

2018

# Town of Bradford Maine Ordinances

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**APPENDIX 1**

Certificate of Occupancy

## **Article 100 Title and Purpose**

This Ordinance shall be known and may be cited as the Land Use Ordinance of the Town of Bradford, Maine and will be referred to herein as this "Ordinance". It is enacted by the voters of the Town of Bradford to protect public health, safety, welfare; provide for efficiency of public service; prevent and control pollution; provide for orderly development; and preserve the Town's scenic beauty and rural character.

## **Article 200 Authority and Administration**

### **210 Authority**

This Ordinance is enacted under authority granted to the Town by the constitution and the statutes of the State of Maine.

### **220 Administration**

The Planning Board, Board of Selectmen, and the Code Enforcement Officer (as specified in this Ordinance) shall administer this Ordinance.

### **230 Effective Date**

The effective date of this Ordinance shall be the day it is adopted by vote of the legislative body of the Town of Bradford.

## **Article 300 Applicability**

This Ordinance shall apply to all buildings or structures hereinafter erected, reconstructed, enlarged, or moved, and all uses of premises created within the Town of Bradford.

Lots prior to the effective date of this ordinance, as evidenced by a deed recorded in the Penobscot County Registry of Deeds are exempt from the minimum lot size requirements of this ordinance. *Such lots, however, are subject to the Minimum Lot Size Ordinance of the Town of Bradford in effect at the time the lot was created.*

No lot may be reduced in size in any way that would cause it to become nonconforming or would increase its non-conformity to the requirements of this ordinance.

## **Article 400 Severability**

Should any section of this Ordinance be declared by the Courts to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

## **Article 500 Conflict with Other Ordinances**

This Ordinance shall in no way impair or remove the necessity of compliance with any other rule, regulation, bylaw, permit, or provision of law. Where this Ordinance imposes a greater

restriction upon the use of the land, buildings, or structures, the provisions of this Ordinance shall prevail.

### **Article 600 Repeal of Conflicting Ordinances**

The Minimum Lot Size Ordinance of the Town of Bradford, Maine, adopted March 17, 2001, and the Town of Bradford Safety Inspection Ordinance for Mobile Homes, adopted 09/02/04, the *Building Permit Ordinance adopted March 19, 1987*, and all amendments thereto, are hereby repealed. Provided, however, that the repeal of said Ordinances shall not preclude the prosecution of any violations thereof that occurred on or before the effective date of repeal.

### **Article 700 Amendment**

The procedure to be followed in initiating and securing amendments to this Ordinance is as follows:

#### **710 Initiation**

A proposal to amend this Ordinance may be initiated by:

- The Planning Board, by majority vote;
- The Board of Selectmen, through a request to the Planning Board;
- The Public, through a written petition signed by at least ten percent of the number of voters in the last gubernatorial election and registered to vote in the Town of Bradford.

#### **720 Review**

The process to be followed in adopting an amendment to this Ordinance is as follows:

- A. Proposed amendments must first be submitted to the Planning Board for their consideration.
- B. The Planning Board and Board of Selectmen shall, within thirty (30) days of receiving a proposed amendment, set a date to hold a joint public hearing on the proposed amendment.
- C. Notice of the public hearing shall be posted in the Municipal Office at least fourteen (14) days before the hearing. Notice shall also be published at least twice in a newspaper that complies with 1 M.R.S.A. § 601 and has a general circulation in town. The date of the first publication must be at least fourteen (14) days before the hearing and the date of the second publication must be at least seven (7) days before the hearing. This notice shall contain a brief description of the nature of the proposed amendment.
- D. After the Planning Board votes to either support or oppose a proposed amendment, that proposed amendment shall be placed on the warrant for the Town Meeting next following the public hearing.

- E. The Planning Board shall report its official findings and conclusions in support or opposition report at the next Town Meeting following the public hearing.

**730 *Enactment***

A majority of the voters present and voting at the Town Meeting shall be required to enact the amendment(s).

**740 *Effective Date***

The provisions of this Ordinance and any amendments thereto shall become effective the day of their enactment.

**Article 800 Filing**

A copy of this Ordinance and any amendments hereto shall be filed with the Town Clerk and shall be accessible to any member of the public.

**Article 900 Non-Conformity**

**910 *Non-Conformity Defined***

A legally existing (grandfathered) non-conforming lot, structure, sign, or use that lawfully existed immediately prior to the enactment of this Ordinance, or any subsequent applicable amendment hereto, and which, as a result of the enactment or subsequent amendment, fails to comply with any of the requirements of this Ordinance.

**920 *General Provisions***

The following provisions apply to non-conformities generally:

**A. Normal Repair and Maintenance**

The normal upkeep and maintenance of non-conforming structures, including repairs or renovations which do not involve expansion of the non-conforming use or structure, and such other changes in a non-conforming use or structure as Federal, State, or local building and safety codes may require are permitted.

**B. Transfer of Ownership**

Any legal non-conformity may be transferred and the new owner may, subject strictly to the requirements of this Section, continue such non-conformity provided, however, that nothing contained herein shall be construed to permit any person or entity to occupy or use any lot or structure or to continue any use in violation of any other Federal, State, or Municipal statute, ordinance, or regulation.

**C. Burden of Proof Related to Establishing Legal Non-Conformity**

The burden of proof establishing that any non-conformity is a legal non-conformity shall, in all cases, be upon the owner of such non-conformity and not upon the Town of Bradford.

**D. Conversion To Conformity Encouraged**

All non-conformities shall be encouraged to convert to conformity whenever possible and, when required by this Ordinance, shall convert to conformity.

**E. Reversion to Non-Conformity Prohibited**

Once converted to conformity, no lot, structure, or use shall revert to non-conformity.

**930 Non-Conforming Structures**

The following provision shall apply to non-conforming structures:

**A. Expansion of Non-Conforming Structures**

A non-conforming structure may be added to or expanded after obtaining a permit from the same permitting authority identified in Section 1000 as that for a new structure, if such addition or expansion does not increase the non-conformity of the structure and is in accordance with subparagraphs 1. and 2. below.

1. *In no case shall a structure be expanded to increase its non-conformity; therefore, the structure cannot be expanded in the direction of a property line in which it fails to meet the minimum setback.*

**2. Construction or enlargement of a foundation beneath the existing structure shall not be considered an expansion of the structure provided:**

- a. The structure and new foundation are placed such that the setback requirement is met to the greatest practical extent as determined by the planning board or its designee, basing its decision on the criteria specified in **Subsection B. Relocation of Non-Conforming Structures**, below:
- b. The completed foundation does not extend beyond the exterior dimensions of the structure.

**B. Relocation of Non-Conforming Structures**

A non-conforming structure may be relocated within the boundaries of the parcel on which the structure is located provided that the site of relocation conforms to all setback requirements to the greatest practical extent as determined by the Planning Board, and provided that the Applicant demonstrates that the present subsurface sewage disposal system meets the requirements of State Law and the State of Maine Subsurface Wastewater Disposal Rules (Rules), or that a new system can be installed in compliance with the law and said Rules. In no case shall a structure be relocated in a manner that causes the system to be more non-conforming.



In determining whether the building relocation meets the setback to the greatest practical extent, the Planning Board shall consider size of the lot, clearing needed, slope of the land, relationship to roadway entrances, potential for soil erosion, location of the septic system, and other on-site soils suitable for septic systems.

**C. Reconstruction or Replacement of Non-Conforming Structures**

Any non-conforming structure which fails to meet the dimensional requirements of Sub-section 1210C, and which is damaged, destroyed, or removed, by more than fifty percent (50%) of the market value of the structure before such damage, destruction or removal, may be reconstructed or replaced within one (1) year of the date of said damage, destruction, or removal, provided that such reconstruction or replacement is in compliance with the setback requirements to the greatest practical extent as determined by the Planning Board in accordance with the purposes of this Ordinance. In no case shall a structure be reconstructed or replaced so as to increase its non-conformity.

Any nonconforming structure which is damaged or destroyed by fifty percent (50%) or less of the market value of the structure, excluding normal maintenance and repairs, may be repaired or reconstructed in place within one (1) year of such damage or destruction, with a permit from the Code Enforcement Officer.

In determining whether the structure reconstruction or replacement meets setbacks to the greatest practical extent, the Planning Board shall consider the type of foundation present, if any, and the considerations contained in Sub-section 930B, second paragraph. It is not the intent of this Sub-section to require the destruction of functional concrete or block foundations in order to meet setback requirements.

**940 Existing Non-Conforming Mobile Homes**

Notwithstanding any other provision of this Ordinance, the lawful use of a mobile home as a single-family dwelling and not certified pursuant to M.R.S.A. 30-A 4358, which legally existed on the date of the enactment of this Ordinance, may be continued, except that the mobile home shall not be:

- A. Rebuilt, altered, or repaired after being damaged in excess of fifty percent (50%) of its assessed value at the time of destruction as determined by the Code Enforcement Officer. The damaged home must be removed within sixty (60) days.

Any mobile home lawfully used as a single-family dwelling may be improved by the addition of a foundation or by other new construction, alteration, or repair, subject to the requirements of any applicable building code or other law, and subject to the other provisions of this Ordinance including performance standards in Section 1200 and 1300.

**950 Non-Conforming Uses**

The following provisions shall apply to non-conforming uses:

**A. Expansion**

Expansion of non-conforming uses is prohibited.

**B. Resumption Prohibited**

A lot, building, or structure in or on which a non-conforming use ceases to be actively pursued for a period exceeding one (1) year, or which is superseded by a conforming use, may not again be devoted to a non-conforming use.

**C. Change of Use**

An existing non-conforming use may not be changed to another non-conforming use.

**960 Non-Conforming Lots**

**A. Non-Conforming Lots**

A single parcel of land, the legal description or dimensions of which are recorded on a document or map on file at the Penobscot County Registry of Deeds at the effective date of this Ordinance or any amendment, and which, as a result of the enactment or respective amendment of this Ordinance, does not meet the lot area, road frontage, 200x200 area requirements may be built upon or conveyed without the need for a variance, subject to the following:

1. Such building or construction shall, in all other respects, comply with the provisions of this Ordinance.
2. No permit shall be granted until the owner demonstrates to the satisfaction of the Code Enforcement Officer that there is or will be reasonable access to the site for emergency vehicles.
3. Such lots shall be limited to single-family dwellings and accessory structures.
4. Variances relating to setback or other requirements not involving lot size, road frontage, or the 200x200 area requirement shall be obtained by action of the Board of Appeals.

**B. Contiguous Built Lots**

If two or more contiguous lots or parcels are in a single or joint ownership of record at the time of adoption of this Ordinance, if all or part of the lots do not meet the dimensional requirements of this Ordinance, and if a principal use or structure exists on each lot, the non-conforming lots may be conveyed separately or together, provided that they conform to all other provisions of this Ordinance and they meet the dimensional requirements to the greatest extent possible as determined by the Planning Board.

**Article 1000 Permits Required**

Depending on the type of activity planned to be undertaken, a permit from the CEO or Planning Board approval may be required.

No building, structure, or use for which Planning Board approval and/or CEO permit is required shall be constructed until and unless Planning Board approval and/or CEO permit has been obtained from the Code Enforcement Officer.

No building or structure for which a Planning Board approval and/or CEO permit is required shall be inhabited or used until requirements of Section 1030 have been met.

*NOTE: Even if no permit is required, compliance with all standards in this Ordinance is still mandatory.*

**1010 Table of Permitting Responsibilities and Requirements**

<i>No Permit Required</i>	<i>CEO Permit Required</i>	<i>Planning Board Permit &amp; CEO Permit Required</i>
Filling and grading less than 1000 cu. Yards.	Filling and grading between 1000 cu. yards and up.	
Residential accessory structures up to 100 sq. ft.	Residential accessory structures over 100 sq. ft.	
Maintenance and repair of Town facilities and roads	Expansion at commercial establishments up to 200 sq. ft.	Expansion over 200 sq. ft. at commercial establishments and public developments
Fences and boundary walls	Single Family Residential & duplex construction	Multi- unit housing <u>or Mobile Home Park</u>
Activities not listed for CEO or Planning Board approval	Barns and associated structures for agricultural purposes	Change in use on non-conforming lots
	Reconstruction of a damaged building	Any new business, commercial or public development
	Relocating or locating 1 or 2 buildings on to a lot	Three or more principal structures on a single lot.
	Removal or demolition or relocation on same lot (unless building is non-conforming)	

**1005 Fees**

A. No permit shall be issued without payment of a fee according to the following schedule:

- CEO Permit for Residential and Commercial activities:

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*Free standing structures less than 100 square feet - no fee*  
*Permanent improvements to existing structures less than 100 square feet require a \$10 administrative fee*

*Structures between 100 and 350 per square feet require a \$20 administrative fee*

Utility structure (Sheds, Pole Barns, Garages, Chicken coops, etc.) in excess of 350 square feet require \$.02 per square foot plus a \$20 administrative fee.

Residential Structure (containing a full complement of plumbing, electrical, heating facilities, etc) in excess of 350 square feet require \$.05 per square foot plus a \$20 administrative fee.

Commercial Structure \$.10 per square foot plus a \$20 administrative fee regardless of size.

Other fees

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- a) Planning Board Review: \$25.00
  - b) Occupancy/Use Permits: Free
  - c) Entrance Permit: Free
  - d) Demolition Permit.....Free
- B. CEO permit, after expiration, may be renewed at no charge.
- C. Additionally, a late fee equivalent to the permit fee will be required in the event a Building permit is not first obtained prior to the start of construction.
- D. Any person who fails to keep a scheduled appointment for an inspection shall be required to pay an additional permit fee equal to that previously paid. Cancellation of an appointment may be made within five (5) hours of scheduled appointment without penalty.
- E. No inspection shall be made and no permit shall be issued until the permit fees are paid in full.
- F. For those projects requiring a Planning Board approval, no permit shall be issued until said approval has been obtained.

**1020 Procedure**

**A. Filing an Application for a Permit**

Any person requiring a CEO Permit shall file an application with the Code Enforcement Officer. Within seven (7) days of the filing of an application for a CEO Permit, the Code Enforcement Officer shall act on the application. The Code Enforcement Officer shall determine whether Planning Board approval is required:

- If Planning Board approval is required, the Code Enforcement Officer shall so inform the Applicant, in writing, and shall inform the Applicant of the procedures for Planning Board approval.
- If Planning Board approval is not required, the Code Enforcement Officer shall review the application to determine whether it meets all relevant

performance standards in Section 1200 and 1300-Performance Standards of this Ordinance. If all performance standards are met, the Code Enforcement Officer shall issue the permit. If all relevant standards are not met, the Code Enforcement Officer shall deny the permit and inform the Applicant, in writing, of the reasons for denying the permit.

**B. Issuance of Permit**

No CEO permit for a building or structure on any lot shall be issued except to the owner of record thereof, or his authorized agent, in writing.

**C. Application Attachments**

The Code Enforcement Officer shall require that any application for such permit shall be accompanied by a plot plan, *drawn to scale with reasonable accuracy*, showing the actual shape and dimensions of the lot to be built upon, an on-site soils survey as appropriate to the proposed development, *the location and size (with reasonable accuracy) of all buildings or structures already on the lot*, the location of the new building to be constructed together with the lines within which all buildings and structures are to be constructed, the existing and intended use of each building or structure, and such other information as may be necessary to provide for the execution and enforcement of this Ordinance.

**D. Application Records**

The Code Enforcement Officer shall maintain applications for permits with their accompanying plans and building permits as a permanent record.

**E. Permit Expiration**

CEO permit secured under the provisions of this Ordinance shall expire if the work or change is not commenced within six (6) months of the date on which the permit is granted, or if the work or change is not substantially completed within two (2) years of the date on which the permit is granted. The Code Enforcement Officer may grant an extension to the foregoing deadlines for a period not to exceed six (6) months. The Board of Selectmen, in its sole discretion, may grant additional extensions **if** good cause is shown.

**F. Plumbing Permit Required**

No Building permit shall be issued for any structure or use involving the construction, installation, or alteration of plumbing facilities unless the Applicant or his authorized agent in conformance with the Plumbing Code of the State of Maine has secured a valid Plumbing permit.

**1030 Occupancy/Use Permit**

A certificate of Occupancy/Use certifying that all applicable provisions of this Ordinance have been satisfied shall be obtained from the CEO.

- A. After the Applicant notifies the CEO that the work specified by Planning Board Approval and/or CEO Permit has been completed:

1. Inspections on residential structures or commercial structures open to the public are to be performed by the CEO within **seven (7)** business days of notification.
  2. A permit issued for a use other than that specified in Section 1030A.1. shall be approved or denied for occupancy or use within **seven (7)** business days of notification. Otherwise, the Applicant may use or occupy the land or structures referenced in the Permit.
- B. An Occupancy Permit will be approved for rental units by Bradford's CEO if:
1. The Bradford Code Enforcement Officer determines that the **rental** dwelling is structurally sound in accordance with the standards of the Bradford Building Ordinance.
  2. Occupancy without an Occupancy Permit shall be in violation of this Ordinance.  
In addition, violations of state and local plumbing, electrical, fire and other safety codes, structural inadequacy, or presence of a nuisance may result in the revocation of the Occupancy Permit, as well as further legal action including condemnation and eviction.

#### **1040 Entrance Permit**

Before a driveway is placed onto a town road, an entrance permit must be obtained from the CEO.

A. The CEO will do the following before issuing a permit:

- Check with the Road Commissioner or Agent to determine the size of the culvert needed and if the proposed culvert is new or in good condition.
- That the proposed location of the driveway conforms to the provisions of this Ordinance.

#### **Article 1100 Planning Board Approval**

##### **1110 Purpose**

These Planning Board approval regulations are established to promote the public health, safety, and general welfare by requiring plans to be submitted to and reviewed by the Planning Board for certain uses which have a potential for significant impact on a neighborhood, but which when properly designed with respect to their surroundings can be acceptable uses in the neighborhood. The overall purpose of such a review shall be to ensure orderly and beneficial development of the Town of Bradford and to encourage the most appropriate use of the land.

## **1120 Applicability**

The Planning Board shall review and make recommendations concerning all plans for non-residential units and mobile home parks whether or not such development includes a subdivision or re-subdivision of a site.

## **1130 Application and Review Procedures**

### **1131 Procedures**

#### **A. Pre-application Meeting With CEO**

CEO will explain the permit review process to the Applicant and review a copy of the proposed application. The CEO may inform the Applicant of the general completeness of the application.

#### **B. Copies of Applications**

**Persons seeking a Planning Board approval shall submit five (5) copies of an application, with all the information required in Section 1132 of this Ordinance, to the Planning Board at least fourteen (14) days before a regularly scheduled meeting of the Planning Board.**

#### **C. Verification**

The CEO, Town Clerk, or agent shall issue the Applicant a dated receipt for the application and application fee. The CEO shall verify that the abutter notification forms are complete (see item E Section 1132) and in a pre-addressed stamped envelope. The CEO or Town staff shall mail these within five (5) business days.

#### **D. Determination of Complete Application**

Within thirty five (35) days of the filing of an application for Planning Board approval, the Planning Board shall determine if the application is complete. The Planning Board shall notify the Applicant, in writing, either that the application is a complete application or, if the application is incomplete, the additional material needed to make a complete application. After the Planning Board has determined that a complete application has been filed, it shall begin its full evaluation of the proposed site plan.

#### **E. Public Hearing**

*The Planning Board shall hold a public hearing on the application, such hearing to be held between the Planning Board's meeting that determines that the application is complete and the Planning Board's meeting that reviews the application and takes action.* The Town shall advertise the hearing, at least seven (7) days prior to the hearing. Notices shall be posted in the same location as Selectmen's Warrants. The purpose of the public hearing shall be to receive input from the general public relative to the elements listed in Section 1140 — Standards for Governing Site Plan Review.

**F. Planning Board Review and Action**

*Within thirty-five (35) days after Planning Board determines the application is complete (during which period the public hearing must have occurred), the Planning Board shall approve, approve with modifications, or disapprove the proposed action application. The Board shall limit its review to the criteria set forth in Section 1140 - Standards for Review of this Ordinance. The Board may consult with the Applicant or any other party in making its review.*

The Board shall inform the Applicant of its decision, in writing. In cases of disapproval or approval with modifications, reasons for such actions shall be stated. A copy of the Board's decision shall be filed with the Code Enforcement Officer. No CEO permit shall be issued until Planning Board approval is granted.

**G. Records of Applications**

Applications for Planning Board approval with their accompanying plans and the Planning Board's action shall be maintained as part of the permanent record of the Planning Board.

**H. Site Plan Approval**

After Site Plan approval has been granted, the appropriate CEO Permit may be issued.

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**I. Certificate of Compliance**

*Upon completion of the project, or no longer than two years from the date the permit was issued, the Code Enforcement Officer or the applicant's architect, engineer, or land surveyor, shall conduct an inspection, to determine if the project is in substantial compliance with the permits issued.*

*If the project is in substantial compliance, the CEO shall issue a certificate of compliance stating that the project has met the requirements of the permit.*

*If the project is not in compliance, the CEO shall issue a letter stating the items that have not met the requirements of the permit.*

*Any person who violates this section shall be subject to a fine as defined by*

Article

*1440 of this ordinance.*

**J. Bond Required**

*The planning board may require the applicant to provide a bond, in an amount that shall be sufficient, in the determination of the planning board, to indemnify the Town of Bradford, in event the applicant is unable to satisfactorily complete the project. The bond shall be released upon issuance of an occupancy permit or certificate of*



**1132 Required Information on Plans**

Applications for the establishment of uses requiring Planning Board approval shall be accompanied by plans, drawn to scale, containing the following information:

- A. Name and address of the Applicant
- B. Name and address of owner of property, if different than Applicant
- C. Project description: Include, if applicable, the number of employees, type of business, projected number of customers, solid waste disposal, water need
- D. A description of the interest the Applicant has in the property (option, land purchase contract, lease, record ownership, etc.)
- E. Abutter's names and addresses including those directly across roads.
- F. Scale of the map
- G. Boundaries of the tract of land
- H. Location of existing and proposed buildings and other structures, including use and proposed use thereof
- I. Location of buildings on abutting properties and within 300 feet of the property line of the proposed development
- J. Location of existing public streets
- K. Location of proposed access drives to the lot from public streets
- L. Location and arrangement of proposed off-street parking and loading areas and their appurtenant drives and maneuvering areas
- M. Location of existing and proposed pedestrian walkways, if appropriate
- N. Location of existing and proposed utilities and easements therefore, including sanitary sewerage as defined by State Law, water system (if desired by owner, and electrical system (the electrical system must be from a primarily uninterrupted source sufficient to maintain the hard-wired smoke detectors).
- O. Location of existing natural drainage ways and proposed storm drainage facilities, including dimensions of culverts, pipes, etc.**

- P. Location, intensity, type, size and direction of all outdoor lighting
- Q. Location and proposed use of areas proposed for outdoor recreation
- R. Location and type of existing and proposed screening
- S. Contour lines at a minimum of twenty-foot (20') intervals to show the effect on the land of existing and proposed grades for areas proposed to be excavated or filled
- T. Location and size of signs and all permanent outdoor fixtures
- U. Information about soils conditions on the site:
  - If subsurface sewage disposal is proposed, the information shall include evidence of soil suitability according to the Maine State Plumbing Code. The Site Plan shall show the location of soil test areas.
  - If no subsurface sewage disposal is proposed, medium-intensity soils survey information about the site shall be included in the application. The Planning Board may require more intensive soils information if needed in order to adequately review the proposal.

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V. *Excepted from this section are small, temporary, seasonal, enterprises which do not involve land disturbance and/or are in operation for less than six months in any calendar year such as yard sales, farmers markets, vegetable stands or home occupations which, in the determination of the planning board, are similar to the aforementioned in scope and nature*

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#### **1140 Standards Governing Site Plan Review**

In approving an application for Site Plan Review, the Planning Board shall first determine that the development, as planned, will conform to the requirements of this Ordinance. Following such determination, the Board shall proceed to find that the proposed plan adequately meets the following standards applicable to the proposed development. In all cases, the burden of proof shall be upon the Applicant.

- A. The proposed use, buildings, design and layout meets the provisions of all applicable regulations and ordinances of the Town of Bradford and meets the intent of the Comprehensive Plan, as amended.
- B. The proposed site development shall not adversely impact either the quality or quantity of groundwater available.
- C. The proposed layout will be of such a nature that it will make vehicular or pedestrian traffic no more hazardous than is normal for the area involved. Factors for the Planning Board to consider in this determination are the turning movements relative to traffic flow, proximity to intersections, location and access

of off-street parking, provisions of pedestrian traffic, and minimization of pedestrian vehicular contacts.

- D. The proposed location and height of buildings or structures, walls and fences, parking. Loading and landscaping shall be such that it will not interfere with or discourage the appropriate development in the use of land adjacent to the proposed site.
- E. Signs shall be in accordance with the regulations of this Ordinance and, in addition, shall be designed and located so as not to present a hazard or glare to either adjacent property owners or to motorists.
- F. Buildings shall be located with consideration of the topography and other natural features of the site.
- G. The development is designed to minimize erosion.
- H. All manufactured slopes, other than those constructed of stone, concrete or other impervious materials, shall be planted or otherwise protected from the effects of storm runoff erosion. All graded slopes shall be of a character to cause the slope to blend with the surrounding terrain and development.
- I. Adequate drainage is provided for storm water runoff from paved areas and areas covered by buildings.
- J. The proposed use is designed to minimize, as far as possible, adverse impacts on farmland.

## **Article 1200 Performance Standards**

These standards shall apply to all buildings or structures and all uses of premises in the Town of Bradford.

### **1210 Lot Dimensions**

The following minimum lot dimensions shall apply to all uses in the Town of Bradford:

- A. **Minimum lot area:** 2 acres per dwelling unit or commercial use; 5 acre *per dwelling or commercial use in subdivisions. For multi-family housing (dwellings with multiple dwelling units) refer to Article 1210.E for Minimum Lot Area for Multi-family Housing on page 14.*
- B. **Minimum road frontage:**
  - i. 200 feet on Local Streets or Private Roads. Local Streets are here defined as dead-end roads and loop roads that have both entrances on the same street. They shall include but are not limited to:
  - ii. 200 feet on Collector Streets and Arterials.
    - b) Arterials shall include but are not limited to:

- c) All existing roads and streets not classified as Arterials or Local Streets are classified as Collector Streets.
  - d) Future roads shall be classified by the Planning Board prior to submission to the Board of Selectmen for approval at a Town Meeting.
- C. Minimum setback
  - 1. Minimum setback of all structures, buildings, including septic systems and wells from all rear or side property lines shall be 25 feet, except that one story accessory residential structures of no more than 100 square feet in area and no more than 15 feet in height *from the first floor to the highest point of the peak may have a 15 foot side and rear setback.*
  - 2. Minimum setback of all structures or buildings from the centerline of the road shall be 50 feet.
  - 2. All lots established after the effective date of this ordinance must be of such dimensions as to accommodate within the boundaries of each a square measuring 200 feet by 200 feet, which abuts at one side along the principal access way.
- D. **Minimum setback of all structures or buildings from water bodies and wetlands:** Regulated by the Shoreland Zoning Ordinance.
- E. **Minimum lot area for multi-family housing:** Two (2) acres for the first dwelling unit and one half (1/2) for each additional dwelling unit.
- F. **No more than one** principal structure may be placed on a lot unless the CEO under the following conditions grants permission for additional principal structure(s): (*“Principle Structure” definition – The structure used for the main purpose for which the premises exist.*)
  - 1. Adequate subsurface sewage disposal is available for all uses on the lot.
  - 2. No unsafe or unhealthy condition is created by establishing the additional uses on the lot.
  - 3. The layout of the buildings are such that legal lot(s) as defined by this ordinance and state law can be created in the future. **-OR-** Only one structure is occupied during construction of a principle dwelling.

## **1220 Excavation, Removal or Fill of Land**

### **A. General.**

The following provisions shall apply to excavation, removal or fill of soil, earth, loam, sand, gravel, rock and other deposits. Existing gravel pits may continue to operate as long as the extraction does not make the pit more non conforming.

Excavation, removal, or fill of land or other earth moving activity, which would result in erosion, sedimentation, or impairment of water quality or fish or aquatic life, is prohibited.

All existing gravel pits at the time of the adoption of this ordinance do not need Planning Board Approval to continue operation.

**B. Excavation, removal, or fill activities not requiring a permit.**

The following activities shall be allowed without a permit:

1. The excavation, removal, or fill of less than *1000* cubic yards of material from or onto any lot in a calendar year.
2. Excavation, removal, or fill activities associated with the construction of any structure for which a valid Building permit or valid Plumbing permit has been issued.

**3. Routine road maintenance and winter sanding performed or contracted by the Town of Bradford.**

**C. Review and permit required.**

- All excavation, removal, or fill in excess of 1000 cubic yards and up in a calendar year shall require a CEO permit before the activity is commenced. Site Plan approval is only required once as long as the approved plan is followed.
- In addition to the information required in a Site Plan Review application, before granting Site Plan approval, the Planning Board shall require that the Applicant present a conservation plan for the operation of the activity and the restoration of the land. Such plan shall indicate the manner of operation of the activity. It shall include provision for preventing erosion, siltation, sedimentation, and runoff and plans for temporary and permanent conservation practices.
- The restoration plan shall indicate how the site will be stabilized and revegetated at the completion of the operation, the expected completion date, and the final relief of the land after it has been restored.
- One condition of the issuance of Site Plan approval shall be that the operator must follow the plan approved by the Planning Board.

**D. Mineral exploration activities.**

The following requirements shall apply to mineral exploration activities:

1. All excavations, including test pits and holes, shall be promptly capped, refilled, or secured by other equally effective measures so as to reasonably restore disturbed areas and to protect the public health and safety.

2. Access way approaches to stream channels shall be located and designed so as to divert water runoff from the way in order to prevent such runoff from directly entering the stream.
3. In addition to the foregoing minimum requirements, when conducting mineral exploration activities and creating and maintaining associated access ways, provision shall be made to effectively stabilize all areas of disturbed soil so as to reasonably avoid soil erosion and sedimentation of surface waters. These measures shall include seeding and mulching if necessary to insure effective stabilization.
4. A natural vegetative screen of not less than fifty feet (50') in width shall be retained between any facility intended primarily for public use, excluding privately owned roads and the mineral exploration or extraction activity.
5. If the owner is operating under Planning Board approval and within twelve (12) months following the completion of extraction operations at any extraction site, or when less than one hundred (100) cubic yards of materials are removed in any consecutive twenty-four (24) month period, ground levels and grades shall be established in accordance with the following:
  - a) All debris, stumps, and similar material shall be removed for disposal in an approved location, or shall be buried on-site. Only materials originating on-site may be buried or covered on-site.
  - b) The final graded slope shall be one vertical foot to two horizontal feet (1:2) slope or flatter.
  - c) Material capable of growing vegetation shall be retained to cover all disturbed land areas, which shall be reseeded and stabilized with vegetation native to the areas. Additional material shall be obtained from off-site sources, if necessary, to complete the stabilization project.
6. Extraction shall be prohibited below the average seasonal high water table. No ditches, trenches, pumping or other methods shall be used to lower the water table or permit more gravel extraction than could occur under normal conditions. Extraction operations shall not be permitted within one hundred fifty feet (150') of any property line, without written permission of the owner of such adjacent property. In no event shall they be permitted closer than twenty-five feet (25') to any property line, unless there is another mineral extraction operation on the other side of the property line in question. The distance may not be reduced to less than twenty-five feet (25') from a cemetery.

7. Access roads into and around the pit shall not be oiled. Dust from the pit, including dust associated with traffic, must be controlled by watering, paving, sweeping or other best management practices.
8. The pit shall not be used for storage or dumping of any substances that could produce a harmful leachate, both during operation of the pit and following its permanent closure.
9. Storage of hazardous materials and petroleum products in the pit is prohibited.
10. Refueling and oil changes in the pit are prohibited, unless adequate protection and containment is provided. Adequate protection and containment means a spill prevention, control and counter measures plan as required by 38 M.R.S.A. Section 490-D. Excavation may not occur below road level within one hundred fifty feet (150') of a road or right-of-way except that excavation below road level may occur within one hundred fifty feet (150') of a private right-of-way with written permission of the owner of the right-of-way.

## **1230 Signs**

### **A. Off-Premises Signs**

No off-premise sign shall be erected or maintained in the Town of Bradford except in conformity with M.R.S.A. Title 23, Section 1901-925, and the Maine Traveler Information Services Law. Off-premises official business directional signs may be located in the Town of Bradford in such location and in such manner as allowed under M.R.S.A. Title 23, Section 1901-925 and under the rules and regulations of the State of Maine Department of Transportation.

### **B. On-Premises Signs**

All on-premises signs shall be located and erected in conformity with State Law M.R.S.A. Title 23 Section 1901-1925. In addition, the following regulations shall apply:

1. No sign shall be erected adjacent to any public way in such manner as to obstruct clear and free vision or where, by reason of its position, shape, color, illumination, or wording, the sign may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device or otherwise constitute a hazard to pedestrian or vehicular traffic.
2. Flashing, moving, or animated signs are prohibited. No sign shall exceed 25 feet in height.
3. No sign shall be located within 10 feet of front property line and/or 25 feet of any other lot line.
4. Roof signs shall not extend more than 10 feet above the roofline.

5. No sign shall exceed a total area of 32 square feet.
6. *No more than 5 signs per parcel with not more than three (3) signs within ten (10) feet of any other sign..*

## **1240 General Welfare**

### **A. Dust, Fumes, Vapors, Gases, Odors, Noise, Glare, and Explosive Materials**

1. Emission of dust, dirt, fly ash, fumes, vapors or gases that pose unreasonable risk harm to human health or the environment shall be prohibited.
2. No land use or establishment shall be permitted to produce unreasonable offensive or harmful odors perceptible beyond their lot lines, measured either at ground or habitable elevations.
3. No land use or establishment shall be permitted to produce unreasonable noise, glare or brightness beyond its lot lines.
4. No highly flammable or explosive liquids, solids or gases shall be stored in bulk above ground, unless they are stored in compliance with the requirements of the National Fire Protection Association (NFPA), Sections 30, 58, and 59-A.

### **B. Oil and Chemical Storage**

1. All storage of petroleum or liquid petroleum products shall be in conformance with the provisions of Title 38, M.R.S.A., Section 541 *et seq.* which establishes a ten-year compliance schedule for the discontinuance and removal of non-conforming underground oil storage facilities and requires qualified personnel to oversee the removal of certain underground facilities.
2. Such storage shall be in conformance with the NFPA Codes applicable to the stored substance.
3. When applicable, the Applicant shall have the burden of proof to assure the Planning Board or Code Enforcement Officer that all provisions of the above statutes have been met before the issuance of any permit may take place.

### **C. Pollution Levels**

1. Any pollutant introduced into soil on the site shall not exceed a concentration in the ground water that is greater than the guideline established for it in the Safe Drinking Water Standard, EPA Health Advisory, or NAS Health Advisory. Any violation of this standard shall be cause to order the immediate cessation of the use or activity responsible for the contamination.



**D. Deer Yards**

If a use is proposed in an Inland Fisheries and Wildlife ( IF&W ) mapped deer yard, the applicant must consult with an IF&W Biologist for best management practices.

**1250 Aquifer Protection**

**A. Groundwater Protection**

The proposed site development and use shall not adversely impact either the quality or quantity of groundwater available to abutting properties or public water supply systems. Projects involving common on-site water supply or sewage disposal systems with a capacity of two thousand (2,000) gallons per day or greater have demonstrated that the groundwater at the property line shall comply, following development, with the standards for safe drinking water as established by the State of Maine.

**B. Uses Prohibited Adjacent to Significant Sand and Gravel Aquifers**

The following uses are prohibited directly over and within one thousand feet (1000') of the boundaries of significant sand and gravel aquifers, as defined herein:

- Subsurface storage of petroleum and other refined petroleum products with the exception of household heating oil where the underground storage tank is in full compliance with Department of Environmental Protection regulations
- Petroleum storage for commercial or industrial use
- Engineered subsurface waste disposal systems as defined herein
- Multi-family dwellings
- Industrial uses except those permitted as home occupations
- Salt-sand and road salt storage and loading area
- Dumping of snow containing deicing chemicals
- Junkyards/ auto graveyards
- Sanitary landfills or construction/demolition debris or stump dumps
- Commercial animal feedlots
- Metal plating
- Commercial furniture stripping
- Dry cleaning establishments/ Laundromats
- Commercial motor vehicle repair or service
- Non-residential pipelines for transmission of oil, gas, or hazardous materials
- Spray irrigation of sewage
- Any other use that involves the manufacture, storage, use, transportation or disposal of toxic or hazardous materials

## 1260 Erosion Control

### A. Erosion and Sedimentation Control

The following measures relating to conservation, erosion and sediment control shall be included where applicable as part of all projects submitted for review and approval by the Planning Board:

1. The procedures outlined in the erosion and sedimentation control plan, prepared and submitted by the Applicant, shall be implemented during the site preparation, construction, and clean-up stages.
2. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices:
  - a) Stripping of vegetation, soil removal and re-grading or other development shall be done in such a way as to minimize erosion.
  - b) The development shall not unreasonably increase the rate or volume of surface water runoff from the proposed site.
  - c) Whenever feasible, natural vegetation shall be retained, protected and supplemented.
  - d) The disturbed area and the duration of exposure shall be kept to a practical minimum.
  - e) Disturbed soils shall be stabilized as quickly as practicable.
  - f) Temporary vegetation or mulching shall be used to protect disturbed areas during development.
  - g) Permanent (final) vegetation and mechanical erosion control measures, in accordance with the standards of the County Soil and Water Conservation District or the Maine Soil and Water Conservation Commission, shall be installed as soon as practicable after construction ends.
  - i) Until the disturbed area is stabilized, sediment in the runoff water shall be trapped by the use of debris basins, sediment basins, silt traps or other acceptable methods.
  - j) The top of a cut or the bottom of a fill section shall not be closer than ten feet (10') to an adjoining property line, unless otherwise specified by the Planning Board. Extraction operations (gravel pits, etc.) shall not be permitted within one hundred fifty feet (150') of any property line in the absence of prior written agreement of the owner of such adjoining property.

- k) During grading operations, methods of dust control shall be employed wherever practicable.
- l) Whenever sedimentation is caused by stripping vegetation, re-grading or other development, it shall be the responsibility of the developer causing such sedimentation to remove it from all adjoining surfaces, drainage systems and watercourses and to repair any damage at his expense as quickly as possible.
- m) Any activity on a stream, watercourse or swale, or upon floodway or right-of-way shall comply with the Natural Resource Protection Act, Title 38, M.R.S.A., Sections 480-A and 480-S. Any such activity shall also be conducted in such a manner so as to maintain as nearly as possible the present state of the stream, watercourse, swale, floodway, or right-of-way for the duration of the activity and shall be returned to its original or equal condition after such activity is completed.
- n) Maintenance of drainage facilities or watercourses originating and completely on private property is the responsibility of the owner to the point of open discharge at the property line or at a communal watercourse within the property.

#### **1270 Buffer Strip Requirement for Activities Requiring Planning Board Approval**

- A. A fifty foot (50') wide buffer strip shall be provided along all property boundaries or road right of ways that require Planning Board approval and abut incompatible uses.

No structures, streets, or utilities may be placed in the buffer strip, except that utilities only may cross a buffer strip to provide services.

- B. Within twenty-five feet (25') of any property line or road right of way and within the buffer strip, visual screening and /or landscaping shall be provided. The visual screening may consist of fences, berms, landscaping, (such as coniferous shrubs and trees) and/or natural existing vegetation. The screening shall be maintained throughout the life of the project. The screening shall effectively screen at least 80% of the structures from the view of the adjacent properties. If vegetative screening is chosen, the owner has five (5) years to comply with this standard.

#### **1280 Road Entrances, Curb Cuts, Driveways**

All road entrances, curb cuts, and driveways shall be designed – considering land topography, street design, and existing and expected traffic patterns – to promote to the greatest extent possible safe pedestrian and vehicular traffic and to protect public safety. Driveways and roads in multi-family housing projects shall be designed and laid out to provide for adequate traffic circulation and for access of emergency service vehicles to every housing unit on the premises.

Prior to building a driveway or private road that will enter onto a public way, the landowner shall notify the CEO.

If the CEO determines it is necessary, a new culvert shall be installed at the entrance to a driveway or private road. The culvert shall be adequately sized to provide drainage along the adjoining public way.

Culverts shall be installed at the landowner's expense.

*No building permit shall be issued for the construction of any building unless such building has the frontage required by this ordinance and there is a direct access to a public or private road. When a building is proposed on a lot not located upon a public way, then the property owner **whose land benefits from** such public or private way must sign **a contract** with the Town in which such person agrees to assume responsibility for the maintenance of the private way access to the proposed building site. This agreement will include the property owner's obligation to provide proper ditching and drainage in accordance with the standards then required for subdivision streets by Town ordinance or Planning Board regulation. This agreement shall state the Town of Bradford is not required to take any action to maintain the easement area, unless such action is authorized by legislative vote, and this agreement shall be binding on the owner's grantees, heirs, devisees, donees, and all other successors in interest.*

*Private roads must have a fifty-foot (50') right-of-way and must be screened if the right-of-way passes within thirty-five feet (35') of a residence. A private way which is approved by the planning board and which services a maximum of two lots must be laid out and fixed in location and dimensions as a permanent and unobstructed easement recorded in the Penobscot County Registry of Deeds; be a minimum of forty (40) feet wide and constructed with a travel way width of sixteen (16) feet located in the center of such right of way, a minimum of twelve (12) inches of gravel and must be adequately drained; and turns greater than forty-five (45) degrees are not permitted. The Planning Board may vary these requirements (but may not permit a right of way width of less than forty (40) feet) provided the applicant show that the literal application of the standards would result in undue hardships and further provide that the planning board shall consult with the fire chief regarding the adequacy of access for public safety purposes before granting such variance. The planning board shall also consider topography, parcel size, and impact of adjacent and proximate parcels in evaluating a waiver of these requirements; and the property owner whose land **benefits from** such a private way and who is applying for such building permit, must sign an agreement with the town in which he agrees to assume responsibility for the construction and maintenance of the private way in accordance with the standards set forth in this ordinance, including proper ditching and drainage in accordance with the standards then required for subdivision streets by town ordinance or planning board regulation which agreement shall state that the Town has no responsibility for the maintenance of the private way, and which agreement shall be binding on the applicant, grantee, heirs, devisees, donees, and all other successors in interest.*

*The Private way authorized herein must connect directly with a public way.*

*The minimum lot size criteria, dimensional provisions and set back requirements of this ordinance must be met for the lot and the proposed structure/s.*

*The visual screening may consist of fences, berms, landscaping, (such as coniferous shrubs and trees) and/or natural existing vegetation. The screening shall be maintained throughout the life of the right-of-way. The screening shall effectively screen at least 80% of the structures from the view of the right-of-way. If vegetative screening is chosen, the owner has five (5) years to comply with this standard.*

**NOTE:** *Any driveway or road on a state highway or state aid road requires an entrance permit from DOT.*

#### **A. Vehicular Access**

The following standards apply to design and construction of vehicular access to properties:

1. Each property shall be provided with vehicular access to the property by abutting private or public ways. Private right-of-ways shall be protected by permanent easements.
2. The following criteria shall be followed for entrances and/or driveways to any use other than single and two-family dwellings:
  - a) All entrance and exit driveways shall be located and designed in profile and grading to afford safety to traffic, provide for safe and convenient access to and from the site, and to minimize conflict with the flow of traffic.
  - b) The dimensions of driveways shall be designed to adequately accommodate the volume and character of vehicles anticipated to be attracted daily.
  - c) Provision shall be made for convenient and safe emergency vehicle access to all buildings and structures at all times.
  - d) For a distance of twenty feet (20') from the intersection of any two (2) streets along street lines, no wall, fence, sign, or other structure and no hedges, trees, or other growth shall be planted or erected in such a manner as to materially impede vision between a height of two and one-half (2 1/2) and ten feet (10') above street level.
  - e) Any exit driveway or driveway lane shall be designed in profile and grading and located so as to provide the following minimum sight distance measured in each direction. The measurements shall be from the driver's seat of a vehicle standing on that portion of the exit driveway with the front of the vehicle a minimum of ten feet (10') behind the curb line or edge of shoulder.

Allowable speed (Miles per hour)	Required Sight Distance (Feet)
25	160
35	240
40	275
45	325
50	350
55	425

- f) Where a site occupies a corner of two (2) intersecting roads, no driveway entrance or exit shall be located within fifty feet (50') of the point of tangency of the existing or proposed curb radius of that site. Access to the lot shall be provided across the frontage and to the street where there is less potential for traffic congestion and for hazards to traffic and pedestrians.
- g) The intersection of any access drive or proposed street shall function at  
 a Level of Service of C following development if the project will generate four hundred (400) or more vehicle trips per twenty-four (24) hour period or at a level which shall allow safe access into and out of the project if less than four hundred (400) trips are generated.  
 Projects generating four hundred (400) or more vehicle trips per twenty-four (24) hour period shall provide two (2) or more separate points of vehicular access into and out of the site.
- h) Where two (2) or more driveways connect on a single site to any one (1) road, a minimum clear distance of one hundred feet (100') measured along the right-of-way shall separate the closest edges of any two (2) such driveways, unless the driveways are one way only. In that case, the minimum clear distance shall be no less than fifty feet (50').
- i) Angles. Driveways used for two-way operation shall intersect the road at an angle of or as near to ninety (90) degrees as site conditions will permit and in no case less than sixty (60) degrees. Driveways used by vehicles in one (1) direction of travel (right-turn only) shall not form an angle greater than forty-five (45) degrees with the road, unless acceleration and deceleration lanes are provided.
- j) Dimensions. The dimensions of driveways shall be designed to adequately accommodate the volume and character of vehicles anticipated. The required maximum and minimum dimensions for

driveways are indicated below. Driveways serving large volumes of daily traffic or traffic of over fifteen percent (15%) truck traffic shall be required to utilize maximum dimensions.

	<b>One-way Operation Driveways* Width (Feet)</b>	<b>Two-Way Operation Driveways* Width (Feet)</b>
Three (3) to ten (10) Dwelling units	16	16 to 25
Ten (10) dwelling units or more	16 to 25	20 to 35
Commercial and Industrial	16 to 30	25 to 35
* All driveways shall be five feet (5') wider at the curb line and this additional width shall be maintained for a distance of twenty feet (20') into the site.		

- k) Grades. For all driveways entering onto all State maintained roads, the grade shall not be more than three percent (3%) for the first fifty feet (50') from the edge of the pavement. Driveways shall not be located where visibility is limited because of curves or topography.

**B. Highway Access**

The following provisions shall apply to all properties that abut and/or have frontage on all state maintained roads:

1. All lots of record legally existing at the time of the adoption of this Ordinance shall be allowed one (1) direct access to a state maintained road provided that the minimum sight distance is met.
2. One curb cut is allowed for every 200 feet of frontage provided it meets the minimum sight distances specified.

**C. Emergency Vehicle Access**

Provisions shall be made for providing and maintaining convenient and safe emergency vehicle access to all buildings and structures at all times.

**1290 Off-Street Parking and Loading Requirements**

**A. Off-Street Loading/Unloading Requirements**

On every lot on which a commercial or industrial use is hereafter established, space with access to a public street shall be provided as indicated below for the loading and unloading of vehicles.

1. BUSINESS: One (1) space twelve feet (12') by fifty-five feet (55') with a minimum overhead clearance of fifteen feet (15') for every ten thousand (10,000) square feet or fraction thereof of floor space.

## B. Off-Street Parking

1. **PARKING SPACE SHALL BE PROVIDED:** No structure shall be erected nor shall any of the following uses be established unless at least the minimum number of off-street parking spaces as specified below is provided. Where a fractional number of spaces would be called for, at least the next higher whole number of spaces shall be required. Each parking space shall measure at least nine feet (9') in width by eighteen feet (18') in length and shall have access for vehicles to a public street. Parking lots for more than five (5) vehicles shall be arranged so that vehicles can be turned around within such lots without entering the street. Private roads, separated from public right-of-ways, but not allowing for turn-around space are deemed adequate for these requirements.
  - a) **Automobile Repair and Filling Stations:** one (1) space for each regular employee, plus one (1) space for each one hundred (100) square feet of floor area used for service work
  - b) **Boarding and Rooming House:** one (1) space for each guest room
  - c) **Drive-in Restaurants and Dairy Stands:** ten (10) spaces plus one (1) additional space for each person serving or preparing food on the largest shift employed at least once a week on a regularly scheduled basis during the peak season of operations
  - d) **Hospitals and Nursing Homes:** one (1) space for each five (5) beds, plus one (1) space for each staff or visiting doctor, plus one (1) space for each four (4) employees
  - e) **Fraternal Organizations and Clubs:** one (1) space for each five (5) members
  - f) **Business and Professional Offices:** one (1) space for each two hundred (200) square feet of working space
  - g) **Places of Amusement or Public Assembly:** one (1) space for each fifty (50) square feet of floor area devoted to patron use
  - h) **Residential:** Two (2) spaces for each dwelling unit
  - i) **Restaurants, Cocktail Lounges, and Bottle Clubs:** one (1) space for each four (4)-customer seats, plus one (1) space for each two (2) employees
  - j) **Retail Business:** four (4) spaces for each one thousand (1,000) square feet of sales area
  - k) **Elementary Schools:** two (2) spaces per classroom plus one (1) space for every four (4) seats of public assembly or ten (10) spaces



for every one thousand (1,000) square feet of assembly space if no fixed seats

- l) **Wholesale Business:** one (1) space for each three hundred (300) square feet of floor space
- m) **Churches:** one (1) space for each three (3) persons seating capacity
- n) **For uses not specifically listed in this section,** the Code Enforcement Officer shall prescribe the number that in no case will be less than an adequate number to provide for employees and customers and visitors anticipated on the site.

- 2. **LOCATION ON OTHER PROPERTY:** If the required automobile parking spaces cannot be provided on the same lot where the principal use is conducted, the Planning Board can permit that such spaces may be provided on other off-street property provided that such property lies within four hundred feet (400') of the main entrance to such principal use. Such automobile parking space shall be associated with the principal use and shall not thereafter be reduced or encroached upon in any manner provided, however, that it may serve different principal uses at different times of day.

### **1300 Performance Standards (continued)**

#### **1310 Swimming Pools**

Any in-ground private or public swimming pool shall be enclosed by a fence no less than four (4) feet high designed to prevent uncontrolled access.

#### **1320 Sewage Disposal**

All plumbing facilities in the Town of Bradford and all sewage disposal systems shall be installed and operated in compliance with the State of Maine Plumbing Law.

Plumbing and sewage disposal systems shall be installed only after a Plumbing permit has been obtained.

#### **1330 Building Construction Standards**

All new structures built in the Town of Bradford shall be designed and built to conform to the generally-accepted standards of good practice for such construction.

No manufactured housing shall be located within the Town of Bradford unless it meets the standards of 30A M.R.S.A. sec 4358 as amended.

#### **1340 Campgrounds**

Campgrounds shall conform to the minimum requirements imposed under State licensing procedures and the following:

- A. Each tent or shelter site shall contain a minimum of twenty-five hundred (2,500) square feet of suitable land, not including driveways and roads, for each site.
- B. A minimum of two hundred (200) square feet of off-street parking plus maneuvering space shall be provided for each tent or shelter site.
- C. The area intended for placement of the tent or shelter site and utility and service buildings shall be set back a minimum of fifty feet (50') from the exterior lot lines of the camping area, and one hundred feet (100') from the normal high water mark of any river, pond, stream, and upland edge of a wetland.
- D. Screening shall be required to shield the campground from abutting areas.

All campgrounds established in the Town of Bradford shall meet all the following standards:

Campgrounds shall be located on well-drained sites properly graded to insure rapid drainage and freedom from stagnant pools of water. The sites shall not be exposed to unpredictable adverse influences such as sudden flooding, land slumping, or erosion which would expose persons or property to hazards.

#### **1341 Campers**

All campers shall be located at least twenty-five feet (25') from all campground boundaries and at least ten feet (10') from any campground road.

#### **1342 Site size requirement**

- A. Each campsite for motorized vehicles shall contain not less than twenty-five hundred (2,500) square feet and shall be at least fifty feet (50') wide.
- B. Each campsite for non-motorized devices shall contain not less than one thousand 1,000 square feet and shall be at least thirty-five feet (35') wide.

#### **1343 Camper Siting**

All campers shall be arranged so that there will be a minimum of fifteen feet (15') between each unit.

#### **1350 Mobile Home Safety Standards**

All mobile homes in the Town of Bradford shall meet the following criteria:

##### ***General Standards:***

- A. Constructed with exterior siding that is residential in appearance.
- B. Certified, pursuant to 30-A M.R.S.A. section 4358.

##### ***Safety Inspection Standards***

A representative from the Town of Bradford, under the authorization of the Board of Selectmen will do an inspection of any used mobile home, before a permit is issued for said dwelling to enter the town limits of Bradford.

### **Exit Facilities – Exterior Doors**

Homes shall have a minimum of two exterior doors located remote from each other.

1. Required egress doors shall not be located where a lockable interior door must be used in order to exit
2. Doors may not be less than 12 feet from each other as measured in any straight line direction regardless of the length of the travel between doors.
3. One of the required exit doors must be accessible from the doorway of each bedroom without traveling more than 35 feet.
4. All exterior swinging doors shall provide a minimum 28 inches wide by 74 inches high clear opening. All exterior sliding doors shall provide a minimum 28 inches wide by 72 inches high clear opening. Locks shall not require the use of a key for operation from the inside.

### **Exit Facilities – Egress Windows and Devices.**

Homes shall have the following second means of escape or alternate emergency egress facilities. They are:

1. Every room designed expressly for sleeping purposes, unless it has an exterior exit door, shall have at least one outside window operable from the inside without the use of tools and providing a *clear opening of not less than 20 inches in width, 24 inches in height and 5.7 square feet in area. The bottom of the opening shall not be more than 44" off the floor.*  
\*NOTE: For casement, awning, or jealousy windows, the *5.7 square feet* must be unobstructed when windows are open.

### **Fire Detection Equipment.**

**All used mobile homes, regardless of the date of manufacture, shall meet the following requirements. They are:**

1. At least one smoke detector (which may be a single station alarm device) shall be installed in the home in the following locations.
  - a. A smoke detector shall be installed on any wall in the hallway or space communicating with each bedroom area between the living area and the first bedroom area, in which case the detector shall be installed on the living side as close to the door as practical. Homes having bedroom areas separated by any one or combination of communication areas such as kitchen, dining room, living room

(but not a bathroom or utility room) shall have at least one detector protecting each bedroom area.

b. When located in hallways, the detector shall be between the return air intake and the living area.

c. The smoke detector shall not be placed in a location that impairs its effectiveness.

d. Smoke detectors shall be labeled as confirming with the requirements of Underwriters Laboratory Standards No. 217, Third Edition, 1985 as amended through October 8, 1985, for single and multiple station smoke detectors.

e. Each smoke detector shall be install in accordance with its listing on a wall or ceiling. If installed on a wall, the top of the detector shall be 4 inches to 12 inches below the ceiling. However, when a detector is mounted on an interior wall below a sloping ceiling, it shall be located 4 inches to 12 inches below the intersection on the connecting exterior wall and the sloping ceiling (cathedral ceiling). The required detector(s) shall be attached to an electrical outlet box and the detector shall be connected by permanent wiring method into a general electrical circuit. There shall be no switches in the circuit to the detector between the over-current protection device protecting the branch circuit and the detector. The smoke detector shall not be placed on any circuit protected by a ground fault circuit interrupter.

## **Carpeting**

All used mobile homes, regardless of the date of manufacture, shall meet the following requirements. They are:

1. Carpeting shall not be used in a space or compartment designed to contain only a furnace and/or water heater. Carpeting may be used in other areas where a furnace or water heater is installed, provided that it is not located under the furnace or water heater.

## **Life and Fire Safety**

### **1. Identification**

Each home in a community shall be clearly marked for identification in a uniform manner that is clearly visible from the street serving the site.

If the initial inspection fails, a copy of that report shall be left, so as to enable the owner or representative to take corrective measures. A second inspection shall then be arranged at a later date.

There will be an initial inspection fee of \$20.00 plus \$.32 per mile after the first 10 miles and, if needed, the follow-up inspection fee shall be the same.

## Article 1360 Mobile Home Parks

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### Purpose

To promote the orderly development of mobile home parks (Any parcel of land, which contains, or is designed, laid out, or adapted to accommodate three or more mobile homes. Nothing herein shall be construed to apply the term "Mobile Home Park" to any premises used solely for storage or display of mobile homes) to insure the health, safety, and general welfare of the residents of the park and the town of Bradford.

### Administration

No person shall construct, develop, establish, expand or operate a mobile home park without having first obtained a permit from the planning board. A permit shall be granted for a period of one (1) year. If construction is not initiated within the one (1) year period, the permit expires and the applicant must reapply to the planning board for another permit. Each permit shall be issued only for the site designated in the plans accompanying the application and shall not be transferable or assignable to any other site.

### Applicability

This ordinance shall apply to all development proposals for new construction of mobile home parks and to any expansion of existing mobile home parks.

### Application Procedure and Site Plan Content

All mobile home park applications shall follow the submission requirements of Article 1130 through 1140 of this Ordinance.

### Hearing and Enforcement Procedures

All application, hearing, and enforcement procedures shall follow the requirements Article 1400 of the Ordinance as amended.

### Subject to Subdivision Approval

Review Requirements: In addition to the site plan requirements noted above, all mobile home parks, including the expansion of an existing park, shall require

subdivision approval by the Planning Board.

## Other Requirements

### 1. Minimum Mobile Home Park Lot Size

A. With on-site sewage disposal within the park, the minimum individual unit size shall be 12,000 square feet, provided that a community septic system, approved by the Department of Human Services, is utilized and that the maximum residential density in the park does not exceed one dwelling unit per 20,000 square feet of buildable land. Where on-site sewage disposal is located on each unit, the unit size shall be at least 20,000 square feet.

### 2. Dimensions

A. Dimensions for individual sites or lots are as follows:

1. Minimum lot width: 75 feet
2. Minimum Yard setbacks
  - a. Front: 50 feet from the center of the travelled way.
  - b. Rear: 25 feet
  - c. Side: 25 feet

### 3. Open Space and Recreation

An area equal to at least 10% of the combined area of all individual lots shall, in addition, be reserved for playgrounds and other recreational facilities and open space.

### 4. Private Roads

- 1.) Roads within a mobile home park are to be built according to acceptable engineering standards and require an engineer's seal as required by the Manufactured Housing Board.
- 2.) Roads shall have a right of way width of up to 23', 20' of which shall be paved, unless the developer intends to offer the roads to the municipality for acceptance as a public way. In such case, the roads shall conform to the requirements of the Bradford Subdivision Ordinance
- 3.) Roads shall conform to reasonable safety standards applicable to intersections with public ways adjacent to the mobile home park.

## 5. Buffer Yards

A mobile home park shall maintain a 25-foot buffer yard along all property lines, except where the mobile home park abuts a residential use or development, where the minimum yard shall be 50 feet. Buffer yards shall be required only when the per-acre density of homes within the park is at least two times greater than the residential density on immediately adjacent parcels of land or if the parcels are undeveloped, the maximum net density permitted by the ordinance. The buffer yard, which may be included as part of the required open space, shall be sufficiently landscaped or fenced to effectively screen the park from surrounding properties.

## 6. Landscape Plan

A mobile home park shall have a landscape plan which takes into consideration the relationship of individual sites to one another, the proposed use of open space, the relationship of the park to surrounding property and a specific planting scheme. The plan shall include a permanent landscape maintenance program.

## 7. Placement on Pad

In a mobile home park, each individual unit shall be placed upon a permanent foundation and shall have a skirting placed around its base to screen the base from view. Each unit shall be emplaced in accordance with the Installation Standards specified in the State of Maine Manufactured Housing Standards of the Manufactured Housing Board of March 1993 and any subsequent amendments.

Permanent Foundation shall mean one of the following:

1. A full, poured concrete or masonry foundation;
2. A poured concrete frost wall or a mortared masonry frost wall, with or without a concrete floor;
3. A reinforced, floating concrete pad for which the municipality may require an engineer's certification if it is to be placed on soil with high frost susceptibility; and
4. Any foundation which, pursuant to the building code of the municipality, is permitted for other types of single-family dwellings.

## 8. Location over Aquifers or in the Shoreland Zone

No mobile home park shall be located over sand and gravel aquifers nor shall they be located in the Shoreland Zone.

## 9. Compliance with Mobile Home Safety Standards

All mobile homes located in a mobile home park shall meet the applicable mobile home safety standards adopted by section 1350 of this ordinance

### Review Criteria

All mobile home parks are subject to the same review criteria as are required for commercial and industrial permits in Section 8.C. of the Bradford Land Use Ordinance, the Bradford Subdivision Ordinance and the Maine State Statutes, Title 30-A, MRSA, Section 4401, as amended.

### Conformance with Other Laws, Regulations

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The proposed mobile home park shall be in conformance with all pertinent local, state, and federal ordinances, statutes, laws, and regulations.

## **Article 1400 Enforcement**

### **1410 Nuisances**

Any violation of this Ordinance shall be deemed a nuisance.

### **1420 Code Enforcement Officer**

The Code Enforcement Officer established in the Town of Bradford shall have the duty to enforce the provisions of this Ordinance. If the Code Enforcement Officer shall find that any provision of this Ordinance is being violated, he shall notify, in writing, the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it, including discontinuance of illegal use of land, buildings, structures, or work being done, removal of illegal buildings or structures, and abatement of nuisance conditions. A copy of such notices shall be maintained as a permanent record. Any such notice is not a prerequisite to bringing legal action noted in Section 1430, and the failure to give notice shall not in any way affect the legal action.

### **1430 Legal Actions**

When the above action does not result in the correction or abatement of the violation or nuisance condition, the Municipal Officers, upon notice from the Code Enforcement Officer, are hereby authorized and directed to institute any and all actions and proceedings, either legal or equitable, including seeking injunctions of violations and the imposition of fines, and/or consent agreements, that may be appropriate or necessary to enforce the provisions of this Ordinance in the name of the municipality.

### **1440 Fines**

The CEO, upon finding that any provision of this ordinance is being violated, is authorized to take action to stop the violation and to recover reasonable attorney's fees, fines and costs.



Any person, including but not limited to a landowner, a landowner's agent or a contractor, who orders or conducts any activity in violation of this Ordinance shall be penalized in accordance with Title 30-A, M.R.S.A. §4452. Each day a violation exists shall constitute a separate violation for which a minimum fine of \$100.00 shall be assessed per day. Any fines imposed shall inure to the Town.

## **Article 1500 Appeals**

### **1510 Board of Appeals**

The Board of Appeals as established in the Town of Bradford shall hear appeals relative to this Ordinance.

### **1520 Jurisdiction of the Board of Appeals**

### **1521 Variance**

The Board of Appeals may, upon written application of the affected landowner, grant a variance from the strict application of this Ordinance, when the Board finds that such application could cause undue hardship to the petitioner and his property. A financial hardship shall not constitute grounds for granting a variance. The words "undue hardship" mean:

- A. That the land in question cannot yield a reasonable return unless a variance is granted;
- B. That the need for a variance is due to the unique circumstances of the property;
- C. That the granting of the variance will not alter the essential character of the locality.
- D. That the hardship is not the result of action taken by the Applicant or the prior owner.

A variance shall be authorized only for lot area, frontage, and setback, and shall be limited to an appellate review.

### **1522 Administrative Appeal**

The Board of Appeals may, upon written application of an aggrieved party and after public notice, hear appeals from determinations of the Planning Board or Code Enforcement Officer in the administration of this Ordinance. Such hearings shall be held in accordance with State Laws, and the Board's deliberations and decisions limited to appellate review.

Following such hearing, the Board of Appeals may reverse the decision of the Planning Board or Code Enforcement Officer only upon a finding that the decision is clearly contrary to specific provisions of this Ordinance.

**A. Time Limit**

An aggrieved party may take an administrative or variance appeal to the Board from any decision of the Code Enforcement Officer or Planning Board. Such appeal shall be taken within thirty (30) days of the date of the decision appealed from, and not otherwise, except that the Board, upon a showing of good cause, may waive the thirty (30) day requirement.

**1610 Construction of Language**

In this Ordinance, certain terms or words shall be interpreted as follows:

- The word "**person**" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- The present tense includes the future tense. The singular number includes the plural, and the plural includes the singular.
- The word "**shall**" is mandatory, and the word "**may**" is permissive.
- The words "**used**" or "**occupied**" include the words "intended", "designed", or "arranged to be used or occupied".
- The word "**building**" includes the word "**structure**", and the word "**dwelling**" includes the word "**residence**".
- The word "**lot**" includes the words "**plot**" or "**parcel**".

In the case of any difference of meaning or implication between the text of this Ordinance and any map or illustration, the text shall control. Terms not defined shall have the customary dictionary meaning.

**1620 Definitions**

In this Ordinance, the following terms shall have the following meanings unless a contrary meaning is required by the context or is specifically prescribed:

Accessory	A structure of a nature customarily incidental or structure subordinate to that of the principal structure other than primary use to which the premises are devoted.
Arterial	Major roadways that serve long distance through traffic.
Camper	A vehicle designed to be moved on wheels and intended as a temporary dwelling for travel, recreation and vacation use. This term shall also include travel trailers, camper-trailers, and other short-term shelter vehicles or devices, including tents.
Campground	Any parcel of land that contains, or is designed, laid out, or adapted to accommodate two or more campers, as defined.
Collector Streets	Roadways that connect local streets or arterials, and generally provide access to abutting land.

<b><i>Developed Area:</i></b>	<b><i>Any area on which a site improvement or change is made, including buildings, landscaping, parking areas, and roads or driveways.</i></b>
<b><i>Density:</i></b>	<b><i>The number of dwelling units per area of land.</i></b>
<b><i>Development:</i></b>	<b><i>Any man-made changes to improved or unimproved real estate, including but not limited to buildings, or other structures, mining, dredging, filling, grading, paving, land clearance excavation, drilling operations.</i></b>
<b><i>Driveway:</i></b>	<b><i>A vehicular access-way, serving two lots or dwelling units or less and providing entrance to a public roadway or private street.</i></b>
Dwelling	A fixed structure containing one or more dwelling units.
Dwelling Unit	A room or group of rooms designed and equipped exclusively for use as living quarters for only one family, including provisions for living, sleeping, cooking and eating.
Excavation	Any removal of earth material from its original location.
Equipment	Anything constructed which is freely and immediately movable and does not require specific location for its use.
Filling	Depositing or dumping any matter on or into the ground or water.
Frontage, Road	The continuous linear distance, measured along the lot line which separates the lot from a public or private way.
Incompatible Use	A use or activity that creates a conflicting demand on current and reasonable uses of an adjacent property.
Living Space	Enclosed dwelling place used as principal structure. Enclosed porches are included in this definition.
Local Streets	Roadways that directly serves abutting properties.
Lot Area	The total horizontal area within the lot lines.
Lot of Record	A parcel of land, a legal description of which or the dimensions of which are recorded on a document or map on file with the Penobscot County Register of Deeds.
Lot Lines	The lines bounding a lot as defined below: <u>Front Lot Line</u> – On an interior lot, the line separating the lot from the street. On a corner or through lot, the line separating the lot from either street <u>Rear Lot Line</u> – The lot line opposite the front lot line. On a lot pointed at the rear, the rear lot line shall be an imaginary line between the side lot lines parallel to the front lot line, not less than ten feet long, lying farthest from the front lot line. On a corner lot, the rear lot line shall be opposite the front lot line of least dimension. <u>Side Lot Line</u> – Any lot line other than the front lot line or rear lot line.

Manufactured	A structural unit or housing units designed for occupancy, constructed in a manufacturing facility, and then transported by the use of its own chassis or placement on an independent chassis to a building site. The term includes any type of building which is constructed at a manufacturing facility and then transported to a building site where it is utilized for housing and may be purchased or sold by a dealer in the interim.
Mobile Home	Manufactured housing which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation, when connected to the required utilities, including plumbing, heating, air conditioning, and electrical systems contained therein.
Mobile Home Park	Any parcel of land, which contains, or is designed, laid out, or adapted to accommodate three or more mobile homes. Nothing herein shall be construed to apply the term "Mobile Home Park" to any premises used solely for storage or display of mobile homes.
Multi-Family Structure	Building containing more than two dwelling units.
Parking Space	A parking space shall be an area adequate for parking an automobile with room for opening doors on both sides. Such a space shall measure at least 9 feet wide by 18 feet long.
Premises	One or more lots which are in the same ownership and are contiguous or separated only by a water body, including all buildings, structures, and improvements.
Principal Structures	The structure used for the main purpose for which the premises exists.
Principal Use	The primary purpose to which the premises are structure devoted, and the main purpose for which the premises exist. Examples of principal structures include a single-family residence, an auto service station, a school.
Screening	Is either: <ul style="list-style-type: none"> <li>• A hedge or buffer strip consisting of densely planted shrubs or trees.</li> <li>• A wall or fence that provides an effective visual barrier.</li> </ul>
Setback	The minimum horizontal distance from a lot line to the nearest part of a structure.
Structure	Anything constructed or erected, except a fence or boundary wall, the use of which requires permanent location on the ground or permanent attachment to something on the ground. Signs, satellite dishes, and mobile homes are structures.
Use	The purpose for which land or a structure is arranged, designed, or intended, or for which land or a structure is or may be occupied.

## Noted Clauses

1. **EFFECTIVE DATE:** The effective date of this Ordinance shall be the day it is adopted by vote of the legislative body of the Town of Bradford
2. **REPEAL OF CONFLICTING ORDINANCES:** The Building Permit Ordinance adopted 03/19/1987, the Minimum Lot Size Ordinance adopted 03/17/2001, the Safety Inspection Ordinance for Mobile Homes adopted 09/02/2004, and all amendments thereto, are hereby repealed. Provided However, that the repeal of said Ordinances shall not preclude the prosecution of any violations thereof that occurred on or before the effective date of repeal.





# Manufactured Housing Safety Ordinance for the Town of Bradford

## **Article 1: Title and Purpose**

1.1: This ordinance shall be known as the Mobile Home Safety Ordinance and will be referred to hereinafter as the "Ordinance"

1.2: This Ordinance is enacted by the inhabitants of the Town of Bradford to ensure the availability of a wide variety of housing alternatives to all economic levels within the community, while continuing to promote reasonable standards of safety and health and welfare of the community and its citizens. To this end the Town of Bradford allows the siting of all types of manufactured housing regardless of their date of manufacture. The Town does require that all manufactured housing sited within the Town of Bradford meet certain design and safety standards.

## **Article 2: Authority**

2.1: This ordinance is enacted pursuant to the authority granted to the municipality M.S.R.A. Title 30-A Chapter 141 Section 3001(Home Rule provision) and Chapter 187, Section 4358 (the Regulation of Manufactured Housing).

2.2: The effective date of this ordinance shall be the date it is enacted by the vote of the legislative body of the Town of Bradford.

2.3: Whenever the requirements of this ordinance are in conflict with the requirements of any other lawfully adopted rule regulation, ordinance deed restriction or covenant, the most restrictive or that imposing the higher standard shall govern.

## **Article 3: Severability**

3.1: Should any section or provision of this Ordinance be declared by a court to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

## **Article 4: Application/Permits**

4.1 : This ordinance will apply to all manufactured housing defined as Hud code and Pre-Hud code units located within the Town of Bradford.

4.2 : Building permits and plumbing permits are required prior to the siting of any manufactured housing within the Town of Bradford.

4 3: Building Permit Fees are as stated in Fee Schedule for the Town of Bradford.

4.4: Plumbing permit fees are as required by the Maine State plumbing code.



4.5: The burden of proof rests with the applicant.

4.6: A Certificate of occupancy is required before any occupancy is allowed.

4.7 A safety inspection is require by the fire department. An inspection checklist is available at the town office.

4.8 Certificate of payment of sales tax and property tax.

### **Article 5:Definitions**

1: For the purpose of interpreting this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein

2: Terms not defined shall have the customary dictionary meaning.

**Abutting:** Having a common border with or being separated from such common border by an alley or easement.

**Abutter:** A party owning an abutting lot or owning one directly across the road

**Access:** A means of entry to or exit from a property

**Acre:** A measure of land containing forty-three thousand five hundred and sixty (43,560) square feet.

**Addition:** A room or rooms added to a structure. Any addition added to any Hud - Code or Pre Hud-Code home must comply with the current building code in effect in the town of Bradford.

**Aggrieved person:** A person whose interests are damaged or adversely affected by a decision, action or the failure to act by the planning board or code enforcement officer.

**Alteration:** As applied to a building or structure, a change, rearrangement, or enlargement of the structural parts or means of egress, whether by extending on a side or by increasing in height or by moving from one location or position to another.

**Basement:** The substructure of a building that is partially or wholly below ground level which may or may not be used for living space.

**Certificate of Occupancy:** Official certification that manufactured housing as defined in this ordinance meet or exceeds the requirements of this ordinance and all other pertinent state and local requirements to be used as a residence or other purpose for which it was manufactured.

**Chapters 900 thru 970:** A group of standards adopted by the Manufactured Housing Board to insure that manufactured housing is installed correctly, and safely, and remains affordable.

**Code Enforcement Officer:** A person appointed by the governing body to administer and enforce this Ordinance. Code enforcement officer may be construed to include building inspector, plumbing inspector, electrical inspector and the like where applicable.

**District:** A specified portion of the Town delineated on the official land use map or as described in the Bradford Land Use Ordinance applied under the provisions of this ordinance.

**Enlargement or to enlarge:** Any addition that increases the floor area or square footage of a structure.

**Frontage, Road:** The horizontal distance between the intersections of the side lot lines and the front lot line. Permanent easements and permanent rights of way can be used to calculate road frontage provided they are recorded on the property's deed.

**Lot:** A parcel of property which meets all of the dimensional requirements for the district in which it is located.

**Lot Area:** The area contained within the boundary lines of the lot.

**Lot coverage:** The percentage of the lot covered by impervious surface.

**Lot Depth:** The mean horizontal distance between the front and rear lot line measured within the lot boundaries.

**Lot frontage:** The lot width measured at the street lot line. When a lot has more than one street lot line, the lot width shall be measured and the minimum lot width required, must be provided on one street. (See Frontage, Road above)

**Lot Line:** A line bounding a lot, which divides one lot from another or from a street road or water body as defined below.

1: **Front lot line:** In the case of a lot abutting only one street it is the line separating the lot from the street; in the case of double frontage lots either street line can be considered the front lot line but not both. The access to the lot will be considered the front line if it is the required length.

2: **Rear lot line:** The line that is parallel to and the most distant from the front line of the lot. In the case of irregular, triangular or gore shaped lots, a line 20-ft long entirely within the lot and parallel to and at the maximum possible distance from the front line shall be considered to be the lot line. In the case of lots which have

frontage on more than one road or street, the rear lot line shall be opposite from the lot line along which the lot takes access from the street.

3. **Side lot line:** any lot line not considered a front or rear lot line.

**Lot of record:** Any lot legally existing and recorded as such at the Penobscot County Registry of Deeds.

**Manufactured Housing:** A structural unit or units designed to be used as a dwelling or dwellings and constructed in a manufacturing facility and then transported by the use of its own chassis, or placement on an independent chassis to a building site where it is utilized for housing and that may be purchased, sold, offered for sale, rented, or brokered by a licensee in the interim. For the purpose of this ordinance, four (4) types of manufactured housing are included. They are:

1: HUD -code homes, which are those units constructed after June 15, 1976 that the manufacturer certifies are constructed in compliance with the U. S. Department of Housing and Urban Development (HUD) standard, meaning structures, transportable in one or more sections that, in traveling mode, are 8 body feet or more in width and 40 body feet or more in length or, when erected on site are 320 or more square feet and are built on a permanent chassis and designed to be permanent dwellings, with or without permanent foundations, when connected to the required utilities including plumbing, heating, air-conditioning and electrical contained therein except that such term shall include any structure that meets all the requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National manufactured Housing construction and safety standards Act of 1974, 42 United States Code § 5401, et seq; [2005, c344, ss4 (amd).]

2: State certified modular homes, which are those units that the manufacturer certifies are constructed in compliance with the State's Manufactured Housing Act and regulations, meaning structures transportable in one or more sections that are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to the required utilities including the plumbing, heating, air-conditioning and electrical systems contained therein. [2005, c344, ss4 (amd).]

3: Pre HUD-code homes, which are those units constructed prior to June 15, 1976 meaning structures transportable in one or more sections, that are 8 feet or more in width and are 32 body feet or more in length and are built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities including plumbing, heating, air-conditioning and electrical systems contained therein. [2005, c344, ss4 (amd).]

4: Any other manufactured container that has been or will be converted for use as a residence

**Mobile Home Park:** A parcel of land under unified ownership approved by the Town of Bradford and approved and licensed by the State of Maine for the placement of three (3) or more manufactured homes.

**Sited:** Placed, constructed or located on a lot of record with all permits required and a certificate of occupancy.

**Skirting:** The enclosure between the bottom of the manufactured home and the ground.

**Town:** The Town of Bradford

**Variance:** A waiver of one or more requirements of this ordinance, granted by the Board of Appeals under the terms of the Appeals Board Ordinance of the Town of Bradford.

## **Article 6: Siting Standards**

**6.1:** All Hud-Code and Pre-Hud code units sited within the Town of Bradford after the adoption of this ordinance shall meet the following installation standards. The State of Maine Manufactured Housing Board Manufactured Home Installation Standard Chapter 900, is adopted by reference in its entirety as the installation standard for the Town of Bradford

**6.2:** This standard applies to any manufactured home newly sited in the Town of Bradford as of the adoption date of this ordinance.

**6.3:** This Standard does not apply to any manufactured home legally sited in the Town of Bradford as of the adoption date of this ordinance.

**6.4:** Manufactured housing may not be sited within the Town of Bradford without an HHE 200 for a complete septic system. Gray water or primitive systems are not allowed. The burden of proof rests with the applicant.

## **Article 7: Safety Standards**

**7.1:** All Hud-Code and Pre-Hud code units sited within the Town of Bradford after the adoption of this ordinance shall meet the following Safety Standards. The State of Maine Manufactured Housing Board Used Home Standards Chapters 910 thru 970, which is adopted by reference in its entirety as the Manufactured Home Safety Standards for the Town of Bradford.

**7.2:** These standards must be met prior to any unit being sited within the boundaries of the Town of Bradford.

**7.3:** These standards do not apply to any manufactured home legally sited in the

Town of Bradford unless it is relocated to another lot after the adoption of this ordinance.

**7.4:** These standards apply to manufactured homes located in licensed mobile home parks or on private lots whether rented, leased or owned

### **Article 8: Appearance Standards**

**8.1:** All Manufactured Homes located on private lots whether rented, leased or owned are required to have siding that is residential in appearance or the original factory installed siding.

**8.2:** All manufactured homes are required to be enclosed between the bottom of the, home and the ground.

**8.3:** All manufactured homes located on private lots whether rented, leased or owned are required to have a pitched shingled roof or the factory-installed roof.

**8.4:** These standards do not apply to any manufactured home legally sited in the Town of Bradford prior to the adoption of this ordinance

## **02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**

### **385 MANUFACTURED HOUSING BOARD**

#### **CHAPTER 900 MANUFACTURED HOME INSTALLATION STANDARD**

**SUMMARY:** Establishes standards for the installation of mobile homes to meet the requirements of resolve 26 of 1989. The rules define installation as the process of affixing or assembling or setting up manufactured housing on foundations or supports at a building site, and includes the connection of existing electrical, oil burner, gas, water, sewage and similar systems.

#### **SUBPART 1**

##### **1-1 SCOPE AND INTENT OF STANDARD, ORGANIZATION OF STANDARD, AND DEFINITIONS**

**SCOPE:** This standard covers the installation of manufactured homes, wherever located.

- 1-2 INTENDED USAGE OF MANUFACTURED HOMES COVERED UNDER THIS STANDARD. The provisions of this standard are intended to apply to manufactured homes (single section, multiple section or expanded types) for use as a single family dwelling. The following homes are included:

Note 1: the standard does not apply to manufactured housing used for other than dwelling purposes.

Note 2: The provisions of this standard shall not apply to recreation vehicles as defined in the NFPA 501C, Standard for Recreation Vehicles, or to park model trailers as defined in the ANSI A119.5, Standards for Park Trailers.

### **1-2.1 TYPES OF STRUCTURE COVERED**

- (a) **Manufactured Homes.** The manufactured homes covered under this Standard are as follows:
  - (1) Those units constructed after June 15, 1976, which the manufacturer certifies are constructed in compliance with the HUD standard, meaning structures, transportable in one or more sections, which in the traveling mode, are 8 body feet or more in width and 40 body feet or more in length or, when erected on site, are 320 or more square feet, and which are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities, including plumbing, heating, air conditioning and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974.

- (2) Those units constructed prior to June 15, 1976, meaning mobile homes, transportable in one or more sections, which are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations when connected to the required utilities, including the plumbing, heating, air-conditioning or electrical systems contained therein.

## 1-2.2 APPLICABILITY

This standard is applicable only for new or used mobile homes and is not intended for modular or other types of manufactured dwellings. The standard is designed for the safety and health of mobile home users. It is intended to apply to all mobile homes. Where this standard provides useful technical data for improvements to existing sites falling within its scope and such is encouraged. However, mobile home park pads which are now licensed and all homes currently installed on private lots and may not comply with all design and construction standards of these rules, shall be deemed acceptable if capable of being maintained and operated in a safe and sanitary condition. This standard shall not be construed as relieving the installers of a manufactured home of responsibility for compliance with the manufacturer's installation instructions, state and local ordinances, codes, and regulations. This standard does not relieve the manufactured home owner or occupant from responsibilities for the proper use and maintenance of a manufactured home.

## 1-3 DEFINITIONS

**ANCHORING EQUIPMENT (TIES).** Straps, cables, turnbuckles, and chains, including tensioning devices, which are used to secure a manufactured home.

**ANCHORING SYSTEM.** A method of construction which when properly designed and installed will resist overturning and lateral movement of the manufactured home.

**APPROVED.** Acceptable to the Board.

NOTE: THE BOARD DOES NOT APPROVE OR CERTIFY ANY INSTALLATION, PROCEDURES, EQUIPMENT, OR MATERIAL, NOR APPROVE OR EVALUATE TESTING LABORATORIES. IN DETERMINING THE ACCEPTABILITY OF INSTALLATION OR

PROCEDURES, EQUIPMENT OR MATERIALS, THE BOARD'S ACCEPTANCE MAY BE BASED ON A SITE INSPECTION BY BOARD PERSONNEL OR AGENTS OF THE BOARD. THE BOARD REFERS TO THE LISTING OR LABELING PRACTICES TO AN ORGANIZATION CONCERNED WITH PRODUCT EVALUATIONS WHICH IS IN A POSITION TO DETERMINE COMPLIANCE WITH APPROPRIATE STANDARDS FOR THE CURRENT PRODUCTION OF LISTED ITEMS.

**DIAGONAL TIE.** A tie intended to primarily resist horizontal or shear forces and which may secondarily resist vertical, uplift, and overturning forces.

**FOUNDATION, MANUFACTURED HOME.** A site-built or site assembled system of stabilizing devices which is:

- (a) Capable of transferring design dead loads and live loads required by Federal Regulations and other design loads unique to local home sites due to wind, seismic, and water conditions, that are imposed by or upon the structure into the underlying soil bedrock without failure.

**GROUND ANCHOR.** A device at the manufactured home stand designed to transfer manufactured home anchoring loads to the ground.

**HURRICANE-RESISTIVE MANUFACTURED HOME.** A manufactured home which meets the wind design load requirements for Zone II in Subpart D, Section 3280.305(c)(2) of the Federal Standard or the applicable hurricane-resistive design requirements of the Standard for Mobile Homes, NFPA 501B/ ANSIA119.1 edition in effect at the time of manufacture.

**INSTALLER.** Any licensed dealer or an employee of a licensed dealer, or a person licensed as a mechanic I who engages in the process of affixing or assembling or setting up of manufactured housing on foundations or supports at a building site.

**INSTALLATION.** The process of affixing or assembling or setting up manufactured housing on foundation or supports at the building site.

**Mechanic.** For the purposes of these rules, any licensed individual who engages in the process of installing manufactured housing. Meaning the process of affixing or assembling or setting up a home on foundations or supports at the building site.

**PAD.** That area which has been established for the placement of a home.



**PIER.** That portion of the support system between the footing and the manufactured home, exclusive of caps and shims.

**SET-UP.** The work performed and operations involved in the placement and securing of a manufactured home or any portion thereof.

**SHALL.** Indicates a mandatory requirement.

**SHOULD.** Indicates a recommendation or that which is advised but not required.

**SITE.** A. designated parcel of land designed for the accommodation of one manufactured home, its accessory buildings or structures, and accessory equipment for the exclusive use of the occupants.

**SKIRTING.** A weather-resistant material to enclose the space from the bottom of the manufactured home to grade.

**STABILIZING DEVICES.** All components of the anchoring and support systems such as piers, footings, ties, anchoring equipment, ground anchors, or any other materials and methods of construction which supports and secures the manufactured home to the ground.

**STAND.** That area of a manufactured home site which has been reserved for the placement of a manufactured home.

**SUPPORT SYSTEM.** A combination of footings, piers, caps, and shims that will, when properly installed, support the manufactured home.

**TIE.** See anchoring equipment.

**UNCONTROLLED FILL.** Uncontrolled fills are fill materials that are placed without control of the content of the fill materials or without adequate compaction to assure a bearing capacity without undue settlement. For purposes of this STANDARD, uncontrolled fills shall mean fill materials containing organic matter or fills which are placed without compaction necessary to provide a uniform bearing capacity of 1000 lbs./ft.

**VERTICAL TIE.** A tie intended to resist the uplifting and overturning forces.

## **SUBPART 2 SITING AND FOUNDATION SYSTEMS**

### **2.1 Siting and Foundation Systems**

#### **2-1.1 GENERAL**

This chapter prescribes standards for siting, design and installation of manufactured home foundation systems. It identifies acceptable foundations systems. This chapter is applicable to all new and relocated manufactured homes, when and wherever newly installed at a home site. Homes which are designated 30 PSF snow zone in the manufacturer's data plate shall not be installed in 40 PSF roof load zones designated in Appendix B. Homes designated 20 PSF snow zone in the manufacturer's data plate shall not be installed in the State of Maine. Homes which are designated 15 PSF wind zone on the manufacturer's data plate shall not be installed in a 25 PSF wind load zone as identified in Appendix B.

2-1.2 A MANUFACTURED HOME FOUNDATION SYSTEM shall be constructed on each manufactured home site.

#### **EXCEPTION:**

1. Sites which have been licensed by Manufactured Housing Board in accordance with rules governing the licensing of mobile home parks prior to the adoption of this Installation Standard.
2. Sites for the installation of manufactured housing to provide temporary relief from fire, flood or other disasters. The site is exempted from the provisions of Chapter 2 for a period of two years from the date of the installation of the home.

#### **2-1.3**

A Manufactured Home Foundation System shall be constructed in accordance with one of the following;

- (a) the manufacturer's installation instructions,
- (b) by Appendix C of the Installation Standard
- (c) a foundation design prepared by a Registered professional engineer or architect for the site.

#### 2-1.4

Homes installed on sites exempted from the requirement of 2-1.2 shall be installed and the sites maintained in a manner which is not detrimental to the functions of any of the systems in the home. Homes which require perimeter blocking shall be blocked at locations required by the manufacturer of the home.

## 2-2 SITE CONSIDERATIONS.

### 2-2.1 GENERAL

#### 2-2.1.2 EVALUATION.

Each site shall be evaluated by the person assuming responsibility to determine if it is suitable for its intended use and if such hazards as flood erosion, sediment deposition, or other hazards exist that might impair the use or utility of the site. When, during preparation of the site, such unforeseen factors as rock formation, high groundwater levels, springs, biologically generated gases, etc., are encountered, corrective works shall be taken to siting of the manufactured home.

#### 2-2.1.3

**PROTECTIVE SLOPES OF UNPAVED AREAS AROUND MANUFACTURED HOME STANDS.** Grades shall slope away from stands, from walls, skirting, and foundations, and from water supply wells to adequate outfalls or to drainage swales discharging to adequate outfalls.

## 2-3 Soil Considerations

2-3.1 **FOOTINGS.** It shall be determined when natural soils or controlled fill (free of grass and organic material) are used, that the footing shall support the loads imposed by the support system of the manufactured home placed thereon.

### 2-3.2. ANCHORING

#### 2-3.2.1

**ANCHOR DESIGN AND INSTALLATION.** Homes installed on sites in the 25 PSF wind zone as identified in Appendix B of this standard and which

are occupied by other than the home owner shall be installed with an anchoring system properly designed and constructed to resist sliding and overturning of the home.

## **2-4 PLACEMENT**

### 2-4.1

#### **Clearances.**

##### 2-4.1.1

Clearance Under Home. A minimum clearance of 12 in. shall be maintained beneath the lowest member of the main frame (I-beam or channel beam).

##### 2-4.1.2

Elevated Manufactured Homes. When the manufactured home is installed on a basement or split entry type foundation over a habitable lower-level area, or when more than one-fourth of the area of the manufactured home is installed so that the bottom of the main frame members are more than 3 ft. above ground level, the foundation system shall be designed by a registered professional engineer or architect. Appendix C can not be used for any elevated installation or in combination with the manufacturers instructions.

##### 2-4.1.3

Removal of Manufactured Home Transportation Components at the Time of Installation. No portion of a manufactured home shall be removed when located on its home site unless it is designed to be removed in accordance with HUD's and the manufacturer's instruction.

## **2-5.1 VENTILATION**

### 2-5.1.1 Access to and Ventilation of Underfloor Areas.

- (a) Provisions shall be made to minimize condensation in underfloor areas through ventilation openings or other suitable means.

- (b) If combustion air for heat appliance(s) is taken from within the underfloor areas, ventilation shall be adequate to assure proper operation of the appliance(s). This requirement shall take precedence over the provisions of 2-6-2.1 (a).
- (c) A minimum of four ventilation openings shall be provided from the underfloor space to the exterior. One shall be placed at or near each corner as high as practicable. Their total net free area shall be calculated by:

- 1.  $a = A/150$  or

- 2.  $a = A/600$  if the home is installed on a concrete slab or with a ground cover in accordance with 2-6.2.4. where:

A = the area of the crawl space, square feet

A· = the total net free vent area

Openings shall provide cross ventilation on at least two opposite sides. The openings shall be covered with corrosion resistant wire mesh not less than 1/8 in. and not more than 1/2 in. in any dimension or with openings designed to retard entry of dry vegetation, waste material, or rodents.

#### 2-6.2.2.

Intake air for ventilation purposes shall not be drawn from underfloor spaces of the home.

#### 2-6.2.3.

Moisture producing devices, such as dryers, shall be vented to the atmosphere in such a manner to insure that moisture laden air is carried beyond the perimeter of the home.

#### 2-6.2.4

Under floor Continuous Ground Cover/Vapor Retarder.

If a ground cover is required, a uniform 4 to 6 mil. polyethylene sheet material or other acceptable membrane materials shall be installed for this purpose.

## 2-6.2.5

### Skirting

- (a) **Materials.** Skirting, if used, shall be of durable materials suitable for exterior exposures.

#### **General installation.**

Skirting, if used, shall be installed in accordance with the manufacturer's installation instructions. It shall be secured, as necessary, to assure stability, to minimize vibrations, to minimize susceptibility to wind damage, and to compensate for possible frost heaves. Access opening(s) not less than 18 in any dimension and not less than 3 sq. ft. in area shall be provided and shall be located so that any water supply and sewer drain connections located under the manufactured home are accessible for inspection. Such access panel(s) or door(s) shall not be fastened in a manner requiring the use of a special tool to remove or open same. On-site fabrication of skirting shall meet the objectives cited herein.

## **SUBPART 3 PLUMBING**

### **3-1 General Requirements**

**NOTE:** Where this standard differs from the State of Maine Plumbing Code, the standard adopted by the State of Maine shall prevail.

#### 3-1.1

**Need for Plumbing and Utility Connections.** Each manufactured home stand shall be provided with water supply and sewer located and arranged to permit attachment to the manufactured home in a workmanlike manner.

#### 3-1.2

**Location of Plumbing Utility Connections.** The plumbing utility connection shall be located under the mobile home stand.

## 3-2 Water Supply.

### 3-2.1

**Water -Riser Pipes, Size, and Protection.** Water-riser pipes shall be a minimum of 3/4 in. nominal diameter. Water-riser pipes shall extend a minimum of 6 in. above ground elevation. Water riser pipes shall be terminated with a threaded plug, hose bib, or cap when a manufactured home does not occupy a site. Surface drainage shall be diverted from the location of the riser pipe.

#### 3-2.1.1.

**Water Supply Shutoff Valves.** An accessible shutoff valve shall be provided on the water-riser pipe serving the manufactured home. The system shall be protected from backflow for single family residences on shared wells.

#### 3-2.1.2.

**Protection Against Freezing.** Provision shall be made to protect the water supply piping and valves, including the riser.

- (a) Frost-proof valves shall be installed where necessary and shall be listed for backflow protection.
- (b) In areas subject to heaving and thawing, the piping shall be adequately protected to prevent damage.
- (c) Heat cables and tapes, when used for protection of plumbing components against freezing, shall be listed and labeled.
- (d) Install in accordance with manufacturer's directions and listing requirements.

## 3-3 Wells as a Source of Supply.

### 3-3.1

**Location of Wells.** A well shall not be located within the boundaries of a manufactured home stand.

## **SUBPART 4 MECHANICAL EQUIPMENT (HEATING and COOLING)**

### **4-1 Exterior Mechanical Equipment.**

4-1.1 Mechanical Equipment shall not be installed in a manner that would obstruct any means of required egress. Mechanical equipment shall not be installed in window openings which are part of an exiting system and shall not obstruct sidewalks or other means of egress from the home.

## **SUBPART 5 FUEL SUPPLY**

### **5-1**

**General.** All fuel piping systems serving manufactured homes, which are not part of the manufactured home shall be designed and constructed in compliance with all applicable local , state and Federal codes.

## **SUBPART 6 ELECTRICAL**

### **6-1**

**Site Electrical Equipment and Installations.** Sites provided with an electrical service shall have all electrical equipment and installations designed and constructed, and maintained in accordance with the applicable provisions of NFPA 70, National Electrical Code.

## **SUBPART 7 LIFE AND FIRE SAFETY**

### **7-1**

**For life and fire safety requirements,** see NFPA 501A, Standard for Fire Safety Criteria for Manufactured Home Installation, Sites and Communities (1987) and NFPA 101, Life Safety Code (1988).

## **APPENDIX A PREVENTIVE MAINTENANCE**

Use and Preventive Maintenance of Manufactured Home Installations

This Appendix is not part of the requirements of this document, but is included for information purposes only.

### **A-1 Responsibilities of the Manufactured Home Resident.**

A-1.1 The resident should comply with all applicable requirements of this standard and should maintain his manufactured home site, its facilities, and its equipment in good repair and in a fire safe condition.



## A-2 Storage Practices Beneath Manufactured Homes

A-2.1 Periodic inspections of the enclosed space are recommended to assure that all utility and other connections are secured and no fire hazards exist

A-2.2 Homeowner should keep site free of an accumulation of combustible materials such as rubbish, paper, leaves, and brush

## **APPENDIX B WIND ZONE and ROOF LOAD ZONE**

MUNICIPALITY	ROOF LOAD	WIND LOAD	INSTALLATION ZONE
<b>Bradford</b>	<b>40</b>	<b>15</b>	<b>NORTHERN</b>

## **APPENDIX C**

(Note: The paper copy of this Appendix includes a number of drawings not reproduced below. Please contact the Board for a copy.)

## **PREFACE TO APPENDIX C**

The purpose of this appendix is to provide installation instructions which may be less expensive to implement than the manufacturer's installation instructions. This appendix instruction will provide adequate structural support for homes in all but the most extreme winter temperature conditions. During extreme temperature conditions, foundations detailed in this instruction may be subject to frost heave. Owners who choose to have homes installed in accordance with this instruction must understand that they accept responsibility for maintaining the home in a level condition. Failure to maintain the home in a level condition may result in the manufacturer's warranty being voided. Mechanics installing new homes and park owners renting pads to owners should insure that home owners understand the risks and their responsibility when homes are installed on sites constructed in accordance with this instruction.

## **I GENERAL REQUIREMENTS**

### **1. HOME SITE SELECTION**

Home sites shall not be constructed on mud, organic silt or uncontrolled-fill. Home sites shall not be constructed in any naturally occurring seasonal drainage swale.

### **2. HOME SITE PREPARATION**

Site soil conditions shall be evaluated. Home sites shall be prepared as required by SITE PREPARATION DETAILS I and the GENERAL SPECIFICATIONS FOR SITE PREPARATION.

### **3. LOCATION OF SUPPORTS**

- A. New homes shall be supported where required by the manufacturer's installation instructions.
- B. Used homes for which installation instructions are available shall be supported where required by those instructions.
- C. Used homes for which installation instructions are not available shall be supported at locations indicated in SUPPORT LOCATION DETAILS V.
- D. Each unit in multi unit homes shall be supported as a separate unit in accordance with this instruction. For purposes of this instruction, required marriage wall support shall be the same as required for perimeter blocking support.

### **4. FOOTING REQUIREMENT**

- A. Footings shall consist of a concrete pad constructed in accordance with CONCRETE SLAB DETAIL IV-A when
  - (1) The home requires perimeter support or
  - (2) The home is located in the 25 Wind Zone shown in Appendix 8 and the home is to be rented or occupied by someone other than the home owner.
- B. Footings for homes other than those identified in Requirement 4.A.(1) shall be constructed in accordance with FOOTING DETAIL II or CONCRETE SLAB DETAIL IV-A.
- C. A footing shall be installed at each support location.

## GENERAL SPECIFICATIONS FOR SITE PREPARATION

- (1) Compacted fill shall consist of gravel or sand which contains less than 5% (by weight) grains that will pass a #200 sieve. Gravel fill shall contain no rocks or boulders larger than 3" in diameter. Compacted fill shall contain no organic matter. Compacted fill shall not be frozen when placed or compacted.
  - (2) Compacted fill shall be compacted in a maximum of 6" lifts. Each lift shall be compacted sufficiently so that when 1000 lbs. is applied to a 3½" x 3½" block placed on top of the fill, the block will not sink more than 3/8" into the fill. (see recommended compaction test procedure below.)
  - (3) Compacted fill shall be placed on undisturbed and unfrozen soil. The site shall be free of topsoil and organic matter prior to the placement of fill.
  - (4) Crushed rock shall consist of clean, washed rock, and may range in size from pea gravel to 3/4". All crushed rock shall be retained by a #4 sieve.
  - (5) The perimeter of foundation sites shall be graded to prevent the flow of surface water under the home and to prevent the accumulation of surface water within 10 (ten) feet of the perimeter of the home.
- D. Footings shall be centered within 1" of the required support location.
- E. Footing surface shall be level within ¼" on the top surface after the home has been installed.

## 5. PIER REQUIREMENTS

- A. Piers shall be constructed at all locations of support under the main steel frame of the home.
- B. Piers constructed under the main frame shall be constructed in accordance with PIER DETAILS.
- C. Perimeter blocking or support, where required, shall be constructed in accordance with PERIMETER BLOCKING DETAILS.
- D. Piers shall be centered on the footing within 1"

- E. Piers shall be centered under the main frame Within 1" of required support locations.

## 6. Leveling Requirements

After the home is set, the home shall be leveled so that all doors and windows operate as intended and waste plumbing function in a safe manner. Specifically, leveling shall be adequate to maintain plumbing trap seals and prevent the buildup of solid waste in drain piping.

- A. The floor should be not more than 3/8" out of level in any 8 foot.
- B. The floor should be not more than 2" out of level along the entire length of the home.

## 7. Tie Down Requirements

Tie downs shall be installed in accordance with the CONCRETE SLAB DETAIL IV-A on all homes which:

- A. are located in the 25 Wind Zone as defined in Appendix B of this Standard, and
- B. which are rented or otherwise occupied by other than the home owner.

### SITE PREPARATION DETAIL I-A REV. NOTES:

1. This detail may be used when:
  - a. the foundation site is overlain with at least 24" of naturally occurring gravel or sand with less than 7% (by weight) passing a #200 sieve, and
  - b. the highest ground water table is more than 24" below the finish grade.
2. Sites prepared in the Coastal Zone as defined in Appendix B require 18" where 24" is specified in Note 1.
3. Construction may be placed on naturally occurring soils after all organic material has been removed from the construction site.

SITE PREPARATION DETAIL I-B      REV. NOTES:

1.      This detail may be used when the foundation site;
  - a.      does not contain any mud, organic silt or uncontrolled fill, and
  - b.      the highest ground water table is more than 24" below finish grade.
2.      If a slab is to be constructed on this site, crushed rock must be installed under the entire slab.
3.      A drainage swale at least 6" deep and within 10' of the sidewalls of the home must be constructed around the home. The swale shall have an unobstructed discharge allowing water to flow away continuously from the perimeter of the home.
4.      The 4" drainage system shall provide for free flow of water from the rock pads and shall prevent the accumulation of any water.

SITE PREPARATION DETAIL I-C      REV. NOTES:

1.      This detail may be used on any foundation site that does not contain mud, organic silt or uncontrolled fill.
2.      Sites prepared in the Coastal Zone as defined in Appendix B require 18" where 24" is specified in this detail.
3.      Finish grade shall be loamed and seeded with grass or otherwise finished to prevent erosion of compacted fill.
4.      Compacted fill may be placed below the original site grade only if a drainage system is installed in the fill to prevent the accumulation of water within 24" of the bottom of the footing.

FOOTING DETAIL II-A      REV. NOTES:

1.      Concrete shall have a minimum compressive strength of 3000 psi at 28 days
2.      Concrete shall be protected from freezing for the first 7 days after it has been cast.
3.      Footing pads may be cast on in situ or precast and delivered to the site for placing.

4. Footing pads which are precast for later placement shall be cured at least 7 days prior to handling.

FOOTING DETAIL II-3                      REV. NOTES:

1. This detail is of a wood isolated footing to be placed on a prepared site. This detail may be used when pier height does not exceed 30".
2. Wood used in this detail must be Southern Yellow Pine, #2, pressure treated with water-borne preservatives in accordance with AWPA C2 or C9. The AWPA stamp must indicate that the treatment is for use in contact with ground.

PIER DETAIL III-A                      REV. NOTES:

1. This detail applies to piers which are a maximum of 24" high from the top of footing.
2. Masonry units in this detail shall comply with ASTM C90, Grades N-I or N-II.
3. Wood block shall be of a structurally graded lumber with the 12" dimension centered under the main frame. No more than 2 wood blocks may be stacked.
4. Shims shall provide contact between main frame and 2" x 10" for at least 6".

SUPPORT LOCATION DETAIL V-A                      REV. NOTES:

1. This detail applies to homes
  - A. which are used, and
  - B. for which no manufacturer's installation instructions are available, and
  - C. which have floor frames constructed with 2" x 8" or deeper floor joists or are 12' or less wide.
2. Support locations are required within 2' of the end of the main frame and at no more than 8' o.c. under the main frame.

## SUPPORT LOCATION DETAIL V-B REV. NOTES:

1. This detail applies to homes:
  - A. which are used, and
  - B. for which no manufacture's installation instructions are available, and
  - C. which have floor frames constructed with 2" x 4" or 2" x 6" floor joists and are more than 12' wide.
2. Support locations are required within 2' of the end of the main frame and at no more than 8' o.c. under the main frame. Continuous perimeter support is required under side walls of the unit.

## PERIMETER BLOCKING DETAIL VI-A REV. NOTES:

1. This detail applies where perimeter blocking or support is required.
2. Provide venting through sheathing as required by this standard.
3. Provide an access door to the underside of the home as required by other portions of this standard.
4. P.T. treated lumber shall be treated per AWPA C-2 or C-9 for use above grade
5. Provide a weather protective covering for the sheathing.

## APPENDIX D Ground Level Installation of Manufactured Homes (Floor at Grade)

D-1 General. Ground level installations refer to manufactured homes installed over an open excavation where the supporting foundations are below finished ground level.

D-1.1 Grading Permit Requirements. All required permits will be obtained.

D-1.2 Retaining Walls. Retaining walls to resist the lateral displacement of soil and other materials should be designed to resist the lateral pressure of the retained material in accordance with accepted engineering practice. Retaining walls, if fastened to the manufactured home at the time of installation, should not degrade the stabilizing system of the home. When a retaining wall is not used as a foundation, it should not be attached to the home. Retaining walls

should be constructed of treated foundation grade wood, concrete, masonry, other approved materials or combinations of these materials.

D-1.3 Backfill, Fill and Grading. All fill and backfill soil surrounding the home should be compacted. Grading around the home should be done in such a manner that water will drain from the unit at a slope of 1/2 ft. vertical for every 12 ft. horizontal.

AUTHORITY: 10 M.R.S.A. Part 11, Chapter 951, Subchapter 1, Section 9006, Paragraph I and Resolve #26 of 1989.

EFFECTIVE DATE: February, 1. 1993

EFFECTIVE DATE (ELECTRONIC CONVERSION): January 11, 1997

## **02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**

### **385 MANUFACTURED HOUSING BOARD**

#### **Chapter 910 Used Standard - Space Requirements**

SUMMARY: The intent of this chapter is to assure that a home that is to remain in a park after it is sold will meet certain minimum health and safety standards.

#### **Light and Ventilation**

Each habitable room shall be provided with exterior windows and/or doors having a total glazed area of not less than 8 percent of the gross floor area.

Each bathroom and toilet compartment shall be provided with artificial light and, in addition, be provided with external windows or doors having not less than 1½ square feet of fully operable glazed area, except where a mechanical ventilation system is provided capable of producing a change of air every 12 minutes. Any mechanical ventilation system shall exhaust directly to the outside of the home.

#### **Ceiling Height**

Every habitable room shall have a minimum ceiling height of 6 feet and 6 inches.

#### **Exit Facilities - exterior doors.**

Homes shall have a minimum of two exterior doors located remote from each other.



1. Required egress doors shall not be located where a lockable interior door must be used in order to exit.
2. Doors may not be less than 12 feet from each other as measured in any straight line direction regardless of the length of the travel between doors.
3. One of the required exit doors must be accessible from the doorway of each bedroom without traveling more than 35 feet.
4. All exterior swinging doors shall provide a minimum 28 inches wide by 74 inches high clear opening. All exterior sliding glass doors shall provide a minimum 28 inches wide by 72 inches high clear opening. Locks shall not require the use of a key for operation from the inside.

### **Exit Facilities - egress windows and devices.**

Homes shall have the following second means of escape or alternate emergency egress facilities. They are:

1. Every room designed expressly for sleeping purposes, unless it has an exterior exit door, shall have at least one outside window operable from the inside without the use of tools and providing a clear opening of not less than 20 inches in width, 24 inches in height and 5.7 square feet in area. The bottom of the opening shall not be more than 44 inches off the floor.

### **Interior-Doors**

Each interior door, when provided with a privacy lock, shall have a privacy lock that has an emergency release on the outside to permit entry when the lock has been locked by a locking knob, lever, button or other locking devices on the inside.

### **Room Requirements**

Every home shall have sufficient space and functional arrangements to accommodate the normal activities of living in a manufactured home.

1. Every home shall have at least one common area with no less than 150 square feet of gross floor area.
2. All bedrooms shall have at least 50 square feet of floor area.
3. Bedrooms designed for two or more people shall have 70 square feet of floor area plus 50 square feet for each person in excess of two.

4. Every room designed for sleeping purposes shall have accessible clothes hanging space with a minimum inside depth of 22 inches and shall be equipped with rod and shelf. Each such room shall have an operable door with a latch to separate the room from the common area.
5. Each toilet compartment shall have a minimum of 21 inches of clear space in front of each toilet.
6. Hallways shall have a minimum horizontal dimension of 28 inches measured from interior finished surface to the opposite finished surface. Minor protrusions by doorknobs, trim, smoke detectors or light fixtures are permitted.

EFFECTIVE DATE: December 12, 1990

EFFECTIVE DATE (ELECTRONIC CONVERSION): January 11, 1997

## **02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**

### **385 MANUFACTURED HOUSING BOARD**

#### **Chapter 920 Used Standard - Fire Safety**

SUMMARY: The purpose of this chapter is to set forth requirements that will assure reasonable fire safety to the occupants by reducing fire hazards and by providing measures for early detection.

#### **I. Fire Detection Equipment.**

All manufactured homes, regardless of the date of manufacture, shall meet the following requirements. They are:

1. At least one smoke detector (which may be a single station alarm device) shall be installed in the home in the following locations:
  - A. A smoke detector shall be installed on any wall in the hallway or space communicating with each bedroom area between the living area and the first bedroom door unless a door separates the living area from that bedroom area, in which case the detector shall be installed on the living area side as close to the door as practical. Homes having bedroom areas separated by any one or combination of communication areas such as kitchen, dining room, living room, or family room (but not a bathroom or utility room) shall have at least one detector protecting each bedroom area.

- B. When located in hallways, the detector shall be between the return air intake and the living area.
- C. The smoke detector shall not be placed in a location which impairs its effectiveness.
- D. Smoke detectors shall be labeled as conforming with the requirements of Underwriters Laboratory Standards No. 217, Third Edition, 1985, as amended through October 8, 1985, for single and multiple station smoke detectors.
- E. Each smoke detector shall be installed in accordance with its listing on a wall or ceiling. If installed on a wall, the top of the detector shall be located 4 inches to 12 inches below the ceiling. However, when a detector is mounted on an interior wall below a sloping ceiling, it shall be located 4 inches to 12 inches below the intersection on the connecting exterior wall and the sloping ceiling (cathedral ceiling). The required detector(s) shall be attached to an electrical outlet box and the detector connected by permanent wiring method into a general electrical circuit. There shall be no switches in the circuit to the detector between the over-current protection device protecting the branch circuit and the detector. The smoke detector shall not be placed on any circuit protected by a ground fault circuit interrupter.

## **II. Flame Spread**

All manufactured homes constructed before June 15, 1976, are "grandfathered" from meeting flame spread limitations, except work that is performed to meet the requirement of this code shall not be exempt. The requirements are:

1. Ceiling interior finish shall not have a flame spread rating exceeding 75.
2. Walls and ceilings adjacent to enclosing a furnace or water heater shall have an interior finish with a flame spread rating not exceeding 25. Sealants and other trim material 2 inches or less in width used to finish adjacent surfaces within this space are exempt if supported by framing members or by materials having a flame spread rating not exceeding 25.
3. Exposed interior finishes adjacent to the cooking range shall have a flame spread rating not exceeding 50.
4. Kitchen cabinet doors, countertops, backsplashes, exposed bottoms, and end panels shall have a flame spread rating not to exceed 200.

5. Finish surfaces of plastic bathtubs, shower units, and tub or shower doors shall not exceed a flame spread of 200.
6. No burner of a surface cooking unit shall be closer than 12 horizontal inches to a window or an exterior door.

### **III. Kitchen Cabinet Protectors**

All manufactured homes, regardless of the date of manufacture, will meet the following requirements. They are:

1. The bottom and sides of combustible kitchen cabinets over cooking ranges to a horizontal distance of 6 inches from the outside edge of the cooking range shall be protected with at least 5/16-inch thick gypsum board or equivalent limited combustible material. One-inch nominal framing members and trim are exempted from this requirement. The cabinet area over the cooking range or cooktops shall be protected by a metal hood with not less than a 3-inch eyebrow projecting horizontally from the front cabinet face. The 5/16-inch thick gypsum board or equivalent material which is above the top of the hood may be supported by the hood. A 3/8-inch enclosed air space shall be provided between the bottom surface of the cabinet and the gypsum board or equivalent material. The hood shall be at least as wide as the cooking range.
2. The metal hood will not be required if there is an oven installed between the cabinet and the range.
3. Ranges shall have a vertical clearance above the cooking top of not less than 24 inches to the bottom of combustible cabinets.

### **IV. Carpeting**

All manufactured homes, regardless of the date of manufacture, shall meet the following requirements. They are:

1. Carpeting shall not be used in a space or compartment designed to contain only a furnace and/or water heater. Carpeting may be used in other areas where a furnace or water heater is installed, provided that it is not located under the furnace or water heater.

EFFECTIVE DATE: December 12, 1990

EFFECTIVE DATE (ELECTRONIC CONVERSION): January 11, 1997

**02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**

**385 MANUFACTURED HOUSING BOARD**

**Chapter 930 Used Standard - Body and Frame Requirement**

SUMMARY: The chapter of this rule is to assure that minimum requirements are met to provide structural strength and rigidity and protection against corrosion, decay, insects and other similar destructive forces.

**Roof Loads**

All homes manufactured prior to June 15, 1976, are exempt from meeting The National Manufactured Home Construction and Safety Standards for roof loads for the State of Maine, except:

1. All homes with roofs added after construction will be inspected by a registered professional engineer to determine that the roof and home can withstand any snow loads or wind uplifts that may occur.

**Floors**

All floors will be of a solid construction to protect users of the home from the hazard of an unsafe floor.

**Anchoring System**

No park operator may require a manufactured home to be anchored unless a concrete slab is provided.

**Exterior Coverings**

Exterior coverings shall be of moisture and weather resistant materials to resist wind, snow and rain.

EFFECTIVE DATE: December 12, 1990

EFFECTIVE DATE (ELECTRONIC CONVERSION): January 11, 1997

**02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**

**385 MANUFACTURED HOUSING BOARD**

**Chapter 940 Used Standard - Thermal Protection**

SUMMARY: This chapter outlines the minimum requirements for thermal protection.

**Insulation**

The minimum requirements for a home shall be as follows:

1. Walls - R-11
2. Roof - R-14
3. Floor - R-11

A destructive inspection will not be performed to determine the actual amount, however, a thermal scan may be used to determine uniformity of the insulation.

EFFECTIVE DATE: December 12, 1990

EFFECTIVE DATE (ELECTRONIC CONVERSION): January 11, 1997

**02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**

**385 MANUFACTURED HOUSING BOARD**

**Chapter 950 Used Standard - Plumbing Systems**

SUMMARY: This chapter covers the plumbing materials, fixtures, and equipment installed within or on manufactured homes. It is the intent of this chapter to assure water supply, drain, waste and vent systems which permit satisfactory functioning and provide for health and safety under all conditions.

**General Requirements**

A State of Maine licensed plumber shall inspect and verify that the following conditions are met. They are:

1. The plumbing is of a durable material, free from defective workmanship that would cause a safety hazard.
2. Water closets are adjusted to use a minimum quantity of water consistent with proper performance and cleaning.
3. All plumbing, fixtures, drains, appurtenances, and appliances designed or used to receive or discharge liquid waste or sewage are connected to the drain system in a manner that is consistent with the State Plumbing Code.

4. All piping and fixtures subject to freezing temperatures shall be insulated or protected to prevent freezing under normal occupancy. To prevent freezing, a modern technological designed heat cable should be used.
5. All dishwashing machines shall not be directly connected to any waste piping, but shall discharge its waste through a fixed air gap installed above the machine.
6. Clothes washing machines shall drain either into a properly vented trap, into a laundry tub tailpiece with watertight connections, into an open standpipe receptor, or over the rim of a laundry tub.
7. Toilets shall be designed and manufactured according to approved or listed standards and shall be equipped with a water flushing device capable of adequately flushing and cleaning the bowl.
8. Each shower stall shall be provided with an approved watertight receptor with sides and back at least 1 inch above the finished dam or threshold.
9. Water supply pumping systems shall be sized to provide an adequate amount of water to each plumbing fixture at a flow rate sufficient to keep the fixture in a clean and sanitary condition without any, danger of backflow or siphonage.
10. Each home shall be equipped with a kitchen sink and bathtub and/or shower and be provided with a hot water supply system including a listed water heater.
11. No part of a water system shall be connected to any drainage or vent piping.
12. All new plumbing after the effective date of these standards shall be lead free with solders and flux containing not more than 0.2 percent lead and pipes and pipe fittings containing not more than 8.0 percent lead.

EFFECTIVE DATE: December 12, 1990

## **02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**

### **385 MANUFACTURED HOUSING BOARD**

#### **Chapter 960 Used Standard - Heating and Fuel Burning Systems**

SUMMARY: This chapter covers the heating and fuel burning equipment installed within, on, or external to a manufactured home.

1. A person holding a master license issued by the State of Maine Oil and Solid Fuel Examining Board shall inspect and certify that the heating and fuel system is in a safe condition and meets the requirements of NFPA-31 Installation of Oil Burning Equipment as adopted by that Board.

2. Heat-producing appliances and vents, roof jacks and chimneys necessary for installation in manufactured homes shall be listed or certified by a nationally recognized testing agency for use in manufactured homes.

EFFECTIVE DATE: December 12, 1990

EFFECTIVE DATE (ELECTRONIC CONVERSION): January 11, 1997

## **02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**

### **385 MANUFACTURED HOUSING BOARD**

#### **Chapter 970 Used Standard - Electrical System**

SUMMARY: This chapter covers the electrical conductors and equipment installed within or on a home and the conductors that connect the home to the supply of electricity.

A person holding a master license issued by the State of Maine Electricians Examining Board shall inspect and certify that the electrical system that is accessible, including the wiring of the smoke detector, is safe and meets the National Electrical Code at the time the home was constructed.

- A. Homes wired with aluminum conductors shall meet the current Underwriter Laboratory (UL) requirements for connecting to branch circuits of 30 amps or less. (Note: The intent of this is not to require the home to be rewired but only to require that U. L. listed conductors be affixed to receptacle switches and light fixtures. There are several methods of doing this. The most preferred is the "pig tail" method.)

EFFECTIVE DATE: December 12, 1990

EFFECTIVE DATE (ELECTRONIC CONVERSION): January 11, 1997



## **Open Dumping**

### **Statement of Fact**

Open dumping is detrimental to the natural beauty of Bradford and the safety and health of its citizens. Dumped solid waste, when visible from roadways, is aesthetically unpleasing. It also promotes the dispersion of noxious odors, provides habitat for rodents (rats & mice), encourages disease vectors such as flies, maggots, mosquitoes, and other disease-carrying mediums, and may have the potential to threaten ground water supplies.

### **Definition**

Open dumping is the improper disposal of any waste including household trash, garbage, tires, barrels, demolition/construction waste, appliances, shingles, pipes, metal, or any material which will rust, rot, or burn.

### **Open Dump**

An uncovered site used for disposal of waste without environmental controls.

### **Environmental controls**

Environmental controls consist of covered trash containers, dumpsters or deposit at a properly approved sanitary land fill or transfer/recycling station.

Plastic trash bags, because they are easily torn or degraded, are not considered a suitable environmental control.

A properly administered compost pile is not considered an "open dump" for the purposes of this statute.

The accumulation of brush and limbs from woods harvesting operations is not considered "open dumping" for the purposes of this statute.

### **Open Dumping prohibited**

To ensure the health, safety, and welfare of the citizens of Bradford, open dumping or maintaining an open dump is not permitted within the town of Bradford.

### **Violations**

The Code Enforcement Officer of the town of Bradford shall give any person, corporation, or other legal entity, written notice of a violation of this statute as outlined in Section 1420 of the Bradford Land Use Ordinance. Persons receiving such notice shall have 30 days to address the problem in a manner that satisfies the Code Enforcement Officer and meets the intent of this statute.

Any condition remaining un-corrected after 30 days shall be liable for legal action as outlined in Section 1430 and/or fines as outlined in Section 1440 of the Bradford Land Use Ordinance.

**1420 Code Enforcement Officer**

The Code Enforcement Officer established in the Town of Bradford shall have the duty to enforce the provisions of this Ordinance. If the Code Enforcement Officer shall find that any provision of this Ordinance is being violated, he shall notify, in writing, the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it, including discontinuance of illegal use of land, buildings, structures, or work being done, removal of illegal buildings or structures, and abatement of nuisance conditions. A copy of such notices shall be maintained as a permanent record. Any such notice is not a prerequisite to bringing legal action noted in Section 1430, and the failure to give notice shall not in any way affect the legal action.

**1430 Legal Actions**

When the above action does not result in the correction or abatement of the violation or nuisance condition, the Municipal Officers, upon notice from the Code Enforcement Officer, are hereby authorized and directed to institute any and all actions and proceedings, either legal or equitable, including seeking injunctions of violations and the imposition of fines, and/or consent agreements, that may be appropriate or necessary to enforce the provisions of this Ordinance in the name of the municipality.

**1440 Fines**

The CEO, upon finding that any provision of this ordinance is being violated, is authorized to take action to stop the violation and to recover reasonable attorney's fees, fines and costs.

Any person, including but not limited to a landowner, a landowner's agent or a contractor, who orders or conducts any activity in violation of this Ordinance shall be penalized in accordance with Title 30-A, M.R.S.A. §4452. Each day a violation exists shall constitute a separate violation for which a minimum fine of \$100.00 shall be assessed per day. Any fines imposed shall inure to the Town.

## Public Property

The selectmen of the town of Bradford wish to encourage the use of town property in the interest of the public health, welfare and safety of the citizens of the Town of Bradford, it is therefore necessary to regulate and prohibit certain acts and conduct on all Town-owned property, grounds and improvements, including but not limited to the fire station, baseball field, and playground, the town office and associated recreational areas.

In addition to the applicable rules and regulations set forth in State law and other pertinent rules and regulations of the Town of Bradford, the activity, acts and conduct set forth in this section shall be regulated and prohibited upon all Town-owned property and improvements as follows:

A.

Parking of motor vehicles. All motor vehicles shall be parked upon designated parking areas.

B.

Damage to Town property. No person shall damage, deface, destroy or disturb any Town property. No person shall damage, deface, destroy or disturb any Town structures, sign notices, equipment facilities, property or appurtenances whatsoever, either real or personal.

C.

Firearms. Firearms, including any type of weapon, explosives and dangerous instruments, are forbidden upon Town property and improvements at all times, unless carried by or in the possession of law enforcement personnel or authorized by special permit. Fireworks are permitted with written permission of the selectmen

D.

Domestic animals. Domestic animals, including but not limited to horses, dogs, and cats, must be on a leash (or lead) and may be prohibited in designated areas marked by posted signs. Service animals must be under the owner's physical control at all times.

E.

Alcoholic beverages. Alcoholic beverages of any type are strictly prohibited upon Town property at any time, unless authorized by special permit.

F.

Littering. Littering is prohibited, and all refuse, waste, garbage or offending material of any type shall be deposited at designated receptacles.

G.

Illegal substances. Use of illegal substances as defined by the Laws of the State of Maine is strictly prohibited.

H.

Smoking Smoking is prohibited in all public buildings. Smoking on public property, other than public buildings, shall be limited to those areas so designated,

I.

Hours Town property shall be open to the public between the hours of sunrise until sunset, Excepted are any persons who are present on Town-owned property or within any of the improvements on Town-owned property as part of any activity sponsored by the

Town or for which permission has been granted by the Selectmen or by any official of the  
Town designated by the Selectmen to grant such permission.