

City of Auburn

CITY COUNCIL, AUBURN MAINE

Date January 7, 1985

TITLE: An Ordinance Amending Chapter 29, Section 2.2, Definitions

~~Ordered~~

Be It ~~Ordained~~ by the Auburn City Council, That Section 2.2 of Chapter 29 of the Auburn Ordinances be amended by deleting the definition of Manufactured Housing Unit and substituting therefore the following:

Manufactured Housing - A structural unit or units designed for occupancy, and constructed in a manufacturing facility and then transported by the use of its own chassis, or placed 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. Manufactured housing shall include newer mobile homes and modular homes.

Purpose: The purpose of the proposed amendment is to make the definition of manufactured housing consistent with the language found in Section 5.5, Manufactured Housing Overlay District.

Presented by: Councilman from Ward

Motion for 1st reading:
Vote:

Seconded by:

Motion for acceptance of 1st reading: Raymond C. Berube
Vote: 5 Yeas

Seconded by: Frances Abbott

Motion to waive provisions of the Charter calling for first and second readings on two separate dates.

Vote:

Seconded by:

Motion for 2nd reading:
Vote:

Seconded by:

Motion ~~to dispense with further reading, for acceptance of 2nd reading and~~ for final passage.
Eugene O. Wallingford
Vote: 5 Yeas

David E. Adams
Seconded by:

Action by City Council: PASSED

Date January 21, 1985

hereby certify this to be a true copy of the original.

ATTEST *Mary Lou Magnus*
CITY CLERK

Mary Lou Magnus
City Clerk

City of Auburn

CITY COUNCIL, AUBURN MAINE

Date January 7, 1985

TITLE: An Ordinance Amending Chapter 29, Section 2.2, Definitions

~~Ordered~~

Be It Ordained by the Auburn City Council, That Section 2.2 of Chapter 29 of the Auburn.....

~~Resolved~~ Ordinances be amended by deleting the definition of Dwelling, One Family Detached and substituting therefore the following:

Dwelling, One-Family Detached - A dwelling unit singly and apart from any other building and intended and designed to be occupied and used exclusively for residential purposes by one family only, excluding trailers and other forms of temporary or portable housing. Each one-family detached dwelling shall contain not less than the following net floor areas of habitable space.

- A. If one-story, not less than 600 square feet;
- B. If one and one-half (1-1/2) story, not less than 600 square feet on the first floor and not less than 200 square feet above the first floor;
- C. If two-story, not less than 600 square feet on each floor.

Purpose: The purpose of the proposed ordinance is to delete the reference to mobile homes in order to be consistent with the uses allowed by Section 5.5, Manufactured Housing Overlay District.

Presented by: Councilman from Ward

Motion for 1st reading:
Vote:

Seconded by:

Motion for acceptance of 1st reading: Raymond C. Berube
Vote: 5 Yeas

Seconded by: Frances Abbott

Motion to waive provisions of the Charter calling for first and second readings on two separate dates.

Vote:

Seconded by:

Motion for 2nd reading:
Vote:

Seconded by:

Motion to dispense with further reading, for acceptance of 2nd reading and for final passage.
David E. Adams

Vote: 5 Yeas.

Seconded by: Raymond C. Berube

Action by City Council: PASSED

Date January 21, 1985

hereby certify this to be a true copy of the original.

ATTEST: *Mary Lou Magno*

Mary Lou Magno
City Clerk

CITY CLERK

City of Auburn

CITY COUNCIL, AUBURN MAINE

Date January 7, 1985

TITLE: An Ordinance Amending Chapter 29, Section 2.2, Definitions

~~Ordered~~

Be It ~~Ordered~~ **Resolved** by the Auburn City Council, That Section 2.2 of Chapter 29 of the Auburn... Ordinances be amended by deleting the definition of Mobile Homes and substituting therefore the following:

Mobile Homes, Newer - Those units constructed after June 15, 1976 commonly called "newer mobile homes", which the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development standards, meaning structures, transportable in one or more sections, which, in the traveling mode, are 14 body feet, or more in width and are 700 or more square feet, and which are built on a permanent chassis and 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; except that the 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, United States Code, Title 42, Section 5401, et seq.

Purpose: The purpose of the proposed amendment is to make the definition of newer mobile home consistent with the language found in Section 5.5, Manufactured Housing Overlay District.

Presented by: Councilman from Ward

Motion for 1st reading:
Vote:

Seconded by:

Motion for acceptance of 1st reading: David E. Adams
Vote: 5 Yeas

Seconded by: Raymond C. Berube

Motion to waive provisions of the Charter calling for first and second readings on two separate dates.

Vote:

Seconded by:

Motion for 2nd reading:
Vote:

Seconded by:

Motion ~~to dispense with further reading/ for acceptance of 2nd reading and for final passage.~~
Vote: Raymond C. Berube

Seconded by: Eugene Wallingford

Action by City Council: PASSED

I hereby certify this to be a true copy of the original.

Date January 21, 1985

ATTEST: *Mary Lou Magno*

CITY CLERK

Mary Lou Magno
City Clerk

City of Auburn

CITY COUNCIL, AUBURN MAINE

Date January 7, 1985

TITLE: An Ordinance Amending Chapter 29, Section 2.2, Definitions:

~~Resolved~~

Be It Ordained by the Auburn City Council, That ..Section.. 2.2.. of.. Chapter.. 29.. of.. the.. Auburn.....

~~Resolved~~ Ordinances be amended by adding the following new definition to be placed alphabetically after the definition of Mobile Home Park:

Modular Homes -

Those units which the manufacturer certifies are constructed in compliance with the State's Manufactured Housing Act and regulations, meaning structures, transportable in one or more sections, which are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air-conditioning or electrical systems contained therein.

Purpose: The purpose of the proposed amendment is to make the definition of modular homes consistent with the language found in Section 5.5, Manufactured Housing Overlay District.

Presented by: Councilman from Ward

Motion for 1st reading:
Vote:

Seconded by:

Motion for acceptance of 1st reading: Raymond C. Berube
Vote: 5 Yeas

Seconded by: David E. Adams

Motion to waive provisions of the Charter calling for first and second readings on two separate dates.

Vote:

Seconded by:

Motion for 2nd reading:
Vote:

Seconded by:

Motion to dispense with further reading, for acceptance by 2nd reading and for final passage.

Eugene O. Wallingford
Vote: 5 Yeas

David E. Adams
Seconded by:

Action by City Council: PASSED

Date January 21, 1985

hereby certify this to be a true copy
of the original.

ATTEST: *Mary Lou Magnus*

Mary Lou Magnus
City Clerk

CITY CLERK

City of Auburn

CITY COUNCIL, AUBURN MAINE

Date January 7, 1985

TITLE: An Ordinance Amending Chapter 29, Section 2.2, Definition

~~Ordered~~

Be It ~~Resolved~~ **Ordained** by the Auburn City Council, That Section 2.2 of Chapter 29 of the Auburn Ordinances be amended by adding the following new definition to be placed alphabetically after the definition of Mobile Home, Newer:

Mobile Homes, Older - Any factory-built home which fails to meet the definition of manufactured housing and more specifically, it shall mean any mobile home constructed prior to June 15, 1976. These units shall be restricted to approved mobile home parks.

Purpose: The purpose of the proposed amendment is to make the definition of older mobile home consistent with the language found in Section 5.5, Manufactured Housing Overlay District.

Presented by: Councilman from Ward

Motion for 1st reading: Secoded by:
Vote:

Motion for acceptance of 1st reading: Raymond C. Berube Secoded by: David E. Adams
Vote: 5 Yeas

Motion to waive provisions of the Charter calling for first and second readings on two separate dates.

Vote: Secoded by:

Motion for 2nd reading: Secoded by:
Vote:

Motion for dispense with further reading, for acceptance by 2nd reading and for final passage.

Raymond C. Berube Secoded by: Eugene O. Wallingford
Vote: 5 Yeas

Action by City Council: PASSED

hereby certify this to be a true copy the original.

Mary Lou Magno
City Clerk

Date January 21, 1985
ATTEST: Mary Lou Magno
CITY CLERK

City of Auburn

CITY COUNCIL, AUBURN MAINE

Date

TITLE: An Ordinance Amending Chapter 29, Section 2.2, Definitions

~~Ordered~~

Be It ~~Ordained~~ by the Auburn City Council, That Section 2.2 of Chapter 29 of the Auburn...
~~Resolved~~ Ordinances be amended by adding the following new definition to be placed alphabetically after the definition of Sign, Temporary:

Site-Built Home - A building constructed on-site which is designed to be used as a dwelling on foundations, when connected to the required utilities.

Purpose: The purpose of the proposed amendment is to make the definition of site-built home consistent with the language found in Section 5.5, Manufactured Housing Overlay District.

Presented by: Councilman from Ward

Motion for 1st reading:
Vote:

Seconded by:

Motion for acceptance of 1st reading: Raymond C. Berube
Vote: 5 Yeas

Seconded by: David E. Adams

Motion to waive provisions of the Charter calling for first and second readings on two separate dates.

Vote:

Seconded by:

Motion for 2nd reading:
Vote:

Seconded by:

Motion to dispense with further reading for acceptance of 2nd reading and for final passage.

Vote: Eugene O. Wallingford
5 Yeas

Seconded by: Raymond C. Berube

Action by City Council: PASSED

Date January 21, 1985

I hereby certify this to be a true copy of the original.

ATTEST: *Mary Lou Magno*

Mary Lou Magno
City Clerk

CITY CLERK

City of Auburn

CITY COUNCIL, AUBURN MAINE

DateJanuary...7,...1985.....

TITLE: An Ordinance Amending Chapter 29, Section 3.31, Agriculture and Resource Protection District

~~Ordained~~

Be It ~~Ordained~~ ~~Resolved~~ by the Auburn City Council, That Section 3.31.B.1 of Chapter 29 of the Auburn Ordinances be amended by adding the following new subsection:

- m. Manufactured Housing subject to all the design standards, except the siting requirements of subsection C.9, as set forth in Article 5 of this Chapter

..Purpose: The purpose of the proposed amendment is to permit manufactured housing as a permitted housing form in the Agriculture and Resource Protection District subject to the requirements of Section 5.5 Manufactured Housing Overlay District

Presented by: Councilman from Ward

Motion for 1st reading:
Vote:

Seconded by:

Motion for acceptance of 1st reading: Raymond C. Berube
Vote: 5 Yeas

Seconded by: Frances Abbott

Motion to waive provisions of the Charter calling for first and second readings on two separate dates.

Vote:

Seconded by:

Motion for 2nd reading:
Vote:

Seconded by:

Motion to dispense with further reading, for acceptance of 2nd reading and for final passage.

David E. Adams
Vote: 5 Yeas

Raymond C. Berube
Seconded by:

Action by City Council: PASSED

hereby certify this to be a true copy the original.

Mary Lou Magno
City Clerk

Date January 21, 1985

ATTEST Mary Lou Magno
CITY CLERK

City of Auburn

CITY COUNCIL, AUBURN MAINE

Date

TITLE: An Ordinance Amending Chapter 29, Section 3.2, Non-Conforming Buildings or Uses

~~ORDERED~~

Be It Ordained by the Auburn City Council, That Section 3.2 of Chapter 29 of the Auburn Ordinances be amended by adding the following new subsection F.

~~RESOLVED~~

- F. Relocation and Replacement of Non-Conforming Mobile Homes - No non-conforming mobile home may be moved to another lot or parcel in the City of Auburn and no non-conforming structure may be replaced by another non-conforming structure but shall be replaced with a site-built home or manufactured home that meets the definition of newer mobile home as found in Section 2.2 of this Chapter.

Purpose: The purpose of the proposed ordinance is to state clearly the manner in which non-conforming mobile homes may be relocated and replaced.

Presented by: Councilman from Ward

Motion for 1st reading: Secoded by:
Vote:

Motion for acceptance of 1st reading: Raymond C. Berube Secoded by: David E. Adams
Vote: as amended: 5 Yeas.

Motion to waive provisions of the Charter calling for first and second readings on two separate dates.

Vote: Secoded by:

Motion for 2nd reading: Secoded by:
Vote:

Motion to dispense with further readings for acceptance of 2nd reading and for final passage.
Vote: Raymond C. Berube David E. Adams
5 Yeas Secoded by:

Action by City Council: PASSED
hereby certify this to be a true
py of the original.

Date January 21, 1985

ATTEST: *Mary Lou Magnus*

CITY CLERK

Mary Lou Magnus

City Clerk

City of Auburn

CITY COUNCIL, AUBURN MAINE

Date January 7, 1985

TITLE: An Ordinance Amending Chapter 29, Section 4.3, Manufactured Housing and Mobile Homes

~~Ordered~~

Be It ~~Ordained~~ by the Auburn City Council, That ~~Section 4.3 of Chapter 29 be amended by.....~~
~~Resolved~~ deleting the same and substituting therefore the following:

4.3 Manufactured Housing and Mobile Homes

A. General Provisions

1. Permanent and Temporary Use Defined: Permanent use of manufactured housing is defined to mean occupancy while in a parked position for any purpose permitted by Section 4.3B.1 and 4.3B.2 including storage. Manufactured housing units and mobile homes must meet all Federal, State and municipal codes. Temporary use of manufactured housing, mobile homes, trailer homes and office trailers must be recorded with the municipal officer charged with enforcement and a permit issued for each period of use prior to the beginning of such use.
2. A mobile home shall be construed to remain a mobile home, subject to all regulations applying thereto, whether or not wheels, axles, hitch, or other appurtenances of mobility are removed and regardless of the nature of the foundation provided.

Presented by: Councilman from Ward

Motion for 1st reading:

Seconded by:

Vote:

Motion for acceptance of 1st reading: David E. Adams

Seconded by: Raymond C. Berube

Vote: 5 Yeas

Motion to waive provisions of the Charter calling for first and second readings on two separate dates.

Vote:

Seconded by:

Motion for 2nd reading:

Seconded by:

Vote:

Motion to ~~dispense with further reading, for acceptance by 2nd reading and for final passage.~~

Eugene O. Wallingfrod

Vote: 5 Yeas

Seconded by: David E. Adams

Action by City Council: PASSED

Date January 21, 1985

hereby certify this to be a true copy of the original.

ATTEST *Mary Lou Magnus*

CITY CLERK

Mary Lou Magnus
City Clerk

B. Uses of Manufactured Housing, Trailers, Office Trailers

The use of manufactured housing, trailers and office trailers is prohibited except as follows:

1. As permanent single-family residences on individual lots in all residential districts (applies only to manufactured housing units that meet all Federal, State and municipal codes.)
2. As permanent single-family residence in approved mobile home developments in Rural Residence (RR), Suburban Residence (SR), and Cluster Development (CD) Districts (applies only to manufactured housing units that meet all Federal, State and municipal codes).
3. As permanent single-family residence on individual lots in the Manufactured Housing Overlay (MHO) Districts (applies only to manufactured housing units that meet the requirements of Section 5.5 of this Chapter).
4. As temporary residences for farm laborers or supervisory personnel employed on a seasonal basis on the farm of their employer and limited to the period of such seasonal employment.
5. As temporary field headquarters or office space on construction sites for persons or firms actually engaged in construction work.
6. As temporary office space for persons or firms actually engaged in the business of selling manufactured housing, mobile homes and trailers.
7. As temporary living quarters for construction workers located on or within one-quarter of a mile from the construction site on which they are employed. Such occupancy shall be limited to the period during which construction is in progress.
8. As temporary living quarters for persons whose need arises from emergency resulting from loss of their homes through accident, natural disaster, or other physical causes. The period of occupancy permitted by this subsection shall be limited to twelve (12) months together with any additional period during which a valid building permit for construction of replacement living quarters may be in effect (applies to manufactured housing only).
9. As temporary office space for a business enterprise during the period in which permanent office space is being constructed for which a valid building permit has been issued.
10. As temporary living quarters for employees of itinerant businesses such as carnivals during the period when such businesses are actually being conducted within the City and in no case for longer than thirty (30) days (applied to trailers only).

Purpose: The purpose of the proposed amendment is to make the use of manufactured housing consistent with the intent of Section 5.5, Manufactured Housing Overlay District.

City of Auburn

CITY COUNCIL, AUBURN MAINE

Date January 7, 1985

TITLE: An Ordinance Amendment to Chapter 29, Article 5, Regarding
Manufactured Housing Overlay Districts

~~XXXXX~~

Be It Ordained by the Auburn City Council, That Article 5 of Chapter 29 of the Auburn
~~Resolved~~ Ordinances be amended by adding the following Section 5.5,
Manufactured Housing Overlay District (MHO), including
an overlay map which is adopted by reference and which will
be superimposed over existing zoning districts.

Purpose: The purpose of the proposed amendment is to add to the Zoning
Ordinance a new section that will establish minimum standards
for the placement of manufactured housing in accordance with
the provisions of Title 30 M.R.S.A., Section 4965, "Regulation
of Manufactured Housing."

Presented by: Councilman from Ward

Motion for 1st reading: Secoded by:
Vote:

Motion for acceptance of 1st reading: Eugene Wallingford Secoded by: Alvin E. Gilbert
Vote: as amended: 3 Yeas with Councilors Wallingford and Gilbert, Nay.

Motion to waive provisions of the Charter calling for first and second readings on two separate dates.
Vote: Secoded by:

Motion for 2nd reading: Secoded by:
Vote:

Motion ~~to dispense with further reading, for acceptance of 2nd reading and for final passage.~~
David E. Adams Secoded by: Raymond C. Berube
Vote: 3 Yeas with Councilors Wallingford and Gilbert voting Nay
Action by City Council:

PASSED

Date January 21, 1985

I hereby certify this to be a true copy
of the original.

Mary Lou Magnus
City Clerk

ATTEST: *Mary Lou Magnus*
CITY CLERK

5.5 Manufactured Housing Overlay District (MHO)

A. Purpose - This district is intended to establish minimum standards for the placement of manufactured housing in accordance with the provisions of Title 30 M.R.S.A. Section 4965, "Regulation of Manufactured Housing," to restrict the location of older mobile homes and trailers, to require that manufactured housing, as defined in this ordinance, be aesthetically compatible in terms of design standards with site-built homes and to provide alternatives for the location of affordable and safe housing within the City.

B. Boundaries and Definitions

1. Overlay District Boundaries - The Manufactured Housing Overlay Districts are those sections of Auburn shown on an overlay map on file in the offices of the Department of Community Development and Planning and the City Clerk. The Manufactured Housing Overlay District shall be superimposed over underlying zoning districts and any use shall be subject to compliance with all applicable provisions of the underlying district. Permitted uses in the underlying districts shall continue subject to compliance with the provisions of the overlay district. Nothing in this section shall permit uses in districts where such uses are not otherwise permitted.

2. Definitions

a. Manufactured Housing - A structural unit or units designed for occupancy, and constructed in a manufacturing facility and then transported by the use of its own chassis, or placed 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. For purposes of this section, 2 types of manufactured housing are included. They are:

- (1) Those units constructed after June 15, 1976 commonly called "newer mobile homes," which the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development standards, meaning structures, transportable in one or more sections, which, in the traveling mode, are 14 body feet or more in width and are 700 or more square feet, and which are built on a permanent chassis and 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; except that the 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, United States Code, Title 42, Section 5401, et seq; and

- (2) Those units commonly called "modular homes," which the manufacturer certifies are constructed in compliance with the State's Manufactured Housing Act and regulations, meaning structures, transportable in one or more sections, which are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air-conditioning or electrical systems contained therein.
- b. Site-Built Home - A building constructed on-site which is designed to be used as a dwelling on foundations, when connected to the required utilities.
 - c. Older Mobile Homes, Trailers - Any factory-built home which fails to meet the definition of manufactured housing and more specifically, it shall mean any mobile constructed prior to June 15, 1976. These units shall be restricted to approved mobile home parks.
 - d. Design Standards - Shall include, but are not limited to requirements for building width, roof pitch, roof material, siding material, foundations, additions and siting that are similar in character to traditional site-built residential homes. Design standards shall not apply to manufactured housing located in approved mobile home parks.
 - e. Siting - Siting of a dwelling on a lot is considered to be the angle at which a dwelling is placed in relation to frontage, as defined in Section 5.5.C.9.d, and in relation to a tangent point, as defined in Section 5.5.C.9.e.
- C. Design Standards - All dwelling units in this district shall be subject to the following minimum design standards:
1. Building Dimensions - No building shall be less than 14 body feet in width and shall contain not less than 700 square feet of habitable living space.
 2. Roof Construction - All roofs shall be covered with standard asphalt shingles and have a minimum pitch of 3.5/12. Roofs covering manufactured housing shall provide certified engineering data to show that roof additions will meet the performance criteria of the Auburn Building Code for snow and wind loads; the roof shall extend for the full length of the structure.

3. Exterior Walls - Exterior walls shall have traditional site-built appearance and may be materials such as clapboards, shingles and shakes, including synthetic or metal siding manufactured to closely resemble clapboards, shingles and shakes. Walls may also include masonry, wood board-and-batten, and "Texture 111" exterior plywood, but shall not include artificial masonry, or fake board-and-batten made from metal.
4. Skirting - Skirting is required except for dwellings placed on a frost wall or full foundation. Skirting shall meet the following criteria:
 - a. The material used is consistent with the materials permitted by subsection 5.5.C.3;
 - b. The skirting is extended either to the foundation or as close to the slab as possible that will still permit proper ventilation;
 - c. The skirting shall totally enclose the unit and be permanently affixed and fully supported by suitable framing to the unit.
5. Foundations - The foundation shall be a permanent concrete reinforced 6" slab, concrete or masonry frost wall, wood, or full basement. All foundations shall meet the performance criteria of the Auburn Building Code.
6. Enclosed Additions - Additions shall have the same exterior wall material as permitted by subsection 5.5.C.3, except that glass may be used for greenhouse additions. All additions shall have an asphalt shingled roof with a minimum pitch of 3.5/12.
7. Anchoring - All mobile homes shall be anchored to the foundation or slab by attaching the frame to six (6) inch eye bolts, set at the four corners of the foundation or slab, with $\frac{1}{4}$ " steel cable, or equivalent.
8. Transportation Components - Appendages required for transportation, which shall include but not limited to the tongue, axles, and wheels shall be removed or enclosed so as not to be visible.
9. Siting - Dwellings shall be sited on the lot subject to the following conditions:

a. Dwellings Less Than 24 Feet in Width

- (1) Dwellings sited in excess of 15° but less than 30° shall have an enclosed addition equal to 15% of the floor area of the structure. The addition shall project out not less than 20% of the length of the structure at not greater than a 60° angle. Additions shall not be permitted to be attached to and extended from the narrow side of the dwelling.
- (2) Dwellings sited in excess of 30° but less than 45° shall meet all of the criteria set forth in (1) provided that such addition be located on the street side area of the lot.
- (3) No dwellings less than 24 feet in width shall be allowed to be sited on a lot in excess of 45° .

- b. Dwellings 24 feet or greater in width shall not be subject to siting standards.
- c. Additions shall include enclosed structures such as breezeways, garages and extensions to the interior living space. Carports, open breezeways, decks and patios shall not be counted as an addition.
- d. Angles of siting are based upon the lot frontage being the horizontal or parallel line.
- e. Dwellings to be located on a curve shall have the angle of siting determined by locating a tangent point at the midpoint of the curve arc. Lines shall then be drawn parallel and perpendicular to such point.

10. Fuel Storage Tanks - Any fuel storage tank must be placed either in the basement, crawl space, or in an attached addition or be screened so as not to be visible from adjacent properties or any street, within one (1) year of installation.