enclosed by the skirting for inspecting or servicing the service connections to the mobile home, and being located close to the point at which such services are located under the mobile home;
 - (b) providing access to the area enclosed by the skirting for storage.
3. Skirtings shall be factory prefabricated or of equivalent quality and shall be painted or prefinished so that the design and construction shall compliment the main structure.
 4. Skirtings shall have two screened openings, each with minimum area not less than one five hundredth (1/500th) of the total area of the total area of the mobile home and permissible additions for the purposes of providing cross-ventilation beneath the mobile home.

5.08 Foundations

1. Foundations for the support of mobile homes shall be in accordance with the CAN/CSA Z 240.10.1 STANDARD. When the mobile home does not incorporate the longitudinal frame rails in the floor system, they must be placed on a perimeter foundation system conforming to the BC Building Code.
2. Foundations for additions and accessory buildings exceeding 10 square metres in size shall meet the requirements of the BC Building Code.

PART 6 PERMISSIBLE ADDITIONS

6.01 Additions to Mobile Homes

1. Subject to Sections 6.02 and 6.03, no additions to mobile homes are permitted, except:
 - (a) carports;
 - (b) shelters against sun or rain
 - (c) porches and decks
 - (d) rooms
2. The means of egress from the mobile home or additional room shall not be restricted or diminished by any part of any addition.

6.02 Storage Shed

One storage facility (shed) may be constructed on each mobile home space, provided that:

- (a) it is compatible in appearance with the mobile home;
- (b) it does not exceed 10 square metres in floor area;
- (c) it does not exceed 2.4 metres in height.

PART 7 ROADWAYS

7.01 All mobile home spaces, owner's residential plot, storage areas and service buildings as well as other facilities where access is required shall have access by internal street systems.

7.02 The maximum grade of a roadway shall be 8% except where terrain dictates otherwise, in which case the maximum road grade shall be no more than 12%.

7.03 Minimum roadway width requirements shall be as follows, provided always that additional width shall be provided where physically necessary to locate or remove mobile homes:

1. Main Access Roads

The main access road to and from a mobile home park shall have at least 7 metres surfaced width and a right-of-way of 15 metres. No parking shall be allowed on the access road.

2. Collector or Distributor Roads

- (a) If parking is allowed on both sides, the road shall have a surfaced width of at least 11 metres and a right-of-way of 14 metres.
- (b) If parking is allowed only on one side, the road shall have a surfaced width of at least 8.5 metres and a right-of-way of 12 metres.
- (c) If no parking is allowed, the road shall have a surfaced width of at least 7 metres and a right-of-way of 12 metres.

3. Minor Roadways

- (a) Cul-de-sacs and two-way minor roads shall have a surfaced width of at least 5 metres and a right-of-way of 12 metres.
- (b) One-way minor roads shall have a surfaced width of at least 4 metres and a right-of-way of 12 metres.
- (c) One-way minor roads shall not exceed 150 metres in length.
- (d) Cul-de-sacs shall not exceed 100 metres in length.
- (e) Parking shall not be permitted on minor roadways except in dust-free or paved parking bays.

7.04 Street Lights

The travelled portion of each roadway shall be lighted at night to a minimum 2 lux, with a minimum 4 lux at the following locations:

- (a) the intersection of access roads and public highways;
- (b) all internal intersections;
- (c) the turning circle of a cul-de-sac;
- (d) any point at which an internal roadway changes direction 30 degrees or more.

PART 8 OFF-ROADWAY PARKING

- 8.01 Two spaces for the parking of cars shall be provided near each mobile home, either within the mobile home space or on land directly accessible therefrom. At least one such space shall be directly and easily accessible from a mobile home park roadway; the second space may be in tandem.
- 8.02 In addition, for every four mobile homes, one additional parking space shall be provided.
- 8.03 For each eight mobile home spaces or portion thereof, not less than one space shall be provided for the parking of boats and recreational vehicles. Such spaces shall have a clear height of 3.2 metres, a clear length of 6.5 metres and a clear width of 3.5 metres. Except where a separately designed compound is provided, no vehicles over 5000 kg GVW shall be parked within the mobile home park.

PART 9 OWNER'S RESIDENTIAL PLOT

9.01 Site Area

1. The area of the owner's residential plot shall be not less than 325 square metres where the residence is connected to a public sewer or the approved sewage disposal system of the mobile home park.
2. Where it is not connected in accordance with subsection 1, the plot shall be not less than 325 square metres plus the area required for an approved sewage disposal system.

9.02 The owner's residential plot shall include sufficient area to provide one off-street parking space for the owner's use and a minimum of 2 parking spaces for visitors and customers.

9.03 The owner's residential plot shall abut a main access road.

PART 10 SERVICE BUILDINGS

10.01 Construction

1. Service buildings shall be located at least 5 metres and not more than 60 metres from any mobile home space.
2. Service buildings shall:
 - (a) be of a permanent construction and adequately lighted;
 - (b) have walls, floors and partitions that can be easily cleaned and will not be damaged by hosing, wetting, or disinfecting;
 - (c) have all rooms well ventilated, with all openings effectively screened;

- (d) provide separate compartments for each bathtub or shower and toilet, and a tight partition to separate those facilities designated for males and females.

PART 11 WATER SUPPLY

11.01 Supply of Potable Water

1. The owner of a mobile home park shall provide a water supply system to furnish a constant supply of potable water that is under a minimum pressure of 200 kPa at all outlets. Such a water system shall be designed in accordance with the by-laws and regulations in force in the municipality.
2. Potable water shall be distributed to
 - (a) each space that is designated for a mobile home;
 - (b) each service building.
3. Each water distribution branch line serving a space designated for the use of a mobile home shall have a minimum diameter of 20 millimetres.

11.02 Fire Protection

Hydrants for fire protection shall be provided and located within 90 metres of each mobile home lot, as measured along the street frontage. Hydrants shall not be located more than 180 metres apart and shall be installed in accordance with the requirements of the local Fire Commissioner.

PART 12 INTERNAL SEWER SYSTEM

12.01 Construction

1. The owner of a mobile home park shall provide for the collection of all sewage generated within the mobile home park by providing a sewer system connected to all plumbing fixtures and sewer laterals in the mobile home park. This sewer system shall be designed in accordance with the by-laws and regulations in force in the municipality. The design and installation of a sewage system which will not be connected to a municipal sewage system shall be subject to the approval of the Medical Health Officer and the Works Superintendent.
2. In each space designated for the use of an independent mobile home, a sewer lateral shall terminus shall be a 75 mm approved gas-tight coupler not requiring any special tools or knowledge to make the connection, designed and installed to receive sewage discharge from a mobile home drain that slopes constantly at a minimum of 1:50 from the mobile home. Each terminus fitting shall be protected at grade by a metal casing or shall be encased in a concrete pad measuring not less than 100 millimetres in thickness and 450 millimetres square.
3. For the purpose of determining pipe sizes, each space designated for the use of an independent mobile home shall be considered as having a hydraulic load of eight fixture units.

12.02 Vents

All outdoor vents shall extend 2.1 metres above the surrounding grade. Outdoor vents shall be securely fastened to a 100 mm x 100 mm minimum wood-preserved-treated cedar post securely embedded in the ground or have equivalent support.

12.03 Clean-outs

1. A clean-out shall be installed wherever a sewer line changes direction more than 45 degrees. All parts of any clean-out extension shall be cast iron and terminate at a protected location either below access covers or in a concrete pad.
2. All outdoor clean-outs shall be approved-type brass plugs that shall be accessible; their position shall be indicated on the ground.
3. A clean-out may be omitted at the upstream end of a sewer line serving mobile homes, provided that the uppermost terminus serves a mobile home and is designed and installed for use as a clean-out point.

12.04 Standpipe Drains

All standpipes that are provided because of any requirement of any regulation governing mobile home parks shall discharge into a sink or receptor discharging into a sewer line (or, with the approval of the Medical Health Officer, a wastewater soak pit).

PART 13 SEWAGE DISPOSAL

13.01 The owner of a mobile home park shall provide for the disposal of all sewage and waste water from the internal sewer system by causing the sewer to discharge into a municipal sewer or into a private disposal system approved by the Medical Health Officer.

13.02 Where it is not possible to connect to the municipal sewer system, the Medical Health Officer shall be consulted and the applicable regulations shall be adhered to.

13.03 The minimum distance between a mobile home (including a permissible addition) or building and the weeping tile in any sub-surface disposal field shall be 3 metres.

13.04 No part of a septic tank or sub-surface disposal field or other disposal plant shall be located under any road, or parking area, or footpath.

PART 14 GARBAGE DISPOSAL

14.01 The owner of a mobile home park shall

- (a) provide for the disposal of all garbage in fly-tight metal containers in ample number at convenient locations;
- (b) maintain the containers so that they shall not become foul-smelling, unsightly, or a breeding-place for flies;
- (c) arrange for the disposal of garbage or refuse in accordance with the municipality's bylaws.

PART 15 GENERAL

15.01 Mobile Home Parks Bylaw No. 1060 and all amendments are hereby repealed.

15.05 This bylaw shall come into full force and effect upon adoption.

READ A FIRST TIME THIS 21st day of April, 1997.

READ A SECOND TIME THIS 21st day of April, 1997.

READ A THIRD TIME THIS 21st day of April, 1997.

RECONSIDERED AND ADOPTED THIS 5th day of May, 1997.

"Lela Irvine"
Mayor

"Wm F. Hutchinson"
Clerk