

Local Law No. 3 of the year 2000

Manufactured Housing and Mobile Home Law

(Amending Local Law(s) Number 2 of 1986 entitled “Mobile Home/Trailer Installation and Maintenance” and Local Law Number 3 of 1986 entitled “Mobile Home/Trailer Installation and Maintenance.”)

SECTION 1. Purposes

The intent of the law as described is to insure acceptable development for placement of manufactured housing on residential lots or in mobile home parks. It includes provisions for sewage disposal, water supply, garbage removal, inspection of facilities, and other actions deemed necessary to protect the public health, safety, and welfare of the citizens of the Village of Moravia, New York.

SECTION 2. Conditions

1. A building permit from the Enforcement Officer is required before the installation of any dwelling unit that satisfies the definition for manufactured housing. A permit shall be issued consistent with provisions of the State of New York Fire Prevention and Building Code and other applicable local laws.
2. No manufactured housing shall hereafter be used, located, moved or occupied within the Village of Moravia except as expressly permitted by and in conformity with this local law and the regulations herein specified.
3. All lots upon which any manufactured housing is to be placed must satisfy criteria set forth in FEMA publication Manufactured Home Installation in Flood Hazard Areas.

SECTION 3. Terms

For the purpose of this local law certain terms or words used herein shall be interpreted or defined as follows: Words used in the present tense include the future tense. The singular number includes the plural. The word “person” includes a corporation as well as an individual. The word “lot” includes the words plot, parcel, and property. The term “shall” is always mandatory.

SECTION 4. Definitions

1. Abandoned. If no one lives in a mobile home or trailer for 12 consecutive months and is also delinquent on the payment of any tax bill, the unit will be considered abandoned.
2. Trailer. Any structure that is (1) intended to be transported over the streets and highways (either as a motor vehicle or attached to or hauled by a motor vehicle), and (2) is designed for temporary use as sleeping quarters, but does not satisfy one or more of the definition criteria of a manufactured or mobile home as defined in this ordinance.
3. Residential Designed Manufactured Home. A single family dwelling built according to the Federal Manufactured Housing Construction and Safety Standards (24 CFR 3280) HUD Code, which meets or exceeds the following criteria:
 - a. The manufactured home has a minimum width over 20 feet (multisection).
 - b. The manufactured home has a minimum of 900 square feet of enclosed living area.
 - c. The pitch of the roof has a minimum nominal 3/12 pitch, and has a type of shingle commonly used in standard residential construction.
 - d. The exterior siding consist of vinyl or aluminum lap siding, wood, masonite, or other materials similar to the exterior siding commonly used in standard residential construction.

e. All towing devices, wheels, axles, and hitches must be removable, and removed upon installation.

4. Standard Designed Manufactured Home. A single family dwelling built according to the Federal Manufactured Housing Construction and Safety Standards (24 CFD 3280) HUD Code, which does not meet the criteria of a Residential Designed Manufactured Home.

5. Mobile Home. A single family dwelling that is wholly, or in part, fabricated in an off-site manufacturing facility for installation or assembly at the building site, designed to be a permanent residence, and built prior to the enactment of the Federal Manufactured Housing Construction and Safety Standards Act of June 15, 1976.

6. Modular Home. A single family dwelling constructed according to the standards set forth in local or state building codes, and may consist of two or more sections transported to the site in a manner similar to a manufactured home, or a series of panels or room sections transported on a truck and erected or joined together on the site. Modular homes may or may not have an integrated chassis.

7. Manufactured Housing: The term “Manufactured Housing” as used in this Local Law shall include trailers, mobile homes, standard designed manufactured homes, residential designed manufactured homes and modular homes.

8. Mobile Home Park. Any lot on which two or more structures that fall under the definition of manufactured housing, are located regardless of whether or not a charge is made for such accommodations.

9. Street Line. Designated to be the curb or ditch line.

10. Code Enforcement Officer. The person designated and appointed as such by the Village of Moravia.

SECTION 5 Placement of Mobile Homes.

No Mobile Homes, as defined by this local law, shall be allowed as new construction after the effective date of this local law. Existing Mobile Homes shall be allowed to continue on their present lot(s) indefinitely. However, any replacement structure must comply with the provisions of this law.

SECTION 6 Placement of Residential Designed Manufactured Homes, or Modular Homes

A home meeting the criteria of a Residential Designed Manufactured Home or Modular Home shall be allowed in all residential districts subject to the provisions and requirements of such districts, and shall be regulated uniformly with site built homes in those districts. Permits shall be issued pursuant to Section 9.

SECTION 7 Placement of Standard Designed Manufactured Homes.

Standard Designed Manufactured Homes shall be allowed as replacement structures for any Mobile Homes or Standard Designed Manufactured Homes existing on lots on the date when this local law becomes effective. Each home must comply with the zone standards in which it is located (with respect to lot area, set backs and the like), as well as the standards set forth below:

1. Standards for Standard Designed Manufactured Homes:

a. Every factory manufactured home or component shall bear an Insignia of Approval issued by the State Fire Prevention and Building Code Council that certifies the home or component is in compliance with the requirement of Chapter B of that Code.

b. The home(s) must be connected to the water and sewer system approved by Municipality/County Health Department.

c. The home must be properly installed per Manufacturer’s Installation Manual. In the event that the Manufacturer’s Installation Manual is not provided, the home must be installed according to AANSI A225 1 (1994).

d. Skirting or a curtain wall, unpierced except for required ventilation, and access doors must be installed and may consist of brick, masonry, vinyl, or similar material designed and manufactured for permanent outdoor installation.

e. Permanent landings and steps with handrails are required at each exterior doorway. The structure must include steps that lead to the ground level.

SECTION 8 Comparability Standards for Manufactured Housing.

In the event that no district requirements call for the orientation of the homes, the manufactured housing shall be placed on the lot in such a manner compatible with and reasonably similar in orientation to the site-built housing in adjacent or nearby locations.

SECTION 9 Permitting Process for Residential Designed Manufactured Homes, Standard Designed Manufactured Homes, and Mobile Homes.

It is the intent of this section to provide procedures for approval of permits for all types of homes set forth in this ordinance.

Application for approval of placement of manufactured homes or mobiles homes shall be made in compliance with the Zoning Law and Title 19 of the New York Codes Rules and Regulations Part 442.

A permit will be issued when the application has been determined to be complete and when the proposed work is determined to conform to the requirements of the State Fire Prevention and Building Code.

The Code Enforcement Officer may approve deviations from definitions or comparability standards or architectural standards set forth in Sub-Sections 3 and 4 of Section 4 (Definitions), based on findings that the material utilized or the architectural style proposed for the dwelling will be compatible and harmonious to or superior to existing structures in the vicinity.

Appeals of the decisions of the Code Enforcement Officer in interpretations, conditional grants, or denial of permits shall be made to the State Board of Appeals. The decisions of the State Board of Appeals shall be based on the purpose and intent of the ordinance, provided that the spirit of the ordinance shall be observed, public welfare and safety secured, and substantial justice done. The Zoning Board will hear appeals on other matters, such as authorization of the building on a lot and other aesthetic concerns.

SECTION 10 EXEMPTIONS

A homeowner or prospective homeowner may obtain a short term Permit from the Village Code Enforcement Officer with concurrence of the Village Board of Trustees where a temporary residence is desired during the building of a new residence or replacing an existing residence damaged by fire, flood, or natural disaster. The permit shall be limited to a one (1) year duration and have no renewals.

SECTION 11 REMOVAL OF ABANDONED MOBILE HOMES

Any mobile home which has been abandoned, as that term is defined in this Local Law, shall be removed from the lot on which it sits by the owner of that parcel of land. In the event that the owner of the property does not remove the abandoned mobile home within three (3) months after written demand by the Village, the Village may remove the mobile home and charge all expenses for such removal to the real property taxes for the property.

SECTION 12 REGULATION FOR MOBILE HOME PARKS

1 - REQUIREMENTS: All land used as a mobile home park shall be well drained, free from heavy or dense growth or brush. The land shall be properly graded to insure rapid drainage following rain and shall at all times be drained so as to be free from stagnant pools of water.

2 - CONSTRUCTION AND INSTALLATIONS: All mobile homes placed in mobile home parks after this local law is enacted shall be constructed and installed in compliance with ARTICLE 19AA, of the New York State Executive Law.

3 - MOBILE HOME LOT: Each such mobile home park shall provide not less than twenty-eight hundred (2,800) square feet, (40' x 70') for each mobile home. The mobile home park shall be subdivided and marked off into rectangular shaped lots or trapezoidal shaped lots. Each mobile home lot shall be provided with a concrete pad and tie-downs of adequate size to accommodate the anticipated mobile home.

4 - MARKERS: Each mobile home lot shall be marked off by permanent post pins, monuments or other points of reference.

5 - STREETS AND DRIVES: Each mobile home park shall have improved streets to provide for the convenient access to all mobile home lots and other important facilities within the park. Streets shall be improved to meet at least the following specifications (these are not Village of Moravia Highway Specifications).

A - The Street system shall be so designed to permit the safe and convenient vehicular circulation within the mobile home park.

B - Streets shall be adapted to the topography and shall have suitable alignment and gradient for traffic safety.

C - All streets shall intersect at angles of not less than eighty (80) degrees.

D - All streets shall be surfaced with a bituminous material.

E - All streets shall have a minimum paved width of eighteen (18) feet as in "D" and contain two (2) four (4) feet shoulders.

6 - Parking: Parking spaces shall be at least ten by twenty (10 x 20) feet. Three (3) parking spaces shall be provided for each two (2) mobile home lots. Auxiliary parking areas shall be provided at a ratio of one (1) parking space per mobile home lot in a central or convenient and strategic location or locations which is not contiguous with the lot serviced, such area being screened from lots and public highways by suitable shrubbery or other effective vegetation. Auxiliary parking areas are to be provided for parking trucks, maintenance equipment, trailers, and other similar equipment and vehicles.

7 - Sanitary Facilities: Each such mobile home park shall provide approved water and sewer connections to existing public sanitary sewer and water systems of the Village of Moravia for each mobile home. Mobile Home Parks must be kept in a clean and sanitary condition at all times to include provision for covered storage of garbage and trash.

8 - Fire Protection: Such mobile home parks shall be provided with suitable and adequate fire extinguishers and other fire prevention devices as maybe prescribed by the Village Board of Trustees or their designated representatives wherein said mobile home park is located.

9 - Registration of Occupants: The owner or operator of each such mobile home park shall keep a permanent record in writing of all occupants.

10 - Accessibility: All mobile home parks containing twenty (20) or more mobile home lots shall have access from two (2) points along a single public street or highway, or if bordering on two (2) streets, access can be one for each street, such access points being separated by at least one hundred (100) feet.

11 - Screening: There shall be provided a buffer area between the right-of-way line of adjacent public highways of at least twenty (20) feet. There shall also be provided a buffer area between any portion of a mobile home and the boundary of the mobile home park of at least twenty (20) feet. Such buffer area shall consist of trees and shrubs of such height and type as may be approved by the Board of Trustees of the Village of Moravia.

12 - Trees: All existing trees shall be preserved insofar as possible in the design of the mobile home park.

13 - Lighting: Artificial lighting shall be provided to illuminate walks, driveways, streets and parking spaces for the safe movement of pedestrians and vehicles at night.

14 - Skirting: Each mobile home must be provided with perimeter skirting to hide all wheels, chassis and other appurtenances under the home. Such skirting is to be installed in less than ninety (90) days after the mobile home is placed on its pad.

15 - The obtaining of a license hereunder for the use of premises as a mobile home park shall not be construed to eliminate the necessity of complying with all other applicable Local Laws and Health Regulations of the Village of Moravia.

16 - Prohibition: No occupied mobile home or travel trailer shall be parked or allowed to remain upon any street, highway or other public place, except that emergency stopping or parking, when caused by mechanical failure, shall be permitted upon the shoulder of any street or highway for a period of not more than seventy-two (72) hours, subject, however, to any prohibition or limitation imposed by other Regulations in effect.

17 - Permits: No Mobile Home Park shall be constructed, moved or expanded, without submission to and approval by the Village Board of Trustees of plans to conform to these Regulations or Laws.

SECTION 13

Local Law # 2 of 1986 entitled Mobile Home/Trailer Installation and Maintenance shall be rescinded and replaced by Local Law #1 of 2000 entitled Manufactured Housing and Mobile Home Law.

SECTION 14

Local Law # 3 of 1986 entitled Mobile Home/Trailer Installation and Maintenance, amending Local Law #2 of 1986, shall be rescinded and replaced by Local Law #1 of 2000 entitled Manufactured Housing and Mobile Home Law.

SECTION 15 SEVERABILITY

The invalidity of any section or provision of this local law shall not invalidate any other section or provision thereof.

SECTION 16 EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State of New York.