

Chapter 117

RECREATIONAL VEHICLE PARKS

[HISTORY: Adopted by the Town Board of the Town of Liberty 7-9-1987 by L.L. No. 2-1987. Amendments noted where applicable.]

GENERAL REFERENCES

Mobile homes and mobile home parks — See Ch. 100.

Zoning — See Ch. 147.

§ 117-1. Purpose.

The purpose of this chapter is to promote the health, safety and general welfare of the community, including the protection and preservation of the Town of Liberty and of its inhabitants, by establishing specific requirements and regulations governing the operation and maintenance of campgrounds and recreational vehicle (RV) parks.

§ 117-2. Definitions.

For the purpose of this chapter, the following words, terms and phrases shall have the meanings ascribed to them in this section:

CAMPGROUND or RECREATIONAL VEHICLE PARK — The development of a lot, tract or parcel of land for the purpose, whether immediate or future, of lease, rent, sale or transfer of ownership, for the purpose of providing a site for travel trailers, truck campers, camper trailers, motor homes or tents for transient use. "Campgrounds," "recreational vehicle parks," primitive camping facilities and other similar facilities shall fall under this definition. This definition is not, however, intended to cover second-home communities of single-family dwellings or mobile home parks.

- A. **TRANSIENT CAMPGROUNDS OR RV PARKS** — Publicly operated facilities or businesses offering sites with the usual accessory recreational and service facilities, not normally including eating facilities, for use for tent camping and/or recreational vehicle camping by the public at large on a transient basis. Sites are rented on a daily or weekly basis.
- B. **NONTRANSIENT CAMPGROUNDS OR RV PARKS** — Planned private communities with recreational and service facilities, including central water and sewer facilities and usually a restaurant and/or bar, lounge, chapel and community hall, for use only by occupants of tent and/or recreational vehicle sites within the campground. Sites may be owned in common or may be owned individually by deed conveyance or may be leased on an annual, monthly or other seasonal basis.

CAMPSITE — A lot within a campground or RV park used for tent camping or as a site for recreational vehicles; or a tract of land otherwise offered by the developer or operator through sale, lease, rent, membership or other means for camping purposes.

RECREATIONAL VEHICLE — A vehicular unit primarily designed as temporary living quarters for recreational camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper and motor home.

§ 117-3. License requirements; fees.

- A. No person, partnership, association or corporation, being the owner or occupant of any land within the Town of Liberty, shall use or allow the use of such land for a campground or RV park unless a license has been obtained as herein provided.
- B. Issuance of license.
 - (1) The Code Enforcement Officer of the Town of Liberty shall issue a license after approval of the application by the Town Planning Board pursuant to special use/site plan review criteria.¹ Said license shall be effective from the date of issuance until surrendered by the licensee or revoked by the Code Enforcement Officer.
 - (2) No license shall be issued until the Code Enforcement Officer has received:
 - (a) A written application from the applicant.
 - (b) The required fee as herein provided.
 - (c) Approval of the application, plans and specifications by the New York State Department of Health or its successors.
 - (3) The license shall be transferred to a new owner of a campground or RV park, provided that all of the requirements of this chapter are met.
- C. Supplemental license.
 - (1) Any person holding a license for a campground or RV park who desires to add additional lots to such park shall file an application for a supplemental license.
 - (2) The application for such supplemental license must be accompanied by four sets of plans and specifications and shall be filed and processed as provided herein for new campgrounds or parks.
 - (3) When approved, the Code Enforcement Officer shall issue a supplemental license which will be effective from the date of issuance and continue until surrendered by the licensee or revoked.
- D. The applicant shall pay the Town a fee to be established by resolution of the Town Board.²

§ 117-4. License application procedure.

- A. Each application for a campground or RV park license shall be in writing and signed by the applicant.

1. Editor's Note: See Ch. 147, Zoning.

2. Editor's Note: A fee schedule is located in Chapter A152, Fees.

- B. The application and plans and related information shall be filed with the Code Enforcement Officer in quadruplicate.
- C. The Code Enforcement Officer promptly shall transmit copies of the application and plans to the Town Planning Board, which shall process the application pursuant to the special use/site plan review requirements of the Town of Liberty Zoning Law.³
- D. The Code Enforcement Officer, within 30 days of the filing of the Planning Board action, shall issue the license, provided that all other requirements of this chapter are met.
- E. If the application is disapproved, the applicant shall have the right to appeal to the Zoning Board of Appeals. Any disapprovals shall be in writing and include the reasons therefor. The Code Enforcement Officer shall not issue a license in any instance where the Planning Board has not approved the site plan.

§ 117-5. Application data.

- A. Each application shall be accompanied by four complete sets of plans which are prepared by a licensed land surveyor, engineer or other qualified person.
- B. Each application shall contain the following information:
 - (1) The name and address of the applicant or the name and address of each partner if the applicant is a partnership or the name and address of each officer and director if the applicant is an association or corporation.
 - (2) The description of the land that is proposed to be used as a campground or RV park, together with a map showing its location in the Town.
 - (3) The number of lots to be provided in such campground or park.
 - (4) The names and addresses of the owners of the property on which the campground or RV park is to be located and a written statement signed by the owners consenting that the premises be used for a campground or RV park.
- C. Four copies of a location map shall be presented with the application which show all land within 300 feet of the park, the location and size of each lot, the location of all streets and roads adjacent to and within the park, uses of adjacent land and the owners of adjacent land and the location of all water and sewer lines and utilities within the park.
- D. Proposed development. The application shall be accompanied by four copies of a location map showing the following:
 - (1) The location and widths of all entrances, exits and streets.
 - (2) The location, size and arrangement of each lot within the park.
 - (3) The method and plan for electric lighting.
 - (4) The location and plan of all proposed structures and improvements.

3. Editor's Note: See Ch. 147, Zoning.

- (5) Plans for landscaping.
- (6) Stormwater drainage.
- (7) Utilities.

§ 117-6. Design standards and general requirements.

- A. Minimum development area. A campground or RV park shall have a gross area of at least five contiguous acres of land in single ownership or under unified control.
- B. Screening requirements. All campgrounds and RV parks shall provide and maintain a vegetative screening strip of planted or natural growth along all property boundary lines. Such screening shall be at a depth of not less than 20 feet to effectively screen the area within a reasonable time period (five to 10 years). A planting plan specifying types, size and location of existing and proposed plant material shall be required and approved by the Planning Board.
- C. Lot and siting requirements.
 - (1) RV parks or campsites shall be at least 50 feet wide and 100 feet deep, except transient campgrounds or RV parks, which may be clustered. Gross density, however, shall not exceed a total of eight sites per acre for the development. Frontage on culs-de-sac may be varied.
 - (2) Individual campground or RV park lots or campsites shall be separate from service building structures and other occupied buildings and structures by a minimum distance of 50 feet. Also, notwithstanding the requirements of Subsection B above, no recreational vehicle or tent platform shall be located closer than 25 feet to the street right-of-way nor closer than 25 feet to any other recreational vehicle or tent platform or 200 feet to any adjacent property line.
- D. Off-street parking requirements. At least two off-street parking spaces shall be provided for each site, at least one of which spaces shall be provided on the lot itself.
- E. Streets.
 - (1) Nontransient campgrounds or RV parks. The residential street design standards contained in Town of Liberty Subdivision Regulations⁴ shall apply to streets within nontransient campgrounds and RV parks.
 - (2) Transient campgrounds or RV parks. Transient recreational land development streets shall be not less than 50 feet in right-of-way width and shall be cleared, graded and constructed as required by the Town Planning Board upon recommendation of the Town Engineer, based upon the size of the Campground or RV park, site conditions and type of development proposed (i.e., primitive tent camping or RV camping).
- F. Sewerage and water supply. No individual on-site sewerage or water supply shall be permitted, and all community systems for the common use of campsite occupants shall

4. Editor's Note: See Ch. 130, Subdivision of Land.

fully comply, as evidenced by approved plans, with standards imposed by the New York State Department of Health and the Town of Liberty.

G. Other regulations.

- (1) The following additional regulations shall apply to all campgrounds or RV parks:
 - (a) Appurtenances. No permanent external appurtenances, such as carports, cabanas or patios, may be attached to any travel trailer or other recreational vehicle parked in a campground or RV park, and the removal of wheels or placement of the unit on a foundation in such a park is prohibited.
 - (b) Location. A campground or RV park shall be so located that no entrance or exit from a park shall discharge traffic into a densely populated residential area exceeding one dwelling per acre nor require movement of traffic from the park through such an area to obtain access to a public highway. A minimum of 150 feet of frontage on a state, County or Town highway shall be required.
 - (c) Common use areas. A minimum of 10% of the gross site area of the campground or RV park shall be set aside and developed as common use areas for open and enclosed recreational facilities. No recreational vehicle site, required buffer strip, street right-of-way, cartway, storage area or utility site shall be counted as meeting this requirement.
 - (d) Entrances and exits. Entrances and exits to camp grounds or RV parks shall be designed for safe and convenient movement of traffic into and out of the park and to minimize marginal friction with free movement of traffic on adjacent streets. All traffic into or out of the park shall be through such entrances and exits. No entrance or exit shall require a turn at an acute angle for vehicles moving in the direction intended, and the radii of curbs and pavements at intersections shall be such as to facilitate easy turning movement for vehicles with trailer attached. No intersection of an entrance and/or exit with a state, County or Town highway shall be located where less than 500 feet of sight distance exists in either direction along the state, County or Town highway nor shall such intersection be located within 150 feet of any other intersection.
 - (e) Parking areas. In connection with the use of any campground or RV park, no parking, loading or maneuvering incidental to parking or loading shall be permitted on any public street, sidewalk, required buffer, right-of-way or any public grounds nor any private grounds not part of the campground or RV park unless the owner has given written permission for such use. Each campground or RV park operator shall provide off-street parking, loading and maneuvering space located and sealed so that the prohibitions above may be observed and shall be responsible for violations of these requirements.
 - (f) Occupancy. Campsites shall be used only for camping purposes. No improvement or any mobile home designed for permanent occupancy shall be erected or placed on any campsite. All recreational vehicles in the development shall be maintained in a transportable condition at all times. Any action toward removal of wheels or to attach the recreational vehicle to the ground for

stabilization purposes is hereby prohibited. Moreover, no campsite shall be occupied for more than six consecutive months, and no campsite shall be the primary and principal residence of the owner or any other occupant, each campsite to be used and occupied (excepting for occasional guests) for camping and recreational purposes only by a single household. The Code Enforcement Officer may require any owner to remove a recreational vehicle from the campground for a period of seven days unless such owner can establish a prior removal within the immediately preceding six months. These requirements shall be attached to each campsite sale or membership in nontransient campgrounds or RV parks by restrictive covenant.

- (g) Records. The management of every campground or RV park shall be responsible for maintaining accurate records concerning the occupancy of all campsites. The term "management" shall include associations of property owners when such are responsible for maintenance and operation of common facilities. The Code Enforcement Officer shall have access to, and the right to inspect, records for evidence of permanent residency or lack thereof. The Town Board and/or Code Enforcement Officer shall, in addition, have the authority, when any provision of this chapter is violated, to prohibit the occupancy of any and all campsites in a recreational development until the owners and/or management provide evidence of compliance with these provisions.
- (h) Sanitary waste disposal. No owner or occupant of any campsite or campground or RV park lot shall permit or allow the dumping or placement of any sanitary or other waste anywhere upon any campsite or elsewhere within the development, except in places designated therefor. No outside toilets shall be erected or maintained on any campsite. Plumbing fixtures within any recreational vehicles placed upon lots in the campground or RV park shall be connected to the sewage disposal system for the development. Sanitary facilities, including toilets, urinals and showers, shall be provided within 600 feet of each lot or campsite.
- (i) Fences. All property lines within the development shall be kept free and open, and no fences, except as may be required by screening sections or as may exist naturally, ledges or walls shall be permitted thereon. This shall not, however, preclude the erection of fences around the perimeter of the development.
- (j) Nuisances. No noxious or offensive activities or nuisances shall be permitted on any campsite.
- (k) Animals. No animals shall be kept or maintained on any campsite, except the usual household pets. Pets shall be kept confined so as not to become a nuisance.
- (l) Garbage and refuse disposal. No person shall burn trash, garbage or other like refuse on any campsite. All such refuse shall be placed and kept in airtight receptacles for the same, which shall be provided by the owners of the campsites. No owner shall permit the accumulation of litter or refuse or junk vehicles on a campsite.

- (m) Camping accessories. Notwithstanding any provisions herein contained to the contrary, picnic tables, benches, storage sheds, fireboxes or fireplaces and similar items of personal property may be placed on a campsite. All personal property on a campsite shall be maintained in good condition so as not to become unsightly.
 - (n) Ditches and swales. Each owner shall keep drainage ditches and swales located on his or her campsite free and unobstructed and in good repair and shall provide for the installation of such culverts upon his or her campsite as may be reasonably required for proper drainage. The owner shall also prevent erosion on his or her campsite.
 - (o) Drilling and mining. No drilling, refining, quarrying or mining operation of any kind shall be permitted nor shall drilling for water or digging of water wells be permitted on any individual camp site.
 - (p) Vehicle parking. No recreation vehicle shall be parked on any street or roadway within the development.
 - (q) Fire rims. Each campsite fireplace (if charcoal or gas grills are not provided) shall be provided with a fire rim of concrete construction at least eight inches in height to contain the fire.
 - (r) Water supply. Potable water drinking supplies shall be provided within 300 feet of each campsite.
- (2) The operational standards contained in this section shall be incorporated in restrictive covenants attached to the deeds for lots in nontransient campgrounds or RV parks and shall be made part of a management plan for any transient campgrounds or RV parks, which covenants and/or plan shall be approved by the Planning Board in its review of site development plans for the campground or RV park. A management plan shall be required for all campgrounds or RV parks, and restrictive covenants incorporating the standards of this section shall be required of all nontransient campgrounds or RV parks. A plan or set of covenants which does not adequately provide for conformance with this section shall not be approved. The plan and/or covenants shall also provide the Town with the option (but not the obligation) of being a party to their enforcement and include a right for the Town to periodically inspect the development for continued compliance with the plan and/or covenants.

§ 117-7. Enforcement.

The Code Enforcement Officer shall enforce all of the provisions of this chapter and shall have the right, at all reasonable times, to enter and inspect any campground or RV park or other premises used as campsites or for the parking or placing of recreational vehicles.

§ 117-8. Revocation of license.

- A. If the Code Enforcement Officer finds that a campground or RV park for which a license has been issued is not being maintained in a clean and sanitary condition or is not being operated in accordance with the provisions of this chapter, he or she may serve personally

or by certified mail upon the holder of the license a written order which will require the holder of the license to correct the conditions specified in such order within 10 days after the service of such order.

- B. If the holder of such license shall refuse or fail to correct the condition or conditions specified in such order, the Code Enforcement Officer may revoke such license, and the holder of the license shall thereupon terminate the operation of such mobile home park.
- C. However, if the owner or operator of such recreational vehicle park shall thereafter correct such conditions and bring the recreational vehicle park into compliance with this chapter, such owner may then apply for issuance of a new license for such park, and if the application is approved and a license is granted, the applicant shall pay to the Town the fee required by this chapter without any credit for the fee paid for the license which was revoked.

§ 117-9. Penalties for offenses; additional remedies.

- A. Any person, partnership, association or corporation who violates any provision of this chapter shall be guilty of an offense against this chapter and subject to a fine of not less than \$25 nor more than \$100. When a violation of any of the provisions of this chapter is continuous, each day or portion thereof shall constitute a separate and distinct violation.
- B. The Code Enforcement Officer may, in addition to the above-provided penalties, maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with this chapter or to restrain by injunction the violation of this chapter.

§ 117-10. Exceptions.

None of the provisions of this chapter shall be applicable to the following:

- A. The business of recreational vehicle sales.
- B. The storage of a recreational vehicle not being used on premises occupied as the principal residence by the owner of such recreational vehicle; provided, however, that such unoccupied recreational vehicle shall not be parked or located between the street line and the front building line of such premises.
- C. A recreational vehicle located on the site of a construction project, survey project or other similar work project and which is used solely as a field office or work- or toolhouse in connection with such project, provided that such recreational vehicle is removed from such site within 30 days after the completion of such project.

§ 117-11. Nonwaiver.

The issuance of any permit or license pursuant to the provisions of this chapter shall not be deemed to waive compliance by the holder thereof, by the property owner or by any occupant of any court or campground or RV park, with any statute of the State of New York, law or health regulation of the State of New York or the County of Sullivan or the Town of Liberty or with any provision of this chapter.

§ 117-12. Applicability to existing campgrounds and parks.

- A. The regulations of this chapter shall apply to any extension of existing campgrounds or RV parks, including increases in the number of lots or available spaces, even though no addition to total land area is involved.
- B. The standards of § 117-6G(1)(a) and (e) through (p) shall also apply to existing parks except to the extent to which the same have been modified through the filing and acceptance by the Town of restrictive covenants applying to a particular development. Existing parks shall be assumed to have conformed to the formal license procedure.
- C. Any existing park which does not have a permit from the Department of Health or approval from the Town shall not qualify for this treatment and shall be required to make a new submission.

§ 117-13. Variances.

- A. The Zoning Board of Appeals may, for good cause shown, authorize variations from the strict interpretation of the provisions of this chapter affecting existing recreational vehicle parks and recreational vehicles.
- B. Procedure for variance.
 - (1) The owner of an existing recreational vehicle park or recreational vehicle outside a park may apply for a variance by filing an application with the Code Enforcement Officer, together with an application for a license, setting forth the reasons for the variance.
 - (2) The application for the variance shall be provided to the Town of Liberty Planning Board for a thirty-day opportunity to review and comment. The Board of Appeals, after receiving the recommendations from the Code Enforcement Officer and the Planning Board, shall have the authority to grant or deny the variance, which action shall be taken within 90 days of the Code Enforcement Officer receipt of the variance application.

§ 117-14. Review by Planning Board.

In all cases where this chapter requires action, reports, recommendations or approval of plans by the Planning Board, the Planning Board shall submit the findings and recommendations to the Zoning Board of Appeals or Code Enforcement Officer within 30 days after receipt by it of a copy of the plans and application. In the event that the report and recommendations of the Planning Board shall not be submitted to the Zoning Board of Appeals or Code Enforcement Officer within said time and said time has not been extended by the Board of Appeals or Code Enforcement Officer, final action may be taken by the Board of Appeals without the recommendations and report of the Planning Board.