

TOWN OF GENOA
LOCAL LAW No. 2 of the year 1988

ARTICLE I

SECTION 1: SHORT TITLE

This Law shall be known as the Mobile Home Law, Town of Genoa, New York.

SECTION 2: ENACTMENT CLAUSE

Enacted pursuant of the authority conferred by Article 2 of the Municipal Home Rule Law.

SECTION 3: PURPOSE

It is the purpose of this law to preserve the health, safety, and welfare of occupants of mobile homes and mobile home parks in the Town of Genoa by insuring that suitable plans are prepared and provisions made for the placement of such occupancies upon individual lots or within parks so as to provide water, sewage disposal, recreation area, parking and access to said occupancies.

ARTICLE II

SECTION 4: DEFINITIONS

1. As used in this law the terms manufactured home and mobile home are defined by the terms of the N.Y.S. Uniform Fire and Building Code, Chapter D.
2. Mobile Home Park - a parcel or adjoining parcels of land owned by the same party, designed and improved for the placement of four or more mobile homes for non-transient use.
3. Portable Occupancy - a mobile structure, transportable in one or more section either under its own power or by another source and having a smaller square footage area than a mobile home as defined in paragraph 1 of this paragraph
4. Permanent residence - residence for a period in excess of 30 days.

ARTICLE III

SECTION 5: GENERAL REQUIREMENTS

1. No portable occupancy shall be used as a permanent residence.
2. No mobile home shall be placed upon a separate lot without issuance of a permit under the terms of this law.
3. No mobile home park shall be established or expanded without issuance of a permit under the terms of this law.
4. All individual lots upon which mobile homes are placed shall comply with the standards set forth in the Town of Genoa Set Back & Lot Area Law.
5. All lots within a mobile home park shall comply with the standards set forth in Article V of this law; and the Sanitary Code Law Section 17.11(e).
6. No mobile home of less than 784 square feet of area, nor less than 14 feet in width, shall be placed upon an individual lot, or within a mobile home park.

7. A mobile home on an individual lot or in a mobile home park shall be provided with skirts to screen the space between the mobile home and the ground. Such skirts shall be of concrete blocks or a permanent material similar to that used on the mobile home in providing a finished exterior.

8. An existing mobile home which fails to meet the standards set forth in this Law and is unoccupied for a period in excess of six months and is located upon a lot which is at least one year in arrears in payment of Town and County real property taxes, shall be deemed to be abandoned. An abandoned mobile home shall be removed.

ARTICLE IV

SECTION 6: PLACEMENT ON LOT

1. All mobile homes placed upon individual lots or within mobile home parks shall conform to the standards set forth in the N.Y.S. Uniform Fire and Building Code, Chapter D. Such standards govern compliance with applicable Federal Standards; placement on mobile home stand; connection to utilities; provision of appropriate support, anchoring, and stabilizing systems; provision of clearance and other structures.

ARTICLE V

SECTION 6: ESTABLISHMENT OF MOBILE HOME PARK

1. No permit for establishment of a mobile home park shall be issued until a plan showing the following information is supplied to the reviewing agency.

- A. The plan shall be certified by a licensed N.Y.S. land surveyor, professional engineer or architect.
- B. Boundaries of the plot areas.
- C. Entrances, exits and walkways.
- D. Mobile home sites or lots.
- E. Method and plan of sewage disposal.
- F. Method and plan of garbage disposal.
- G. Water supply.
- H. Electric lighting (outdoors).
- I. Owner's and operator's name and address.
- J. Method and plan of storm water disposal.
- K. Any other information needed for determinations under the State Environmental Quality Review Act.

2. The reviewing agency shall not approve any mobile home park plan which fails to show compliance with the following standards.

A. A mobile home park shall have an area of not less than 10 acres, and no mobile home lot or office or service building shall be closer to the street line or other property line than 50 feet.

B. A mobile home park shall be located on a well drained site suitable for the purpose, with a paved entrance road at least 33 feet wide and approved by the Town Highway Superintendent and Fire Chief of the fire company serving the site.

C. Individual mobile home lots shall have an area of not less than 10,000 square feet with minimum width of 100 feet.

D. No mobile home or portion thereof shall be placed closer to any other mobile home or portion thereof than 35 feet.

E. The total number of mobile home lots shall not exceed 4 per acre exclusive of 50 ft. boundary area required in part 4 Section 5 of this law.

F. Margins along the side and rear property lines of the mobile home park which lines shall not adjoin a public highway shall have planting acceptable to the reviewing agency.

G. Each mobile home shall have at least two parking spaces of 600 sq. ft.

H. County Health Dept. approval of water and sewage disposal facilities.

I. Method for storm drainage disposal.

J. Location for garbage receptacles and plan for ultimate disposal of garbage generated by residents of the park.

K Mobile Home' Park Grounds Maintenance Plan.

a. The park owner is responsible for preparing a landscape plan which would be presented and approved by the reviewing agency.

b. The park owner is responsible for the planting as listed in the landscape plan.

c. The park owner is responsible for maintaining the roads, lawns, trees, and shrubs.

d. Dead plant material will be removed and replaced.

L. Provisions shall be made for fire protection by including not less than a water source (pond) of 50,000 gallons for each 10 mobile homes.

M. Provisions shall be made for a children's recreation area, open space, greenbelt, or other similar amenity equal to or greater than a total area not less than 5% of the total area of the Mobile Home Park.

N. At the main entrance to a mobile home park, a layout map showing the location of each lot by number shall be displayed. Each lot within the park shall permanently display the assigned number so that it is visible from the roadway upon which it fronts.

O. Improvements, alterations or expansion of any existing mobile home park shall be subject to the guidelines for mobile home parks establishments as well as conforming to all applicable state, county, and town building and health laws and land use provisions.

ARTICLE VI

SECTION 8: PROCEDURES

1. The Code Enforcement Officer and Board of Appeals, shall be the entities or individuals as appointed under Local Law #1 of 1988.

2. Applications for permits under this Law shall be received by the Code Enforcement Officer. Permits for individual mobile homes shall be issued by the Code Enforcement Officer upon compliance with the terms of this Law. Permits for mobile home parks shall be issued by the Code Enforcement Officer upon order from the Town Board upon a finding of compliance with the terms of this Law.

3. An initial application for a Mobile Home Park permit application shall be made to the Code Enforcement Officer of the Town of Genoa. If the Town Board finds that the Mobile Home Park application complies with this Local Law and all other applicable Town, County, State, and Federal laws, rules and regulations, the Town Board will direct the issuance of a permit by the Code Enforcement Officer.

SECTION 9: APPEALS

1. Upon review of a decision of the Code Enforcement Officer regarding a mobile home, the Board of Appeals in the case of a mobile home, and the Town Board in the case of a Mobile Home Park, may issue a variance upon a showing by the appellant that strict compliance with the terms of this local law will create undue hardship on the appellant. In granting a variance, the Board of Appeals or Town Board shall determine that the granting of the variance, is in harmony with the general purpose and intent of this local law and not injurious to the neighborhood or otherwise detrimental to the public welfare; that special conditions exist that make compliance with the strict terms of this law impossible or impractical; that the relief sought is the minimal amount necessary to overcome the hardship.

2. If the Town Board rejects the Mobile Home Park permit and or any request for variance, the Code Enforcement Officer will be directed to deny the permit. An appeal of a Town Board decision shall be made to the New York State Supreme Court of the County of Cayuga, by way of Article 78 of the CPLR.

3. The procedures of the Board of Appeals in considering a variance for a mobile home, and the procedures of the Town Board in considering a variance for a Mobile Home Park shall be enumerated in Section 12, paragraphs 2 thru 6, of the Set Back and Lot Area Law for the Town of Genoa.

SECTION 10: VIOLATIONS AND PENALTIES

Any persons, firm, corporation, or other, violating any provisions of this law shall be deemed guilty of a violation and upon conviction thereof shall be subject to a fine not exceeding fifty (50) dollars, or to imprisonment for each and every violation. Each week and every week that such violation continues shall constitute a separate violation. In no event may imprisonment for any one violation exceed 15 days.

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

SECTION 11: AMENDMENTS

This Law may be amended as provided by the Town Law, or any applicable statute of the State of New York.

SECTION 12: VALIDITY

The validity of any section or provision of the Law shall not invalidate any other section or provision thereof.

SECTION 13: FEES

The Town Board may establish a fee schedule, and from time to time amend same, sufficient to meet the expenses incurred in the enforcement of this local law.

SECTION 14: WHEN EFFECTIVE

This law shall be in force and effect immediately upon filing in the office of the Secretary of State in accordance with provisions of the Municipal Home Rule Law.

Note:

There are spelling and other typographical errors in the document. These are errors that exist in the actual law itself, and have merely been ignored during transferal to electronic format in the interest of continuity. However, if there seems to be an error not present in the law itself, contact the webmaster.