

Chapter 106 MOBILE HOMES

ARTICLE I Mobile Home Parks

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[HISTORY: Adopted by the Board of Trustees of the Village of Wilson: Art. I, 6-17-1971 as L.L. No. 1-1971. Amendments noted where applicable.]

GENERAL REFERENCES

Moving of buildings — See Ch. 50.
Property maintenance — See Ch. 118.

Zoning — See Ch. 170.

ARTICLE I
Mobile Home Parks
[Adopted 6-17-1971 as L.L. No. 1-1971]

§ 106-1. Title.

This Article shall be known and cited as the "Village of Wilson, New York, Mobile Home Park Ordinance."

§ 106-2. Purpose.

It is the purpose of this Article to promote the health, safety, comfort, convenience and the general welfare of the community and to protect and preserve the property of the Village of Wilson and its inhabitants by regulating mobile home parks in the Village of Wilson, New York.

§ 106-3. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

HEALTH AUTHORITY — The legally designated health authority or its authorized representative of Niagara County, New York.

INTERNAL STREET — A paved road.

MOBILE HOME:

- A. A portable unit designed and built to be towed on its own chassis, comprised of frame and wheels, connected to utilities and designed without a permanent foundation for year-round living. A unit may contain parts that may be folded, collapsed or telescoped when being towed and expanded later to provide additional cubic capacity, as well as two (2) or more separately towable components designed to be joined into one (1) integral unit capable of being again separated into the components for repeated towing. Mobile units can be designed to be used for residential, commercial, educational or industrial purposes, excluding, however, travel trailers, motorized homes, pickup coaches and camping trailers.
- B. A "mobile home" should not be confused with a travel trailer which is towed by an automobile, can be operated independently of utility connections, is limited in width to eight (8) feet and in length to thirty-two (32) feet, and is designed to be used principally as a temporary vacation dwelling.

MOBILE HOME LOT — A parcel of land for the placement of a single mobile home and the exclusive use of its occupants.

MOBILE HOME PARK — A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for nontransient use.

MOBILE HOME STAND — That part of an individual lot which has been reserved for the placement of the mobile home, appurtenant structures or additions.

PERMIT - A written permit issued by the Village Board allowing a person to operate and maintain a mobile home park under the provisions of this Article and regulations issued hereunder.¹

PERSON - Any individual, firm, trust, partnership, public or private association or corporation.

RIGHT-OF-WAY - That portion of designated land set aside for the installation of utilities and/or sidewalks, curbs, gutters or other unrestricted uses.

SERVICE OR RECREATIONAL BUILDING - A structure housing operational, office, recreational, park maintenance and other facilities built to conform to required local standards.

VILLAGE BOARD - The Trustees and Mayor of the Village of Wilson, New York, or their designated representative.

§ 106-4. Preliminary application; fee.²

A preliminary application for a permit must be obtained from and filed with the Zoning Administrator. A filing fee of an amount as set forth by resolution of the Board of Trustees, nonrefundable, will be retained by said Zoning Administrator.

§ 106-5. Contents of application.

The application must contain:

- A. A legal description of property on which the proposed park will be located.
- B. Map.
 - (1) A map must be enclosed with said application and must contain:
 - a. The location and widths of all entrances, exits, streets and walkways.
 - b. The location, size and arrangement of each lot within the park.
 - c. The method and plan for electric lighting of the park.
 - d. The location and plan of all proposed structures and improvements.
 - e. Any proposed grading, and plans for landscaping.
 - f. Any proposed stormwater drainage.

¹ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I, the former definition of "mobile home," which immediately followed this definition of "license," was deleted at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

² Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

- g. Any proposed utilities.
 - h. Abutting property owners and present use of the property upon which the mobile home park will be constructed.
 - i. Any unusual special land features such as streams, creeks, areas with steep slopes, etc.
- (2) This map should be prepared by a surveyor, engineer or other trained person and shall be drawn to a suitable scale and shall include the date, North point and scale.
- C. Said application, when completed and filed and the fee deposited, will be forwarded to the Zoning Board of Appeals (ZBA) for review within fifteen (15) days before the next regularly scheduled Zoning Board of Appeals meeting¹.

§ 106-6. Zoning Board of Appeals action².

- A. The Zoning Board of Appeals (ZBA), having received said application, will study the application and make recommendations thereto. The applicant or his representative may be requested to attend Planning Board meetings for further clarification of plot plan, etc.
- B. The Zoning Board of Appeals (ZBA) will hold a public hearing prior to forwarding its recommendations to the Village Board.

§ 106-7. Supplemental licenses.

- A. Any person holding a permit for a mobile home park and desiring to add additional lots to such park shall file an application for a supplemental permit.
- B. The application for such supplemental permit must be accompanied by the same sets of plans and specifications as required for the initial permit in § 106-5 of this Article, and shall be filed and handled according to the procedure established in that section of the Article.

§ 106-8. Restriction on location.

No mobile home park shall be located or maintained in any district of the Village of Wilson, except in the R-50 Districts as defined and established by Chapter 170, Zoning, of the Code of the Village of Wilson, as it may from time to time be amended.

§ 106-9. Park site.

- A. The park shall be located on a well-drained site which is properly graded to ensure rapid drainage and be free at all times from stagnant pools of water.
- B. The park shall be free from heavy or dense growth of brush and woods.
- C. The park shall be at least three (3) acres in size, with at least one hundred (100) feet of frontage on a public road.

¹ Editor's Note: Amended 9/19/24 when adopting Ch. 18

² Editor's Note: Amended 9/19/24 when adopting Ch. 18

§ 106-10. Lot requirements.

Every lot shall meet the following minimum requirements:

- A. Each mobile home lot shall have a total area of not less than five thousand (5,000) square feet, with a minimum dimension of fifty (50) feet.
- B. Only one (1) mobile home shall be permitted to occupy any one (1) lot.
- C. Front yard setback depth from mobile home development interior street: twenty (20) feet.
- D. Front yard setback depth from mobile home development rights-of-way: five (5) feet.
- E. Front yard setback from mobile home lot line: fifteen (15) feet.
- F. Side yard setback from mobile home lot line: ten (10) feet.
- G. Rear yard setback depth from mobile home lot line: ten (10) feet.

§ 106-11. Accessory and service buildings.

- A. Service buildings may be provided as deemed necessary for the normal operation of the park. Such buildings shall be maintained by the owner or manager of the park in a clean, sightly and sanitary condition.
- B. One (1) accessory building, factory-built, not to exceed one hundred (100) square feet in dimension, may be placed on each mobile home lot.
- C. Both service and accessory buildings must be of a material that would be approved by the Village of Wilson Building Code or by the Village Board. Buildings may be of a preconstructed material.

§ 106-12. Mobile home stands.

- A. Each mobile home lot shall have a mobile home stand which will provide for the practical placement on and removal from the lot of both a mobile home and its appurtenant structures and the retention of the home on the lot in a stable condition.
- B. The stand shall be of sufficient size to fit the dimensions of the anticipated mobile home and its appurtenant structures or appendages.
- C. The stand shall be constructed of an appropriate nonporous material which is durable and adequate for the support of the maximum anticipated loads.
- D. The stand shall be suitably graded to permit rapid surface drainage.

§ 106-13. Skirts.

Each mobile home owner shall be required to enclose the bottom portion of the mobile home with either a metal or wood skirt or other material, properly ventilated, within sixty (60) days after arrival in the park.

§ 106-14. Concrete slab.

Each mobile home lot shall be provided with one (1) concrete slab for carport or patio use, the size of such slab to be not less than ten by twenty (10 x 20) feet. Such slab shall not be required until after the mobile home is in place.

§ 106-15. Parking areas.

- A. The equivalent of two (2) parking spaces must be provided for each mobile home lot. These spaces must be off the interior streets. At least one (1) of these spaces must be on the mobile home lot, while the other may be in one (1) or more central parking lots.
- B. Each parking space must have a minimum of two hundred fifty (250) square feet.
- C. If central parking areas are provided, they should be adequately lighted.

§ 106-16. Sidewalks.

Sidewalks will not be required, but if constructed must meet village requirements.³

§ 106-17. Landscaping.

- A. Screen planting shall be provided to screen objectionable views. Views which shall be screened include laundry facilities, other nonresidential uses, garbage storage and collection areas and all abutting yards of adjacent properties.
- B. Other planting shall be provided along those areas within the park which front upon existing public highways and streets to reduce glare and provide pleasant outlooks for the living units.

§ 106-18. Fire protection.

Suitable fire apparatus and/or communication with the local Fire Department shall be provided.

§ 106-19. Communications.

Public-address systems are prohibited. Intracommunication systems, if used, shall not be audible beyond park boundaries.

§ 106-20. Accessibility.

Where a mobile home park has more than twenty (20) mobile homes, two (2) points of entry and exit shall be provided.

³ Editor's Note: See Ch. 139, Streets and Sidewalks.

- A. Such entrances and exits shall be designed and strategically located for the safe and convenient movement into and out of the park and to minimize friction with the free movement of traffic on public highways or streets.
- B. All entrances and exits shall be at right angles to the existing public highway or street.
- C. All entrances and exits shall be free of any material which would impede the visibility of the driver on a public highway or street.
- D. All entrances and exits shall be of sufficient width to facilitate the turning movements of vehicles with mobile homes attached.
- E. Entrance roads connecting the mobile home park with public roads shall have a minimum road width of twenty (20) feet, or a total width of thirty-six (36) feet, including rights-of-way.

§ 106-21. Internal streets.

- A. The width of all internal streets must be a minimum of thirty (30) feet, twenty (20) of which must be paved.
- B. There shall be no closed-end streets.
- C. All streets shall be constructed of blacktop or its equivalent and shall be designed, graded and leveled so as to permit the safe passage of emergency and other vehicles at a speed of fifteen (15) miles per hour.

§ 106-22. Utilities.

- A. A landscaped utility easement may be provided along the rear of each mobile home lot. Such easement shall be not less than ten (10) feet in width, and the area of such easement shall be in addition to minimum lot size requirements. No permanent structures other than walkways, benches, recreational facilities, picnic areas and lighting systems shall be located within the utility easement, and those permitted structures shall be located in such a manner as not to impede maintenance of the underground facilities.
- B. All utilities, including electric power, telephone, gas and central television, shall be located within this rear easement, if provided, or within the setback areas, as required in § 106-10 of this Article.
- C. Whenever possible, these utilities should be underground.
- D. Streetlights shall be provided on all interior streets and central parking areas.

§ 106-23. Water.

The mobile home park shall be connected to the public water facility unless the Village Board deems otherwise, and a waterline shall be provided each mobile home lot.

§ 106-24. Sewage.

- A. An adequate and approved system shall be provided in the park for conveying and disposing of sewage from mobile homes and service buildings. Such systems must be designed, constructed and maintained in accordance with Department of Health standards.
- B. Sewer lines of the mobile home park shall be connected to the public sewer, and proposed sewage facilities shall be approved by the Niagara County health authority prior to construction.
- C. Storm drainage pipes, ditches, etc., may be required if requested by the Zoning Board of Appeals (ZBA)¹.

§ 106-25. Garbage and refuse.

The mobile home park shall provide sanitary equipment to prevent littering of the grounds and premises with rubbish, garbage or refuse. Each mobile home shall have containers with tightly fitting covers. Regular disposal shall be provided for all rubbish, trash and garbage.

§ 106-26. General electrical requirements.

The park shall contain an electrical wiring system consisting of wiring fixtures, equipment and appurtenances which shall be installed and maintained in accordance with the local electric power company's specifications and regulations. All wiring fixtures and connections must have the New York State Underwriters' approval.

§ 106-27. Specific electrical requirements.

- A. Each mobile home shall be supplied with not less than one-hundred-amp service. If the mobile home is to be heated electrically, then two-hundred-amp service is recommended for each unit.
- B. Whenever possible, electrical transmission lines should be placed below ground.
- C. All grounding wiring must be retained.

§ 106-28. Fuel oil supply.

- A. All fuel-oil tanks shall be placed at rear of mobile homes and not located less than five (5) feet from any exit.
- B. It is recommended that all fuel-oil tanks be buried.
- C. It is recommended that a central fuel-oil supply system be provided.
- D. Supports or standards for fuel-storage tanks are to be of a noncombustible material.

¹ Editor's Note: Amended 9/19/24 when adopting Ch. 18

§ 106-29. Natural gas supply.

- A. Natural gas piping systems shall be installed and maintained in conformity with accepted engineering practices.
- B. Each mobile home lot provided with piped natural gas shall have an approved shutoff valve and cap to prevent accidental discharge of gas.

§ 106-30. Liquefied gas.

- A. Such system shall be provided with safety devices to relieve excessive pressures and shall be arranged so that discharge terminates at a safe location.
- B. Systems shall have at least one (1) accessible means for shutting off gas. This means shall be located outside of individual mobile homes.
- C. All liquid propane gas piping shall be well supported and protected against mechanical injury.
- D. Storage tanks shall not be less than one hundred (100) pounds and must be located at the rear of the mobile home and no closer than five (5) feet to any exit.
- E. A central underground gas-storage system is recommended.

§ 106-31. Recreation areas.

- A. Every mobile home park shall have a minimum of five thousand (5,000) square feet of recreation area for the public use of persons living in the park, and no less than two hundred (200) square feet per mobile home.
- B. The Zoning Board of Appeals (ZBA)², 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 purpose.
- C. It is recommended that this recreation area be centrally located, but other areas may be better utilized for this purpose, depending upon topography and location of the mobile home park.

§ 106-32. License for Operation and Maintenance; Management³

- A. Issuance of license; fee; term. After such time that all rules, regulations, codes and provisions of Chapter 170, Zoning, have been met, the Zoning Administrator of the Village of Wilson, New York, will issue a license for operation and maintenance of a mobile home park. Said applicant will file a licensing fee in an amount as set forth by resolution of the Board of Trustees. Said license is for a twelve-month period from the date of issue.

² Editor's Note: Amended 9/19/24 when adopting Ch. 18

³ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

- B. Renewal of license. 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 the time of initial approval. The renewal fee shall be an amount as set forth by resolution of the Board of Trustees.
- C. Transfer of license. The license is transferable upon written notification and approval of the Village Board. The transfer fee shall be an amount as set forth by resolution of the Board of Trustees.

§ 106-33. Inspections.

Any member of the Village Board or its designated health authority may inspect the mobile home park at reasonable intervals, and at reasonable times, to determine compliance with this Article.

§ 106-34. Appeals.

Failure of the Village Board to grant or renew a license shall be subject to appeal, as set forth in New York State law.

§ 106-35. Duties of responsibilities of licensee.

- A. The park owner or manager shall keep a register of the year, make, serial number and size of each mobile home in the park. The names, addresses and date of arrival of the mobile home owners should also be in this register.
- B. The person or persons to whom a license has been issued shall operate the park in compliance with this Article and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean sanitary condition.

§ 106-36. Applicability.

- A. The provisions of this Article shall supersede local laws, ordinances, codes or regulations to the extent that such laws, ordinances, codes or regulations are inconsistent with the provisions of this Article, provided that nothing herein contained shall be construed to prevent the adoption and enforcement of a law, ordinance or regulation which is more restrictive or establishes a higher standard for mobile home parks than those provided in this Article, and such more restrictive requirement or higher standard shall govern during the period in which it is in effect.
- B. In a case where a provision of this Article is found to be in conflict with a provision of a zoning, 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 provisions or requirements of which is more restrictive or which establishes a higher standard shall prevail.

§ 106-37. Revocation or suspension of permit.

- A. The Village Board shall have the authority to enter and inspect, for health and sanitation purposes, any facility licensed hereunder at any reasonable time.
- B. If, upon inspection, it shall be found that the licensee has violated any provision of this Article, the Village Board shall have the power to revoke or suspend such license and order the mobile home parking removed or the mobile home park closed after notice and an opportunity to be heard.

§ 106-38. Penalties for offenses.

- A. Any person found guilty of violating any provision of this Article, whether or not such a violation shall be found sufficient by the Village Board for revocation of any license, shall be punishable, upon conviction, by a fine or imprisonment, or both, as provided in Chapter 1, General Provisions, Article II.⁵
- B. Each and every day that a violation of this Article is permitted to exist shall constitute a separate offense.

⁵ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

