NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231

Local Law Filing

(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.

☐ **County**
☐ **City**
of Stillwater
☐ **Town**
☒ **Village**

Local Law No. 5 **of the year 2005**

A local law amending Local Law No. 4 of the year 1987 entitled "An ordinance regulating the operation of Mobile/House trailers and Mobile/house-trailer-courts within the Village of Stillwater under the authority of Section 4-412 of the Village Law."

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

☐ **County**
☐ **City**
of Stillwater **as follows:**
☐ **Town**
☒ **Village**

Section 5 of Local Law No. 4 of the year 1987 is hereby amended to read as follows:

(d) Fees. The Village Board is authorized to enact, amend, repeal and otherwise set trailer court permit fees for issuance, renewal, replacement, per annum or otherwise, as may be deemed appropriate from time to time in its discretion, by resolution of the Board. A current schedule of fees shall be maintained by the Village Clerk and made available for public inspection and review upon request.

Section 11 of Local Law No. 4 of the year 1987 is hereby amended to read as follows:

(b)(9) Fees. The Village Board is authorized to enact, amend, repeal and otherwise set mobile/house trailer permit fees for issuance, renewal, replacement, per annum or otherwise, as may be deemed appropriate from time to time in its discretion, by resolution of the Board. A current schedule of fees shall be maintained by the Village Clerk and made available for public inspection and review upon request.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(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 No. 5 of 2005 of the Village of Stillwater was duly passed by the Village Board of Trustees on September 20, 2005, in accordance with the applicable provisions of law.

(Name of Legislative Body)

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

I hereby certify that the local law annexed hereto, designated as Local Law No. _____ of 20_____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)

(Name of Legislative Body)

(notapproved)(repassed after disapproval) by the _____ and was deemed

(Elective Chief Executive Officer)*

duly adopted on _____ 20 _____, 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved)

(Name of Legislative Body)

(repassed after disapproval) by the _____ on _____ 20_____.

(Elective Chief Executive Officer)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20_____, in accordance with the applicable provisions of law.

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

I hereby certify that the Local Law annexed hereto, designated as Local Law No. _____ of 20_____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was

(Name of Legislative Body)

(approved)(not approved)(repassed after disapproval) by the _____ on _____ 20_____. Such Local Law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20_____, 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 chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto 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 20_____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) 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)(general) election held on _____ 20_____, 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 20_____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 _____, 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 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 1, above.

Mary L Darby
Clerk of the county legislative body, City, Town or
(Village Clerk) or officer designated by local legislative body.

Date: September 20, 2005

(*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 ALBANY

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

Dreyer Boyajian LLP
Attorney for the Village of Stillwater

County
City
of Village of Stillwater
Town
(Village)

Date: September 20, 2005

(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
Town of ...Stillwater,.New.York.....
Village

Local Law No. .....4..... of the year 19 87.....

A local law ....."An..ordinance.regulating.the.operation.of.Mobile/House.trailers.and....
(Insert title)
Mobile /house-trailer-courts within the Village of Stillwater under the authority of Section 4-412 of the Village Law."

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

County
City
Town of ..Stillwater,.New.York..... as follows:
Village

That the House Trailer Ordinance of the Village of Stillwater, New York is hereby amended to read as follows:

See pages 1-13 annexed hereto and made a part hereof.

VILLAGE OF STILLWATER

MOBILE/HOUSE TRAILER ORDINANCE

"AN ORDINANCE REGULATING THE OPERATION OF MOBILE/HOUSE TRAILERS AND MOBILE/HOUSE-TRAILER-COURTS WITHIN THE VILLAGE OF STILLWATER UNDER THE AUTHORITY OF SECTION 4-412 OF THE VILLAGE LAW."

SECTION 1. - TITLE

This ordinance shall be known and may be cited at the "Mobile/House Trailer Ordinance of the Village of Stillwater."

SECTION 2. - PURPOSE

The purpose of this local law is to promote the health, safety, morals and general welfare of the community, including the protection and preservation of the property of the Village of Stillwater, and to regulate the maintenance of mobile/house trailers and mobile/house-trailer courts within the Village of Stillwater and to prescribe regulations for said Courts, to regulate the parking and location of mobile/house trailers outside of said Courts within the Village of Stillwater, and to require that mobile/house-trailer courts within the Village of Stillwater not constructed on or before the effective date of this ordinance, be laid out and constructed in accordance with approved plans.

SECTION 3. - DEFINITIONS

(a) Mobile/House Trailer. The term "Mobile/House Trailer" as used in this ordinance shall be defined as any vehicle or combination thereof used, designed for use, or capable of being used, as sleeping or living quarters, whether propelled by its own power or by the power of another vehicle to which it may be attached, and whether or not the wheels have been removed, and the floor system of which is permanently supported by the same structural frame

used to transport it, and whether or not said vehicle has been placed on a temporary or permanent foundation.

(b) Trailer Court. The term "Trailer Court" as used in this ordinance shall be defined as any lot, piece or parcel of ground whereon two or more Mobile/house trailers, designed for use or capable of being used as living or sleeping quarters, are parked or located.

(c) Court Unit. The term "Court Unit" as used in this ordinance shall be defined as the lot or space in any court which shall be assigned to or used and occupied by any one mobile/house trailer.

(d) Modular Home. The term "Modular Home" as used in this ordinance shall be defined as any structure that is prefabricated into two or more transportable sections, without a structural frame or chassis to transport on and the sections fastened together on a permanent foundation on a site.

SECTION 4. - PERMITS FOR TRAILER COURTS

No person, firm or corporation being the owner or occupant of any land within the Village of Stillwater shall use or permit the use of said land or premises as a trailer court without obtaining a permit thereof as hereinafter provided.

SECTION 5. - ISSUANCE OF PERMIT AND FEES FOR TRAILER COURTS.

(a) Application for Permit. The application for each trailer court permit shall be in writing and signed by the applicant. It shall state (1) the name and address of the applicant; (2) the name and address of each partner if the applicant be a partnership; (3) the name and address of each officer and director if the applicant be a corporation; (4) a complete description of the premises upon which the proposed court is to be located; (5) the name and address of the owner or owners of such premises; (6) the number of court units to be provided in the proposed court. Each application shall be accompanied by a

set of plans, and specifications, prepared and drawn to scale by a registered architect or licensed professional engineer showing the layout of the court, the location, the size and arrangement of each court unit, location of streets, location of water service and location of garbage receptacles. Where the applicant is not the owner of the premises, the application shall also be accompanied by an original or photostatic copy of the lease of the premises and a written statement signed by all the owners consenting that the premises be used for the purpose of a trailer court.

(b) Filing of Application. Such application shall indicate compliance by the applicant with the minimum court requirements as established by rule or regulation of the State Department of Health and of the Sanitary Code of the State of New York, and the Rules of the Saratoga County Department of Health.

(c) Issuance of Permit The Village Clerk of the Village of Stillwater upon the written application and upon the approval of the same by the Village Board of the Village of Stillwater after a public hearing thereon and upon receipt of the fee hereinafter provided, shall issue a permit to become effective from the date thereof, and to continue in force for the term specified therein but in no event longer than the 31st day of December next succeeding for the use of the premises therein specified, as a trailer court which permit shall specify the number of court units which may be used in said court. Such permit shall not be transferable or assignable.

(d) Fees. The applicant for a trailer court permit shall at the time of issuance of any such permit pay to the Village Clerk a fee computed at the rate of Five (5.00) Dollars per court unit per annum, based upon the maximum number of proposed court units as shown in the application. The minimum fee for an annual permit shall be Fifty (50.00) Dollars.

SECTION 6. - REGULATION FOR TRAILER COURTS

(a) Drainage and Grading. All lands used as a trailer court shall shall be free of all dense growth of brush or weeds.

growth of brush or weeds. The land shall be properly graded to insure proper drainage and shall at all times be so drained as to be free from stagnant pools of water.

(b) Court Plan. Each trailer court constructed, altered or expanded after the effective date of this ordinance shall be subdivided and marked off into lots or court units numbered consecutively, the number being conspicuously posted on each court unit; each of such court units shall contain at least 5,000 square feet and shall be at least 50 x 100 feet in dimension. No more than one mobile/house trailer shall be permitted to occupy any one Court unit. The court units shall be grouped in blocks with streets at least 35 feet wide between each block and be adequately lighted. Each court unit shall have direct access to a street. No court unit shall be located within 50 feet of any public highway or public street line nor within 25 feet of any adjacent property line or 50 feet of any adjacent dwelling house. Each trailer court and all parts therof shall be kept in a clean and sanitary condition at all times.

(c) Water Connection. Each trailer court constructed, altered or expanded after the effective date of this ordinance shall be provided with proper water connections.

(d) Water Supply. A sufficient supply of pure drinking water shall be provided in convenient locations in the court.

(e) Disposal of Sewage and other Water Carried Wastes

1. All sewage and other water carried wastes shall be disposed of into the Village sewerage system whenever available. In mobile/house trailer courts in which such connections are not available, disposal shall be into a private system which includes a sanitary means of disposal, the operation of which creates neither a nuisance nor a menace of health, and which system has been approved by the Saratoga County Department of Health.

2. Each court unit shall be provided with a sewer connection for the combined liquid waste outlet or outlets of each mobile/house trailer, and trapped below the frost line. It shall be the duty of the owner

or operator of said trailer court to provide a water and odor tight connection from the water drainage to the sewer connection and it shall be the duty of said owner or operatior to make such connections and keep all occupied trailers connected to said sewer while located in a trailer court. Sewer connections in unoccupied court units shall be so closed that they will emit no odors or cause a breeding place for flies. No water or waste shall be allowed to fall on the ground from a mobile/house trailer.

(f) Garbage Disposal. Each such trailer court constructed, altered or expanded after the effective date of this ordinance shall provide equipment sufficient to prevent littering of the grounds and premises with rubbish, garbage and refuse and shall provide a fly-tight storage building or buildings and at a convenient location or locations equipped with fly-tight metal depositories of sufficient size and number to contain all the garbage and refuse that may accumulate between removals from the premises.

(g) Electric Service and Connections. Each trailer court constructed, altered or expanded after the effective date of this ordinance shall provide weatherproof electric service connections and outlets. All electric installation shall be approved by the New York State Board of Fire Underwriters and have a certificate issued by the same.

SECTION 7.- INSPECTION

The police officers of the Village of Stillwater, the Health Officer and any other duly authorized agent or employee of said village, shall have the right at any reasonable time to enter any trailer court or other premises used for the parking or location of a mobile/house trailer, and shall have the right at all times, to inspect all parts of said premises, and to inspect the records required to be kept in any trailer court.

SECTION 8. - REVOCATION OF PERMIT

If a police officer, health officer or any authorized representative of the Village of Stillwater finds that any trailer court is not being maintained in a clean and sanitary condition or is not being conducted in

accordance with the provisions of this ordinance, such facts shall therupon be reported to the Village Board and said Village Board may direct the Village Clerk to serve an order in writing upon the holder of the permit or the person in charge of said court, directing that the conditions therein specified be remedied within ten days after date of service of such order. If such conditions are not corrected after the expiration of said ten day period, the Village Board may cause a notice in writing to be served upon the holder of said permit or the person in charge of such trailer court, requiring the holder of the permit to appear before the Village Board of the Village of Stillwater at a time to be specified in such notice and to show cause why such trailer court permit should not be revoked. The Village Board may after a hearing to which testimony of witnesses may be taken, and the holder of the permit shall be heard, revoke such permit if said Village Board shall find that said court is not being maintained in a clean and sanitary condition, or if they find that any provisions of this ordinance have been violated or for other sufficient cause. Upon the revocation of such permit, the premises shall forthwith cease to be used for the purpose of a trailer court, and all mobile/house trailers shall forthwith be removed therefrom.

SECTION 9. - RENEWAL OF PERMIT

Application for the renewal of any trailer court permit issued pursuant to this ordinance, must be filed with the Village Clerk on or before the 1st day of December next preceding the expiration of said permit. The application for renewal shall be in writing and signed by the applicant and shall contain the same information as required by "Section 5" subdivision "(a)" of this ordinance in the case of original application for permits, except that such renewal application need not be accompanied by a plan of the trailer court unless some change in the plan or layout of the court is contemplated by the applicant, nor is it necessary that the said renewal application be accompanied by the Lease of the premises unless a new Lease of the premises has been entered into subsequent to the time

of filing the previous application, in which event the original or photostatic copy of the new Lease shall be attached to the application for a renewal, nor shall it be necessary to attach to such application for renewal the written consent of the owners of the premises that the same may be used for the purpose of a trailer court unless there shall have been a change in the ownership since the filing of the previous application, in which event such written statement signed by all of the new owners of the premises must accompany the application for a renewal of the permit. Upon the approval of said application for a renewal of the permit by the Village Board, the Village Clerk shall issue a renewal permit which shall become effective upon the expiration of the prior permit and continue in force for the term specified therein but in no event longer than for a period of one year. Such renewal permit shall not be transferred or assigned. The applicant shall at the time of issuance of such renewal permit, pay to the Village Clerk the same fee provided in "Section 5" subdivision "(d)" of this ordinance covering the original issuance of trailer court permits.

SECTION 10 - APPLICATION OF EXISTING TRAILER COURTS

This ordinance shall apply to all existing trailer courts located in the Village of Stillwater on the effective date of said ordinance and such existing trailer courts shall henceforth be maintained and operated in compliance with all of the provisions of this ordinance except that the provisions of Section 6 (a), (c), (d) and (e) shall not apply to trailer courts in existance on the effective date of said ordinance. Any additions, extensions or enlargements of existing courts shall be made in compliance with all the provisions of this ordinance. The owner or operator of any existing court shall have ninety (90) days after this ordinance becomes effective to make an application pursuant to Section 5 for a permit to operate such court.

SECTION 11 - REGULATIONS FOR MOBILE/HOUSE TRAILERS NOT LOCATED IN A TRAILER COURT

(a) Highway Parking Prohibited. No mobile/house trailer shall be parked or allowed to remain upon any public highway or private way in the Village of Stillwater for over eight (8) hours.

(b) No mobile/house trailer shall be parked outside of a duly licensed trailer court, in the Village of Stillwater, except as follows:

1. Any owner of land who intends to build a dwelling house upon a parcel of land located in the Village of Stillwater may apply to the Village Clerk and after compliance with the provisions of this ordinance and payment of the fee set forth hereinafter, be granted a permit to park a mobile/house trailer upon said parcel of land during the erection of said dwelling. The aforesaid permit shall be issued by the Village Clerk for a period not in excess of six (6) months from the date of issuance thereof, or until the dwelling being constructed is occupied, which ever is the shorter period. Said permit may be extended by letter by the Village Clerk for a period not to exceed three (3) months from the date of expiration. In the event that the said owner desires an additional extension of the said permit, a written application shall be submitted to the Village Board of the Village of Stillwater, which extension may be granted or denied by the said Village Board after an examination of the facts and circumstances concerning the same and after the applicant has been given an opportunity to speak on behalf of such application. Upon the expiration of the aforesaid permit and/or any extension thereof, said trailer shall be vacated as living quarters and disconnected from its water supply and sewage disposal system.

2. None of the provisions of this ordinance shall be applicable to a mobile/house trailer located on the site of a commercial or public construction project, survey project or other similar work project and used solely as a field office or work or tool house in connection with such project, provided such trailer is removed from the site within a reasonable time after the completion

of such project.

3. Any owner or occupant of a mobile/house trailer desiring to place or park the same in the Village of Stillwater outside a licensed trailer court for human habitation, other than an owner or occupant set forth in subdivision 1 and 2 hereof shall make written application to the Village Clerk of the Village of Stillwater, and after compliance with the provisions of this ordinance and payment of the fee set forth hereinafter, be granted a permit to so park or place a house trailer. Said permit shall be valid for a term of four (4) weeks and no additional permit shall be issued to the said owner or occupant and/or the owner of the land upon which the said mobile/house trailer is parked or placed for any period of time during the next succeeding eleven (11) months, provided, however, that the owner or occupant of the said mobile/house trailer, and/or the owner of the land upon which the said mobile/house trailer was located may apply in writing to the Village Board of the Village of Stillwater for an extension of the aforesaid permit for a period not to exceed eleven (11) months, which extension shall be granted or denied by the Village Board after an examination of the facts and circumstances concerning the same and after the applicant has been accorded an opportunity to speak on behalf of such application.

4. Any inhabited mobile/house trailer parked and maintained pursuant to the provisions of this section shall have an approved water supply and shall install and use a sewage disposal system at least equal to that required by a 2-bedroom dwelling.

5. The written approval of the Water Supply and Sewage Disposal Systems by the Saratoga County Department of Health must be presented to the Village Clerk with the application for a permit under subdivision 8 herein.

6. An unhabited mobile/house trailer not exceeding 10 feet in width and 25 feet in length may be parked or stored outside of a licensed trailer park provided, however, that it shall not be parked between the street line and

(3) The location of the wa
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9. Fees. The applicant for
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permit or renewal thereof pay to t
dollars ($2.50).

SECTION 12. - RE

If a police officer, healt
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the appearance of the person so serv
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after a hearing at which testimony
so served shall be heard, revoke su

and the front building line of the
the side yards of the said premises

7. A mobile/house trailer
and uninhabited as living quarters
trailer park. One such trailer in

8. Application for Permi
Village of Stillwater

The owner or occupant of
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shall make written application to
set forth:

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b. The names and address

c. The name and address c
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d. The description of the
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e. The name and address
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trailer is to be located, the ap
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Each application shall b
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premises.

that the said mobile/house trailer is not being maintained in a clean and sanitary condition or if they find that any provision of this ordinance has been violated or for any other sufficient cause. Upon the revocation of such permit, the said mobile/house trailer shall be removed forthwith from the premises and disconnected from its water supply and sewage disposal system.

SECTION 13. APPLICATION TO EXISTING MOBILE/HOUSE TRAILERS NOT LOCATED IN TRAILER COURTS.

The provisions of this ordinance shall not apply to mobile/house trailers parked outside of a duly licensed trailer court prior to the effective date of this ordinance and occupied as a dwelling. Such mobile/house trailer may remain in the position or place in which they are then parked, provided, however, that no such mobile/house trailer shall be moved to a new location in the Village of Stillwater except in compliance with the provisions of this ordinance, and provided also that any owner or lessee of a mobile/house trailer presently parked outside a licensed trailer court may replace the same with a new mobile/house trailer located upon the same plot of ground and in the same general location within six months of removal of the mobile/house trailer existing at the time of the enactment of this ordinance. The owner of an existing mobile/house trailer replacing the same with a new mobile/house trailer shall file a plot plan with the Village Clerk showing the dimensions of the new mobile/house trailer and its location upon the building lot. Any additions, extensions or supplements to a mobile/house trailer located outside a trailer court at the time of the enactment of this local law must be made pursuant to this ordinance.

SECTION 14. MODULAR HOMES

Nothing contained in this ordinance shall be construed as a prohibition of the construction or use of modular homes within the Village of Stillwater

as long as the same comply with all construction, health and sanitary rules provided by the State of New York.

SECTION 15. PENALTIES

Any person who violates any provision of this ordinance shall be guilty of a misdemeanor punishable by a fine of not more than One Hundred ($100.00) Dollars and not more than thirty (30) days imprisonment. In addition, the violation of the ordinance or any of the provisions thereof shall subject the person, firm or corporation violating the same to a civil penalty in the sum of Fifty ($50.00) Dollars; said penalty may be recovered by the Village of Stillwater in a civil action.

SECTION 16. - ISSUANCE OF PERMIT

The issuance of a permit pursuant to the provisions of this ordinance shall not be deemed to waive compliance by the holder thereof, by the property owner, or by any occupany of said court with any statute of the State of New York or ordinance or health regulation of the Village of Stillwater or of the Saratoga Department of Health.

SECTION 17. - VALIDITY

If any section, paragraph, subdivision or provision of this ordinance shall be adjudged invalid or held unconstitutional the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part so decided to be invalid or unconstitutional.

SECTION 18. EFFECTIVE DATE

This local law shall take effect upon filing in the Office of the Secretary of State of the State of New York.