

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

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.

County City Town Village
(Select one.)

of Watson

FILED
STATE RECORDS

APR 29 2020

DEPARTMENT OF STATE

Local Law No. 1 of the year 20 20

A local law A Local Law Amending the Zoning Law
(Insert Title)
of the Town of Watson Regarding the
Regulation of Campgrounds

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

County City Town Village
(Select one.)

of Watson

as follows:

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

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. #1 of 20 20 of the (County)(City)(Town)(Village) of Watson was duly passed by the Town Board on April 8 20 20, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.

Christina M. Macey

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: *April 8, 2020*

(Seal)

LOCAL LAW NUMBER ONE OF 2020 OF THE TOWN OF WATSON

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF WATSON AS FOLLOWS:

TITLE: This Local Law shall be known as "A Local Law Amending the Zoning Law of The Town of Watson Regarding the Regulation of Campgrounds."

DEFINITIONS:

Section 1020 of the Zoning Law of the Town of Watson is amended as follows:

1. The definitions set forth therein for "Campgrounds", and "Campground Site" are hereby repealed.
2. In their place and stead, the following definitions are enacted:
 - A. Campground: Land on which two or more campsites and/or cabins are located, established or maintained for occupancy by camping units as temporary living accommodations for recreation, education or vacation purposes.
 - B. Campsite: An area within a campground dedicated exclusively to the use of a single camping unit.
3. The following definition for a "Camping Unit" is enacted:
 - A. Camping Unit: Any tent, lean-to, cabin or similar structure, or recreational camping vehicle, excluding mobile homes, established or maintained as temporary living quarters for recreation, education, or vacation purposes.

REGULATION OF CAMPGROUNDS:

Section 855 of the Zoning Law of the Town of Watson is repealed, and a new Section 855 is enacted in its place and stead as follows:

A. GENERAL:

1. No person shall own or operate a campground unless a special use permit and zoning permit together with site plan review and approval has been issued pursuant to Section 420 of this law together with an operating license which shall be applied for to the Enforcement Officer at the same time as the submission of the application for special use permit, zoning permit and site plan review.
2. No campground shall be situated upon a lot less than ten acres in size.

3. In addition to other criteria for special use permits set forth in Article 8 of the Town of Watson Zoning Law, the Planning Board shall consider the following during its special use permit and site plan application review:
 - a. Campgrounds shall be located only where orderly development can be undertaken in harmony with the surrounding area with regard to traffic, ease and safety of vehicular access to, egress from, and circulation within the campground, safety of pedestrian movement, location of structures, adequacy of off road parking, placement and sizing of systems for the treatment of sewage and water supplies as well as other utilities, safety of fuel storage and supply, provision of open space and recreation areas and facilities, delivery of services and adequacy of landscaping and buffering.
 - b. Campgrounds shall have generally level to gently rolling topography over an area of sufficient size to allow development of the campground without significant alteration or disturbance of natural features including but not limited to stands of mature trees, stream courses, shorelines, wetlands or bedrock outcroppings.
 - c. Campgrounds shall be free from adverse, unsafe, or unhealthful conditions including but not limited to areas prone to flooding, ponding, lack of adequate drainage, erosion, slumping or other soil instability, breeding areas for insects or rodents, smoke, odors, heat, glare, or toxic or volatile substances.

B. CAMPGROUND LOCATIONS AND CONDITIONS:

1. Campgrounds shall have a minimum road frontage of 220 feet.
2. All campsites shall contain a contiguous area of at least 500 square feet with a slope of 3% or less. All campsites shall all be adjacent to and serviced by internal roads. The maximum number of campsites per campground allowed shall be calculated by multiplying the total acreage of the campground by five, rounded down to the nearest whole number. Campsites shall have a minimum size of 2000 square feet and a minimum width to depth ratio of 1:3.
3. Campgrounds shall have a single entrance road located not less than 125 feet from the nearest intersection of public roads if any. Entrance roads shall be located to allow safe line-of-site distances to and from their points of intersection with the public road, shall intersect public roads at right angles and at compatible grades and shall meet the standards set forth in "Policy and Standards for Entrances to State Highways" as revised and published by the New York State Department of Transportation.

4. Internal roads shall be privately maintained and owned and shall provide for the safe and convenient movement of vehicles.

C. SETBACKS AND SPACING:

1. All buildings and campsites shall have vegetative buffer setbacks of no less than 125 feet from the campgrounds front lot or road frontage and no less than 50 feet from any adjacent public or private land or any side or rear lot line. No campsite, internal road, parking, recreation area or storage facility for fuels, supplies, or equipment shall be located in any setback.
2. Campgrounds shall be divided, exclusive of internal roads and open space , and marked off into campsites which shall be numbered consecutively with the assigned number posted conspicuously on each campsite, with such numbers corresponding to those shown on the campground's site plan.

D. ADDITIONAL STANDARDS AND RULES:

1. Water supply and sewage disposal systems shall be designed by a licensed New York State engineer or architect, and constructed in compliance with the requirements, rules and regulations of the New York State Department of Health and Department of Environmental Conservation including Chapter 1, Part 7 of the New York Sanitary Code, 10 NYCRR, Subpart 7-3 and subject to all other pertinent laws, rules and regulations.
2. All campgrounds shall contain a building containing at least one toilet, lavatory and shower for each sex for each ten campsites.
 - a. Recreational camping vehicles shall not be parked for occupancy in a campground for more than 180 days in any one year unless a winterized building is provided which includes toilet, lavatory and shower facilities. The campground operator may designate an area of the campground to be used to store unoccupied units in a number no greater than 20% of approved campsites for recreational vehicles for a period of longer than 180 days.
3. The operator shall maintain an office in the campground and shall maintain a register containing a record of all occupants. The register shall be available for inspection by the zoning officer and shall contain:
 - a. The names and permanent addresses of all campsite occupants;
 - b. The make, model and license number of the recreational camping vehicle, tow vehicle or any other motor vehicle; and

- c. The dates of arrival and planned dates of departure of a unit and its occupants.
4. The rules and regulations of the campground shall be posted in the campground office and made available upon request.
5. No campground occupant shall produce any loud or excessive noise which would be audible to occupants of adjoining properties after 11:00 PM and before 7:00 AM Sunday through Thursday or after 11:59 PM and before 7:00 AM Friday and Saturday.
6. All receptacles for waste or refuse of any kind, including cans and dumpsters are always to be kept in a sanitary condition.
7. Each campground owner and/or operator shall cooperate with the chief of the fire department providing protection to the campground in arranging required inspections on an annual basis of the premises and conditions within the campground.
8. Any campground development and construction pursuant to a plan approved by the Planning Board shall be completed within two years of such Planning Board Approval and approval of the operating license. Upon reasonable cause being shown, the Planning Board may grant an extension of no greater than six months.
9. Mobile homes shall not be parked, either permanently or temporarily in any campground except when occupied by the campground owner/operator.

E. OPERATING LICENSE:

1. Upon the approval of the Planning Board of a special use permit, the Enforcement Officer, upon their review and satisfaction that the Campground substantially complies with the provisions of this Local Law, may grant an operating license.
2. All operating licenses shall be issued for a period of one year, after which license renewal shall be required by application to the Enforcement Officer . All licenses shall expire on the 31st day of July of each year. The license shall be conspicuously displayed at all times in the campground office or other prominent location.
 - a. Prior to license renewal, the campground shall be inspected by the Enforcement Officer 30 days prior to renewal. Such license shall not be renewed unless the Enforcement Officer shall certify that the campground is operating in compliance with all pertinent New York State laws, rules and regulations, all site plans, conditions and approvals granted by the Town and the terms and conditions of this

Local Law. The license holder shall provide acceptable evidence to the Enforcement Officer of such compliance. The Enforcement Officer may grant the license renewal upon their satisfaction that such compliance exists.

- b. The Enforcement Officer shall not enter the premises of any campground property without the consent of the license holder or an order or other legal process issued by a Court or administrative body of competent jurisdiction. It shall be the responsibility of the applicant to arrange for all required inspections with regard to license issuance, renewal and/or code enforcement matters on the property.
- c. The Enforcement Officer may decline to grant a license or license renewal or may revoke a license, upon refusal of the owner/operator to allow the Enforcement Officer to enter the premises to carry out his official duties, or may revoke a license upon finding reasonable cause that the owner/operator has failed to comply with the provisions of this Local Law or any other state or local law, rule or regulation, or upon finding reasonable cause that the conditions on the campground pose a threat to public health, safety, peace and quiet enjoyment of their property by owners of adjacent properties.
- d. Before the Enforcement Officer may revoke or decline to renew a license, a hearing shall be held by the Town Board upon written notice to the license holder or applicant sent by certified mail at least five days in advance of such hearing. Notice of the hearing shall also be published at least once in a newspaper in general circulation in the Town at least five days before the date and time set for such hearing. At the hearing, the Town Board shall hear the proof offered by the license holder or applicant, or any other person wishing to be heard. The Town Board shall consider from the proof offered whether the campground fails to substantially comply with the terms and provisions of this Local Law or otherwise poses a threat to public health, safety, peace and quiet enjoyment of their property by owners of adjoining property, or otherwise poses or causes a public nuisance. Upon completion, of the hearing, the Town Board shall deliberate and state its findings upon the minutes and may direct the Enforcement Officer based upon such findings to take such action upon the license as the Board deems appropriate and is supported by the evidence. The Town Board may direct the Enforcement Officer to revoke, decline to renew, or grant with conditions any license or license renewal.

F. SEVERABILITY: In the event that any part, portion, sentence or paragraph of this Local Law shall be declared invalid by order or judgment of a Court of

competent jurisdiction, then such order or judgment shall only affect such part, portion sentence or paragraph of this Local Law so determined to be invalid and every other part of this Local Law shall remain valid and in effect.

- G. EFFECTIVE DATE:** This Local Law shall take effect immediately upon filing with the Secretary of State of the State of New York.