

**RECREATIONAL CAMPING VEHICLE LAW  
OF THE TOWN OF FLORENCE, NEW YORK**

**Adopted by the Town of Florence Town Board**

October 8, 2001

Local Law No. 4 of 2001

*Revision 2011, Draft 6*

*LOCAL LAW # 2 of 2011*

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## **ARTICLE 1. INTRODUCTION**

### **Section 100. Enacting Clause**

Pursuant to the authority conferred by Article 16 of the Town Law and Articles 2 and 3 of the Municipal Home Rule Law of the State of New York, the Town Board of the Town of Florence hereby adopts and enacts the following law.

### **Section 105. Title**

This law shall be known and may be cited as the "Recreational Camping Vehicle Law of the Town of Florence, New York."

### **Section 110. Purpose**

This law has been enacted for the purpose of promoting the health, safety, and general welfare of the inhabitants of the Town of Florence through the efficient regulation of recreational camping vehicles, and to provide minimum standards for their placement, water supply, sewage disposal, and use.

### **Section 115. Authority**

By the authority of Article 2 and 3 of Municipal Home Rule Law and Article 16 of the Town Law of the State of New York, the Planning Board of the Town of Florence is authorized and empowered to approve site placement and regulations of use.

### **Section 120. Previous Regulations**

This law shall replace and supersede the Recreational Camping Vehicle Law of the Town of Florence, New York adopted by the planning board and approved by the town board on October 8, 2001 as Local Law No. 4 of 2001.

## **ARTICLE 2. DEFINITIONS**

### **Section 200. General Definitions**

Except where specifically defined herein, all words used in this law carry their customary meanings. Words in present tense include the future, words in the singular include the plural and the plural the singular, and the word "shall" is intended to be mandatory. As used in this local law, unless the context or subject matter otherwise requires, the following words shall have the following respective meanings:

### **Section 205. Specific Definitions**

**Campground:** Land on which two or more campsites are located, established, or maintained for temporary occupancy by camping units of the general public as temporary living quarters for recreation, education or vacation purposes. A "camping unit" shall be considered any tent, lean-to, cabin or similar structure, or recreational camping vehicle, excluding mobile homes, established or maintained and operated in a campground as temporary living quarters for recreation, education or vacation purposes.

**Dwelling:** A building in which people live; a house with cooking, sleeping and sanitary facilities.

**Enforcement Officer:** Any individual appointed by the Town Board to enforce the provisions of this law.

**License:** Written permission to site a recreational camping vehicle on a lot within the Town of Florence.

**Lot:** A designated parcel, tract or area of land established by deed, plat, subdivision, or as otherwise permitted by law, to be used, developed or built upon as a unit.

**Occupy:** To reside in or use for eating and/or sleeping on an overnight basis.

**Permit:** Written permission to site a recreational camping vehicle on a lot within the Town of Florence

**Person:** The term "person" shall include a corporation, company, association, society, firm, partnership or joint stock company, as well as an individual, a state, and all political subdivisions of a state or any agency or instrumentality thereof.

**Recreational Camping Vehicle:** Any enclosed motor vehicle or trailer used or designed to be used for recreational travel and temporary living and/or sleeping purposes including motor homes, truck campers, campers, travel trailers, tent trailers or over-night trailers.

**Sanitary Sewage Disposal:** An approved Septic System with leachfield, Composting Toilet, Porta-John or a County Permitted Certified Holding Tank.

**Vacant Property:** A lot that does not contain a dwelling.

## **ARTICLE 3. RECREATIONAL CAMPING VEHICLES REGULATIONS**

### **Section 300. Residential Properties**

1. A maximum of two (2) recreational Camping vehicles may be stored outside (unoccupied and not used for living quarters) as an accessory use to a dwelling existing on the same lot, if the recreational camping vehicle is owned by the real property owner or his tenant, or by a family member residing on the same lot.
2. One (1) recreational camping vehicle may be located on a lot owned by the registered recreational camping vehicle's owner or by a family member for their own use subject to the following conditions:
  - a. A potable and sanitary water supply meeting the standards of NYS Department of Health Appendix 5-B or as subsequently amended is available.
  - b. On site sanitary sewage disposal is available.
  - c. The lot area and setbacks for the applicable zone are met.
  - d. All other applicable standards of the Oneida County Health Department and the NYS Uniform Fire Prevention and Building Code are met.
  - e. No external modifications or additions may be made to any recreational vehicle.

### **Section 305. Vacant Properties**

1. On a lot without a dwelling, one (1) recreational camping vehicle may be located for less than a total of any thirty (30) days during the period between April 1st and November 30th of a calendar year without a Recreational Camping Vehicle Permit. For more than a total of thirty (30) days a Recreational Camping Vehicle Permit must be obtained.
2. The recreational camping vehicle shall not be located on the property from December 1st through March 31st, unless stored in or under a permanent structure with a metal or shingle roof; Tents, Tarps or Tentlike structures are specifically not included as permanent roofed structures.
3. No exceptions to this section shall be made for inclement weather.

## **ARTICLE 4. PERMITS**

### **Section 400. Permit Conditions**

1. The Code Enforcement Officer may issue a permit upon evidence and verification that the following conditions have been met:
  - a. A potable and sanitary water supply is available.
  - b. Sanitary Sewage Disposal facilities, as defined, are available.
  - c. The lot area and setbacks for the applicable zone are met.
  - d. The recreational camping vehicle must remain licensed, registered and inspected for highway use and all times must remain capable of use on public highways.
  - e. No external modifications or additions may be made to any recreational vehicle.
  - f. No more than one occupied recreational camping vehicle shall be located on a single lot outside of a licensed campground.
  - g. No motorized vehicles of any kind shall be occupied unless they are designed and intended for that purpose.
2. The permit shall be for April 1st through November 30th and shall be prominently displayed on the recreational camping vehicle so that it may be seen from the exterior of the vehicle.
  - a. The recreational camping vehicle shall not be located on the property from December 1st through March 31st, unless stored in or under a permanent structure with a metal or shingle roof; Tents, Tarps or Tentlike structures are specifically not included as permanent roofed structures.
  - b. No exceptions to this section shall be made for inclement weather.
  - c. Any recreational camping vehicles which are not in compliance as of the date of adoption of this law or subsequent amendments shall have until December 1st, 2011 to come into compliance;

### **Section 405. Permit Procedures**

1. Permit applications shall be obtained from the Codes Enforcement Officer.
2. The completed application, along with two copies of the proposed site plan drawn to scale or indicating all dimensions, and a nonrefundable Permit fee of \$100, or as set by the Florence Town Board, shall be returned to the Codes Enforcement Officer. The site plan shall show the dimensions of the lot; the location of all existing buildings; the dimensions and capacities of all existing or proposed sanitary and water facilities; and all natural water courses, ponds or surface drainage patterns.
3. Upon receipt of the application and site plan, the Enforcement Officer shall review the application for completeness. The Enforcement Officer shall then determine whether requirements of other Town, State, or Federal laws apply and whether applicable permits are necessary.
4. Prior to any site preparation, the Enforcement Officer shall conduct an on-site inspection. To assist the Enforcement Officer on the inspection, the applicant may be required to locate stakes on the site in conformity with information shown on the site plan.
5. Upon a determination by the Enforcement Officer that the proposal has met all the requirements of this law, the Enforcement Officer shall, within seven days, issue the Permit. The Enforcement Officer shall file a copy of the Permit with the Town Clerk within ten days of the issuance.

6. The cost of any site inspections, tests, or professional consulting needed to comply with the regulations of this law shall be paid by the applicant.
7. All Permits shall expire on November 30th of the year of issue.
8. The Florence Town Board may set or change fees for permits from time to time by resolution.

#### **Section 410. Permit Transferability**

A Recreational Camping Vehicle Permit shall permit the usage of one recreational camping vehicle per lot of land per year, and may be transferred from the original recreational camping vehicle using the lot to any other recreational camping vehicle subsequently using the same lot. Any subsequent recreational camping vehicle shall comply with all of the conditions and requirements of the original Permit.

#### **Section 415. Permit Violations**

If it is determined by the Enforcement Officer that a recreational camping vehicle has not been sited in accordance with the site plan as shown on the application, or that any of the conditions of the application have been violated, the Codes Enforcement Officer shall issue a Notice of Violation allowing 15 days for the violation to be corrected. If the violation/s have not been corrected to the Codes Officer's satisfaction at that time, an appearance ticket shall be issued .

## **ARTICLE 5. MISCELLANEOUS PROVISIONS**

#### **Section 500. Enforcement, Violations, and Penalties**

1. The Town Board and its Enforcement Officer are hereby authorized to undertake and prosecute any proceedings necessary or appropriate to enforce compliance with this law.
2. Any person who shall violate any provision of this law shall be guilty of a violation as defined in Article 10 of the Penal Law and shall, upon conviction, be subject to a fine of not more than \$500 or to imprisonment for not more than 15 days or to both such fine and imprisonment. Each week's continued violation shall constitute a separate and distinct offense.
3. Compliance with this law may also be compelled and violations restrained by order or by injunction of a court of competent jurisdiction. Any person who violates any provision of this law shall also be subject to a civil penalty of not more than \$500, to be recovered by the Town in a civil action and each week's continued violation shall be for this purpose a separate and distinct violation.

#### **Section 505. Severability**

The provisions of this law are severable and the invalidity of a particular provision shall not invalidate any other provision.

#### **Section 510. Conflicts**

A conflict between the requirements of this law and the requirements of any other ordinance, local law, rule or regulation, statute, or other provision of law shall be resolved by giving effect to the provision imposing the more restrictive requirement or higher standard.

#### **Section 515. Effective Date**

This local law shall be effective upon filing in the office of the Secretary of State.