



(Please Use this Form for Filing your 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.

~~County~~
~~City~~ of Cherry Valley
~~Town~~
Village

Local Law No. 02 of the year 1987

A local law Regulating Mobile Homes and Trailers within the Village of
Cherry Valley.
(Insert title)

Be it enacted by the Village Board of the
(Name of Legislative Body)

~~County~~
~~City~~ of Cherry Valley
~~Town~~
Village as follows:

The purpose of this law shall be for the protection of the health, safety, and welfare of the residents of the Village of Cherry Valley, the protection of property values within the Village, and the conservation of the rural and scenic atmosphere of the Village.

Section 1. Definitions.

For the purpose of this local law, the following words and phrases shall have the meaning ascribed to them in this section:

1. Mobile Home. A mobile home is any portable vehicle which is designed to be transported on its own wheels or those of another vehicle; which is used, designed to be used and capable of being used as a detached single family residence; and which is intended to be occupied as permanent living quarters containing sleeping accommodations, a flush toilet, a tub shower, kitchen facilities and plumbing and electrical connections for attachments to outside systems, whether placed on a foundation shall result in the conversion of such unit from a mobile home to a dwelling.
2. Mobile Home/Trailer Plot. Mobile home/trailer plot shall mean an area of ground for the accommodation of one mobile home/trailer.
3. Trailer. A trailer shall mean any vehicle used or so constructed as to permit its being used as a conveyance on the public streets and highway and whether licensed or not, and constructed in such manner as will permit occupancy thereof as a dwelling or sleeping place for one or more persons, and not provided with a toilet and bathtub or shower and cannot readily be connected to a community sewer and water service.

Section 2. Mobile Homes and Trailers Regulated. Upon adoption of this law:

1. No mobile home/trailer shall be installed in the Village of Cherry Valley after passage of this law except as set forth in sections 2, 3 and 4 of this law.

(If additional space is needed, please attach sheets of the same size as this and number each)

2. Nonconforming uses. (a) Any lawful mobile home/trailer existing at the time of passage of this local law that does not conform thereto must be brought into conformation according to the following schedule:

(b) Any mobile home/trailer already installed in the Village of Cherry Valley at the time of passage of this local law may continue to be located at its plot where located at the time of the passage of this law. Such mobile home/trailer may be sold, willed, inherited, leased, as long as it continues to be, located on such plot. Any mobile home/trailer already located in the Village of Cherry Valley on the date of the passage of this law that has been (1) thereafter moved from the said plot, or (2) has been unoccupied for a period of twelve consecutive months shall not be re-established except in conformity with this local law.

(c) Any mobile home/trailer that is moved from its plot at the time of the passage of this law shall not be re-established except in conformity with this local law, as hereinbefore set forth.

3. Temporary occupancy of the mobile home/trailer by visitors of a resident of the Village of Cherry Valley is permitted on the property of such resident for a period not to exceed thirty days in any one calendar year.

4. Permission is granted to a resident of the Village of Cherry Valley to install and occupy a mobile home/trailer on his own property when and if his residence is rendered uninhabitable by fire, condemnation, act of God, or other acts beyond the control of such resident. All sanitary, health and electrical codes must be met within twelve months of installation. Said permission shall cease upon the termination of occupancy or ownership.

Section 3. Space Requirements.

1. Each mobile home/trailer plot shall be provided with a hard surface platform on which the mobile home/trailer shall be placed. Each mobile home/trailer plot shall abut on a driveway or other clear area with unobstructed access to a public street. No mobile home/trailer shall be placed in the designated plot in such a manner that it is less than 50 feet from the nearest existing structure in any direction (regardless of boundary lines) and less than 30 feet from any public street or beyond an existing structure.

Section 4. Sanitation.

1. Plumbing. All plumbing and sewage disposal for the mobile home/trailer shall comply with all plumbing laws and regulations and shall be maintained in good operating condition.

Section 5. Penalty.

Any person who violates any provisions of this local law may upon conviction be punished by a fine of not less than twenty-five (\$25.00) dollars no more than one hundred (\$100.00) dollars; and each week's failure to comply with any such provision constitutes a separate violation.

Section 6. Conflict of Local Laws and Validity.

1. In any case where a provision of this local law is found to be in conflict with a provision of any ordinance or code of the Village of Cherry Valley existing on the effective date of this local law, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

2. Saving cause. If any section, subsection, paragraph, sentence, clause, or phrase of this local law shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this local law, which shall remain in force and effect, and to this end the provisions of this local law are hereby declared to be severable.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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 No.01..... of 1988..
~~06XXX~~
~~07X~~
of the ~~XXX~~ of Cherry Valley was duly passed by the Board of Trustees
Village (Name of Legislative Body)
on December 14,..... 1987..... in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer,* or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
of the City of..... was duly passed by the
Town (Name of Legislative Body)
Village
on 19..... and was approved by the
not disapproved repassed after disapproval Elective Chief Executive Officer *
and was deemed duly adopted on 19....., in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
of the City of..... was duly passed by the
Town (Name of Legislative Body)
Village
on 19..... and was approved by the
not disapproved repassed after disapproval Elective Chief Executive Officer *
on 19...... Such local law was submitted to the people by reason of a
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting
permissive general
thereon at the special election held on 19....., in accordance with the appli-
annual
cable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
of the City of..... was duly passed by the on
Town (Name of Legislative Body)
Village
..... 19..... and was approved by the on
not disapproved repassed after disapproval Elective Chief Executive Officer *
..... 19...... Such local law being subject to a permissive referendum and no
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on
..... 19....., in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or disapprove local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special election held on 19 became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as Local Law No. of 19..... of the County of, State of New York, having been submitted to the Electors at the General Election of November, 19, pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(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 therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph above.

Dorothy E. Johnson
Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body
Village Clerk-Treasurer

Date: 12/14/87

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF Otsego

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.

B. Bruce McFadden
Signature
Village Attorney
Title

Date: 12/14/87

XXXXX
of Cherry Valley
Village