

Local Law #3 - 2026

Be it enacted by the Town Board of the Town of Louisville, in the County of St. Lawrence, as follows:

SECTION 1. PURPOSE AND INTENT

This local law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the Property Maintenance Code of New York State (PMCNYS) in regard to mobile home and mobile home courts in this Town. This local law is adopted pursuant to Section 10 of the Municipal Home Rule Law. The purpose of this law is to promote and preserve the health, safety, morals and general welfare and property of the inhabitants of the Town of Louisville, by the proper regulation of mobile homes and mobile home courts.

SECTION 2. DEFINITIONS

In this local law, the following terms shall have the meanings shown in this section:

☐ APPLICANT/OWNER/PARTNER/OFFICER/DIRECTOR: When used in the context of this Local Law, refers to the specified party (applicant, owner, partner, officer or director) and/or their agent/representative.

☐ MOBILE HOME: A factory manufactured dwelling unit built prior to June 15, 1976, with or without a label certifying compliance with NFPA, ANSI or a specific state standard, transportable in one or more sections, which in the traveling mode, is 8 feet (2438mm) or more in width or 40 feet (12192mm) or more in length, or when erected on site, is 320 square feet (29.7m²) minimum, constructed on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein. The term “mobile home” shall not include travel trailers or any self-propelled recreational vehicle.

☐ MOBILE HOME COURT: A parcel of land, which has been planned and improved for the placement of two or more mobile homes or class B manufactured homes for dwelling purposes. The term shall include Mobile Home Park or other area planned and/or improved for two or more mobile homes or class B manufactured homes.

☐ COURT UNIT: The lot or space in any mobile home court which shall be assigned to or used and occupied by any one mobile home.

☐ MANUFACTURED HOME: A factory-manufactured dwelling unit built on or after June 15, 1976 and conforming to the requirements of the Department of Housing and Urban Development (HUD). Manufactured Home Construction and Safety Standards, 24 CFR Part 3280.1 - 3280.1006, 2/13/2026, transportable in one or more sections, which in the

2

traveling mode, is 8 feet (2438 mm) or more in width or 40 feet (12192mm) or more in length, or when erected on site, is 320 square feet (29.7 m²) minimum, constructed on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning and electrical systems contained therein. The term “manufactured home” shall also include any structure that meets all the requirements of this definition except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Federal Department of Housing and Urban Development and complies with the standards established under the national Manufactured Housing Construction and Safety Act of 2/13/2026, as amended. The term “manufactured home” shall not include any self-propelled recreational vehicle.

☐ MANUFACTURED HOME CLASS A: A manufactured home nineteen feet or more in width.

☐ MANUFACTURED HOME CLASS B: A manufactured home less than nineteen feet in width.

SECTION 3. MOBILE COURT OPERATING PERMIT

No person, firm or corporation being the owner or occupant of any land or premises within the Town of Louisville shall use or permit the use of said land or premises as a mobile home court without obtaining a permit therefor as hereinafter provided.

SECTION 4. APPLICATION FOR OPERATING PERMIT; ISSUANCE; FEES

A. Contents of Operating Permit application

a. The application for each mobile home court operating permit shall be in writing and signed by the applicant. It shall state:

- i. The name, address and phone number of the applicant.
- ii. The name, address and phone number of each partner if the applicant is a partnership.
- iii. The name, address and phone number of each officer and director if the applicant is a corporation.
- iv. A complete description of the premises upon which the proposed court is to be located.
- v. The name and address of the owner or owners of such premises.
- vi. The number of court units to be provided in the proposed court.
- vii. The name and contact information for the person or persons to be contacted in the event of a maintenance issue.

b. The application shall be accompanied by two sets of plans and specifications, drawn to scale, showing the layout of the court, the location, size and arrangement of each court unit, location of streets, location of water services and location of garbage receptacles. One set of plans shall be retained by the

3

Code Enforcement Officer and the second set retained with the application.

Where the applicant is not the owner of the premises, the application shall also be accompanied by a certified copy of the lease of the premises.

B. Filing and submission of Operating Permit application

a. Each application shall be filed with the Town of Louisville, who shall thereupon transmit the same to the Town Planning Board. Such application shall indicate compliance by the applicant with the minimum court requirements as established by rules and regulations of the New York State Department of Health and by the Sanitary Code of the State of New York.

b. The Town Planning Board shall, after investigation, transmit the application to the Code Enforcement Officer, together with its written approval or recommendations pertaining thereto.

c. The Code Enforcement Officer shall, in turn, investigate the application, and he shall transmit the same to the Town Board, indicating his approval or rejection in writing.

d. All such applications shall, after investigation, be approved or rejected by the Town Board, after which the applications shall be filed with the Town Clerk's Office and the applicants notified in writing by the Town Clerk's Office of the action taken thereon, with the reason for rejection if the application is rejected. If said application is rejected, the applicant shall have the right to appear before the Town Board for a hearing.

C. Issuance of Operating Permit. The Town Clerk's Office, upon the written application and upon the approval of the same by the Code Enforcement Officer and the Town Board, and upon the receipt of the fee hereinafter provided, shall issue a permit to become effective from the date thereof and to continue in force through the first day of July

next succeeding for the use of the premises therein specified as a mobile home court, which permit shall specify the number of court units which may be used in said court. Each permit shall not be transferable or assignable.

D. Fees. The applicant for a mobile home court operating permit shall, at the time of issuance of such permit, pay to the Town Clerk's Office a fee set by resolution of the Town Board and on file in the Town Clerk's Office. The fee for annual renewal of an operating permit for a mobile home court shall be set by resolution of the Town Board and on file in the Town Clerk's Office.

SECTION 5. REGULATIONS FOR COURT OPERATION

A. Drainage and grading. All lands used as a mobile home court shall be well drained, of ample size and free from heavy or dense growth of brush or woods. The land shall be

4

properly graded to ensure proper drainage during and following precipitation and shall, at all times, be so drained as to be free from stagnant water.

B. Each mobile home court shall be subdivided and marked off into court units, each of which court unit shall contain at least 9,000 square feet, proportioned appropriately to accommodate the mobile home on said unit. No more than one mobile home shall be permitted to occupy any one court unit. Each mobile home court shall be so marked off that there will be no more than four court units to the acre. The maximum occupied area per court unit shall not exceed 1,000 square feet. Mobile homes shall be so placed on each court unit that there shall be a distance of 25 feet from the front unit line, 15 feet from the rear unit line and 12 feet from the side unit lines. No mobile home shall be so placed that the same will be within 15 feet of any public highway or street nor within 15 feet of any adjacent property line. Each mobile home court and all parts thereof shall be kept in a clean and sanitary condition at all times.

C. Water connection. Each such mobile home court shall be provided with proper water connections on each such court unit.

D. Water supply. A sufficient supply of potable water shall be provided to the mobile home court.

E. All roadways within a mobile home court shall be at least 25 feet in width and shall be maintained free from parked cars, snow or obstructions of any nature so that fire and other emergency vehicles may have free and open access to any part of the mobile home court. Each roadway shall be so designed and constructed as to withstand use of fire trucks and fuel delivery trucks, etc., with a minimum of nine inches of compacted gravel covering an eighteen-foot-wide carriageway. On each road the gravel shall be compacted, graded and leveled so as to permit safe passage of vehicles at speeds not exceeding 15 miles per hour.

F. Disposal of sewage and other water-carried wastes.

a. All sewage and other water-carried wastes shall be disposed of into a municipal sewage system whenever available. In mobile home 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 to health, and has the approval of the New York State Department of Health.

b. Whenever a water-carriage system of sewage is used, each court unit shall be provided with a sewer connection for the combined liquid-waste outlet or outlets of each mobile home. It shall be the duty of the owner or operator of said mobile home court not to permit the use of these outlets until the connection from the mobile home to the outlet has been made odor tight as well as water tight. Sewer connections in occupied court units shall be so closed that

5

they will not emit any odors nor cause a breeding place for flies. No water or waste shall be allowed to fall on the ground from a mobile home.

G. Garbage receptacles. Each such mobile home court shall provide equipment sufficient to prevent littering of the grounds and premises with rubbish, garbage and refuse and provide fly tight metal depositories with tight-fitting covers at conspicuous locations upon such premises. Such depositories shall be emptied weekly and kept at all times in a sanitary condition. The depositories shall be so located that no park unit shall be more than 350 feet from a depository.

H. Electrical service and connections. Each mobile home park shall provide weatherproof electrical service connections and outlets for each park unit, all such connections and outlets to be of a type approved by the New York State Board of Fire Underwriters, independent electrical inspector and local electric company, and each park unit shall be properly grounded.

I. No mobile home court shall be occupied until the Code Enforcement Officer has issued an occupancy permit therefor.

SECTION 6. ACTIVITIES IN MOBILE HOME COURTS REQUIRING BUILDING PERMIT

A. Individual building permits shall be required for all mobile homes entering a mobile home court.

a. The application for each mobile home permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer, signed by the applicant, and shall state the following:

- i. The name, address and phone number of the applicant(s).
- ii. A complete description of the premises upon which the mobile home is to be located.

iii. The name, address and phone number of the owner or owners of such premises.

b. The application shall be accompanied by two (2) sets of plans, drawn to scale, showing the boundaries of the premises, the proposed location of the mobile home on the premises and the location and plan of the proposed water supply and sewage disposal system, as per the Town of Louisville's Building Permit Application.

B. Building permits shall also be required for any additions, porches or any structural changes to a mobile home in a mobile home court, as per the Town of Louisville's Building Permit Application and Local Law #6 of 2022.

SECTION 7. RECORD OF OCCUPANTS

6

The owner or operator of each mobile home court shall keep a permanent record, in writing, of all persons occupying or using the facilities of such mobile home court, which record shall include the following:

A. The names and addresses of each occupant of each mobile home.

B. The name and address of the owner of each mobile home.

C. The make and the color of each mobile home.

D. The registration numbers of any motor vehicle regularly maintained by any resident of the mobile home court.

SECTION 8. INSPECTIONS

Any peace officer, the Louisville Water Department and the Code Enforcement Officer of the town shall have the right, at any reasonable time, to enter any mobile home court and shall

have the right to inspect all parts of said premises and to inspect the records required to be kept in any mobile home court.

SECTION 9. REVOCATION OF OPERATING PERMIT

If a peace officer, Code Enforcement Officer, Health Officer or any authorized representative of the Town of Louisville finds that any mobile home court is not being maintained in a clean and sanitary condition or is not being conducted in accordance with the provisions of this Local Law, such facts shall thereupon be reported to the Town Board, and said Town Board may direct the Town 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 10 days after the date of service of such order. If such conditions are not corrected after the expiration of said ten-day period, the Town Board may cause a notice, in writing, to be served upon the holder of said permit or the person in charge of such mobile home court, requiring the holder of the permit to appear before the Town Board of the Town of Louisville at a time to be specified in such notice and to show cause why such mobile home court operating permit should not be revoked. The Town Board may, after a hearing at which testimony of witnesses may be taken and the holder of the permit shall be heard, revoke such permit if said Town Board shall find that said court is not being maintained in a clean and sanitary condition or if it finds that any provisions of this Article have been violated. Upon the revocation of such permit, the premises shall forthwith cease to be used for the purpose of a mobile home court, and all mobile homes shall forthwith be removed therefrom.

SECTION 10. RENEWAL OF PERMIT

Application for the renewal of any mobile home court operating permit, if issued pursuant to this Local Law, must be filed with the Town of Louisville on or before the first day of June next preceding the expiration of the permit. The application for the renewal shall be in writing and

signed by the applicant and shall contain the same information as required in Section 4-A of this Local Law in the case of the original application for a permit, except that such renewal application need not be accompanied by a plan of the mobile home court, nor it is necessary that 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 a certified copy of the lease shall be attached to the application for renewal. Upon the approval of said application for a renewal of the permit by the Code Enforcement Officer and the Town Board, the Town Clerk's Office shall issue a renewal permit which shall become effective upon the expiration of the prior permit and continue in force for a period of one year. Such renewal permit shall not be transferred or assigned. The applicant shall, at the time of issuance of said renewal permit, pay to the Town Clerk's Office the fee provided for in Section 4-D.

SECTION 11. EFFECT ON EXISTING OPERATIONS

This Section shall apply to all existing mobile home courts located in the Town of Louisville on the effective date of this Local Law, and such existing mobile home courts shall henceforth be maintained and operated in compliance with all the provisions of this Article and any amendment thereto, except that the provisions of Section 5-B and 5-E, shall not apply to mobile home courts in existence on the effective date of this Local Law.

SECTION 12. PENALTIES FOR OFFENSES

A. Any person who violates any provision of this local law shall be guilty of an unclassified misdemeanor, punishable by a fine of a definite amount of not more than \$1,000 or not more than 30 days' imprisonment, or both. When a violation of this local law or any provision thereof is continuous, each week thereof shall constitute a separate and distinct violation for which a separate and additional penalty may be imposed. A violation of this local law shall be prosecuted in the name of the Town of Louisville. The prosecution of a violation of this local law for a civil penalty under Section 12-B herein

and/or an action to compel compliance with or restrain violation of this local law by injunction under Section 12-C herein shall not affect the right of the town to prosecute the person for violation of the unclassified misdemeanor herein.

B. In addition, the violation of this local law or any of the provisions thereof shall subject any person to a civil penalty in the amount of \$500. When a violation of this local law or any of the provisions thereof is continuous, each such 24 hours thereof shall constitute a separate and distinct violation. The penalty shall be recovered by the Town of Louisville in a civil action. The prosecution of a violation of this local law for a criminal penalty under Section 12-A herein and/or an action to compel compliance with or

8

restrain a violation of this local law by injunction under Section 12-C herein shall not affect the right of the town to obtain the civil relief herein.

C. In addition, upon the violation of this local law or any provision thereof, the Town Board may maintain an action or proceeding in the name of the town in a court of competent jurisdiction to compel compliance with this local law or restrain by injunction any violation thereof. The prosecution of a violation of this local law for a criminal penalty under Section 12-A herein or the prosecution of violation of this local law for a civil penalty under Section 12-B herein shall not affect the right of the town to obtain the injunctive relief herein.

D. The remedies for violation of this local law are cumulative, and the prosecution of an action by the town for criminal penalty pursuant to Section 12-A and/or the civil relief pursuant to Section 12-B and/or for the injunctive relief pursuant to Section 12-C shall not affect the right of the town to obtain any of the other relief, whether criminal, civil or injunctive, provided herein. Any such prosecution for violation of this local law or any of the provisions, herein shall not be deemed to prevent the revocation of any permit

issued pursuant thereto or the enforced removal of conditions prohibited by this local law.

SECTION 13. APPLICABILITY OF PERMIT ISSUANCE

The issuance of a permit pursuant to the provisions of this local law shall not be deemed to waive compliance by the holder thereof, by the property owner or by any occupant of any mobile home with any statute of the State of New York or ordinance or health regulation of the Town of Louisville.

SECTION 14. MOBILE HOME COURTS UNFIT FOR HUMAN HABITATION

A. Intent.

a. By adoption of this Section, the Town Board of the Town of Louisville declares its intent to protect the health, safety and general welfare of the community and citizens of the Town, and to regulate the mobile home courts located in the town for the benefit of the owners or operators and residents of said mobile home courts.

b. Since mobile home courts were developed in the early 1950's, there has been a steady growth in the number of mobile homes and mobile home courts. Some mobile home court owners and operators have not maintained facilities in a clean, sanitary and safe condition. Because mobile home court tenants cannot remove their mobile homes to another location without considerable expenditure, mobile home court tenants are especially vulnerable to substandard conditions.

9

c. When the permit of a mobile home court has been revoked pursuant to Section 9, the owner or operator of the mobile home court does not have an incentive to make any repairs or improve conditions. And, when the permit has been revoked

pursuant to Section 9, the tenants of the mobile home court suffer a financial hardship by being compelled to relocate from said court.

d. Therefore, recognizing the above and the need of the community to regulate mobile home courts and the termination of the operation of such courts, the Town Board of the Town of Louisville does hereby enact the following.

B. Procedure for determination of unfitness. The procedure for the Town Board of the Town of Louisville to declare that a mobile home court is not fit for human habitation shall be as follows:

a. When the Town Board of the Town of Louisville has revoked the permit of a mobile home court pursuant to Section 9 and the owner or operator thereof fails to correct conditions in the court within 10 days after the revocation of the permit, the Town Board may conduct a hearing as to whether said mobile home court is or is not fit for human habitation.

b. The owner of the mobile home court shall be notified in writing of the date and time and purpose of the hearing before the Town Board by personal service or certified mail at least 10 days prior to the date of the hearing.

c. At the hearing before the Town Board, the sworn testimony of witnesses may be taken, the owner or operator of the mobile home court may be represented by counsel and shall have an opportunity to be heard and a transcript or other record of the proceedings shall be made.

d. In the event that the Town Board finds after a hearing that the mobile home court is not fit for human habitation, the Town Board shall make a finding that the premises are not fit for human habitation, and said finding shall be incorporated in a resolution.

C. Non-payment of rent.

a. Where the Town Board of the Town of Louisville has determined that a mobile home court is not fit for human habitation pursuant to Section 14-B-d herein, the tenants of said mobile home court shall be authorized to withhold payment of rent from the owner of said mobile home court.

b. In any eviction proceeding or proceeding to obtain possession of the premises by the owner or operator of such a mobile home court against a tenant based upon nonpayment of rent because of a finding by the Town Board of the Town of Louisville pursuant to this local law, said resolution and finding of the Town Board of the Town of Louisville that the premises of the mobile home court are not fit for human habitation pursuant to Section 14-B-d herein shall be

10

presumptive evidence in any court of law that said mobile home court is not fit for habitation and for the uses reasonably intended by the parties as defined in and pursuant to § 233(m) and 235-b(1) of the Real Property Law.