

Manufactured Homes

Article I. Purpose and Intent

§I-1. Title.

This local law shall be known and may be cited as the "Manufactured Homes Within the Town of Springwater Law."

§I-2. Purpose; intent.

It is the purpose of this local law to assure quality development and maintenance of Manufactured Homes and Manufactured Home Communities while promoting the health, safety, and general welfare of the inhabitants of such Communities equal to that found in other types of residential areas within the Town of Springwater by establishing minimum standards for the development, design and maintenance of Manufactured Home Communities within areas that such use will be permitted. It is not the intent of this local law to repeal or abrogate any part of applicable codes of New York State. The provisions of this local law shall be enforced in addition to and in conjunction with the codes of New York State.

Article II. Definitions

§II-1. Definitions.

Word usage. When not inconsistent with the context, words used in the present tense include the future tense. Plural and singular connotations are interchangeable. The word "person" includes a firm, partnership or corporation or other business entity as well as an individual, whether tenant, owner, lessee, licensee, agent, heir or assignee. The word "shall" is always mandatory. The word "used" includes the term "designed or intended to be used."

Definitions. For the purposes of this local law, the following words shall have the meanings ascribed to them in this section:

BUILDING INSPECTOR, CODE ENFORCEMENT OFFICER

The duly appointed Building Inspector, Code Enforcement Officer of the Town of Springwater.

DRIVEWAY

A private access way used by vehicles and pedestrians to access a Mobile Home Park lot. This area may include off-street Parking.

FIRE COMPANY

The organization, public or private, authorized by the Town of Springwater or by state law to provide fire prevention and fire protection services to any or all areas of the Town of Springwater.

IMPROVEMENT

Any building, structure, bridge, work of art, area, Parking facility, public facility, fence, gate, wall, landscaping, or other object constituting a physical addition to real property or any part of such addition.

LICENSE

A written permit or certification issued by the Town of Springwater permitting the construction, operation, alteration and extension of an existing or future Manufactured Home Park under the provisions of this chapter.

MANUFACTURED HOME:

(1) A transportable structure in one or more sections, which in traveling mode is eight body feet or more in width and 40 body feet or more in length, or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and with or without a permanent foundation when connected to the required utilities which includes plumbing, heating and/or air-conditioning and electrical systems contained therein. [Reference: 42 U.S.C. § 5402(6).] built or constructed after January 15, 1974.

(2) A Manufactured Home should not be confused with a travel trailer, motorized Home, fifth-wheel camper, pickup coach or camping trailer which is towed by a motor vehicle and can be operated independently of utility connections and is designed to be used principally as a temporary vacation dwelling.

MANUFACTURED HOME COMMUNITY

One or more parcels of contiguous land under single ownership which has been planned and improved for the placement of Manufactured Homes for non-transient use.

MANUFACTURED HOME COMMUNITY SITE PLAN

The plan required of an applicant for a license to establish, maintain and operate a Manufactured Home Park in the Town of Springwater pursuant to the standards for Manufactured Home Parks as enumerated in this local law. Said plan shall show in sufficient detail, as required by local reviewing authorities, all of the required information pertaining to the proposed layout of a premises for a Manufactured Home Park in compliance with this chapter.

MANUFACTURED HOME COMMUNITY STREET

A private way which affords the principal means of access to individual Park lots or auxiliary buildings.

MANUFACTURED HOME DESIGN

A Manufactured Home should be designed and Manufactured as a type of unit which would require, after January 15, 1974, a seal as provided for in the New York State

Sanitary Code or United States Department of Housing and Urban Development (HUD) for construction and installation of Manufactured Homes.

MANUFACTURED HOME LOT

A plot or portion of a parcel of land, within a Manufactured Home Community, reserved for the placement of a Manufactured Home.

MANUFACTURED HOME PARK

A site or location which pre-dates adoption of this Local Law and which houses more than one Manufactured Home which is or may be occupied by either the owner (or its family or employee) or a tenant, whether or not rent or other consideration is paid for such occupancy or for the pad or lot the Manufactured Home sits on.

MANUFACTURED HOME STAND

That part of a Manufactured Home lot which has been reserved for the placement of a Manufactured Home and appurtenant structure or additions, including a driveway apron and patio. The Manufactured Home area is derived from the area of the lot which remains after all setbacks are met.

MOBILE HOME

A Manufactured single-family dwelling unit designed for year-around occupancy and mounted on its own carriage or chassis for movement by towing to a Mobile Home Park lot. Such unit would be built prior to January 15, 1974. This definition does not include vehicles considered travel trailers, motorized Homes, fifth-wheel campers, pickup coach's or camping trailer.

MOBILE HOME PARK

A site or location which pre-dates adoption of this Local Law and which houses more than one Mobile Home which is or may be occupied by either the owner (or its family or employee) or a tenant, whether or not rent or other consideration is paid for such occupancy or for the pad or lot the Mobile Home sits on.

PATIO

A surfaced outdoor living space designed and intended to supplement the interior Manufactured Home living area on a seasonal, warm-weather basis.

TOWN BOARD

The duly elected Town Board of the Town of Springwater.

TOWN CLERK

The duly elected Town Clerk of the Town Of Springwater.

TOWN ENGINEER

The duly appointed Town Engineer of the Town of Springwater.

TOWN PLANNING BOARD

The duly appointed Planning Board of the Town of Springwater.

Article III. Applicability and General Procedure

§III-1. Prohibition of Manufactured Home Community Unless within a Manufactured Home Community

A. After the date of adoption of this Local Law and filing with the State of New York, no new Manufactured Home Community shall be issued a permit, be approved or be constructed or otherwise developed except in an area of the Town of Springwater that has been approved for such use by the creation of a Manufactured Home Community District by legislative action of the Town of Springwater Town Board.

§III-2. Procedure for establishment of Manufactured Home Community District and Manufactured Home Community

A. **Approval of the Town Board.** The Town Board has exclusive jurisdiction and authority at its sole discretion, to create a zoning overlay that establishes a Manufactured Home Community District that will allow the potential development of a Manufactured Home Community in a certain area of the Town.

(1) Creation of a Manufactured Home Community District shall be done by Local Law only after referral to the Livingston County Planning Board under New York General Municipal Law §239 l and m and completion of other requirements for the adoption of a Local Law.

B. **Approval of Planning Board.** The Planning Board may, after the establishment of a Manufactured Home Community District by the Town Board, approve a Manufactured Home Community located in such Manufactured Home Community District subject to the regulations set forth herein.

C. Application.

(1) Any application for a new Manufactured Home Community within a Manufactured Home Community District or expansion of a preexisting Manufactured Home Park shall be submitted to the Town of Springwater's Code Enforcement Office, who shall, upon receipt, transmit the application to the Planning Board. No application shall be accepted or considered complete, or scheduled for public hearing until all required materials have been submitted and deemed to be complete and accurate by the Code Enforcement Officer and the Planning Board.

(2) The application shall be accompanied by the following:

(a) Preliminary plan. Meeting the requirements for a Manufactured Home Community pursuant to these regulations. Nine copies shall be submitted.

(b) Statement. A written statement describing the proposed method of providing and administering a water supply and sewage disposal systems and of owning and administering open space land. Nine copies shall be submitted.

- (c) Other information. The Planning Board may request the submission of such additional information or copies as it deems necessary in order to decide on the application.
- (d) Application fee. Prior to the issuance of a permit for a Manufactured Home Community or the renewal of any such permit, the owner/developer of the Community shall pay to the Town such fees as may from time to time be adopted by the Town Board and as shown on the Town's fee schedule.

D. Site Plan Review. Site Plan review and approval is required for all new Manufactured Home Communities and all expansions of previously approved Manufactured Home Communities.

§III-3. Applicability to existing Manufactured Home Parks.

Every Manufactured Home Park as defined herein that is in existence on December 30, 2016, shall be considered a pre-existing use and shall be permitted to continue operation of its existing facilities. Any such pre-existing use shall not be expanded unless it is in full conformance with these regulations, including Site Plan approval as set forth above and the provisions of Article VI. below. For purposes of the clause immediately above, routine modifications to mobile home sites and normal repairs and maintenance shall not be deemed to expand a pre-existing Manufactured Home Park. Any cessation of such pre-existing use for a period of one year or more shall invalidate the Park's pre-existing use status.

§III-4. Construction of provisions; exceptions.

A. Compliance with future zoning regulations. None of the provisions of this local law shall be construed in any way to permit the maintaining of Manufactured Homes or Manufactured Home Parks in any future zoning district wherein they are prohibited.

Article IV. Standards and Regulations

§IV -1. Conformance required.

The Manufactured Home Community and Manufactured Homes therein shall conform to the following standards.

§ IV-2. Location and area requirements.

The size of all Manufactured Home Communities approved after the date of adoption of this Local Law shall be a minimum of 10 acres and a maximum of 50 acres in area.

- A. Double access. All Manufactured Home Communities containing 20 or more Manufactured Home lots shall have access from two points along a single public street or

highway, or, if bordering on two streets, there shall be at least one access to each street, such access points being separated by no less than 100 feet.

- B. Public highway frontage. Each Manufactured Home Community shall have frontage on an existing public street or highway equal to not less than 80% of the maximum dimension of the Community measured parallel to such street or highway. In the event that a Manufactured Home Community is located at the intersection of two public highways, the aforesaid frontage requirement is applicable to one of the streets or highways, and the frontage on the second shall be equal to at least 35% of the maximum dimension of the Community as measured parallel to the second highway.
- C. Block lengths. The layout of interior roadways shall be such that no block is longer than 500 feet; provided, however, that this may be extended to 750 feet (subject to the approval of the Planning Board) if an interior walkway is provided for pedestrian access across the center block.
- D. Roadway widths. All interior roadways within a Manufactured Home Community shall have a minimum paved width of 20 feet which is completely clear of obstructions to a height of 12 feet and at such width shall exclude any Parking.
- E. Roadway grades. The maximum interior roadway grade shall be 7%. Entrance gradients shall be less than 3% for a distance of 75 feet from the edge of the public right-of-way.
- F. Minimum radius. The minimum radius of curvature for any interior roadway shall be 30 feet from inside the curb-line.
- G. Alignment. Interior roadways shall be laid out so as to intersect as nearly as possible at right angles, and in no case shall any angle of intersection be less than 75°.
- H. Driveway Parking areas. If provision for Parking is made along an interior roadway, such Parking area shall be off the roadway and shall conform to the requirements of 1 space for each 0.50 of Manufactured housing unit. If provision for Parking is made in Parking areas for three or more vehicles in nodes through the Community, such areas shall be located off the interior roadway and in such manner as not to encroach upon the area considered to be the Manufactured Home lot. Provision shall be made for the Parking of two motor vehicles for each Manufactured Home lot and shall be located either on that lot or adjacent thereto, unless Parking is provided in a designated Parking area or node elsewhere in the Community.
- I. Auxiliary Parking. Central auxiliary Parking areas shall be provided at a ratio of 100 square feet per Manufactured Home within the Community. Such areas shall be screened from lots and public streets or highways by a coniferous hedge or other effective vegetation. Auxiliary Parking areas are to be provided for Parking trucks, maintenance

equipment, boat trailers, utility trailers, incapacitated or unregistered vehicles and similar such equipment and vehicles.

- J. Walkways. Common walkways shall be laid out so as to connect service buildings, dry yards and storage lockers with interior roadways. Such walkways shall also provide access to recreation areas if such areas are not located adjacent to an interior roadway. Such walkways shall be at least four feet wide.
- K. Mailboxes. Mailboxes shall be located in places suitable for access by the local post office but shall not be placed in any location which may constitute a safety hazard to pedestrians or to vehicles.
- L. Trees. All existing trees shall be preserved insofar as possible in the design of the Manufactured Home Community.
- M. Utilities. All utilities shall be buried underground.

§IV-3. Minimum size of structure.

The minimum size of any new individual Manufactured Home in a Manufactured Home Community or any permitted expansion of a pre-existing Manufactured Home Park shall be 1,000 square feet.

The minimum size of any used individual Manufactured Home in a Manufactured Home Community or expansion of a pre-existing Manufactured Home Park shall be 900 square feet and any used Manufactured Home shall meet the following additional criteria:

1. Unit shall be no greater than five (5) years old;
2. Unit shall not have been previously damaged as a result of flood or fire;
3. Unit is installed per the NYS Manufactured Home regulations by a certified installer and is warrantied under the same.; and
4. Unit shall be inspected for NYS Code compliance by the Town Code Enforcement officer prior to occupancy.

§ IV-4. Lot and setback requirements.

Manufactured Home lot size. All lots within a Manufactured Home Community shall be a minimum of 9,600 square feet with the exception of corner lots, which shall be a minimum of 12,000 square feet. Except as otherwise stated herein, said lots shall have a minimum width of 80 feet and a minimum depth of 120 feet. Lot width for any lot situated on a curve shall be measured at the front line of the Manufactured Home structure to be placed thereon. Lot width

for all other lots shall be the width of the lot as measured at the roadway line. Each Manufactured Home shall be placed on a lot so as to meet the following setback requirements:

- A. Front yard setback. The Manufactured Home shall be sited no closer than 25 feet from the edge of the pavement of the roadway. For a corner lot, the setback shall be 25 feet from the pavement of each roadway.
- B. Side yard setback. The Manufactured Home shall be sited no closer than 15 feet from either side lot line for the lot the Home occupies. Each side lot line shall be established and clearly marked with a maintained permanent marker.
- C. Rear yard setback. Neither the Manufactured Home nor any other structure shall be sited closer than 15 feet from the rear lot line. Each rear lot line shall be established clearly marked with a maintained permanent marker.
- D. All Manufactured Home lots or other buildings serving the Manufactured Home Community which are adjacent to a public right-of-way shall maintain a setback of not less than 100 feet from the public right-of-way.
- E. A buffer area shall be installed and maintained along the length of any public-right-of-way that borders a Manufactured Home Community, so long as such buffer does not interfere with site distance of vehicles entering or exiting the Manufactured Home Community. Said buffer area shall be a minimum of fifteen feet in depth and shall be comprised of dense tree planting not less than six feet in height and/or berm or other such buffer method approved by the Planning Board.
- F. The maximum lot coverage for each Manufactured Home lot shall not exceed 25% of the individual lot on which such Manufactured Home is sited.
- F. No certificate of occupancy or building permit shall be issued until all lot markers are established and placed in accordance with the certified instrument survey map and approved site plan.
- G. Permitted deviation from Manufactured Home lot size. A maximum deviation of 10% from the required lot depth shall be permitted in instances where the required lot depth cannot be achieved but the overall square footage of the lot meets or exceeds the required square footage.
- H. Storage. No front or side yard shall be used for storage of any nature.

§ IV-5. General requirements.

All new construction, whether a new building, addition, alteration or modification of a current site, shall require a site plan approval by the Planning Board. The following requirements shall apply:

- A. All new development of Manufactured Home Communities and expansion or construction of pre-existing Manufactured Home Parks shall conform to the standards and requirements of this Local Law.
- B. All applications pursuant to these regulations shall be accompanied by proof that the applicant is the owner or agent for the owner of the property for which approval is being sought.
- C. All applications pursuant to these regulations shall include copies of all easements that encumber or benefit the property for which approval is being sought.
- D. No site preparation or construction shall commence, or shall existing structures be occupied, until final site plan approval has been granted by the Planning Board and permits have been issued by all involved governmental agencies.
- E. Manufactured Home Communities shall have adequate facilities for drainage of surface and subsurface water. The entire Manufactured Home Community shall be graded to facilitate the safe and efficient drainage of surface water and to permit no ponding areas where water will stand for lengths of time so as to constitute a health or other hazard. Drainage ditches shall be provided in such a way as not to constitute a hazard to pedestrians. Gutters, culverts, catch basins, drain inlets, stormwater sewers or other satisfactory drainage systems shall be utilized where deemed necessary and shall be of a size specified by the Town Superintendent of Highways & Public Works. Said system and installation shall be approved by the Engineer for the Town of Springwater and the Planning Board and shall be subject to the requirements of the New York State Department of Environmental Conservation. No certificate of occupancy shall be issued until such stormwater management and erosion control system is installed and operational as approved.
- F. A traffic study, site-specific of current patterns on public highways abutting applicant's proposed project, including projection studies of maximum increase in traffic flow, daily, weekly, and annually, shall be provided. A turning lane and/or traffic-control devices may be required for public highway safety may be required.
- G. A snow removal, implementation and management plan shall be provided and maintained.
- H. A demand for services study shall be provided. It shall be projected through each stage, including completion of the project, to include fire, police, educational, highway maintenance, all utilities and other information as may be required by the Planning Board.
- I. A minimum of two canopy trees shall be planted and maintained in the front lawn of each Manufactured Home lot and the same shall be perpetually maintained.

§ IV-6. Open space requirements.

The developer of a Manufactured Home Community shall submit a landscaping and implementation plan for approval by the Planning Board which shall include not less than 35% of the total area of the Manufactured Home Community to be maintained as open green space, which said area shall not include recreation areas. A certificate of occupancy shall not be issued without such Planning Board approval.

§ IV-7. Additional buffering.

The Planning Board shall have the option to require additional buffering at the Planning Board's discretion.

§ IV-8. Community facilities and activities; landscaping; off-street Parking.

- A. If the Manufactured Home Community is to include Community facilities and activities, such as meeting rooms, recreation buildings, laundry rooms, swimming pools and central mail distribution, the site plan and application shall include details of these facilities and the owner's statement of intent to provide adequate supervision and management of such facilities and activities.
- B. All Manufactured Home Community facilities shall be landscaped with trees, shrubs and grass and shall provide adequate, paved off-street Parking space.

§IV-9 Outdoor recreation areas and open space.

Provisions shall be made for outdoor recreation and open space in each Manufactured Home Communities as follows:

- A. In all Manufactured Home Communities there shall be one or more outdoor recreation areas which shall be easily accessible to all Community residents and shall be no less than 10,000 square feet in area. If a Manufactured Home Community has more than 30 lots, said Community's outdoor recreation area shall be increased in size such that the area shall be increased at least 200 square feet for each Manufactured Home lot over 30.
- B. Outdoor Recreation areas shall be located so as to be free of traffic hazards and should, where the topography permits, be centrally located.

§IV-10. Paving; walkways.

- A. Interior Roadway paving. All interior roadways within a Manufactured Home Community shall be paved for a minimum width of 20 feet in accordance with specifications effective for similar development in the balance of the Town if such

specifications are drawn, or in the absence of Town specifications, as per specifications approved by the Town Superintendent of Highways and the Planning Board.

- B. Parking area paving. Areas for motor vehicle Parking may be surfaced with uniform-sized gravel or crushed stone to a minimum depth of eight inches in the absence of fully hard or penetrated surface paving.
- C. Walkways. All common walkways shall be a minimum width of four feet and shall be made of concrete or blacktop or other similar material approved by the Town Superintendent of Highways and the Planning Board.

§IV-11. Manufactured Home Stands; patios.

- A. Each Manufactured Home lot shall contain a Manufactured Home Stand capable of containing a Manufactured Home in a fixed position. The Manufactured Home Stand shall be graded and topped with an impenetrable material at least six inches in thickness. It may be surfaced with a layer of uniform-sized crushed stone to a depth of nine inches in lieu of paving. The topographic elevation change of the Manufactured Home Stand shall not exceed 1 1/2 feet. The elevation, distance and angle of the Manufactured Home Stand in relation to the access way shall be such as to facilitate the safe and efficient placement and removal of the Manufactured Home.
- B. Patios. All Manufactured Home lots shall be provided with patios constructed of concrete or blacktop or other similar material approved by the Town Superintendent of Highways and such patios shall be a minimum size of 8 feet by 20 feet and 4 inches in depth. Patios shall be located so as to provide safe and easy access from the Manufactured Home.

§ IV-12. Access to public roads.

Roadways and streets shall comply with the Town of Springwater Superintendent of Highways standards and specifications for road design, and with the New York State Department of Transportation, and state and Town permits shall be required prior to installation.

Article V. Requirements

§ V-1. Conformance required.

- A. Development or expansion in pre-existing Mobile Home Parks and Manufactured Home Parks and new development of Manufactured Home Communities shall conform to the following standards.
 - (1) Violations. No person, firm, corporation or partnership shall be issued site plan approval, a use permit, building permit or certificate of occupancy for a property where there is an existing violation of the local laws and or codes of the Town of

Springwater. Before any use permit or site plan approval shall be issued, the Planning Board shall make written findings to certify compliance with the specific rules governing individual special permit uses, i.e., that satisfactory compliance or corrections are accomplished.

- (2) Parking areas and/or driveways. Two off-street parking spaces must be provided for each Manufactured Home lot. The Parking space shall be not less than 18 feet wide by 20 feet long and shall be constructed of concrete, bituminous asphalt or equivalent, at least a minimum of 5 inches of compacted gravel base with three inches of asphalt. Each Manufactured Home lot shall be provided with separate and independent parking/driveway area.
 - (3) Entrance platform. Each Manufactured Home shall be provided with an entrance platform of concrete, bituminous asphalt or two-by-two hydra-press concrete patio block, at least four feet by eight feet and four inches in depth. The platform is to be located at the main entrance to the Manufactured Home and may act as a base for railings and steps for the Manufactured Home. This platform may be part of the patio area.
 - (4) Skirts. Each Manufactured Home owner shall be required to enclose the bottom portion of the Manufactured Home with noncombustible material or an enclosure which shall be uniform in appearance, design and type as the Manufactured Home within 30 days after arrival in the Community or Park. Skirting shall be properly vented per NYS Code.
 - (5) Walkway. Each Manufactured Home and/or Mobile Home stand shall be provided with hard-surfaced walkway leading from the stand to the street or to the driveway.
 - (6) Soil and ground cover requirements. Exposed ground surfaces in all parts of any Manufactured Home Community or preexisting Mobile Home Park shall be paved, or protected with grass or plant material capable of preventing erosion and of eliminating dust.
- B. Improvements required. Prior to the placement of any Manufactured Home in the Manufactured Home Park or Manufactured Home Community, all improvements must be completed. (See the definition of "improvement" in § I-3 definitions)

§ V-2. Water supply.

An adequate supply of water shall be provided for all Manufactured Homes, service buildings and other accessory buildings as required by this local law. Where a public water supply is available, a connection thereto shall be used exclusively. If a public water supply is not available, a private water supply system shall be constructed and maintained to the standards required by the New York State Department of Health. Such private system shall be constructed so that it may be connected with a public water supply if such public source becomes available.

§ V-3. Sewage/Wastewater system.

- A. An adequate and approved system for the maximum number of Manufactured Home stands shall be provided in all Manufactured Home Communities for conveying and disposing of waste water and sewage from Manufactured Homes, service buildings and other accessory facilities. Where public sewerage is available, connection there to shall be used exclusively.
- B. Such systems must be constructed and maintained in accordance with the standards and the regulations of the Town of Springwater and the New York State Department of Health and the New York State Department of Environmental Conservation. Where the sewer lines of a Manufactured Home Community are not connected to a public sewer, all proposed disposal facilities shall be approved by the Engineer for the Town of Springwater and state agencies having jurisdiction.

§ V-4. Electrical requirements.

- A. Every Manufactured Home Community shall contain an electrical wiring system consisting of wiring fixtures, equipment and appurtenances which shall be installed and maintained in accordance with local electric power company's specifications and regulations and shall conform to the NYS Uniform Fire Prevention and Building Code.
- B. All wiring fixtures and connections must be inspected and approved by a third party electrical inspection company approved by the Town of Springwater Code Enforcement Officer. Specific regulations shall be as follows:
 - (1) Each Manufactured Home lot shall be provided with an approved disconnecting device and overcurrent protective equipment. The minimum service per outlet shall be 120/240 volts AC, 100 amperes.
 - (2) All electric and telephone lines shall be underground.

§ V-5. Fuel supply and storage.

All Manufactured Home Communities shall be provided with facilities for the safe storage of necessary fuels. All systems shall be installed and maintained in accordance with applicable codes and regulations governing such systems.

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

- B. Fuel oil systems with either common or individual supplies shall be designed, constructed, inspected and maintained in conformance with the provisions of the National Fire Protection Association, Standard 30, and the New York State Uniform Fire Prevention and Building Code. All fuel oil storage tanks, whether provided as a bulk supply for a group of Manufactured Homes or on each individual Manufactured Home lot, shall be located above ground and shall be supplied with permanently installed and secured piping.
- C. Liquefied petroleum gas systems shall be selected, installed and maintained in compliance with the requirements the National Fire Protection Association, Standard 58, and the New York State Uniform Fire Prevention and Building Code. Liquefied petroleum gas tanks shall be located at the rear of the Manufactured Home site and shall be landscaped and screened from public view.
- D. The Planning Board may require landscaping or screening from view of any fuel supply or storage facility.

§ V-6. Manufactured Home Stands.

Manufactured Home Stands in the Town of Springwater shall comply with the requirements of this local law and the Residential Code of New York State.

§ V-7. Street signs.

Permanent street signs of the same type and design in general use throughout the Town, showing the name of the intersecting interior roadways shall be allowed at each intersection. Traffic control signs, including speed control signs, shall conform to and be established and maintained at each intersection as set forth in the Uniform Manual of Traffic Control Devices of the State of New York.

§ V-8. Lighting.

Adequate lighting shall be provided at each roadway intersection (both exterior and interior roadways) from dusk to dawn, with such lighting meeting the recommendations of the utility company, and lawn lights and/or post light shall be provided at each Manufactured Home lot. All lighting shall be dark sky compliant and conform to the New York State Uniform Fire Prevention and Building Code and NYS Energy Code.

§ V-9. Garbage and refuse.

- A. Each Manufactured Home Community shall make provisions for sanitary equipment to prevent littering of the grounds and premises with rubbish, garbage and refuse. Each

individual Manufactured Home shall have containers with tightly fitting covers. Disposal shall be provided for all rubbish, trash and garbage at least once weekly by the Community owner or its agent and in conformance with Town requirements.

B. Dumpsters and trash holding facilities, including storage facilities, accessory structures or other areas, maintained and managed by the Community owner shall comply with the following requirements:

- (1) Dumpsters, trash facilities, storage areas, maintenance facilities or equipment areas shall be shielded from view by fencing and landscaping or other appropriate and measures approved by the Planning Board. The enclosure may be of brick, solid wood, mortar not less than six feet in height and shall not be closer than 100 feet to a residential property line. The enclosure shall be shielded from view with approved planting of trees no less than six feet in height or other such landscaping approved by the Planning Board and perpetually maintained.
- (2) All accessory structures, dumpsters and trash holding facilities shall be not less than 30 feet from any other nonresidential structure on the premises.
- (3) Accessory structures, dumpsters and trash holding facilities, including storage facilities or areas, maintained and managed by the Community owner shall be not less than 50 feet from the lot line of any Manufactured Home Stand.
- (4) A Manufactured Home lot shall be shielded from storage areas or facilities, including equipment or maintenance facilities, by an approved tree planting no less than six feet in height, and/or other approved landscaping which shall be perpetually maintained. A berm not less than five feet in height may also be required. There shall be no certificate of occupancy or permits issued until the buffer and or berm is in place and planted.
- (5) Accessory structures, dumpsters and trash holding facilities, including maintenance buildings, equipment or storage facilities or areas, maintained and managed by the Community owner shall conform to the following:
 - (a) Be no closer to any residential district or multiple family development than:
 - [1] Front setback: 100 feet.
 - [2] Side setback: 100 feet.
 - [3] Rear setback: 100 feet.
 - (b) All other districts: side and rear setback shall be 50 feet.

§ V-10. Accessory structures on individual lots.

A. One accessory building not to exceed 120 square feet and 10 feet in height shall be permitted on each Manufactured Home lot. The accessory structure shall be separated from any Manufactured Home or any auxiliary structure by not less than 15 feet.

- B. Accessory structures shall be to the rear of and not extend beyond the front line of the principal structure.
- C. Corner lots. Accessory structures shall be to the rear of and not extend beyond the front line or side building line of the principal structure along each public right-of-way or Community roadway. Setback shall be maintained.

§ V-11. Enclosures or additions.

All structural additions to a Manufactured Home shall comply with New York State and Town of Springwater applicable codes.

- A. No enclosure or addition having a ground area greater than 25% of the ground area of the Manufactured Home shall be constructed on or added or attached to the exterior of any Manufactured Home, and it must be compatible with the Manufactured Home.
- B. Such enclosure or addition must be portable as a unit or in sections.
- C. Such enclosure or addition shall be no closer to a public right-of way or interior roadway than the allowable distance permitted for the principal structure.
- D. Written consent of the Manufactured Home Community owner must be obtained prior to construction of any enclosure or addition.

§ V-12. Storage of auxiliary vehicles.

Storage space shall be provided for recreational vehicles. No travel trailer, camper, boat, snowmobile, trailer or similar vehicle or conveyance shall be stored on any Mobile Home lot. A supplemental parking area shall be provided in each Community for the storage of temporary parking of all such vehicles.

§ V-13. Responsibilities of occupants.

The Community occupant shall be responsible for the maintenance of his/her Manufactured Home and any appurtenances thereto and shall keep all yard space on his/her lot in a neat and sanitary condition, free of litter, rubbish, unused vehicles and equipment or parts thereof.

§ V-14. Responsibilities of owner.

The Manufactured Home Community owner, agent or operator shall comply with all local laws or future zoning regulations regarding property maintenance (as may be established by the Town of Springwater), as well as the New York State Uniform Fire Prevention and Building Code and the following requirements:

- A. Every roadway within a Manufactured Home Community shall be maintained in good repair and shall be open at all times reasonably possible for travel by occupants of the Community and necessary fire, police, ambulance, public utility maintenance and fuel supply vehicles. The Community owner shall be responsible for providing and paying the cost of such maintenance and all necessary snow removal.
- B. The person or entity to whom a permit for a Manufactured Home Community is issued shall operate the Community in compliance with this local law and shall provide supervision, personnel and maintenance to maintain the Community, its common grounds, roadways, facilities and equipment in good repair and in a clean sanitary condition.
- C. It shall be the responsibility of the Community owner to control the growth of brush, weeds and grass to prevent harborage of ticks, chiggers and other noxious insects, rodents and nondomestic animals. Manufactured Home Communities shall be so maintained as to prevent the growth of ragweed, poison ivy, poison oak, poison sumac and other noxious weeds considered detrimental to health.
- D. The owner of a Manufactured Home Community is required to keep all property (not to include individual occupied lots), including vacant lots or other appurtenant parcels of land and exit/entrance areas properly mowed so as to allow proper sight distance along the public highway. Said owner shall cut or mow such property at least once every 14 days beginning April 1 of each year and running through October 31 of each year.
- E. The tenant or occupant of an individual Manufactured Home lot within a Manufactured Home Community is required to keep its lot properly mowed which shall be defined as being cut or mowed at least once every 14 days beginning April 1 of each year and running through October 31 of each year.
- F. The Community owner, agent or operator shall notify Community occupants of all applicable provisions of this local law and inform them of their responsibilities and any regulations issued thereunder.
- G. The Community owner, agent or operator shall supervise the placement of each Manufactured Home on its Manufactured Home Stand in compliance with this local law to ensure its stability, the installation of all tie downs and the installation of all utility connections.
- H. The Community owner, agent or operator shall supervise the installation and placement of each enclosure or addition permitted pursuant to these regulations. The written consent of the Community owner and or operator shall require said owner or operator to comply with § V-11. Enclosures or additions, as set forth above.
- I. The Community owner, agent or operator shall promptly notify the Town of changes of ownership or management of the Manufactured Home Community.

§ V-15. Additional requirements of Manufactured Home Community owners and/or tenants.

- A. Uninhabited or uninhabitable Manufactured Homes or Manufactured Home Stands shall be the responsibility of the Manufactured Home Community owner, owner's designated agent and/or manager to remove, bring into compliance or maintain in accordance with applicable federal, state and local standards, laws or codes.
- B. Inspection and notification. Manufactured Homes found by the Code Enforcement Officer upon inspection, complaint or review to be uninhabited or uninhabitable and not in compliance with applicable statutes shall, within 90 days of notification, be made compliant. Notice of violation or violations shall be in writing and shall be made upon the Community owner, owner's designated agent and/or manager by personal service, or certified mail. The owner may be required to file a compliance plan with Code Enforcement Officer stating repairs to be made, contractors making repairs, schedule for compliance or removal of said Manufactured Home. Permits and inspections certificates shall be provided to the Town of Springwater. No certificate of occupancy shall be issued without Code Enforcement Officer inspection for compliance, certification of compliance and receipt of permits and inspection certificates.

§ V-16. Inspection and enforcement; right of entry.

- A. This article shall be enforced as set forth in Article VII, Enforcement, of this local law, and by the New York State Department of Health.
- B. Code Enforcement Officers and their inspectors shall be authorized and have the right in the performance of their duties to enter any Manufactured Home Community and make such inspections as are necessary to determine satisfactory compliance with this local law and the regulations set forth herein. Such entrance and inspection shall be accomplished at reasonable times, after prior notice to the Community owner, owner's designated agent and/or manager and, in emergencies, whenever necessary to protect the public interest. Owners, agents or managers of a Manufactured Home Community shall be responsible for providing access to all parts of the premises within their control to Code Enforcement Officers or to their inspectors, acting in accordance with the provisions of this local law and other applicable laws, requirements and codes.

§ V-17. Register of occupants.

The owner of every Manufactured Home Community shall keep a record of the occupants and a site map of Manufactured Homes located within the Community. The copy of such register shall

be made available to the Code Enforcement Officer upon request. Such register shall contain the following:

- A. The name and address of each occupant.
- B. The make, model, year and serial number of each Manufactured Home and the Manufactured Home space within the Community on which the same is located.
- C. The dates of arrival and departure of each Manufactured Home.

§ V-18. Roadway names; lot numbers.

- A. Each interior roadway shall be named and noted upon signs at each interior roadway intersection in conformance with the administration of the enhanced 911 system.
- B. Each Manufactured Home lot shall be assigned a permanent number which shall be noted on the Manufactured Home lot in a location clearly visible from the roadway.

§ V-19. Sale of lots.

Any sale of a Manufactured Home lot or portion of a Manufactured Home Community, other than the sale of the entire Manufactured Home Community as shown on the plan of such Community approved by the Town, shall thereupon immediately invalidate the permit for such Community approved by the Town Board. Any use of any of the premises within the Manufactured Home Community for purposes other than those permitted by these regulations and those approved by the Planning Board shall immediately invalidate the permit of such Community as approved by the Planning Board.

§ V-20. Fee reimbursement.

The owner of a Manufactured Home Community shall be required to reimburse the Town of Springwater for all reasonable administrative costs, expenses and disbursements incurred by the Town of Springwater in the review and processing of any municipal applications or request for approval sought by such owner, its agent or Community manager, regardless of whether approval has been granted.

Article VI. Preexisting Manufactured Home Parks and Mobile Home Parks

§VI-1. Purpose.

This article is adopted in order to promote the health, safety and general welfare of the Community and to protect and preserve the property of the Town of Springwater by regulating the expansion of pre-existing Manufactured Home Parks and preexisting Mobile Home Parks. This article shall not apply to the expansion, construction or new development of a preexisting Mobile Home or Manufactured Home Park.

§ VI-2. Conformance required.

No pre-existing Manufactured Home Park or Mobile Home Park shall be expanded excepting if it conforms to the following standards.

§ VI-3. Construction permit.

All applications for expansion of a pre-existing Manufactured Home Park or Mobile Home Park shall be submitted to the Planning Board for site plan approval and shall demonstrate the following conditions can be met:

§ VI-4. Lot and setback requirements.

Each pre-existing Manufactured Home or Mobile Home lot shall be at least 7,200 square feet in area with a minimum width of 60 feet for a single-wide and 8,400 square feet with a minimum width of 70 feet for a double-wide and be configured such that each pre-existing Manufactured Home or Mobile Home is placed so as to meet the following setback requirements:

- A. Front yard setback. There shall be 25 feet from any interior roadway of the Park to the front outside wall of the Manufactures Home or Mobile Home.
- B. Side yard setback. The combined distance of side yard setbacks shall be not less than 20 feet, but in no instance shall there be less than 20 feet between any two Manufactured Homes or Mobile Homes.
- D. Rear yard setback. There shall be a setback of 15 feet from the rear lot line to any structure on the lot.
- E. The minimum size of any new individual Manufactured Home or Mobile Home to be added (not pre-existing) shall be not less than 1,000 square feet.
- F. The minimum size of any used individual Manufactured Home or Mobile Home to be added (not pre-existing) shall be not less than 900 square feet and the age and condition of any used Manufactured Home or Mobile Home must meet the following conditions:
 - 1. Unit shall be no greater than ten (10) years old;
 - 2. Unit shall not have been damaged by flood or fire;

3. Any approved unit shall be installed per the NYS Manufactured Home regulations by a certified installer and is to be warrantied under the same.
 4. Any approved unit shall be inspected for NYS Code compliance by the Town Code Enforcement Officer prior to occupancy.
- G. Accessory buildings on individual lots. One accessory building not to exceed 120 square feet and 10 feet in height is permitted.
- H. Accessory building setback. Setback of accessory buildings shall be 15 feet from any other structure on the lot.
- I. Entrance platform, skirts and parking areas shall be as set forth in Article V. Requirements above.

§ VI-5. Additional Standards for Expansion of Pre-Existing Mobile Home Parks and Pre-Existing Manufactured Home Parks.

- A. Any expansion of a pre-existing Mobile Home Park or pre-existing Manufactured Home Park shall only be approved by the Planning Board if the applicant demonstrates the following:
- (1) **Site.** For all new or expanded area within the Park there must be a buffer zone 100 feet wide between the expanded area of the Park and adjacent to the public highway right-of-way and said buffer shall be planted and perpetually maintained with trees no less than five feet in height. The Planning Board may additionally require a berm to effectuate such buffer.
 - (2) **Streets.** All roadways within any expanded area of a pre-existing Manufactured Home Park or Mobile Home Park shall have a right-of-way of not less than 50 feet with a maintained paved width of not less than 32 feet and shall be in accordance with specifications effective for similar development in the balance of the Town if such specifications are drawn, or in the absence of Town specifications, as per specifications approved by the Town Superintendent of Highways. All streets shall be kept free of obstructions to provide clear access for fire, police or other emergency access.
 - (3) **Utility improvements.** All utilities within any expanded area of a pre-existing Manufactured Home Park or Mobile Home Park shall be underground. Public sanitary sewage disposal facilities and potable water shall be in accordance with and as approved by the New York State Department of Health and the New York State Uniform Fire Prevention and Building Code.
 - (4) **Site improvements.** The Planning Board may require other improvements in the interest of the public health, safety and general welfare including but not limited to buffering, garbage and trash collection and disposal facilities, adequate Park lighting and

other improvements as set forth in Articles I, II, III, IV and V of this local law and of Local law **2 of 2011**, Subdivision of Land.

(5) **Storage of auxiliary vehicles.** No travel trailer, camper, boat, snowmobile or similar auxiliary vehicle or trailer shall be stored on any permitted expansion area of a pre-existing Manufactured Home Park or Mobile Home Park Mobile Home, excepting in a supplemental parking area provided within the Park and designated for such purpose.

§ VI-6. Fees.

- A. Prior to the issuance of a permit for an expansion to a pre-existing Manufactured Home Park of Mobile Home Park or the renewal of any permit for such pre-existing Park, the owner of the Park shall pay to the Town Clerk such fees as may from time to time be adopted by the Town Board.
- B. An inspection/certificate of occupancy fee to be determined by the Town Board shall be paid by the Mobile Home Park owner.

§ VI-7. Permit for existing Manufactured Home Parks or Mobile Home Parks.

- A. The owner of any pre-existing Manufactured Home Park or Mobile Home Park existing prior to the adoption of this local law shall apply for a permit within one year from the date of adoption of this local law, and such permit shall be subject to renewal every year thereafter.
- B. Any permit issued pursuant to this section shall be valid for a period of one year. Upon application by the owner and payment of the required fees, the Code Enforcement Officer shall issue a renewal permit for an additional one-year period so long as the subject Park is in compliance with these regulations.

§ VI- 8. Replacement Mobile Homes.

- A. Pre-existing replacement. Any replacement Manufactured Home or Mobile Home shall be of at least the same square footage as the pre-existing unit being replaced.
- B. Each unit must have a seal of approval of the Department of Housing and Urban Development and a legible data plate affixed in the unit bearing information as to the structural, wind and insulation zone it is designed for.
- C. Units over 10 years old at the time of application cannot be used to replace pre-existing units.
- D. Any unit without a seal of the Department of Housing and Urban Development or data plate or with visible alterations shall be required to meet the National Electrical Code

NFPA 70 requirements and shall be certified by a third party electrical inspection agency. All certifications (copies) shall be filed with the Building Department.

- E. No later than 10 days from the installation of a replacement Manufactured Home or Mobile Home, the old or previously existing Manufactured Home or Mobile Home must be removed from the property. A permanent certificate of occupancy shall not be issued until such time that the replaced Manufactured Home or Mobile Home unit .

§ VI- 9. Inspection of Pre-Existing Manufactures Homes and Pre-Existing Mobile Homes.

- A. The inspection of pre-existing, Park owned units more than 10 years old shall be conducted by the Building Inspector or his agent or the Fire Chief of the fire district, or his agent. Any unit found to be non-code compliant shall either be removed or brought up to current New York State Uniform Fire Prevention and Building Code and the National Electrical Code NFPA 70 standards.
- B. The fee for inspection of a Manufactures Home or Mobile Home shall be listed in the Town fee schedule.

Article VII. Manufactured Homes Outside of a Park

§ VII- 1. Purpose.

The purpose of this article is to establish reasonable standards with which purchasers of Manufactured Homes must comply in order to make such Homes as compatible as possible with other standard housing in any given neighborhood.

§ VII- 2. Location restriction.

Any Manufactured Home located outside of a Manufactured Home Community, Manufactured Home Park or Mobile Home Park shall meet all of the applicable requirements of any local laws for the Town of Springwater regulating lot size and/or land usage, New York State Uniform Fire Prevention and Building Code, National Electrical Code NFPA 70 and any Local, County or State Health Department regulations. The only exception shall be those Manufactured Home units used as migrant housing or other farm labor housing on farm operations (as defined in the New York State Agriculture and Markets Law) within the Town of Springwater; which shall be exempt from any local laws of the Town of Springwater regulating lot size, setbacks, access roads, etc.

§ VII- 3. Application for building permit.

All person desiring to purchase and install a Manufactured Home shall accompany their application for a building permit with the following:

- A. A plot plan of the lot upon which it is proposed to install said Manufactured Home which shall show the location of the Manufactured Home, driveways, sidewalks, wells, septic systems improvements and the manner in which the lot is to be landscaped.
 - 1. Where public sewerage is available, connection thereto shall be required.
 - 2. Where a public water supply is available, connection thereto shall be required. If a public water supply is not available, a private water supply system shall be constructed and maintained to the standards required by the New York State Department of Health. Such private system shall be constructed so that it may be connected with a public water supply if a public water supply shall become available.
- B. A manufacturer's brochure showing the floor plan and specifications regarding plumbing and wiring.
- C. A manufacturer's installation manual showing the proper setup and installation of the specific model to be installed.
- D. Foundation. Details of the manner in which the foundation upon which the Manufactured Home will be installed is to be constructed.

§ VII- 4. Requirements.

- A. No factory Manufactured Home will be authorized unless it has a minimum floor area which conforms to the provisions of this local law of not less than 1,000 square feet.
- B. No factory Manufactured Home will be authorized unless permanently installed on and attached to a frost free foundation set below frost depth to resist heaving.

§ VII- 5. Landscaping.

Landscaping, pursuant to the plot plan shown accompanying the application for a building permit shall be commenced within six weeks of occupancy, and no certificate of occupancy shall be issued until such is substantially accomplished.

§ VII- 6. Permanency.

No Manufactured Home shall be installed without the intent of permanency that is present with a stick-built home. Any chassis, wheels or framework used in transporting any Manufactured Home to any building lot shall be removed.

§ VII- 7. Relocation requirements.

No Manufactured Home shall be relocated on a lot or on a parcel of land which is not in conformance with the requirements of any Town of Springwater Local Law or other regulation pertaining to lot size or land use.

Article VIII. Licenses and Permits

§ VIII- 1. Storage of Manufactured Homes and Mobile Homes.

- A. No person being the owner or occupant of any land or premises within the Town shall use or permit the use of such premises for the parking, storage or other location of a Manufactured Home or Mobile Home unless such Manufactured Home or Mobile home shall conform to all of the requirements of this Local Law. However, nothing in this Local Law shall prevent a gratuitous guest from parking a Manufactured Home or Mobile Home upon any land or premises owned by the host of such gratuitous guest for a period of not to exceed 30 days in any one calendar year, provided that such Mobile Home is registered from an address outside of the Town of Springwater, sanitary conditions are maintained and no direct or indirect charge is paid.

§ VIII- 2. License for Manufactured Home Community, Manufactured Home Park and Mobile Home Park.

No person being the owner or occupant of any land or premises within the Town shall use or permit the use of said land or premises as a Manufactured Home Community, Manufactured Home Park or Mobile Home Park without first obtaining a license therefor as hereinafter provided.

§ VIII - 3. Issuance of license for Manufactured Home Community, Manufactured Home Park and Mobile Home Park.

The Town Clerk, upon written application and upon the receipt of the license fee therefor, may after all conditions as set forth herein have been complied with and with the written approval of the County Health Office and the Code Enforcement Officer, 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 Manufactured Home Community, Manufactured Home Park or Mobile Home Park. Such license shall not be transferable or assignable.

§ VIII- 4. License procedures for Manufactured Home Community, Manufactured Home Park and Mobile Home Park.

A. Application for license.

- (1) Application for license for each Manufactured Home Community, Manufactured Home Park or Mobile Home Park shall be in writing, signed and attested to by the applicant, who shall be the owner, agent or authorized officer of the firm or corporation entitled to occupation of the premises, stating:
 - (a) Full name and address of each partner, if the applicant is a partnership; the name and address of each officer and director, if the applicant is a corporation.
 - (b) Full name and address of the owner of the premises, and if under lease or other nonowner use, the name and address of the occupant and the terms and periods of occupation.
 - (c) A complete description of the premises upon which the proposed Manufactured Home Community, Manufactured Home Park and Mobile Home Park is to be located.
 - (d) The number of Manufactured Home or Mobile Home lots to be provided by the proposed Manufactured Home Community, Manufactured Home Park and Mobile Home Park.
 - (e) A complete plan to scale showing the layout of the Manufactured Home Community, Manufactured Home Park and Mobile Home Park; the location, size and arrangement of each Manufactured Home or Mobile Home lot; location and number of community buildings and structures, with a detailed description of the facilities contained therein and the use for which each is intended; location of water service and garbage receptacles.
 - (f) The water facilities and sanitary disposal plant as approved by the New York State Department of Health and/or Department of Environmental Conservation, if required for such proposed development.
- (2) Each application shall be accompanied by a fee to be determined by the Town Board from time to time and set forth on the Town's fee schedule which fee shall be retained by the Town to cover the investigation regardless of what disposition is made of the application. Such application fee shall also apply on any application for additional Manufactured Home or Mobile Home lots to a licensed Park during the license term.

B. Filing of application. Each application shall be filed in triplicate with the Town Clerk, who shall thereupon transmit one copy to the Town Planning Board and one copy to the Code Enforcement Officer. The Town Planning Board and the Code Enforcement Officer, after investigation, shall transmit their copy of the application to the Town Board, together with their written approval, recommendations or disapproval.

C. Issuance of license. The Town Clerk, upon written application and upon approval of such application as may be required pursuant to this Local Law (including but not limited to Site Plan approval) and upon the receipt of the fee as hereinafter provided, shall issue a license, to become effective from the date thereof and to continue in force through the

31st day of December next succeeding, for the use of the premises therein specified as a Manufactured Home Community, Manufactured Home Park and Mobile Home Park. The said license shall be limited to the approvals heretofore made pursuant to this Local Law. Such license shall not be transferable or assignable.

§ VIII- 5. Renewal of license.

- A. Application for renewal of a Manufactured Home Community, Manufactured Home Park and Mobile Home Park license must be filed with the Town Clerk on or before the first day of December next preceding the expiration of said license. The application for renewal shall be in writing, signed and attested by the applicant, and it shall contain the same information as required by § VI-64A of this local law, except that such renewal application need not be accompanied by the items required by § VI-64A(1)(c), (d), (e) and (f) unless the stated facts of the Manufactured Home Park or campground with which such items are concerned are altered or proposed to be changed from the stated facts existing under the then-current license.
- B. Upon the approval of said application for the renewal of license by the Town Planning Board and the Code Enforcement Officer, the Town Clerk shall issue a renewal license, to become effective upon the expiration of the current license and to continue in force for a period of one year upon payment of the license fee as provided by § VIII- 4 A. (2) of this local law. The application fee as provided in § VIII-4 A of this local law shall be required for a renewal license, and such renewal license shall not be transferred or assigned.

§ VIII- 7. Compliance with other provisions of law.

All Manufactured Home Community, Manufactured Home Park and Mobile Home Park shall comply with all other local law provisions of the Town of Springwater, the State Sanitary Code and all other applicable provisions of law.

Article IX. Priority of law.

§ IX-1. Higher standard to prevail.

- A. The provisions of this Local Law shall supersede previous local laws, ordinances, codes or regulations to the extent that such laws ordinances codes or regulations are inconsistent with the provisions of this Local Law, provided that nothing herein contained shall be construed to prevent the future adoption and enforcement of a law,

ordinance or regulation which is more restrictive or establishes a higher standard than those provided in this local law and such more restrictive requirement or higher standard shall govern during the period in which it is in effect.

- B. Should any provision of this Local Law be found to be in conflict with a provision of any building, electrical, plumbing, fire safety, health, water supply or sewage disposal law or ordinance, or regulation adopted pursuant thereto, or other local law, ordinance, code or regulation, the higher standard shall prevail and such conflicting provision shall not be deemed to invalidate the remaining provisions of this Local Law.

Article X. Enforcement

§ X- 1. Enforcement officers.

The Code Enforcement Officer of the Town of Springwater shall enforce all the provisions of this Local Law. In addition to the specific powers and duties authorized by § V-16 above, such Code Enforcement Officer shall have the right to enter upon any Manufactured Home Community, Manufactured Home Park or Mobile Home Park at all reasonable times to ensure that the provisions of this Local Law are being followed and to ensure the health, safety and welfare of the community.

§ X – 2. Revocation of license.

- A. If the Code Enforcement Officer finds that any Manufactured Home Community, Manufactured Home Park or Mobile Home Park is not being maintained in a clean and sanitary condition or is not being operated or maintained in accordance with this Local Law, such facts shall thereupon be reported to the Town Board in writing. The Town Board may thereafter direct the Code Enforcement Officer to serve or cause to be served an order in writing upon the holder of the license or the person in charge of said Manufactured Home Community, Manufactured Home Park or Mobile Home Park, directing that the conditions therein specified be remedied within five (5) days. If such conditions are not cured within five (5) days, the Town Board may cause a notice to be served in writing upon the holder of said license to appear before the Town Board at a time to be specified in such notice and to show cause why such Manufactured Home Community, Manufactured Home Park or Mobile Home Park license should not be revoked. The Town Board may, after a hearing at which testimony of witnesses may be taken and the holder of the license shall be given an opportunity to be heard, revoke such license if the Town Board shall find that the Manufactured Home Community, Manufactured Home Park or Mobile Home Park is not being maintained in a clean and sanitary condition or if it finds that any provision of this Local Law has been violated. Upon revocation of such license, the premises shall forthwith cease to be used for the purpose of a Manufactured Home Community, Manufactured Home Park or Mobile Home Park and all Manufactured Homes or Mobile Homes shall be removed forthwith therefrom. At any such hearing, the holder of the license may be represented by counsel.

- B. In case of emergency which is dangerous to or threatens the health or safety of any of the occupants of the Manufactured Home Community, Manufactured Home Park or Mobile Home Park or of the public, the Code Enforcement Officer may suspend the license until a hearing can be had before the Town Board as hereinabove provided and the use of such Manufactured Home Community, Manufactured Home Park or Mobile Home Park shall cease until otherwise ordered by the Town Board.

§ X – 3. Other Enforcement Actions.

- A. In addition to the provisions set forth immediately above, the Town of Springwater Code Enforcement Officer may at his/her discretion, issue a written demand letter to the owner, agent or manager of any Manufactured Home Community, Manufactured Home Park or Mobile Home Park that is in violation of any portion of this Local Law, demanding that such violation be cured within five (5) days of such demand letter.
- B. Failure of an owner, agent or manager of a Manufactured Home Community, Manufactured Home Park or Mobile Home Park to cure all violations within the prescribed time period may result in the issuance of appearance tickets and prosecution of such violations.
- C. Nothing contained in this Local Law shall preclude the Town of Springwater or its agents from seeking such other relief as may be lawful in order to compel adherence to the terms of this Local Law or otherwise enforce the same.

§ X - 4. Penalties for offenses.

The violation of any provision of this Local Law is an offense and shall subject the owner to a fine not exceeding \$500 or imprisonment not to exceed 15 days, or both, and each day such violation continues shall constitute a separate and distinct offense.