

Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~

~~City~~

Town

of Hampton .....

~~Village~~

Local Law No. 2 of the year 19 89

A local law Amending the Ordinance Regulations of Mobile Homes and Mobile Homes and Trailer Parks of the Town of Hampton, (Insert title) New York

Be it enacted by the Town Board of the (Name of Legislative Body)

~~County~~

~~City~~

Town

of Hampton ..... as follows:

~~Village~~

The Ordinance Regulations of Mobile Homes and Trailer Parks of the Town of Hampton be and hereby is amended to read as follows:

(See following pages)

BE IT RESOLVED AND ORDAINED by the Town Board of the Town of Hampton, Washington County, as follows:-

## SECTION 1 - DEFINITIONS -

For the purpose of this Ordinance, the following words and phrases shall have the meaning ascribed to them in this section.

1. Ordinance Inspector. Ordinance Inspector shall mean the officer duly appointed by the Town Board.
2. Mobilehome. Mobilehome shall mean any vehicle or structure used or so constructed as to permit its being towed on a public street or highway and/or used as a conveyance on the public streets or highways; whether licensed as such, or not, and constructed in such a manner as will permit occupancy thereof as a dwelling or sleeping place for one or more persons, and provided with a toilet and bathtub or shower whether to be placed on a foundation or not.
3. Mobilehome Park. Mobilehome Park shall mean a plot of ground of not less than 10 acres with at least 1/2 acre per lot for mobilehomes occupied for dwelling or sleeping purposes are located.
4. Mobilehome Space. Mobilehome Space shall mean a plot of ground within a mobilehome Park designated for the accommodation of one mobilehome.
5. Permit. Permit shall mean a written permit issued by the Town Clerk permitting the mobilehome park to operate under this Ordinance, or the trailer park to operate under this Ordinance, or the location of the mobilehome.
6. Trailer. Trailer shall mean any vehicle used or so constructed as to permit its being used as a conveyance on the public streets and highways and duly licensed as such, and constructed in such a manner as will permit occupancy thereof as a dwelling or sleeping place for one or more persons, and not provided with a toilet and bathtub or shower and cannot readily be connected to a community sewer and water service. A trailer under this Ordinance shall also mean Tent Trailers, Truck Campers or other sleeping facilities other than a mobilehome and/or what normally constitutes a permanent dwelling unit.
7. Trailer Park. Trailer Park shall mean a plot of ground of not less than two (2) acres on which two (2) or more trailers occupied for sleeping purposes are located.

## SECTION 2 - MOBILEHOMES & TRAILERS REGULATED.

Upon adoption of this Ordinance:

1. No mobilehome shall be located in the Town of Hampton, except to temporarily replace an occupied dwelling destroyed by fire or other disaster in accordance with Paragraph 2 of this Section, except under a variance granted by the Town Board in accordance with Paragraph 3 of this Section. It shall be unlawful for any person to locate or occupy a mobilehome within the limits of the Town of Hampton unless such person shall first obtain a permit therefor from the Town Clerk.
2. A permit, upon written request therefor, shall be issued by the Town Clerk for the use by the applicant and his immediate family of any mobilehome to temporarily replace an occupied dwelling destroyed by fire or other disaster, in accordance with the following provisions:
  - A. Any permit issued to such applicant shall automatically terminate one year from the date of issuance by the Town Clerk.
  - B. The fee for every such permit shall be \$15.00 payable in advance and not subject refund.

C. An adequate supply of pure water for drinking and domestic purposes shall be supplied by pipe to the mobilehome before it may be occupied.

D. The mobilehome shall be equipped, before it may be occupied, with an interior flush toilet, lavatory and tub or shower, the refuse from which shall be piped into a county approved septic system..

E. The failure to comply at all times with the provisions of this section by the applicant, shall be cause for the Town Board to revoke this permit.

3. The Town Board shall have the right to grant a variance and issue a permit for the location of a mobilehome in accordance with the following provisions:

A. The application shall be in writing and shall be accompanied by proof that the applicant is the owner of the premises upon which the mobile home is to be located. The mobile home is to be set back at least fifty feet from any public road and at least fifty feet from other side and back boundaries.

B. The fee for such permit shall be \$15.00 payable in advance and not subject to refund.

C. An adequate supply of pure water for drinking and domestic purposes shall be supplied by pipe to the mobilehome before it may be occupied.

D. The mobilehome shall be equipped, before it may be occupied, with an interior flush toilet, lavatory and tub or shower, the refuse from which shall be piped into a county approved septic system.

E. No permit shall be issued for a mobilehome more than 8 years old.

F. The failure to comply at all times with the provisions of this section by the applicant shall be cause for the Town Board to revoke this permit.

4. Section 2:l are not intended to interfere with sale or display of mobilehomes or trailers in areas where such is permitted.

5. Non-Conforming Users. Any lawful trailer, mobilehome, trailer park or mobilehome park existing at the time this Ordinance or any amendment thereto is adopted, may be continued although such use does not conform to the provisions of this Ordinance. However, all trailer and mobilehome parks must comply wit the Sanitary Laws and Regulations of the New York State Health Department. No non-conforming use that has been discontinued for a period of twelve (12) consecutive months shall be re-established except in conformity with this Ordinance.

6. The owner of any lawful mobilehome shall have the right to replace it with another mobilehome of equal or superior quality.

### SECTION 3 - PERMITS.

1. Permit Required. It shall be unlawful for any person to construct, maintain, operate, or alter any mobilehome park or trailer park within the limits of the Town of Hampton unless he or she or any firm holds a valid permit issued annually by the Town Clerk in the name of such person or persons or firm for the specific mobilehome or trailer park. The cost of this permit shall be \$50.00 per mobilehome space and/or trailer space and not exceeding \$500.00. All initial applications for permits shall be made to the Town Clerk. Upon approval of the Town Board and the New York State Health Department, issuance of the permit shall be by the Town Clerk and shall be contingent upon (1) compliance with all Sanitary Laws and Regulations of the State of New York and approved by a majority vote of the Town Board and (2) compliance with this Ordinance.

2. Permit - Method of Application and Requirements. Application for permits shall be in writing, signed by the applicant who shall file with the application proof of ownership of the premises or of a lease or written permission from the owner thereof together with a complete set of plans drawn to scale, showing the location of the proposed court, and which shall include:

- (1) The area and dimensions of the tract of land.
- (1) The maximum number, location and size of all mobilehome spaces.
- (3) The location of any existing buildings and any proposed structures.
- (4) The location and width of roadways and walkways.
- (5) The location of water and sewer lines and the sewage disposal systems.
- (6) Circulatory traffic flow or a turn around with 110' diameter.

#### SECTION 4 - INSPECTION.

1. Inspection of Mobilehome Parks. The Ordinance Inspector is hereby authorized and directed to make inspection to determine the condition of mobilehome and trailer parks located within the Town of Hampton in order that he may perform his duty of safeguarding the health and safety of occupants of mobilehome parks and of the general public. The Ordinance Inspector or his duly authorized representative shall have the power to enter at reasonable time upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this Ordinance.

#### SECTION 5 - LOCATION, SPACE & GENERAL LAYOUT FOR MOBILEHOMES AND TRAILER PARKS.

1. Location. Mobilehome Parks and Trailer Parks may be located in residential and farming areas, subject to the approval of the Town Board. No Mobilehome Park may be located closer than 100 feet to any public right-of-way and no Trailer Park closer than 100 feet to any public right-of-way.

2. Area Requirements. The area of the Mobilehome Park and Trailer Park shall be large enough to accommodate:

- (1) The designated number of spaces.
- (2) Necessary streets or roadways.
- (3) A green strip to adjacent residential uses at least 200' deep and to other uses at least 50' deep appropriately landscaped.
- (4) Sewage disposal system.

3. Space Requirements. Each mobilehome space shall be at least [50] 100 feet wide and 100 feet deep and each trailer space at least 30 feet wide and 60 feet deep, and each space shall abut on a driveway or other clear area with unobstructed access to a public street. Such space shall be clearly defined and mobilehome shall be so located that a minimum of 20 feet clearance exists between any part of the mobilehome and the lot lines of the mobilehome space.

4. Mobilehome or Trailer Space Availability Required. It shall be illegal to allow any mobilehome or trailer to remain in a mobilehome or trailer park unless a mobile home or trailer space is available.

#### SECTION 6 - ROADWAYS.

1. For fire prevention and protection every mobilehome and trailer park shall have access to a public street by means of a private roadway not less than twenty-four feet wide. In a mobilehome park a minimum width of eighteen feet shall be finished with hard surfaced pavement. In all mobilehome and/or trailer parks, roadways shall be well drained, adequately graveled, hard surfaced or paved and maintained in good condition. All roadways shall be lighted at night and shall have a light intensity at the center of the roadway of no less than two foot candles. All mobilehome and trailer spaces shall abut on a roadway twenty (24) feet or more in width if off-street parking areas are provided. If on-street parking is permitted said roadways shall be a minimum of thirty (30) feet in width and roadway shall be unobstructed at all times to allow passage of emergency vehicles.

#### SECTION 7 - SANITATION.

1. Water Supply Requirements. An accessible, adequate, safe and potable supply of water shall be provided in each mobilehome or trailer park. A minimum of 125 gallons per day shall be available for each mobile home space. The development of an independent water supply to serve the mobilehome or trailer park shall be made only after express approval has been granted by the Ordinance Inspector.

2. Plumbing. All plumbing in the mobilehome or trailer park shall comply with state and town plumbing laws and regulations and shall be maintained in good operating condition.

3. Sewage Disposal. Mobilehome or trailer parks shall be served by a public sewerage system or by a private disposal system which meets the sewer requirements of the county, state and town. Each mobilehome space shall be provided with a satisfactory sewer connection. All sewage-disposal apparatus, including appurtenances thereto, shall be provided, maintained, and operated so as not to create a nuisance or health hazard.

4. Refuse and Garbage Disposal. The storage, collection and disposal of refuse in a mobilehome or trailer park shall not create health hazards, rodent harborage, insect breeding areas, accident hazards, or air pollution. All refuse and garbage shall be stored in flytight, water-tight, rodentproof containers, which shall be provided in sufficient number and capacity to prevent any refuse from overflowing. Satisfactory container racks or holders shall be provided by the mobilehome park or trailer park owner or operator and shall be located not more than 150 feet from any mobilehome space.

5. Reporting of Communicable Diseases. Every mobilehome or trailer park operator shall maintain a register containing a record of all occupants using the park. Such register shall be available to any authorized person inspecting the park, and shall be preserved for a period of at least one year. Such register shall contain the names and addresses of all mobilehome or trailer occupants stopping in the park. Every owner, operator, attendant, or other person operating a mobilehome or trailer park shall notify the local Health Office immediately of any suspected communicable or contagious disease within the mobilehome park. In the case of diseases diagnosed by a physician as quarantinable, such owner, operator, attendant or other person operating a mobilehome park shall notify the Health Officer of the departure or the proposed departure of a mobilehome or its occupants, or the removal therefrom of clothing or other articles which have been exposed to infection.

#### SECTION 8 - ELECTRICITY.

1. Electric Installation and Outlet Requirements. An electrical outlet supplying at least 60 amps., 220 volts shall be provided for each mobilehome space and each trailer space shall be serviced with 110 volts. The installation shall comply with all state and Electrical Codes. Such electrical outlets shall be weather-proof. No power line shall be permitted to lie on the ground or to be suspended less than 14 feet above the ground, the use of underground utility installation may be permitted.

#### SECTION 9 - ALTERATIONS AND ADDITIONS.

1. Alterations and additions must comply with the effective county, town and state codes and ordinances.

## SECTION 10 - SERVICE BUILDINGS NECESSARY TO ACCOMMODATE TRAILERS.

Service Building Requirements. Each mobilehome park or trailer park which accommodates trailers shall provide one or more service buildings in accordance with the following specifications:

1. Flush-type Toilets - Minimum Distance from Mobilehome. Flush-type toilets shall be placed in buildings which are not more than a maximum distance of 250 feet from any mobilehome or trailer not less than 15 feet from any trailer or mobilehome or any other structure. No service buildings shall be located within 75 feet of any public street or highway.
2. Light Requirements. The building shall be lighted with a light intensity of two foot candles (lumens) measured at the darkest corner of the room.
3. Construction Requirements. The building shall be a permanent structure of impervious material, adequately ventilated, and with all openings to the outside effectively screened, and be supplied with a floor drain and comply with town and state requirements.
4. Toilet Requirements. Separate toilets shall be provided in the ratio of one toilet for four females and one toilet for every six males. In addition, every male toilet room shall have one urinal for each sixteen males, but in no case shall any male toilet room be without one urinal.
5. Lavatory Requirements. Toilet rooms shall contain one lavatory with hot and cold running water for each two toilets, but in no case shall any toilet room be without one lavatory with hot and cold running water.
6. Heat Requirements. Each service building shall have heating facilities to maintain a minimum temperature of 70 degrees F. when the outside temperature is -15 degrees F.
7. Shower Requirements. Each service building shall have shower facilities in the ratio of one shower with hot and cold running water for each eight persons, but in no case shall any service building be without one shower.

## SECTION 11 - PENALTIES.

1. Penalty. Any person who violates any provision of this Ordinance may upon conviction be punished by a fine of not less than ten (10) dollars nor more than fifty (50) dollars; and each day's failure of compliance with any such provision shall constitute a separate violation.

## SECTION 12 - CONFLICT OF ORDINANCES AND VALIDITY.

1. Conflict of Ordinances and Validity. In any case where a provision of this Ordinance is found to be in conflict with a provision of any ordinance or code of the Town of Hampton existing on the effective date of this Ordinance, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.
2. Saving Clause. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect; and to this end the provisions of this Ordinance are hereby declared to be severable.

## SECTION 13 - EFFECTIVE DATE.

1. This Ordinance shall take effect immediately.

Dated: September 14, 1989