

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Canandaigua  
Local Law of the year 2011  
A local law amending Chapter 134 of Town Code – Manufactured Home parks

Section 1: Description

Be it enacted that Town of Canandaigua Code is hereby amended to read as follows:

**CHAPTER 134 MANUFACTURED HOME PARKS**

**§ 134-1 Purpose.**

The purpose of the Manufactured Housing District is to promote the health, safety and general welfare of the park by regulating the placement, occupancy and maintenance of manufactured homes by establishing minimum standards for such dwellings. Another purpose is encourage and allow multiple structures and uses on one subdivided to lot to create a more complete residential development with home sites as well as other ancillary uses and facilities including but not limited to: maintenance, storage, recreation and laundering.

**§ 134-2 Applicability**

This Chapter shall apply to development of new or expansions of existing Manufactured Home Parks. Modifications of pre-existing nonconforming uses structures or conditions within existing Manufactured Home Parks shall be governed by Article XIII, Non Conformities.

**§ 134-3 General use and area requirements.**

- A. For properties zoned Manufactured Home, multiple residential sites and ancillary uses and facilities shall be allowed on one subdivided lot in conformance with the requirements in Town Code and subject to site plan approval by the Planning Board.
- B. The minimum lot size for a manufactured home park shall be 10 acres.

**§ 134-4 Approval process.**

- A. Rezoning. Land to be used for a manufactured home park shall be zoned MH Manufactured Home District. Applications for lands to be rezoned shall follow established procedures for formal consideration of zoning map amendments.
- B. Site plan approval. Before development or expansion of a Manufactured Home Park the owner(s) of suitably zoned lands shall make application to the Town Planning Board for site plan approval.
- C. Prior to the placement of any manufactured home within a manufactured home park, all site improvements must be completed.

**§ 134-5 Lot and setback requirements.**

- A. Each manufactured home lot located within a manufactured home park shall have corner pins which are clearly marked and shall contain a minimum of 7,200 square feet, with a minimum lot width of 60 feet

and shall have such shape that each manufactured home is placed on the lot so as to meet the following setback requirements:

- (1) Front yard setback. There shall be a minimum of 25 feet from the edge of road pavement to the front portion of a manufactured home. On a corner lot, there shall only be one front setback, which shall be measured from the driveway side of the manufactured home lot.
- (2) Side yard setback. There shall be a side yard setback of 10 feet separating all structures on each lot.
- (3) Rear yard setback. There shall be a setback of 10 feet from the rear lot line to any structure located on said lot.
- (4) Minimum size of individual manufactured home. The minimum size of any individual manufactured home in a manufactured home park shall be 720 square feet.
- (5) Accessory buildings on individual lots. One accessory building not to exceed 144 square feet in area and 10 feet in height shall be permitted for each manufactured home lot. The accessory structure shall be separated from any manufactured home either on the subject lot or an adjacent lot by 10 feet.
- (6) Skirts. Each manufactured home shall be required to fully enclose the bottom portion of the dwelling, with material which shall be uniform in appearance, design and type as the manufactured home dwelling, within 30 days after arrival in the manufactured home park and placement on a lot therein.
- (7) Parking areas and/or driveways. Two off-road parking spaces must be provided for each manufactured home lot. The parking space shall be not less than 15 feet wide by 20 feet long. Said parking areas and/or driveways shall be constructed of concrete or bituminous asphalt or equivalent, at least a minimum of four inches of compacted gravel base with three inches of asphalt topping. The parking spaces may be grouped for each two manufactured homes. Such grouping shall provide a parking area of not less than 36 feet in width by 20 feet in depth.
- (8) Vehicle storage. Common storage space shall be provided by the owner of the manufactured home park to all tenants. No travel trailer, camper, boat, snowmobile or similar auxiliary vehicle or conveyance shall be stored on any manufactured home lot within a manufactured home park. A supplemental park storage area shall be provided within a screened open area provided for the storage of all auxiliary vehicles. No unlicensed or unregistered vehicle shall be permitted within a manufactured home park.

**§ 134-6      Access.**

The entrance road connecting the manufactured home park with the public road providing access thereto shall have a minimum paved road width of 22 feet.

**§ 134-7      Internal roads.**

Roads within the manufactured home park shall conform to the following:

- A. All private drives and/or roadways shall conform to the Site Design and Development Guidelines Specifications.
- B. Road signs. Permanent road signs of the same type and design in general use throughout the Town, showing the name of the road and roads intersecting, shall be allowed at each intersection within the manufactured home park. Each of said signs shall bear the designation "drive."
- C. Road names. All road names within the manufactured home park shall first be approved by the Ontario

County 911 Emergency Communications Center.

- D. Culs-de-sac shall be provided in lieu of closed-end roads and shall have a turnaround with an outside paved diameter of at least 90 feet.
- E. Road lighting. Adequate dark-sky compliant road lights shall be provided at each intersection from dusk to dawn.

**§ 134-8        Garbage and refuse.**

Disposal shall be provided for all rubbish, trash and garbage at least once weekly by the owner of the manufactured home park or his agent in conformance with Town requirements. Dumping on private land is prohibited by Chapter 100 of Town Code

**§ 134-9        Fuel supply and storage.**

Liquefied petroleum gas tanks shall be located at the rear of the manufactured home and shall be landscaped and screened from public view.

**§ 134-14       Park recreation areas and open space.**

In all parks, there shall be one or more recreation areas which shall be easily accessible to all park residents. No outdoor recreation area shall contain less than 5,000 square feet for each 20 manufactured home lots.

**§ 134-17       Open space treatments.**

Buffer zones. Manufactured home parks shall be buffered by a fifty-foot zone comprised of densely planted trees, shrubs, bushes and flowers. A detailed landscaping plan depicting the plantings within the fifty-foot buffer zone shall be provided as part of the manufactured home park site plan. The Planning Board, as part of final site plan approval, may modify the buffer requirements by requiring decorative fencing or other means as deemed appropriate.

**§ 134-18       Walkways.**

Each manufactured home stand shall be provided with a durable surface walkway leading from the dwelling's main entrance to the road or to the driveway.

**§ 134-20       Lot numbers.**

Each manufactured home lot shall be assigned a permanent number which shall be noted on the manufactured home lot in a location clearly visible from the adjacent roadway.

**§ 134-21       Enclosures or additions.**

- A. Building permit. With the written consent of the owner of the manufactured park, a building permit must be obtained from the Code Enforcement Officer prior to construction of any enclosure or addition to an existing manufactured home. The application therefore must show a detailed plan of the proposed construction, showing compliance with the terms of this chapter
- B. No enclosure or addition having a ground area greater than 50% of the ground area of the manufactured home shall be constructed on or added to the exterior of any manufactured home, and it must be compatible, both functionally and aesthetically, with the manufactured home.
- C. Carport exception. The foregoing of this section shall not apply to carports.

- D. All enclosures or additions including carports shall comply with the setback criteria set forth in § [134-5](#) of this chapter.
- E. Such enclosure or addition shall be removed from the manufactured home park within three months of the removal of the principal structure.

**§ 134-24      Responsibilities of manufactured home park owner.**

- A. For new and existing parks, the park owner or their assigned representative shall;
  - (1) Promptly notify the Town of changes of ownership or operation of the park,
  - (2) Notify park occupants of all applicable provisions of this chapter and inform them of their responsibilities regarding compliance with same,
  - (3) Keep a record of the occupants and the manufactured homes located within the park. A copy of such register shall be made available to the Code Enforcement Officer upon his demand. Such register shall contain the following:
    - (a) The name and address of each occupant.
    - (b) The make, model, year and serial number of each manufactured home and the manufactured home space within the park on which the same is located.
    - (c) The dates of arrival and departure of each manufactured home.
    - (d) The permits issued.
    - (e) The certificate of compliance.
    - (f) The certificate of occupancy.
  - (4) Operate the park in compliance with this chapter and provide adequate supervision to maintain the park, its common grounds, roads, facilities and equipment in good repair and in a clean and sanitary condition,
  - (5) Maintain roadways within the manufactured home park in good repair. Such roadways shall be open at all times for travel by occupants of the park and necessary fire, police, ambulance, school buses, public utility maintenance and fuel supply vehicles. The park owner shall be responsible for providing and paying the cost of such maintenance and all necessary snow removal. The provisions of this subsection shall apply to existing manufactured home parks and manufactured home parks hereafter established within the Town of Canandaigua,
  - (6) Place or supervise the placement of each manufactured home on its manufactured home stand, which includes ensuring its stability by securing all tie-downs and installing all utility connections,
  - (7) Develop a central dispersal point for mail delivery in compliance with the United States Post Office.

**§ 134-25      Responsibilities of manufactured home park occupants.**

The park occupant shall be responsible for the maintenance of their manufactured home, any appurtenances thereto and all yard space on the site, in a neat and sanitary condition.

**§ 134-27      Inspection and enforcement; certificate of compliance and occupancy.**

- A. Enforcement officers designated; right of entry.

- (1) This chapter shall be enforced by the Zoning Officer (ZO) and the Code Enforcement Officer (CEO) of the Town of Canandaigua.
- (2) Said officers and their inspectors shall be authorized and have the right in the performance of duties to enter any manufactured home park and make such inspections as are necessary to determine satisfactory compliance with this chapter and regulations issued thereunder. Such entrance and inspection shall be accomplished at reasonable times, after prior notice to the park operator and, in emergencies, whenever necessary to protect the public interest. Owners, agents or operators of a manufactured home park shall be responsible for providing access to all parts of the premises within their control to the ZO and CEO or their inspectors, acting in accordance with the provisions of this chapter.

B. Before occupancy. Before occupancy of any manufactured home, a certificate of occupancy must be obtained from the Code Enforcement Officer.

**§ 134-28 Order to abate.**

Upon determination by the Zoning Officer that there has been a violation of any provisions of this chapter, he or she shall serve upon the holder of the license for such manufactured home park an initial order, in writing and by registered mail, directing that the conditions therein specified be corrected within 90 days after the date of delivery of such order.

**§ 134-32 Appeals.**

Any person aggrieved by any decision of the Zoning Officer may appeal to the Town Zoning Board of Appeals. Any determination by the Town Zoning Board of Appeals under this chapter shall be subject to review by the Supreme Court under Article 78 of the Civil Practice Law and Rules.

**§ 134-33 Penalties for offenses.**

A violation of this chapter is an offense punishable by a fine not exceeding \$350 for each week's continued violation, or by imprisonment for not more than 15 days, or by both such fine and imprisonment. For the purposes of conferring jurisdiction upon courts and judicial offices, violations of this chapter shall be deemed to be violations.

**§ 134-38 Higher standard to prevail.**

- A. The provisions of this chapter shall supersede local laws, ordinances, codes or regulations to the extent such laws, ordinances, codes or regulations are inconsistent with the provisions of this chapter, 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 than those provided in this chapter 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 chapter 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 provision or higher standard shall prevail.

Section 2:

Invalidation.

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been ordered.

Section 3: Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law number of 2011 of the Town of Canandaigua was duly passed by the Canandaigua Town Board on \_\_\_\_\_2011, in accordance with the applicable provisions of law.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript there from and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Clerk of the Town

(Seal;

Date:

(Certification to be executed by Town Attorney, or other authorized attorney of locality.)

STATE OF NEW YORK COUNTY OF  
ONTARIO

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

Title

Town of Canandaigua

Date: \_\_\_\_\_