

VILLAGE OF VICTORY

LOCAL LAW #1 OF 1997

**A LOCAL LAW ENTITLED: "VILLAGE OF VICTORY MOBILEHOME/
TRAVEL TRAILER MORATORIUM OF 1997"**

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

Section 1: Title.

The title of this local law shall be "Village of Victory Mobilehome/Traveler Trailer Moratorium of 1997", and may be sited as Village of Victory Local Law #1 of 1997.

Section 2: Authority.

This local law is enacted pursuant to the authority of Municipal Home Rule Law Section 10(1)(i), which authorizes a Village to adopt a local law not inconsistent with the provisions of the Constitution or not inconsistent with any general law relating to its property, affairs or government.

Section 3: Legislative Findings.

The Village of Victory is presently experiencing a substantial increase in growth and property development, including an eighteen (18) lot phased residential subdivision and proposals to construct mobilehome and/or travel trailer parks. The Village of Victory presently has a local law in effect (Local Law #2 of 1992) which provides some regulation of the placement and use of mobilehomes and travel trailers in the Village; however, it is the determination of the Board of Trustees, upon reviewing said local law, that the law has become

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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.

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Village

Victory

Local Law No. 1 of the year 1997

A local law entitled: "Village of Victory Mobilehome/Travel Trailer Moratorium" of 1997

(Insert Title)

of 1997"

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

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~~XXXXXX~~

Village

of

Victory

as follows:

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

16 + Cover

11 Pages

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outdated and no longer meets the needs of the Village with respect to the regulation of mobilehome and travel trailer development within the Village. The undeveloped property of the Village of Victory is the Village's most valuable resource and the Village Board has determined that this resource may be in jeopardy if revisions to Local Law #2 of 1992 are not adopted at this time. By resolution dated August 5, 1997, a Mobilehome/Travel Trailer Committee was established by the Board of Trustees to thoroughly investigate mobilehome/travel trailer regulation for the Village of Victory and make recommendations to the Village Board regarding the enactment of amendments and revisions to Local Law #2 of 1992. The Board of Trustees hereby finds that, pending the completion of the necessary surveys, studies, meetings, hearings and other actions incident to the proper consideration of revisions and amendments to the Village's existing regulations concerning mobilehomes and travel trailers, significant development may occur which may be inconsistent with the ultimate guidelines and recommendations of the Mobilehome/Travel Trailer Committee. The Board of Trustees furthers finds that significant development in the Village prior to the completion of the Committee's work may substantially reduce the effectiveness of any amendments which the Village may make to its existing mobilehome/travel trailer regulations and interfere with the ability of the Board of Trustees to properly plan for growth and development and the ability of the Board of Trustees to afford adequate facilities for the distribution of public services, comfort, convenience, public health and safety, and the general welfare of the citizenry of the Village.

Section 3: Purpose.

The purpose of this local law is to protect the public health, safety and welfare by

imposing a temporary moratorium upon the placement of mobilehomes and travel trailers on property within the Village of Victory and the issuance of permits for the creation of mobilehome parks and travel trailer camps in the Village of Victory.

Section 4: Moratorium.

(a) Scope. For a period of six (6) months from the effective date of this local law, no Mobilehome or Travel Trailer shall be parked, placed, located or occupied within the Village of Victory, and no Mobilehome Park or Trailer Camp shall be developed, approved, occupied or operated within the Village of Victory, except as expressly provided herein. During the continuation of this moratorium, no applications for the issuance of licenses under Local Law #2 of 1992 shall be accepted; no plans for the development of Mobilehome Parks or Trailer Camps shall be reviewed; and no permits or licenses to construct or place Mobilehome Parks, Trailer Camps, Mobilehomes or Travel Trailers shall be issued.

(b) Exceptions. The foregoing restriction shall not apply to the following:

(i) The maintenance, repair, replacement, modification or alteration of existing Mobilehomes, Travel Trailers, Mobilehome Parks or Trailer Camps lawfully located in the Village of Victory on the date of enactment of this local law; and

(ii) The development of any Mobilehome Park or Trailer Camp which, as of the date of enactment of this local law, has a complete application pending before the Board of Trustees of the Village of Victory for review under Local Law #2 of 1992, and which is subsequently approved by the Board of Trustees of the Village of Victory.

(c) Definitions. As used in this local law, the terms Mobilehome, Travel Trailer,

Mobilehome Park and Trailer Camp shall have the following meanings:

(i) A Mobilehome is any structure, transportable in one or more sections, which in the traveling mode is eight (8) body feet or more in width or forty (40) body feet or more in length, or when erected on site is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling (with or without a permanent foundation) when connected to required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein.

(ii) A Mobilehome Park is any parcel of land whereon two (2) or more Mobilehomes are parked or located or which is planned or improved for the placement of two (2) or more Mobilehomes and which is held open to the public for the parking or placement of Mobilehomes.

(iii) A Travel Trailer is any vehicle designed or used or intended to be used for temporary living quarters for travel, recreational or vacation purposes.

(iv) A Trailer Camp is any parcel of land whereon two (2) or more Travel Trailers are parked or located, or which is planned and improved for the placement of two (2) or more Travel Trailers and which is held open to the public for the parking or placement of Travel Trailers.

Section 5: Appeal Provisions.

The Board of Trustees shall have the power to vary or modify the application of any provision of this local law upon its determination, in its absolute legislative discretion, after hearing, that this local law would impose extraordinary hardship upon a landowner or developer,