

CHAPTER 28: MOBILE HOMES AND TOURIST CAMPS

§ 28.1 Title

This Chapter shall be known as the "Mobile Homes and Tourist Camps Law of the Town of Camillus, New York".

§ 28.2 Purpose

It is the purpose of this Chapter to promote the health, safety, morals and general welfare of the inhabitants of the Town of Camillus by the more efficient regulation of mobile homes, mobile home parks, tourist camps and similar facilities.

§ 28.3 Definitions

As used in this Chapter, unless the context or subject matter otherwise requires:

MOBILE HOME shall mean a transportable, single-family dwelling unit suitable for year-round occupancy and containing the same conveniences as immobile housing with respect to water supply, light, heat, power, and waste disposal. A mobile home is a portable unit designed and built to be towed on its own chassis comprised of a frame and wheels, connected to utilities, and designed without a permanent foundation for year-round living. A unit may contain parts that may be folded, collapsed or telescoped when being towed and expanded later to provide additional cubic capacity as well as two (2) or more separately towable components designed to be joined into one (1) integral unit capable of being again separated into the components for repeated towing. Mobile units can be designed to be used for residential units excluding, however, travel trailers, motorized homes, pick-up coaches and camping trailers. (See also TRAVEL TRAILER.)

MOBILE HOME PARK shall mean a parcel of land under single ownership which has been planned and improved for the placement of mobile homes for nontransient use consisting of not less than five (5) acres and not less than twenty-five (25) mobile home lots.

RECREATIONAL VEHICLE shall mean 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 drawn by another vehicle. The basic entities are:

- a) Travel trailer. A vehicular portable unit, mounted on wheels of such a size or weight as not to require special highway movement permits when drawn by a motorized vehicle; and of a body width of no more than eight feet (8') and a body length of no more than thirty-two feet (32') when factory equipped for the road.
- b) Camping trailer. A vehicular portable unit mounted on wheels and construed with collapsible partial side walls which fold for towing by another vehicle.

- c) Truck camper. A portable unit designed to be loaded onto, or affixed to, the bed or chassis of a truck. Truck campers are of two basic types:
 - 1. slide-in camper: a portable unit designed to be loaded onto and unloaded from the bed of a pickup truck.
 - 2. chassis-mount camper: a portable unit designed to be affixed to a truck chassis.
- d) Motor home. A vehicular unit built on a self-propelled motor vehicle chassis.

TOURIST CAMP shall mean a parcel of land under single ownership which has been planned and improved for the placement of two or more camp cottages, tents, tent houses, cabins or other buildings for temporary or seasonal use or facilities for the temporary or seasonal placement of recreational vehicles and the like.

§ 28.4 Licenses required; restrictions on Tourist Camps

- A. Mobile home. No person or occupant of any land or premises within the Town of Camillus shall use or permit the use of such premises for the parking, storage, or location of a mobile home without a license obtained as hereinafter provided; nor shall any person, being the owner or operator of a mobile home, park, store or otherwise locate such mobile home upon any premises within the Town of Camillus without obtaining a license therefor as hereinafter provided.
- B. Mobile Home Park. No person, being the owner or occupant of any land or premises within the Town of Camillus, shall use or permit the use of such land or premises as a Mobile Home Park without obtaining a license therefor as hereinafter provided.
- C. Tourist Camp. No person being the owner or occupant of any land or premises within the Town of Camillus shall use or permit the use of said lands or premises as a tourist camp except that present tourist camps may be continued subject to regulations hereinafter contained whenever applicable and subject to payment of license fees in the amount as provided for mobile homes and Mobile Home Parks.
- D. Temporary location of mobile home. No mobile home, not heretofore licensed by the Town of Camillus or a replacement thereof, shall be permitted to remain upon any premises outside a duly licensed Mobile Home Park for a longer period than four (4) weeks in any twelve (12) month period.
- E. Licensing of requirements; temporary use. The owner or occupant of any such mobile home is subject to all the applicable provisions of this Chapter, including the licensing and penalty provisions thereof, except that the Town Clerk shall not issue a license for any such mobile home for a longer period than four (4) weeks in any twelve (12) month period as provided

herein.

§ 28.5 Licenses

A. Issuance of license

The Town Clerk upon written application and upon receipt of the license fee therefor may with the written approval of the Health Officer and the Town Board issue a license to become effective from the date thereof and to continue in force for the term specified therein, but in no event longer than through the 31st day of December next succeeding for the use of premises therein specified as a Mobile Home Park. Such license shall not be transferable or assignable.

B. Application for license

Application may be made in writing. The application for such license shall state the name and address of the applicant, if an individual, and the name and address of the partners, if a partnership, and the name and address of the principal officers, if a corporation; the name and address of the owner of the premises upon which the Mobile Home Park is to be located, and if such applicant is not the owner of such premises, the nature of the interest of such applicant in the premises; a description of the land or premises upon which the proposed Mobile Home Park is to be located; a complete plan of the proposed Mobile Home Park including a plot plan of the property and a proposed layout showing the extent and area to be used for Mobile Home Park purposes; and proposed roadways and/or driveways; proposed location or site for each mobile home location and construction of all proposed sanitary conveniences, laundry buildings and slop sinks, the proposed method of sewage disposal or removal, the plan for water supply and electric service. The Town Clerk within thirty (30) days after the receipt of such application from the applicant shall approve or reject the application and certify the reason for his or her action. Such decision shall be filed in the Town Clerk's office and a copy thereof furnished to the applicant. Before issuing any permit the Town Clerk shall submit the application to the Health Officer and the Town Board for approval or rejection. Such approval or rejection shall be in writing.

C. Fees

The applicant shall, at the time of issuance of such license, pay to the Town Clerk a fee in accordance with the following schedule of fees:

Mobile Home Parks having a capacity of not more than ten (10) mobile homes: \$100.00

Mobile Home Parks having a capacity of not more than fifteen (15) mobile homes: \$150.00

Mobile Home Parks having a capacity of not more than twenty (20) mobile homes: \$200.00

Mobile Home Parks having a capacity of more than twenty (20) mobile homes, \$200.00 for the 1st twenty (20) mobile homes and \$50.00 in addition for each five (5) mobile homes or fractional part thereof in excess of twenty (20) mobile homes.

D. Term of license

Such license shall be effective from and after the date of issuance to and including the 31st day of December next succeeding the date of issuance.

§ 28.6 Mobile home licenses

A. Issuing of licenses

The Town Clerk upon proper written application and upon receipt of the license fee therefor may issue a license to continue in force for the term so specified therein but in no event longer than through the 31st day of December next succeeding, to any owner of one (1) mobile home, parked or otherwise located upon premises owned by the owner of such mobile home and used and occupied solely by such owner and such owner's family.

B. Application for license

The application for such license shall state the name of the applicant, his or her permanent residence address, the name and address of each occupant of such mobile home, the name and make of the mobile home, the registration number of such mobile home and the state in which registered, the year of issue of registration; and if such mobile home be propelled by another power driven vehicle to which it may be attached, the make, registration number, state and year of registration and the name of the owner of such other vehicle; the street and number where such mobile home is or is to be located, a statement of the estimated duration of stay in such proposed location; and a statement of what provisions are being made in order to comply with Subdivision D of this Section.

C. Fees

Each such applicant shall pay at the time of issuance of such license a fee of Ten Dollars (\$10.00).

A. Regulations

The owner of a mobile home and premises shall comply with all of the minimum requirements set forth in § 28.7 of this Chapter except that he or she shall not be required to comply with Subdivisions B and H of § 28.7. Not more than one mobile home shall be permitted to park or otherwise locate on each separate lot or parcel of land other than a Mobile Home Park. Such mobile home shall not be parked or otherwise located nearer than ten (10) feet to the side of any lot or parcel of land nor within thirty (30) feet of the street line of such premises.

B. Exception.

No license shall be required of the owner of a mobile home which is located in a licensed Mobile Home Park.

§ 28.7 Regulations for Mobile Home Parks

A. Location

All land used as a Mobile Home Park shall be well drained, of ample size, free from heavy or dense growth of brush or woods. The land shall be properly graded to insure rapid drainage during and following rain and shall at all times be drained so as to be free from stagnant pools of water.

B. Park plan

Each Mobile Home Park shall have suitable accommodations for at least five (5) mobile homes and shall provide not less than nine hundred (900) square feet, (25'X36') for each mobile home. The Mobile Home Park shall be subdivided and marked off into rectangular shaped lots, grouped in blocks with camp streets at least twenty (20) feet wide between each block. No mobile home shall be located within thirty (30) feet of any highway or street line nor within twenty (20) feet of any adjacent property line. Each Mobile Home Park shall be surrounded by a suitable woven wire or open metal fence not less than five (5) feet nor more than six (6) feet high, having only necessary openings or entrance and exit facilities. Barbed wire shall not be used for such fences.

C. Sewer and water service and fire prevention

Each Mobile Home Park shall be provided with approved sewer and water connections to existing public sanitary sewer and water systems of the Town or any district therein. No Mobile Home Park shall be permitted in any area of the Town where public water service is not available. All Mobile Home Parks shall be connected with existing sanitary sewer systems if such systems are available and in the event said systems are not available, the Mobile Home Park shall be provided with suitable and adequate sewage disposal systems constructed in a manner approved by the Health Officer of the Town of Camillus and the State Department of Environmental Conservation. Such Mobile Home Park shall be provided with suitable and adequate fire extinguishers and other fire prevention devices as may be prescribed by the Fire District wherein the Mobile Home Park is located, or, in the event that no Fire District is in existence, fire prevention equipment shall be provided in accordance with requirements of the Fire Chief of the Fire Department servicing the area wherein the park is located, or as otherwise designated or approved from time to time by the Town Board.

D. Water supply

A sufficient supply of pure drinking water placed in conveniently located buildings from approved water service facilities of the Town of Camillus shall be provided. No common drinking cups, glasses or other utensils shall be permitted. Drinking fountains shall be placed in locations other than in any toilet or water closet compartment. Drinking fountains shall be of the side angle, inclined, protected jet type.

E. Toilets

Each Mobile Home Park shall be provided with a service building or buildings completely separated or divided for each sex in which shall be installed water closets, each placed in separate compartments properly separated from any other water closet, each compartment being not less than three (3) feet wide enclosed with proper partitions in the ratio of one (1) water closet for every ten (10) females or less and one (1) water closet for every ten (10) males or less, in addition to one (1) urinal for every twenty (20) males or less. Such minimum water closet and urinal accommodations shall be based upon the total Park capacity according to the accepted plans and shall be computed on the basis of a minimum of three (3) persons to each mobile home with the sexes being considered as equal in number and the mobile home being computed according to the maximum permitted capacity of each Mobile

Home Park.

F. Showers

Each such Mobile Home Park shall provide one (1) lavatory or wash basin for every two (2) toilets or less; one (1) shower or tub for each sex for each five (5) mobile homes or fraction thereof; and one (1) slop sink or basin with running water supplied for each four (4) mobile homes.

G. Garbage receptacles

Each Mobile Home Park shall provide equipment sufficient to prevent littering of the ground and premises with rubbish, garbage, refuse and the like and shall provide fly-tight metal depositories with tight fitting covers at conspicuous locations upon said premises. Such depositories shall be kept at all times in sanitary condition. No mobile home shall be located more than one hundred (100) feet from a metal depository.

H. Registration of mobile home occupants

The owner or operator of each Mobile Home Park shall keep a permanent record in writing of all guests or mobile home occupants using the facilities of the Mobile Home Park, which record shall include the following reference to each mobile home:

1. Name and address of each occupant
2. Date of arrival
3. Name of owner of mobile home
4. Make of mobile home
5. State in which mobile home is registered
6. Registration number of mobile home
7. Year of issue of registration

And in addition for each mobile home propelled by an automobile or vehicle to which it may be attached, the following:

1. Name and address of owner of automobile
2. State in which automobile is registered
3. Registration number of automobile
4. Year of issue of registration
5. Make of automobile

H. Removal of wheels

It shall be unlawful to remove wheels from a mobile home or otherwise permanently affix such mobile home to the ground. Such attempted removal shall be grounds for the revocation of the license for the Mobile Home Park and shall subject the Mobile Home Park and the owner thereof, to the requirements of Chapter 30 of the Town of Camillus Municipal Code for residential uses.

I. Miscellaneous provisions

All plumbing fixtures installed in Mobile Home Parks shall conform to the requirements of the State Department of Environmental Conservation and the State Building Construction Code.

The obtaining of a license hereunder for the use of premises as a Mobile Home Park shall not be construed to eliminate the necessity of complying with all other applicable ordinances, local laws and health regulations of the Town of Camillus.

Mobile Home Parks must be kept in a clean and sanitary condition at all times.

§ 28.8 Town inspection and enforcement

The Health Officer and the Code Enforcement Officer shall enforce all of the provisions of this Chapter, with the assistance of the Police Department of the Town of Camillus. The Health Officer and the Town Board shall have the right to enter upon a Mobile Home Park or other premises used for the parking or location of a mobile home at all times.

The Health Officer of the Town of Camillus shall prescribe sanitary measures to insure the health and sanitation of the Park to be taken by owner, operator or manager of the Park, and such measures shall be posted conspicuously in all shower rooms, washrooms and toilets of the Park.

§ 28.9 Revocation of license

If the Health Officer or the Code Enforcement Officer upon inspection finds that a Mobile Home Park is not being maintained in a clean and sanitary condition, or that such Mobile Home Park is not being conducted in accordance with the regulations applicable to such park and the provisions of this Chapter, he or she shall serve upon the holder of such license or the person in charge of such Mobile Home Park an order in writing directing that the conditions therein specified be remedied within five (5) days after the service of such order. If after the expiration of such period, such conditions remain unchanged, or are not corrected in accordance with the order of the Health Officer or the Code Enforcement Officer, the Health Officer or the Code Enforcement Officer shall serve a notice in writing upon the owner or the person in charge of such Mobile Home Park requiring the holder of such license to appear before the Town Board of the Town of Camillus at a time to be specified in such notice, not less than twenty-four (24) hours, and show cause why such license should not be revoked. The Town Board may after a hearing at which the testimony and witnesses of the Health Officer and the holder of such license shall be heard, revoke such license if the conditions described in the original order have not been corrected in accordance with the terms of such order or if the holder of such license has violated the regulations applicable to such Mobile Home Park or has violated any of the provisions of this Chapter, or for other sufficient cause. Upon the revocation of such license, the premises shall forthwith cease to be used for the purpose of a Mobile Home Park and all mobile homes shall be removed therefrom.

The commission of any felony by owner or operator or manager of the licensed premises herein automatically revokes the license described herein.

§ 28.10 Penalties

Any person who violates any provision of this Chapter shall be guilty of a violation and subject to a fine of not more than Two Hundred Fifty Dollars (\$250.00) or to imprisonment for a period of not more than fifteen (15) days or both such fine and imprisonment; and in addition any and all persons who violate any of the provisions of this Chapter or who shall omit, neglect or refuse to do any act required by this Chapter shall severally, for each and every such violation and non-compliance respectively forfeit and pay a penalty of Fifty Dollars (\$50.00). This imposition of all penalties for any violation of this Chapter shall not excuse the violation or permit it to continue. The application of the above penalty or penalties or the prosecution of the violation of the provisions of this Chapter shall not be held to prevent the enforced removal of conditions prohibited by this Chapter. When a violation of any of the provisions of this Chapter is continuous, each twenty-four (24) hours thereof shall constitute a separate and distinct violation.

§ 28.11 Exceptions

None of the provisions of this Chapter shall be construed as granting vested interests to anyone licensed under this Chapter and the Town Board hereby reserves the right to withdraw all permission and revoke all licenses granted under this Chapter upon sixty (60) days notice by publication and posting as provided for it in § 133 of the Town Law.

None of the provisions of this Chapter shall be applicable to the sale, storage or garaging of a mobile home or mobile homes within a building or structure or to the storage of a mobile home on premises owned by the owner of such mobile home.

None of the provisions of this Chapter shall be construed in any way to permit the maintenance of mobile homes, mobile home parks or tourist camps in any residential district, and the same are hereby prohibited in any residential district in the Town of Camillus.

None of the provisions of this Chapter shall be construed as permitting the sale, storage, garaging, or maintenance of any mobile home or mobile homes except as specifically permitted in this Chapter, and the same is hereby prohibited.

None of the provisions of this Chapter shall be applicable to the Mobile Home Parks now in existence which have been approved by the New York State Department of Health or Environmental Conservation as to toilets, showers, sewage, and water facilities prior to effective date of the ordinance from which this Chapter is derived.

HISTORICAL NOTE

This Chapter is a codification of an ordinance adopted by the Town Board on May 25, 1948, effective June 10, 1948 and amended by Ordinance of the Town Board on December 4, 1957. Amended spelling LL#13-94.

Cross-reference: Zoning. Chapter 30.

References:

House coach, definition. V & T L § 119

Inspections necessity for search warrant, see annotations p. 26.18.

Location only within mobile home park is not unconstitutional or discriminatory. *Mobile Home Protective Ass'n v Town of Chatham*, 33 AD2d 78.

Mobile home parks, duties, responsibilities. Real Prop L § 233.

Modular home is not a "mobile home. *Kyritsis v Fenny*, 66 Misc2d 329, 320 NYS2d 702.

Taxation of mobile homes. Real Prop Tax L § 102(12).

Trailer, definition. V & T L § 156.

registration. V & T L § 401(1). (8).

temporary permit to move. V & T L § 401(8)(a).