

**ARTICLE IV MOBILE HOMES AND MOBILE HOME PARKS**

**SECTION 401 SINGLE MOBILE HOMES**

A. Single Mobile Homes - Permanent Residence, New Installation and Replacement of an Existing Mobile Home

1. Criteria

A mobile home may be permanently occupied as a one family dwelling either as a new installation or as a replacement of an existing mobile home on a lot in the A-R District provided the following criteria are met and a zoning permit is issued.

- a. The mobile home unit shall comply with the current Construction and Safety Standards set forth by the United States Department of Housing and Urban Development, comply with Section 401, Subsection I, of this Local Law Section, and have a minimum habitable floor area of seven hundred and fifty (750) square feet.
- b. When a new installation is involved, the mobile home must comply with all the minimum area requirements for a one family dwelling in the A-R District including but not limited to: lot size and width, yard areas (setbacks), minimum dimensional criteria, parking and finished grade. When replacement of an existing mobile home is involved, the replacement mobile home should, when practical, comply with all area requirements; however, any particular dimensional requirement may be modified by the Zoning Board of Appeals through an area variance.
- c. When replacing an existing mobile home, a Certificate of Compliance and occupancy of the replacement mobile home shall not take place until the "existing" mobile home unit has been removed from the Town of Bethany.
- d. The mobile home shall be installed in compliance with the New York State Uniform Fire Prevention and Building Code (i.e., foundation requirements, skirting, etc.), and shall be protected from ground frost heaves.
- e. The water supply system and sewage disposal system for the mobile home shall be approved by the Genesee County Health Department.

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- f. Additions, alterations and extensions to such mobile homes shall comply with the New York State Uniform Fire Prevention and Building Code and must be placed on a permanent foundation.

B. Single Mobile Homes - Temporary Residence

1. Restrictions

Single mobile homes may be temporarily occupied as a one family residence on any lot in an R or A-R District for a maximum period of two (2) years under the following circumstances and upon the issuance of a special use permit:

- a. Home Building - If the owner of a vacant lot has been issued an active, valid zoning permit by the Town of Bethany for the construction of a private dwelling on the lot in question.
- b. Fire or Other Disaster - The existing dwelling on the lot has been damaged in such a manner as to make it uninhabitable.
- c. Supervisory Care - An individual who is related through blood or marriage to the family residing in the dwelling, who requires supervisory care and prefers a separate residence.

2. Criteria

Mobile homes occupied as temporary residences shall meet the following criteria:

- a. The mobile home units shall comply with the current Construction and Safety Standards set forth by the United States Department of Housing and Urban Development, and have a minimum habitable floor area of six hundred (600) square feet exclusive of any porches, additions or other extensions.
- b. Placement of the mobile home must comply with the minimum area requirements for a one family dwelling in that district, including, but not limited to: lot size and width, yard areas, parking and finished grade.
- c. Mobile homes shall be installed in compliance with the New York State Uniform Fire Prevention and Building Code.

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- d. Such mobile homes shall be skirted with a non-combustible material so as to enclose the area between the floor of the mobile home and the ground. Such skirting is to be properly ventilated and must be completed within thirty (30) days after arrival.
- e. The water supply system and sewage disposal system for the mobile home shall be approved by the County Health Department.

C. Relocation of Existing Mobile Homes Within the Town

Mobile homes in the Town of Bethany shall not be relocated in said Town without compliance with Article IV of this Local Law.

D. Additions, Alterations and Extensions to Mobile Homes

Additions, alterations and extensions to existing mobile homes and those permitted under Article IV shall require a zoning permit.

**SECTION 402 MOBILE HOME PARK**

A. Standards and Requirements for the Construction of Mobile Home Parks

Condition of soil, groundwater level, drainage and topography shall not create hazards to the surrounding properties or the health or safety of the mobile home park occupants. The site shall not be exposed to objectionable smoke, dust, noise, odors or other adverse influences, and no portion thereof shall be subject to predictable sudden flooding, or erosion and shall not be used for any purposes which would expose a person or property to hazards.

1. Site, Size, Density and Setback Requirements

- a. The minimum size for mobile home parks shall be five (5) acres.
- b. The maximum number of mobile home space shall not exceed five (5) per gross acre.
- c. Each mobile home park shall set aside ten (10) percent of the total acreage of the site as open space and recreation area.
- d. A setback of sixty (60) feet shall be observed from the right-of-way of any public road bordering the site to any mobile home in the park.

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- e. A setback of thirty (30) feet shall be observed from any property line excluding the right-of-way of any public road to any mobile home in the park.
- f. The site shall be located and laid out so that no mobile home is closer than one hundred (100) feet to any existing single family or two family dwelling.

2. Lot Size, Density and Setback Requirements

- a. The minimum lot in a mobile home park shall be eight thousand (8,000) square feet, with a minimum width of seventy (70) feet and a minimum depth of one hundred (100) feet.
- b. A mobile home having a width of twenty-four (24) feet or more shall be located on a lot having an area of at least ten thousand (10,000) square feet with a minimum width of eighty (80) feet.
- c. No mobile home shall be closer than twenty (20) feet to another mobile home or other structure in the park.
- d. Each mobile home located in a mobile home park shall have a front yard, a rear yard and two side yards. No side yard or rear yard space shall be less than ten (10) feet in depth and no front yard shall be less than twenty-five (25) feet in depth.
- e. There shall be a minimum setback of twenty-five (25) feet observed from an abutting park street to any mobile home in the park.
- f. Maximum heights for buildings within a park shall be twenty-five (25) feet.

3. Site Layout and Design Requirements

The layout and design of the mobile home park shall conform to the following:

- a. Streets
  - i. All mobile home parks shall be provided with safe and convenient vehicular access from abutting public roads to each mobile home lot. Such access shall be provided by streets, driveways or other means.

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- ii. All mobile home parks containing twenty (20) or more mobile home sites shall have access from two points along a single public road, or, if bordering on two roads, access can be one for each road, as long as such access points are separated by at least one hundred (100) feet.
- iii. Entrances to mobile home parks shall have direct connections to a public road and shall be designed to allow free movement of traffic on such adjacent public road. No parking shall be permitted on the entrance street for a distance of one hundred (100) feet from its point of beginning.
- iv. The street system should provide convenient circulation by means of minor streets and properly located collector streets. Dead-end streets shall be limited in length to five hundred (500) feet and their closed end shall be provided with an adequate turn around sixty-five (65) feet in diameter cul-de-sac.
- v. Each mobile home space in the park shall have direct access to a street, the surface of which shall be constructed of bituminous concrete or portland concrete cement and shall be a minimum width of twenty (20) feet. Bituminous concrete surfaces shall consist of twelve (12) inches R-O-B gravel laid in two lifts as a base course for three (3) inches bituminous concrete, applied in two lifts.
- vi. Grades of all streets shall be sufficient to insure adequate surface drainage, but should not be more than eight (8) percent. Short runs with a maximum grade of ten (10) percent may be permitted, provided traffic safety is insured.
- vii. Street intersections should generally be at right angles and in no case shall any angle or intersection be less than seventy five (75) degrees.
- viii. Park entrances and exits shall be so located to provide a minimum of sight distance on the adjacent public road in both directions from the interior road at the point of intersection of not less than three hundred (300) feet.

b. Parking

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- i. Two (2) car parking spaces shall be provided for each mobile home to meet the needs of occupants of the mobile home park and their guests without interference with normal movement of traffic.
  - ii. At least one (1) parking space shall be situated on each unit, and the remainder may be located in adjacent parking bays along the park streets.
  - iii. Parking may be in tandem.
  - iv. Each parking space shall have dimensions of at least ten (10) feet by twenty (20) feet and shall have all weather surfacing.
- c. Storm Water Drainage
- i. All mobile home parks shall be well drained and constructed so as to eliminate the accumulation of standing surface water for extended periods of time. The drainage system shall consist of buried corrugated steel pipe to carry storm water only; OR
  - ii. A series of well-constructed and properly maintained open ditches to carry surface runoff to off-site drainage channels or on-site drywell(s).
  - iii. The drainage system shall be designed to adequately handle at least that stormwater generated by the site during a ten (10) year storm as determined by the U.S. Army Corps of Engineers. It must be certified by the Genesee County Soil and Water Conservation District Office that the off-site downstream drainage system is capable of handling the runoff generated by the park during at least a ten [10] year storm.
4. Lot and Mobile Home Requirements
- a. Each lot shall front on an approved interior street.
  - b. Interior lots shall not be permitted to front on more than one street.
  - c. No more than one (1) mobile home may be placed on any lot.

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- d. No mobile home shall be located within a park except in an authorized space, and no mobile home shall be permitted to occupy any such space unless it is equipped with a properly functioning lavatory, a bathroom or shower, one (1) five (5) pound fire extinguisher, and a minimum of two (2) smoke detectors.
- e. All mobile homes shall comply with the current Construction and Safety Standards set forth by the United State Department of Housing and Urban Development and have a minimum habitable floor area of six hundred (600) square feet, exclusive of any porches, additions or other extensions.
- f. No addition shall be made to a mobile home except for a canopy and/or porch open on three sides.
- g. Each mobile home lot shall contain a stand to provide adequate support for the placement and tiedown of the mobile home. The stand shall not heave, shift, or settle unevenly under the weight of the mobile home as a result of any frost action, inadequate drainage, vibration or other such forces. The material used in constructing the stand should be durable and capable of supporting the expected load regardless of the weather.
- h. All mobile homes shall be installed in compliance with the New York State Uniform Fire Prevention and Building Code (i.e., foundation requirements, skirting, etc.), and shall be protected from ground frost heaves.
- i. All occupied mobile homes shall be set on a stand and skirted with a noncombustible material so as to enclose the area between the floor of the mobile home and the ground. Such skirting is to be properly ventilated and must be completed within thirty (30) days after placement in the park.
- j. One (1) accessory building, not to exceed one hundred (100) square feet in dimension may be located on each lot.
- k. Each lot shall be provided with approved connections for water and sewer in accordance with the regulations of the Genesee County and New York State Departments of Health.
- l. All utilities shall be underground.

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m. No front or side yard shall be used for storage.

5. Required Site Improvements

- a. Water Supply System - All water supply systems shall be approved by the Genesee County Health Department.
- b. Sewerage Disposal and Treatment - All sewerage disposal systems shall be approved by the Genesee County Health Department and/or NYS DEC.

6. Electrical Systems

- a. Except as otherwise permitted or required by this standard, all electrical installations in mobile home parks shall be underground, residential distribution designed and constructed in accordance with local electric utility and with the National Electric Code. The point of the electrical connection for the mobile home shall be within the area of the mobile home stand.
- b. The mobile home park secondary electrical distribution system to mobile home lots shall be single phase, 120/240 nominal.
- c. For the purpose of this section, where the park service exceeds two hundred forty (240) volts, transformers and secondary distribution panel boards shall be treated as services.
- d. Mobile home lot feeder circuit conductors shall have adequate capacity for the load supplied, and shall be rated at not less than one hundred (100) amperes at 120/240 volts.
- e. Provisions may be made for connecting a mobile home power supply assembly by a permanent wiring method, and the mobile home service equipment may provide for installation of at least one (1) fifty (50) ampere receptacle.
- f. Mobile home service equipment may also be provided with a means for connecting a mobile home accessory building or structure or additional electrical equipment located outside a mobile home by a permanent wiring method.

7. Gas Distribution System



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Gas equipment and installations within a mobile home park shall be designed and constructed in accordance with the applicable codes adopted by the local utility. Where the state or other political subdivision does not assume jurisdiction, such installations shall be designed and constructed in accordance with the appropriate provisions of the current edition of the American National Standard-National Fuel Gas Code.

8. Service Buildings

- a. Service buildings shall be located in such a way as to prohibit access directly to a mobile home lot.
- b. Service buildings housing sanitation and laundry facilities or any other facilities shall be permanent structures complying with the New York State Uniform Fire Prevention and Building Code and the New York State Sanitary Code and/or all other applicable ordinances and statutes regulating buildings, electrical installations, and plumbing and sanitation systems.

9. Refuse Disposal

The park owner is responsible for provision of refuse pickup and disposal.

10. Mobile Home Park Special Use Permits

- a. Pursuant to Section 210, the Zoning Enforcement Officer shall inspect at least annually the operation of a mobile home park to make sure it complies with the provisions of this Local Law and any and all conditions prescribed by the Town Board when issuing the special use permit.
- b. Before receiving a special use permit for a mobile home park, the owner thereof shall make an adequate showing that the subject property complies with the provisions of this section.