

**MANUFACTURED/MOBILE HOME PARK
LOCAL LAW
OF THE
TOWN OF WINDSOR**

**Local Law #
Amended Date**

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**MANUFACTURED/MOBILE HOME PARK
LOCAL LAW
OF THE
TOWN OF WINDSOR, NEW YORK**

Section 1. Title

This Local Law shall be known as "Manufactured/Mobile Home Park Local Law of the Town of Windsor, Broome County, New York."

Section 2. Purpose

It is the purpose of this Local Law to promote health, safety, convenience, economy, amenity and the general welfare of the inhabitants of the Town of Windsor by the more efficient regulation of manufactured/mobile home parks. This will be done by establishing specific requirements and regulations governing the occupancy and maintenance of manufactured homes/mobile home parks and their mobile homes including provisions for sewage disposal, water supply, garbage removal, electrical service, traffic control, animal control and safety, inspection of facilities and other actions deemed necessary for said purpose.

Section 3. Terms and Definitions

A. General Terms. For the purpose of this Local Law, words and terms used herein shall be interpreted as follows:

- i) Words used in present tense include the future;
- ii) The singular includes the plural;
- iii) The "person" includes a corporation, partnership, and associations as well as the individual;
- iv) The term "shall" is always mandatory;
- v) The term "may" is permissive
- vi) The term "used" shall be interpreted to include the term "designated or intended to be used."

Any word or term not defined herein shall be used with a meaning of standard usage.

B. Definitions.

- i) Accessory Structure: Any detached structure which is subordinate to and whose use is incidental to the use of the principal building on the same lot. Such structures shall include free-floating or manufacture-designed structures as per New York State Building Code.
- ii) Building Permit: A permit issued by the code enforcement officer.
- iii) Code Enforcement Officer (also CEO): The Building Inspector or other person designated and appointed as enforcement officer by the Town Board to enforce the provisions of the Local Law.
- iv) Designated Storage Area: A storage area assigned by a park owner or operator for the storage of tenant travel trailers and recreational vehicles.
- v) Manufactured/Mobile Home: A factory-built, one-family dwelling constructed on a chassis to facilitate its transportation to the site. Such structure shall be a minimum of six-hundred (600) square feet of area. Such structure shall be a self-contained single unit (excludes modular homes) and shall meet the Manufactured/Mobile Home Construction and Safety Standards of the United States Department of Housing and Urban Development and the applicable codes of the New York State Building Code. A manufactured/mobile home shall not be construed to be a park model, travel trailer or recreational vehicle.
- vi) Manufactured/Mobile Home Park: A parcel of land under one ownership or management which has been planned and improved for placement of at least two(2) manufactured/mobile homes.
- vii) Manufactured/Mobile Home Park Lot: A designated parcel within a manufactured/mobile home park for the exclusive use of the occupants of a single manufactured/mobile home.
- viii) Manufactured/Mobile Home Park Operator: The owner or manager of a manufactured/mobile home park who is responsible for the maintenance and operation of the park.
- viii) Manufactured/Mobile Home Site: A part of manufactured/mobile home park lot that has been reserved for the placement of the manufactured/mobile home, appurtenant structures and/or additions.
- ix) A Recreational Park Trailer, also known as a Park Model, must be less than 400 square feet to qualify as a Recreational Vehicle. It is built in a factory on a chassis (and equipped with a hitch and may be

removable) to the ANSI 119.5 Building Code, which is administered and enforced by the Recreational Park Trailer Industry Association (RPTIA). Park models are primarily designed for long term or permanent placement in RV or mobile home parks.

- x) Planning Board: The Town of Windsor Planning Board
- xi) Town Board: The Town of Windsor Town Board
- xii) Travel Trailer: A travel trailer is towed by a motor vehicle, can be operated independently or with utility connections and is designed to be used principally as a temporary dwelling and shall include park models.
- xiii) Recreational Vehicle: A mobile recreational unit, including travel trailer, pickup camper, converted bus, tent trailer, motor home or similar device used for temporary portable housing. Recreational vehicles shall also include boats that must be licensed, ATVs and trailers used for hauling vehicles.

Section 4 Licenses Required

General: No person, being the owner or occupant of any land within the Town of Windsor, shall use or permit the use of such land as a manufactured/mobile home park without first obtaining a license hereinafter provided. However, licensee shall be subject to the existing Town of Windsor and New York State building codes. None of the provisions of this Local Law shall apply to those existing manufactured/mobile home parks until such time manufactured/mobile home park is enlarged, extended, reconstructed, or for the replacement or movement of any unit.

Section 5 Application for License.

Applications are available in the Town Clerk's Office. The applicant shall complete the application and submit it to the Town Clerk along with:

- A. The required fee as herein provided.
- B. Approval of the application by the Broome County Health Department.
- C. Approval of the Town's Code Enforcement Officer and a recommendation letter from the Town Planning Board
- D. A resolution from the Town Board approving the issuance of a license
- E. Such other and further documentation as the authorities specified in this Local Law require.
- F. Such other approvals as may be required by any other federal, state or municipal agency or law.

Section 6 Application Procedure

- A. Each application for a mobile home park license shall be filed in triplicate with the Town Clerk, shall be in writing and signed by the applicant and shall contain all the information and data required by this chapter.
- B. The Town Clerk shall promptly transmit one (1) copy of the application to the Code Enforcement Officer, one (1) copy of the application to the Town Planning Board and retain one (1) copy in his/her office.
- C. The Code Enforcement Officer, upon receipt of the application, shall check the same for compliance with the Zoning Ordinance of the Town of Windsor and determine whether the proposed sewage disposal plan has been approved by the Broome County Department of Health. After such investigation, the Code Enforcement Officer shall transmit the application to the Town Board with his written findings within forty five(45) days after the date of the receipt of the application by the Code Enforcement Officer.
- D. Upon receipt of the application from the Town Clerk, the Planning Board shall review the application of the park, which review shall include a determination and an analysis of all the requirements of this chapter. The Planning Board shall, within sixty (60) days of the receipt of the application, transmit the application to the Town Board, together with a written report as to its findings. Failure to act within sixty (60) days of receipt of the application shall permit the Town Board to act upon the application without recommendation of the Planning Board.
- E. The Town Board shall review the findings of the Code Enforcement Officer and the Planning Board and, after a public hearing, by resolution, indicate its approval or disapproval of the application. Such public hearing shall be held by the Town Board within thirty (30) days of the receipt of the application from the Planning Board. The application shall then be returned to the Town Clerk and the applicant notified in writing by the Town Clerk of the decision of the Town Board, which notification shall be rendered within ten (10) days of the date of the decision of the Town Board.

Section 7 Application Data

Each application shall be accompanied by eight (8) complete sets of plans prepared in detail, with North point and scale and shall furnish the following information:

- i. 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 a corporation.

ii. Location and description and (Tax Map number of the land that is proposed to be used as a mobile home park)

iii. The number of lots to be provided in such park.

- A. Site plans shall be prepared and stamped by a licensed New York State professional surveyor, professional engineer, architect, or landscape architect at a scale of one (1) inch equals forty (40) feet or less, on standard 24" x 36" sheets and shall furnish the following information on 8 ½" x 11" sheets as necessary for written information.
- i. Name of the project, boundaries, and location maps showing site's location in the Town, date, north arrow and the scale of the plan.
 - ii. Name and address of the applicant(s) of record, developer, and seal of the surveyor, engineer, architect or landscape architect.
 - iii. Name and address of the owner(s) of record of all abutting parcels and those within fifteen hundred (1,500) feet of the property lines.
 - iv. All existing lot lines, easements, and rights-of-way. This includes area in acres or square feet, abutting land uses, and the location and use of structures within three hundred (300) feet of the boundaries of the park.
 - v. The location and use of all existing and proposed buildings and structures within the development. This include all dimensions of height and floor area, show all exterior entrances, as well as all anticipated future additions and alterations.
 - vi. The location of all present and proposed public and private ways, parking area, driveways, sidewalks, ramps, curbs, fences, paths, landscaping, and walls. Location, type, and screening details for all waste disposal containers shall also be shown.
 - vii. The location, height, intensity, and bulb type (e.g., fluorescent, sodium incandescent, LED or other) of all

external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties and roads also must be shown.

- viii. The location, height, size, materials, and design of all proposed signage.
- ix. The location of all present and proposed utility systems, including:
 - (a) sewage or septic system;
 - (b) water supply system;
 - (c) telephone, cable and electrical systems; and
 - (d) storm drainage including existing and proposed drain lines, culverts, catchbasins, head-walls, endwalls, hydrants, manholes, and drainage swales.
- x. Plans to prevent the pollution of surface or groundwater, erosion of soil both during and after construction, excessive run-off, excessive raising or lowering of the water table, and flooding of other properties, as applicable.
- xi. Existing and proposed topography at a five (5) foot contour interval, or at an interval as determined by the Planning Board. All elevations shall refer to the nearest United States Coastal and Geodetic Survey Bench Mark. If any portion of the parcel is within the 100-year floodplain, the area will be shown, and base flood elevations given. Indicate areas within the proposed site and within fifty (50) feet of the proposed site, where ground removal or filling is required, and give its approximate volume in cubic yards.
- xii. A landscape plan showing all existing natural land features, trees, forest cover and water source, and all proposed changes to these features including size and type of plant material, and erosion control measures. Water sources will include ponds, lakes, brooks, streams, wetlands, floodplains, and drainage retention areas.
- xii. Traffic flow patterns within the site, ingress and egress, loading and unloading area, curb cuts in the park and within one hundred (100) feet of the park.

- xiv. The Planning Board shall require a detailed traffic study and plan for large developments or for those in heavy traffic areas to include:
 - (a) the projected number of motor vehicle trips to enter or leave the park, estimated for daily and peak hour traffic level;
 - (b) the projected traffic flow pattern including vehicular movements at all major intersections likely to be affected by the proposed use of the park.
 - (c) the impact of this traffic upon existing abutting public and private ways in relation to existing traffic volumes. Existing and proposed daily and peak hour traffic levels as well as road loading levels shall also be given.

- xv. For new construction or alterations to any existing building, a table containing the following information must be included:
 - (a) area of building to be used for a particular use such as retail operation, office, storage, etc.;
 - (b) maximum number of employees;
 - (c) maximum seating capacity, where applicable; and
 - (d) number of parking spaces existing and required for the intended use.

- xvi. Elevation plans at a scale of $\frac{1}{4}'' = 1'$ for all exterior facades of the proposed structure(s) and/or existing facades, plus addition(s) showing design features and indicating the type and color of materials to be used. The color and materials should be compatible with existing structures.

- xvii. An Environmental Assessment Form (either a short or long form, depending on the nature of the proposal) shall be submitted with the site plan to insure compliance with the New York State Environmental Quality Review Act (6 NYCRR 617), to identify the potential environmental, social, and economic impacts of the projects.

Section 8 Issuing of Licenses

Existing Parks: None of the provisions of this Local Law shall apply to existing manufactured/mobile home parks until such time as the

manufactured/mobile home park is enlarged, extended, reconstructed, or any individual unit is replaced or moved. Existing manufactured/mobile home parks shall comply with **Section 15** Nonconforming Manufactured/Mobile Home Parks of this Local Law.

New Parks

i) Planning Board Review: The Planning Board shall review the park plan application for a manufactured/mobile home park for compliance with this Local Law and other applicable laws, ordinances, and regulations of the town, county, and/or state. The Planning Board, in writing, shall notify the applicant, Town Clerk, and the CEO of its decision.

ii) Licenses: Upon receipt of all applicable approvals and licenses from the Planning Board, the New York State Department of Health and any other involved agency, the Town Clerk shall issue a Manufactured/Mobile Home Park License. All licenses shall expire annually on December 31.

iii) Plan Change: Any modification to an existing or approved Park Plan shall be reviewed by the Planning Board and may require the issuance of a new license. The procedure outlined in Section 6 shall apply.

Town Board Review Process

A. The approval process shall be done in coordination with SEQR (the State Environmental Quality Review Act). The Town Board shall comply with the provisions of SEQR under Article Eight of the Environmental Conservation Law and its implementing regulations.

B. A site plan application shall not be considered complete until a negative declaration has been filed or until a notice of completion of the draft environmental impact statement has been filed in accordance with the provisions of SEQR. The time periods for review of a site plan application shall begin upon filing of such negative declaration or such notice of completion.

C. Town Board as lead agency under SEQR; public hearing; notice; decision.

(1)Public hearing on site plans. The time within which the Town Board shall hold a public hearing on the site plan shall be coordinated with any hearings the Town Board may schedule pursuant to SEQR, as follows;

(a) If the Town Board determines that the preparation of a draft environmental impact statement (DEIS) on the site plan is not required, the public hearing on the site plan shall be held within

sixty-two (62) days after the receipt of a complete site plan application by the CEO; or

(b) If the Town Board determines that a DEIS is required and it determines that a public hearing must be held, the public hearing on the DEIS and the site plan shall be held jointly within sixty-two (62) days after filing of the notice of completion of the DEIS in accordance with the provisions of SEQR. If no public hearing is held on the DEIS, the public hearing on the site plan shall be held within sixty-two (62) days of filing the notice of completion.

(2) Public hearing; notice; length. The hearing on the site plan shall be advertised at least once in the official newspaper of the town. The advertisement shall appear at least fourteen (14) days before a hearing on the DEIS or site plan. The Town Clerk shall mail notice of the hearing to the applicant at least fourteen (14) days before the hearing. The Town Board may provide that the hearing be further advertised in such manner as the Town Board deems most appropriate for full public consideration of the site plan. The hearing on the site plan shall be closed upon motion of the Town Board within one hundred twenty (120) days after it has been opened.

(3) Decision. The Town Board shall approve, with or without modification, or disapprove the site plan as follows:

(a) If the Town Board determines that the preparation of an environmental impact statement on the site plan is not required, the Town Board shall make its decision within sixty-two (62) days after the close of the public hearing; or

(b) If the Town Board determines that a DEIS is required, and a public hearing is held on the DEIS, the final environmental impact statement (FEIS) shall be filed within forty-five (45) days following the close of such public hearing in accordance with the provisions of the State Environmental Quality Review Act. If no public hearing is held on the DEIS, the FEIS shall be filed within forty-five (45) days following the close of the public hearing on the site plan. Within thirty (30) days of the filing of FEIS, the Town Board shall issue findings on the FEIS and make its decision on the site plan.

(4) Grounds for decision. The grounds for a modification, if any, or the grounds for disapproval shall be stated upon the records of the Town Board. When so approving a site plan, the Town Board shall state in writing any modifications it deems necessary for approval of such site plan.

D. If the Town Board is not lead agency under SEQR;

(a) Public hearing. The Town Board shall, with the agreement of the lead agency, hold the public hearing on the site plan jointly with the lead agency's hearing on the DEIS. Failing such agreement or if no public hearing is held on the DEIS, the Town Board shall hold the public hearing on the site plan within sixty-two (62) days after the receipt of the complete site plan application by the CEO.

(b) Public hearing; notice; length. The hearing on the site plan shall be advertised at least once in the official newspaper of the town at least fourteen (14) days before the hearing if such hearing is held separately from the hearing on the draft environmental impact statement, or fourteen (14) days before a hearing held jointly. The Town Clerk shall mail notice of the hearing to the applicant at least fourteen (14) days before the hearing. The Town Board may provide that the hearing be further advertised in such manner as the Town Board deems most appropriate for full public consideration of the site plan. The hearing on the site plan shall be closed upon motion of the Town Board within one hundred twenty (120) days after it has been opened.

(c) Decision. The Town Board shall by resolution approve, with or without modification, or disapprove the site plan as follows:

(1) If the lead agency determines that the preparation of a DEIS on the site plan is not required, the Town Board shall make its decision within sixty-two (62) days after the close of the public hearing; or

(2) If the lead agency determines that a DEIS is required, and a public hearing is held on the DEIS, the Town Board shall make its own findings and its decision on the site plan within sixty-two (62) days after the close of the public hearing on the site plan or within thirty (30) days after the adoption of findings by the lead agency, whichever period is longer.

(3) The time within which the Town Board must render its decision may be extended by mutual consent of the applicant and the Town Board.

(4) Grounds for decision. The grounds for a modification, if any, or the grounds for disapproval, shall be stated upon the records of the Town Board. When so approving a site plan, the Town Board shall state in writing any modifications it deems necessary for approval of such site plan.

E. General Municipal Law Section 239 Compliance At least fourteen (14) days before any hearing, the Town Clerk shall mail notices of the hearing to any adjoining municipality if the application is within 500 feet of the municipal boundary, as per Section 239-nn. As required by

General Municipal Law Section 239-m, the Town Board shall refer all application materials to the Broome County Planning Department as required by Section 239-m.

Section 9: Standards

A. General

1. All manufactured/mobile homes installed in manufactured/mobile home parks in the Town of Windsor shall be constructed and installed in compliance with the applicable provisions of Article 19 Section AA of the "New York State Executive Law" and related State Codes for construction and installation of manufactured/mobile homes. All manufactured/mobile homes shall be in compliance with New York State Fire Prevention and Building Code at the time of installation.
 - a. Only one (1) manufactured/mobile home shall be allowed to occupy one (1) manufactured/mobile home lot. Any manufactured/mobile home in excess of eighteen (18) feet in width must occupy two lots with a total of fifteen thousand (15,000) square feet or greater.
 - b. Each manufactured/mobile home shall be placed upon a monolithic-style slab with integral footings with full six-(6) inch-thick reinforced concrete slab which shall extend six (6) inches beyond the perimeter of the manufactured/mobile home with a center crown pitched one eighth (1/8) of an inch per foot away from the structure. The slab shall be placed upon four (4) inches of number two (2) crushed stone with a vapor barrier.
 - c. Each manufactured/mobile home shall be secured to the concrete slab at a minimum of all four (4) corners or as per manufacture specifications, whichever is greater, designed so as to secure the home against uplift, sliding, rotation, and overturning.
 - d. Accessory structures including, but not limited to, decks, stairs, awnings, covered patios, and carports, shall be constructed as a detached structure unless designed by a New York State licensed engineer or architect and installed by a certified New York State installer.
 - e. Each manufactured/mobile home shall have skirting installed within thirty (30) days to screen the space between the home and the slab. Skirting shall be of permanent material such as metal or other solid material specifically designed for such use and as approved by the CEO and shall be finished to conform to

the manufactured/mobile home. All skirting shall be constructed to prevent animal entry.

- f. No manufactured/mobile home shall be parked or allowed to remain on any street within the park for a period longer than twenty-four (24) hours.
- g. A park owner or operator shall provide a designated area for storage of tenant travel trailers/recreational vehicles, as approved by the CEO. An owner of a travel trailer/recreational vehicle used for camping, travel, or for vacation purposes away from his/her lot, may store such travel trailer in a designated area as approved by the park owner or operator. The travel trailer is not to be occupied, used as a place of human habitat or hooked up to any utility.

B.Planning, Health and Safety Standards. The following standards shall be the responsibility of the manufactured/mobile home park owner/operator.

i). Planning Standards

- 1. Location. The location shall not be exposed to excessive or objectionable smoke, dust, noise, odors, or other adverse influences. No portion of the park shall be subject to predictable sudden flooding or erosion.
 - 2. Drainage. The manufactured/mobile home park shall be located on a well-drained site, properly graded to ensure proper drainage. A storm water management plan as outlined in the NYS DEC SPDES general license for storm water discharges shall be submitted for all manufactured/mobile home parks to ensure no net increase in pollutant load or water quantity from pre-existing conditions, during and after construction of the manufactured/mobile home park.
 - 3. The siting of each manufactured/mobile home should take into consideration the prevailing wind direction, use of existing vegetation, and tree protection to minimize the adverse effects of prevailing winds.
 - 4. Gross minimum park size shall be five (5) acres.
- 5.Minimum Lot Size. Minimum lot sizes shall conform to the following percentages and shall be marked by permanent post pins or monuments on all corners.

- a. A maximum of 25% of the manufactured/mobile home lots shall be between 7,500 square feet and 9,999 square feet. Only single-wide manufactured/mobile homes will be allowed on lots less than 10,000 square feet.
- b. A minimum of 75% of the manufactured/mobile home lots shall be 10,000 square feet or greater. A double-wide manufactured/mobile home cannot be placed on lots less than 15,000 square feet.

6. Bulk Requirements. No manufactured/mobile home, office, or service building or other structure shall be located closer than seventy five (75) feet from the existing edge of surface of any public street or road. No manufactured/mobile home lot, office, or service building shall be located within fifty (50) feet of any adjacent property line.

7. Minimum Frontage. Minimum lot frontage is sixty (60) feet. However, to provide flexibility in design, ten (10) percent of the lots in a manufactured/mobile home park may have lot frontage between forty (40) feet and sixty (60) feet.

8. Minimum Setback. No part of a manufactured/mobile home lot shall be located closer than fifty (50) feet from the existing edge of surface of a public street or road. No manufactured/mobile home shall be located within twenty five (25) feet from a manufactured/mobile home lot line. Variable setbacks are required to provide visual variety.

9. Water Resource Setback. Setback of all structures within the park from all waterways, water bodies, and well head protections areas shall be a minimum of 100 feet and planted with suitable materials to minimize impact on water quality. Mitigating natural and manufactured conditions may reduce this setback at the discretion of the Town Board.

10. Separation. No manufactured/mobile home shall be located closer than fifty (50) feet from any other manufactured/mobile home or permanent building in the park.

11. Storage area. Any storage area provided for travel trailer/recreational vehicles, boats, and similar apparati shall be included and approved by the town. The storage area shall be clearly designated, limited to tenant use and not exceed five (5) percent of gross park size. The storage area shall not include any physical structures.

12. Circulation Plan. A manufactured/mobile home park shall have an internal street system adequate for access to each manufactured home lot with the following provisions:
 - a. Access. Access requirements shall be determined by the agency having jurisdiction.
 - b. Street Surface. The surface of all internal streets shall be paved with asphalt, concrete, or oil and stone as required by the Town Board and shall be kept in good repair.
 - c. Intersections within the park. All internal streets shall intersect at right angles.
 - d. Streets. Streets shall have a minimum of at least twenty (20) feet of road surface width and shall comply with the Town of Windsor design standards. Streets shall be designed in a curvilinear fashion to reduce the speed of traffic and to soften the appearance of the lots.
 - e. Dead-end Streets. No dead-end streets shall be allowed without an engineered plan for a turnaround. Dead-end streets shall be limited in length to one thousand (1,000) feet. A "no outlet" or "dead-end" sign shall appear at the entrance.
 - f. Parking. Two (2) off-street parking spaces shall be provided for each lot with one (1) additional space for each two (2) lots. Every parking space shall be at least ten (10) feet wide and twenty-five (25) feet long, and be designed to allow parked vehicles to be a minimum of five (5) feet from the pavement edge and adequate provision for maneuvering and for passage to and from streets.
 - g. All parked vehicles shall be registered. No storage of spare motor-vehicle parts or repair of motor vehicles shall take place on site.
 - h. Traffic Signs. All traffic signs within the park shall conform to the NYS Manual of Uniform Traffic Control Devices.
 - i. Street Maintenance. All street roads shall be adequately maintained and shall be accessible at all times.
 - j. School Bus Pick-Ups. Where a manufactured/mobile home park contains or abuts a major or collector road, the Planning Board may require that the applicant reserve, clear, grade, pave, or otherwise improve an area of such size and location as will provide a safe and suitable place for use by children

awaiting school buses. In general, the size of such area shall not be less than one hundred (100) square feet, and no dimensions shall be less than ten (10) feet. Such area shall be adjacent to the road right-of-way and shall be maintained by the park owner.

12. Utilities. All utility lines, including water, sewer, electricity, telephone, and cable television shall be installed underground and be in accordance with state and local regulations.

a. Water. A sufficient supply of potable drinking water shall be provided in a manufactured/mobile home park as provided for by state and local regulations. If the water is from a private source, periodic tests shall be made as required by the State and County Health Departments.

b. Sewage. A manufactured/mobile home park shall be provided with suitable and adequate sewage disposal systems in accordance with state and county regulations.

c. Plumbing. Connections to manufactured/mobile homes shall comply with all regulations of the State Standard Plumbing Code.

d. Electric. All electric installations including weatherproof electrical service connections and outlets shall meet the requirements of the National Electric Code and approved by a certified electrical inspector.

ii). Health and Safety

A. Fire Protection. Manufactured/mobile homes lots shall be clearly numbered within the park and a layout map provided to the fire chief, County Emergency Services Coordinator and town CEO. Numbers shall be reflective and must be four (4) inches in height and a half (1/2) inch width for lettering.

B. Garbage and Refuse. Each manufactured/mobile home park owner/operator shall provide adequate sanitary equipment and service to prevent littering of the ground and premises with rubbish, garbage, refuse and the like. The containers shall be with tight fitting covers. Such depositories shall be kept at all times in sanitary condition, emptied weekly, and shall be suitably enclosed and screened from view by permanent fence.

C. Lighting. Street lighting shall be provided at all entrances and exits to the manufactured/mobile home park and on all internal streets, intersections, walkways and common areas. Such lighting shall provide illumination of a minimum of 0.6 candles to those areas. Lighting shall be shielded to prevent glare to adjacent properties and roads.

D. Walkways. The Town Board may require sidewalks or walkways as it deems necessary to provide for the safety of pedestrians. The construction of a walkway or sidewalk shall be of suitable materials approved by the Town Board.

E) Miscellaneous Requirements

a. Required Landscaping. A manufactured/mobile home park shall be required to have landscaped buffer strips, of a minimum of fifty (50) feet wide, to visually separate the park from public highways and adjacent properties. Such buffer strips shall be located along the margins of the front, side and rear property lines and shall not include any portion of individual lots. Such buffer strips should utilize existing trees and shrubs to provide interlocking hedges, evergreen trees, and foliage acceptable to the Town Board. Such buffer strips shall not interfere with the vision of motorists at intersections and at access points for the manufactures/mobile home park. A landscape design and maintenance plan shall be submitted for Town Board approval. Landscaping shall be maintained in healthy condition.

b. Tenant Storage. A maximum of eighty (80) square feet (a maximum of seven (7) feet in height) of tenant storage shall be provided on the lot or in compounds located within a reasonable distance, generally not more than one hundred forty four (144) feet from each lot. Storage facilities shall be designed in a manner that will enhance the appearance of the park and shall be approved by the town's CEO.

c. Park Identification Signs. Only one (1) sign shall be licensed for each 500 feet of public highway of the park or major part thereof. All signs shall be in compliance with the Town of Windsor Zoning Ordinance. No sign shall be licensed to be erected within fifty (50) feet of a residential use, within twenty-five (25) feet of any adjoining property line, nor project into any public highway right of way.

d. Lot Coverage. No park development shall exceed thirty (30) percent lot coverage.

e. Park Reservations

i) General Standards. Land shall be reserved for parks, playgrounds or other recreation purposes in locations designated on the Town Comprehensive Plan or Official Map, or otherwise where the Town Board shall deem such reservation to be appropriate. Each reservation shall be of suitable size, location, dimension, topography, and general character for park, playground or other recreational purposes, and shall be shown and marked on the Plat as "Reserved for Park or Playground or Other Recreational Purposes". The Town Board shall require that ten (10) to fifteen (15) percent of the gross area of the manufactured/mobile home park be dedicated or reserved for recreational purposes. In calculating such percentage, the Board may give due credit for open areas reserved, by covenants in all deeds, for the common use of all property owners in the proposed park. An open space plan shall be submitted that addresses the use of open space for recreational usage.

f. Ownership of Park Areas. The ownership of reservations for park purposes shall be clearly indicated on the Plan and established in a manner satisfactory to the Town Board so as to assure their proper future continuation and maintenance.

g. Cash payment in lieu of Reservation. Where the Town Board determines that a suitable park or parks of adequate size cannot be properly located in a manufactured/mobile home park, or where such a reservation is otherwise not practical, the Board may require, as a condition to approval of any such plan, a payment to the Town of a sum determined for such cases by the Town Board. Such payments shall be deposited in a Trust Fund to be used by the Town Board exclusively for the acquisition of land for park purposes.

iii.) Registration of Manufactured/Mobile Home Occupants.
The Owner or operator of each manufactured/mobile home park shall keep a permanent record of all occupants using the facilities of such manufactured/mobile home park. Such

records shall be accessible immediately upon request by the Code Enforcement Officer, Dog Warden and the Town Assessors and shall include the following with reference to each manufactured/mobile home:

- a. Date of arrival and departure of manufactured/mobile home occupant;
- b. Name of owner of manufactured/mobile home;
- c. Make and year of manufactured/mobile home;
- d. Serial number of manufactured/mobile home;
- e. Number of occupants of each manufactured/mobile home.
- f. Name and owner of each dog licensed and rabies certificate number

Section 10: Annual license renewal

An application for the renewal of any mobile home park license issued in accordance with the provisions of this chapter must be filed with the Town Clerk on or before December 1 preceding the expiration of the license. Such application shall be accompanied by a signed statement from the CEO that the mobile home park is in satisfactory compliance with the terms and provisions of this chapter and the Zoning Ordinance of the Town of Windsor (See Ch. 93, Zoning). Upon receipt of the application renewal and the statement from the CEO, the Town Clerk shall issue a renewal license upon payment of the license fee.

Section 11 Transferability of license

The license issued shall not be transferable or assignable.

Section 12 Supplemental licenses

Any person holding a license for a mobile home park and desiring to add additional lots to such park shall file an application for a supplemental license under the same procedure as established in this chapter for the application of an original license. When the license is approved and issued in accordance with the procedures of this chapter, such license shall be effective from the date of issuance to and including December 31 of the same year and thereafter run concurrent with the original license.

Section 13: Inspection/ Revocation of License

The CEO shall have the right, upon proper notification with the consent of the owner or operator, or pursuant to a legally obtained administrative search warrant, or in instances of extreme emergency, to enter onto the premises of any manufactured/mobile home park to inspect for conformation with the standards of this law.

If the CEO, upon inspection, finds that such manufactured/mobile home park is not being maintained in accordance with the provisions of this Local Law, the State Sanitary Code as amended, the New York State Uniform Fire Prevention and Building Code, or the conditioned requirements of the license, the CEO shall serve upon the holder of the license thereof or the person in charge of such manufactured/mobile home park an initial order in writing directing that the conditions therein specified be corrected within thirty (30) days after the serving of such order. The County Health Officer may also serve such order if findings of inspection are not satisfactory with regard to the State Sanitary Code as amended. If, after the expiration of such period, such conditions are not corrected, the manufactured/mobile home park owner or the person in charge of such home or park shall be considered in violation of this Local Law and subject to the penalties as set forth in Section 17.

Section 14. Exceptions

A. None of the provisions of this Local Law shall be applicable to the business of manufactured/mobile home sales. In the case where joint manufactured/mobile home sales and manufactured/mobile home park operations exist and units are being used as living quarters, the provisions of this Local Law shall apply.

B. None of the provisions of this Local Law shall be applicable to a house trailer located on the site of a construction project or other similar work project, and used solely as a field office or work or tool house in connection with such provided the house trailer is removed from said site within fourteen (14) days after completion of such project.

Section 15: Nonconforming Manufactured/Mobile Home Parks

A. Any manufactured/mobile home park legally existing prior to the effective date of this Local Law and not conforming to the requirements of this Local Law shall be regarded as nonconforming.

B. Any such nonconforming manufactured/mobile home park in existence on the effective date of this Local Law may be continued provided such manufactured/mobile home park is not enlarged, extended, reconstructed, or for the replacement or the movement of any unit. Whenever a mobile/manufactured home is removed from a non-compliant existing site, the site must be brought into compliance with the standards of this Local Law before the site can be occupied again.

C. Existing nonconforming manufactured/mobile home parks shall be exempt from compliance with the provisions of this Local Law but shall comply with all other existing New York State and Town of Windsor codes.

D. Nothing in this Local Law shall require a change in the plans or construction of a manufactured/mobile home legally installed or manufactured/mobile home park on which actual foundation construction was begun or approved in writing prior to the adoption of this Local Law. All other Local Laws in effect at the time of adoption of this Local Law shall still apply.

Section 16 Fees.

A. Application Fee: The individual manufactured/mobile home park applicant, at the time of application, shall be required to pay to the Town Clerk an application fee set by the Town Board multiplied by the number of approved manufactured/mobile home park lots shown on the approved site plan.

B. Annual Renewal Fee: Upon approval of a Manufactured/Mobile Home Park, any licensing fee shall be paid to the Town Clerk and shall be renewed annually thereafter. The annual renewal fee shall be determined by Town Board multiplied by the number of approved manufactured/mobile home park lots.

Section 17: Penalties

A. Any person, firm, or corporation who violates any provision of this Local Law shall be guilty of an offense against this Local Law and subject to a fine of not more than three-hundred fifty (\$350) dollars per violation or imprisonment for a period of not more than six months, or both such fine and imprisonment for a first offense;

1. For conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than three hundred fifty (\$350) dollars nor more than seven hundred (\$700) dollars per violation or imprisonment for a period not to exceed six (6) months or both.

2. Upon conviction for a third or subsequent offense all of which were committed within a period of five years, punishable by a fine not less seven hundred (\$700) dollars nor more than one thousand (\$1,000) dollars per violation or imprisonment for a period not to exceed six (6) months, or both.

The imposition of penalties for any violation of this Local Law shall not excuse the violation or license it to continue. The application of

the above penalty or penalties or the prosecution of the violation of the provision of this Local Law shall not be held to prevent the enforced removal of conditions prohibited by this Local Law. Each week thereof shall constitute a separate and distinct violation.

The Town Board can suspend a license which means that the person cannot reapply for a license until the violation has been corrected and the park must comply with any new regulations in this section.

Section 18: Stop Order

A. Whenever the CEO has reasonable grounds to believe that any work within the manufactured/mobile home park is being done in violation of the provisions of the Local Law or in an unsafe and dangerous manner, he/she shall notify the owner of the Property to suspend all work. Such Stop Order and notice shall state in writing the conditions under which the work may be resumed, and may be served upon an owner either by delivering it to him/her personally or by posting the same within the park and sending a copy of the same by registered return-receipt requested mail.

Section 19: Validity

A. If any article, section, paragraph, subdivision, or provision of this Local Law shall be invalid, such invalidity shall apply only to the article, section, paragraph, subdivision, or provision deemed invalid. The rest of this Local Law shall remain valid and effective. This Local Law shall not in any way be construed to supersede or revoke any provision of any Town Zoning Ordinance or its successors except in the case of a section pertaining expressly to manufactured/mobile home parks. In case of a conflict in reference to manufactured/mobile home parks, the most restrictive, or that imposing the higher standards shall prevail.

Section 20. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

Section 21. Liability

The issuance of any permit pursuant to this chapter shall not create any liability on the part of the Town of Windsor, its officers or employees, by any person or entity, for any claim arising out of the issuance of said permit.