

HALIFAX COUNTY MUNICIPALITY

MOBILE HOME PARK BY-LAW

OCTOBER, 1986

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BE IT RESOLVED that the following be and the same is hereby adopted and enacted as a By-law of Halifax County Municipality when and if the same has received the approval of the Minister of Municipal Affairs, and that the Municipal Clerk be and he is hereby instructed to forward the same to the Minister and request his approval hereof.

1986

FIRST OCTOBER SESSION

BY-LAW NO. 29

MOBILE HOME PARK BY-LAW

PART 1: TITLE

This By-law may be cited as the "Mobile Home Park By-Law" of Halifax County Municipality.

PART 2: DEFINITIONS

In this By-law the word "shall" is mandatory and not permissive. Words used in the present tense shall include the future. Words used in the singular number shall include the plural and words used in the plural number shall include the singular, unless otherwise indicated. All other words shall carry their customary meaning except those defined hereinafter.

- 2.1 ACCESSARY BUILDING means any building or structure which is constructed or otherwise placed on a mobile home space and is used exclusively as a use which is accessory to the use of the mobile home as a dwelling.
- 2.2 ADDITION means any deck, enclosed space, stairway or wheelchair ramp and any similar structure which is attached to the mobile home or otherwise added onto the mobile home space and shall exclude the foundation and skirting of the mobile home.
- 2.3 APPLICANT means the mobile home park owner or designated agent as the case may be.
- 2.4 COUNCIL means the Council of Halifax County Municipality.
- 2.5 DEVELOPMENT OFFICER means the Development Officer of Halifax County Municipality.
- 2.6 ENGINEER means the Director of the Department of Engineering and Works of Halifax County Municipality.
- 2.7 FRONTAGE means the frontage of the mobile home space as measured at a distance of fifteen (15) feet from a park street or twenty (20) feet from a public street or highway.
- 2.8 LAND SURVEYOR means a land surveyor who is a registered member, in good standing, of the Association of Nova Scotia Land Surveyors.
- 2.9 MOBILE HOME means a single or multiple section manufactured dwelling unit that is:
 - a) designed to be transportable, whether or not it is equipped with wheels; and
 - b) used as a dwelling for one (1) or more persons, but shall not include a travel trailer, school bus, recreational vehicle or trailer otherwise designed.

- 2.10 MOBILE HOME OWNER means the owner or a mobile home located within a mobile home park.
- 2.11 MOBILE HOME PARK means a lot or area of land which contains two (2) or more mobile home spaces and includes any service building and services used as part of the equipment of the mobile home park.
- 2.12 MOBILE HOME PARK DEVELOPMENT means the construction of a new mobile home park and any expansion of an existing mobile home park.
- 2.13 MOBILE HOME PARK OWNER means the owner of a mobile home park.
- 2.14 MOBILE HOME SPACE means a parcel of land which is developed to accommodate one (1) mobile home within a mobile home park.
- 2.15 MOBILE HOME STAND means that portion of a mobile home space upon which a mobile home is directly situated.
- 2.16 MUNICIPAL SERVICES SYSTEMS GENERAL SPECIFICATIONS means the latest edition of the specifications approved by a resolution of the Council and containing the minimum engineering and other specifications for all municipal water and sewerage services.
- 2.17 MUNICIPAL WATER AND SEWERAGE SERVICES mean any water distribution and/or sanitary sewerage system that is owned and maintained by Halifax County Municipality.
- 2.18 PARK STREET means a street situated within a mobile home park, which is not a public street or highway owned and maintained by the Nova Scotia Department of Transportation, and shall also include any privately owned access road leading from a public road to a mobile home park.
- 2.19 PEACE OFFICER means a police officer, including a member of the Royal Canadian Mounted Police, a police officer or by-law enforcement officer appointed by the Municipality, a police officer appointed by the Attorney General, or a motor vehicle inspector.
- 2.20 PROFESSIONAL ENGINEER means a registered or licensed member, in good standing, of the Association of Professional Engineers of Nova Scotia.
- 2.21 RECREATIONAL VEHICLE means a vehicular portable structure with motive power and an overall width not exceeding eight and one half (8.5) feet.
- 2.22 SERVICE BUILDING means any building or structure which is constructed or otherwise placed within the mobile home park and is used or intended to be used as part of the services or equipment of the mobile home park.
- 2.23 SKIRTING means the enclosure around a mobile home that serves to screen and protect the crawl space underneath the mobile home.
- 2.24 STORM SEWERAGE SYSTEM means a system receiving, carrying and controlling stormwater and surface run-off and which may include pipes, conduits, catchpits, culverts, ditches, watercourses, roadways and retention ponds.
- 2.25 TRAVEL TRAILER means a vehicular portable structure without motive power and an overall width not exceeding eight and one half (8.5) feet.

PART 3: APPLICATION AND ADMINISTRATION

- 3.1 This By-law shall apply to all new mobile home parks and all expansions to existing mobile home parks within all of the Municipality.
- 3.2 Notwithstanding Section 3.1, Part 10 of this By-law shall also apply to mobile home parks existing on the effective date of this By-law, except where mobile homes were located on the parcel of land prior to any requirement that permits to locate be issued for such uses under any previous by-law or regulation.
- 3.3 Parts 10, 12 of this By-law shall be administered and enforced by the Development Officer.
- 3.4 (Repealed)

PART 4: GENERAL REQUIREMENTS

- 4.1 Nothing in this By-law shall exempt any person from obtaining any license, permission, permit authority or approval required by any other by-law or regulation of the Municipality or any statute and regulation of the Province of Nova Scotia.
- 4.2 Where the provisions of this By-law conflict with those of any other Municipal or Provincial regulation, by-law or code, the higher or more stringent requirements shall prevail, except that the provisions of a development agreement pursuant to a municipal planning strategy and land use by-law shall always prevail.
- 4.3 Mobile homes shall meet the Canadian Standards Association's Z240 set of standards with the exception of those mobile homes already located in mobile home parks or purchased prior to the effective date of this By-law.

PART 5: (Repealed)

PART 6: (Repealed)

PART 7: (Repealed)

PART 8: (Repealed)

PART 9: RESPONSIBILITIES OF THE MOBILE HOME PARK OWNER

- 9.1 (Repealed)
- 9.2 The mobile home park owner shall obtain a Mobile Home Permit to locate or relocate a mobile home in any mobile home park pursuant to Section 12.2, and shall make a copy of the permit and its terms and conditions available to the mobile home owner.

9.2A (1) Notwithstanding any other provision of this By-law, a Mobile Home Permit to locate or to relocate a Mobile Home in any Mobile Home Park shall not be issued unless an operating license, issued in accordance with by-law L-500 Respecting the Construction and operation of Land-lease Communities is in effect for that Mobile Home Park, except as provided in subsection (2).

(2) Notwithstanding the fact that an operating license is not in effect for a Mobile Home Park, a Mobile Home Permit may be issued, subject to all applicable requirements of this By-law, upon the application of a person who owned a Mobile Home in the Mobile Home Park on the date of expiration of the last Mobile Home Park Operating Permit in effect for that park, for the purpose of authorizing replacement of that Mobile Home with another Mobile Home owned by that Mobile Home owner.

(3) The fact that an operating license is not in effect shall not prevent the issuance, subject to all other applicable requirements of this By-law, of a Mobile Home Permit for:

- a) the location or construction of a Service Building required in connection with a water distribution or sanitary sewerage system;
- b) the location, construction, repair, placement or replacement of additions and accessory buildings on a Mobile Home Space; or
- c) a business use within a Mobile Home. (Amended September 15, 1992; Approved December 2, 1992).

9.3 (Repealed)

9.4 The mobile home park owner shall obtain a Mobile Home Permit to locate a service building in any mobile home park pursuant to Section 12.7.

9.5 (Repealed)

9.6 (Repealed)

9.7 (Repealed)

9.8 (Repealed)

9.9 (Repealed)

9.10 (Repealed)

9.11 (Repealed)

PART 10: RESPONSIBILITIES OF THE MOBILE HOME OWNER

10.1 (Repealed)

10.2 (Repealed)

10.3 The mobile home owner shall provide and install skirting on the mobile home.

10.4 (Repealed)

10.5 Where a mobile home has been located in a mobile home park on or before the effective date of this By-law, and the mobile home owner is permitted by the mobile home park owner to add, construct, or otherwise place an accessory building or addition on the mobile home space, the mobile home owner shall obtain a Mobile Home Permit pursuant to the provisions of Section 12.4 or Section 12.5 as the case may be.

10.6 Where a mobile home has been located in a mobile home park on or before the effective date of this By-law, and the mobile home owner is permitted by the mobile home park owner to conduct a business use within the mobile home, the mobile home owner shall obtain a Mobile Home Permit pursuant to the provisions of Section 12.6.

10.7 (Repealed)

PART 11: (Repealed)

PART 12: MOBILE HOME PERMIT: STANDARDS AND REQUIREMENTS

12.1 a) A Mobile Home Permit shall be obtained by the mobile home park owner in accordance with the provisions of Part 9 for:

- i) the location or relocation of a mobile home on a mobile home space; and
- ii) the location or construction of a service building with a mobile home park.

b) A Mobile Home Permit shall be obtained by the mobile home owner in accordance with the provisions of Part 10 for:

- i) the location, construction, repair, placement or replacement of additions and accessory buildings on a mobile home space; and
- ii) a business use within a mobile home.

12.2 Location or Relocation of a Mobile Home

a) (Repealed)

b) The mobile home being located shall have a minimum separation distance of at least:

- i) fifteen (15) feet from any park street and twenty (20) feet from any public street or highway;
- ii) fifteen (15) feet from the boundary of the mobile home park; and
- iii) fifteen (15) feet from all adjacent mobile homes and additions thereto.

c) Notwithstanding Section 12.2 (b), where a mobile home has been located on a mobile home space on or before the effective date of this By-Law and has less than the minimum setback from a park street or public highway or from the mobile home park boundary or adjacent

mobile homes as required by this By-law, another mobile home may be located or relocated on the mobile home space provided that:

- i) the mobile home being located or relocated does not result in a further reduction of any required setbacks from any park street, public highway, mobile home park boundary or adjacent mobile homes; and
- ii) the mobile home being located or relocated was constructed within ten (10) years of the date of issuance of the Mobile Home Permit for the mobile home, pursuant to the Canadian Standards Association (C.S.A.) standards applicable at the date of manufacture. (Passed May 3, 1994; Approved May 30, 1994)

12.3 Addition and Construction of Skirting

All mobile homes shall be skirted within forty-five (45) days of the date on which the mobile home was located on the mobile home space and the skirting shall be constructed in accordance with the Canadian Standards Association's Recommended Practice for the Site Preparation, Foundation and Anchorage of Mobile Homes (CAN3-Z2401.10.1-M86).

12.4 Construction and Location of Accessory Buildings

Accessory buildings shall be constructed in accordance with the provisions of the National Building Code and shall not be:

- a) greater than one hundred and forty (140) square feet in gross floor area unless the accessory building is a garage or carport in which case the maximum gross floor area shall be five hundred (500) square feet;
- b) greater than fifteen (15) feet in height; and
- c) located closer to any park street or public street or highway than the minimum distance required for the mobile home; or
- d) located within:
 - i) four (4) feet of any other accessory building;
 - ii) four (4) feet of the mobile home on the same mobile home space;
 - iii) eight (8) feet of any other mobile home; or
 - iv) four (4) feet of the boundary of the mobile home park.

12.5 Construction and Location of Additions

Additions shall be constructed in accordance with the provisions of the National Building Code and shall not be:

- a) located within fifteen (15) feet of any other mobile home unless the addition is a wheelchair ramp or set of steps; or
- b) greater than fifteen (15) feet in height.

12.6 Business Uses in Mobile Homes

a) Business uses in mobile homes shall:

- i) be wholly contained within the mobile home which is the principle residence of the operator of the business;
- ii) not occupy more than two hundred and fifty (250) square feet of the gross floor area of the mobile home;
- iii) not be obnoxious nor create a nuisance, by nature or operation, in terms of noise, fumes or objectionable odour; and
- iv) not make use of open storage nor outdoor display of any material, equipment or products.

b) Where a business use is located within a mobile home, one (1) parking space, other than that required for the mobile home, shall be provided in accordance with the provisions of Section 13.6.

c) No more than one (1) sign shall be permitted for any business use and no such sign shall exceed two (2) square feet in area.

12.7 Location or Construction of Service Buildings

Service buildings shall be constructed in accordance with the National Building Code and shall not be located within fifteen (15) feet of a mobile home.

PART 13: (Repealed)

PART 14: PENALTIES

14.1 Any person who violates any provision or requirement of this By-law is guilty of an offence and liable on summary conviction to a minimum fine of one hundred (100) dollars and a maximum fine of one thousand (1,000) dollars and in default of payment of such fine to a term of imprisonment not exceeding sixty (60) days.

14.2 Every day during which a contravention of or failure to comply with the provisions of this By-law continues shall be deemed a fresh offence.

14.3 (Repealed)

14.4 a) Where there is a contravention of this By-law, the Municipality may, after ninety (90) days of the date of contravention, undertake any repair, maintenance or upgrading of a mobile home park, its services or equipment, or structures on a mobile home space and render any charges therefor to the mobile home park owner in the form of a lien against the property or to the mobile home owner in the form of a lien against the mobile home.

b) Notwithstanding the time period specified by subsection (A), where there is a contravention of any regulation, statute or other which may or may not specify a time period for enforcement or action, the more stringent and timely period will apply.

PART 15: REPEAL OF PREVIOUS BY-LAW

15.1 The Mobile Home By-law of the Municipality adopted during the January session of 1972 and referred to as By-law No. 29 is hereby repealed.

SCHEDULE "A": (Repealed)

SCHEDULE "B": PROTECTIVE CASINGS FOR SEWER RISERS

1. The protective casing for each sewer riser shall be provided according to Figure No. 1 and the following:
 - a) The sewer riser shall extend 4 - 5 inches above grade;
 - b) A separate casing, comprising PVC SDR 35.5 pipe or ductile iron pipe with cap, shall be provided for the sewer riser to a depth of four (4) feet; and
 - c) The space between the sewer riser and the casing shall be filled with insulating material.

A BY-LAW TO AMEND THE BUILDING BY-LAW

The Building By-law of Halifax County Municipality is hereby amended by:

a) deleting from Section 2 (b) the words "but does not include a mobile home as defined in the Zoning By-law of the Municipality"; and

b) inserting immediately following Section 6 the following:

6A (1) No person shall locate or occupy a mobile home outside a mobile home park, or cause or permit the same to be so located or occupied, without having first obtained a written permit therefor from the inspector, provided that a mobile home may:

a) be parked in the yard of any residential premises for a period not exceeding three weeks at any one time; or

b) be parked in the yard of the residential premises of the owner thereof, if in either case it is not while so parked used for living or eating purposes or for the carrying on of any business.

(2) Unless a mobile home situate outside of a mobile home park has been located in accordance with the provisions of Subsection (1), no person shall permit a mobile home, whether or not occupied, to remain on any property assessed to him by the Municipality of the county of Halifax for a period of more than seven days after notice to remove the same has been given to him by the Building Inspector.

(3) Notice under Subsection (2) may be served on the assessed owner personally or by registered mail addressed to him at the address shown on the Assessment Roll and if served by registered mail shall be deemed to have been served on the fifth day after the day of mailing.

6B (1) No addition shall be built onto or become a part of any mobile home located or occupied under this Part.

(2) Notwithstanding the provisions of Subsection (1), an addition may be built onto a mobile home located and occupied under this Part where such addition is a foundation or is for use as a porch, sundeck or storage space and of a size and design approved by the inspector.

(3) Notwithstanding the provisions of Subsection (1), a single car garage or carport may be erected on the lot on which a mobile home is located under this Part of a size and design approved by the inspector. 6C Notwithstanding the provisions of this or any other By-law or Regulation of the Municipality, a single family dwelling may be erected on a lot on which is located a single occupied mobile home, provided that such single family dwelling shall not be occupied as a residence for more than thirty days while the mobile home is located on the lot.

THIS IS TO CERTIFY that the By-law of which this is a true copy was duly passed at a duly called meeting of the Municipal Council of Halifax County Municipality duly held on the 7th day of October, A.D. 1986.

GIVEN under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this 4th day of December, A.D. 1986.

Gerald J. Kelly
Municipal Clerk

Approved this 30th day of
September, 1987

David Nantes
Minister of Municipal Affairs

Amended by Halifax Regional Municipality By-law L-500

Notice of Motion:	June 6, 2023
First Reading:	June 20, 2023
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