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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.

County  
City of .....BROOKFIELD.....  
Town  
Village~~x~~

Local Law No. .....1..... of the year 1992...

A local law ..MOBILE HOME PARK LAW for the TOWN OF BROOKFIELD.....  
(Insert Title)

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

County  
City of .....BROOKFIELD..... as follows:  
Town  
Village~~x~~

(SEE ATTACHED)

(If additional space is needed, attach pages the same size as this sheet, and number each.)

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**DRAFT MOBILE HOME PARK LOCAL LAW****ARTICLE I****TITLE**

This Local Law shall be known as the "Mobile Home Park Law for the Town of Brookfield."

**ARTICLE II****PURPOSE**

It is the purpose of this Local Law to promote the health, safety, convenience, economy, amenity and general welfare of the inhabitants of the Town of Brookfield by the more efficient regulation of mobile home parks. These regulations include provisions for sewage disposal, water supply, garbage removal, traffic control and safety, inspection of facilities, and other actions deemed necessary for said purpose.

**ARTICLE III****DEFINITIONS**

1. **Accessory Structures:** Any structure, attached or detached, which is subordinate to and whose use is incidental to the use of the principal building on the same lot or an adjoining lot under the same ownership.
2. **Enforcement Officer:** The Town Enforcement Officer or other person designated and appointed as enforcement officer by the Town Board to enforce the provisions of this ordinance.
3. **Health Department:** The New York State Health Department and/or the County Health Department.
4. **Individual Mobile Home Lot:** Land occupied or to be occupied by a single mobile home and its accessory buildings, together with such open spaces as are required under the provisions of this Local Law; it shall have not less than the minimum area and width required (by this Local Law) for a lot in the district in which such land is situated; and it shall have its principal frontage on a public street or on such means of access as may be determined in accordance with the provisions of the law to be adequate as a condition of the

issuance of a building permit for a building on such land.

5. Mobile Home: A detached, single-family dwelling unit:
  - A. designed and manufactured as a relocatable dwelling unit without a permanent foundation, to be transported on its own chassis and connected to utilities upon being placed;
  - B. designed for long-term, year-round occupancy and containing sleeping accommodations, flush toilets, tub or shower, and kitchen facilities;
  - C. designed for installation with only minimal unpacking and assembling operations upon being placed on a mobile home stand and connected to utility hook-ups.
6. Mobile Home Park: A parcel of land under single ownership or management which has been planned and improved for the placement of at least three (3) mobile homes.
7. Mobile Home Park Lot: A designated site within a mobile home park for the exclusive use of the occupants of a single mobile home.
8. Mobile Home Park Operator: The owner or manager of a mobile home park responsible for the maintenance and operation of the park.
9. Mobile Home Stand: A part of an individual mobile home lot or mobile home park lot that has been reserved for the placement of the mobile home, park accessory structures, or additions.
10. Planning Board: The Town of Brookfield Planning Board.
11. Street Line: The line of a right-of-way used for vehicular traffic, whether public or private.
12. Town Board: The Town Board of the Town of Brookfield.

**ARTICLE IV**  
**PERMITS REQUIRED**

**Section 401:        General**

No person shall use or permit the use of any land within the Town of Brookfield for the parking, storage, or use of a mobile home in a mobile home park without first obtaining a permit as hereinafter provided. No permit shall be required of the owner of a mobile home who maintains such mobile home in a mobile home park for which a valid permit as been issued.

**Section 402:        Application for Permit**

Applications for mobile home parks shall be made on forms provided by the Town Clerk. Requests for expanding either a new or a nonconforming mobile home park shall require a new application for permit submitted to the Town Planning Board. Permits will be granted by the Planning Board.

The following information must also be provided:

- A. a legal description of property on which the proposed mobile home park will be located;
- B. a sketch map must be enclosed with said application and must contain:
  - 1. general sketch of proposed mobile home park including number of lots, lot size locations, recreation areas, accessory buildings, service buildings, internal streets and rights-of-ways, and landscaping plans;
  - 2. abutting property owners and present use of this property;
  - 3. proposed access roads;
  - 4. present and proposed sewer, water, and other utility lines;
  - 5. a topographical map showing any unusual land features such as, streams, creeks, areas subject to flooding, and areas of steep slopes in excess of 15 degrees.
- C. Documentation that any required Madison County and/or NYS permits have been received.
- D. Such additional information may be required by the Planning Board.

**Section 403: Mobile Home Park Fees**

- A. Application fee: \$10.00 for every occupied mobile home lot. The fee may be changed by the Town Board by resolution.
- B. Permit Renewal Fee: \$10.00 for every mobile home lot occupied since the initial or last annual inspection. The fee may be changed by the Town Board by resolution.

**Section 404: Planning Board Action**

Upon deposit of the required fee with the Town Clerk, that official shall forward the completed application and required supporting information to the Planning Board for review at their next regularly scheduled meeting.

The Planning Board will study the application and make recommendations hereto. The applicant, or representatives of same, may be requested to attend Planning Board meetings for further clarification of plot plan, etc.

The Planning Board will hold a public hearing on the application according to the procedures outlined in NYS Town Law.

**Section 405: Approval**

Upon approval of the permit by the Planning Board, the Town Clerk shall issue a permit for the operation and maintenance of a mobile home park. The permit is for a twelve (12) month period.

**Section 406: Town Inspection and Enforcement**

Each mobile park shall be inspected once each year at the time of application for permit renewal. The Enforcement Officer of the Town of Brookfield shall enforce all of the provisions of this Local Law and shall inspect such mobile home park at a reasonable time to verify the mobile home park's continued compliance with the ordinance.

The Enforcement Officer shall submit a written review of his findings to the Town Planning Board and to the permit holder. The Enforcement Officer may obtain the assistance of the NYS Health Department and/or the Madison County Health Department for such inspection.

**Section 407: Renewal of Permit**

Approval of the license renewal shall be automatic upon demonstration that the design and maintenance of the park is in accordance with the requirements at

**ARTICLE V**  
**STANDARDS**

**Section 501: Site Plan Standards**

All mobile home parks must meet the following site plan standards:

- A. Location: The site shall not be exposed to excessive or objectionable smoke, dust, noise, odors, or other adverse influences. No lots within the mobile home park shall be in a floodplain, or subject to predictable sudden flooding or erosion, nor shall any portion of the mobile home park site be used for any purpose which would expose persons or property to hazards.
- B. Drainage: All land used as a mobile home park shall be well drained and not adjacent to breeding places for insects or rodents.
- C. Mobile Home Park Size: A mobile home park shall comprise an area of not less than ten (10) acres and have suitable accommodations for at least three (3) mobile homes.
- D. Minimum Lot Size: There shall be no more than four (4) mobile home lots allowed per acre. Each mobile home lot:
1. shall have a minimum of 10,000 square feet; and
  2. minimum lot frontage shall be 70 feet; and
  3. minimum lot depth shall be 100 feet.
- E. Lot Setbacks Within the Park: Each home lot shall front on an internal road within the park; the front yard of each lot shall be measured from the edge of the mobile home to the access road. Corner lots shall be considered to have two front yards along the internal road and two side yards. Every lot shall meet the following minimum requirements:
- front yard - 30 feet  
side yard - 20 feet  
rear yard - 20 feet
- F. Parking Areas: At least two paved or graveled off street parking spaces must be provided for each mobile home lot. Each parking space must have a minimum of 200 square feet.

the time of approval of the initial permit.

**Section 408: Transfer of Permit**

All permits are transferable upon written notification to the Planning Board. Notification shall include the name(s), addresses, and telephone numbers of the new owner(s). If a County or NYS permit is required for transfer of ownership of the park, the notification must document that such permit /approval has been received by the new owner(s) for the operation of the park.

**Section 409: Inspection of Mobile Home Park**

The Town of Brookfield's Codes Enforcement Officer may inspect a mobile home park at reasonable intervals and at reasonable times to determine compliance with this Local Law.

**Section 410: Management and Duties of Permit Holder**

The person or persons to whom a permit has been issued shall operate the park in compliance with this Local Law and shall provide adequate supervision to maintain the park, its facilities, and equipment in good repair and in a clean sanitary condition.

- G. Yards, Fences, Walls, or Vegetative Screening at Property Line of Mobile Home Park: When necessary, the appropriate landscaping, fences, walls, and/or vegetative screening shall be determined by the Town Planning Board.

**Section 502: Circulation Plan**

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

- A. All parks shall have access from two (2) points along a public street, road, or highway, or if bordering on two streets, roads, or highways, or combination thereof, one (1) point of access may be provided from each street.
- B. Access points shall be separated by at least 150 feet.
- C. Both the entrance roads and the internal streets must be at least 20 feet wide with at least 5 foot shoulders.
- D. The surfaces of all streets shall be paved with asphalt, concrete, oil and stone, or gravel and shall be kept in good repair.
- E. If cul-de-sacs are contained in the plan, a turning diameter of at least 60 feet of roadway shall be provided.
- F. Internal roads shall be maintained by the permit holder unless built to Town of Brookfield highways specification and dedicated to and accepted by the Town.

**Section 503: Utilities**

All utility lines, including water, sewer, electricity, and telephone shall be installed in accordance with state and local regulations.

**Section 504: Health and Safety**

- A. Fire Protection - A mobile home park shall be provided with suitable and operable fire extinguishers and other fire alarm and protection devices as may be prescribed by the fire district wherein said mobile home park is located. **Each mobile home in the park shall have a minimum of one smoke detector.** There shall be clear numbering of mobile homes within the mobile home park with a layout map provided to the County Fire Coordinator and Emergency Preparedness Director, and to ambulance and police agencies.
- B. Garbage and Refuse - Each mobile home park operator shall provide sufficient rubbish, recycling, garbage, or refuse storage and collection.

- C. Skirting - Each mobile home shall have skirting to screen the space between the mobile home and the ground. Skirting shall be constructed of a permanent material, such as metal, and shall be finished to conform to the mobile home.
- D. Lighting - Street lighting shall be provided at all entrances and exits to the mobile home park and on all internal street, intersections, walkways, and common areas.

**Section 505: General**

- A. All mobile homes installed in mobile home parks in the Town of Brookfield shall be constructed and installed in compliance with the applicable provisions of the New York State Uniform Fire and Building Code, Part 1220, 1221, 1222, and 1223 and any future amendments.
- B. No accessory structures to a mobile home shall be constructed which increase the living floor space of that mobile home without approval from the Planning Board and in compliance with the provisions of this ordinance. Any such additions must conform to the architectural and aesthetic characteristics of the existing mobile home and must meet the Town of Brookfield's building ordinance requirements.
- C. One enclosed accessory building shall be allowed per mobile home. It may not be larger than 150 square feet in size and must meet the separation requirements of the NYS Uniform Fire and Building Code, Part 1223.7.

**ARTICLE VI**  
**SANITARY FACILITIES**

**Section 601:        Water - General Requirements**

An adequate supply of water shall be provided for mobile homes, service buildings, and other accessory buildings as required by this Local Law. Where public water is available, connection shall be used exclusively, unless local authorities deem otherwise. If a public water supply system is not available, the development of a private water supply system shall be approved by the health authority or other authorities having jurisdiction thereof.

**Section 602:        Sewer - General Requirements**

- A. An adequate and approved system shall be provided in all parks for conveying and disposing of sewage from mobile homes, service buildings, and other accessory facilities. Such systems must be designed, constructed, and maintained in accordance with Department of Health standards and regulations.
- B. Sewage treatment and/or discharge - where the sewer lines of the mobile home park are not connected to public sewer, all proposed sewage disposal facilities shall be approved by the Department of Health prior to construction.
- C. Garbage and refuse - Each mobile home park shall make provision for sanitary equipment to prevent littering of the grounds and premises with rubbish, garbage, and refuse. Each mobile home shall have containers with tightly fitting covers. Regular disposal shall be provided for all rubbish, trash, recyclables, and garbage.

**ARTICLE VII**

**ELECTRICAL DISTRIBUTION SYSTEM AND INDIVIDUAL ELECTRICAL SYSTEM**

**Section 701: General Requirements**

Every mobile home park shall contain an electrical wiring system consisting of wiring fixtures, equipment, and appurtenances which shall be installed and maintained in accordance with local electrical power company's specifications and regulations. All wiring fixtures and connections must have the New York Board of Fire Underwriters' approval, or other authority as designated by the municipality.

**Section 702: Specific Regulations**

- A. Each mobile home lot shall be supplied with not less than a 100 amp service. If the mobile home is to be heated electrically, then a 200 amp service is required for each unit.
- B. Whenever feasible, electrical distribution lines should be placed below ground.
- C. All grounding systems must be maintained and in operation at all times.

**ARTICLE VIII****FUEL SUPPLY AND STORAGE****Section 801: General Requirements - Fuel Supply Systems**

All fuel supply systems, provided for mobile homes, service buildings, and other structures shall be installed and maintained in conformity with the rules and regulations of the authority having jurisdiction.

**Section 802: Fuel Oil Supply**

- A. All fuel oil tanks shall be placed at rear of mobile home and located no closer than five (5) feet from any exit.
- B. Supports or standards for fuel storage tanks are to be of noncombustible material.

**Section 803: Gas Supply - Natural**

- A. Natural gas piping systems installed in mobile home parks shall be maintained in conformity with accepted engineering practices.
- B. Each mobile home lot provided with piped natural gas shall have an approved shut off valve cap to prevent accidental discharge of gas.
- C. Proper planning and early communication with utility companies is recommended to provide necessary easements by utility companies, i.e. gas, electricity, and telephone.

**Section 804: Liquified Gas**

- A. Such system shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.
- B. Systems shall have at least one accessible means of shutting off gas. This means shall be located outside of individual mobile homes.
- C. Storage tanks shall not be less than 100 lbs. and must be located at rear of mobile home and no closer than five (5) feet from any exit.

ARTICLE IX

RECREATIONAL AREAS AND OPEN SPACES

Section 901: Recreational Areas and Open Spaces

- A. Every mobile home park shall have a suitable recreational area for the public use of persons living in the mobile home park community of no less than 200 square feet per mobile home, furnished by the mobile home park.
- B. The Planning Board, as a condition of approval, may establish such conditions on the ownership, use, and maintenance of open spaces as it deems necessary to assure the preservation of such open spaces for their intended purposes.
- C. Whenever possible, this recreation area shall be centrally located unless other areas, depending on topography and location of the mobile home park, may be better utilized for this purpose.
- D. It is recommended that additional paved or graveled parking areas be provided to accommodate additional vehicles owned by residents or visitors.

**ARTICLE X****NONCONFORMING MOBILE HOME PARKS****Section 1001: Nonconforming Mobile Home Parks**

It is the intention of the Town of Brookfield to require all mobile home parks, whether new or currently in existence, to have a permit to operate the park. The Town recognizes that existing parks may not be able to meet all the requirements of a new park. Therefore, the following regulations have been established to allow the continuation of existing mobile home parks. All existing mobile home parks must follow these procedures outlined below in order to receive a permit to operate, to receive an annual renewal, to bring their park into compliance with certain requirements of all mobile home parks, and to be allowed to enlarge, alter, extend, reconstruct or replace their mobile home park.

- A. Any mobile home park existing prior to the effective date of this Local Law and not conforming to the requirements of this Local Law shall be regarded as nonconforming.
- B. Any such nonconforming mobile home park in existence on the effective date of this Local Law may be continued provided, however, such mobile home park is not enlarged, altered, extended, reconstructed, or replaced.
- C. All nonconforming mobile home parks shall file for a permit following the procedures outlined in Section 402 within six (6) months from the effective date of this Local Law. No Planning Board approval is required for this first permit for continuation of the nonconforming mobile home park, and no initial application fee is required. The nonconforming mobile home park must, however, comply with the sections listed below at the time of this initial application:
  - a. Section 410
  - b. Section 504 (A,B,C).

It shall be the responsibility of the Town Enforcement Officer to approve the initial application upon documentation that the above sections of this local law have been met.

D. All nonconforming mobile home parks shall require renewals of their permits following the procedures outlined in Article IV, Section 403, 406, and 407 of this Local Law. All non-conforming mobile home parks and mobile homes within those parks shall meet the following regulations by the time of permit renewal:

- a. Section 501 (G)
- b. Section 502 (A, B, D)
- c. Section 504 (D)
- d. Article VI
- e. Article VII
- f. Article VIII

E. In addition to A through D above, any enlargement, alteration, extension, reconstruction, or replacement of the nonconforming existing mobile home park shall require a new permit, and such enlargement, alteration, expansion, reconstruction, or replacement of the mobile home park shall meet the standards for new mobile home parks as established in this Local Law.

## ARTICLE XI

## VIOLATIONS

Section 1101: Violations

- A. Any person may file a complaint about a violation of this law. Such complaints must be in writing, signed, and filed with the Town Enforcement Officer, the Town Clerk, or the Town Board. The Town Enforcement Officer shall investigate promptly and take the appropriate action to satisfy that complaint.
- B. Any proved violation of this law must be reported to the offender by the Town Enforcement Officer or the town board, with the date by which the violation must be corrected.
- C. A violation of this local law is hereby declared to be an offense, punishable by a fine not exceeding \$350.00 or imprisonment for a period not to exceed six months, or both for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than \$350.00 nor more than \$700.00 or imprisonment for a period not to exceed six months, or both; and, upon conviction for a third or subsequent offence all of which were committed within a period of five years, punishable by a fine not less than \$700.00 nor more than \$1000.00 or imprisonment for a period not to exceed six months, or both. However, for the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this local law shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violations shall constitute a separate additional violation.
- D. In case a mobile home park, whether new or existing, is in violation of this article or of any ordinance, local law, or other regulation made under authority conferred thereby, the proper local authorities of the Town, in addition to other remedies, may institute any appropriate action or proceedings (1) to prevent such unlawful act, (2) to restrain, correct or abate such violation, (3) to prevent the occupancy of any building, structure, or land within the mobile home park, and (4) to prevent any illegal act, conduct, business or use in or about such premises.

**Section 1102: Stop work Orders**

- A. Whenever the Town Enforcement Officer has reasonable grounds to believe that a mobile home park is operation without a permit or is otherwise in violation of the provisions of this law or is not in conformity with any of the provisions of the application, plans, or specifications on the basis of which a permit was issued, or is being conducted in an unsafe and dangerous matter, he shall notify either the owner of the property or the owner's agent or the person, firm, or corporation performing the work to immediately suspend all work. In such instance, any and all persons shall immediately suspend all related activities until the stop-work order has been duly rescinded.
- B. Such stop-work order shall be in writing on a form prescribed by the Town Enforcement Officer and shall state the reasons for the stop-work order, together with the date of issuance. The stop-work order shall bear the signature of the Town Enforcement Officer or that of a duly authorized designee and shall be prominently posted at the work site.

**Section 1103: Appearance Tickets**

Upon resolution of the Town Board of the Town of Brookfield specifically so designating, the Town Enforcement Officer shall have authority, pursuant to Article 150 of the New York Criminal Procedure Law, to issue appearance tickets as defined therein for the purpose of enforcing the Local Law.

**Section 1104: State Supreme Court Review**

Anyone who is aggrieved by a decision of the planning board or by any officer of the town in the implementation of this law may apply to the State Supreme Court for review which shall be within 30 days after the filing of that decision in the office of the town clerk.

**Section 1105: Separability**

If any part of this law is found to be invalid by any court of competent jurisdiction, such judgment shall not invalidate the remainder of this law.

**Section 1106: Enforcement**

The provisions of this law shall be strictly enforced by the Town Enforcement Officer.