

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 Town Village
(select one:)

of New Lebanon

Introductory Local Law No. 4 of the year 2023

**A LOCAL LAW TO AMEND CHAPTER 145 OF THE TOWN CODE OF THE TOWN
OF NEW LEBANON**

Be it enacted by the Town Board of the Town of New Lebanon as follows:

See attached.

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

TOWN OF NEW LEBANON

INTRODUCTORY LOCAL LAW NO. 4 OF THE YEAR 2023

**A LOCAL LAW TO AMEND CHAPTER 145 OF THE TOWN CODE OF
THE TOWN OF NEW LEBANON**

SECTION 1

This local law shall be referred to as “A Local Law to Amend Chapter 145 of the Town Code of the Town of New Lebanon”.

SECTION 2

Chapter 145 of the Town Code of the Town of New Lebanon is hereby amended as follows:

A. Section 145-2 is hereby amended to read in its entirety as follows:

§ 145-2. Statement of purpose.

The purpose of this chapter is to provide rules and standards for the operation and licensing of existing and future mobile home parks in order to protect the health, safety and general welfare of residents of the town where mobile home parks are permissible.

B. Section 145-3 is hereby amended to add the following definition of term in appropriate alphabetical order:

COMPACT HOME

A compact home, as defined in Section 205-20 of Chapter 205, Zoning, of the Code of the Town of New Lebanon.

C. Section 145-3 is hereby amended to modify the definitions of “Home”, “Mobile Home Accessory Building or Structure”, “Mobile Home Park” and “Mobile Home Site” to read as set forth below:

HOME

A mobile home, manufactured home, or compact home in a mobile home park.

MOBILE HOME ACCESSORY BUILDING OR STRUCTURE

A building or structure which is in addition to or supplements the facilities provided for a mobile home, manufactured home, or compact home. It is not a self-contained, separate and habitable building or structure.

MOBILE HOME PARK (hereafter known as "park")

A property consisting of a tract of land maintained by an operator for two or more mobile homes, compact homes, and/or manufactured homes, which may be occupied by persons for residential purposes other than recreation, traveling or vacationing, and who are provided services or facilities necessary for their use of the property.

MOBILE HOME SITE (hereinafter also known as "site")

A designated parcel of land in a mobile home park provided by the operator and designed for accommodating one mobile home, compact home, or manufactured home, its accessory buildings or structures, and accessory equipment for the exclusive use of the occupants.

D. Section 145-4 is hereby amended to read in its entirety as follows:

§ 145-4. Applicability.

The requirements of this chapter shall apply to a mobile home park maintained for the placement of two or more mobile homes, compact homes, and/or manufactured homes. Unless otherwise specified, the requirements of this chapter apply to both existing and new mobile home parks.

E. Paragraph A of Section 145-5 is hereby amended to read in its entirety as follows:

A. Setbacks from public schools and public parkland. Any property line of a mobile home park shall be at least 1,000 feet from the property line of property used for public school purposes or for public parkland.

F. A new Paragraph N is hereby added to Section 145-5 to read in its entirety as follows:

N. Compliance with Zoning. Mobile home parks shall comply with all applicable provisions of Chapter 205, Zoning, of the Code of the Town of New Lebanon, including without limitation, Schedule 1,

Area and Bulk Regulations, and Schedule 2, Zoning Law Use Table, except where a provision of Chapter 205 directly conflicts with a provision of this chapter, in which case, this chapter shall control.

SECTION 3

If any word, phrase, sentence, part, section, subsection, or other portion of this Law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this Law, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 4

This Local Law is enacted pursuant to the New York Municipal Home Rule Law.

SECTION 5

This Law shall become effective upon filing with the New York 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 No. ___ of 2023 of the (County)(City)(Town)(Village) of New Lebanon was duly passed by the Town Board of the Town of New Lebanon on _____, 2023 in accordance with the applicable provisions of law.

~~**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)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____ in accordance with the applicable provisions of law.

(Name of Legislative body)
(Elective Chief Executive Officer*)

~~**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) (repassed after disapproval) by the _____ on _____ 20____.

(Name of Legislative body)
(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 (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.

(Name of Legislative body)
(Elective Chief Executive Officer*)

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 _____ 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 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.

Marcie Robertson, Town of New Lebanon Town Clerk
Clerk of the county legislative body, City, Town or Village
Clerk or officer designated by local legislative body

(Seal)

Date: _____