

Village of Margaretville  
Local Law Number 1 of 2011

**A Local Law establishing standards for use of  
trailers and campers within the limits of the  
Village of Margaretville**

BE IT ENACTED by the Board of Trustees of the Village of Margaretville as follows:

**Section 1. Statement of Findings and Purpose.**

Subdivision a. The board of trustees of the Village of Margaretville finds that the improper use of trailers and campers for living purposes in the Village of Margaretville is detrimental to the health, safety and welfare of its residents, causes unsanitary conditions, and creates a nuisance. The regulation of these campers and trailers is necessary in order to maintain the health, safety and welfare of its residents.

Subdivision b. Local Law Number 13 of 1986, similarly entitled, is hereby repealed in its entirety and it shall be entirely replaced by the contents herein as of the date of enactment set forth below. However, the previous ordinances, resolutions, and local laws that had been repealed by Local Law #13 of 1986 shall remain repealed and of no force and affect.

**Section 2. Definitions.** For the purpose of this local law:

Subdivision a. Trailer is defined to be any vehicle used or intended to be used as a conveyance upon the public streets and designed in such a manner as to permit the occupancy thereof by one (1) or more persons as a place for sleeping, eating and general living irrespective of whether or not said vehicle is actually used for said purposes. This definition is intended to include not only those vehicles having two (2) or more wheels and hitched, hooked or attached in some other manner to a self-propelled vehicle such as an automobile or truck but also those vehicles from which the wheels have been removed and which are either permanently or semi-permanently attached to the ground and hooked into one (1) or more public utilities such as gas, electricity, water and sewer. In addition, a trailer is also intended to include a vehicle designed in such a manner as to be hooked, hitched or attached in some other manner to a self-propelled vehicle such as an automobile or truck and used or intended to be used for the transportation or storage of goods, materials and other tangible personal property only and not designed for sleeping, eating and general living.

Subdivision b. Camper is defined to be not only a self-contained and self-propelled vehicle used or intended to be used as a conveyance upon the public streets and designed in such a manner as to permit the occupancy thereof by one (1) or more persons as a place for sleeping, eating and general living, irrespective of whether or not said vehicle is actually used for said purposes, but also any structural body not having wheels but which may be slid on to the body of a truck, attached thereto and transported as an integral part of said truck and designed in such a manner as to permit the occupancy thereof by one (1) or more persons as a place for sleeping, eating and general living, irrespective of whether or not said vehicle is actually used for said purposes.

Subdivision c. Person is intended to include but not be limited to an individual, a partnership, limited liability company, an association or corporation.

Subdivision d. The definitions of a trailer and/or camper set forth above are not intended to include a mobile home as defined by the New York State Department of Motor

Vehicles (NYSDMV), whether a single-wide or double-wide mobile home. This law is not intended to in any way regulate, permit or prohibit mobile homes, as defined by NYSDMV, within the Village in any way.

Subdivision e. Public lands or Village lands, as such terms are used in this law, are intended to define any municipal parks or other property owned by the Village of Margaretville along with any municipal parking lots or village streets (whether the village owns said street in fee or holds an easement over same) that are within the territorial jurisdiction of the Village of Margaretville. Village lands as defined in this law do not and shall not include any streets, roadways or shoulder areas owned by any other private, municipal or other governmental entity.

### **Section 3. Exemptions.**

Subdivision a. Trailers used or intended to be used in business and commerce for the transportation or storage of goods, materials and other tangible personal property and trailers used or intended to be used as a temporary office during the period of construction are not included in the above definition of trailer.

Subdivision b. Trailers used or intended to be used temporarily for educational or convention use also are not included in the above definition of trailer.

Subdivision c. The definition of camper is not intended to include a commercial truck, panel truck or other such vehicle.

**Section 4. Placement and Occupation of Campers and Trailers within the Village.** The use of a trailer or camper for any living purposes whatsoever is prohibited within the jurisdictional limits of the Village of Margaretville except as set forth below:

Subdivision a. Village property. Trailers and campers, as defined herein, are permitted to be located and occupied upon any Village property within the jurisdictional boundaries of the Village for up to thirty (30) days.

Subdivision b. Private Property. Trailers and campers, as defined above, may be located and used or otherwise occupied upon the private properties within the Village for up to thirty (30) days and, for such private property usage, no fee is due or payable to the Village.

### **Section 5. Fees and Regulations.**

Subdivision a. Fees. There shall be no fee charged to locate, place or use a trailer or camper on the Village Park or parking lots so long as done in conformance with this law.

Subdivision b. Regulations. In no case shall the trailer or camper, whether located on private or public property, be made immobile by the removal of wheels, nor shall the trailer or camper be permanently affixed to such property.

**Section 6. Enforcement.** The provisions contained in this local law shall be enforced by the Village of Margaretville Code Enforcement Officer or any other law enforcement officer having jurisdiction in the Village of Margaretville. The Code Enforcement Officer or law enforcement officer shall have the authority including, but not limited to, the issuance of violation notices, appearance tickets compelling violators to appear in the Town of Middletown Court, and any other legally permissible action. However, nothing contained herein shall prevent the Village of Margaretville from seeking any relief permissible in any court of competent jurisdiction including, but not limited to, injunctive relief.

**Section 7. Violations and Penalties.** Any person or persons convicted of violating any of the provisions of this local law shall be subject to a fine in an amount not exceeding the sum of two hundred fifty dollars (\$250) or imprisonment for a period not exceeding fifteen days, or both.

**Section 8. Validity.** If any section or part of any section of this local law shall be held to be invalid or unconstitutional, the same shall not affect the validity or constitutionality of the remaining section or sections of this local law.

**Section 9. Repeal.** Any other local law, ordinance or resolution affecting or controlling conduct relating to use and operation of trailers and campers within the limits of the Village of Margaretville is hereby repealed.

**Section 10. When Effective.** This local law shall take effect immediately upon filing with the New York State Department of State.