

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(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.

~~XXXXX~~

~~XXX~~

Town

of CUYLER

~~XXXXX~~

Local Law No. 2 of the year 1994..

A local law : MOBILE HOME AND MOBILE HOME PARK ORDINANCE FOR THE TOWN OF CUYLER
(Insert Title)

.....

.....

.....

Be It enacted by the TOWN BOARD of the
(Name of Legislative Body)

~~XXXXX~~

~~XXX~~

Town

of CUYLER as follows:

~~XXXXX~~

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. _____ of 19. 74
of the ~~(County)~~ ~~(City)~~ (Town) ~~(Village)~~ of Snyder was duly passed by the
Town Board on April 5 1974, 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
(Name of Legislative Body) on _____ 19 ____ , and was (approved)(not approved)(repassed after
disapproval) by the _____ and was deemed duly adopted on _____ 19 ____ ,
(Elective Chief Executive Officer*)
in accordance with the applicable provisions of law.

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
(Name of Legislative Body) on _____ 19 ____ , and was (approved)(not approved)(repassed after
disapproval) by the _____ on _____ 19 ____ . Such local law was submitted
(Elective Chief Executive Officer*)
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.

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
(Name of Legislative Body) on _____ 19 ____ , and was (approved)(not approved)(repassed after
disapproval) by the _____ on _____ 19 ____ . Such local law was subject to
(Elective Chief Executive Officer*)
permissive referendum and no valid petition requesting such referendum was filed as of _____ 19 ____ , in
accordance with the applicable provisions of law.

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 chairperson 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 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 _____, above.

Lynn M. Jordan
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

Date: April 5, 1994

(Seal)

(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 Montgomery

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.

C. E. Juel
Signature

Town Attorney
Title

~~County~~
~~City~~ of Cuyler
~~Town~~
~~Village~~

Date: April 8, 1994

**MOBILE HOME
AND MOBILE HOME PARK ORDINANCE
FOR THE TOWN OF CUYLER**

Adopted 4/5/94
Cuyler Town Board

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MOBILE HOME AND MOBILE HOME PARK ORDINANCE
OF THE TOWN OF CUYLER

The Town Board of the Town of Cuyler, Cortland County, New York, pursuant to the authority and provisions granted by Sections 130, 136, and 261 of the Town Law of the State of New York, does hereby ordain as follows:

Article I

TITLE

This ordinance shall be known as the "Mobile Home and Mobile Home Park Ordinance."

Article II

PURPOSE

It is the purpose of this ordinance to promote the health, safety, convenience, economy, amenity and general welfare of the inhabitants of the Town of Cuyler by the more efficient regulation of mobile homes and mobile home parks by enforcing minimum standards, including provisions for sewage disposal, water supply, garbage removal, traffic control and safety, registration of occupants, to include registration by 4 digit house number for fire identification, inspection of facilities and other actions deemed necessary for said purpose.

Article III

TERMS AND DEFINITIONS

Section 301: General Terms - For the purpose of this ordinance, words and terms used herein shall be interpreted as follows:

1. Words used in the present tense include the future;
2. The singular includes the plural;
3. The "person" includes a corporation, partnership, and association as well as the individual;
4. The term "shall" is always mandatory;

5. The term "may" is permissive;
6. The term "used" shall be interpreted to include the term "designated" or "intended to be used".

Any word or term not defined herein shall be used with a meaning of standard usage.

Section 302: Definitions

Abandoned: Any mobile home that is deserted, unattended, forsaken, and/or un cared for either private or in a park, will be considered abandoned.

Adequate: Sufficient to accomplish the purpose intended, and to such a degree that no unreasonable risk is presented to health or safety. Within the meaning of this ordinance, an item installed, maintained, designed and assembled, an activity conducted, or act performed, in accordance with recognized generally accepted standards, principles or practices applicable to a particular trade, business, occupation or profession shall be considered adequate.

Anchoring System: A combination of ties, anchoring equipment and ground anchors that will, when properly designed and installed, resist overturning and lateral movements of the mobile home from wind forces.

Code Enforcement Officer/Agency: The Town Building Inspector or other person or agency designated and appointed as enforcement officer by the Town Board to enforce the provisions of this ordinance.

Feeder Assembly: The overhead or under chassis electrical feeder conductors, including the grounding conductor, together with the necessary fittings and equipment, or a power supply cord listed for mobile home use, designed for the purpose of delivering the electrical supply from the source to the distribution panel within the home.

Generally Accepted Standards: Those referenced in the New York State Building Construction Codes and Fire Prevention Code (9NYCRR), or their successor(s), or any other standards filed with the Secretary of State.

Health Department: The Cortland County Health Department.

Home: A mobile or manufactured home on an individual lot or in a mobile home park.

Individual Mobile Home Lot: Land occupied or to be occupied by a single mobile home and its accessory buildings together with such open spaces as are required under the provisions of this ordinance, having not less than the minimum area and width required for a lot in the district in which such land is situated and having its principal frontage on a public street or on such means of access as may be determined in accordance with the provisions of the law to be adequate as a condition of the issuance of a building permit for a building on such land.

Modular Home: A structure, transportable in one or more sections with or without a permanent foundation, and which includes the plumbing, heating, air conditioning, and electrical systems contained therein.

Mobile Home: A structure, which is eight feet or more in width and 32 feet or more in length, transportable in one or more sections, built on a permanent chassis, and designated to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and which includes the plumbing, heating, air conditioning, and electrical systems contained therein, designed for installation with only minimal unpacking and assembly operations upon being placed on a mobile home pad and connected to utility hook-ups. This definition shall include single and double wide mobile homes when placed on any type of foundation other than one with footings that are located below the frost line and walls that extend up to the bottom of the unit in question.

Mobile Home Accessory Building or Structure: A building or structure which is an attached or detached addition to or which supplements the facilities provided a mobile home, on the same or an adjoining lot under the same ownership or occupancy. It is not a self-contained, separate, and habitable building or structure.

Mobile Home Pad: (hereafter also known as Pad) A part of an individual mobile home lot or mobile home park lot that has been reserved for the placement of the mobile home, its appurtenant structures or additions.

Mobile Home Park: (hereafter also known as Park) A property, under one ownership or management, which has been planned and improved for the placement of at least three (3) mobile homes for rent and/or lease of a pad or mobile home for non-transient use, consisting of a tract of land maintained by an operator for mobile homes and/or manufactured homes, and buildings or other structures that may be pertinent to their use, any part of

which may be occupied by persons for residential purposes other than recreation, traveling, or vacationing, and who are provided services or facilities necessary for their use of the property.

Mobile Home Park Lot: (hereafter also known as Lot) A designated parcel of land within a mobile home park provided by the operator and designed for accommodating one mobile or modular home, its accessory buildings or structures, and accessory equipment for the exclusive use of the occupants.

Mobile Home Park Operator: The owner, lessee or any other person designated as responsible for the maintenance and operation of the park and such services and facilities as are provided and/or necessary for the use of such property.

Permit-Issuing Official: The Code Enforcement Officer or Agency, or other person or agency designated by the Cuyler Town Board to enforce the provisions of this ordinance.

Person: An individual, group of individuals, partnership, firm, corporation, association, political subdivision, government agency, municipality, industry, estate or any legal entity whatever.

Planning Board: The Town of Cuyler Planning Board.

Potable Water: Water provided or used for human consumption and food preparation. Water used for lavatory, bathing or laundry purposes is to be of potable quality.

Refuse: All putrescible and nonputrescible solid waste including, but not limited to garbage, rubbish, ashes, incinerator residue, street cleanup, dead animals, offal and solid commercial wastes.

Service Equipment: The electrical service equipment containing the disconnecting means, overcurrent protection devices, and receptacles or other means for connecting a mobile home Feeder Assembly.

Sewage: Excreta and the waste from a flush toilet, bath, sink, lavatory, dishwashing, or laundry machine or the water-carried waste from any other fixture or equipment or machine.

Street Line: The center line of a road used for vehicular traffic, whether public or private.

Article IV

DISTRICTS

Section 401: Permitted Mobile Homes - Mobile homes shall be permitted only in the following districts:

1. All areas outside of the district designated as the Cuyler Sewer Improvement Area, also known as the hamlet, within the Town of Cuyler.

Section 402: Permitted Mobile home parks - Mobile home parks shall be permitted only in the following districts:

1. All areas outside of the district designated as the Cuyler Sewer Improvement Area, also known as the hamlet, within the Town of Cuyler.

Article V

PERMITS REQUIRED

Section 501: General

No person, being the owner or occupant of any land within the Town of Cuyler, shall use or permit the use of such land for the parking, storage, or use of a mobile home or as a mobile home park without first obtaining a permit as hereinafter provided. See Appendix A-1 (Application Process - Mobile home and Mobile home park).

Section 502: Application for permit

Application shall be made on forms provided by the Town Clerk. Parks without permits and requests for expanding a mobile home shall require a new application for permit submitted to the Town Clerk who shall forward copies to the Town Board for their recommendation, and to the Code Enforcement Agency who may approve an application conforming to all the provisions of this ordinance. In the case of an application for the expansion of a mobile home park, the Code Enforcement Officer must determine whether or not the existing park has been operating to adequate and minimum standards as set forth in this ordinance. A mobile home park which does not comply with this requirement shall be subject to penalties provided in Article XI. See Appendix A-1, A-2, A-3, A-4 Application.

Section 503: Fees

Permit applications for individual mobile homes and mobile home parks are available from the Town Clerk. After a copy of the application has been forwarded to the town's Code Enforcement Officer by the Town Clerk, a fee is charged by that agency according to established formula.

Section 504: Issuing of permits

1. General - The town's Code Enforcement Agency, upon the recommendation of the Town Board shall, within 10 days of the receipt of said recommendation, approve or reject the application and, if rejected, certify the reason for the action.
2. Individual Mobile Home - The Code Enforcement Agency of the Town of Cuyler, upon approval of the Town Board and other necessary agencies, and upon receipt of the aforementioned fee (Article V, Section 503), shall issue a permit to any owner of one (1) mobile home parked or otherwise located upon land owned by the owner of such mobile home. Such permit shall not be transferable or assignable.
3. Mobile Home Park - The Code Enforcement Agency of the Town of Cuyler, upon written application and upon receipt of the permit fee therefore shall, with written approval of the Health Department and upon the recommendation of the Town Board and Planning Board, issue a permit to become effective from the date thereof and to continue in force for a period of one (1) year, at which time the Town Board must renew its permit according to the process specified in this ordinance. Such permit shall not be transferable or assignable.
4. Renewal of Permits - At the time of yearly renewal of permit the mobile home park operator shall submit a written annual report of its operations to the Town Board. See Appendix A-4 (Annual Application for Operations).

Article VI

TOWN INSPECTION AND ENFORCEMENT

Each mobile home park shall be inspected once each year at the time of application for permit renewal. The Code Enforcement Agency of the Town of Cuyler shall enforce all of the provisions of this ordinance and shall inspect such mobile home park at a reasonable time to verify the mobile home park's continued compliance with this ordinance and the existing state fire and building code.

4. Renewal of Permits - At the time of yearly renewal of permit the mobile home park operator shall submit a written annual report of its operations to the Town Board. See Appendix A-4 (Annual Application for Operation).

Article VI

TOWN INSPECTION AND ENFORCEMENT

Each mobile home park shall be inspected once each year at the time of application for permit renewal. The Code Enforcement Agency of the Town of Cuyler shall enforce all of the provisions of this ordinance and shall inspect such mobile home park at a reasonable time to verify the mobile home park's continued compliance with this ordinance and the existing state fire and building code.

The Code Enforcement Agency shall submit a written review of its findings to the Town Board, and to the permit holder. The Code Enforcement Officer may obtain the assistance of the County Health Department for such inspections.

Article VII

REVOCATION OF PERMIT

If the Code Enforcement Officer, upon inspection or at time of a complaint, finds that such mobile home or mobile home park is not being maintained in a clean and sanitary condition, or that the mobile home or mobile home park is not in accordance with the provisions of this ordinance or conditioned requirements of the permit, it shall serve upon the holder of the permit thereof or the person in charge of such mobile home or mobile home park an initial order in writing directing that the conditions therein specified be corrected within 30 days after the serving of such order or as specified in the local law. The County Health Department may also serve such order if findings of inspection are not satisfactory to the State Sanitary Code as amended. If, after the expiration of such period, such conditions are not corrected, the individual mobile home owner or mobile home park owner or the person in charge of such mobile home or mobile home park shall be considered in violation of this ordinance and subject to the penalties as set forth in Article XI.

d. Minimum Side and Rear Lot Setback: No part of a mobile home shall be located closer than 20 feet from any side lot boundary, and shall be no closer than 20 feet from any rear lot boundary.

e. Parking: Each land user must provide sufficient, suitable on-site parking space to meet the normal needs of the use of the lot.

3. Health and Safety:

a. Sewage - A mobile home shall be provided with a suitable and adequate sewage disposal system as required by state and local regulations and specifically as outlined in Article XV of the Sanitary Code of the Cortland County Health District.

b. Water - A sufficient supply of potable water shall be provided for such mobile home as provided by state and local regulations.

c. Plumbing - Connections of mobile homes shall comply with all requirements of the NYS Fire and Building Code.

d. Fire Protection - Each mobile home should be equipped with an adequate fire extinguisher, and smoke detectors shall be installed and operable in all mobile homes not so equipped.

e. Garbage and Refuse - Each mobile home owner shall make provisions for sanitary equipment to prevent littering of grounds and premises with rubbish, garbage and refuse. Each mobile home shall have containers with tightly fitting covers. Weekly disposal shall be provided for all rubbish, trash and garbage by said owner.

f. Skirting - Each mobile home shall have skirting to screen the space between the mobile home and the ground. Skirting shall be of durable, fire resistant material such as metal or other solid material as approved by the Town Board. Such skirting shall be finished to conform to the mobile home.

Section 802: Mobile home parks - The following site planning standards shall be the responsibility of the mobile home park operator and/or owner.

1. Site Plan Standards:

a. Location - The site shall not be exposed to excessive or objectionable smoke, dust, noise, odors, or other adverse influences. No portion of the site

shall be subject to predictable sudden flooding or erosion, nor shall it be used for any purpose which would expose persons or property to hazards.

b. Drainage - All land used as a mobile home park shall be well drained as demonstrated by submission of a drainage plan approved by the Cortland County Health Department and Town Board. This drainage plan shall be attached to and submitted with the application for permit.

c. Minimum Plan Requirements - A mobile home park shall comprise an area of not less than five (5) acres and have suitable accommodations for at least three (3) mobile homes.

d. Minimum Lot Size - A minimum lot size of 7,000 square feet shall be provide for each mobile home.

e. Density - The total number of mobile home park lots shall not exceed six (6) per acre.

f. Bulk Requirements - No mobile home, office or service building shall be located within 100 feet of any public highway or street line, nor within 50 feet of any adjacent property line.

g. Minimum Frontage - Recommended frontage is 60 feet. However, to provide flexibility in design, 10 percent of the lots in a mobile home park may have frontage of between 45 feet and 60 feet.

h. Minimum Setback - No part of a mobile home shall be located closer than 20 feet from any street line.

i. Separation - No mobile home shall be located closer than 40 feet from any other mobile home.

2. Circulation Plan - A mobile home park shall have an internal street system adequate for access to each mobile home lot with the following provisions:

a. All parks shall have access from two (2) points along a street, road or highway; or if bordering on two streets, roads or highways, or combinations thereof, one (1) point of access shall be provided from each street, road or highway.

b. Access points shall be separated by at least 150 feet.

c. The surfaces of all internal streets shall be paved with asphalt, concrete or stone (as recommended by the Town Highway Superintendent), and shall be kept in good repair.

- d. Streets shall be a 30 foot right-of-way with at least 20 feet of pavement.
 - e. If cul-de-sacs are contained in the plan, a turning diameter of at least 60 feet of pavement shall be provided and three-foot shoulders around the circumference.
 - f. Two (2) off-street parking spaces shall be provided for each mobile home, with one (1) additional space for each four (4) mobile homes. Each parking space shall be at least 10 feet in width and 20 feet in length, and have adequate provision for maneuvering and for passage to and from streets.
3. Utilities - All utility lines, including water, sewer, electric, and telephone shall be installed underground and in accordance with state and local regulations.
- a. Water - A sufficient supply of potable water shall be provided in a mobile home park as provided for by state and local regulations. If the water is from a private source, periodic tests shall be made as requested by the County Health Department.
 - b. Sewage - A mobile home park shall be provided with suitable and adequate sewage disposal systems in accordance with state, county and local regulations.
 - c. Plumbing - Connections to mobile homes shall comply with all regulations of the NYS Fire and Building Code.

4. Health and Safety

- a. Fire Protection - A mobile home park shall be provided with suitable and operable fire extinguishers and other fire alarm and protection devices as may be prescribed by the fire district wherein said mobile home park is located, or by State and Federal laws. There shall be clear numbering of mobile homes within the mobile home park with a layout map provided to the fire and disaster coordinator and to ambulance and police agencies. Water supplies should be adequate as determined by the County Fire Coordinator.
- b. Smoke Detectors - Smoke detectors shall be installed and operable in all mobile homes.
- c. Garbage and Refuse - Each mobile home park shall provide adequate containers to comply with local recycling laws. The containers shall be fly tight with tightly fitting covers. Such depositories shall be kept at all times in sanitary condition and emptied weekly and shall be suitably enclosed and screened from view.

d. Skirting - Each mobile home shall have skirting to screen the space between the mobile home and the ground. Skirting shall be of durable, fire resistant material such as metal, and shall be finished to conform to the mobile home as approved by the Town Board.

e. Lighting - Street lighting shall be provided at all entrances and exits to the mobile home park and on all internal streets, intersections, walkways and common areas. Such lighting shall provide an illumination of .6 foot candles to those areas.

5. Miscellaneous Requirements

a. Required Landscaping - A mobile home park shall have landscaped buffer strips not less than 50 feet wide and 100 feet long. Such buffer strips shall be located along the margins of the front, side and rear property lines. Such buffer strips should utilize existing trees and shrubs and provide additional interlocking hedges, evergreen trees, and foliage as acceptable to the Town Board. Such buffer strips shall not interfere with the vision of motorists at intersections and at access points for the mobile home park.

b. Tenant Storage - Tenant storage of at least 500 cubic feet shall be provided on each occupied lot or in compounds located within a reasonable distance, generally not more than 100 feet from each lot. Storage facilities shall be designed in a manner that will enhance the appearance of the park and shall be constructed of suitable weatherproof materials.

c. Fuel Storage - All fuel tanks used for heating within a mobile home park, including all fuel tanks used for heating within mobile homes, shall be installed in accordance with National Fire Protection Association (NFPA) sections 30 and 30a. Fuel tanks as described above shall also be installed in accordance with the Cortland County Sanitary Code and the State Uniform Fire Prevention and Building Code including: Chapter B, Article 10, Part 1000.1 - 1000.6; Chapter C, Article 3, Part 1171.2a - 1171.2e.

d. Advertising Signs

1. Only one sign shall be permitted for each 500 feet of street frontage of a park or major street thereof.
2. No sign shall exceed a total sign area of 20 square feet. Signs may be illuminated only by indirect lighting.
3. No sign shall be permitted to be erected within 50 feet of a residential use, within 25 feet of any adjoining property line, or within 40 feet of any street line.

e. Recreation - Each mobile home park shall have at least one (1) common recreational area of at least 5,000 square feet for every 10 mobile homes.

6. Registration of Mobile Homes - The owner or operator of each mobile home park shall keep a permanent record of all mobile homes of such mobile home park. Such records shall be accessible to the Code Enforcement Officer and shall include the following with reference to each mobile home:

- a. Make and year of mobile home;
- b. Serial number of mobile home.

Section 803: General

1. a All mobile homes installed in the Town of Cuyler shall be constructed and installed in compliance with the applicable provisions of Article 19 AA of the "New York State Executive Law" and the related State Codes for construction and installation of mobile homes.
- b All mobile homes must be approved by the Division of Housing and Community Renewal (DHCR) and must bear the DHCR stamp of approval. Mobile homes relocated into the town from outside of the Town of Cuyler must not be older than 15 years from the date of application.
- c Each mobile home without a basement shall have a pad to provide adequate support for the placement and anchoring of the mobile home. The pad shall not heave, shift or settle unevenly under the weight of the mobile home due to frost action, inadequate drainage, vibration, wind or other forces acting on the structure. The pad shall inhibit the ponding of water under and around the home, and shall be of concrete at least five (5) inches in thickness and with minimum dimensions of length and width of the mobile home to be situated on the pad, or the mobile home shall be placed upon a minimum of eight (8) cast-in-place piers, each a minimum of 16 inches in diameter and at least four (4) feet below grade level.
- d Each mobile home shall be secured to the concrete pad or cast-in-place piers with frame tiedowns at no fewer than six (6) points, 3 per side at opposite ends and at the center, designed so as to secure the mobile home against uplift, sliding, rotation and overturning. The operator shall be responsible for the proper installation of anchoring systems.
- e No accessory structures to a mobile home shall be constructed which increase the living floor space of that mobile home without approval of the Planning Board and compliance with the provisions of this ordinance. Any such additions must conform to the architectural and aesthetic characteristics of the existing mobile home. Accessory structures for the purpose including, but not limited to, awnings, covered patios and carports may be permitted upon approval of the Code Enforcement Officer, provided such accessory structures conform to the architectural and aesthetic characteristics of the mobile home.

Article IX

NON-CONFORMING MOBILE HOMES AND MOBILE HOME PARKS

1. Any mobile home or mobile home park legally existing prior to the effective date of this law and not conforming to the requirements of this law shall be regarded as nonconforming.
2. Any such nonconforming mobile home park in existence on the effective date of this ordinance may be continued provided such mobile home park is not enlarged, altered, extended, reconstructed, or replaced and that such mobile home in existence may be continued provided such mobile home is not structurally altered, reconstructed, replaced or abandoned.
3. Nothing in this law shall require a change in the plans or construction of a mobile home legally installed or mobile home park on which actual foundation construction was begun or approved in writing by the Town Board prior to the adoption of this law.
4. If any such nonconforming mobile home park is abandoned, enlarged, altered, extended, reconstructed or replaced, and or any such nonconforming mobile home is abandoned, structurally altered, reconstructed or replaced, then all provisions of this ordinance will become effective.
5. A nonconforming mobile home park discontinued for a period of more than six (6) consecutive months shall not thereafter be permitted. A nonconforming individual mobile home removed from the individual mobile home lot for more than six (6) consecutive months shall not thereafter be permitted.
6. A nonconforming individual mobile home abandoned for more than six (6) consecutive months shall then comply with all provisions of this law. Those individual mobile homes abandoned seasonally shall be exempt from this. It is recommended that owners contact the Code Enforcement Officer and inform them of this action on an annual basis.

Article X

VARIANCES

When necessary hardships or practical difficulties make strict compliance with any requirement of this ordinance unreasonable or impossible, a written appeal for a variance may be taken to the Cuyler Planning Board. A recommendation will then be made to the Town Board. The Planning Board and Town Board shall act in strict compliance with established case law, the Town law, and may vary or modify the provisions of this ordinance only as *minimally* as may be necessary upon the required showings and facts as presented.

Article XI

VIOLATIONS AND PENALTIES

Any person, firm or corporation violating any provision of this ordinance shall be guilty of an offense against the law. A violation of this ordinance is an offense punishable by a fine not exceeding \$100.00, or by imprisonment for a period not exceeding 15 days or both. Each day's continued breach shall constitute a separate, additional violation subjecting the offender to additional penalty. In addition, the Town Board shall have such other remedies as are provided by law to enforce the provisions of this ordinance. This may include the enforced removal of conditions or of mobile homes prohibited by this ordinance. The expense of such removal shall be an expense chargeable, in addition to the previously stated penalties, to the offender and may be recovered in a civil court of appropriate jurisdiction.

Article XII

STOP ORDER

Whenever the Code Enforcement Officer has reasonable grounds to believe that work on any building or structure is being done in violation of the provisions of this ordinance in an unsafe and dangerous manner, the owner of the property shall be notified to suspend all work. Such stop order and notice shall state in writing the conditions under which the work may be resumed, and may be served upon an owner either by delivering it to the owner personally or by posting the same upon a conspicuous portion of the structure under construction and sending a copy of the same to the owner by registered mail.

Article XIII

VALIDITY

If any article, section, paragraph, subdivision or provision of this ordinance shall be invalid, such invalidity shall apply only to the article, section, paragraph, subdivision or provision adjudged invalid. The rest of this ordinance shall remain valid and effective. In case of a conflict with the New York State Uniform Fire Prevention and Building Code, The New York State Environmental Quality Review Act, and/or the Sanitary Code of the Cortland County Health District, in reference to mobile homes or mobile home parks, the most restrictive, or that imposing the higher standards, shall prevail. This ordinance shall not in any way be construed to supersede or revoke any provision of town ordinances or laws or their successors except in the case of a section pertaining expressly to mobile homes or mobile home parks. In case of a conflict in reference to an individual mobile home or mobile home park, the most restrictive, or that imposing the higher standards, shall prevail.

Article XIV

EFFECTIVE DATE

This ordinance shall take effect immediately upon enactment and publication and posting as required by the Town Law of the State of New York. This ordinance is adopted by resolution of the Town Board of the Town of Cuyler, Cortland County, New York, on the 5th day of April, 1994.


Town Clerk

APPENDIX

- A-1 Application Process - Mobile Home and Mobile Home Park.
- A-2 Application for Permit - Individual Mobile Home.
- A-3 Application for Permit - Mobile Home Park.
- A-4 Annual Application for Operation - Mobile Home Park.

APPENDIX A-1

MOBILE HOME AND MOBILE HOME PARK

APPLICATION PROCESS

1. Pick up application form(s) from the Town Clerk.
2. Complete the appropriate form(s) indicating compliance with all applicable requirements (particularly as they relate to Article VIII, Standards) with the Town Clerk.
3. File the completed form(s) and all necessary attachments with the Town Clerk.
4. If the application is determined to be complete as to form, the Town Clerk will accept the application and forward said application to the Code Enforcement Agency, and furnish copies to the Town Board. Mobile Home Park applications are to be submitted to the Cuyler Planning Board for a recommendation to the Town Board. Park applications are also to be forwarded to the County Planning Board under Municipal Law Section 239 and any cost for S.E.Q.R. processing will be paid for by the developer.
5. The Planning Board has 45 days after accepting the completed application to review the request and advise the Town Board of their recommendation for approval, disapproval, or approval subject to stated conditions.
6. The Town Board has 45 days after initial receipt of the application to review the request, (referring to the recommendation of the Planning Board), and act upon said application with an approval, disapproval, or approval subject to stated conditions.
7. The decision of the Town Board must be filed within seven (7) days with the Town Clerk and the Code Enforcement Agency.
8. After the Town Boards decision has been filed with the Code Enforcement Agency (and other applicable agency reviews as they relate to Article VIII, Standards, have been completed and determined to be without conflict), the Code Enforcement Agency may issue the permit. A copy must be furnished to the applicant, and a copy is filed with the Town Clerk.

APPENDIX A - 2

TOWN OF CUYLER
APPLICATION FOR PERMIT
Individual Mobile Home

Applicant: _____ Date: _____

_____ **Permanent Street Address** _____
_____ **Post Office** _____ **Zip** _____

Manufacturer of Mobile Home: _____ Year: _____

Serial Number: _____

Location of Mobile Home: _____
_____ **Street Address** _____
_____ **Post Office** _____ **Zip** _____

The following provisions are being made in order to comply with Article VIII Section 801 of this ordinance:

Signature of Applicant

Date

APPENDIX A - 3

TOWN OF CUYLER

APPLICATION FOR PERMIT

Mobile Home Park

Applicant or Principal	_____	2. _____
	Name	Name
	_____	_____
	Street Address	Street Address
	_____	_____
	Post Office	Post Office

Owner of Land
(If not the same)

Name

Street Address

Post Office

Location of Park _____

District _____

Attachments

- A. A certified survey of the proposed mobile home park including:
 - 1. An area map of where the mobile home park is to be located showing surrounding land uses within 200 feet.
 - 2. Name and address of owner.
 - 3. Name and address of surveyor.

- B. A site plan of the entire property prepared by a licensed engineer showing the extent and topography of the area to be used for the mobile home park including:

1. The size, location and numbers of mobile home park {lots}.
2. Existing and proposed shrubbery, trees and landscaping.
3. Existing and proposed walkways.
4. Existing and proposed entrances, exits, internal roadways and off-street parking.
5. Locations of existing and proposed service buildings and other structures.
6. Proposed method and plan for sewage disposal.
7. Plans for Water Supply.
8. Plans for electric supply and outdoor lighting.
9. Plans for location of fuel lines or tanks.
10. Method and plan for garbage and refuse collection and removal.
11. Proposed storm drainage plan.
12. Name and address of owner.
13. Name and address of engineer.
14. Scale of Site Plan to be 1 inch to equal 20 feet.

C. A statement of what rules and regulations will be imposed upon the residents of such mobile home park.

Approval of Other Agencies

(Health Department)

(Department of Environmental Conservation)

(Fire Coordinator)

(Signature of Applicant)

(Date)

APPENDIX A - 4

TOWN OF CUYLER
ANNUAL APPLICATION FOR OPERATION OF A
MOBILE HOME PARK

To be submitted December 1, of each year. Date: _____

1. Name of Property: _____
2. Tax Map Reference Number of Property: _____
3. Location of Park:
 - a. Street or Road Number and Name _____
 - b. Post Office _____
4. Mailing Address of Park:

5. Name and Address of Mobile Home Park Operator:

_____ Phone ____ / ____ - _____
6. Name and Address of Mobile Home Park Owner, if different:

_____ Phone ____ / ____ - _____
7. Report Period: January 1, 19____ to December 31, 19____
8. Total Number of Mobile Home Pads: _____

9. Number of Occupied Mobile Home Pads by Month:

Jan. _____	Apr. _____	July _____	Oct. _____
Feb. _____	May _____	Aug. _____	Nov. _____
Mar. _____	June _____	Sep. _____	Dec. _____

10. Date of Last Health Department Approval: _____

11. Comments: _____

12. Issuance Recommended By: _____

13. Issuance Denied By: _____

Reason For Denial: _____

