

Pursuant to section 130 of the Town Law and after a Public Hearing duly held by the Town Board of Columbia at the Town Hall, Town of Columbia, Herkimer County, New York, on March 13, 1980 and pursuant to a resolution of said Town Board of the Town of Columbia, the following Ordinance is hereby enacted, ordained and adopted:

**MOBILE HOME, TRAVEL TRAILER AND TOURIST CAMP ORDINANCE  
OF THE TOWN OF COLUMBIA, NEW YORK.**

**Article 1**

**Sections applicable Generally (see article 4).**

**Section 1-1.** This Ordinance shall be known as the "Mobile Home, Travel Trailer and Tourist Camp Ordinance of the Town of Columbia, Herkimer County, New York."

**Section 1-2. PURPOSE:** It is the purpose of this Ordinance to promote the health, safety, and general welfare of the inhabitants of the Town of Columbia, by the more efficient regulation of the occupancy of Mobile Homes and Travel Trailers within said Town.

**Section 1-3. DEFINITIONS:** When used in this Ordinance, unless otherwise expressly stated, the terms:

a. **"Mobile Home"** shall mean any portable vehicle which is designated to be transported on its own wheels; and which is used, designed to be used, or capable of being used as a detached single family residence; and which is intended to be occupied as living quarters, containing sleeping accommodations, a toilet, a tub or shower, kitchen facilities and plumbing and electrical connections capable of being attached to outside systems.

b. **"Mobile Home Park"** shall mean any lot, piece or parcel of ground on which are located, or which is offered to the public for the location of, two or more occupied mobile homes.

c. **"Tourist Camp"** shall mean any lot, piece or parcel of ground on which are located, or which is offered to the public for the location of, two or more tents, tenthouses, cabins, camp cottages or other buildings designed for sleeping facilities other than permanent houses.

d. **"Unit"** shall mean a house trailer, mobile home, tenthouse, tent, cabin or camp cottage designed for use by a single family.

e. **"Travel Trailer"** shall mean any portable vehicle which is designed to be transported on its own wheels, or on another vehicle, which is designated and intended to be used for temporary living quarters for travel, recreational or vacation purposes; which may or may not include one or all of the accommodations and facilities included in a mobile home.

f. **"Travel Trailer Camp"** shall mean a park, court, or other name for a lot which is offered to the public for the temporary parking of two (2) or more travel trailers.

**Section 1-4.** No person or persons being the owner or occupant of any Mobile Home or travel trailer shall park or otherwise locate the same upon any premises within the Town of Columbia for the purpose of using the same for living, sleeping or eating quarters except as hereinafter provided.

#### **Article 2**

#### **Sections applicable to Mobile Home Parks;**

#### **Tourist and Travel Trailer Camps.**

**Section 2-1.** No person or person being the owner or occupant of any land or premises within the Town of Columbia shall use or permit the use of such land or premises for the establishment or maintenance of a Mobile Home Park, Travel trailer or Tourist camp until a license for the establishment or maintenance of such Mobile Home Park, Travel Trailer or Tourist Camp has been obtained as hereinafter provided; and after the issuance of such license, such parks or camps shall not be maintained or operated other than in accordance with applicable laws and terms of this Ordinance.

**Section 2-2. APPLICATION FOR LICENSE:** A license for the establishment and operation of a Mobile Home Park, Travel Trailer or Tourist Camp in the Town of Columbia, shall be issued by the Town Board, in accordance with the procedures herein specified. A written application for such license executed in triplicate by the person or persons who propose to operate or maintain the said Mobile Home Park, Travel Trailer or Tourist Camp, and if such

person or persons are not the owners of property upon which it is proposed to operate said camp, such application, shall also, be signed by the owner or owners of the property, and shall be filed with the Town Clerk, accompanied by a check for the amount of the fee required by this Ordinance and shall contain the following information:

a. The name and address of the applicant and the names and addresses of the partners, if a partnership; and the names and addresses of the principal officers, if a corporation.

b. The name and address of the owner of the premises upon which the camp or park is to be located.

c. The interest in said premises if the applicant is not the owner thereof.

d. A description of the land or premises on which the camp is to be located.

e. A plan or map of the proposed camp or park showing the parking area, permanent buildings, water supply, location of required services and proposed roadways and driveways.

f. A complete statement showing the proposed method of sewage disposal; the water supply and electric service and all other services proposed to be furnished by said applicant.

g. Proof of service of a notice of such application upon the owners or occupants of all parcels of land situated, or partially situated, within a distance of five hundred feet (500') from where such mobile home park is proposed to be located.

h. The Town Board may require additional information, plans, etc. from an applicant.

**Section 2-3. ISSUANCE OF LICENSE.** Upon receipt of each application, the Town Clerk shall immediately notify the Town Board of the receipt thereof, and an investigation of the facts forthwith shall be made by said Town Board, and/or Town Health Officer. Upon the approval of such application, the Town Board shall issue a license.

**Section 2-4.** Any license issued pursuant to the terms of this Article shall not be assignable or transferrable.

**Section 2-5.** A permit for a Mobile Home Park, Travel Trailer or Tourist Camp may be continued in effect for succeeding years provided that all applicable provisions of the Law and this Ordinance continue to be complied with.

**Section 2-6. REVOCATION OF LICENSE:** If the Town Board upon inspection, finds that such Park or Camp is not being maintained in a clean and sanitary condition, or that such Park or Camp is not being conducted in accordance with any regulations applicable to such Park or Camp and the provisions of this Ordinance, it shall serve upon the holder of such License or the person in charge of such Park or camp personally, or by certified mail to the address given by said person on his license application, a direction of the Town Board, in writing, directing that the conditions therein specified be remedied within ten (10) days after the service of such order. If, after the expiration of such period, such conditions remain unchanged, or are not corrected in accordance with the direction of the Board, the Board shall in like manner serve a notice in writing upon such Park or Camp licensee and/or the person in charge of such Park or Camp requiring the holder of such license to appear before the Town Board of the Town of Columbia at a time and place to be specified in such notice, not less than twenty-four (24) hours after such service, and show cause why such license should not be revoked. The Town Board of the Town of Columbia may after a hearing revoke such license if the holder of such license has violated any regulations applicable to such Park or Camp or has violated any of the provisions of this Ordinance. Upon the revocation of such license, the premises shall forthwith cease to be used for the purpose of a Park or Camp and all occupants shall be removed therefrom within a period of thirty (30) days.

**Section 2-7. FEES.** The Town Clerk shall receive a fee of \$25.00 plus \$5.00 per trailer lot proposed to be located in Park or Camp on the original Application. If more trailer lots are added an additional application shall be made and a \$5.00 fee per trailer lot added shall be assessed by the Town Clerk at the time of the

making of such additional application.

**Section 2-8.** The following minimum requirements shall be maintained at all times in all Mobile Home Parks, Travel Trailer or Tourist Camp:

a. **LOCATION:** All land used as a Park or Camp shall be well-drained and free from heavy or dense growth of brush and weeds. The land shall be properly graded to insure rapid drainage during and following rains and shall at all times be drained so as to be free from stagnant pools of water.

b. **MOBILE HOMES AND TRAVEL TRAILER LOTS.** Each mobile home park or travel trailer camp shall be marked off into Mobile Home or Travel Trailer lots. The total number of lots shall not exceed eight (8) Mobile Home lots per acre or twelve (12) Travel trailer lots per acre. Each mobile home lot shall have a total area of not less than 4,000 square feet with a minimum dimension of forty (40) feet, and each travel trailer lot shall have a total area of not less than 2,500 square feet with a minimum dimension of thirty (30) feet.

**PARKING WITHIN MOBILE HOME PARKS AND TRAVEL TRAILER CAMPS.**

1. Mobile Homes. Any mobile home shall not be parked or otherwise located nearer than a distance of:

(a) At least thirty (30) feet from an adjacent mobile home in any direction.

(b) At least fifty (50) feet from an adjacent property line.

(c) At least one hundred (100) feet from the right of way line of public street or highway.

(d) At least ten (10) feet from the nearest edge of any roadway location within the park.

2. Travel Trailers. Any travel trailer shall not be parked or otherwise located nearer than a distance of:

(a) At least twenty (20) feet from an adjacent trailer in any direction.

(b) The provision found in 2-8(1.) (b) above shall apply.

(c) The provision found in 2-8(1.) (c) above shall apply.

(d) The provision found in 2-8(1.) (d) above shall apply.

**Section 2-9. SEWER AND WATER SERVICE.** Each park or camp shall be provided with approved sewer and water connections to existing public sanitary sewer and water systems of the Town or of any district therein if available, or to an approved sewer septic tank and drainage field. All units shall be equipped with private toilet facilities connected directly to the park or camps approved sanitary system and no other or separate discharging shall be permitted.

**Section 2-10. WATER SUPPLY.** Each unit must be supplied with sufficient pure running water from approved water service facilities.

**Section 2-11. GARBAGE RECEPTACLES AND SANITATION.** Each such park or camp shall provide equipment sufficient to prevent littering of the grounds and premises with rubbish, garbage, refuse and the like, and shall provide fly-tight metal depositories with tight-fitting covers at conspicuous locations upon such premises. Such depositories and mobile home lots and camp sites shall be kept at all times in sanitary condition. No units shall be located more than one hundred (100) feet from a depository.

**Section 2-12. NOTICE OF LICENSEE.** Every Mobile Home Park, Tourist or Travel Trailer Camp shall be under the management of the licensee who shall maintain a bound book containing a record of the names of all persons accomodated at such Park or Camp, their home address, the license number and make of their automobile or other vehicle. Such record shall be available at all times for inspection by the Town Board and any police officer. It shall be the duty of the licensee of any camp:

1. to provide for the collection and removal of garbage and any other solid waste materials at least once weekly.

2. to prohibit the placing or storage of unsightly waste material or unregistered vehicles of any kind.

3. to provide for cleaning, painting, repairing and disinfecting of all buildings.

4. to take such measures which shall be deemed necessary

by the Town Board to preserve the health, comfort and safety of all persons accomodated in the Park or Camp and the general public.

5 to prevent the committing of any nuisance in the Park or Camp premises and to report immediately to the proper authorities all acts of disorderly character committed by any person or persons of the park or camp and to that end to maintain proper policing thereof.

6. to provide underground storage for any handling of gasoline.

7. to comply with the National Electrical Code with respect to electric wiring and equipment.

8. no addition is to be built, erected or maintained in connection with any mobile home other than the usual awning or similar weather protective structure.

**Section 2-13. MISCELLANEOUS REQUIREMENTS.**

1. Plumbing fixtures installed in such Parks or Camps shall conform to all applicable sanitary requirements.

2. The obtaining of a license hereunder for use of premises as a Park or Camp shall not be construed to eliminate the necessity of complying with all other applicable ordinances, resolutions and regulations of the Town of Columbia and other regulatory authorities or governmental entities.

3. Parks and camps must be kept in a clean and sanitary condition at all times and free of physical or fire hazards.

**Section 2-14.** All mobile home parks, tourist and trailer camps in existence upon the effective date of this Ordinance shall obtain a license as herein provided, which such license shall be granted provided such park or camp is in compliance with all other regulations, and upon any enlargement, alteration, of any such existing park or camp shall then apply for a license hereunder and in all other respects comply with this Ordinance. No license granted hereunder shall be assignable or transferable.

**Article 3.**

**Sections applicable to all individual Trailers or Mobile**

**Homes, not located in a camp or park facility.**

**Section 3-1. Permit Requirements.** It shall be unlawful for any person to maintain, replace or occupy a mobile home, trailer or tourist camp not in a park or camp facility unless such person shall first obtain a permit.

**Section 3-2. Issuance of a Permit.** The Town Clerk of the Town of Columbia shall issue a permit to be effective from the day of issuance. This permit may not be issued until the Town Clerk has received:

a. A written application signed by the Applicant in triplicate.

b. An application fee of \$15.00 (to cover advertising cost in (3-4)(b) below.

c. Approval of the application by the New York State Department of Health, Utica District Office (when applicable).

d. The Town Board's approval of the issuance of a permit.

**Section 3-3. Application Data.** Each application shall require that the following information be furnished:

a. The name and address of the applicant.

b. The location and description of the land upon which said facility is situated.

c. An accurate plan indicating the following:

1. The area and perimeter dimensions of said parcel of land.

2. Location and size of all existing and proposed on-site structures.

3. Location and names of all adjacent highways.

4. Location and widths of all on-site roadways and walkways.

5. Plans and specifications of all buildings to be constructed on-site.

d. Proof of service of a notice of such application upon the owners or occupants of all parcels of land situated, or

partially situated, within a distance of five hundred (500) feet from where such individual tourist camp, trailer or mobile home is proposed to be located.

**Section 3-4. Application Procedure:**

a. The Town Clerk shall transmit two copies of the application to the Town Board.

b. The Town Clerk shall place a notice in the official Town newspaper or newspapers to the effect that such application has been filed.

c. The Town Board shall investigate the application. Said investigation shall be completed within thirty (30) days after the date of filing the application with the Town Clerk.

d. The Town Board shall review its findings and give the applicant an appointment to be heard and by resolution indicate its approval or disapproval of the application within sixty (60) days of the date of filing the application with the Town Clerk. The application shall be returned to the Town Clerk, and the applicant notified in writing by the Clerk of the decision rendered within five (5) days of such decision.

**Section 3-5. Assignment.** The permit granted under this Article of the Ordinance shall not be transferrable or assignable.

**Section 3-6.** A permit for an individual trailer may be continued in effect for succeeding years provided that all applicable provisions of the law and this Ordinance continue to be complied with.

**Section 3-7. Revocation of Permit.** If the Town Board upon inspection, finds that the permittee is not maintaining the Trailer in accordance with the provisions of this Ordinance, it shall serve upon the holder of such permit an order in writing, directing that the conditions therein specified be corrected starting within five (5) days after the serving of such order and completed within thirty (30) days. If after the expiration of such period, such conditions remain unchanged, or are not corrected in accordance with the order of the Town Board, said Town Board shall serve notice in writing upon such person requiring the holder of

such permit to appear before said Town Board at a time and place to be specified in such notice and show cause why such permit should not be revoked. The Town board may after a hearing, revoke such permit if the holder of such permit has violated any regulation applicable to such facility or has violated any of the provisions of this Ordinance. Upon the revocation of such permit the premises shall forthwith cease to be used for said purposes and all occupants shall be removed therefrom.

**Section 3-8.** All Tourist Camps, Trailers or Mobile Homes not located within a camp or park shall be situated on permanent foundations and shall conform to the following:

a. Units shall meet the following requirements.

1. Minimum Lot Area. The minimum lot area requirement is generally 40,000 square feet, however this requirement can be reduced if soil analysis tests show evidence of a percolation rate of less than 31 minutes/per inch. Conversely sites having a percolation rate greater than 60 minutes/per inch shall be required to have an on-site sewage disposal system designed by a licensed engineer. The acceptability of such a sanitary system shall also be subject to review and written approval by the State Department of Health, District Office (or its equivalent). The following table indicates minimum lot area requirements:

<b>PERCOLATION RATE</b>	<b>MINIMUM LOT</b>	<b>MINIMUM</b>
<b>LOT</b>	<b>Area</b>	<b>Frontage</b>
<b>In Minutes</b>	<b>(Square Feet)</b>	<b>(Feet)</b>
<b>Per Inch Fall</b>	<b>Subject to Health</b>	
<b>Over 60</b>	<b>Department Approval</b>	<b>150</b>
31-60	40,000	150
16-30	30,000	100
8-15	25,000	100
0-7	20,000	100

2. Minimum Setback from Public R. O. W. - 30 feet.

3. Minimum Setback from any adjacent property line - 25 feet.

4. Each individual Trailer site shall have an adequate water supply and a private sewage disposal system which shall meet the following requirements:

- (a) Well shall not be closer than 50 feet from any septic tank.
- (b) Well shall be no closer than 100 feet from any tile field.
- (c) Septic tank or well shall be no closer than 10 feet from a housing unit.
- (d) Tile field shall be no closer than 50 feet from any lake, swamp, ditch or watercourse and no closer than 10 feet from any water line under pressure.

#### **Article 4.**

##### **Further General Provisions.**

**Section 4-1.** This Ordinance shall not apply to occupants or owners of existing Mobile Homes not in a park or camp but in all respects shall apply to any new owners, replacement trailers or new occupants thereof after the effective date hereof. Any alterations or addition or other change to an existing trailer should be made in accordance with this Ordinance and at this time a trailer permit is required.

**Section 4-2. INSPECTION AND ENFORCEMENT.** The Town Board of the Town of Columbia shall provide for the enforcement of the provisions of this Ordinance. The Health officer or any other person authorized by the Town Board shall have the right to enter upon any Park or Camp or other premises used for the parking or location of a Mobile Home at all reasonable times.

**Section 4-3. PENALTIES.** Any person, firm or corporation who violates any provision of this Ordinance shall be subject to a fine of not more than one hundred dollars (\$100.00) and/or not more than fifteen (15) days imprisonment. The imposition of all penalties for any violation of this Ordinance shall not excuse the violation or permit it to continue. The application of the above penalty or penalties or the prosecution for the violation of the provisions of this Ordinance shall not be held to prevent the enforced removal of conditions prohibited by this Ordinance or the taking of such other action as may be authorized by Law.

**Section 4-4. SEPARABILITY.** If any clause, sentence, subdivision, paragraph, section or part of this Ordinance be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, subdivision, paragraph, section or part hereof directly involved in the controversy in which such Judgement shall have been rendered.

**Section 4-5. EFFECTIVE DATE.** This Ordinance shall take affect upon its publication in the Official newspaper of the town of Columbia.

A Public Hearing concerning the proposed adoption of this Ordinance was held at the Town of Columbia on March 13, 1980 .

This Ordinance was adopted by the Town Board of the Town of Columbia on March 13, 1980 .

This Ordinance was published in the Official Newspaper of the Town of Columbia on March 19, 1980 .