

(Use this form to file a 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.

FINAL

~~COUNTY~~
~~CITY~~
Town of ENFIELD
~~VILLAGE~~

Local Law No. 1 of the year 19 93..

A local law ESTABLISHING THE ENFIELD MOBILE HOME PARK LOCAL LAW
(Insert Title)

Be it enacted by the TOWN BOARD OF THE TOWN OF ENFIELD of the
(Name of Legislative Body)

~~COUNTY~~
~~CITY~~
Town of ENFIELD as follows:
~~VILLAGE~~

- SEE ATTACHED -

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 19 93 of the ~~(County)(City)(Town)(Village)~~ of Enfield was duly passed by the Town Board on Feb. 5 19 93, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1____, above.

Betty J. Poole

Clerk of the County legislative body, ~~City~~, Town or ~~Village~~ Clerk or officer designated by local legislative body

(Seal)

Date: December 1, 1993

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF _____ TOMPKINS

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Robert C. Mulvey

Signature

ATTORNEY TO THE TOWN OF ENFIELD

Title

~~County~~
~~City~~
Town
~~Village~~

of _____ ENFIELD

Date: December 1, 1993

Enfield Mobile Home Park Ordinance

Town of Enfield
Enfield, New York

Enfield Mobile Home Park Ordinance

LOCAL LAW NO. ___ FOR THE YEAR 1993

BE IT ENACTED BY THE TOWN BOARD FOR THE TOWN OF ENFIELD AS
FOLLOWS:

SECTION 1
TITLE, STATUTORY AUTHORIZATION
AND PURPOSES

1.1 TITLE

This local law shall be known as the "Mobile Home Park Regulation and Licensing Local Law of the Town of Enfield."

1.2 STATUTORY AUTHORIZATION

This local law is adopted under the authority of Section 10(1) (ii) (a) (ii) of the Municipal Home Rule Law and Section 130 (21) and 137 of the Town Law of the State of New York.

1.3 PURPOSE

It is the purpose of this local law to promote the health, safety, and general welfare of the residents of the Town of Enfield, by the proper regulation and licensing of mobile home parks, to provide for a clean, safe, healthy and wholesome environment and living conditions within mobile home parks for the residents thereof.

SECTION 2

DEFINITIONS

2.1 DEFINITIONS

(A) Person -- shall mean an individual, association, partnership or corporation or any combination thereof and the agent or employee thereof.

(B) Mobile Home -- shall mean a detached, single family dwelling unit with any or all of the following characteristics:

- (1) Manufactured as a relocatable dwelling unit intended for year round occupancy and for installation on a site without a basement;
- (2) Designed to be transported, after manufacture, on its own chassis and connected to utilities after placement on a mobile home stand;
- (3) Designed to be installed on a single-wide or double-wide unit with only incidental unpacking and assembling operations.

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(4) Designed and manufactured as the type of unit which would require, if built after January 15, 1974, a seal as provided for in the State Code for Construction and Installation of Mobile Home regardless of the actual date of construction.

(C) Mobile Home Lot -- shall mean an area of land, in a mobile home park, rented for the placement of a single mobile home and accessory structures incident thereto.

(1) Lot depth shall mean the distance, measured along the centerline of the lot, between the right-of-way of a public street or the pavement line of a private street and the rear lot line.

(2) Lot width shall mean the distance between the two side lot lines when measured perpendicular to the centerline of the lot.

(D) Mobile Home Stand -- shall mean that part of the mobile home lot on which the mobile home is placed and which is constructed in accordance with the standards provided in this local law.

(E) Park Occupant -- shall mean the person or persons living in the mobile home in a mobile home park.

(F) Park Operator -- shall mean the person or persons owning a mobile home park and/or responsible for on site management and operation of a mobile home park.

(G) Mobile Home Park -- shall mean any parcel of land or contiguous parcels of land under common ownership, containing four (4) or more mobile homes, whether or not such mobile homes are owned by the occupants thereof.

(H) Pre-Existing Mobile Home Park -- is a Mobile Home Park consisting of seven (7) or more mobile home units, in existence on the effective date of this ordinance. This is limited to the existing installation and not future expansion.

(J) Site Plan -- shall mean drawing(s) submitted to the Town Clerk as part of the application for a license for a mobile home park and containing all the information required by this local law in sufficient detail to enable the required reviews.

(L) Adequately Surfaced Road -- hard base, dust-free, (i.e. gravel, blacktop, etc.)

SECTION 3 LICENSE REQUIRED

3.1 MOBILE HOME PARK

No person or persons, being the owner of any land in the Town of Enfield, shall use or permit the development and use of such land as a mobile home park without first obtaining a license therefor as provided in Section 4 of this local law. Such license shall be renewed every two (2) years.

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SECTION 4
APPLICATION FOR A LICENSE

4.1 APPLICATION FOR A LICENSE

Written application for a license shall be filed with the Town Clerk of the Town of Enfield upon forms provided for such purpose along with the requisite fee. The Clerk shall submit such application to the Planning Board for review and determination.

4.2 CONTENTS OF APPLICATION

Applications for a mobile home park license shall include, but not be limited to, the following:

(A) Applicant: Names and addresses of all applicants, if an individual or partnership, and the name and address of principal officers and shareholders if applicant is a corporation;

(B) Land Owner: Name and address of the owner of land upon which the mobile home park is to be located if other than the applicant;

(C) Map: location map;

(D) Design and Layout: Scaled sketch drawings of the proposed mobile home park indicating its design and layout and demonstrating conformity with the requirements of Section 5 and 6 of this local law;

(E) Water and Sewer: If public water and/or sewage systems are not to be used, approval of the proposed mobile home park by the Tompkins County Health Department must be submitted with the application;

(F) Buildings, Parking, Open Areas: Scaled sketch plans or written descriptions of all buildings, streets, parking areas, recreation and open spaces, and landscaping to be constructed or provided within the mobile home park;

(G) Topography and Drainage: An indication of existing topography and drainage patterns including wet or swampy areas;

(H) Rules and Regulations: A copy of all contemplated park rules, regulations and covenants; a list of management and tenant responsibilities; a written statement of any entrance and

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existing fees, if any, utility connection fees, if any, and security deposits to be charged, if any.

(I) Additional Information: Such further information as the developer may feel is necessary to comply with the environmental, health, and safety standards of this local law.

4.3 PROCEDURE

The application for a mobile home park license shall be filed in duplicate with the Town Clerk along with the required fee and the following procedure shall apply:

(A) Application Review: The enforcement officer shall refer to one copy of the application to the Planning Board for review of the layout and design of the proposed park. If the application shall be complete, it shall be referred to the Planning Board for further action. Incomplete applications shall be rejected.

(B) Public Hearing: Within sixty (60) days from receipt of the application*, the Planning Board shall hold a public hearing on said application which hearing shall be duly advertised on ten (10) days advance notice to the public. Any interested party may speak at the hearing.

*except pre-existing parks as of the effective date of this local law

(C) Approval/Disapproval: Within forty-five (45) days from the date of the public hearing, the Planning Board shall approve or disapprove the application, and set forth any special conditions as may be required, and instruct the Town Clerk to issue a temporary permit based upon such approval and upon issuance of the building permit required under the New York State Uniform Fire Protection and Building Code. Issuance of a temporary permit is authorization for the applicant to proceed with the final plans for the mobile home park incorporating the conditions attached to said temporary permit.

(D) Final Plan: Final plans for the proposed mobile home park, or, if construction is to be staged, that portion of it to be constructed initially, shall be submitted to the Planning Board for review within one (1) year from the date of issuance of the temporary permit. If such submission is not made, the temporary permit shall be withdrawn unless extended by the Planning Board for good cause shown.

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(E) Conditions: The Planning Board shall determine if the conditions imposed have been met and shall be concerned with such things as the appropriateness and quality of the overall site plan in terms of effective use of the site, suitability of the proposed landscaping, usefulness of the proposed recreation areas, and the general visual character of the park. In addition, the Planning Board shall determine that the plans comply with the requirements of Sections 5 and 6 of this local law.

(F) Issuance of License: Within forty five (45) days from the receipt of final plans*, the Planning Board shall approve the final plan and instruct the Town Clerk to issue a license for the mobile home park. Final plans may in the Planning Board's discretion be conditionally approved or disapproved. If disapproved, the temporary permit may be canceled or extended for good cause shown at the option of the Planning Board.

*To enable the Board to have adequate time to review, Pre-existing Park applications may be held for review at the Planning Board's discretion for up to 6 months.

4.4 RENEWAL OF MOBILE HOME PARK LICENSE

The Planning Board shall renew a mobile home park license every two (2) years from the date of issuance. If the mobile home park has not been constructed in accordance with the approved plans and all conditions attached hereto, or if a violation of this local law shall be found, or if any unapproved change shall have taken place, the license shall not be renewed until said mobile home park has been brought into compliance. In such case, the Planning Board shall serve an order upon the holder of the license in accordance with provisions of Section 10 of this local law.

4.5 LICENSES FOR EXISTING MOBILE HOME PARKS

The owner of any mobile home park existing prior to the adoption of this local law shall apply for a mobile home park license within sixty (60) days from the date of adoption of this local law and such license shall be subject to renewal after one (1) year on the initial license and is to be renewed every two (2) years thereafter. Upon initial application, the Planning Board shall issue a temporary license valid for one (1) year and shall serve notice on the park owner of any violations of this local law which might exist or any improvements necessary to meet the requirements of this local law.

Any mobile home park existing at the time of the enactment of this local law shall have a period of five (5) years to comply with this local law. During this period, temporary licenses will be issued as required in Sec. 4.5 of this local law.

No license for a mobile home park existing at the time of enactment of this local law shall be renewed until violations cited by the Planning Board have been corrected and a renewal has been authorized.

4.6 FEES

The initial application and each temporary license application shall be accompanied with a fee of \$100 plus ten dollars (\$10.00) for

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each mobile home unit, which fee shall be retained by the Town of Enfield regardless of what disposition is made of the application; such application fees shall be payable to the Town Clerk. License renewals shall be accompanied by a fee of ten dollars (\$10) per mobile home unit.

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4.7 ADDITIONS TO LICENSED MOBILE HOME PARKS

Any addition of new mobile home lots, to any mobile home park licensed herein or operating as of the effective date of this law, shall be subject to approval in the same manner as a new mobile home park and the requirements and conditions pertaining to parks established after the effective date of this local law shall be applicable to such new lots or additions or expansions. A license to operate a mobile home park shall not confer upon the holder any rights to expand the number of units, nor alter any approved plan without the approval of the Planning Board under the procedures set forth herein.

4.8 LICENSES NON-TRANSFERABLE

No license issued under this local law shall be transferable. It shall be deemed a transfer if any corporate licensee shall transfer more than fifty per cent (50%) of its stock to parties not shareholders at the time of issuance of the corporate licensee's license.

SECTION 5 ENVIRONMENTAL REQUIREMENTS

5.1 COMPLIANCE WITH APPLICABLE LAWS

All applications shall be subject to Article 8 of the Environment Conservation Law (SEQRA), and applicant may be required to produce all necessary data for the assessment of environmental impact.

5.2 SITE LOCATION

(A) Neighborhood facilities: Mobile home park plans shall include a statement concerning the availability of shopping facilities and fire protection services in relation to the location of the proposed park. A written statement from the appropriate school official shall also be included indicating that school bus service shall be provided, if necessary, and evaluating the impact of the park on the school system.

(B) Relationship to major roads: Mobile home park plans shall include a sketch of the site as it relates to major traffic arteries with indications of anticipated traffic patterns to the park. Direct connections onto major highways shall be in accordance with the standards set forth in Section 6.6 of this article.

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5.3 NATURAL FEATURES

(A) General requirements: Topography, groundwater level, surface drainage and soil conditions shall not be such as to create hazards to the property or to the health and safety of the occupants. No developed portions of the site shall be subject to excessive settling or erosion. A sloping site should be graded to produce terraced lots for placement of mobile home units and, in general, units should be placed parallel rather than perpendicular to the slope.

(B) Surface drainage: Mobile home park plans shall show all proposals for changes in existing surface drainage patterns. All parks shall be graded to prevent ponding of surface water. If any part of the site is located in a floodplain, no structure of a mobile home shall be located on land designated as a 100-year floodplain area as determined by the U.S. Corps of Engineers or other official agencies unless they meet the specifications outlined by the Federal Government for development of a mobile home park in a flood plain as shall be in effect at the time of application and shall not otherwise be prohibited by federal or state law.

(C) Soils: Soils should be of sufficient bearing and stability properties to provide adequate support for mobile home installations. Topsoil should be of sufficient depth to sustain lawns, trees, and other vegetation.

(D) Natural features: Mobile home park plans shall show existing tree masses or trees over six (6) inches in diameter at breast height, hedgerows, and other notable existing natural features such as streams or rock formations. Such natural features shall be retained as much as possible in the site plan and densities shall be reduced, if necessary, to permit such retention.

5.4 LOT LAYOUT AND UNIT PLACEMENT

(A) Overall considerations

(1) Required separation: Mobile home units may be positioned in a variety of ways within a park, provided that a separation of at least fifty (50) feet is maintained between units. A drawing showing the proposed layout of mobile home units shall be prepared.

(2) Setback: No mobile home shall be located less than twenty-five (25) feet from the pavement edge

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of a private park street or fifteen (15) feet from the right of way of any public street within a mobile home park. A minimum of fifty (50) feet shall be maintained between a mobile home unit and any property line abutting a public road or highway.

(B) Density: The density of development in a mobile home park shall not exceed 1.0 units per acre.

(C) Minimum lot size: Mobile home lots shall be a minimum of 1 acre in area, and shall have a minimum width of 100 feet. In special cases, where unusual park design provides for wider streets or a greater amount of useable recreation or public open space than required by this local law, or when other special conditions exist, the Planning Board may approve a modification of the lot size.

5.5 VEHICULAR CIRCULATION AND STORAGE

(A) Park road layout: A drawing of the proposed park road layout including connections to be made to adjacent existing roads or highways, shall be included in all mobile home park plans. Straight, uniform, gridiron patterns should be avoided unless they can be relieved by mobile home clustering, landscaping and an interesting open space system. Turnarounds shall be provided sufficient to handle all emergency and trash removal vehicles.

(B) Park road construction: Roads within a mobile home park shall be adequately surfaced and maintained at all times and shall be of sufficient width for applicable traffic within the mobile home park. Driveways for lots shall be delineated and marked, and shall be drained and maintained silt free.

(C) Off street parking: A minimum of two (2) off-street parking spaces shall be provided for each mobile home site. Such spaces may be located on the individual lot or grouped to serve two or more mobile home sites. Parking areas shall be adequately drained and maintained silt free.

(D) Storage space for auxiliary vehicles: Adequate storage space shall be provided for any travel trailers, camper, boat or snowmobile, or similar luxury vehicle or conveyance parked or stored on any mobile home lot. Off-street parking space required by Section 5.5 (C) of this local law shall be used by passenger vehicles only,

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and a supplemental parking area be provided in each park for the storage or temporary parking of all auxiliary vehicles. (Applicable only to lots installed after the effective date of the local law.)

(E) Walkways: Each mobile home stand shall be provided with a walkway leading from the stand to the street or to a driveway or a parking area connecting to the street. Such walkway shall be adequately maintained.

5.6 PARK ENTRANCE

(A) Entrance roads: Each mobile home park shall provide for two (2) independent connections with existing public streets, such connections to be designed so that traffic can be maintained even though one access may be temporarily closed. A divided entrance road twenty-five (25) feet in length, providing at least ten feet between the entrance and exit lanes that are at least 20 feet wide shall satisfy the requirements of this section.

(B) Sufficient road width: At points where traffic enters and leaves the park, road widths shall be sufficient to permit free and safe movement to or from the public street.

(C) Entrance signs: Any sign located within a mobile home park shall comply with existing regulations and shall be located so as not to obstruct the visibility of the motorists entering or leaving the park.

(D) Mobile home lot adjacent to Park entrance: No mobile home lot shall after the effective date of this local law be located less than fifty (50) feet from the intersection of a park entrance road and a public highway and no mobile home driveway shall make a direct connection with an existing public highway.

5.7 MOBILE HOME SALES AREA

(A) Display and sale: The display and sale of mobile homes shall not be permitted within any mobile home park unless they were in operation prior to the effective date of this local law. A reasonable number of "model" mobile homes, relative to the size of the park in general, may be set up temporarily within the park for display purposes, provided such operator shall also have a separate permanent display and sales area with separate parking facilities for customers located outside the park.

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(B) Sales area: In any area where mobile home sales are permitted, such sales area shall be adequately surfaced and maintained with a hard base and shall be a dust-free surface and should contain a minimum of six (6) off street parking spaces for customers. No display unit shall be located less than fifteen (35) feet from the edge of the road.

5.8 COMMUNITY FACILITIES AND ACTIVITIES

(A) Plan details: If community facilities and activities such as meeting rooms, recreation buildings, laundry rooms, and swimming pools are to be included in the mobile home park, the plan shall include details of these facilities and the owner's statement of intent to provide adequate supervision and management of such facilities and activities.

(B) Landscaping: All community facilities and activities shall be landscaped with trees, shrubs and grass and shall provide adequate paved off-street parking space.

(C) Location of facilities: Community facilities and activities shall be located and designed in a manner that will be a visual asset to the mobile home park, and constructed of material that will be compatible with the residential character of the park.

5.9 OPEN TREATMENT AND PARK AMENITY

(A) Open space and developed recreational areas: In all mobile home parks* a variety of open spaces shall be provided so as to be useable by and easily accessible to all park residents. Such open space shall be provided on the basis of 500 square feet for each mobile home unit with a total minimum requirement of 12,000 square feet. Part or all of such open space shall be in the form of developed recreation areas located in such a way, and of adequate size and shape, as to be useable for active recreation purposes.

*except pre-existing parks as of the effective date of this local law.

(B) Buffer zones: Mobile home parks located adjacent to residential, industrial or commercial development, or a heavily traveled highway, shall be buffered from such development or highway by a hedge or similar landscape screen which will rapidly reach a height of at least six (6) feet. A combination of landscaping and decorative fencing may be substituted, provided the height

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requirement is met and considerable landscaping is used.

(C) Soil and ground cover requirements: Exposed ground surfaces in all parts of any mobile home park shall be adequately surfaced or protected with grass or plant material capable of preventing erosion and of eliminating objectionable dust.

(D) Trees: At least one tree shall be planted on each mobile home lot if no such tree already exists. Planted trees shall be of a caliper of at least two (2) inches.

(E) Walkways: Each mobile home stand shall be provided with a walkway leading from the stand to the street or to a driveway or parking area connecting to the street. Such walkway shall be adequately marked and maintained.

(F) Fencing: If fencing of individual lots within the mobile home park is to be provided by the occupant, standards shall be provided by the park operator so consistency can be maintained.

(G) Park Lighting: All mobile home parks shall be furnished with adequate lights to provide sufficient illumination for the safe movement of vehicles and pedestrians at night over streets, driveways and walkways. Electric service to such lights shall be installed underground and decorative lighting fixtures shall be used wherever possible. Lights shall be directed and shielded in such a way as to avoid excessive illumination of the night sky.

5.10 MOBILE HOME STAND

(A) Installation: Installation of mobile homes and the mobile home stand shall be made in accordance with the applicable provisions of the New York State Uniform Fire and Building Code as enforced by the Town of Enfield.

(B) Patios/Decks: Each mobile home site* constructed after the effective date of this local law shall be provided with a patio or deck or combination of both with a minimum width of ten (10) feet and a total area of at least 200 square feet. Such patio or deck shall be constructed in accordance with adequate and useable materials and shall be properly maintained, and shall be located so that good access to the front door of the mobile home will be maintained.

*Except pre-existing parks as of the effective date of this local law.

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(C) Accessory buildings: No outdoor storage of personal property by mobile home tenants other than as provided in Section 5.5(D) shall be permitted unless the mobile home park operator shall provide or shall require each occupant to provide an accessory storage building. Such building shall not exceed 250 square feet in size, shall be a standard prefabricated product or of similar sturdy and neat construction, and shall be installed on a poured concrete slab or other adequate foundation provided by the park operator. The location of the accessory building shall be determined by the park operator either at the time the park is developed or as sites are occupied. Accessory buildings shall be maintained.

5.11 HOME UNITS

(A) Unit installation and skirting: At the time of installation of a mobile home, the tires and wheels, and the hitch, if possible, shall be removed and the unit shall be secured, blocked and leveled, and connected to the required utility systems and support services. The mobile home shall be completely skirted within ninety (90) days of occupancy. Materials used for skirting shall provide a finished exterior appearance and shall be similarly in character to the material used in the mobile home that would be permitted under the New York State Fire Prevention and Building Code for a crawl space in a conventional home. Skirting and/or a skirting system shall be installed and maintained in a professional manner.

(B) Expansions and extensions: Expandable rooms and other extensions to a mobile home unit shall be supported on a stand constructed in accordance with construction standards for a mobile home stand. Skirting shall be required around the base of all such expansions or extensions. All expansions and extensions shall be built of such materials and designed in a fashion that the original mobile home and the expansion or extension shall appear to have been manufactured or constructed together as a single unit.

(C) Entrance steps: Entrance steps shall be installed at all doors leading to the inside of the mobile home. Such steps shall be constructed of materials intended for permanence, weather resistance, and attractiveness and shall be equipped with handrails which will provide adequate support for users.

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SECTION 6

SUPPORT SERVICES AND UTILITY
DELIVERY SYSTEMS

6.1 WATER AND SEWER

(A) Public water/sewer: Mobile home parks hooked up to public water and/or sewer shall at all times be operated in accordance with the applicable rules and regulations of the water and/or sewer district.

(B) Private Water/sewer: Mobile home parks using private water and/or sewage facilities shall at all times be operated in accordance with applicable laws, rules and regulations of the State of New York and Tompkins County Health Department.

6.2 SOLID WASTE DISPOSAL

(A) General: The storage, collection and disposal of solid waste in a mobile home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution.

(B) Group storage areas: If group solid waste storage areas are provided for park occupants they shall be enclosed or otherwise screened from public view and shall be rodent and animal proof and located not more than 100 feet from any mobile home site they are to serve. Containers shall be provided in sufficient number to properly store all solid waste produced.

(C) Individual storage areas: Any solid waste containers stored on individual mobile home sites shall be screened from public view and shall be rodent and animal proof.

(D) Burning prohibited: Disposal of solid waste by burning is expressly prohibited.

6.3 ELECTRIC POWER, TELEPHONE AND TELEVISION SERVICE

(A) Electric: The mobile home park electrical distribution shall be installed underground and shall comply with the National Electrical Code and with requirements of the utility company serving the area and the Public Service Commission.

(B) Telephone: The distribution system for telephone service shall be underground in accordance with the

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standards established by the New York Telephone Company or by other existing telephone company with the franchise for the location of the mobile home park.

(C) Television: A cable for existing or future cable television systems shall be installed underground and comply with local standards.

6.4 FUEL SYSTEMS

All mobile home parks shall be provided with facilities for the safe storage of necessary fuels. All systems shall be installed and maintained in accordance with the applicable federal, state and local laws, codes and regulations governing such systems.

(A) Natural gas: Natural gas installations shall be planned and installed so that all components and workmanship comply with the requirements of the American Gas Association, Inc.; and conform to the requirements, inspections and approval of the utility which will supply this product.

(B) Fuel oil: Fuel oil systems with either common or individual supplies shall be designed, constructed, inspected and maintained in conformance with the provisions of the National Fire Protection Association, Standard 30. All fuel storage tanks, whether provided as a bulk supply for a group of mobile homes, or on each individual mobile home lot, shall be located and installed under applicable Federal and State laws and regulations and shall be supplied with permanently installed and secured piping. Fuel oil tanks shall be located to the rear of the mobile home site and shall be landscaped and screened from public view.

(C) Liquified petroleum gas: Liquified petroleum gas systems shall be selected, installed and maintained in compliance with the requirements of National Fire Protection Association, Standard 58. LPG tanks shall be located to the rear of the mobile home site and shall be landscaped and screened from public view.

6.5 FIRE PROTECTION

(A) Fire district rules: The mobile home park plan shall include a list of the applicable rules and regulations of the fire district wherein said park is located and shall comply with such rules and regulations.

(B) Hydrants: If the mobile home park is located in a public water district, fire hydrants shall be installed in accordance

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with the requirements of the district and inspected and approved by the designated local official.

(C) Safe maintenance: Mobile home parks shall be kept free of litter, rubbish and all other flammable materials.

(D) Hydrant and fuel storage map: The mobile home park operator shall furnish the Enfield Fire Department, Tompkins County Sheriff's Department and New York State Police with a map and plan of the mobile home park, which shall designate the location of all fire hydrants and fuel storage areas, if any.

SECTION 7

MAIL SERVICE

7.1 MAILBOX PLACEMENT

(A) Location: Mailbox location shall provide safe and easy access for the pickup and delivery of mail.

(B) Cluster delivery: Grouped mailboxes for cluster delivery shall be located in such a way that will not require stopping on a public right-of-way for pickup.

(C) Landscaping: When mailboxes are grouped together for some form of cluster delivery, such groupings shall be landscaped.

SECTION 8

PARK OPERATIONS AND MAINTENANCE

8.1 RESTRICTIONS ON OCCUPANCY

(A) Length of placement: In any mobile home park, no space shall be rented for the placement and use of a mobile home for residential purposes except for periods in excess of 180 days.

(B) Mobile Home Qualifications for Placement:

(1) No mobile home manufactured after January 15, 1974 shall be admitted to any park after the effective date of this law unless it bears the seal issued by the State of New York and required by the State Code for Construction and Installation of Mobile Homes or has met applicable Federal HUD standards for its manufacture.

(2) No mobile home manufactured prior to January 15, 1974 shall be admitted to any park after the effective date of this local law unless it shall have been built to satisfactory

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standards and is still in serviceable condition. All such mobile homes shall be inspected by the Code Enforcement Officer prior to their installation in any mobile home park.

(3) Notwithstanding subsections (B)(1) and (B)(2) herein, no mobile home, regardless of the date of manufacture, shall, after the effective date of this local law, be admitted to any mobile home park if such mobile home has deteriorated or been damaged to the extent whereby it shall no longer be adequate for reasonable human habitation or shall have a deteriorated or damaged external appearance.

8.2 RESPONSIBILITIES OF PARK OPERATOR

(A) Compliance and supervision by operator: The person to whom a license for a mobile home park is issued shall operate the park in compliance with this local law and shall provide adequate supervision to maintain the park, its common grounds, streets, facilities and equipment in good repair and in a clean and sanitary condition.

(B) Compliance by occupants: The park operator shall notify park occupants of all applicable provisions of this local law and inform them of their responsibilities and any regulations issued thereunder.

(C) Placement of mobile homes: The park operator shall place or supervise the placement of each mobile home on its mobile home stand which includes ensuring its stability by installing and securing all utility connections.

(D) Register of all occupants: The park operator shall maintain a register containing the names of all occupants and the make, year and serial number, if any, of each mobile home. Such register shall be available from the park owner on a 24 hour emergency basis to police and fire department officials, and available during normal business hours to authorized persons inspecting the park and to officials from the Town of Enfield.

8.3 RESPONSIBILITIES OF PARK OCCUPANTS, ENFORCEMENT BY PARK OPERATOR

(A) General: The park occupant shall be responsible for the compliance of any of the provisions of this local law within his or her control and ability.

(B) Maintenance of mobile home: The park occupant shall be responsible for the maintenance of his or her mobile home and any appurtenances thereto, and shall keep all yard space on the site in a neat and sanitary condition.

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(C) Maintenance of lot: It shall be the responsibility of each mobile home occupant to keep the site free of litter, rubbish, unused vehicles and equipment or parts thereof.

(D) Compliance by park owner: The park owner shall at all times be responsible for the compliance with the provisions of this local law, whether or not a particular mobile home park occupant is also responsible. It shall be the responsibility under this law for the park operator to require and enforce compliance, to the extent permitted by law, of the requirements herein as it shall apply to their tenants.

(E) Owner's right to file complaint: A park owner shall have the right to file a complaint against the tenant for an applicable violation of this local law, if, after reasonable effort, such park owner shall be unable to obtain compliance by such tenant. The filing of such complaint, however, shall not in and of itself relieve such park owner from his/her obligation as licensee under this local law.

SECTION 9

INSPECTION

9.1 ENFORCEMENT

This local law shall be enforced by the Town Board of the Town of Enfield through the Code Enforcement Officer. Said officers and their inspectors shall be authorized and have the right in performance of their duties to enter any mobile home park and make such inspections as are necessary to determine satisfactory compliance with this local law and regulation issued hereunder. Such entrance and inspection shall in routine cases be accomplished at reasonable times, after prior notice to the park operator, and in cases involving violations or in emergencies whenever necessary. Owners, agents or operators of the mobile home park shall be responsible for providing access to all parts of the premises within their control to the Code Enforcement Officer or to his or her inspectors, acting in accordance with the provisions of this section.

9.2 INSPECTION

It shall be the duty of the Code Enforcement Officer to make regular inspections of all licensed premises as he/she shall deem necessary and shall inspect each licensed premises no less than once each year and within 60 days prior to the date of renewal of any mobile home park license and to investigate all complaints made under this local law.

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SECTION 10

CRIMINAL PENALTIES AND ENFORCEMENTS

10.1 ENFORCEMENT OFFICER

The Town of Enfield shall have the authority to appoint an Enforcement Officer authorized and empowered to act on behalf of the Town of Enfield to enforce the provisions of this law, including the right of entry onto any licensed premises or premises which are unlicensed but reasonably deemed to be in violation of the law. The Enforcement Officer shall have the authority to issue appearance tickets returnable in the Town Justice Court with respect to any violation herein without specific direction of the Town Board or Planning Board.

10.2 PENALTIES

(A) Violations: Any person including a park operator or owner and/or mobile home tenant who commits or permits the commission of any act or acts in violation of the provisions of this local law shall be subject to a fine of not more than Two Hundred Fifty Dollars (\$250.00) or imprisonment for not more than fifteen (15) days, or both such fine and imprisonment, and/or suspension of the license for a period of at least five (5) days, for each violation. Each day such violation shall continue or be permitted to exist shall constitute a separate violation as shall be permitted by law.

(B) Additional proceedings: In addition to the penalties herein provided for, the Town Board may also 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 any violation of this local law.

(C) Correction by town: Notwithstanding any other penalty herein, the Town of Enfield on written notice thirty (30) days after a conviction under this local law may enter upon the premises of the violation and take such steps necessary to correct any violation if the Town of Enfield shall determine such steps are in the public interest and in the interest of the inhabitants of the mobile home park and charge the violator for the reasonable costs thereof. Such unpaid charges shall be deemed town charges and shall be levied as in a manner of a special assessment on the tax levy against such property at the first levy following the billing for such charges by the Town of Enfield. Such unpaid assessment shall be a lien against the real property of the violator.

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SECTION 11

REVOCATION OF LICENSE

11.1 INITIAL ORDER

Upon determination by the Town Board that there has been a violation of any provisions of this local law, they shall in addition or in lieu of any other penalty set forth in Section 10.2, may serve upon the holder of the license for such mobile home park and initially order, in writing and by certified mail, return receipt requested, directing that the conditions therein specified be corrected within ninety (90) days after the date of delivery of such order. The order shall also contain an outline of remedial action which, if taken, will effect compliance.

11.2 NOTICES

If, after the expiration of such ninety (90) day period, such violations are not corrected, the Town Board shall serve a notice upon such mobile home park operator, requiring the holder of the park license to appear before the Planning Board in the Town of Enfield at a time to be specified in such notice, to show cause why the mobile home park license should not be revoked. Such hearing before the Planning Board shall occur not more than forty-five (45) days after the date of service of said notice by the Town Board.

11.3 HEARING

Within ten (10) days after the hearing at which the testimony and witnesses of the Town Board and the mobile home park license holder shall be heard, the Town Board shall make a determination, in writing, sustaining, modifying, or withdrawing the order issued by said Town Board as directed by Section 11.1 of this local law. Failure to abide by any Town Board determination to sustain or modify the initial order of said Planning Board, and to take corrective action accordingly, shall be cause for the revocation of the mobile home park license affected by such order and determination.

11.4 NOTICE TO HEALTH DEPARTMENT AND TENANTS

The Town Clerk shall promptly notify the Tompkins County Health Department and all tenants of the subject mobile home park of any revocation of a license.

SECTION 12

Variances

12.1 VARIANCE PERMITTED FOR HARDSHIP

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Where there are practical difficulties, unusual circumstances or design innovations involved, the Town Board may grant variances from any of the provisions and regulations of this local law, except those related to Health Department, Department of Environmental Conservation, and building code requirements. There shall be no right to a variance, the issuance of which shall be solely within the discretion of the Planning Board.

12.1 APPLICATION

Application for a variance shall be in writing from the person applying for the mobile home park license required in accordance with Section 4.0 of the local law. In considering a request for a variance the Planning Board shall be guided by the circumstances of the situation and the intent of the applicant, and shall act as to protect the best interests of the community.

SECTION 13

APPEALS

13.1 APPEAL FROM DECISION OF ENFORCEMENT OFFICER

Any person aggrieved by any decision of the Enforcement Officer may take an appeal to the Planning Board except with respect to any case of violations pending before the Town Justice Court. Said Board shall act in accordance with provisions of Section 10 of this local law.

13.2 APPEAL FROM DETERMINATION BY PLANNING BOARD

Any determination made by the Planning Board under this local law, excepting in the case of violations heard in the Town Justice Court, may be reviewed by the Supreme Court under Article 78 of the Civil Practice Law and Rules.

SECTION 14

SAVING CLAUSE AND EFFECTIVE DATE

14.1 SAVINGS CLAUSE

If any section, paragraph, subdivision or provision of this local law shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this local law as a whole or any part or provision thereof other than the part so decided to be invalid or unconstitutional.

14.2 EFFECTIVE DATE

This law shall take effect upon its filing with the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.