

# Local Law Filing

(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.

FILED  
STATE RECORDS  
SEP 25 2023

County  City  Town  Village  
(Select one.)

of PORT LEYDEN

DEPARTMENT OF STATE

Local Law No. 7 of the year 2023

A local law TO AMEND THE PRIOR EXISTING MANUFACTURED HOME, MOBILE HOME AND  
(Insert Title)  
RECREATIONAL VEHICLE LAWS OR ORDINANCES OF THE VILLAGE OF PORT  
LEYDEN, INCLUDING LOCAL LAW NO. 1 OF 1980

Be it enacted by the BOARD OF TRUSTEES of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of PORT LEYDEN

as follows:

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. 7 of 2023 of the (County)(City)(Town)(Village) of PORT LEYDEN was duly passed by the BOARD OF TRUSTEES on SEPTEMBER 18 2023, 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 2023 of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2023, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 2023, 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 2023 of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2023, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 2023. *(Elective Chief Executive Officer\*)*

Such local law was submitted 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 \_\_\_\_\_ 2023, 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 2023 of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2023, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 2023. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 2023, 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 20\_\_\_\_ 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 \_\_\_\_\_ 20\_\_\_\_, 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 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, 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 1 above.

*Danielle St Louis*

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 9-19-2023

(Seal)

**VILLAGE OF PORT LEYDEN**  
**LOCAL LAW# 2023-7**

Section 1. - Title. This local law shall be entitled the "Manufactured Home Law of the Village of Port Leyden, New York". This chapter shall amend the prior existing manufactured home, mobile home and recreational vehicle laws or ordinances of the Village of Port Leyden, including Local Law No. 1 of 1980, which are hereby repealed as of the effective date of the adoption of this chapter, without impairing, however, rights that may have accrued thereunder before their repeal.

Section 2. - Statement of Authority and Purpose. This law is adopted pursuant to §7-700 of the New York State Village Law, § 922 of the New York State Executive Law, §10 of the Municipal Home Rule Law; and Section IX of the New York State Constitution. The purpose of this law is to bring the Village's rules for Manufactured Homes, Manufactured Home Parks, and Recreational Vehicles in compliance with State regulations and to protect health, safety, and welfare and to preserve and improve community appeal.

Section 3. - Definitions.

- A. **MANUFACTURED HOME** - The term Manufactured Home shall have the same definition as set in federal law and the code of federal regulations, namely 24 CFR § 3280.2, which defines Manufactured Home as "a structure, transportable in one or more sections, which in the traveling mode is 8 body feet or more in width or 40 body feet or more in length or which when erected on-site is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure". The term "manufactured home" shall not include any self-propelled recreational vehicles, modular homes, or relocatable structures such as construction offices.
- B. **MANUFACTURED HOME PARK** - Any lot on which three or more manufactured homes are parked or located, and for which use of said premises are offered to the public or to any person for a fee of any type, including cost sharing or time sharing.
- C. **MODULAR HOME** - A home built to New York State Building Code standards, comprised of two or more sections, each of which is transported separately to an intended building site, with

installation of heating system and application of siding coming after erection of the home, and which when fully erected is nearly indistinguishable from a conventionally built home.

- D. PERMANENT RESIDENCE - A place where a person maintains a fixed, permanent and principal home and to which he, wherever temporarily located, always intends to return.
- E. RECREATIONAL VEHICLE - A vehicle such as a park model, camper or motor home used for traveling and/or recreational activities. A recreational vehicle is not intended for use as a permanent residence.

Section 4. - General Requirements for manufactured homes.

- A. It shall be unlawful for any person to park a manufactured home on any public or private property within the Village except in accordance with the provisions contained in this chapter.
- B. No manufactured home shall be occupied until a certificate of occupancy certifying that the manufactured home has been installed and is in compliance with the provisions of this chapter is issued by the Code Enforcement Officer.
- C. All manufactured homes placed on individual lots shall conform to the standards set forth in the New York State Uniform Fire Prevention and Building Code. Such standards govern compliance with applicable federal standards; placement on manufactured home stand; connection to utilities; provision of the appropriate support, anchoring, and stabilizing systems; porches, stairways and landings; provision of clearance with other structures.
- D. All manufactured homes shall be skirted in an attractive manner.
- E. All manufactured homes intended to be used as a permanent residence shall meet the minimum square footage of 960 square feet.
- F. All manufactured homes currently existing within the Village of Port Leyden shall be unaffected by the terms of this chapter with the following exception:
  - a. If the location of a currently existing manufactured home is changed to a new location within the Village of Port Leyden, the manufactured home shall comply with all the terms of this chapter and all other laws of the Village of Port Leyden at its new location.

Section 5. - General Requirements for manufactured home parks.

- A. It shall be unlawful, within the Village of Port Leyden, for any person or persons to construct, operate, expand, or change/alter a manufactured home park without first securing

a special permit.

B. Any applicant for a manufactured home park special permit shall submit a plan that is in compliance with the federal, state and county requirements for operation and maintenance.

a. The Planning Board (or Village Board, as the case may be) shall not recommend approval of any manufactured home park which fails to show compliance with the following standards.

b. No permit for establishment of a manufactured home park shall be issued until a site plan showing the following information is supplied to the Planning Board:

i. Boundaries of plot areas.

1. The total number of manufactured home lots shall not exceed four per acre.

2. No manufactured home shall be located on a lot until the roadways, sanitary sewage disposal system, water supply and storm drains serving said manufactured home lot have been installed in accordance with the approved site plan for the manufactured home park.

ii. Manufactured home sites or lots.

1. No manufactured home or portion thereof shall be placed closer to any other manufactured home or portion thereof than 20 feet.

2. Each manufactured home shall have parking space adequate for two vehicles.

3. Every manufactured home within the park shall be located on a designated permanently numbered lot.

4. The permit required for any addition to be constructed on or added or attached to the exterior of any manufactured home shall be applied for by the owner and/or manager of said park.

5. No more than 10 feet by 12 feet or smaller utility building shall be permitted on a manufactured home lot.

iii. Entrance, exits and walkways.

1. A manufactured home park shall have a paved entrance road at least 24 feet wide. All other roads shall have minimum pavement width of 20 feet.

2. Each road shall be named and noted upon signs at each intersection. Each manufactured home shall be assigned a permanent number which

shall be noted on said lot in a location clearly visible from the road.

- iv. Electric lighting and other outdoor utilities.
  - 1. Appropriate street lighting shall be installed on interior roads and at each intersection of said roads.
  - 2. All public utility, electric, gas, cable television, telephone lines shall be installed underground.
  - 3. All fuel storage tanks shall be installed in accordance with all state, county and local laws.
- v. Manufactured home park grounds maintenance plan.
  - 1. The park owner shall submit a landscape plan for the park, which includes the margin areas, for approval by the reviewing agency. The planting as listed in this plan and the maintenance of lawns, trees and shrubs, including removal of dead plant materials, shall be the responsibility of the park owner.
  - 2. Every road within the manufactured home park shall be maintained in good repair and shall be open at all times for travel by occupants of the park and necessary fire, police, ambulance, public utility maintenance and fuel supply vehicles. The park owner shall be responsible for providing and paying the cost of such maintenance and all necessary snow removal.
  - 3. Every manufactured home park shall have a recreational area or open space area for use by the residents. Such areas shall be as centrally located as the topography and design of the park permits. Such areas shall not be less than 10,000 square feet or 1,000 square feet per manufactured home lot in the park, whichever is greater.
  - 4. Designated area shall be provided for storage of boats, campers, travel trailers, and recreational vehicles within the park.
  - 5. At least one framed service building shall be constructed in each manufactured home park which shall be adequate to provide for storage of all equipment, tools and materials necessary for the maintenance of the park.
  - 6. No manufactured home shall be offered for sale,

displayed for sale or sold within the park unless such is located on a permanent numbered lot and is connected to the following approved utilities: electric, sewer and water.

7. All manufactured homes replacing any existing non-conforming manufactured home shall comply with all provisions of this chapter.

vi. Approved method and plan of water dispersal.

vii. Approved method and plan of sewage disposal.

viii. Approved method and plan of stormwater dispersal.

ix. Approved method and plan of garbage disposal.

c. Name and address of owner and operator of the manufactured home park are required for the special permit.

d. The provisions of the State Environmental Quality Review Act (SEQRA) shall be followed prior to issuance of the special permit.

C. General procedures to be followed when applying for a permit under this chapter are as follows:

a. The applicant shall obtain a permit application form from the Village Clerk.

b. The completed form, along with two copies of the proposed site plan and appropriate fee, shall be returned to the Village Clerk with a \$50 nonrefundable application fee.

c. Upon receipt of the application form and site plan, the Village Clerk shall refer the materials to the enforcement officer who shall review the application for completeness. He/she shall also determine whether the requirements of other village, state or federal laws apply and whether applicable permits are necessary.

i. If the proposal has met all the requirements of this chapter, the Village Board shall direct the enforcement officer to issue the permit. The enforcement officer shall notify the applicant by mail at his/her last known address no later than 60 days from the date of application. The enforcement officer shall file a copy of the permit with the Village Clerk within one week of the issuance.

ii. An applicant who has not commenced development within six months after a permit has been issued shall not thereafter commence such development without first reapplying for and receiving a permit. Continuing development without a permit shall constitute a violation of this chapter.

iii. During site preparation and before occupancy, if it is determined by the enforcement officer that site



development has not proceeded in accordance with the site plan as shown on the application, the issued permit shall be revoked until such time that the work is corrected to the satisfaction of the enforcement officer.

- d. The cost of any site inspections, tests or professional consulting needed to comply with the regulations of this chapter shall be paid by the applicant.
- e. In the case of future noncompliance, the original permit will be revoked.

Section 6. - General Requirements for recreational vehicles.

Recreational vehicles are not permitted individually or within manufactured home parks as permanent residences unless they can assume the requirements of a manufactured home. The regulations contained in this local law shall not apply to the parking of a recreational vehicle used solely for away-from-home camping trips or traveling, provided that the owner parks or stores the same on his premises in as inconspicuous a location as possible, without electrical, water or sewer attachment. This privilege is restricted to one recreational vehicle per dwelling.

Section 7. - Penalties for Offenses.

- A. In addition to other remedies available to the Village at law or equity and stated elsewhere in this local law, any persons, firms, corporation or other violating any provisions of this chapter shall be deemed guilty of a violation, and upon conviction thereof, shall be subject to a fine not exceeding \$200, 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.
- B. In addition to other penalties, the Village of Port Leyden may institute any appropriate action or proceeding in a court of competent jurisdiction to prevent the unlawful erection, construction, alteration, of any building or land in violation of the requirements of this chapter.

Section 8. - Effective Date. This law shall take effect immediately upon filing with the Secretary of State.