

**Town of Lansing Mobile Home Park Local Law
Local Law #4 of 2014**

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Article I - Title.

Local Law #4 of 2014 shall be known as the "Mobile Home Park Law of the Town of Lansing" (hereinafter the, or this, "Local Law").

Article II - Purpose.

The intent and purpose of this Local Law is to promote the public health, safety, protection and general welfare of the Town of Lansing, including those living in Mobile Home Parks, in the following manners: (i) by the requirement that Mobile Home Parks be established only in accordance with approved plans for the same; and (ii) by the use of standards and regulations for the design and operation of Mobile Home Parks.

Article III - Definitions.

Accessory Structure - A building or structure that is located upon the same lot as the principal building, structure, or use, when used for purposes that are subordinate and incidental to those of the principal building, structure, or use.

Driveway - A minor private way used by vehicles and pedestrians in a Mobile Home Park to provide primary access to one or two Mobile Home Lots, which Driveway may include areas for Off-Road parking.

Enforcement Officer - The duly appointed Building Inspector of the Town, the Code Enforcement Officer of the Town, and any other Person appointed by the Town Board to interpret, apply, or enforce this Local Law, or to otherwise represent the Town in matters pertaining to this Local Law.

Mobile Home - A structure transportable in one or more sections that, in the traveling mode, is 8 feet (2,438 mm) or more in width or 40 feet (12,192 mm) or more in length or, when erected on site, is 320 square feet (29.7 m²) minimum, and that was built on or after June 15, 1976, on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein. The term Mobile Home shall include a "manufactured home" as defined in NYS law, and includes any structure that meets all the requirements of the definition of a Mobile Home except the size requirements, and with respect to which the manufacturer voluntarily files a

certification required by the federal Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Act of 1974, as amended. The term "manufactured home" shall not include any self-propelled recreational vehicle.

Mobile Home Lot - A space for rent or lease within (and only within) a Mobile Home Park that is designed for occupancy by one Mobile Home and its allowed or permitted Accessory Structures.

Mobile Home Park - A parcel of land which has been designed and improved for the placement of 3 or more Mobile Homes.

Mobile Home Stand - That part of an individual Mobile Home Lot which has been reserved for the placement of a Mobile Home.

Off-Road - Means an area of a Mobile Home Lot that is not part of, or within, any public highway, private road, or any Park Street, whereupon the Driveway and designated parking areas for Mobile Home Lots may be and usually are situate.

Park Site Plan - The plan required of an applicant pursuant to the standards for Mobile Home Parks and applications therefor as established by this Local Law, including all requirements of New York State law which are required to be met, maintained, or adhered to in order to lawfully establish, maintain, and operate a Mobile Home Park in the Town. Said plan shall show in sufficient detail, as required by local reviewing authorities, all of the required information pertaining to the proposed layout of a premises for a Mobile Home Park as required by this Local Law.

Park Street - A private way which affords a connection to a public highway and provides also a principal means of access for residents and others using a Mobile Home Park, including by providing vehicular and pedestrian access to Driveways or auxiliary facilities and buildings within the Mobile Home Park.

Patio - A surfaced outdoor living space designed and intended to supplement the interior Mobile Home living area, usually upon a seasonal basis.

Planning Board - The duly appointed Planning Board of the Town, including the alternate members thereof.

Site Plan Review - Shall mean: (i) the site plan review process as set forth in the Town Land Use Ordinance, as now exists or hereafter recodified or amended; and (ii) site plan standards or requirements specific to Mobile Home Parks as set forth in this Local Law.

Town - The Town of Lansing, in Tompkins County, New York.

Town Board - The Town Board of the Town of Lansing.

Town Highway Department - The Highway Department of the Town of Lansing, and whenever approval or review of such Town Highway Department is called for or referenced in this Local Law, such term shall signify approval in writing by the Town Highway Superintendent or Deputy Highway Superintendent.

Article IV - Standards.

A. General application and waivers.

1. Unless otherwise provided in this Local Law, the standards and requirements of this Local Law shall apply to all Mobile Home Parks and their establishment, maintenance and operation in the Town of Lansing after the effective date of this Local Law.
2. Waivers of any standard or requirement of this Local Law may hereafter be expressly provided, and may be granted by the Planning Board when found warranted. The Planning Board may grant a waiver when it finds that, due to the special circumstances of a particular case, a waiver of certain requirements is justified. In all cases, no waiver shall be granted unless the Planning Board finds and records in its minutes that: (i) granting the waiver would be keeping with the intent and spirit of this Local Law and does not nullify any requirements of the Tompkins County Health Department; (ii) there is no significant adverse effect upon the character, appearance, or welfare of the neighborhood; (iii) there are special circumstances involved in the particular case; (iv) denying the waiver would result in undue hardship, provided that such hardship has not been self-imposed; and (v) the waiver is the minimum necessary degree of variation from the requirements of this Local Law as will obviate the hardship or difficulty or effect substantial justice, while also serving the public interest in safe roads, water, and land uses.

B. Mobile Home Park, Park Site Plan. A Park Site Plan, prepared by a licensed engineer, licensed land surveyor, or architect shall show the following:

1. The location, boundaries, dimensions, and topography of the tract of land proposed to be used for the Mobile Home Park.
2. The number, location and size of all spaces reserved for independent Mobile Homes and all service outlets or connections therefor, including Mobile Home Stands.
3. The boundaries of and facilities to be included in recreation areas, and the location of all Mobile Home Park auxiliary facilities and buildings, such as, but not limited to, park offices, dumpster sites, and storage sites.
4. The location, size, and electric lighting plan for roads, walks, and outdoor areas.
5. The location of any proposed structures.
6. The location, type, and capacity of: (i) water supply, distribution and storage systems; (ii) sewage treatment and disposal systems; and (iii) stormwater drainage facilities.
7. Plans and specifications for all buildings and other improvements constructed within the Mobile Home Park.
8. Plans for any and all landscaping within and upon the perimeter of the Mobile Home Park, exclusive of individual lots.

9. Design standards for roads and other infrastructures.

10. The precise locations and bounds of any streams, intermittent streams, wetlands, flood plains designated by the National Flood Insurance Program, Unique Natural Areas, identified important viewsheds (such as from the Tompkins County scenic inventories), designated Critical Environmental Areas, any mapped significant natural communities, the presence of any species of concern, along and together with any related information as to any other similar unique ecological resources or topographical features.

11. Such other information in such detail as may be reasonably required by Town and county reviewing authorities, including the Planning Board.

C. Mobile Home Park design standards.

1. Each Mobile Home Lot shall be at least 55 feet wide (upon at least one dimension) and shall contain a minimum of 7,000 square feet, of which no more than 30% shall be occupied by the Mobile Home Stand. Each Mobile Home Lot shall abut on a Park Street with access to a public highway. Such lots shall be clearly defined and Mobile Homes shall be sited on such lots so that the following standards are met:

a. No Mobile Home shall be sited within 30 feet of any other Mobile Home or any other dwelling, either on or off site.

b. No Accessory Structure, including garages and carports, shall be sited within 10 feet of any Mobile Home Lot boundary; nor within 30' of the boundary of the Mobile Home Park.

c. No Mobile Home shall be sited less than 100 feet from any public highway; however, the Planning Board may, for good and stated reasons, alter this dimension by waiver and without need of a variance as part of the Site Plan Review process.

d. All areas required to be landscaped, screened, buffered by vegetation, or provided with lawns or other ground cover shall be kept properly maintained, including by regular mowing.

e. No area established as a minimum yard or setback area shall be used for parking or Accessory Structures.

f. All side yard setbacks must be a minimum of 10 feet; however, the Planning Board may, for good and stated reasons, alter this dimension by waiver and without need of a variance as part of the Site Plan Review process.

g. All rear yard setbacks must be a minimum of 15 feet; however, the Planning Board may, for good and stated reasons, alter this dimension by waiver and without need of a variance as part of the Site Plan Review process.

h. All front yards must be a minimum of 25 feet; however, the Planning Board may, for good and stated reasons, alter this dimension by waiver and without need of a variance as part of the Site Plan Review process.

i. No Mobile Home may be sited within 25' of any Park Street as measured from the near edge of the pavement; however, the Planning Board may, for good and stated reasons, alter this dimension by waiver and without need of a variance as part of the Site Plan Review process.

j. All Mobile Home Lots shall have a Driveway, which may consist of an Off-Road parking area, and each Mobile Home Lot shall have sufficient Off-Road parking for 2 automobiles.

k. The Mobile Home Park shall have a perimeter buffer at least 30 feet wide, and the Planning Board may require plantings, fencing, or other screening or buffers to be therein installed.

2. Each Park Street shall conform to the following requirements:

a. Park Streets shall be continuous and their lanes well marked.

b. Park Streets shall provide at least one connection with a public highway at a ninety-degree angle, and at least one point of intersection with and access from a public highway shall be required for every Mobile Home Park with more than 10 Mobile Home Park Lots.

c. No more than 2 curb cuts may be provided for any Mobile Home Park (absent a waiver or variance), and any Mobile Home Park with more than 20 Mobile Home Park Lots shall accommodate traffic needs by increasing roadway or Park Street widths beyond the minimum standards contained in this local law, such as providing for passing areas and extended shoulders or by taking such other steps as are deemed reasonable to ensure the safe flow of traffic and pedestrians, including allowances for safe access and egress by first responders and emergency vehicles.

d. Park Streets shall be at least 20 feet wide.

e. Park Streets shall be improved and maintained with an all-weather hard surface on a suitable base, subject to the advance approval of the Town Highway Department as to their method of construction and the suitability of materials so utilized.

f. Park Streets shall be provided with signage and lighting as required by the Planning Board through the Site Plan Review process.

3. Driveways shall not be less than 10 feet in width and shall be improved and maintained with an all-weather hard surface on a suitable base or by compacted crusher run or gravel, subject to the approval of the Planning Board. The Driveway shall extend a minimum of 20 feet beyond the edge of any Park Street, and at least 40 feet beyond the edge of any public highway or private road. In no case may the Driveway extend beyond the rear line of the Mobile Home Stand.

4. An area or areas restricted to recreational use shall be provided in each Mobile Home Park. A minimum of 10% of the gross land area shall be made available in one or more places within the Mobile Home Park for this use. The Planning Board may require suitable fencing and landscaping of such areas for screening or other purposes.

D. Utilities.

1. No Mobile Home Park shall be occupied until the water system thereof is connected to and serviced by a public water supply distribution system or approved by the Tompkins County Health Department. The water system of a Mobile Home Park shall be connected by pipes to each Mobile Home Stand, and all such water lines shall be suitably protected from the elements and accidental damage or disconnection.
2. All plumbing in a Mobile Home Park shall be constructed and maintained in accordance with standards approved by all applicable state and local laws, codes, and regulations.
3. All water from showers, tubs, toilets, laundries, faucets, sinks and lavatories shall be wasted into an approved municipal or private sewerage system, or into an septic or sanitary treatment system approved by the Tompkins County Health Department (or equivalent).
4. Each Mobile Home Park shall provide each Mobile Home Lot with a satisfactory sewer, wastewater, septic, or other gray-water and sanitary disposal system or connection approved by the Tompkins County Health Department.
5. An electric outlet shall be provided for each Mobile Home Stand that is sufficient to meet typical household loading and needs. All electric connections and systems shall be inspected by a New York State certified electrical inspector. No letting or residential or other use of a Mobile Home, and no certificate of occupancy shall be issued, until a proper electrical inspector's certificate is filed with the Enforcement Officer and such inspection shows compliance with required state and local laws, codes, and regulations.

E. Refuse disposal. The storage, collection and disposal of waste, garbage, and refuse in a Mobile Home Park shall be so managed as to create no health or accident hazards, rodent harborage, insect-breeding areas, or pollution of air or water. All refuse shall be stored in fly-tight, watertight, and rodent-proof containers. Insect- and rodent-control measures to safeguard public health as recommended by the Tompkins County Health Department shall be applied in all Mobile Home Parks. When required by the Planning Board or recommended by the Tompkins County Health Department, a Mobile Home Park may be required to provide a dumpster container area, and all such dumpsters must have covers, be kept closed, and regularly emptied and serviced to avoid spoilage, rot, mold, container leakage, odors, and like issues and problems.

Article V - Supplemental Regulations.

A. It shall be unlawful to increase the living or storage space of any Mobile Home without first obtaining a permit from the Enforcement Officer. No Accessory Structure may be used for living or occupancy space, except for storm shelters; but no storm shelter shall be used for storage or as storage space.

B. Awnings or canopies may be attached to Mobile Homes if allowed in the approved Site Plan Review conditions for the Mobile Home Park. No such structure or device may be installed or attached until a building permit is obtained whenever the Park Site Plan approval or design, size, or features of such installation require the same.

C. No occupied Mobile Home shall be located in a Mobile Home Park in any area other than upon a Mobile Home Park Lot. However, staging and storage areas for vacant Mobile Homes yet to

be installed or being relocated or removed due to summary proceedings, condemnation, or other causes, are allowed if such location is sited and approved during the Site Plan Review process.

E. Mobile Home Parks shall at all times be maintained in a clean and sanitary manner in accordance with the provisions of this Local Law and applicable local and state laws, codes, and regulations.

F. All Mobile Homes must be anchored in accordance with applicable local and state laws, codes, and regulations or, if no such local and state law, code, or regulation applies, then by at least one anchor at each building corner.

Article VI- Inspections and Enforcement.

A. Before a Mobile Home Park commences operation the Enforcement Officer shall make an inspection of the premises to determine: (i) that all of the requirements of this Local Law have been complied with; and (ii) that any conditions set forth in any Site Plan Review have been complied with. If such compliance is found, the Enforcement Officer may issue a certificate of occupancy.

B. If the Enforcement Officer finds that such Mobile Home Park is not being maintained in a clean, orderly, and sanitary condition, or that such Mobile Home Park is not being operated in accordance with the provisions of this Local Law or the conditions of the Site Plan Review approvals, the Enforcement Officer shall serve upon the owner, his agent or employee, a written order to remedy directing that the conditions therein specified be remedied within a set period of time. Such order to remedy shall comply with the requirements of NYS Executive Law § 382. If, after the expiration of the compliance period stated in such order to remedy, such conditions are not corrected and compliance has not been achieved and maintained, then the Enforcement Officer may commence criminal enforcement proceedings, including by service upon the owner of any Mobile Home, the owner of the Mobile Home Park, the owner of any Mobile Home Lot, the holder of any Mobile Home Park permit, the owner of the underlying land upon which is situate a Mobile Home Park, or upon any other Person who violates this Local Law, a criminal appearance ticket, criminal summons, or other lawful process.

Article VII - Violation and Penalties.

Violation of this Local Law is hereby declared to be a criminal offense, punishable by a fine not exceeding two hundred and fifty dollars (\$250). For any violation of this Local Law committed within 5 years of any prior conviction for any offense under this Local Law, then the fine shall be not less than two hundred and fifty dollars (\$250) nor more than five hundred dollars (\$500). Each week's continued violation shall constitute a separate and distinct violation under this Local Law and may be charged as such. In addition to these monetary penalties, the Town may institute any appropriate action or proceeding to compel compliance with, or prohibit the violation of, this Local Law.

Article VIII - Limitation upon Town Liability.

The Town shall not be liable or responsible for any injury to persons or damage to property due to the Town's actions, or failures to act, under or pursuant to this Local Law, unless it is proven to a reasonable degree of certainty that such injury or damage was solely caused by a willful or intentional tortious act of the Town.

Article IX - Severability.

If any clause or provision of this Local Law shall be held invalid or unenforceable by a court or tribunal of competent jurisdiction, such holding shall not affect or invalidate the remainder of this Local Law and any such invalidity or unenforceability shall be confined in its operation to the clause or provision directly involved in the controversy in which such holding shall have been rendered.

Article X - Effective Date.

This Local Law shall be and become immediately effective.