

**PART II - MOBILE HOME PARK AND
RECREATIONAL CAMPSITE REGULATIONS**

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ARTICLE I - ENACTMENT AND APPLICATION

Section I - Enactment

A. The Village Board of the Village of Speculator in the County of Hamilton, New York, does hereby ordain and enact the Village of Speculator Mobile Home Park and Recreational Campsite Regulations under and pursuant to the Municipal Home Rule Law, and in accord with the applicable provisions of the Village Law, of the State of New York.

Section 2 - Title

A. The Local law shall be known and may be cited as the "VILLAGE OF SPECULATOR MOBILE HOME PARK AND RECREATIONAL CAMPSITE REGULATIONS" and is hereinafter referred to as "these Regulations."

Section 3 - Purpose

A. It is the purpose and intent of these Regulations to establish appropriate standards and the means for their application for the location, improvement and maintenance of any mobile home park or recreational campsite in accord with the Village Plan and in the interest of the public health, safety or general welfare of the residents or occupants of such facility and the citizens of the Village.

B. It is also the purpose of these Regulations to further the stated purposes of the Adirondack Park Agency Act by satisfaction, in part, of the criteria for approval by the Adirondack Park Agency Act of a local land use program pursuant to Section 807 (2) of the Act.

Section 4 - Scope

A. Pursuant to the provisions of the Municipal Home Rule Law and in accord with the applicable provisions of Village Law, these Regulations authorize and empower those duly appointed or delegated by the Village Board of the Village of Speculator to approve or disapprove Building/Use Permits, Certificates of Compliance and Operating Permits according to the process and standards set forth herein.

B. These Regulations shall apply to the location, improvement, alteration, addition, installation or construction of or

- C. within any mobile home park or recreational campsite or of the land on which such park or campsite is proposed to be situated or maintained in the Village of Speculator according to the process and standards set forth herein.
- D. No park or campsite as herein defined shall be located, extended, or expanded; nor shall any site for such use be cleared, altered, or improved other than as necessary to gain access to and survey; nor construction or installation of any facility proceed, until the process outlined hereunder be complied with including all requisite approvals and issuance of any required Permit or Certificate.
- E. No exemption specifically allowed for under Section 811 (2., 4., 5.) of the Adirondack Park Agency Act shall be diminished or forfeited as such exemptions apply to that Act upon the enactment of these Regulations.

Section 5 - Appendices

- A. The Appendices contained in Part V of this Code are hereby made a part of these Regulations and shall be deemed applicable thereto as specifically hereinafter provided for.

ARTICLE II - MOBILE HOME PARK REQUIREMENTS

Section 6 - Procedure

- A. All proposed mobile home parks shall be subject to, and be approved and developed under, the Conditional Use process as set forth in the Zoning Regulations of Part IV of this Code and according to the following requirements.

Section 7 - Location and Density

- A. Mobile home parks shall be approved and developed under the Conditional Use process only in the following zoning districts of the Zoning Regulations:

- 1. Residential Mobile Home District - RM

- B. Within the above zoning district, no mobile home park shall exceed the density guidelines for that district as set forth in the Village Plan and Zoning Regulations as determined by the size of the parcel or tract of land designated as the mobile home park and the total number of individual mobile

home units to be accommodated within the park, as well as any other principal structures thereon.

Section 8 - Existing Mobile Home Parks

- A. All existing mobile home parks shall be required to make application for an initial Operating Permit within six (6) months of the effective date of these Regulations (unless authorized under prior law) and thereafter a biennial Operating Permit as elsewhere required in these Regulations.
- B. All existing mobile home parks shall be limited to the number, size, and location of mobile homes or non-transient recreational vehicles situated therein on the effective date of these Regulations, except as they shall follow the process and meet the minimum requirements set forth herein whenever any new, additional, or substituted mobile home or non-transient recreational vehicle or addition or alteration thereto is proposed.
- C. Whenever any new, additional, or substitute mobile home or non-transient recreational vehicle is to be placed in, added to, or altered within a mobile home park, a Building/Use permit shall be required therefor. No such permit shall be issued for any new, additional, substituted, or altered unit except according to the following:
 - 1. A minimum distance of twenty (20) feet shall be maintained between the location of any existing unit or part thereof and the proposed location of the new unit or part thereof or; alternatively, where no unit is located on the adjacent lot, ten (10) feet from the established unit lot line.
 - 2. A minimum distance of twenty-five feet from the edge of the travel surface of any internal roadway shall be maintained between the unit and any addition thereto.
 - 3. All requirements of these Regulations with regard to all provisions for water supply and sewage disposal shall be complied with.
- D. No such unit or expansion thereof shall be so situated as to further exaggerate a nonconforming situation. Nothing in this Section shall be interpreted or applied in such a manner as to prevent a mobile home park or portion thereof approved prior to the effective date of these Regulations from being completed in accord with the prior approval. Similarly, no

improvements or rearrangement in any existing park or portion thereof stipulated and agreed to shall be lessened or diminished based on the requirements herein.

Section 9 - Standards

A. General - Creation, expansion, extension, or alteration of any mobile home park shall be in accord with the minimum requirements hereinafter set forth.

B. Park and Lot Size - Shall be as follows:

1. A mobile home park shall have a minimum lot size of three (3) acres and shall contain provision for the satisfactory location of a minimum of ten (10) mobile homes.
2. All mobile home lots within a park shall be a minimum of one hundred (100) feet from the edge of pavement or improved surface area of any public roadway. In addition, there shall be established a minimum buffer area of thirty-five (35) feet individual mobile home lot line within the park. These setback areas shall be screen-planted as necessary and maintained in an attractive manner so as to preclude any detrimental visual impact from the public right-of-way or adjoining property. In addition, any natural or scenic view will be preserved as may be required by the Planning Board.
3. Within the mobile home park, with either or both public or approved community sewer and water facilities, minimum lot size and lot width for individual mobile homes shall be as follows:
 - a. Minimum lot size - six thousand (6,000) square feet
 - b. Minimum lot width - sixty (60) feet

In addition, such additional area as may be required by the N.Y.S. Department of Health or Department of Environmental Conservation to meet minimum sanitation requirements shall be provided.

4. Within the Individual mobile home lot, minimum yard requirements shall be as follows:

- a. Front yard - twenty-five (25) feet (from edge of pavement or improved surface area of an internal street to building line)
 - b. Side yards (each) - Fifteen (15) feet (from lot line to building line)
 - c. Rear yard - Fifteen (15) feet (from lot line to building line).
5. In addition, lot coverage on any individual mobile home lot shall be limited to a maximum of twenty (20) percent of the lot area.
6. Only one (1) mobile home shall be permitted to occupy any single mobile home lot at any one time.
- C. Water Supply - An adequate, safe, and potable supply of water shall be provided in each mobile home park for all occupants thereof. Where a satisfactory supply of public water is available, connection shall be made thereto wherever lawful and according to any Village requirements. Any individual or community water supply system and all water storage and distribution facilities shall be in accord with those standards set forth by the N.Y.S. Department of Health and be acceptable to the Village according to the Building and Sanitary regulations as set forth in Part III of this Code. The water supply, storage, and distribution system shall be approved by the N.Y.S. Department of Health before any Initial Building/Use or Operating Permit is issued.
- D. Sewage Disposal - An adequate and sanitary sewerage system shall be provided in each mobile home park of sufficient capacity and so designed and maintained as to effectively dispose of sanitary wastes without creating a health hazard or nuisance resulting in obnoxious odors or unsightliness. Where a public disposal system is available, connection shall be made thereto wherever lawful and according to any Village requirements. Any individual or community collection and treatment system shall be in accord with those standards set forth by the N.Y.S. Department of Health or Department of Environmental Conservation, as is applicable, and be acceptable to the Village according to the Building and Sanitary Regulations as set forth in Part III of this Code. All sewage disposal facilities shall be approved by the N.Y.S. Department of Environmental Conservation or Department of

Health, as is applicable, before any initial Building/Use or Operating Permit is issued.

E. Flooding, Drainage, and Soil Cover - Shall be considered as follows:

1. Any mobile home park involving lands designated as Flood Hazard Areas by the Federal Insurance Administration of the U.S. Department of Housing and Urban Development as incorporated within the Land Preservation (LP)-Overlay District on Zoning Maps No. 1 and 2 in the Zoning Regulations of Part IV of this Code, and any other land subject to repeated flooding or deemed by the Planning Board to be subject to flood hazard, shall be reviewed by the Planning Board in accord with the applicable provisions of the Building and Sanitary Regulations as set forth in Part III of this Code.
2. Soil, water table, drainage, and topographic conditions shall not create hazards to the property or the health or safety of the occupants and no site shall be approved where seasonal or prolonged wetness, flooding, or erosion will be detrimental to the proposed use of the site.
3. Exposed ground in all parts of every mobile home park shall be seeded or protected with a vegetative growth that is capable of preventing soil erosion and objectionable dust while preserving water absorption qualities.
4. The ground surface in all parts of every mobile home park shall be graded and equipped to drain all surface water in a safe, attractive manner. Surface water shall be appropriately drained to protect buildings and structures and to prevent development of stagnant ponds or pools. Storm drainage shall be conveyed to an adequate and approved system of storm water disposal where available. Storm drains shall not discharge onto the sidewalk, street or adjacent property in such a manner as to create a nuisance or hazard. Final plans will indicate the existing and resulting volume of surface runoff and the manner in which it is to be accommodated.

F. Refuse Disposal - Adequate and sanitary facilities shall be used for the storage, collection, handling and disposal of garbage and refuse. Location, number, and type of receptacles and method of storage and collection shall be as approved by

the Planning Board. In all cases, that person or persons to whom the initial and any subsequent Operating Permit is issued, shall be responsible for arranging for the timely, sanitary, and convenient disposal of garbage, refuse, and solid waste materials for all occupants of the mobile home park.

G. Ground Maintenance and Pest Control - Shall be as follows:

1. Required yards, open space areas and drives shall be kept free of physical hazards, including heavy undergrowth and accumulations of plant growth which are unsightly, noxious or detrimental to health.
2. Walks, drives, service, parking, and similar areas shall be maintained so as to afford safe passage under normal conditions.
3. Fences, service buildings, other minor construction, and all landscaping shall be maintained in a safe and satisfactory condition.
4. Grounds, buildings and structures shall be maintained free of insect, rodent, or other pest harborage or infestation. Methods used to control or exterminate such pests shall not create a danger or nuisance to the occupants of the park or any adjoining property owners.
5. No abandoned or dilapidated mobile home, no longer in condition for human occupancy, shall remain in any mobile home park for a period of more than thirty (30) days and the removal of such unit shall be the responsibility of the mobile home park operator.

H. Utility and Fuel Installations - Shall be as follows:

1. All wiring, fixtures, and appurtenances shall be installed and maintained in accordance with the specifications and regulations of the National Electric Code and the local utility company. Each mobile home lot shall be provided with weatherproof electric service connections and outlets.
2. Power, telephone, and other utility lines shall be placed below ground in conformity with standards set forth by the Public Service Commission and as approved by the local utility company and the Planning Board.

3. Liquefied petroleum gas tanks, where used, shall be placed at the front or rear of the mobile home at a distance at least five (5) feet from any exit and shall have a safety shut-off at the tank. Not more than two (2) one hundred (100) pound tanks (active and reserve) shall be permitted for any mobile home and further, any individual tank in excess of one hundred fifty (150) pounds shall not be located within twenty-five (25) feet of any mobile home.
4. Fuel oil tanks shall have an outdoor fill and vent and shall comply with all state and federal requirements for installation and maintenance.

I. Fire Protection - Shall be as follows:

1. The mobile home park shall be kept free of refuse, rubbish, or any other undesirable and potentially flammable materials
2. Fire hydrant location and size, where applicable, and other fire fighting devices shall be located and in accord with the applicable standards of the New York Fire Insurance Rating Organization, Division of Fire Safety of the State of New York, Village, and fire district requirements and as approved by the Planning Board.

J. Roadways - shall be as follows:

1. No individual mobile home, within a mobile home park, shall have direct access to an existing public roadway.
2. Internal roadways within a mobile home park shall have a minimum designated and improved right-of-way of thirty-eight (38) feet and a minimum improved travel course of eighteen (18) feet and shall be constructed in accordance with those standards set forth in the Subdivision Regulations of Part I of this Code.
3. There shall be no dead-end streets in any park although a cul-de-sac or wye turn-around may be provided in accord with those provisions set forth in the Subdivision Regulations.
4. The Planning Board shall approve location and number of points of entry and exit. Such entrances and exits shall be designed and strategically located for the safe and convenient movement into and out of the mobile home park

and to minimize conflicts with the movement of traffic on the public highway.

5. There shall be a system of internal walkways to provide safe, convenient pedestrian access of adequate width to common facilities, service areas, and open space areas.

K. Off-Street Parking - Two (2) off-street parking spaces shall be provided for each mobile home lot in the mobile home park outside the designated street right-of-way and shall otherwise comply with off-street parking requirements as set forth in the Zoning Regulations of Part IV of this Code. Such required parking spaces shall be appropriately located so as to be both functional and attractive in accord with the recommendations of the Planning Board.

L. Recreation-Open Space Area - Suitable and appropriate recreation and open space area shall be provided and shall constitute a minimum of ten (10) percent of the total park area, such area to be designated on the site plan in such manner as to be an integral part of any proposed mobile home park.

M. Service and Accessory Structures - Shall be as follows:

1. A Building/Use Permit shall be required for any accessory or service building or structure built or placed within a mobile home park.
2. Such buildings shall be so designed and located as not to detract from the overall appearance of the park or its ability to function.
3. The mobile home park operator shall be responsible for notifying the occupants of the park concerning these requirements relative to the placement or construction of such a building.

N. Other Improvements - Shall include:

1. Sidewalks, lighting, and landscaping shall be in keeping with the surrounding development, the unique features of the site and the health and safety of the occupants of the mobile home park as determined by the Planning Board. Attractive site development and landscaping shall be a consideration in determining the adequacy of the proposed mobile home park.

2. Each mobile home owner/tenant shall be required to enclose the bottom portion of the mobile home with a metal, wood, or other suitable 'skirt,' properly ventilated and painted or otherwise suitably finished within sixty (60) days after location in the mobile home park. Notification of each occupant of such requirement shall be the responsibility of the mobile home park operator.
3. Every mobile home park will be safely and attractively lighted, as may be determined necessary by the Planning Board upon the recommendation and advice of the utility company. A satisfactory plan for such lighting shall accompany the final plans submitted for any proposed mobile home park.
4. Adequate, safe and attractive fencing shall be provided where topography, natural hazard, or other considerations dictate and the type and location of such fencing shall be submitted as part of the final plans submitted for any proposed mobile home park.
5. Screen planting shall be provided as is appropriate for those areas of the park, which front upon or are visible from the public highway.
6. Storage facilities for the mobile home park operation and for individual mobile homes will be identified and shall be acceptable to the Planning Board.

O. Mobile Home Sales - Shall be as follows:

1. The sale or lease of mobile homes in conjunction with the operation of a mobile home park, other than where such mobile home is located on an individual lot within the park, shall be permitted only in those commercial districts as provided for in the Zoning Regulations of Part IV of this Code.
2. Where such sale or lease of mobile homes is proposed, a designated area for the same will be shown on the plan - such area to be located and improved relative to the remainder of the park and the highway frontage in a manner satisfactory to the Planning Board.

P. Combined Mobile Home Park and Recreational Campsite - In the instance that one operation combines the use of the premises

for both mobile home park and recreational campsite purposes, the respective requirements for each distinctive use shall be met and separate areas will be identified and maintained for each separate type of use.

ARTICLE III - RECREATIONAL CAMPSITE REQUIREMENTS

Section 10 - Procedure

A. All proposed recreational campsites shall be subject to, and be approved and developed under, the Conditional Use process as set forth in the Zoning Regulations of Part IV of this Code and according to the following requirements.

Section 11 - Location

A. All recreational campsites shall be approved and developed under the Conditional Use process only in the following zoning districts of the Zoning Regulations:

1. Residential Resort District - RR
2. Residential Countryside District - RC

Section 12 - Existing Recreational Campsites

A. All existing recreational campsites shall be required to make application for an initial Operating Permit within six (6) months of the effective date of these Regulations (unless authorized under prior law) and thereafter a biennial Operating Permit as elsewhere required in these Regulations.

B. All existing recreational campsites shall be limited to the number, size, and location of recreational vehicles provided for on the effective date of these Regulations, except as they shall follow the process and meet the minimum requirements set forth herein whenever any expansion of such facility or the accommodation of additional units beyond those approved in the Operating Permit is proposed.

C. Nothing in this Section shall be interpreted or applied in such manner as to prevent a recreational campsite or portion thereof approved prior to the effective date of these Regulations from being completed in accord with the prior approval. Similarly, no improvements or rearrangement in any existing campsite or portion thereof stipulated and agreed to

shall be lessened or diminished based on the requirements herein.

Section 13 - Standards

A. General - Creation and expansion, extension, or alteration of any recreational campsite shall be in accordance with the minimum requirements hereinafter set forth.

B. Site Considerations - Shall be as follows:

1. Any recreational campsite involving lands designated Flood Hazard Areas by the Federal Insurance Administration of the U.S. Department of Housing and Urban Development as incorporated within the Land Preservation (LP) - Overlay District and Zoning Maps No. 1 and 2 in the Zoning Regulations of Part IV of this Code, and any other land subject to repeated flooding or deemed by the Planning Board to be subject to flood hazard, shall be reviewed by the Planning Board in accord with the applicable provisions of the Building and Sanitary Regulations as set forth in Part III of this Code.

2. The campsite shall be located in areas where grades and soil conditions are suitable for location of recreational living units. The campsite shall be located on a well-drained site that is properly graded to insure proper drainage and be free at all times from stagnant pools of water.

3. The site shall be at least five (5) acres in size or as otherwise stipulated in the Zoning Regulations as set forth in Part IV of this Code and have access to a public roadway.

C. Unit Area - Each campsite shall have defined and identifiable camping unit areas. The total number of unit areas in such campsite shall not exceed twelve (12) per gross acre. Each unit area shall have a total area of not less than two thousand (2,000) square feet with a minimum dimension of forty (40) feet. Only one recreational living unit or other unit of temporary portable housing shall be permitted to occupy any one camping unit area.

D. Improved Unit Area - Each designated lot shall have an improved area that will provide for the placement and removal of recreational living units and for the retention of each in

a stable condition. This improved area shall be of sufficient size to accommodate the dimensions of all anticipated recreational living units, shall consist of as a minimum, a six (6) Inch gravel base, and shall be suitable leveled and graded to permit proper surface drainage.

E. Location of Units - Shall be as follows:

1. A recreational living unit shall be located a minimum distance of:
 - a. Ten (10) feet from the unit lot line
 - b. Thirty-five (35) feet from an adjacent property line
 - c. One hundred (100) feet from the edge of the pavement or improved surface area of a public roadway.
 - d. Twenty (20) feet from the edge of any paved or improved surface area of any roadway within the campsite.

F. Accessibility - Shall be as follows:

1. Each campsite shall be easily accessible from an existing public roadway.
2. The Planning Board shall approve location and number of points of entry and exit. Such entrances and exits shall be designed and strategically located for the safe and convenient movement into and out of the campsite, and to minimize conflicts with the movement of traffic on a public roadway. Ease of access and egress and turning movements shall be considered in the design of the roadway system.
3. Each campsite shall have improved roadways to provide convenient access to all camping unit areas and other important facilities within the site. In addition:
 - a. Internal roadways within a campsite shall have minimum rights-of-way and improved surfaces as follows:
 - One-way traffic movement: Right-of-way - twenty (20) feet; Surface or pavement width - ten (10) feet
 - Two-way traffic movement: Right-of-way - twenty-eight (28) feet; Surface or pavement width - eighteen (18) feet

b. All roadways shall be constructed in accordance with those standards set forth in the Subdivision Regulations of Part I of this Code.

c. No parking shall be allowed on any roadway and there shall be no dead-end roadways in any campsite, except that a cul-de-sac or wye turn-around may be provided in accord with those provisions set forth in the Subdivision Regulations.

d. Adequate access shall be provided to each improved camping unit area.

G. Utilities and Service Facilities - All sewer, water, and public accommodation facilities provided in any campsite shall be in accordance with the regulations of the N.Y.S. Department of Environmental Conservation or Department of Health, as is applicable, and the Building and Sanitary Regulations of Part III of this Code. In addition, the following utilities and service facilities shall be provided in each campsite:

1. An adequate supply of pure water for drinking and domestic purposes shall be supplied.

2. Separate toilet and other necessary sanitary facilities for males and females shall be provided in permanent structures for each. The buildings housing such toilet and sanitary facilities shall be well lighted at all times of day and night; shall be well ventilated with screened openings; shall be constructed of moisture-proof material; shall be well heated; and shall be sanitarily maintained at all times. Such buildings shall not be located closer than forty (40) feet to any individual camping unit area within the campsite.

3. Waste from all service buildings and individual lots shall be discharged into an approved public or private sewer system in compliance with the Building and Sanitary Regulations of Part III of this Code and in such a manner so as not to present a health hazard.

4. Other service buildings and facilities shall be provided as deemed necessary for the normal operation of the campsite and all such buildings shall be maintained in a sanitary condition.

5. Refuse disposal shall be the responsibility of the operator of the campsite and such refuse shall be disposed of in a timely and sanitary manner.
 6. Where electrical connections or services are provided, they shall be weatherproof connections and outlets that are of a type approved by the National Electric Code. Proposed electrical service shall be shown on the plan and approved by the local utility company.
- H. Recreation - Open Space Area - Each campsite shall provide common open space for the use of the occupants of such campsite. Such open space shall be conveniently located in the campsite and shall constitute a minimum of ten (10) percent of the total campsite area, such area to be designated on the site plan in such manner as to be an integral part of any proposed recreational campsite.
- I. Fireplaces; Campfires - All fires in any campsite shall be in a designated and improved location with at least a stone or other fire-proof enclosure demarcating the usable area from which all vegetative growth or other flammable material which might contribute to the accidental spread of the fire shall be removed.
- J. Landscaping - Shall be as follows:
1. Lawn and ground cover shall be provided on those areas not used for the placement of individual recreational living units and other buildings, walkways, roads, and parking areas.
 2. Plantings shall be provided to the extent needed in order to screen objectionable views, provide adequate shade and to provide suitable settings for the recreational living units and other facilities. Views which shall be screened include laundry facilities, other non-residential uses, refuse storage and collection areas, and all abutting yards of adjacent properties.
 3. Screen planting shall be provided as is appropriate for those areas of the campsite, which front upon or are visible from the public highway.
- K. Duties of Campsite Operator - Every campsite shall be under the management of the campsite operator who shall manage such

campsite from an office located on the premises and whose duty it shall be:

1. To provide for the collection and removal of refuse, garbage, and other waste material at least once weekly.
 2. To prohibit the placing or storage of unsightly material of any kind.
 3. To provide for cleaning, painting, repairing, and disinfecting all buildings.
 4. To take such other measures as shall be deemed necessary by the Village to preserve the health, comfort, and safety of all persons accommodated in the campsite.
 5. To comply with the National Electrical Code with respect to electric wiring and equipment and with the requirements of the N.Y.S. Department of Health or Department of Environmental Conservation, as is applicable, and the Building and Sanitary Regulations of Part III of this Code, with regard to water supply, sewage disposal, and all public accommodations.
 6. Campsites must be kept in a neat, clean, and sanitary condition at all times and be free of fire hazards.
- L. Removal of Wheels - Unless special consent be given by the Village Board, it shall be unlawful to remove wheels from any recreational living unit or otherwise permanently affix such unit to the ground. Such removal shall be grounds for the revocation of the Operating Permit for such campsite. Further, all recreational vehicles admitted to and allowed to continue in any camp-site shall be in a highway operable condition and appropriately licensed as is required for highway travel.
- M. Length of Stay - No recreational living unit shall be permitted to remain in the campsite for an aggregate period of more than ninety (90) days in any one calendar year; or such unit shall thereafter be considered permanent and shall comply with all requirements for a mobile home park.
- N. Related Requirements - Issuance of an Operating Permit hereunder for the use of the premises as a campsite shall not be construed to eliminate the necessity of complying with all other applicable ordinances, resolutions, health regulations, and other regulatory authorities or measures.

ARTICLE IV - ADMINISTRATION AND ENFORCEMENT

Section 14 - Building/Use Permit

- A. Permit Required - No mobile home park or recreational campsite shall be established or expanded; no alteration or improvement of the site made; and no new, additional, or substituted mobile home or non-transient recreational vehicle located in a mobile home park or recreational campsite in the Village until a Building/Use Permit therefor has been issued by the Enforcement Officer. All Building/Use Permits for the establishment, expansion, or site alteration or improvement of the mobile home park or recreational campsite shall be authorized by the Planning Board in accord with the Conditional Use process as outlined in the Zoning Regulations of Part IV of this Code. The Enforcement Officer shall issue all Building/Use Permits for new, additional, or substituted mobile homes or non-transient recreational vehicles.
- B. Application - Plans and information shall be as required in Appendix 'B' of Part V of this Code. An application for a Certificate of Compliance shall be made coincidental with any application for a Building/Use Permit, such application to be valid for the duration of the Permit. The Enforcement Officer shall advise the applicant of any additional information required to constitute a complete application within ten (10) days of receipt of the application.
- C. Notification of Determination - Authorization by the Planning Board to the Enforcement Officer to issue or deny a Permit shall be as set forth under the Conditional Use process in the Zoning Regulations of Part IV of this Code, in the consideration of any complete application for a new, expanded, altered, or improved mobile home park or recreational campsite. The Enforcement Officer shall review an application and shall issue or refuse to issue a Permit, or advise the applicant of any required additional information or referral required, within ten (10) days of receipt of an application in consideration of a new, additional or substituted mobile home park or non-transient recreational vehicle. Notice of refusal to issue any Permit shall be given to the applicant in writing and shall state the reasons for said refusal. Approval of the application shall be indicated by issuance of the Building/Use Permit.

D. Duration of Validity - A Building/Use Permit issued under these Regulations shall be valid for a period of six (6) months from the date of issuance, during which six-month period the project for which the Permit was issued must be initiated. Providing the project is initiated within this six-month period, the validity of the Permit shall continue for a period of two (2) years from the date of issuance. Application may be made to and considered by the Board of Appeals, which Board may, for due cause shown, authorize such extension of either or both the six (6) month or two (2) year time limitation, as it may determine appropriate.

Section 15 - Certificate of Compliance

A. Certificate Required - No new, expanded, altered, or improved mobile home park or recreational campsite or new, additional, or substituted mobile home or non-transient recreational vehicle located in any park or campsite shall be used or occupied until a Certificate of Compliance shall have been issued by the Enforcement Officer.

B. Application - Application for a Certificate of Compliance shall be made coincidental with any application for a Building/Use Permit. Such application shall be valid for the duration of the validity of the Permit.

C. Notification of Determination - The Enforcement Officer shall make or cause to have made an inspection of each mobile home park, recreational campsite, mobile home, or non-transient recreational vehicle for which a Certificate of Compliance is required before issuing such Certificate. A Certificate of Compliance shall be issued only if the park, campsite, mobile home, or non-transient recreational vehicle conforms to the provisions of these Regulations and to the application based on which the Building/Use Permit was issued. Issuance of the Certificate or written notification of refusal to issue the same and the reasons therefor are to be accomplished within ten (10) days from the date of notification of project completion.

Section 16 - Operating Permit

A. Permit Required - All mobile home parks or recreational campsites existing on the effective date of these Regulations and any hereafter established shall require an Operating Permit unless authorized under prior law and the operator

thereof will be notified of the need to apply for an initial Operating Permit within sixty (60) days from the effective date of these Regulations.

- B. Application - An application for a renewable biennial Operating Permit shall be made at least sixty (60) days prior to the expiration date of the previous Permit. Initial application shall include a map and drawings of the existing layout, including individual lots and utilities and such additional information including the applicable provisions of Appendix 'B' of Part V of this Code, in accord with the requirements of the Planning Board as they deem necessary for the proper administration of these Regulations. The Enforcement Officer shall advise the applicant of any additional information required to constitute a complete application.
- C. Notification of Determination - Upon application for an Operating Permit, the Enforcement Officer shall inspect the premises and report his findings to the Planning Board, which Board may within thirty (30) days make recommendation to the Village Board, which shall, within sixty (60) days of the date of application, authorize the Enforcement Officer to issue or deny the Permit in accord with the requirements set forth in these Regulations. Where it is determined that such existing parks and campsites do not meet the minimum requirements of these Regulations pertaining to the health, sanitation, cleanliness, or proper maintenance of the park or campsite, the applicant will be notified of minimum acceptable improvements, the completion of which improvements shall be made and verified to within one (1) calendar year from the original date of the application or the applicant shall thereafter be considered in violation of these Regulations and shall be notified of the same in accord with the process hereinafter set forth.
- D. Duration of Validity - All initial and subsequent biennial Operating Permits shall be effective for a two- (2) year period from and following their date of issuance.

Section 17 - Amendments

- A. The Village Board may on its own motion, on petition, or on recommendation of the Planning Board or Board of Appeals, amend the Regulations pursuant to the applicable requirements of law.

- B. All proposed amendments originating by petition, or by motion of the Village Board, shall be referred to the Planning Board for a report and a recommendation thereon. The Planning Board shall submit its report within thirty (30) days after receiving such referral. Failure of the Planning Board to report within the required time shall be deemed to constitute their recommendation for approval of the proposed amendment.
- C. Any proposed amendment governed by the applicable portions of Section 239M of the General Municipal Law shall be referred to the Hamilton County Planning Board and; upon approval by the Adirondack Park Agency of the Village's local land use program, or the portion of such program embodied by these Regulations, any amendment will be referred to the Adirondack Park Agency in accord with the procedure identified under Section 19 below.
- D. Before any amendment, there shall be a public notice and hearing thereon as provided by law and as set forth below.
- E. After the public hearing, and referral to and report by the Planning Board, a majority vote of the members of the Village Board shall be required to amend these Regulations.

Section 18 - Public Hearings

- A. Public hearing shall be required prior to any action on any amendment or variance considered under these Regulations.
- B. The Village Board shall hold any public hearing in consideration of any amendment to these Regulations in accordance with the applicable provisions of law.
- C. The Planning Board may, at its discretion, hold a public hearing in the consideration of a conditional use in accordance with the procedure outlined for such use in the Zoning Regulations of Part IV of this Code.
- D. The Board of Appeals shall hold any public hearing in consideration of a request for any variance in accordance with the applicable provisions of law. In addition, the Board of Appeals may, at its discretion, hold a public hearing in the consideration of any other matter within its jurisdiction, including a request for interpretation or extension of time, which it has been delegated to consider under these Regulations.

- E. Public notice of any required public hearing will be advertised in a newspaper of general circulation in the Village at least five (5) business days prior to the date of such hearing and shall specify the date, time, place, and purpose of such hearing.
- F. The instrument of the Village responsible for calling any public hearing may require any applicant in an action necessitating public hearing to notify by certified mail or other acceptable means, adjoining and other specifically designated property owners and persons of legitimate interest concerning the public hearing.
- G. The hearing shall be conducted in accord with the guidelines established by the presiding officer. Any person or party of interest may appear in person or by agent or attorney and shall be given an opportunity to be heard, as it is relevant to the proceedings.

Section 19 - Required Referrals

- A. Whenever any amendment, conditional use, or variance would apply to real property within a distance of five hundred (500) feet from any boundary line of a neighboring municipality or within five hundred (500) feet of any County or State property or right-of-way, said proposed amendment, conditional use or variance shall be referred to the Hamilton County Planning Board, which Board shall have thirty (30) days in which to report its recommendations to the Board from which it was referred. Failure of the County Planning Board to report within thirty (30) days may be construed to be approval by the County Planning Board. Notification of action taken on any matter previously referred to the County Planning Board will be given within seven (7) days of such action.
- B. At such time as these Regulations may become part of an approved local land use program for the Village under the Adirondack Park Agency Act, any amendment or variance and all matters deemed to have a regional impact and classified as either Class 'A' or Class 'B' Regional Projects shall be referred to the Adirondack Park Agency in accord with the provisions for the administration of an approved local land use program as set forth in Appendix 'E' of Part V of this Code. Until such time as these Regulations become part of such Adirondack Park Agency approved program, the Village will administer the Regulations as herein provided and will notify

any applicant of the need to comply with all applicable requirements of the Adirondack Park Agency Act.

Section 20 - Enforcement and Violation

- A. Enforcement - These Regulations shall be enforced by a person hereinafter called the 'Enforcement officer,' designated by the Village Board, who shall in no case grant any Permit or Certificate where any proposed mobile home park, recreational campsite or construction or installation in connection therewith would be in violation of any provision of these Regulations. The Enforcement Officer shall establish such procedure and make such inspections of the premises as are necessary to carry out his duties in the administration and enforcement of these Regulations. Further, the Enforcement Officer shall prepare and submit a written record and report of all official actions, including Permits and Certificates issued and denied, to the Village Board on a monthly basis or as otherwise directed by the Village Board with copies transmitted to the Planning Board and Board of Appeals.
- B. Citizen Complaint - Any resident, property owner or other person of legitimate interest may file with the Enforcement Officer a written, signed complaint against any alleged violation of these Regulations. It shall be the duty of the Enforcement Officer to investigate such alleged violation and to report thereon to the Village Board in a timely manner, which report shall be filed and be part of the public record of the Village.
- C. Notification and Correction - Any mobile home park or recreational campsite or unit, facility or installation in connection therewith determined to have been created, located or expanded which does not comply with these Regulations shall be so recorded by the Enforcement Officer and a report thereof filed with the Village Board. The Enforcement Officer, at the direction of the Village Board, shall give official written notice to this effect to the owner of record thereof. The owner shall initiate measures to correct such noncompliance within thirty (30) days from the date of notification. If within this thirty (30) day period application is not made to initiate a process for correction and if thereafter such correction is not pursued according to an agreed upon timetable and to the satisfaction of the Village Board, the Village Board shall instruct the Village Attorney to institute proceedings to compel compliance and assess such penalties in

accord with the provisions hereinafter set forth for the violation of these Regulations.

D. Violations and Penalties - Shall be as follows:

1. Any person or persons who are responsible for any acts contrary to the provisions of these Regulations and who have not complied with the direction to remedy such noncompliance as provided for above, shall be guilty of a violation of these Regulations and upon conviction therefor, shall be subject to the penalty provided below.
2. Any owner, lessee, contractor, agent, partnership, corporation, association or other person or persons who violate or cause to be violated any provision of these Regulations shall, upon conviction for such violation, be subject to a fine not to exceed two hundred fifty (\$250) dollars, imprisonment not to exceed fifteen (15) days, or both, for each such violation; and every week, seven (7) days, that said violation continues shall constitute a separate and additional instance of violation.
3. In addition to the above provided penalties and punishment, the Village Board may also maintain an action or proceeding in the name of the Village in a court of competent jurisdiction to compel compliance with, or to restrain by injunction, the violation of these Regulations.

Section 21 - Appeal and Court Review

- A. Appeal - All appeals for relief from the application of these Regulations in matters of interpretation or request for variance shall be directed to the Board of Appeals whose duties and procedure for consideration of appeal are as set forth in Appendix 'A' of Part V of this Code. Where the Board of Appeals finds that practical difficulty or unnecessary hardship may result from strict compliance with these Regulations, it may vary the Regulations so that substantial justice may be done and the public interest secured; provided that such variations will not have the effect of nullifying the intent and purpose of these Regulations or the Village Plan. In granting such variances, the Board of Appeals shall require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied.

B. Court Review - Any person or persons, jointly or severally aggrieved by any decision of the Planning Board, Board of Appeals, Village Board or any official instrument of the Village in the administration of these Regulations may have the decision reviewed in the manner provided by Article Seventy-Eight of the Civil Practice Law and Rules, provided the proceeding is commenced within thirty (30) days after the filing of the decision in the appropriate office of the Village. Costs shall not be allowed against the Village unless it appear to the Court that the Village or its representatives acted with gross negligence or in bad faith or with malice in making the decision appealed from.

Section 22 - Interpretation and Effectuation

A. Interpretation - Terms and words used herein are as defined in Appendix 'D' of Part V of this Code. In their interpretation and application, the provisions of these Regulations shall be held to be minimum requirements, adopted for the promotion of the public health, safety or the general welfare; and only where exceptional conditions warrant, which conditions shall be fully documented, shall the responsible instrument of the Village require such additional measures as are reasonable and appropriate under the circumstances to accomplish the purposes of these Regulations. Whenever the requirements of these Regulations are at variance with the requirements of any other lawfully adopted rules, regulations or ordinances, the most restrictive or that imposing the higher standard shall govern.

B. Separability - The invalidity of any provision of these Regulations shall not invalidate any other provision thereof.

C. Invalidity - No approval, Permit or Certificate authorized or granted by any official instrument of the Village in contradiction to the provisions of these Regulations shall vest any rights or interest to the recipient irrespective of any action taken or obligation incurred in reliance on such authorization, nor shall the Village be liable for same, under any such invalid authorization.

D. Liability - Nothing in these Regulations, including the issuance of a Building/Use Permit, Operating Permit, or Certificate of Compliance, shall be construed to insure or in any way guarantee any mobile home park or recreational campsite or structure or installation therein against defect, failure or other short-coming, and the Village shall not be liable for same.

- E. Fees - A schedule of fees for the administration of these Regulations in consideration of an application for any Building/ Use Permit, Certificate of Compliance, Operating Permit, variance or amendment shall be as established by resolution of the Village Board.

- F. Effective Date; Repealer - The "VILLAGE OF SPECUALTOR MOBILE HOME PARK AND RECREATIONAL CAMPSITE REGULATIONS" shall become effective at the time and in the manner provided by law and any existing Village ordinances, statutes, resolutions, regulations, or laws in conflict with its provisions shall be deemed repealed upon the effective date of these Regulations.

- G. Continuation - Nothing herein, however, shall be deemed to exempt or release any prior or current mobile home park or recreational campsite from any requirements, stipulations or pending actions under any Village requirements in force and effect prior to the effective date of these Regulations.