

Chapter 64

MOBILE HOMES AND TRAILERS

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§ 64-27. When effective.

[HISTORY: Adopted by the Town board of the Town of Windsor 10-6-71.¹;4-2-97 LL NO.1-1997 Amendments noted where applicable.]

GENERAL REFERENCES

Zoning--See Ch. 93

§ 64.1. Purpose.

The purpose of this chapter is to promote the health, safety and general welfare of the community, including the protection and preservation of the property of the Town of Windsor and of its inhabitants, by establishing specific requirements and regulations governing the occupancy and maintenance of mobile homes, mobile home parks and travel trailers.

§ 64-2. Definitions and word usage.

A. Words used in the present tense include the future; the singular number includes the plural; and the masculine shall include the feminine. "Shall" is mandatory, and "may" is permissive.

¹ Adopted as Ch. 17 of the 1972 Code of the Town of Windsor.

B. Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, have the meanings herein indicated.

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, designed to be used and capable of being used as a detached single-family residence and which is intended to be occupied as a permanent living quarters containing sleeping accommodations, complete plumbing facilities and electrical connections for attachment to outside systems. This definition includes all additions which are purchased and added thereto subsequent to installation but does not include modular housing placed on a standard foundation or a travel trailer.

MOBILE HOME LOT--A designated site of specific total land area which is located within the mobile home park for the accommodation of one (1) mobile home and its occupants.

MOBILE PARK--Any parcel of land which is planned and improved for the placement of two (2) or more mobile homes which are used as dwellings and for occupancy for more than ninety (90) consecutive days.

MOBILE HOME STAND--A durable surface located on a mobile home lot which is to be used for the placement of and capable of supporting a mobile home.

MODULAR HOUSE--A housing unit constructed off site, consisting of more than one (1) segment and designed to be permanently anchored to a foundation and to become a fixed part of the real estate.

PERSON--Any individual, firm, company, association, society, corporation or group.

TRAVEL TRAILER--Any portable vehicle which is designed to be transported on its own wheels and which is designed and intended to be used for temporary living quarters for travel, recreation or vacation purposes.

§ 64-3. License required.

Any person being the owner or occupant of any land within the Town of Windsor shall not use, allow or permit to be used such land for a mobile home park unless a license has been obtained, as hereinafter provided.

§ 64-4. Issuance of license.[Amended 4-2-97 LL No.1-1997]

The Town Clerk of the Town of Windsor shall issue a license to be effective from the day of

issuance to and including December 31 of that same year. Prior to issuance, however, the Town Clerk shall have received in his possession the following:

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- A. A written application from the applicant.
- B. The required fee as herein provided.
- C. Approval of the application by the Broome County Health Department.
- D. Approval of the Town's Zoning Enforcement Officer and Planning Board.
- E. A resolution from the Town Board approving the issuance of a license.
- F. Such other and further documentation as the authorities specified in sub-sections C, D, and E may from time to time be required.
- G. Such other approvals as may be required by any other federal, state, or municipal agency or law.

§ 64-5. Transferability of license.

The license issued shall not be transferable or assignable.

§ 64-6. 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, and when 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.

§ 64-7. 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 Zoning Enforcement officer 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.² Upon the receipt of the application renewal and the statement from the Zoning Enforcement Officer, the Town Clerk shall issue a renewal license upon payment of the license fee. Such renewal license shall not be transferable or assignable.

² See Ch. 93, Zoning.

§ 64-8. License fees. [Amended 6-7-2006 by resolution]

- A. The license fee for a mobile home park license and any renewals thereof shall be One hundred dollars (\$100.). The fee for a supplemental license shall be the same amount but prorated over the remaining calendar year.
- B. Each seven-day period that a license is delinquent shall be subject to a penalty of ten dollars (\$10.).

§ 64-9. 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 § 64-10 of this chapter.
- B. The Town Clerk shall promptly transmit one (1) copy of the application to the Zoning Enforcement Officer, one (1) copy of the application to the Town Planning Board and retain one (1) copy in his office.
- C. The Zoning 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 Zoning Enforcement Officer shall transmit the application to the Town Board with his written findings within fifteen (15) days after the date of the receipt of the application by the Zoning Enforcement Officer.
- D. Upon receipt of the application from the Town Clerk, the Planning Board shall review the application of the mobile home park, which review shall include a determination and an analysis of all the requirements under §§ 64-11 through 64-18 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 Zoning 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.

§ 64-10. Application data.

Each application shall be accompanied by three (3) complete sets of plans prepared in detail. The plan shall be drawn to a scale of fifty (50) feet to one (1) inch and shall include the date, North point and scale and shall furnish the following information:

- 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 a corporation.
- B. Location and description and Tax Map number of the land that is proposed to be used as a mobile home park.
- C. The number of lots to be provided in such park.
- D. Location of all topographic features, including, but without limiting, watercourses, marshes, areas subject to flooding and wooded areas.
- E. Location of all existing developments within three hundred (300) feet of proposed mobile home park, including, but without limiting thereto, all structures, locations, names and widths of existing streets or roads, location of water lines, drain fields and other utilities within and adjacent to the proposed site.
- F. Location of proposed developments, setting forth location and width of all streets, walkways, parking areas and easements, giving widths of all entrances and exits; location, size and arrangements of each lot within the park, the method and plan for electrical lighting, including street lighting; location and plan for waste disposal, any proposed grading, plans for landscaping, storm-water drainage or utilities.
- G. Location of any proposed public improvement proposed by the town, state or other municipality.

§ 64-11 Mobile home sites; lots.

A. Site.

- (1) The proposed park shall be located in areas where grade slope conditions are suitable for use a mobile home sites.
- (2) The park shall be located on a well-drained site, properly graded to assure rapid drainage and be free at all times from stagnant pools of water.
- (3) The park shall be at least five (5) acres in size with a one-hundred-foot frontage on a public road.
- (4) The park shall not be developed within the intermediate regional flood line established by the Corps of Engineers.

B. Mobile home lot. Each mobile home park plan shall be marked off by permanent post pins or monuments into mobile home lots having a total area of not less than six thousand (6,000) square feet each.

§ 64-12. Mobile home requirements. [Amended 6-7-06 by Resolution]

A. Any mobile home shall not be parked or otherwise located nearer than a distance of:

- (1) At least thirty (30) feet from an adjacent mobile home in any direction.
- (2) At least fifty (50) feet from the park property line.
- (3) At least seventy-five (75) feet from the right-of-way line of a public street or highway.
- (4) At least twenty (20) feet from the nearest edge of any roadway located within the park.

B. Only one (1) mobile home shall be permitted to occupy any one (1) mobile home lot.

C. Any mobile home in excess of eighteen (18) feet in width must occupy two (2) mobile home lots, as defined above.

D. Each mobile home must be provided with perimeter skirting to hide all wheels, chassis and other appurtenances under the home, to be installed in less than sixty (60) days after the

mobile home is placed on the stand. The structural frame for said mobile home shall be tied
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down and attached to the ground with piers according to manufacturer's specifications and in accordance with good engineering practice.

- E. Whenever a mobile home that is in noncompliance with this section is removed from an existing site, the site must be brought into compliance before a new trailer can be placed on the pad and a Certificate of Occupancy can be issued.

§ 64-13. Mobile home stands.

Each mobile home lot shall have a mobile home stand constructed of appropriate nonporous material which is durable and adequate for the support of the maximum anticipated load and will fit the dimensions of the anticipated mobile home and any appurtenant structures or appendages. The stand shall be suitably graded to permit rapid surface drainage.

§ 64-14. Accessibility.

- A. Each mobile home park shall be directly accessible from an existing public highway. All entrances and exits shall be at right angles to the existing public highway or street; shall be free of any material which would impede the visibility of a driver on a public highway; and shall be of sufficient width to facilitate the turning movements of vehicles with mobile homes attached. In the event that there are proposed more than twenty-five (25) mobile home lots, two (2) points of entry and exit shall be provided.
- B. Each park shall have improved streets to provide for the convenient access to all mobile home lots and other facilities within the park. Streets shall have a minimum width of twenty-four (24) feet and be improved with gravel and stabilization with calcium or oil. Except in the cases of emergency, no parking shall be allowed on such streets.

§ 64-15. Parking.

Two (2) off-street parking spaces shall be provided on each mobile home lot. Parking spaces shall be surfaced with an all-weather dust-less material and have a minimum width of ten (10) feet and a minimum length of twenty (20) feet.

§ 64-16. Utilities and service facilities. [Amended 6-7-06 by Resolution]

The following utilities and service facilities shall be provided in each mobile home park:

- A. An adequate supply of potable water for drinking and domestic purposes shall be supplied by underground pipes to all mobile home lots.
- B. Each mobile home lot shall be provided with a sewer or septic system which shall be connected to the mobile home situated on the lot to receive the waste from shower, tub, flush toilet, lavatory, kitchen sink and any and all washing machines in the mobile home. The sewer or septic system shall be approved by the Broome County Health Department, and connections on unoccupied mobile home lots shall be sealed to prevent the emission of any odors.
- C. A storm drainage plan to convey all storm water into natural watercourses and to maintain the park free from standing pools of water.
- D. Each mobile home lot shall be provided with weatherproof electric service connection and outlets of a type approved by the New York State Board of Fire Underwriters.
- E. Mailboxes shall be clustered and located in a convenient and attractive manner.

§ 64-17. Open space.

Each mobile home park shall provide common open space for the use of the occupants of the park. Such open space shall be conveniently located in the park and shall have a total area equal to at least ten percent (10%) of the gross land area of the park.

§ 64-18. Landscaping.

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.

§ 64-19. Mobile homes outside of parks.

No occupied mobile home or travel trailer shall hereafter be parked or otherwise placed within the Town of Windsor outside a licensed mobile home park unless the owner thereof has obtained from the Enforcement Officer a building permit, and thereafter erects and maintains the said mobile home as hereinafter provided.

§ 64-20. Building permits. [Amended 6-7-06 by Resolution]

The Zoning Enforcement Officer shall not issue a building permit until such time as he is satisfied that the mobile home is to be placed and located in a district permissible and in conformance with the Zoning Ordinance of the Town of Windsor; that the mobile home will be placed upon an individual lot of at least fourteen thousand (14,000) square feet and a minimum lot width of ninety (90) feet and meet the setback requirements set forth in the Town of Windsor's Zoning Ordinance for a single-family residence, that the gross floor area of such mobile home shall not be less than six hundred (600) square feet and that the following additional requirements are satisfactorily met:

- A. A sewage system approved by the Broome County Health Department is completed, installed and ready for hookup.
- B. The mobile home shall be set upon the foundation constructed of eight-inch concrete, or the equivalent, shall be a perimeter foundation or lateral runners or longitudinal runners or pillars. This foundation must extend thirty-six (36) inches below ground level, must contact and support the mobile home structural frame in a sufficient number of places to adequately support the mobile home.
- C. The structural frame for said mobile home shall be attached to the ground according to manufacturer's specifications and in accordance with good engineering practice.
- D. The mobile home, when placed upon said foundation, shall not exceed forty-eight (48) inches in height above ground level at any point.
- E. Foundation and closure. The mobile home foundation shall be enclosed by skirts 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.
- F. Each mobile home building permit application shall contain a sketch showing lot dimensions, setbacks, proposed location of the mobile home and description of the foundation.

§ 64-21. License for trailer campgrounds.

No person being the owner or occupant of any land within the Town of Windsor shall use or
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allow the use of such land for a trailer campground unless a license has been obtained therefore as herein provided. The issuance of a license, the application procedure therefore, and the application data required shall be the same as those set forth in §§ 64-3 through 64-10 of this chapter, except that references therein to requirements for a trailer campground as set forth in § 64-22.

§ 64-22. Trailer campground requirements.

- A. Each camp site within the trailer campground shall have a minimum area of two thousand five hundred (2,500) square feet with a minimum dimension of forty (40) feet.
- B. The design of roads and walkways within the campground must indicate measures taken to separate the vehicular and pedestrian traffic. Walkways shall be designed wherever possible to avoid crossing roads to reach service buildings and recreation areas.
- C. Roads shall be at least fourteen (14) feet wide for one-way roads and twenty (20) feet wide for two-way roads, and all roads shall be maintained in a well-graded and well-drained condition.
- D. All entrance and exit roads shall intersect public roads at an angle between eighty degrees and ninety degrees (80° and 90°) and at a grade not to exceed three percent (3%) for the first seventy-five (75) feet of camp road.
- E. There shall be a service building conveniently located which shall include toilets and lavatories for both sexes. Women's facilities shall be provided at the rate of one (1) toilet for each (10) camping sites. Men's facilities shall have one (1) urinal per each twenty (20) camping sites and one (1) toilet for each twenty (20) camping sites. A service building shall also include a public telephone.
- F. A sewage dump station shall be provided for the convenient emptying of camp trailer sewage tanks. Such dump station shall provide a connection with an approved sewage treatment system approved by the Broome County Health Department and a water outlet for the flushing of sewage tanks.
- G. An adequate supply of pure water for drinking and cooking purposes shall be readily available to each camp site.

§ 64-23. Penalties for offenses. [Amended 6-7-06 by Resolution]

- A. Any person, partnership, association, joint venture, or other entity, who violates any

per day per violation for each unit affected by the violation of this chapter or to imprisonment for a period of not more than fifteen (15) days, or both such fine and imprisonment. When violation of any of the provisions of this chapter is continuous, each day or portion thereof shall constitute a separate and distinct violation.

When an owner other than an individual is found to be in such violation, the owners, principals,

members, and officers of such entity shall be jointly and severally liable with such entity for payment of any fines, fees, and costs not paid by such entity within ten (10) days of assessment

B. In addition to the above-provided penalties, the Town Board of the Town of Windsor may maintain an action or proceeding in the name of the town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of such chapter.

§ 64-24. Exceptions.

None of the provisions of this chapter shall be applicable to the following:

- A. The business of mobile home or travel trailer sales, except that where units are used as living quarters they shall conform to the provisions of this chapter.
- B. The storage or garaging of mobile homes or travel trailers not being used for living or sleeping purposes within a building or structure, or the storage of one (1) unoccupied mobile home or travel trailer; provided, however, that such unoccupied mobile home or travel trailer shall not be parked or located between the street line and the front building line, as defined in the Windsor Zoning Ordinance, of such premises nor within twenty (20) feet of the adjoining property line.
- C. 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 that such mobile home is removed from such site within thirty (30) days after the completion of such project.
- C. A modular house which is prefabricated in sections, transported to the building site, then fastened together at a place on a permanent masonry foundation which has a minimum

width of eighteen (18) feet for its entire length and contains a minimum of seven hundred
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twenty (720) square feet of usable living space.

§ 64-25. Severability.

If any section, paragraph, subdivision or provision of this chapter shall be found invalid, such invalidity shall apply to the section, paragraph, subdivision or provision of this chapter shall remain valid and effective.

§ 64-26. Liability.[Amended 4-2-97 LL No.1-1997]

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.

§ 64-27. When effective.

This chapter shall take effect ten (10) days after posting and publication thereof, and immediately as against any person who is personally served with a certified copy thereof, in accordance with the Town Law of the State of New York.