

TOWN OF STERLING

**MOBILE HOME
LAW**

**ADOPTED BY THE STERLING
TOWN BOARD ON
MARCH 22, 1999**

TOWN OF STERLING MOBILE HOME LAW

ARTICLE I GENERAL PROVISIONS

Section 100 Short Title

This Local Law shall be known and may be cited as the “Town of Sterling Mobile Home Law”.

Section 101 Purpose

It is the purpose of this law to promote the health, safety and general welfare of the inhabitants of the Town of Sterling through the efficient regulation of mobile homes, mobile home parks and Recreational vehicle parks.

Section 102 Applicability

This Local Law shall apply to the following:

All mobile homes placed on individual lots in the Town of Sterling after the law’s effective date. Mobile homes installed before the enactment of this Local Law, which do not meet the standards of this Local Law, shall be called “pre-existing mobile homes”. All changes to existing mobile homes or replacement of a nonconforming mobile home shall be made in accordance with this Local Law.

All mobile home parks to be constructed, and existing mobile home parks that intend to expand by one or more mobile homes.

All recreational vehicle parks to be constructed, or that intend to expand by one or more sites.

Section 103 Conditions

Permit Required: All persons wishing to locate or relocate a mobile home or house trailer within the Town of Sterling shall be required to obtain a permit from the Code Enforcement Officer before the unit can be placed on a lot.

No mobile home, house trailer, recreational vehicle shall hereafter be used, located, moved or occupied within the Town of Sterling except as expressly permitted by and in conformity with the regulations herein specified.

Section 104 Prior Existing Mobile Home Laws

This Local Law shall replace and supercede the Mobile Home or House Trailer Ordinance of the Town of Sterling, adopted June 26, 1972.

Section 105 Terms

For the purpose of this Local Law certain terms or words used herein shall be interpreted or defined as follows:

- Words in the present tense include the future tense.
- The singular includes the plural.
- The word “lot” includes the words plot, parcel, and property.
- The word “shall” is always mandatory.
- The words “used or occupied” as applied to any land or building shall be construed to include the words “intended, arranged or designed to be occupied”.

Section 106 Separability

The invalidity of any provision of these regulations shall not invalidate any other provision. (*Scriba*)

Section 107 Amendment

The Planning Board may, on its motion and after public hearing, amend, supplement or change these regulations subject to the approval of the Town Board.

Section 108 Waiver/Variance

When, in the opinion of the Planning Board, undue individual hardship may result from strict compliance with these regulations, the Planning Board may modify or waive these regulations so that substantial justice may be done and the public interest secured; provided that such modifications or waiver will not have the effect of nullifying the intent and purpose of these regulations.

Section 109 Effective Date

The effective date of this law shall be ten (10) days after publication pursuant to N.Y.S. Town Law.

Section 110 Construction with Other Laws

This Local Law is not intended to limit in any way laws of any other State or Federal government or agency, as they pertain to mobile homes, mobile home parks or recreational vehicle parks. All owners of mobile homes, mobile home parks and recreational vehicle parks must comply with all other local, state or federal laws pertaining to mobile homes, mobile home parks and recreational vehicle parks.

Section 111 Exceptions

None of the provisions of this Local Law shall apply to mobile homes or recreational vehicle located on the site of a construction project, survey project or other similar work project and used solely as a field office or work or tool house in connection with such project. The mobile home or recreational vehicle shall be removed from said site within thirty (30) days after completion of such project. Prior permission of the Code Enforcement Officer shall be obtained before said mobile home or recreational vehicle is brought into the Town.

ARTICLE II DEFINITIONS

Section 201 Abandoned

A mobile home will be considered abandoned in the event it remains unoccupied for a period of more than six months and if any real property tax assessed on the mobile home remains unpaid for more than six months after the original date.

Section 202 Mobile Home

A structure which is twelve feet or more in width and 32 feet or more in length, transportable in one or more sections, built 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.

A mobile home shall be construed to remain a mobile home, subject to all regulations applying thereto, whether or not wheels, axles, hitch, or other appurtenances of mobility are removed.

Section 203 Mobile Home Park

Any lot, parcel or tract of land on which two or more mobile homes are located, regardless of whether or not a charge is made for such accommodations. It shall also include two or more separate, but contiguous lots under common ownership having at least one mobile home on each lot.

Section 204 Recreational Vehicle

A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or towed by another vehicles. The basic entities are travel trailer, camping trailer, truck camper and motor home.

- (A) **Camping Trailer.** A vehicular portable unit mounted on wheels and constructed with a collapsible partial side walls which fold for towing by another vehicle and unfold at the camp site to provide temporary living quarters for recreational, camping, or travel use.
- (B) **Travel Trailer.** A vehicular unit, mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use and of such size or weight as not to require special highway movement permits when towed by a motorized vehicle, and with a living area of less than 220 sq. ft.
- (C) **Truck Camper.** A portable unit constructed to provide temporary living quarters for recreational, travel, or camping use, consisting of a roof, floor, and sides designed to be loaded onto and unloaded from the bed of a pickup truck.
- (D) **Motor Home.** A vehicular unity designed to provide temporary living quarters for recreational, camping, or travel use built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van which is an integral part of the vehicle.

Section 205 Recreational Vehicle Park

Any lot, parcel or tract of land on which two or more recreational vehicles are located or parked for transient use in a periodic or recurrent manner, regardless of whether or not a charge is made for accommodations.

ARTICLE III GENERAL REQUIREMENTS FOR MOBILE HOMES

The following applies to all mobile homes to be located or set up in the Town of Sterling after the date this law becomes effective, whether on individual lots or located in mobile home parks.

Section 301 Compliance with Zoning Laws

All mobile homes and mobile home parks shall comply with existing Town of Sterling Zoning Laws.

Section 302 Mobile Home Specifications

A mobile home shall have a useable interior floor area of not less than 960 square feet. Such floor area shall be computed exclusive of any cellar, porches, garages, additions or other exterior surfaces.

The original main roof shall have a minimum pitch of 1' rise for 3' of horizontal run, rather than flat. Porches or attached garages may not have flat roofs.

Exterior walls shall look like clapboard, regardless of their actual composition.

Skirting shall be placed around the mobile home within 60 days from installation or before occupancy whichever is sooner. Skirting shall consist of vinyl or metal material and be compatible in color and appearance with the mobile home.

All damage to exterior (e.g. cuts, dents, holes and rust) shall be repaired or replaced before installation.

All current conditions of the mobile home construction and safety standards of the United States Department of Housing and Urban Development, the New York State Uniform Fire Prevention and Building code shall be met.

Each mobile home shall bear a data plate affixed in the manufacturing facility bearing the following or similar statement: This mobile home is designed to comply with the Federal mobile home construction and safety standards in force at the time of manufacture.

The mobile home shall have a serviceable roof, no broken windows, at least two operable smoke detectors installed, all floors are free from defects and are structurally sound, and all doors are serviceable and undamaged so they latch shut.

All enclosures or additions must meet all NY State Building Code requirements.

Section 303 Site Specifications

A mobile home shall be located on a well-drained site suitable for the purpose.

The lot shall be seeded and landscaped.

Section 304 Mobile Home Stand

The area of the mobile home stand shall be improved to provide an adequate foundation in the form of a concrete slab for the placement and tie-down of the mobile home, thereby securing the superstructure against uplift, sliding rotation, and overturning.

The mobile home stand shall be provided with anchors and tie-downs such as cast-in-place concrete "dead men", eyelets imbedded in concrete foundations or runways, screw augers, arrowhead anchors, or other devices securing the stability of the mobile home.

The mobile home stand shall not heave, shift, or settle unevenly under the weight of the mobile home due to frost action, inadequate drainage, vibration or other forces acting on the superstructure.

Anchors and tie downs shall be placed at least at each corner of the mobile home stand, and each shall be able to sustain a minimum tensile strength of 2000 pounds.

Section 305 Abandonment

After a mobile home has been declared abandoned, it shall be removed by the owner within 30 days from written notice thereof.

The Town of Sterling may remove any mobile home, which is abandoned up the following procedure:

- 1.) A notice shall be sent by certified mail, return receipt requested, to the owner of the mobile home, if known and to the owner of the land on which the mobile home is located stating that the mobile home is abandoned and that the Town intends to remove the mobile home at the landowners' expense and levy the removal and storage expense to the land owners property tax bill. The notice shall also advise that the owner of the mobile home has ten working days to request a hearing with the Town Board.
- 2.) If a hearing is requested within the ten-working day period as provided in the notice, the Town Board shall conduct said hearing within ten days after the request is made. Upon conclusion of the hearing, the Town Board shall make such order, as it deems appropriate, concerning the mobile home in question. The Town Board may, upon request, modify this time frame.
- 3.) If no hearing is requested, or if upon hearing the Town Board finds that the mobile home is abandoned, and orders it removed, the Town shall apply to an appropriate court of competent jurisdiction for an order allowing removal of the said mobile home.

ARTICLE IV INDIVIDUAL MOBILE HOME

This article applies to mobile homes located on individual lots.

Section 401 Site Improvements

No mobile home may be placed on a lot until sewage disposal system; water supply, driveway, electrical power and mobile home stand have been installed and are operational.

Section 402 Use of a Recreational Vehicle as Residence

No recreational vehicle in the Town of Sterling, which is located outside of a recreational vehicle park, shall be occupied for a period of more than 6 (six) months.

A temporary permit is required for any recreational vehicle, outside of a recreational vehicle park, which is occupied for a period of more than one month, but less than six months.

ARTICLE V MOBILE HOME AND RECREATIONAL VEHICLE PARKS PERMIT AND APPLICATION

Mobile home and recreational vehicle parks must be located in a commercial planned development district.

Section 501 Planned Development District

Planned Development District approval is required before establishing mobile home or recreational vehicle parks in accordance with the Town of Sterling Zoning Law.

Section 502 Site Plan Review

Mobile home or recreational vehicle parks shall have Site Plan Review approval in accordance with the Town of Sterling Zoning Law.

Section 503 License

It shall be unlawful within the Town of Sterling for any person or persons to construct or operate a mobile home or recreational vehicle park without first securing a written license from the Town Board, and complying with the regulations of this ordinance and the Town Zoning Laws.

The application for such annual license or the renewal thereof shall be filed with the Town Clerk and shall be accompanied by a fee established by the Town Board.

Each mobile home shall be assessed on the tax rolls of the Town against mobile home park owner(s) in accordance with Section 102 of the New York Real Property Tax Law. No other fees shall be charged against the mobile home park owner(s), provided that each mobile home is assessed and placed on the tax roles of the Town and that the school, town, county and state real property taxes have been paid for the current year. Any mobile home, which is on a lot in the Town on assessment date, will be separately assessed for that tax year. If the mobile home is moved off the lot before the end of tax year, and another mobile home is moved onto the same lot after the date of assessment for that tax year, then the established prevailing tax rate will apply to the second mobile home until the next date of assessment.

The application for a license or renewal thereof shall be made on forms prescribed by the Town and shall include the name and address of the owner(s) and operator of the mobile home park.

Section 504 Revocation or Suspension of License

The Town Enforcement Officer or designee shall have the authority to enter any facility licensed hereunder and inspect for health, sanitary and other provisions of this law at any reasonable time.

If upon inspection, it is found that the licensee has violated any provision of this law, the Town Board shall have the power to suspend such license and order the mobile home or recreational vehicle park closed after notice and an opportunity to be heard.

ARTICLE VI MOBILE HOME PARK REQUIREMENTS

No mobile home may be placed in a mobile home park until the requirements of this article have been installed and/or met.

Section 601 Lot Size and Dimensions

Each mobile home site shall be at least one acre in size.

Minimum frontage to access road shall be at least 130'.

All homes shall be set back from access road at least 50'.

Section 602 Roads

All mobile home sites shall be fronted to either a private or public road.

All private roads within a mobile home park shall be a minimum of twenty-two feet wide and constructed of a six-inch base of bank run gravel, and a four to six inch base of crushed gravel. All private roads shall contain a turn-around that measures a minimum of fifty feet in length on each side of the road and twenty-two feet wide.

Any public roads within the park shall have a sixty-foot right of way and be constructed to Town specifications with the engineer of the construction project certifying that the road was constructed to said specifications.

All road surfaces shall be sealed in such a manner to prevent airborne dust, in accordance with all applicable federal, state, county or town laws, rules or regulations.

All turn arounds shall be kept free of snow, parked cars, boats, trailers, and any other vehicle or obstacles.

Section 603 Parking

Two off-street parking spaces, measuring a minimum of 12'x30' shall be provided for each mobile home site. Such spaces shall be located on the individual site.

Parking space shall be constructed of a durable all weather surface.

Section 604 Water Supply

Each mobile home site shall have an attachment or water supply with a shut-off valve provided. The water supply source must be approved by the appropriate State, County, Town or Federal agency or agencies and shall conform to all applicable rules, laws' ordinances and regulations.

Section 605 Sewage Disposal

Waste from each mobile home shall be wasted into sewer system and waste disposal plant or septic system approved by the New York State Department of Health, Cayuga County Department of Health or such other Department of Health as shall have jurisdiction.

Section 606 Solid Waste Disposal

Mobile home residents shall provide durable garbage cans with tight fitting covers in quantities adequate to permit the disposal of all garbage and rubbish. The cans shall be kept in sanitary condition at all times.

The Park operator is responsible to ensure that solid waste be collected and disposed of at least once a week.

Section 607 Utilities

All utilities (electric, telephone, cable and others) shall be installed underground.

The mobile home park shall have street lighting every 300' maintained by the park owner.

Section 608 Fuel Supply and Storage

Each mobile home site shall be provided with facilities for the safe storage of required fuels. All systems shall be installed and maintained in accordance with applicable codes and regulations governing such systems.

Section 609 Landscaping

Exposed ground surfaces in all parts of the mobile home park excluding roads and parking areas shall be protected by grass or plant material. Paved walking paths shall be provided parallel to the main roads.

Section 610 Mail Service

The location of mailboxes shall be provided by the park owner. Location of mailboxes shall provide for safe and easy access for pick-up and delivery of mail and shall not be located on a public right-of-way.

Section 611 Park Operation

Occupancy: No mobile home shall be permitted in a mobile home park unless it meets the requirements of Article III of this Local Law.

Responsibilities of Park Operator: The person, group or corporation to whom a mobile home park license is issued shall be responsible for operation of 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 sanitary condition.

The park operator shall maintain a register containing the names off all occupants, list of pets and the make, year and seal serial number, if any, of each mobile home or manufactured home. Such register shall be available for inspection by the Town Code Enforcement Officer.

Park operator is responsible for maintaining the lawns, trees, and shrubs in the mobile home park.

Park operator is required to construct at least one framed building in each mobile home park, which shall be adequate to provide storage of all equipment, tools, and materials necessary for the maintenance of the park.

Park operator is responsible for snow removal.

Fore the purposes of a mobile home park a mobile home shall be considered abandoned when not attached to septic, electrical power and water supply for greater than one month.

Parking Prohibition: Parking on public access roads shall be prohibited.

Section 612 Mobile Home Orientation

Mobile homes should appear to face the street or access road. Usually this means the long axis will be parallel to the street.

Section 613 Storage

Storage space within a permanent, enclosed building shall be provided in an amount equal to at least 100 square feet for each mobile home lot.

There shall be a parking area set aside for the central storage of boats, recreational vehicles, and other large items.

No boats, recreational vehicles, or unregistered and unlicensed motor vehicles shall be parked or stored at any place within a mobile home park except in areas designated and approved for such storage as part of the site plan approval.

Section 614 Other

No mobile home shall be offered for sale, display for sale, or sold within mobile home park unless such mobile home is located on a mobile home site and is connected to the following approved utilities: electric, sewer and water and meets all the requirements of this law.

A storm drainage system designed to convey all storm water into natural watercourses and to maintain the park area free from standing water shall be designed and installed (reference Site Plan Review).

ARTICLE VII RECREATIONAL VEHICLE PARK REQUIREMENTS

Recreational vehicle parks are sites for transient units. Travel Trailer parks which operate year round must meet all the requirements of a mobile home park.

Section 701 Camping Site(s) Requirements

Conditions of soil, ground water level, drainage and topography shall not create hazards to the property or health or safety of the occupants or to neighboring properties or streams. The site shall not be exposed to objectionable smoke, noise, odors or other adverse influences. No portion of the property subject to unpredictable erosion shall be used for any purpose, which would expose persons or property to hazards.

Exposed ground surfaces in all parts of recreational vehicle park shall be paved, covered with stone screening or other solid material or protected with vegetation that is capable of preventing soil erosion and eliminating objectionable dust.

The ground surface in all parts of the Park shall be graded and equipped to drain all surface water in a safe and efficient manner.

Recreational vehicles shall be separated from each other and from other buildings and structure by at least 20 feet.

Recreational vehicles shall be located at least 50 feet from any property line and set back at least 100 feet from any public road.

Recreational vehicles shall be set back from park streets, common parking area or other common area by at least 10 feet.

The total number of camping sites shall not exceed 10 per acre.

Section 702 Roads

Roadways within the park shall be of adequate width to accommodate anticipated traffic.

Minimum width of all roads shall be 18 feet.

Dead end roads shall be limited in length to 600 feet and shall be provided at the closed end with a turn around having an outside diameter of at least 75 feet.

Section 703 Parking

Adequate off road parking shall be provided in the amount to hold at least two cars per campsite.

Section 704 Water Supply

An accessible, adequate, safe and potable supply of water shall be provided in each park. The water supply source must be approved by the appropriate State, County, Town or Federal agency or agencies and shall conform to all applicable rules, laws' ordinances and regulations.

Each site designated for camp trailers shall have its own individual supply of potable water. All other sites shall have access to potable water within 100 feet.

Section 705 Sewage Disposal

Each campground shall supply at a minimum one pump out station for every 100 or less campsites.

Campground septic systems shall meet requirements of appropriate State, County, Town or Federal agency or agencies and shall conform to all applicable rules, laws' ordinances and regulations.

Section 706 Solid Waste Disposal

All refuse shall be stored in watertight rodent proof containers, which shall be located not more than 200 feet from any campsite. Containers shall be provided in sufficient number and capacity to properly store all refuse. Refuse shall be removed at least weekly.

Section 707 Utilities

All parks shall be furnished with lighting units so spaced and equipped with luminaries placed at mounting heights as will provide illumination for the safe movement of pedestrians and vehicles at night.

All campgrounds shall provide the following facilities:

One toilet for each sex for each 10 sites shall be provided within 300 feet of each site. Urinals shall be provided. Up to one half the male toilets may be urinals. A minimum to two toilets for each sex shall be provided.

Lavatories or other hand washing facilities shall be provided at a ratio of one for each 15 sites (without water and sewage hookups) for each sex.

Showers shall be provided at campgrounds of 50 sites or more and must be served with hot and cold or tempered water between 90 and 110 degrees Fahrenheit and be available at a ratio of two showers for each 30 sites for each sex.

Utility sinks shall be provided. The sink should be near the door if located within a building where they can be utilized for the disposal of dishwater brought in buckets.

Section 708 Park Operation

Responsibilities of Park Operator: The person, group or corporation to whom a recreational vehicle park license is issued shall be responsible for operation of 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 sanitary condition.

Park operator shall keep a record of all guests including guest name and address, a list of all pets, license number of all units including state issuing license. Such register shall be available to any authorized person inspecting the park.

ARTICLE VII EXEMPTIONS

Mobile homes established in the Town of Sterling prior to the effective date of this Local Law shall be considered exempt from this Local Law as long as the owner maintains it as an established residence.

A homeowner or prospective homeowner may obtain a short term Mobile Home Permit from the Town Building Inspector with concurrence of the Town Planning Board where a temporary residence is desired during the building of a new residence or replacing an existing residence damaged by fire, flood or natural disaster. The permit shall be limited to a one-year duration and have no renewals.

ARTICLE IX PENALTIES FOR OFFENSES

Any person, firm, corporation or other violating any provision of this Local Law shall be deemed guilty of a violation and upon conviction thereof shall be subject to a fine, not exceeding \$250 per day or imprisonment for a period not exceeding six months, or both such fine or imprisonment. Each week of continued violation shall constitute a separate addition violation.

In addition to other penalties, the Town of Sterling may institute any appropriate action or proceeding to prevent the unlawful erection, construction, alteration or use of any building or land in violation of the requirements of this Local Law.