

VILLAGE OF CONSTABLEVILLE MOBILE HOME  
AND  
TRAVEL TRAILER PARK LAW

ADOPTED - SEPTEMBER, 1992

Be it enacted by the Board of Trustees of the Village of Constableville as follows:

**ARTICLE I. INTRODUCTORY PROVISIONS**

**Section 110. Enactment and Authorization**

The Board of Trustees of the Village of Constableville, Lewis County, New York, does hereby ordain and enact the Village of Constableville Mobile Home Law pursuant to the authority and provisions of Section 4-412 of the Village Law and of Section 10 of the Municipal Home Rule Law.

**Section 120. Title**

This local law shall be known as the "Village of Constableville Mobile Home and Travel Trailer Park Law".

**Section 130. Purpose**

It is the purpose of this local law to promote the health, safety, and general welfare of the Village by providing minimum standards for the placement and use of mobile homes and travel trailer parks in the Village of Constableville. A clean, wholesome, attractive environment is declared to be of importance to the health and safety of the inhabitants of the Village and, in addition, such an environment is deemed essential to the maintenance and continued development of the economy of the Village and the general welfare of its inhabitants.

**Section 140. Administration**

This Mobile Home and Travel Trailer Park Law shall be administered by the Board of Trustees and the Enforcement Officer, and the duties of each shall be as provided herein.

**ARTICLE II. DEFINITIONS**

For purposes of this law, the following terms shall have the indicated meanings:

**Accessory Structure:** A building or a structural adjunct, such as a garage or porch, which primarily serves a subordinate function generally associated with the residential use and occupation of premises and thus excluding, by way of example, a dwelling, a mobile home, or an addition or detached building acting as business or living quarters.

**Building:** A roofed structure having columns or walls resting upon, or affixed to, the ground or grounded support, but excluding mobile homes and travel trailers.

**Dwelling:** A building exclusively used, designed or intended as living quarters for one or more persons, whether or not occupied.

(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.

~~EMMY~~  
~~RHX~~ of Constableville  
~~TXXX~~  
Village

Local Law No. 1 of the year 19 92.

A local law Village of Constableville Mobile Home and Travel Trailer Park Law  
(Insert Title)

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

~~County~~  
~~City~~ of Constableville as follows:  
~~Town~~  
Village

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**Dwelling:** A building exclusively used, designed or intended as living quarters for one or more persons, whether or not occupied. (1)

**Enforcement Officer:** An individual designated by resolution of the Board of Trustees to assume, undertake and exercise the duties and responsibilities placed upon that officer by the provisions of this law.

**Frontage:** The distance between the boundaries of a lot measured at the points of intersection with the road line.

**Lot:** All areas of contiguous real estate owned by the same individual or individuals, or such lesser portion thereof as is established and identified either by a survey filed in the office of the Lewis County Clerk or by a deed recorded in the office of the Lewis County Clerk.

**Lot Line:** Property lines bounding a lot.

**Mobile Home:** Manufactured housing designed with a chassis, and constructed to be towed, driven, or otherwise transported whole or in part to a site, and which is designed to permit occupancy for dwelling, sleeping, or commercial purposes. A mobile home shall be construed to remain a mobile home, subject to all regulations applying thereto, whether or not wheels, axles, hitch, or other appurtenances of mobility are removed and regardless of the nature of the foundation provided. The term mobile home shall not include "modular homes", which bears an insignia issued by the State Fire Prevention and Building Code Council as required in 9NYCRR 1212, or travel trailers.

**Rear Lot Line:** That lot line which is opposite and most distant from the road line.

**Road Center Line:** The center of the traveled surface of a road.

**Road Line:** The right of way line of a public or private road. Absent record evidence of the right of way line of a public road, that right of way shall be deemed to extend 25 feet on either side of the public road centerline.

**Road, Private:** A private right of way of at least 50' in width, which affords the principal means of access to abutting properties, identified either by a survey filed in the office of the Lewis County Clerk, or by a deed recorded in the office of the Lewis County Clerk.

**Road, Public:** A public way for vehicular traffic which affords the principle means of access to abutting properties.

**Setback, Front:** The shortest distance between a specified object and a road center line.

**Setback, Rear:** The shortest distance between a specified object and the rear lot line.

**Setback, Side:** The shortest distance between a specified object and a lot line that is not a road line or rear lot line.

**Travel Trailer:** Any enclosed motor vehicle or trailer used or designed to be used for recreational travel and temporary living and/or sleeping purposes including but not limited to motor homes, truck campers, camping trailers, campers, travel trailers, pop-up trailers, tent trailers, and over-night trailers.

**Travel Trailer Park:** A lot which includes two or more travel trailer sites which are rented, leased, or used for commercial gain or are available for rental, lease, or other means of commercial gain.

**Travel Trailer Site:** A plot of land sufficiently improved and equipped to accommodate the placement thereon, and the occupancy, of a travel trailer, together with so much of the surrounding real estate as is reserved exclusively to serve that travel trailer and its occupants.

### **ARTICLE III. PERMIT REQUIREMENTS FOR MOBILE HOMES**

#### **Section 310. Permit Required**

- A. Except as otherwise provided by this law, a permit shall be required before an owner, tenant or other occupant of real estate may locate, relocate, or replace a mobile home in the Village of Constableville or erect, enlarge or replace an accessory structure to that mobile home. A permit shall be issued pursuant to, and in accordance with, the requirements of this law.
- B. No person or entity in possession of real estate within the Village of Constableville, as owner, tenant, or otherwise, shall knowingly authorize or permit the use of that property as the site of a mobile home, unless a permit has first been issued pursuant to this law.

#### **Section 320. Emergency Living Quarters Exception**

A mobile home may temporarily be located within the Village and occupied as living quarters, exempt from the requirements of Article IV and Article V, upon the following conditions:

- a. The usual living quarters of the occupants have been rendered uninhabitable because of fire, flood or other disaster;
- b. Within 48 hours after occupancy, temporary arrangements have been implemented for safe and adequate access, fuel and water supply, and sewage disposal for the mobile home;

- c. Within 120 hours after placement of the mobile home, an application for a temporary permit is filed; and
- d. The mobile home is removed from such temporary site by the expiration date of the temporary permit or within 3 days after service of a notice of determination denying the temporary permit on account of failure to meet any of the foregoing conditions, whichever is earlier.

**Section 330. Interim Quarters Exception**

A single mobile home may temporarily be located within the Village and occupied, exempt from the requirements of Article IV and Article V, upon the following conditions:

- a. The intended occupants are in the process of constructing or renovating a conventional dwelling upon the same lot or are engaged in a construction project within the Village;
- b. A temporary permit is first obtained;
- c. Temporary arrangements are first implemented for safe and adequate access, fuel and water supply, and sewage disposal for the mobile home; and
- d. The mobile home is removed from such temporary site at the earliest to occur of the following: by the expiration date of the temporary permit; the expiration of three days from service of a notice of determination denying the temporary permit on account of failure to meet any of the foregoing conditions; the completion of the work associated with issuance of the temporary permit.

**ARTICLE IV. REGULATIONS FOR ALL MOBILE HOMES**

The following standards shall apply with respect to each mobile home located or relocated, within the Village of Constableville unless specifically exempted by other provision in this law:

**Section 410. Mobile Home Features**

1. All mobile homes shall be in compliance with standards equal to or more stringent than the U.S. Department of Housing and Urban Development (HUD) Manufactured Mobile Home Construction and Safety Standards, 24 CFR Part 3280 (1976), and as amended. The applicant is responsible for providing adequate evidence that these standards have been complied with. The presence of a permanent certification label affixed to the mobile home by the manufacturer shall be presumptive evidence that the construction of a mobile home is in compliance with such

standards:

2. The mobile home shall bear data relative to the structural zone and wind zone for which the home is designed;
3. The mobile home shall bear data relative to the heating and insulation zone and outdoor design temperature;
4. The mobile home shall have a pitched roof of a minimum ratio of 1/4 (about 14 degrees). Such roof shall have roofing shingles or a shingle-like appearance;
5. The mobile home shall have a minimum enclosed horizontal exterior dimension of not less than twenty (20) feet; and
6. The exterior siding of the mobile home shall be of traditional site-built finished appearance including, but not limited to brick, log, clapboard or other similar siding.

Section 420. Mobile Home Skirting

- A. The mobile home shall be provided with a skirt within 60 days of placement at its site in order to screen space between the mobile home and the ground.
- B. The skirt shall be of permanent material providing a finished exterior appearance.

Section 430. Mobile Home Pad

1. The mobile home site shall be provided with a pad, basement or cellar, which will give a firm base and adequate support for the mobile home;
2. A basement or cellar, shall be constructed in accordance with the New York State Uniform Fire Prevention and Building Code.
3. A pad shall have a dimension approximating the width and length of the mobile home and any expansions thereto; and
4. Pads shall be either:
  - a. 10 inches of compact gravel; or
  - b. a full concrete slab at least 6 inches thick; or
  - c. Six inches of compacted gravel with a reinforced concrete runner on each side of the pad to provide support. Such runner shall be a minimum of four feet wide, 65 feet long and six inches thick; or
  - d. be comprised of such other materials as are recommended and approved by the mobile home manufacturer or by a

licensed engineer; and

#### **ARTICLE V. MOBILE HOME PLACEMENT STANDARDS**

The following standards shall apply with respect to the location or relocation, of each mobile home within the Village of Constableville, unless specifically exempted by other provision of this law.

##### **Section 510. Lot Size and Character**

1. Each lot intended or acting as the site of a mobile home and having the required frontage on a public road must consist of at least one acre;
2. Each lot intended or acting as the site of a mobile home and having the required frontage on a private road must consist of at least two acres;
3. Such lot shall have at least 200 feet of frontage upon a public or private road;
4. At the time of mobile home placement and thereafter, no other mobile home and no buildings other than accessory structures may be situate upon the lot; and
5. Each lot shall have access to and provide adequate potable water supply and sewage disposal in accordance with NYS Health Codes and Local Laws and Ordinances of the Village of Constableville.

##### **Section 520. Placement**

The placement of the mobile home, accessory structures, non-municipal sewage disposal system and well systems shall conform with the following:

1. Minimum setbacks shall be:
  - a. For mobile homes, accessory structures, and non-municipal sewage disposal systems:
    - 50' front setback
    - 50' side setback
    - 10' rear setback
  - b. Fuel tanks shall be located out of public view on the opposite side of the mobile home from the road line. In the case of a corner lot, fuel tanks shall be located along a side of the mobile home, not facing a road.



## ARTICLE VI. TRAVEL TRAILERS

### Section 610. General

Except as hereafter provided, a travel trailer may not be occupied, situated, or remain within the Village of Constableville on an overnight basis with the following exceptions:

1. This section shall not apply to an unoccupied travel trailer which constitutes display inventory upon the premises of a travel trailer sales business.
2. This section shall not apply to a travel trailer located, relocated, maintained or occupied at an authorized site within a travel trailer park. For purposes of this subsection, "authorized site" shall mean and be limited to:
  - a. A travel trailer site, conforming to the standards set out in this law, which was duly disclosed and identified upon the approved proposed park plan submitted in conjunction with the subject travel trailer park's permit application; or
  - b. A travel trailer site, established prior to the effective date of this law.
3. This section shall not apply to a travel trailer while located, relocated, maintained, or occupied upon the premises of its owner or of a consenting landowner solely for purposes of its storage, or non-commercial use where no fee or other method of payment is charged the user, and where the travel trailer is occupied for no more than three consecutive months, nor more than six months in the aggregate in any calendar year.

## ARTICLE VII. TRAVEL TRAILER PARK STANDARDS

The following standards shall apply with respect to each travel trailer park created, constructed, altered, or enlarged, within the Village of Constableville unless specifically exempted by other provision of this law:

1. A proposed travel trailer park shall be located where orderly development of a travel trailer park can be undertaken in harmony with development of the surrounding area in terms of traffic generation, ease and safety of vehicular access to and circulation within the park, safety of pedestrian movement, location of structures, adequacy of off-road parking, placement and sizing of sewage treatment and water supply systems and other utilities, safety of fuel storage and supply, provision of open space, recreation facilities or areas, delivery of services and adequacy of landscaping and buffering.

2. Each travel trailer park shall have adequate access to a public highway, and each travel trailer site shall be serviced by interior roadways.

#### Section 710. Travel Trailer Site

1. Travel trailer sites shall be located on generally level terrain, that is well drained and free of flood hazard.
2. The corners of each travel trailer site shall be clearly and permanently marked, and each site numbered for identification.

#### Section 720. Travel Trailer Site Size

Each travel trailer site shall be at least 2,500 square feet in size.

#### Section 730. Setbacks and Spacing

All buildings and travel trailer sites shall have a setback of 125 feet from the road line of all public roads, and the setback area shall be substantially wooded and adequately landscaped to provide opaque screening from all public roads. Utility hook-ups for each site shall assure 25' separation distance between travel trailers.

#### Section 740. Sewer, Water and Public Utilities

1. Sewer and water facilities shall be provided in accordance with the requirements of Chapter 1, Part 7, New York State Sanitary Code, as well as the laws and ordinances of the Village of Constableville.

### ARTICLE VIII. APPLICATION PROCEDURES FOR MOBILE HOMES

#### Section 810. Application

The applicant for a mobile home permit or temporary permit shall obtain application forms from the Village Clerk. Application shall be made using forms established by Village Board of Trustees Resolution.

#### Section 820. Site Plan Contents

The applicant shall provide a site plan indicating: All property lines and dimensions; all existing or proposed structures; all existing roads, easements, or proposed driveways; all existing or proposed wells and sanitary facilities; all bodies of water, streams, or wetlands.

Section 830. Issuance of Permit

Within thirty (30) days of receipt by the Village Clerk of a completed application, the Enforcement Officer shall approve or deny the application for a mobile home permit or temporary permit. Approval or denial shall be based upon conformance with the applicable requirements of this law. The applicant shall be notified, in writing, of the Enforcement Officer's decision.

Section 840. Permit Expiration

A permit shall expire six months from the date of issuance. A permit may be renewed upon authorization of the Village Board of Trustees. (For Temporary Permit Expiration, see Section 850).

Section 850. Temporary Permit Expiration

Temporary permits shall expire six months from the date of issuance. A temporary permit may be renewed upon authorization of the Village Board of Trustees.

**ARTICLE IX. APPLICATION PROCEDURES FOR TRAVEL TRAILER PARKS**

Section 910. Objectives

In considering applications for travel trailer park permits, the Village Board of Trustees shall take into consideration the health, safety, welfare, and comfort and convenience of the public in general, the residents of the proposed development, and the residents of the immediate surrounding area. Conditions and safeguards may be imposed in order that, to the maximum extent possible, the following objectives are realized:

1. Vehicular Access. Proposed access points, not excessive in number, shall be adequate in width, grade, alignment, and visibility and separate from intersections or places of public assembly.
2. Circulation and Parking. There shall be adequate off-street parking and loading spaces to accommodate all vehicles utilized by persons connected with or visiting the development. The interior circulation system shall provide safe accessibility to all parking lots, and adequate separation of pedestrian and vehicular traffic.
3. Landscaping and Screening. All parking, travel trailers, storage, loading and service areas shall be screened at all seasons of the year from the view of adjacent residential areas, and the general landscaping of the site shall be harmonious with the surrounding areas.

4. Natural Features. The proposed development, including its sanitary and water service facilities, shall be compatible with geologic, hydrologic and soil conditions of the site and adjacent areas and, to the extent possible, existing natural or scenic features and conditions will be preserved.

Section 920. Application for Park Plan Approval

Each application for park plan approval shall be filed with the Village Clerk, together with the appropriate fee. The application shall include two copies of a proposed park plan, drawn to scale, accurately depicting, identifying and labeling the following:

1. Name and address of applicant and owner, if different, and of the person responsible for preparation of such drawings;
2. Date, northpoint, written and graphic scale;
3. Boundaries of the lot, including distances, bearings and acreage;
4. Location and ownership of all adjacent lands as shown on the latest tax records;
5. Location, name and width of adjacent roads;
6. Location, width and purpose of all existing and proposed roads upon the lot and of existing and proposed easements, setbacks, reservations and areas of common use affecting the property;
7. Location, scope and purpose of existing and proposed deed restrictions or covenants affecting the property;
8. Existing hydrologic features, together with grading and drainage plan showing existing and proposed contours at 5-foot intervals;
9. Location, use, and height and dimensions of all existing and proposed buildings;
10. Location, design and composition of all existing and proposed parking and truck loading areas with access and egress drives thereto;
11. Location of existing and proposed pedestrian access, including public and private sidewalks;
12. Location of outdoor storage, if any;
13. Location, design and component materials for all existing and proposed site improvements, including drains, culverts, retaining walls and fences;

14. Description of the proposed method of sewage disposal and the location, design and component materials for such facilities;
15. Description of the proposed method of securing potable water and location, design and component materials for such facilities;
16. Location of proposed fire lanes, other emergency zones and fire hydrants;
17. Location, design and component materials for all existing and proposed facilities, including electrical, gas and solar energy;
18. Location, size, design and component materials for all proposed signs;
19. Location and proposed development of all buffer areas, including indication of existing and proposed vegetative cover;
20. Location and design of existing and proposed outdoor lighting facilities;
21. Number and distribution of all existing and proposed travel trailer sites;
22. General landscaping/screening plan and planting schedule;
23. A draft Environmental Impact Statement (EIS), where required;
24. The proposed method of maintaining, signing and traffic control for all proposed roads;
25. Detailed sizing and final material specifications for all required improvements;
26. Estimated project construction schedule;
27. Record of application for and approval status of all necessary permits from federal, state and county officials; and
28. Other elements integral to the proposed development as considered necessary by the Village Board of Trustees.

**Section 930. Village Board of Trustees Review of Park Plan**

The Village Board of Trustees shall consider not only the proposed park plan, but also its effect on the community. Such consideration shall include, as appropriate, but shall not be limited to, the economic, social, physical and environmental aspects of the proposal.

#### Section 940. Public Hearing

The Village Board of Trustees shall conduct a public hearing on the application. Such public hearing shall be conducted within 45 days of the receipt of the completed application for park plan approval and shall be advertised at least five days before the hearing in the Village's official newspaper.

#### Section 950. Board of Trustees Action on Park Plan Application

Within 45 days after such public hearing, the Village Board of Trustees shall render a decision on the park plan application. The Village Board's decision shall be filed with the Village Clerk and a copy of it forwarded to the applicant by certified mail. The decision may approve the application, deny the application, or approve the application subject to the incorporation of specific modifications into the park plan. The decision may also impose performance assurance requirements, as a condition of development.

#### Section 960. Village Board of Trustees Action on SEQR

The Village Board of Trustees shall, where required, be responsible for completion of a final EIS with revisions as they deem necessary, together with a statement of findings required under the State Environmental Quality Review (SEQR) Law (Section 8-0109- of Environmental Conservation Law). The Village Board of Trustees shall file and circulate a final notice of completion as required in the provisions of Part 617, Title 6, NYCRR. The reasonable costs to the Village Board of Trustees in completing the final EIS shall be paid for by the applicant.

#### Section 970. Endorsement of Site Development Plan

Where the Village Board of Trustees renders a decision approving a park plan application, the Board shall endorse its approval upon a copy of the site development plan and shall file same with the Village Clerk. Where the decision approves the application subject to modifications, that qualification shall be noted in the Board's endorsement.

#### Section 980. Data to be Submitted by Applicant After Approval

The following shall be prepared by the applicant unless waived by the Village Board of Trustees, and filed with the Village Clerk. After approval is given by the Village Board of Trustees and before proposed development begins:

1. Vicinity Map. This map, drawn at a scale of 2,000 feet to the inch or larger, shall show the relationship of the proposed development to existing community facilities that may affect or serve it, such as roads, shopping areas, schools, employment centers, etc. It shall show all properties,

subdivisions, roads and easements within 300 feet of the proposed development. Such a sketch may be superimposed on a USGS map of the area.

2. Topographic Map. This map, drawn at a scale of 100 feet to the inch or larger, shall show existing topography at a contour interval of not more than five feet. This map shall also show the location of significant natural features that may influence the design of the proposed use, such as water courses, swamps, wetlands, rock outcrops, wooded areas and areas subject to flooding.
3. Final Site Development Plan. This map, drawn at a scale of 100 feet to the inch or larger, shall show the proposed development as finally approved and shall include all features and improvements described in Article VII and Article IX.
4. Elevations and/or Sections. The site plan shall be accompanied by approved elevations and/or sections at the same or larger scale as required for the site plan, drawn in sufficient detail to delineate clearly the bulk and height of all buildings and other permanent structures included in the proposal.
5. Engineering Plans. Approved engineering plans, including road improvements, drainage system and public or private utility systems, and other such supporting data as may be necessary.
6. Assurances. The applicant shall provide any assurances of performance required by the Village Board of Trustee's decision of approval.
7. Inspection Fees. The applicant shall submit the required fees for Enforcement Officer inspection during construction.

#### Section 990. Travel Trailer Park Permits

1. The Enforcement Officer shall issue a travel trailer park permit to the applicant within 10 days of the filing of an approved site development plan. Where the Village Board of Trustees approves the site development plan subject to modifications, the Enforcement Officer shall issue a permit subject to such modifications.
2. Travel Trailer Park Permits shall expire one year from the date of issuance. Travel trailer park permits may be renewed upon authorization of the Village Board of Trustees.

## ARTICLE X. NONCONFORMITIES

### Section 1010. Pre-existing Mobile Homes

- A. A permit shall not be required for the continued location, use or occupation of a mobile home situated within the Village on the effective date of this law (a "pre-existing mobile home"). And the mobile home itself, as well as pre-existing accessory structures and well and septic systems, shall be exempt from the standards set forth in Articles IV and V of this law so long as the mobile home remains at that particular site.
- B. A permit shall be required, however, to replace or enlarge a pre-existing mobile home, or accessory structure larger than 200 sq. ft., or to add accessory structures larger than 200 sq. ft.. In all situations whether or not a permit is required:
1. The replacement, enlargement or addition shall meet all of the standards set forth in Articles IV and V of this law;
  2. The replacement, enlargement or addition shall not result in any further or greater encroachment of the placement standards set forth in Article V then existed at the effective date of this law;
  3. In order to replace a pre-existing mobile home or accessory structure, there must be compliance with all of the standards set forth in Articles IV and V of this law.
- C. A permit shall be required in order to relocate a pre-existing mobile home upon the same site or to a different site within the village after the effective date of this law. No permit shall be issued in such instances unless the standards set forth in Articles IV and V of this law are satisfied.

## ARTICLE XI. MISCELLANEOUS PROVISIONS

### Section 1110. Enforcement Officer

The Village Board of Trustees shall appoint an Enforcement Officer to carry out the duties assigned by this local law. The Enforcement Officer shall be responsible for the overall inspection of site improvements including coordination with other officials and agencies, as appropriate.

### Section 1120. Amendments

The Village Board, after public notice and hearing, may amend this law pursuant to the applicable requirements of the State of NY.



**Section 1130. Permit or Approval Revocation**

The Village Board of Trustees shall revoke any permit or approval issued hereunder on account of a violation of the applicable requirements contained in this law. Before taking such action, the Board shall afford the permit holder written notice and the opportunity within 30 days thereafter either to make written demand for a hearing before the Board on the issues or to remedy the violations. Should timely demand be made for a hearing, the Village Board of Trustees shall fix a date and time therefore and notify the permit holder at least 20 days in advance.

**Section 1140. Appeals**

Any person aggrieved by any decision of the Village Board of Trustees or any officer, department, board or bureau of the Village, may apply to the Supreme Court for a review by a proceeding under Article 78 of the Civil Practice Law and Rules. Such proceedings shall be instituted within 30 days after the filing of a decision in the office of the Village Clerk.

**Section 1150. Enforcement**

1. Pursuant to Section 10 of Municipal Home Rule Law and Section 7-714 of Village Law, any person, firm, or corporation who commits an offense against, disobeys, neglects or refuses to comply with or resists the enforcement of any of the provisions of this law shall, upon conviction, be deemed guilty of a violation, punishable by a fine of not more than \$250.00 or by imprisonment or by both such fine and imprisonment. Each week an offense is continued shall be deemed a separate violation of this law.
2. In addition to the penalties provided above, the Village Board of Trustees may also maintain an action or proceeding in the name of the Village in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of this law.

**Section 1160. Severability**

The provisions of this local law are severable. If any article, section, paragraph or provision of this law shall be invalid, such invalidity shall apply only to the article, section, paragraph or provision(s) adjudged invalid, and the rest of this local law shall remain valid and effective.

**Section 1170. Variances**

The Village Board of Trustees may, in a proper case and after public hearing, grant a variance from one or more requirements of this law. Requests for variance shall be presented by written

application upon forms prescribed by the Village Board of Trustees. In reviewing such requests, the Board shall, among other pertinent considerations, take account of: the nature and severity of the hardship which would result from strict application of this law; and, the circumstances underlying the requested deviation.

Section 1180. Fees

Fee requirements shall be established by Village Board of Trustees resolution. The fee shall be paid in cash, certified check, or money order payable to the Village.

Section 1190. Effective Date

This local law shall take effect immediately upon filing with the 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. 1 of 1992 of the ~~(County)(City)(Town)~~(Village) of Constableville was duly passed by the Board of Trustees on Sept. 1, 1992, 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 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ (Name of Legislative Body) on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not disapproved)(repassed after disapproval) by the \_\_\_\_\_ (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\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ (Name of Legislative Body) on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not disapproved)(repassed after disapproval) by the \_\_\_\_\_ (Elective Chief Executive Officer\*) on \_\_\_\_\_ 19\_\_\_\_. 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 \_\_\_\_\_ 19\_\_\_\_, 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 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ (Name of Legislative Body) on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not disapproved)(repassed after disapproval) by the \_\_\_\_\_ (Elective Chief Executive Officer\*) on \_\_\_\_\_ 19\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 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 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 19\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of sections (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 \_\_\_\_\_ 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 1, above.

\_\_\_\_\_  
Clerk of the County Legislative Body, City, or Village Clerk  
or officer designated by local legislative body

(Seal)

Date: \_\_\_\_\_

(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 \_\_\_\_\_

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

\_\_\_\_\_  
Title

County  
City of \_\_\_\_\_  
Town  
Village

Date: \_\_\_\_\_