

# **TOWN OF JACKSON MOBILE HOME LAW**

## **AN ORDINANCE REGULATING MOBILE HOMES, MOBILE HOME PARKS, TRAVEL TRAILERS AND R.V. PARKS**

### **Section 1. TITLE**

This Local Law No. 2 of 1997 shall be known and may be cited as Local Law for the Regulation of Mobile Homes, Mobile Home Parks, Travel Trailers and travel Trailer( R.V.) parks in the Town of Jackson. This Local Law shall replace, supersede any prior ordinances relating to the regulation of mobile homes, mobile home parks, and travel trailers and R.V. parks in the Town of Jackson.

### **Section 2. PURPOSE**

It is the purpose of this Local Law to promote the health, safety, morals and general welfare of the inhabitants of the Town of Jackson by establishing specific minimum requirements and regulation governing the location, occupancy, and maintenance of mobile homes, mobile home parks, travel trailers and (R.V.) Travel trailer parks.

The Town of Jackson board hereby delegates responsibilities and approval to Washington County Code Enforcement and themselves under Local law No.1 of 1997 as stated herein.

## **ARTICLE 1. DEFINITIONS**

### **1: COUNTY:**

Means the county of Washington.

### **2: TOWN:**

Means the Town of Jackson

### **3: ENFORCEMENT OFFICER:**

Any person appointed by the Town Board to enforce the provisions of this law.

### **4: MOBILE HOME:**

Manufactured housing which is transportable in one or more sections, which is at least eight (8) feet in width and thirty-two (32) feet in length, which is built on a permanent chassis and designed to be used as a dwelling Unit, with or without a permanent foundation when connected to the required utilities. A mobile home shall be constructed to remain a mobile home, subjected to all regulations applying thereto, whether or not wheels, axles, hitch, or other appurtenances of mobility are removed and regardless of the nature of the foundation provided. This definition shall not be construed to include factory manufactured homes known as "modular homes" bearing an insignia issued by the state fire prevention and building code council as required in 9 NYCRR1212.

5: LOT:

A designated parcel, tract, or area of land established by plat or deed filed in the Washington County Clerk's Office to be used, developed, or built upon as a unit.

6: LOT AREA:

Total area within the property lines excluding any part thereof lying within the boundaries of a public highway or proposed public highway.

7: LOT FRONTAGE:

The distance between the boundaries of a lot measured at their points of intersection with the road line.

8: LOT LINE:

Property lines bounding a lot.

9: MOBILE HOME PARK:

Means a parcel not less than 10 acres of land, whereon two or more mobile homes legally are parked or located, or which is planned and improved for the placement of two or more mobile homes and which is held open to the public for the parking or placement of mobile homes.

10: TRAVEL TRAILER:

Means any vehicle designed or used or intended to be used for temporary living quarters for travel, recreational or vacation purposes. No one shall occupy for more than 90 days per calendar year, unless located in approved and permitted park.

## 11: R.V. (RECREATIONAL VEHICLE) PARK:

Means any parcel of land whereon two or more travel trailers are parked or located, or which is planned and improved for the placement of two or more travel trailers and which is held open to the public for the parking or placement of travel trailers, providing said facility is permitted by the Town of Jackson and any other necessary governmental authority

## 12: PERMIT:

Permit shall mean a written permit issued by the proper governmental authority as authorized in the Town of Jackson Local law # 1, 1997.

# ARTICLE II. NON-CONFORMITIES

## SECTION 1: NON-CONFORMING USES

Any mobile home, mobile home park or travel trailer(R.V.) park, lawfully existing at the time of the effective date of this law, may be continued although such use does not conform to the provisions of this law. No nonconforming use that has been discontinued for a period of (12) consecutive months shall be reestablished except in conformance with this law.

## SECTION 2. NON-CONFORMING MOBILE HOMES

MOBILE HOMES which fail to meet the standards set forth in Article One of this law, which were lawfully established prior to the effective date of this law, shall be considered nonconforming Mobile Homes.

## SECTION 3. Nonconforming Lots

A lot occupied by a Mobil home which fails to meet the standards set forth in ARTICLE One of this law, which was lawfully occupied prior to the effective date of this law, shall be considered a nonconforming lot.

# ARTICLE III. GENERAL CONSIDERATIONS

The Town of Jackson Town Board shall consider the proposed placement of the mobile home and

its net effect on the surrounding neighborhood and the community as a whole. Such consideration shall include, as appropriate, but shall not be limited to, compatibility with the character of surrounding development patterns, General plan or Master Plan for the development, the economic, social, physical, and environmental aspects of the proposal, and such other matters as may be determined pertinent.

#### ARTICLE IV. MOBILE HOME PERMIT - OUTSIDE MOBILE HOME PARK

##### SECTION 1. PERMIT REQUIRED:

A: No person shall locate, relocate, replace, or expand a mobile home within the Town of Jackson outside of a mobile home park unless a permit has first been issued for such mobile home pursuant to this law.

B: No person owning, having any right to, or any interest in any real property within the Town of Jackson shall license, rent, lease, or otherwise permit the use of any such real property or any part thereof, for the location of a mobile home outside of a mobile home park unless a permit has first been issued for such mobile home pursuant to this law.

C: No Mobile home (as defined in this statute) shall be placed or situated in the Town of Jackson unless the same having the HUD seal affixed hereto, and be in conformance with the applicable provisions contained in Chapter D Articles 1-3 of the NYS Uniform Fire Prevention and Building Code as the same may be amended from time to time .

D: A mobile home or travel trailer located on the site of a construction project, survey project or other similar 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 or travel is removed from such site within thirty (30) days after the completion of such project, shall need Town board approval, unless Mobile Home is sited by any governmental entity or is for use in a Governmental Project.

##### SECTION 2. Application

The applicant for a mobile home permit shall obtain application forms from the town clerk. The completed forms, along with one copy of the proposed layout plan and the appropriate fees, shall be returned to the Town supervisor or the Town Clerk.

##### SECTION 3. Layout Plans Contents

- 1- All property lines with dimensions;
- 2- All existing or proposed structures;
- 3- All existing roads, easements, or proposed driveways;
- 4- All existing or proposed wells and sanitary facilities;
- 5- All bodies of water, streams, or wet lands.

#### SECTION 4. Application Fee

A: Fee established. A fee of Ten (\$10.00 ) dollars for a mobile home permit is hereby established. Said fee may be amended from time to time by resolution of the Jackson Town Board after a public hearing.

B: Additional Review Assistance Fee. Where the person or body responsible for the issuance of such permits deems it necessary to seek competent professional assistance for review of materials presented in an application, the applicant shall be responsible for the cost of such assistance. The applicant shall be provided with an estimate of the cost of such assistance before the Town shall incur such costs, and the Town board may require that the applicant pay the estimated costs for such review before proceeding with the application.

#### SECTION 5. Issuance of Permit

The applicant for the mobile home shall pick up the application from the Town clerk, fill out the application and the bring it to the Town supervisor or the Town Clerk. At this point the supervisor shall determine if the lot and plans are suitable for the location of the mobile home. When the Town supervisor is satisfied with the application, he will sign it and instruct the applicant to proceed to the Washington County Code Enforcement Department for the remainder of the permit proses which will include building permits and sanitation permits. In the case of a used mobile home Washington County will be instructed to go and inspect the mobile home at its present site. The County will be doing an inspection to make sure that the Mobile home will meet all the standards of the Town and standards that the county uses for the New York State Uniform Fire Prevention and Building Code, and the sanitary code of Washington County. If the mobile home does not meet the standards which Washington County uses, the mobile home will not be located in the Town of Jackson unless and until it meets such standards. The applicant shall pay to the County any applicable fees.

#### SECTION 6. Mobile home Certificate of Occupancy

A: No person shall occupy or use a mobile home outside a mobile home park in the Town of Jackson after the effective date of this law without a mobile home certificate issued by the Enforcement Officer except as provided elsewhere by this law.

## SECTION 7: Mobile Home Regulations

### A: LOT AREA

The minimum lot area for any lot upon which a mobile home is to be located shall be 20,000 square feet exclusive of highway right-of-way and/or any easements.

### B: NUMBER OF STRUCTURES

No more than one mobile home shall be sited on a single lot.

### C: LOT DIMENSIONS

Lots improved with a mobile home shall have the following minimum lot dimensions:

- 1- Lot frontage on existing road shall be no less than 50 feet
- 2- Setbacks

A: Road line 10 feet From edge of Right-Of-Way

B: Side lot line 10 feet

C: Rear lot line 10 feet

### D: SEWAGE DISPOSAL

On-site sewage disposal systems shall comply with the specifications and standards set forth in Title 10 NYCRR Part 75, Appendix 75-a, entitled "Standards for individual Sewage Disposal Systems" or its successor statute, as permitted by Washington County Code.

### E: MOBILE HOME SKIRTING:

A: Each mobile home shall be provided with a skirt to screen space between the mobile home and the ground.

B: Such skirts shall be of permanent material.

F: ~~MOBILE HOME STAND:~~

Each mobile Home site shall be provided with a stand which will give a firm base and adequate support for the mobile home as required by Washington County Code Enforcement.

~~SECTION 8: Penalties:~~

A: Any person who violates any provisions of this law shall be guilty of a violation against such law punishable by a fine of not more than Two Hundred and fifty dollars and not more than fifteen days imprisonment.

B: In addition, the violation of this law or any of the provisions thereof shall subject the person, firm, or corporation violating the same to a civil penalty in the sum of two hundred and fifty dollars and said penalty to be recovered by the Town of Jackson in a civil action. The application of the above penalty or penalties, or prosecution for the violation of the provisions of the law shall not be deemed to prevent the revocation of any license issued pursuant thereto or the enforced removal of conditions prohibited by this law.

C: In the event a police officer, inspector or any authorized representative of the Town finds a violation has occurred regarding this law, written notification shall be given to require compliance in a reasonable period of time. Reasonableness will be determined in the context of the nature of the violation.

D: If failure to comply occurs, the Town upon (5) days written notification will undertake compliance. Said cost for compliance will be assessed against said property owner as well as operators of facilities.

E: The remedies provide to the Town by this local law are in addition to any other remedies available to the Town.

~~SECTION 9: Variances~~

THE TOWN BOARD, AFTER REVIEW AND RECOMMENDATIONS,  
SHALL HAVE THE POWER IN A SPECIFIC CASE TO VARY ANY SUCH  
PROVISIONS IN HARMONY WITH THE GENERAL PURPOSE AND

INTENT OF THIS CODE, SO THAT THE PUBLIC HEALTH, SAFETY, AND  
GENERAL WELFARE MAY BE SECURED AND SUBSTANTIAL JUSTICE DONE.

#### SECTION 10. Pre Existing Conditions

Any Mobile Home legally placed at the time of the enactment of the statute, can continue to exist even if not in compliance.

#### ARTICLE V: R.V. PARK OR CAMP GROUND

##### A: Application:

1- Applications shall be obtained from the Town Clerk. The application shall be filled out and returned to the clerk. The clerk will then bring the application to the next Town Board meeting and review of the application will be done at this time. Applicants must at this time provide a current New York State Department of Health Permit for Temporary residence, as shown in figure (1). All Town permits will expire the day which is indicated on the N.Y.S. Department of Health permit. Renewal of the Town Permit will coincide with the issuance of a new N.Y.S. Health Department permit.

##### B: Permit fee

The permit fee will be TEN AND NO/100 dollars (\$10.00), collected at the time of application.

##### C: Penalties

Failure to comply with this portion of the Town Law, will carry a fine not to exceed TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$250.00), and an immediate notification to the N.Y.S. Department of Health as to the status of the property use.

#### ARTICLE VI: MOBILE HOME PARKS

#### SECTION 1. PARK LOCATION AND CONDITIONS

The site of a proposed MOBILE HOME park:

A: Shall be located where orderly development of a MOBILE HOME park can be undertaken in harmony with development of the surrounding area in terms of

traffic generation, ease and safety of vehicular access to and circulation within the park, safety of pedestrian movement, location of structures, adequacy of off-street parking, placement and sizing of sewage treatment and water supply systems and other utilities, safety of fuel storage and supply, provision of open space, recreation facilities or areas, delivery of services and adequacy of landscaping and buffering;

B: Shall have generally level to gently rolling topography over an area of sufficient size to allow development of the MOBILE HOME park in compliance with this ordinance without significant alteration or disturbance of the existing natural amenities or features such as stands of mature trees, stream course, shorelines, wetlands or bedrock outcroppings;

C: Shall be essentially free from adverse, unsafe or unhealthy conditions including but not limited to flooding, ponding, poor drainage, erosion, slumping or other soil instability, breeding areas for insects or rodents, smoke, noise, odors, heat, glare, or toxic or volatile substances.

D: Shall not be closer than 100 feet to any public right-of-way .

E: Shall not permit travel trailers to be parked permanently as living quarters.

F: Shall be a minimum of (10) acres in size.

## SECTION 2. PARK STANDARDS

A: Area requirements; The area of the MOBILE HOME park shall be large enough to accommodate the following:

- 1- The designated number of spaces;
- 2- Necessary streets or roadways;
- 3- A green strip to adjacent residential uses at least 100 ft. deep and to other uses at least 50 ft. deep, appropriately landscaped.

B: MOBILE HOME site.

Each MOBILE HOME park shall be divided (exclusive of internal roads, open space or

common areas) and marked-off into MOBILE HOME sites numbered consecutively, the number being conspicuously posted on each site with such number to correspond to the site shown on the site plan submitted.

C: MOBILE HOME site size.

Each MOBILE HOME site shall satisfy the following requirements:

Minimum site size: Each MOBILE HOME space shall be at least 100 feet wide and 150 feet deep, and each space shall abut on a driveway or other clear area with unobstructed access to a public street. Such space shall be clearly defined and mobile homes shall be located such that a minimum of ten feet clearance existing between any part of the MOBILE HOME and the lot lines of the MOBILE HOME space.

D: SET BACKS:

- 1- MINIMUM OF 100 FEET FROM THE ROAD LINE OF ANY PUBLIC ROAD.
- 2- MINIMUM OF 25 FEET FROM THE CENTER OF THE ROAD OF ANY ROADWAY INTERNAL TO THE MOBILE HOME PARK.
- 3- MINIMUM OF 30 FEET SPACING BETWEEN ADJACENT MOBILE HOMES AND ANY OTHER STRUCTURES IN THE MOBILE HOME PARK
- 4- MINIMUM OF 20 FEET FROM REAR SITE LINES.
- 5- NO INTERNAL ROADWAY, PARKING LOT, RECREATION AREA OR STORAGE FACILITY FOR FUELS, SUPPLIES OR EQUIPMENT SHALL BE LOCATED WITHIN 20 FEET OF A PROPERTY LINE EXTERNAL TO THE MOBILE HOME PARK.

E: ROADWAYS:

- 1- Roadways shall be designed to give access to a public street by means of a private roadway not less than 30 feet wide. In a MOBILE HOME park the paved portion of the roadway shall have a minimum width of 18 feet and shall be finished with Town type road pavement. The roadway shall be unobstructed at all times to allow passage of emergency vehicles.
- 2- Internal roads shall be privately owned and maintained and shall provide for the safe and convenient movement of vehicles, with or without mobile homes attached.
- 3- All MOBILE HOME sites shall be serviced by such internal roads.

- 4- Cul-de-sacs shall be provided in lieu of closed end roads with a turn around having an outside roadway character of at least 90 feet.
- 5- Parking: A minimum of two parking spaces of not less than 9 feet by 20 feet per space shall be provided per mobile\home site, and at least one of such required parking spaces shall be provided off-street on each MOBILE HOME site

**F: RECREATIONAL AREAS AND OPEN SPACE**

Usable open spaces shall be encouraged by the Town of Jackson in its Mobile Home Parks.

**G: WATER SUPPLY**

- 1- An adequate supply of water shall be provided for all mobile homes and service buildings. Where public water is available, connection shall be used exclusively, unless local authorities deem other wise. If a public water system is not available, the development of a private water supply system shall be approved by the New York State Health Department.

**H: SEWAGE SUPPLY**

- 1- An approved sewage system shall be provided in all MOBILE HOME parks for the conveying, disposing and treatment of sewage from mobile homes, service buildings, and other accessory facilities. Where public sewer is available, connection shall be used exclusively, unless local authorities deem otherwise. If a public sewer system is not available, such system must be designed, constructed and maintained in accordance with the New York State Department of Health and the New York State Department of Environmental Conservation standards and all other applicable regulations.

**I: GARBAGE AND REFUSE;**

- 1- Garbage and refuse shall be the responsibility of the park owner to ensure that garbage and refuse shall be collected and properly disposed of out side of the MOBILE HOME PARK. Exterior property areas shall be maintained free from organic material that might become a health, accident or fire hazard.

**J: ELECTRICAL SERVICE;**

- 1- Every MOBILE HOME park shall contain an electrical wiring system consisting of wiring fixtures, equipment and appurtenances which shall be installed and maintained in accordance with the local electric power companies specifications and regulations and

conform to all other applicable building and electrical codes.

- 2- Each MOBILE HOME stand shall be supplied with electrical service in conformance with all applicable building and electrical codes.

**K: RESPONSIBILITIES OF PARK OPERATORS AND PARK OCCUPANTS;**

- A- The person to whom a permit for a MOBILE HOME park is issued shall operate the park in compliance with the standards set forth in 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- The park operator and MOBILE HOME owner shall supervise the placement of each MOBILE HOME on its MOBILE HOME stand.
- C- 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 to any authorized person inspecting the park.
- D- A list of operator and occupant responsibilities shall be posted in the park office or made available upon request.
- E- Emergency vehicle access throughout the park shall be maintained and shall not be prohibited.

**L: INSPECTION**

THE TOWN BOARD OR THEIR DESIGNEE IS HEREBY AUTHORIZED TO MAKE INSPECTION TO DETERMINE THE CONDITION OF ANY MOBILE HOME PARK LOCATED WITHIN THE TOWN OF JACKSON IN ORDER THAT THEY MAY PERFORM THE DUTY OF SAFEGUARDING THE HEALTH AND SAFETY OF OCCUPANTS OF MOBILE HOME PARKS AND OF THE GENERAL PUBLIC. THE TOWN BOARD OR THEIR DULY AUTHORIZED REPRESENTATIVE SHALL HAVE THE POWER TO ENTER AT A REASONABLE TIME UPON ANY PRIVATE OR PUBLIC PROPERTY FOR THE PURPOSE OF INSPECTING AND INVESTIGATING CONDITIONS RELATING TO THE ENFORCEMENT OF THIS LAW.

#### M. MOBILE HOME SKIRTING

Each mobile home shall be provided with a skirt of permanent material.

#### N. MOBILE HOME STAND

A: Each mobile Home site shall be provided with a stand which will give a firm base and adequate support for the mobile home.

B: Such stand shall have a dimension approximating the width and length of the mobile home and any expansions or extensions thereto.

C: The standard tie downs shall meet Washington County Code Requirements.

D: Variances:

THE TOWN BOARD, AFTER REVIEW AND RECOMMENDATIONS, SHALL HAVE THE POWER IN A SPECIFIC CASE TO VARY ANY SUCH PROVISIONS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS CODE, SO THAT THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE MAY BE SECURED AND SUBSTANTIAL JUSTICE DONE.