

Buller District Council Mobile Homes Bylaw

Special Order

## **MOBILE HOMES 1999**

### **101 Scope and General**

101.1 This by-law covers the provisions for the occupancy of mobile homes within the Buller District.

101.2 This by-law is established under Section 684(8) of the Local Government Act 1974 and is intended to provide for the conservation of public health, wellbeing, safety and convenience and regulation for drainage and sanitation by occupants of mobile homes.

### **102 Interpretation**

For the purposes of this by-law, the following definitions shall apply:

**'Mobile home'** includes any vehicle, whether permanent or temporary, with wheels attached or detached, temporary or permanent, and whether attached to the ground or not, used in whole or in part for human habitation.

**'Building'** has the same meaning as in Section 3 of the Building Act 1991.

**'Amenity values'** has the same meaning as in Section 2 of the Resource Management Act 1991.

**'Maximum period'** means a cumulative period over one calendar year.

**'District Plan'** means the Buller District Plan.

**'Urban Area'** means those areas defined in the Buller District Plan and incorporates all of the District's major settlements and most of the smaller settlements.

**'Privy'** a private room containing a receptacle (other than a WC) or an excavation for excreted liquid or solid human waste, and with a means of disposal or containment of the waste.

All other definitions used in relation to this by-law shall be as prescribed in the interpretation section of the Buller District Council General By-law 1990.

### **103 Maximum Number of Mobile Homes**

103.1 Only one mobile home per 500 m<sup>2</sup> of land area is permitted on any one lot (or allotment) regardless of the land zoning.

103.2 In urban areas, a maximum of two mobile homes per property is permitted, other than in an approved and licensed camping ground.

### **104 Camping Grounds**

104.1 Any area of land used, or designed or intended to be used, for rent, hire, donation, or otherwise for reward for the purposes of placing or erecting on the land temporary living places for occupation by two (2) or more families or parties (whether consisting of one or more persons) living independently of each other, whether or not such families or parties enjoy the use in common of entrances, water supplies, cook houses, sanitary fixtures, or other

premises and equipment; and include any area of land used as a camping ground, are controlled by the provisions of the Camping Ground Regulations 1985.

## **105 Sanitary Facilities**

105.1 The occupants of mobile homes or other temporary accommodation facilities must provide adequate sanitary facilities for their use, on the same site.

105.2 Where land is to be occupied temporarily for up to a three (3) month maximum period, sanitary facilities must be provided by some means of effluent collection system. Under no circumstances is there to be any effluent discharge to ground, such as a pit privy, unless the discharge system has the required approvals.

105.3 For occupation of land in excess of a three (3) month maximum period, a properly designed on-site effluent disposal system must be provided. A resource consent for discharge must be obtained from the appropriate authority before installation.

105.4 All wastes however must be disposed of in a sanitary manner.

105.5 In urban areas where a reticulated foul water system is provided, this system must be used for effluent disposal.

## **106 Land Owner Approval**

106.1 Occupants of mobile homes must obtain the approval of the land owner, prior to any land occupancy.

## **107 Overcrowding**

107.1 Overcrowding of mobile homes is not permitted. Each mobile home must provide adequate space for the occupants in a safe and sanitary condition, as required by the Housing Improvement Regulations 1947.

## **108 Potable Water**

108.1 The occupants of mobile homes must have an efficient supply of potable water. A roof to tank supply is recommended.

## **109 Cooking and Washing Facilities**

109.1 The occupants of mobile homes must have adequate cooking and food preparation facilities.

109.2 Adequate facilities must be provided for the washing of cooking and eating utensils and containers.

## **110 Refuse Disposal**

110.1 All refuse must be disposed of in a sanitary manner. Land fill rubbish disposal sites are provided throughout the district for this purpose.

## **111 Amenity Values**

There are specific provisions contained within the District Plan for the prevention of detracting of amenity values.

Storage of other vehicles or products which are not associated with residential use of a site are not permitted to be visible from any residentially zoned property or public road.

## **112 Building Consents**

A mobile home which is used for long term or permanent residential purposes is defined as a building in terms of the Building Act 1991.

Building consents are required to be obtained for all buildings and all plumbing and drainage works.

## **113 Offences and Penalties**

113.1 Where the Council or a duly appointed officer is of the opinion that this by-law has been breached, a written notice may be served on the occupant requiring remedial work to be undertaken to effect compliance with the by-law.

113.2 Non compliance with a notice served under this by-law shall be deemed to be a breach of the by-law.

113.3 Every person commits a breach of this by-law who omits or neglects to do or knowingly permits or suffers to be done or remain undone anything contrary to the provisions of this by-law.

113.4 Every person who commits a breach of the by-law shall be liable to a fine not exceeding the amount of fine prescribed in Section 683 of the Local Government Act 1974 and where the breach is a continuing one, then to a further fine not exceeding the amount prescribed for a continuing breach

under that Section for every day or part of a day during which the breach has continued.

The foregoing by-law was duly made by the Buller District Council by a Special Order, passed at a meeting of the Council held on the 28<sup>th</sup> day of October 1999 and (meantime having been publicly notified) confirmed at a subsequent meeting of the said Council held on the 25<sup>th</sup> day of November 1999 and shall come into effect on the 8<sup>th</sup> day of December 1999.