

LICENSING AND REGULATION OF MOBILE HOME PARKS AND OF MOBILE HOMES OUTSIDE SUCH PARKS

LOCAL LAW #1 OF 1984

BE IT ENACTED by the Village Board of Trustees of the Village of Candor as follows:

SECTION 1: PURPOSE

The purpose of this Local Law is to promote the health, safety, morals, property, and general welfare of the inhabitants of the Village of Candor, Tioga County, New York, by the regulation of mobile home parks and mobile homes within said Village.

SECTION 2: DEFINITIONS

For the purpose of this Local Law, the following terms, words, and phrases have the meaning ascribed to them in this section.

Mobile Home: Any portable vehicle which is designed to be transported on its own wheels or those of another vehicle; which is used, designed to be used, or capable of being used as a detached single family residence; and which is intended to be occupied as permanent living quarters containing sleeping accommodations, a flush toilet, a tub or shower, kitchen facilities, and plumbing and electrical connections for attachment to outside systems and includes all additions to the mobile home, including open canopies.

Travel Trailer: Any portable vehicle not larger than eight feet by thirty-five feet in dimension which is designed to be transported on its own wheels, and intended to be used for temporary living quarters for travel, recreational or vacation purposes; and which may or may not include one or all of the accommodations and facilities included in a mobile home.

Mobile Home Park: Any tract or land which is planned, intended and improved for the placement of three or more mobile homes for dwelling purposes.

Mobile Home Lot: A designated site of specific total land area which is located within a mobile home park for the accommodation of one mobile home and its occupants.

Mobile Home Stand: A durable surface located on a mobile home lot which is to be used for placement of or capable of supporting a mobile home.

Person: One or more individuals, a partnership, a joint venture, an association, or a corporation.

Enforcement Officer: The Code Enforcement Officer of the Village of Candor or any other official from time to time designated by the Village Board to enforce the provisions of this Local Law.

SECTION 3: BASIC REQUIREMENTS

No mobile home park shall be constructed or operated within the Village of Candor except upon securing and maintaining a license therefor and upon compliance with the requirements of this Local Law, and no mobile home shall be placed or used for dwelling purposes outside a mobile home park except upon securing a permit therefor and upon compliance with the relevant provisions of this Local Law.

SECTION 4: REQUIREMENTS FOR MOBILE HOME PARKS

Every mobile home park must meet the following requirements:

4.1 - Site

The park shall be located on a well-drained site which is properly graded to insure rapid drainage and freedom at all times from stagnant pools of water, and shall be free from heavy or dense growth of brush and woods. No park may be located in a flood hazard district, as defined in Local Law No. 1 of 1975 of the Village of Candor as amended by Local Law No. 3 of 1976.

4.2 - Size

Regardless of the number of mobile home lots proposed, no mobile home park shall comprise less than five acres with frontage of at least 300 feet on a public road.

4.3 - Mobile Home Lot

Each mobile home lot in a mobile home park shall have a total area of at least 6,000 square feet.

4.4 - Location of Mobile Home

- A. No mobile home shall be parked or otherwise located nearer than a distance of:
- (1) At least thirty feet from another mobile home in any direction.
 - (2) At least fifty feet from the park property line.
 - (3) At least one hundred feet from the right-of-way line of a public street or highway. Where adequately screened by vegetation or hedges, this set back may be waived to seventy-five feet.
 - (4) At least twenty feet from the nearest edge of any roadway located within the park.
- B. Only one mobile home shall be permitted to occupy any one mobile home lot. Any mobile home in excess of eighteen feet in width for more than 50% of its entire length must occupy two mobile home lots.
- C. Each mobile home must be provided, within sixty (60) days after completion of utilities hookups, with perimeter skirting to hide all wheels, chassis, and other related accessories under the home.

4.5 - Mobile Home Stand

Each mobile home lot shall have a mobile home stand which will provide for the practical placement on and removal from the lot of both the mobile home and its related accessory structures, and the retention of the home on the lot in a stable condition. The stand shall consist of lateral runners or footers to fit the dimensions of the anticipated mobile homes and their related accessory structures or appendages, and shall be constructed of an appropriate non-porous material which is durable and adequate for the support of the maximum anticipated loads. It shall be suitably graded to permit rapid surface drainage.

4.6 - Accessibility

- A. Each mobile home park shall be directly accessible from an existing public highway or street.
- B. Where a mobile home park has more than twenty-five mobile home lots, two points of entry and exit shall be provided, but in no instance shall the number of entry and exit points exceed four.
- C. Such entrances and exits shall be designed and strategically located for safe and convenient movement into and out of the park, and to minimize friction with the free movement of traffic on a public highway or street. They shall be at right angles to the existing public highway or street, shall be of sufficient width to facilitate the turning movements of vehicles with mobile homes attached, and shall be free from any materials which would impair visibility.

4.7 - Streets

Each park shall have a system of improved streets which will provide for convenient access to all mobile home lots and other important facilities within the park.

Such system shall meet the following requirements:

- A. Streets shall be improved with a minimum of twelve-inch gravel base, and a topping of an all-weather dustless material.
- B. The street system shall be so designed to permit safe and convenient vehicular circulation within the park.

- C. Streets shall be adapted to the topography and shall have suitable alignment and gradient for traffic safety.
- D. All streets shall intersect at an angle between 80 degrees and 90 degrees.
- E. All streets shall have a minimum cartway width of twenty-four feet.
- F. Except in cases of emergency, no parking shall be allowed on such streets.
- G. An all-weather, dustless driveway with a minimum width of ten feet shall be provided for each mobile home lot.

4.8 - Parking

- A. Two off-street parking spaces surfaced with an all-weather dustless material, shall be provided on each mobile home lot. Each parking space shall have a minimum width of ten feet and a minimum length of twenty feet. This requirement will be deemed satisfied if there are two off-street parking spaces available in the driveway area.
- B. Additional off-street parking spaces shall be provided at strategic and convenient locations, with at least one such parking space for each two mobile home lots within the park. Such parking shall be provided in spaces of ten feet by twenty feet in dimension, with an additional 150 square feet for adequate maneuvering space.

4.9 - Utilities and Service Facilities

The following utilities and service facilities shall be provided in each mobile home park and shall be in accordance with the regulations of the New York State Department of Health, the Sanitary Code of New York State, and of any health law or code hereafter adopted by the County of Tioga, of the Village of Candor:

- A. A storm drain system designed to convey all storm water into natural water courses and to maintain the park area free from standing pools of water.
- B. An adequate supply of pure water for drinking and domestic purposes, supplied by pipes to all mobile home lots and buildings within the park. Each mobile home lot shall be provided with proper water connections. In the event Village water is to be used, such must be connected and maintained in compliance with Village Water Regulations.
- C. A sewer for each mobile home lot, which shall be connected to the mobile home situated on the lot, to receive the waste water from the shower, tub, flush toilets, lavatory, kitchen sink, and laundry facilities in such home, and shall be so sealed as to prevent the emission of any odors and the creation of breeding places for insects.
- D. Receptacles with tight fitting lids for the storage of garbage and rubbish, which shall be collected and emptied as frequently as may be necessary. Such cans shall be screened by opaque fencing and/or planting.
- E. Service buildings as deemed necessary for the normal operation of the park. Such buildings shall be maintained by the owner or manager of the park in a clean, sightly, and sanitary condition.
- F. For each mobile home lot, underground weather-proof electric or gas, and telephone service connections and outlets, of a type approved by the New York State Board of Fire Underwriters.

4.10 - Open Space

Each mobile home park shall provide common open space for the use of the occupants of such park. Such open space shall be conveniently located in the park, shall have a total area equal to at least 10% of the minimum lot size multiplied by the number of lots actually laid out to be used for mobile home lots, and shall be maintained by the mobile home park owner.

4.11 - Landscaping

- A. Lawn and ground cover shall be provided on those areas not used for the placement of mobile homes and other buildings, walkways, roads, and parking areas.
- B. Planting shall be provided to the extent needed in order to provide for the screening of objectionable views, adequate shade, and a suitable setting for the mobile homes and other facilities.
- C. Screen plantings shall be provided to screen objectionable views, including laundry facilities, garbage storage areas, and collections areas.
- D. Other plantings shall be provided along those areas within the park which front upon existing public highways, streets, and adjacent properties to reduce glare and provide pleasant outlooks for the living units.
- E. Grass and ground cover shall be provided on all areas subject to erosion.

SECTION 5: LICENSING PROCEDURE

A. Any person proposing to construct and operate a mobile home park shall file with the Village Clerk a license application in triplicate on a form provided by the Village, accompanied by three (3) sets of plans of the proposed park, and accompanied by the required fee as hereinafter provided. Said plans shall be drawn to scale of 20, 40, or 50 feet to the inch and indicate the north point and scale.

Said application and plan shall set forth the following information:

5.1 - Legal Data

- A. The name and address of the applicant, or the name and address of each partner or principal if the applicant is a partnership or joint venture; or the name and address of each officer and director if the applicant is an association or corporation.
- B. The location and description of the land proposed to be used as a mobile home park.
- C. The number of lots to be provided in such park.
- D. A copy of standard lease park regulations, and operating policies.

5.2 - Physical Features

- A. Contours at five (5) foot intervals, and land areas in excess of 10% grade.
- B. Location of water courses, marshes, and areas subject to flooding.
- C. Wooded areas.
- D. Soil types in all parts of the proposed site and results of soil test.

5.3 - Existing Development

- A. A location map which shows all land within three hundred (300) feet of the proposed mobile home park and all structures on the land which abut the proposed park.
- B. The location, names and width of all adjacent streets.
- C. The location of all water lines and utilities within and adjacent to the proposed site.

5.4 - Proposed Development

- A. The location and width of all entrances, exits, streets, walkways, parking areas, and easements.
- B. The location, and dimensions of each lot within the park.
- C. The method and plan for electric lighting, including street lighting.
- D. The location and plan of all proposed permanent structures and improvements.
- E. Proposed grading and plans for landscaping.
- F. Proposed storm water drainage.
- G. Proposed utilities.
- H. Public improvements proposed by the Village in or adjoining the proposed park.
- I. Existing zoning.

1. There shall be endorsed on such application and plan the approval of the New York State Department of Health, or of any other health agency having jurisdiction, of the plans for water supply and sewage disposal.

2.(a) Upon receipt of such application and plan, the Village Clerk shall transmit two (2) copies thereof to the Enforcement Officer who shall review the same and examine the proposed site in order to determine whether they conform to the requirements of the Local Law and to any relevant requirement of any health agency having jurisdiction. In so doing, he may consult the Town Planning Board. If he finds deficiencies in the application or plan, he shall notify the applicant thereof and afford him reasonable opportunity to make the indicated corrections. He shall then, not more than sixty (60) days from the date of filing of the original application, return the same with the changes or corrections made by the applicant to the Village Clerk and file therewith his recommendations, including any recommendations of the Town Planning Board, with respect to the application, and furnish a copy of such recommendations to the applicant.

2.(b) At its next ensuing meeting, the Village Board shall consider the application and the recommendations of the Enforcement Officer and shall either reject the application or accept it subject to public hearing. In the latter event, the Village Clerk shall cause to be published in the official newspaper a notice of such hearing, specifying the date, time,

place, and purpose thereof, which notice shall be published at least five (5) days before the date of the hearing. The Clerk shall also send a copy of such notice to the applicant, the Enforcement Officer, and the Chairman of the Town Planning Board.

2.(c) Following such hearing and at its next regular meeting, the Village Board shall either grant final approval of the application, with such corrections, additions or deletions as the Board may prescribe, or reject it. Failure of the Village Board to act within such time shall be deemed approval of the application.

2.(d) If the application has been approved, the Village Clerk shall thereupon issue the original license which shall be effective from its date to the end of the calendar year in which it is issued, and the applicant may thereupon proceed with the construction and operation of the mobile home park.

2.(e) During construction of the mobile home park, the Enforcement Officer may, and at the conclusion of construction, shall inspect the park to ascertain whether the construction, in fact, complies with the approval application and with the requirements of this Local Law, and shall have the power to delay actual operation of the park until such requirements have been fully met.

SECTION 6: SUPPLEMENTAL LICENSE

Any person holding a license for the operation of a mobile home park and desiring to make an addition thereto shall file with the Village Clerk, in triplicate, an application for a supplemental license accompanied by three (3) sets of plans for the proposed addition, containing so far as pertinent the same information and data herein specified for an application for an original license and accompanied also with the required additional fee. Such application shall be processed in accordance with the procedure set forth in Subdivision 2 of Section 5 hereof for the original license, except that the holding of a public hearing shall be discretionary with the Village Board. If the application is approved, the Village Clerk shall thereupon issue a supplemental license effective for the balance of the current calendar year. Thereafter, any renewal license issued shall cover the mobile home park both as originally licensed and as licensed by the supplemental license.

SECTION 7: RENEWAL LICENSE

Application for the renewal of a mobile home park license shall be filed on or before December 31 of the year covered by the current license. If no change in the plans, specifications, features, services and method of operation from those already approved is contemplated, the Village Clerk is authorized to issue a renewal license for a period of one (1) year commencing January 1, upon payment of the required fee.

If any changes in the plans, specifications, features, services, method of operation, including standard lease, regulations or operating policies are contemplated, then the procedure herein prescribed for the issuance of a supplemental license must be observed and the application for the renewal license must be approved by the Village Board. pending completion of such procedure and approval, the park shall be deemed to be operating under temporary license, but the full annual license fee must be paid.

SECTION 8: TRANSFER OF LICENSE

No license issued hereunder may be assigned or transferred except with the approval of the Village Board.

SECTION 9: LICENSE FEES

The fee for an original and annual license shall be the sum of \$5.00 multiplied by the number of mobile home lots provided in the mobile home park, except that in no event shall the fee be less than \$100.00. The fee for a supplemental license shall be computed at the rate of \$10.00 for each additional mobile home lot licensed.

SECTION 10: MOBILE HOMES OUTSIDE MOBILE HOME PARKS

A. No mobile home shall be parked or otherwise placed within the Village of Candor outside a licensed mobile home park except upon securing a permit therefor and upon compliance with the following requirements:

1. Lot size: Each mobile home must be placed on an individual lot of at least 6,000 square feet and must have at least 30 feet clearance to any structure or boundary line. The Village Board may grant an exception, however, when an existing lot is of lesser size and there is no feasible way in which it can be enlarged, and the Board may also make exceptions with respect to the setback requirements under Subdivision 3 hereof, or the placement of such mobile home within 30 feet of other structures when observance of such requirements is either impossible or would impose undue hardship.

2. Foundation and Closure:

(a) Material: At least eight inch concrete or equivalent (or ten inch cinder block).

(b) Type of Construction: Perimeter foundation or lateral runners or longitudinal runners or pillars.

(c) The mobile home foundation shall be enclosed by a skirt securely fastened and extending from the outside wall of the mobile home to ground level around the entire perimeter of the mobile home. The skirt shall be constructed of sturdy wood, plastic, masonry, or metal material capable of withstanding extreme weather conditions over extended periods of time. No skirt shall be required where a perimeter foundation is employed.

3. Setback: Each mobile home shall be set back at least ten (10) feet from the existing right-of-way of any street or road.

4. Health Standards: The water and sewage systems for the mobile homes must meet the requirements of the New York State Department of Health, of any county law or regulation, and any law or ordinance of the Village of Candor with respect to the installation of individual household sewage systems and water systems.

B. Application for a permit under this section shall be made to the Village Clerk in writing, in duplicate, and shall state the name and address of the applicant, shall locate and describe the lot on which a mobile home is proposed to be placed, and shall describe generally the proposed plan for water supply and sewage disposal.

The Village Clerk shall promptly transmit one copy of the application to the Enforcement Officer who shall inspect the proposed site and determine whether or not the application meets the requirements of this section. When and if satisfied that such compliance has been or will be made, he shall endorse his approval on the application and the Village Clerk shall thereupon issue the permit.

C. No travel trailer may be licensed or used as a permanent residence.

SECTION 11: ENFORCEMENT

The Enforcement Officer may, at any reasonable time, inspect any mobile home park, or any mobile home placed under permit under Section 10, for the purpose of determining compliance with this Local Law. If he discovers any violation, he shall direct its correction within a reasonable specified time. Failure to comply with such direction shall constitute a violation of this Local Law and subject the violator to the penalties herein provided.

SECTION 12: APPEALS

Any person considering himself aggrieved by any action of the Enforcement Officer under this Local Law may appeal such action to the Village Board by written notice, specifying the grievance or grievances, filed with the Village Clerk and the Enforcement Officer. The Village Board shall then determine the matter on at least three (3) days notice to the aggrieved party and the Enforcement Officer.

SECTION 13: EXCEPTIONS

- A. None of the provisions of this Local Law shall be applicable to the following:
 - 1. The business of mobile home or travel trailer sales, except that where units are used as living quarters, they shall conform with the applicable provisions of this Local Law.
 - 2. A mobile home located on the site of a construction project, survey project, or other similar work project and which is used solely as a field office or work or tool house in connection with such project, provided such mobile home is removed from such site within thirty (30) days after completion of such project.-
 - 3. A sectional house which is prefabricated in sections, transported to the building site, then fastened together, and placed on a permanent and totally enclosed masonry foundation and which has a minimum width of 18 feet for its entire length and contains a minimum of 800 square feet of usable living space.
 - 4. A mobile home and lot in existence at the effective date of the Local Law and outside a licensed mobile home park, and any replacement mobile home placed on the same lot within six (6) months after removal of the prior mobile home on the same lot, provided that the replacement mobile home shall meet the health standards set forth in Subdivision A, Subsection 4 of Section 10 hereof.

SECTION 14: PENALTIES

Failure to secure a required license or permit under this Local Law, or violation of any provision hereof, shall constitute an offense, punishable by a fine of not more than \$500.00 for the first offense, and not more than \$500.00 for each subsequent offense. Each week a violation is continued shall be deemed a separate offense.

In addition, any violation of this Local Law may be enjoined pursuant to law.

SECTION 15: SEPARABILITY

If any provision of this Local Law shall be adjudged invalid, such judgment shall not affect or impair the other provisions hereof.

SECTION 16: EFFECTIVE DATE

This Local Law shall become effective immediately upon filing with the Secretary of State.

CERTIFICATE

STATE OF NEW YORK :
 COUNTY OF TIOGA : SS
 VILLAGE OF CANDOR :

I, Brenda S. Yeier, Village Clerk of the Village of Candor, Tioga County, New York, do hereby certify that the foregoing comprises a true, correct, and complete copy of Local Law No. 1 of 1984 providing for the licensing and regulation of mobile home parks and of mobile homes outside such parks, duly adopted at a Regular Meeting of the Board of Trustees of said Village, held January 4, 1984, and taking effect upon filing with the Secretary of State.

WITNESS my hand and the seal of the Village of Candor this 10th day of August 1984.

(Original Signed by Brenda S. Yeier, Village Clerk)