

**VILLAGE OF COPENHAGEN**  
**SITE PLAN REVIEW LAW**

Local Law #1 of 1985

## C O N T E N T S

Article 1	Introductory Provisions . . . . .	1
Section 110	Enactment . . . . .	1
Section 120	Title . . . . .	1
Section 130	Intent and Purpose . . . . .	1
Section 140	Relationship to Other Laws and Regulations . . . . .	1
Section 150	Planning Board Approval of Site Plans . . . . .	1
Article 2	Definitions . . . . .	1
Article 3	Applicability of Site Plan Review . . . . .	3
Article 4	Objectives of Site Plan Review . . . . .	4
Section 410	Vehicular Access . . . . .	4
Section 420	Circulation and Parking . . . . .	4
Section 430	Landscaping and Screening . . . . .	4
Section 440	Natural Features . . . . .	4
Article 5	Procedure for Submitting Site Plan Proposal . . . . .	4
Section 510	Sketch Plan . . . . .	4
Section 520	Initial Review . . . . .	5
Section 530	Application, Preliminary Approval . . . . .	5
Section 540	Board Review, Preliminary Site Plan . . . . .	6
Section 550	Public Hearing . . . . .	6
Section 560	Board Action, Preliminary Site Plan . . . . .	6
Section 570	Procedure, Final Site Plan . . . . .	7
Section 580	Board Action, Final Site Plan . . . . .	7
Article 6	Materials to be Submitted by Applicant . . . . .	8
Section 610	Vicinity Map . . . . .	8
Section 620	Topographic Map . . . . .	8
Section 630	Site Development Plan . . . . .	8
Section 640	Elevations and/or Sections . . . . .	8
Section 650	Engineering Plans . . . . .	8
Article 7	Site Plan Elements Reviewed . . . . .	8
Section 710	General Considerations . . . . .	8
Section 720	Landscaping and Screening . . . . .	9
Section 730	Access and Circulation . . . . .	9
Section 740	Parking, Loading, and Storage . . . . .	9
Section 750	Architectural Features . . . . .	10
Section 760	Site Characteristics and Utilities . . . . .	10
Section 770	Scheduling, Financing, and Economic Impact . . . . .	10
Article 8	Bond for Installation of Improvements . . . . .	11
Section 810	General . . . . .	11

Section 820	Conditions . . . . .	11
Section 830	Extension of Time . . . . .	11
Section 840	Schedule of Improvements . . . . .	12
Section 850	Inspections . . . . .	12
Section 860	Acceptance of Roads and Facilities . . . . .	12
Article 9	Mobile Homes and Travel Trailer Park Permits . . . . .	12
Article 10	Individual Mobile Home Sites . . . . .	13
Article 11	Standards . . . . .	14
Section 1110	Mobile Home Parks . . . . .	14
Section 1120	Travel Trailer Parks . . . . .	15
Article 12	Miscellaneous Provisions . . . . .	16
Section 1210	Building Inspector . . . . .	16
Section 1220	Amendments . . . . .	16
Section 1230	Appeals . . . . .	16
Section 1240	Enforcement . . . . .	16
Section 1250	Severability . . . . .	16
Section 1260	Effective Date . . . . .	17
Appendices	. . . . .	18
Appendix A	Application Form for Site Plan Approval . . . . .	18
Appendix B	Site Plan Review Local Law Checklist . . . . .	20

## ARTICLE 1. INTRODUCTORY PROVISIONS

110. **Enactment.** The Village Board of the Village of Copenhagen, Lewis County, New York, does hereby ordain and enact the Village of Copenhagen Site Plan Review Law pursuant to the authority and provisions of Section 10 of the Municipal Home Rule Law, Article 7 and Section 4-412 of the Village Law.
120. **Title.** This local law shall be known as the "Village of Copenhagen Site Plan Review Law."
130. **Intent and Purpose.** Through site plan review, it is the intent of this local law to promote the health, safety, and general welfare of the village. 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.

It is further the intent of this local law to ensure the optimum overall conservation, protection, preservation, development, and use of the natural and man-related resources of the village, by regulating land use activity within the village through review and approval of site plans. It is not the intent of this local law to prohibit *per se* any land use activity but to allow all land use activities which will meet the standards set forth in this local law.

140. **Relationship of this Law to Other Laws and Regulations.** This local law in no way affects the provisions or requirements of any other federal, state, or local law or regulations. Where this local law is in conflict with any other such law or regulation, the more restrictive shall apply.
150. **Planning Board Review of Site Plans.** The Planning Board is hereby authorized to review and approve or disapprove site plans for land-uses within the village as hereinafter designated pursuant to and in accordance with the standards and procedures set forth in this local law.

## ARTICLE 2. DEFINITIONS

**Agricultural structures** means barns, storage buildings, equipment sheds, silos, and other structures on a farm customarily used for agricultural purposes.

**Building Inspector** means an individual designated by the Village Board to represent them in particular matters pertaining to this local law.

**Dwelling, one family** means a complete self-contained residential unit for permanent habitation by one family only, and containing one or more rooms and facilities for living including cooking, sleeping, and sanitary needs.

**Dwelling, two family** means two complete but separate self-contained residential units each intended for permanent habitation by one family only in a single structure having a common wall roof, wall or ceiling and containing separate rooms and facilities for living including cooking, sleeping, and sanitary needs.

**Family** means a person or persons related to each other by blood, marriage, or adoption (and/or not more than three individuals not so related), living together as a single housekeeping unit.

**General Plan** means a comprehensive or master plan for the development of the Village prepared by the Planning Board pursuant to Section 7-722 of the Village Law.

**Land Use Activity** means any construction or other activity which changes the use or appearance of land or a structure or the intensity of use of land or a structure. **Land Use Activity** shall explicitly include, but shall not be limited to, the following: new structures, expansions to existing structures, new uses, changes in or expansions to existing uses, roads, driveways, and excavations for the purpose of extracting soil or mineral deposits.

**Mobile Home** means a movable or portable unit designed and constructed to be towed on its own chassis, comprised of frame and wheels, connected to utilities and designed and constructed without a permanent foundation for year-round living. A unit may contain parts that may be folded, collapsed or telescoped when being towed and expanded later to provide additional cubic capacity as well as five (5) or more separately towable components designed to be joined into one integral unit capable of being again separated into the components for repeated towing. **Mobile Home** shall mean units designed to be used exclusively for residential purposes, excluding travel trailers.

**Mobile Home Site** means a parcel of land in a mobile home park which is equipped with the necessary utilities and improvements for the erection thereon of a single mobile home.

**Mobile Home Park** means any parcel of land which has been planned or improved for the placement of mobile homes for non-transient use, and consisting of two or more mobile home sites.

**Person** means any individual, group of individuals, partnership, firm, corporation, association, or other legal entity.

**Sign** means any letter, word, model, banner, pennant, insignia, trade flag, or other device or representation used as, or which is in the nature of, an advertisement, announcement or direction, but excluding any public traffic or directional signs.

**Structure** means any object constructed, installed, or placed on land to facilitate land use and development or subdivision of land, such as buildings, sheds, signs, tanks, and any fixtures, additions, and alterations thereto.

**Structure, accessory** means any structure designed to accommodate an accessory use but detached from the principal structure, such as a free standing garage for vehicles accessory to the principal use, a storage shed, garden house, or similar facility.

**Structure, temporary** means any structure that is not habitable year round.

**Village Board** means the Village Board of the Village of Copenhagen.

**Travel Trailer** means a vehicular, portable structure built on a chassis designed to be used as a temporary dwelling for travel, recreation, or vacation uses. Its body design shall not exceed eight (8) feet in width, or, when attached to its carrier vehicle, the combination shall not exceed fifty-five (55) feet in length.

**Travel Trailer Park** means a parcel of land which has been planned or improved for the placement of travel trailers and/or tents for transient use, consisting of three (3) or more travel trailer sites.

**Travel Trailer Site** means a parcel of land within a travel trailer park which has been equipped with the necessary utilities and improvements for the temporary placement thereon of a single travel trailer or unit.

Any term used in this local law which is not defined hereinabove shall carry its customary meaning unless the context otherwise dictates.

### **ARTICLE 3. APPLICABILITY OF SITE PLAN REVIEW**

1. Any person, before starting development of any new land use activity at any location within the village where this law requires approval of site plans, shall submit a site plan together with any supporting data for review and approval in accordance with the standards and procedures set forth in this law. No permit or certificate of occupancy shall be issued by the Building Inspector, except upon authorization by and in conformity with an approved site plan.
2. All new land use activities within the village shall require site plan review and approval before being undertaken, except the following:
  - a. Construction of one- or two-family dwelling and ordinary accessory structures, and related land use activities. For the purpose of this applicability, "mobile homes" as defined herein are not to be excluded from site plan review.
  - b. Landscaping or grading which is not intended to be used in connection with a land use reviewable under the provisions of this law.
  - c. Ordinary repair or maintenance of existing structures or uses.
  - d. Exterior alterations or additions to existing structures which would not increase the square footage of the existing structure by more than twenty-five per cent (25%); nor more than once within a three-year period commencing with the issuance of the first building permit.
  - e. Nonstructural gardening uses.
  - f. Agricultural structures.
  - g. Signs under ten (10) square feet.
  - h. The sale of agricultural produce and temporary structures related to the sale of agricultural produce.
  - i. Garage, lawn and porch sales not exceeding three days. If such sales take place more often than three (3) times in any calendar year, site plan approval will be required.

Any person uncertain of the applicability of this law to a given land use activity may apply in writing to the Planning Board for a written jurisdictional determination.

3. This law does not apply to uses and structures which are lawfully in existence as of the date this law becomes effective. Any use which would otherwise be subject to this law (specifically, but not exclusively limited to those areas of use as defined in the Village Law, Sections 7-725 and 7-726) that has been discontinued for a period of one (1) year or more, shall be subject to review pursuant to the terms of this law before such use is resumed. Any use or structure shall be considered to be in existence provided the same has been commenced as of the effective date of this law and fully constructed and completed within one (1) year from the effective date of this law.

#### **ARTICLE 4. OBJECTIVES OF SITE PLAN REVIEW**

In order to provide for the orderly growth of the community, consistent with the objectives set forth in the General Plan, all land use activities requiring site plan approval shall be accompanied by a proposed site plan. In considering and acting on site plans, the Planning Board shall consider the public 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. The Planning Board may prescribe such appropriate conditions and safeguards as may be required in order that the results of its action shall, to the maximum extent possible, further the accomplishment of the following objectives in particular:

410. **Vehicular Access:** That proposed access points are not excessive in number, but adequate in width, grade, alignment, and visibility; not located too close to intersections or places of public assembly; and other similar safety considerations.
420. **Circulation and Parking:** That adequate off-road parking and loading spaces are provided to prevent parking of vehicles on public highways by any persons connected with or visiting the development, that the interior circulation system is adequate to provide safe accessibility to all required parking lots, and that it provides adequate separation of pedestrian and vehicular movements.
430. **Landscaping and Screening:** That all parking, storage, loading, and service areas are reasonably screened at all seasons of the year from the view of adjacent residential areas and that the general landscaping of the site is in character with the surrounding areas.
440. **Natural Features:** That the proposed use, together with its sanitary and water service facilities, are compatible with geologic, hydrologic, and soil conditions of the site and adjacent areas and that existing natural scenic features are preserved to the extent possible.

#### **ARTICLE 5. PROCEDURE FOR SUBMITTING SITE PLAN PROPOSAL**

510. **Sketch Plan.** A sketch plan conference between the applicant and the Planning Board shall be held to review the proposed development in light of existing conditions and to generally determine the information to be required on the preliminary site plan. At the conference the applicant shall provide a statement and a rough sketch describing what is proposed together with a

topographic map (U.S.G.S.) showing the location of the tract and its relationship to surrounding area.

520. **Initial Review.** The above material will be reviewed by the Planning Board to determine the proposal's conformity to the General Plan and to provide the applicant with a firm indication of whether the proposal in its major features is acceptable or should be modified before expenditures for more detailed planning are made. The board shall also review the preliminary site plan application requirements to determine information the applicant will need to present with the site plan. An Environmental Assessment Form (EAF) should be completed at this time.

530. **Application for Preliminary Site Plan Approval.** An application (See Appendix A) for preliminary site plan approval shall be filed with the Village Clerk together with the appropriate fee as determined by the fee schedule adopted by Village Board resolution. The application and plan shall include the following:

- a. Name and address of applicant and owner, if different, and of the person responsible for preparation of such drawings;
- b. Date, north point, written and graphic scale;
- c. Boundaries of the area plotted to scale, including distances, bearings, and areas, as well as existing buildings within the area plotted to scale;
- d. Location and ownership of all adjacent lands as shown on the latest tax records;
- e. Location, name, and existing width of adjacent roads;
- f. Location, width, and purpose of all existing and proposed easements, setbacks, reservations, and areas dedicated to public use or adjoining the property;
- g. Complete outline of existing or proposed deed restrictions or covenants applying to the property;
- h. Existing hydrologic features together with grading and drainage plan showing existing and proposed contours, at five (5) foot intervals, including depth to bedrock, soil characteristics, and watercourses;
- i. Location, design, type of construction, proposed use, as well as height and exterior dimensions of all buildings;
- j. Location, design, construction materials of all parking and truck loading areas with access and egress drives thereto;
- k. Provision for pedestrian access, including public and private sidewalks;
- l. Location of outdoor storage, if any;
- m. Location, design, and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls, and fences;



- n. Description of the method of sewage disposal, and the location, design, and construction materials of such facilities;
- o. Description of the method of securing public water, and the location, design, and construction materials of such facilities;
- p. Location of fire lanes and other emergency zones including the location of fire hydrants;
- q. Location, design, and construction materials of all energy distribution facilities, including electrical, gas, and solar energy;
- r. Location, size, design, and construction materials of all proposed signs;
- s. Location and proposed development of all buffer areas including indication of existing and proposed vegetative cover;
- t. Location and design of outdoor lighting facilities;
- u. Designation of the amount of gross floor area and gross leasable area proposed for retail sales and services, office, and other similar commercial or industrial activities;
- v. Number and distribution by type of all proposed dwelling units;
- w. General landscaping plan and planting schedule;
- x. A draft Environmental Impact Statement (E.I.S.), where required;
- y. An estimated project construction schedule;
- z. Other elements integral to the proposed development as considered necessary by the Village Board including identification of any federal, state, or county permits required for the project's execution.

540. **Planning Board Review of Preliminary Site Plan.** The Planning Board shall consider the proposed site plan and its net effect on the community. Such consideration shall include, as appropriate, but shall not be limited to, compatibility with the General Plan, the economic, social, physical, and environmental aspects of the proposal, and such other matters as may be determined pertinent. The board may consult with local and county officials, its designated consultants, and also with representatives of federal, state, and county agencies, including but not limited to the Soil Conservation Service, the New York State Department of Transportation, the Department of Environmental Conservation, and the Department of Health.

550. **Public Hearing.** The Planning Board shall conduct a public hearing on the preliminary site plan. Such public hearing shall be conducted within forty-five (45) days of the receipt of the completed application for preliminary site plan approval and shall be advertised at least five (5) days before the hearing in the village's official newspaper.

560. **Planning Board Action on Preliminary Site Plan.** Within forty-five (45) days of such public hearing, the Planning Board shall act on the preliminary site plan. If no decision is made within said time period, the preliminary site plan shall be considered approved. The Planning Board's action shall be in the

form of a written statement to the applicant stating whether or not the preliminary site plan is approved, disapproved, or approved with modifications. The statement may include recommendations of desirable modifications to be incorporated in the final site plan, of which conformance with said modifications shall be considered a condition of approval. If the preliminary site plan is disapproved, the statement will contain the reasons for such findings. In such a case, the Planning Board may recommend further study of the site plan and resubmission after it has been revised or redesigned.

The Planning Board shall, where required, be responsible for completion of a final E.I.S. with revisions as they see fit together with a statement of findings required under the State Environmental Quality Review (SEQR) Law (Section 8-0109-8 of Environmental Conservation Law). The Planning Board shall file and circulate a final notice of completion as required in the provisions of Part 617, Title 6, N.Y.C.R.R.

570. **Procedure for Final Site Plan Approval.** After receiving approval with or without modifications from the Planning Board on a preliminary site plan, the applicant shall submit a final detailed site plan for approval. If more than six (6) months has elapsed since the time of the Planning Board's action on the preliminary site plan and if the Planning Board finds that conditions may have changed significantly in the interim, the Planning Board may require a resubmission of the preliminary site plan for further review and possible revision before accepting the proposed final site plan for review.

The final detailed site plan shall conform substantially to the approved preliminary site plan, and shall incorporate any modifications that may have been recommended by the Planning Board in its preliminary review. All such compliances shall be clearly indicated by the applicant on the appropriate submission.

The following additional information shall accompany an application for final detailed site plan approval:

- a. Record of application for and approval status of all necessary permits from federal, state, and county officials;
- b. Detailed sizing and final material specifications of all required improvements;
- c. Estimated project construction schedule.

580. **Planning Board Action on Final Site Plan.** Within forty-five (45) days of receipt of the completed application for final site plan approval, the Planning Board shall make a decision on the plan submitted. [If no decision is made within the forty-five (45) day period, the final site plan shall be considered approved.]

- a. Upon approval of the final site plan and payment by the applicant of all fees and reimbursable costs due the village, the Planning Board shall endorse its approval on a copy of the final site plan.
- b. The decision of the Planning Board shall immediately be filed in the office of the Village Clerk and a copy mailed to the applicant.

## ARTICLE 6. MATERIALS TO BE SUBMITTED BY APPLICANT

610. **Vicinity Map:** This map at a scale of two thousand (2,000) feet to the inch or larger shall show the relationship of the proposal 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 three hundred (300) feet of the proposal. Such a sketch may be superimposed on a U.S.G.S. map of the area.
620. **Topographic Map:** This shall be drawn at a scale of one hundred (100) feet to the inch or larger and shall show existing topography at a contour interval of not more than five (5) feet. This map shall also show the location of pertinent natural features that may influence the design of the proposed use such as water courses, swamps, wetlands, rock outcrops, wooded area, areas subject to flooding, etc.
630. **Site Development Plan:** This map of the property on which the proposal is to be situated shall be drawn at a scale of one hundred (100) feet to one (1) inch or larger and shall show the location of all automobile parking and all parking for commercial vehicles while loading and unloading, the location and width of all driveways, exits, and entrances, the location of all existing or proposed site improvements including drains, culverts, retaining walls, and fences; provide a description and show the location of sewage disposal facilities, water facilities, show location and size of all signs, the location of proposed buffer areas, and the design of lighting facilities, and such other facilities as indicated in the preliminary site plan checklist.
640. **Elevations and/or Sections:** The site plan shall be accompanied by preliminary 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.
650. **Engineering Plans:** Preliminary engineering plans including road improvements, drainage system, and public or private utility systems, and other such supporting data as may be necessary.

## ARTICLE 7. SITE PLAN ELEMENTS REVIEWED

The Planning Board's review of the site plan shall include, as appropriate, but shall not be limited to, any of the following items:

### 710. General Considerations

- PAC
- a. Status of any federal, state, or county permits required.
  - b. Existing or proposed deed restrictions.
  - c. Environmental impact on community and adjacent areas.
  - d. Age and mobility of design population.
  - e. Compatibility with General Plan.

720. **Landscaping and Screening**

- a. Location and proposed development of buffer area including vegetative cover.
- b. Outdoor lighting and time of use proposed.
- c. General landscaping plan and planting schedule.
- d. Location, size, design, and construction materials on signage.
- e. Any areas subject to flooding, pondage, storm water overflow or erosion.
- f. Location of existing water course, wetland, rock outcrop, forest, gorge, or other unique natural features.
- g. Proposed fencing construction and material.
- h. Clearing, alteration, or removal of any existing natural feature.

730. **Access and Circulation**

- a. Entrances and exits to public roads.
- b. Deceleration strip.
- c. Traffic control measures.
- d. Speed limits on adjacent roads.
- e. Traffic volume on and adjacent to site.
- f. Special access for emergency vehicles.
- g. Internal circulation including road width, pavement surface, separation of pedestrian and vehicular traffic.
- h. Intersections.
- i. Existing or proposed easements.
- j. Existing or proposed setbacks.

740. **Parking, Loading, and Storage**

- a. Location, design, and construction materials.
- b. Adequacy to meet standards for occupants, visitors, employees.
- c. Truck loading facilities - separate access.
- d. Outdoor storage.

- e. Snow removal.
- f. Storm water treatment.
- g. Solid waste collection and removal.

**750. Architectural Features**

- a. Location, size, proposed use, and height.
- b. Space devoted to retail sales, storage, service, wholesale or other commercial facilities.
- c. Number and type of housing units per building and proposed site density.
- d. Floor plans, elevation, and sections of typical structures.
- e. Lot coverage - density.

**760. Site Characteristics and Utilities**

- a. Suitability of soil for proposed use.
- b. Existing topography.
- c. Proposed grading and drainage plan including calculated storm water runoff.
- d. Measures to control erosion.
- e. Description of sewage disposal system including location, design, construction materials, and estimated cost of facilities.
- f. Description of method to secure public water including location, design, and construction material for proposed facilities.
- g. Location of fire and/or emergency zones including special access, if any.
- h. Location, design, and construction materials of all energy distribution facilities (electric, gas, solar, etc.).

**770. Scheduling, Financing, and Economic Impact**

- a. General timetable for construction of structures and facilities.
- b. Financial plans for carrying out project.
- c. General statement of financial aid, facilities, or other assistance applicant expects to be provided by what source.
- d. Proposed staging of various sub-units of development.
- e. Fiscal impact on surrounding area and the community generally.

- f. Economic impact on ~~community~~.

## **ARTICLE 8. BOND FOR INSTALLATION OF IMPROVEMENTS**

### **810. General**

In order that the Village has the assurance that the construction and installation of such improvements as storm sewer, water supply, sewage disposal, landscaping, road signs, sidewalks, parking, access facilities, and road surfacing will be constructed, the Planning Board may require that the applicant enter into one of the following agreements with the Village.

- a. Furnish bond executed by a surety company equal to the cost of construction of such improvements as shown on the plans and based on an estimate furnished by the applicant and approved by the Planning Board.
- b. Deposit a certified check in sufficient amount equal to the cost of construction of such improvements as shown on the plans and based on the above estimate.

### **820. Conditions**

Before the final site plan is approved, the applicant shall have executed a contract with the Village, and a performance bond or certified check shall have been deposited covering the estimated cost of the required improvements where required by the Planning Board.

The performance bond or certified check shall be to the Village and shall provide that the applicant, his heirs, successors, and assigns, their agents or servants, will comply with all applicable terms, conditions, provisions, and requirements of this law; will faithfully perform and complete the work of constructing and installing such facilities or improvements in accordance with the approved site plan.

Any such bond shall require the approval of the Village Board and the Village Attorney as to form, sufficiency, manner of execution and surety.

Wherever a certified check is made, the same shall be made payable to the Village.

### **830. Extension of Time**

The construction or installation of any improvements or facilities, other than roads, for which guarantee has been made by the applicant in the form of a bond or certified check deposit, shall be completed within one (1) year from the date of approval of the final site plan. Road improvements shall be completed within two (2) years from the date of approval of the final site plan. The applicant may request an extension of time, provided he can show reasonable cause for inability to perform said improvements within the required time. The extension shall not exceed six (6) months, at the end of which time the Village may use as much of the bond or check deposit to construct the improvements as necessary. The same shall apply whenever

construction of improvements is not performed in accordance with applicable standards and specifications.

**840. Schedule of Improvements**

When a certified check or performance bond is made pursuant to the preceding sections, the Village and applicant shall enter into a written agreement itemizing the schedule of improvements in sequence with the cost opposite each phase of construction or installation, provided that each cost as listed may be repaid to the applicant upon completion and approval after inspection of such improvement or installation. However, ten percent (10%) of the check deposit or performance bond shall not be repaid to the applicant until one (1) year following the completion, inspection, and acceptance by the Village of all construction and installation covered by the check deposit or performance bond as outlined in the contract.

**850. Inspections**

Periodic inspections during the installation of improvements shall be made by the Building Inspector to insure conformity with the approved plans and specifications as contained in the contract and this law. The applicant shall notify the Building Inspector when each phase of improvements is ready for inspection. At least five (5) days prior to commencing construction of required improvements, the applicant shall pay to the Village Clerk the inspection fee required by the Village Board. Upon acceptable completion of installation and improvement, the Planning Board shall issue a letter to the applicant or his representative and such letter shall be sufficient evidence for the release by the Village of the portion of the performance bond or certified deposit as designated in the contract to cover cost of such completed work.

**860. Acceptance of Roads and Facilities**

When the Building Inspector following final inspection of the improvements, certifies to the Village Board that all installation and improvements have been completed in accordance with the contract, the Village Board may, by resolution, proceed to accept the facilities for which bond has been posted or check deposited.

**ARTICLE 9. MOBILE HOME AND TRAVEL TRAILER PARK PERMITS**

- 910 1. No person shall occupy a travel trailer on an overnight basis, except in a travel trailer park which has been approved by the Planning Board, or on private land with the consent of the owner for a period not to exceed seven (7) consecutive days, provided all health standards are met. This shall not be interpreted to prevent parking a travel trailer unoccupied on an owner's lot for storage purposes only.
- 920 2. No person being the owner or occupant of any land or premises within the Village of Copenhagen shall use or permit the use of such land for the parking, storage, or location of a mobile home or travel trailer or for the creation, modification or expansion of a mobile home or travel trailer park without obtaining an appropriate permit.

3.  
1. 3. A temporary permit may be issued for a mobile home not located in a mobile home park when such mobile home is to be used as an interim dwelling during construction of a permanent residence, or in the event a permanent residence has been damaged or destroyed, or similar hardship conditions. In such cases said mobile home shall be removed within twelve (12) months from the date of issuance of the temporary permit. An extension of twelve (12) months may be granted by the Planning Board.

#### **ARTICLE 10. INDIVIDUAL MOBILE HOME SITES**

1. In addition to the standards required by the State Health Department, said mobile home shall be subject to all applicable portions of this code pertaining to site location, fire safety, sanitation, parking, etc., as described in Article 11 (Standards) of this document.
- a. No mobile home site shall be less than twenty thousand (20,000) square feet.
  - b. Each mobile home site shall have adequate access to a publicly maintained roadway open twelve (12) months a year.
  - c. All buildings and mobile homes shall be set back the following distances, with the set back area being seeded and adequately landscaped to provide a screen from the roadway:
    - (1) from side and rear lot lines - twenty (20) feet
    - (2) from interior roadways - ten (10) feet
  - d. Each mobile home site shall provide off-street parking spaces large enough to accommodate two standard-sized automobiles.
  - e. Sewer, water and other utilities shall be provided in accordance with the requirements of Chapter 1, Part 17 of the New York State Sanitary Code, which is adopted herein by reference and subject to any other village requirements.
  - f. Mobile home sites shall be located on generally level terrain, not to exceed eight percent (8%) slope, that is well drained, free of flood hazard, and clear of dense brush.
  - g. The following requirements shall apply to mobile homes:
    - (1) An enclosure or skirt of fire resistant material shall be erected around the entire base of each mobile home and shall be designed to allow ventilation in order to inhibit decay of the structure.
    - (2) Each mobile home shall be placed on an adequate foundation to ensure against shifting and settling.
    - (3) Each mobile home site shall have for storage purposes an enclosed walk-in utility building of no less than sixty-four (64) square feet floor area on the site.



- (4) Each mobile home shall be adequately anchored to ensure against uplifting or overturning.
- (5) Each mobile home shall be subject to all applicable portions of the Village laws pertaining to residential structures.

## **ARTICLE 11. STANDARDS**

### **1110. Mobile Home Parks**

In addition to the standards required by the State Health Department, the following standards shall be met prior to granting a permit:

- a. No mobile home park shall be less than three (3) acres in size.
- b. Each mobile home park shall have adequate access to a public highway.
- c. All buildings and mobile homes shall be set back the following distances, with the set back area being seeded and adequately landscaped to provide a screen from the roadway:
  - (1) front yard setback - one hundred (100) feet
  - (2) from side and rear lot lines - twenty (20) feet
  - (3) from interior roadways - ten (10) feet
- d. There shall be a minimum distance of forty (40) feet between mobile homes.
- e. A mobile home site shall be a minimum seven thousand five hundred (7,500) square feet in size.
- f. The owner or manager of a mobile home park shall maintain an office in the immediate vicinity of the park.
- g. Private, interior roadways shall be of durable construction adequately lighted, and not less than sixteen (16) feet in width. All mobile homes shall be served from such interior roadways. Lesser roadway widths may be permitted, depending on the specific site design of the mobile home park. The owner or operator shall be responsible for constructing, maintaining and plowing such roads.
- h. Each mobile home site shall provide off-street parking spaces large enough to accommodate two standard sized automobiles.
- i. Sewer, water and other utilities shall be provided in accordance with the requirements of Chapter 1, Part 17 of the New York State Sanitary Code, which is adopted herein by reference and subject to any other village requirements.
- j. A minimum of ten percent (10%) of the total area of the mobile home park, not including the required setback, shall be dedicated to a recreation area and shall be fully maintained by the park owner.

- k. Mobile home sites shall be located on generally level terrain, not to exceed eight percent (8%) slope, that is well drained, free of flood hazard, and clear of dense brush.
- l. The following requirements shall apply to mobile homes:
  - (1) An enclosure or skirt of fire resistant material shall be erected around the entire base of each mobile home and shall be designed to allow ventilation in order to inhibit decay of the structure.
  - (2) Each mobile home shall be placed on an adequate foundation to ensure against shifting and settling.
  - (3) Each mobile home site shall have for storage purposes an enclosed walk-in utility building of no less than sixty-four (64) square feet floor area on the site.
  - (4) Each mobile home shall be adequately anchored to ensure against uplifting or overturning.
  - (5) Each mobile home shall be subject to all applicable portions of the Village laws pertaining to residential structures.

#### 1120. **Travel Trailer Parks**

In addition to the standards required by the State Health Department, the following standards shall be met prior to granting a permit:

- a. Each travel trailer park shall have adequate access to a public highway, and each travel trailer site shall be serviced from interior roadways.
- b. All buildings and travel trailer sites shall have a front yard setback of one hundred twenty-five (125) feet from the line of all roads with the setback area being seeded and adequately landscaped to provide screening from the road.
- c. An overnight travel trailer site shall be a minimum one thousand five hundred (1,500) square feet in size and two thousand five hundred (2,500) square feet shall be provided for longer term vacation camping sites.
- d. The owner or manager of a travel trailer park shall maintain an office in the immediate vicinity of the park and shall maintain accurate records of the names of park residents; home address; and make, description, year and license or identification number of the trailer. These records shall be available to any law enforcement official or the Building Inspector.
- e. A minimum of ten percent (10%) of the total area of the travel trailer park, not including the required setback, shall be dedicated to a recreation area and shall be fully maintained by the park owner.
- f. Travel trailer sites shall be located on generally level terrain, not to exceed eight percent (8%) slope, that is well drained, free of flood hazard, and clear of dense brush.

- g. The corners of each travel trailer lot shall be clearly and permanently marked, and each lot numbered for identification.
- h. Where the park terrain is adequate, "pull-through" lots will be provided.
- i. Sewer, water and other utilities shall be provided in accordance with the requirements of Chapter 1, Part 17, New York State Sanitary Code, which is adopted herein by reference, and subject to any other village requirements.
- j. All travel trailer parks shall provide a building containing at least one (1) automatic washing machine, and unless admission to the park is restricted to travel trailers with these facilities, one (1) toilet, lavatory and shower for each sex, for each twenty (20) travel trailer lots. At least one (1) public telephone shall be provided in each travel trailer park.
- k. Mobile homes shall not be parked, whether permanently or temporarily, in any travel trailer park.

## **ARTICLE 12. MISCELLANEOUS PROVISIONS**

- 1210. Building Inspector.** The Village Board may appoint a Building Inspector to carry out the duties assigned by this local law. If appointed, the Building Inspector shall be responsible for the overall inspection of the improvements including coordination with other officials and agencies, as appropriate.
- 1220. Amendments.** The Village Board may on its own motion or petition, after public notice and hearing, amend this local law pursuant to all applicable requirements of law.
- 1230. Appeals.** Any person aggrieved by any decision of the planning board 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 thirty (30) days after the filing of a decision in the office of the Village Clerk.
- 1240. Enforcement**
- a. Any person, firm, or corporation who commits an offense against, disobeys, neglects, or refuses to comply with or resist 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 two hundred fifty dollars (\$250) or by imprisonment for not exceeding six (6) months, or by both such fine and imprisonment. Each week an offense is continued shall be deemed a separate violation of this law.
  - b. In addition to the penalties provided above, the Village Board 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.
- 1250. Severability.** The provisions of this local law are severable. If any article, section, paragraph, or provision of this local 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.

1260. **Effective Date.** This local law shall take effect immediately upon filing with the Secretary of State.