

**MOBILE HOME – TRAILER ORDINANCE
TOWN OF KIRKWOOD**

Adopted September 4, 1973

**ARTICLE I
TITLE OF ORDINANCE**

SECTION 101 Title

This Ordinance shall be known as the Mobile Home-Trailer Ordinance of the Town of Kirkwood.

SECTION 102 Purpose

The purpose of this Ordinance is to promote the health, safety and general welfare of the community; including the protection and preservation of the property of the Town of Kirkwood and of its inhabitants by establishing specific requirements and regulations governing the occupancy and maintenance of mobile homes, mobile home parks, and travel trailers.

**ARTICLE II
DEFINITIONS**

SECTION 201 Definitions

For the purposes of this Ordinance, the following words, terms and phrases shall have the meaning ascribed to them in this section:

Mobile Home. A structure, transportable in one or more sections, which, in the traveling mode, is only 8 body feet or more in width or 40 body feet or more in length, or, when erected on site, is 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 the required utilities, and include the plumbing, heating, air conditioning and electrical systems contained therein. A “double wide” mobile home shall consist of two or more sections of a mobile home joined together to form one mobile home structure.

(Amended March 4, 2003 by LL No. 5-2003)

Mobile Home Lot. A mobile home lot is a designated site of specific total land area which is located within a mobile home park for the accommodation of one mobile home and its occupants.

Mobile Home Park. A mobile home park is any parcel of land which is planned and improved for the placement of two (2) or more mobile homes which are used as dwellings and for occupancy of more than ninety (90) consecutive days.

Mobile Home Stand. A mobile home stand is a durable surface located on a mobile home lot which is to be used for the placement of and capable of supporting a mobile home.

Modular House. A housing unit constructed off-site consisting of more than one segment and designed to be permanently anchored to a foundation and to become a fixed part of the real estate.

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Trailer. See mobile home.
(Added March 4, 2003 by LL No. 5-2003)

Travel Trailer. A travel trailer is any portable vehicle which is designed to be transported on its own wheels; which is designed and intended to be used for temporary living quarters for travel, recreational or vacation purposes; and which may or may not include one or all of the accommodations and facilities included in a mobile home.

ARTICLE III

SECTION 301 Licenses Required For Mobile Home

Any person, partnership, association, joint venture or corporation, being the owner of any land within the Town of Kirkwood, shall not use or allow the use of such land for a mobile home park unless a license has been obtained as herein provided.

301.1 Exceptions

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

The Business of mobile home or travel trailer sales, except where units are used as living quarters, they shall conform with the provisions of this Ordinance.

The storage or garaging of mobile homes or travel trailers not being used for living or sleeping purposes within a building or structure or to the storage of one unoccupied mobile home or travel trailer on premises occupied as the principal residence by the owner of such mobile home or travel trailer, provided, however, that such unoccupied mobile home or travel trailer shall not be parked or located between the street line and the front building line as defined in the Zoning Ordinance of such premises or within twenty (20) feet of an adjoining property line.

A mobile home 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 tool house in connection with such project, provided that such mobile home is removed from such site within thirty (30) days after the completion of such project.

A modular house which is prefabricated in sections, transported to the building site, then fastened together, and placed on a permanent and masonry foundation and which has a minimum width of 18 feet for its entire length and contains a minimum of 750 square feet of usable living space.

SECTION 302 Issuance of License

The Town Clerk of the Town of Kirkwood shall issue a license to be effective from the day of issuance to and including December 31st of that same year.

302.2 This license may not be issued until the Town Clerk has received:

- a. A written application from the applicant.
- b. The required fee as herein provided.
- c. Approval of the application by the Broome County Department of Health.
- d. Recommendation of the Town Building Inspector and Planning Board.
- e. A resolution from the Town Board approving issuance of license.

302.3 The license shall not be transferable or assignable.

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SECTION 303 Supplemental License

303.1 Any person holding a license for a mobile home park and desiring to add additional lots to such park or court shall file an application for a supplemental license.

303.2 The application for such supplemental license must be accompanied by two complete sets of plans and specifications as required by Section “402” of this Ordinance. The application for supplemental license shall be filed and handled according to the procedure established in that section of the Ordinance.

303.3 When approved in accordance with the procedures established and upon the receipt of the required fee, the Town Clerk shall issue a supplemental license which will be effective from the date of issuance to and including December 31st of the same year, and theretofore run concurrent with the original license.

SECTION 304 License Renewal

304.1 An application for the renewal of any mobile home park license which was issued in accordance with the provisions of this Ordinance must be filed with the Town Clerk on or before December 1st preceding the expiration of the license.

304.2 The renewal application shall not be accompanied by a plan of the park or court unless changes have been made to it, nor is it necessary that the application be accompanied by the copy of the lease unless a new lease has been entered into subsequent to the time of filing the previous application. If changes have been made to the prior plan or a new lease has been entered into, copies shall be attached to the renewal application.

304.3 Upon the approval of the Building Inspector, the Town Clerk may issue a renewal license to be effective upon the expiration of the previous permit and continue in force for a period of one year.

304.4 At the time the renewal license is issued, the applicant shall pay the required fee.

304.5 Such renewal license shall not be transferable or assignable.

SECTION 305 License Fees.

305.1 The applicant shall pay the Town Clerk an annual fee of Two Dollars (\$2.00) per unit or One Hundred Dollars (\$100.00), whichever shall be greater.
(Amended 9-6-05 by LL #8-2005)

305.2 The fee for a supplemental license shall be in the same amount, but prorated for the remaining calendar year.

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ARTICLE IV

SECTION 401 Application Procedure

Each application for establishment of a mobile home park shall be in writing and signed by the applicant.

401.1 The application and related information shall be filed with the Town Clerk in triplicate.

401.2 The Town Clerk shall transmit one (1) copy of the application to the Town Building Inspector. The Town Clerk shall refer one (1) copy of the application to the Town Planning Board for review and report prior to the final action by the Town Board in accordance with the provisions of Section 274 of the Town Law.

401.3 The Building Inspector shall check the applications for compliance with the minimum requirements as established by the rules and regulations of the Broome County Department of Health and the Sanitary Code of Broome County. The Building Inspector shall, after such investigation, transmit the certified application to the Town Board together with his findings as to whether the application satisfies or does not meet the minimum health and sanitary standards within thirty (30) days after the date of filing the application with the Town Clerk.

401.4 Upon receipt of the application from the Town Clerk, the Planning Board shall review the general arrangement of the mobile home park or trailer camp. This shall include a review of: location and width of streets and parking areas; the location, size, and arrangement of lots; the location of other structures within the park; the location of entrances and exist; and the location, type and extent of landscaping and screening materials. (Refer to Section (510). Planning Board shall consult the Town Engineer as to the appropriateness of the engineering design. The Planning Board shall transmit the application back to the Town Board, together with its findings, within seventy-five (75) days of receipt of the application. Failure to act within seventy-five (75) days of receipt of the application may be acted upon by the Town Board without Planning Board recommendation.

401.5 The Town Board shall review the findings of the Building Inspector and the Planning Board, and after a public hearing by resolution indicate its approval or disapproval of the application within one hundred thirty-five (135) days from the filing of the application with the Town Clerk. The application shall be returned to the Town Clerk and the applicant notified in writing by the Town Clerk of the decision rendered within five (5) days of the date of such decision.

SECTION 402 Application Date

Each application shall be accompanied by three sets of plans prepared by a licensed land surveyor, engineer or landscape architect. The plans shall be drawn to a scale of 50 feet to one inch; shall include the date, northpoint, and scale; and shall furnish the following information:

402.1 Legal Data.

a. The name and address of the applicant, or the name and address of each partner or principal, if the applicant is a partnership or a joint venture, or the name and address of each officer and director if the applicant is an association or corporation.

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b. The location and description of the land that is proposed to be used as a mobile home park.

c. The number of lots to be provided in such park.

402.2 Physical Features.

a. Existing and proposed contours at two (2) foot intervals.

b. Location of water courses, marshes, and areas subject to flooding.

c. Wooded areas.

402.3 Existing Development.

a. A location map which shows all land within three hundred (300) feet of the proposed mobile home park and all structures on the land which abuts the proposed park.

b. The location, names and widths of all adjacent streets.

c. The location of all water lines and utilities within and adjacent to proposed site.

402.4 Proposed Development.

a. The location, and widths of all entrances, exits, streets, walkways and parking areas, and casements.

b. The location, size and arrangement of each lot within the park.

c. The method and plan for electric lighting, including Street lighting.

d. The location and plan of all proposed structures and improvements.

e. Any proposed grading and plans for landscaping.

f. Any proposed storm water drainage.

g. Any proposed utilities.

h. Any public improvements proposed by the Town in or adjoining the proposed park.

i. Existing zoning.

**ARTICLE V
STANDARDS**

SECTION 501 Requirements for Mobile Home Parks

The following standards shall apply for all Mobile Home Parks located. in the Town of Kirkwood.

SECTION 502 Site

The park shall be located in areas where grades and soil conditions are suitable for use as mobile home sites.

502.1 The park shall be located on a well drained site which is properly graded to insure rapid drainage and be free at all times from stagnant pools of water.

502.2 The park shall be free from heavy or dense growth of brush and woods.

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502.3 The parks shall be at least ten (10) acres in size, with 300 feet frontage on a public road.

502.4 The park shall not be developed within the Intermediate Regional Flood Line established by the Corps of Engineers.

SECTION 503 Mobile Home Lot

503.1 Each mobile home park plan shall be marked off by permanent post pins, monuments, or other points of reference into mobile home lots.

503.2 Each mobile home lot shall have a total area of not less than 6,000 square feet. (Except as provided in Section 511). Each mobile home 18 feet or more in width shall be placed on a lot of not less than 8,000 square feet.

SECTION 504 Mobile Home

504.1 Any mobile home shall not be parked or otherwise located nearer than a distance of:

- a. At least thirty (30) feet from an adjacent mobile home in any direction.
- b. At least fifty (50) feet from the Park property line.
- c. At least one hundred (100) feet from the right-of way line of public street or highway. In cases where the park is adequately screened by topography or natural vegetation this requirement may be waived to 50 feet by the Planning Board.
- d. At least twenty (20) feet from the nearest edge of any roadway located within the park.

504.2 Only one mobile home shall be permitted to occupy any one mobile home lot.

504.3 Each mobile home must be provided with perimeter skirting to hide all wheels, chassis other appurtenances under the home to be installed in less than 60 days after mobile home is placed on stand.

504.4 No mobile home park shall have more mobile homes upon the property than the number of mobile home lots within such mobile home park as set forth in the owner's application and approved in the license for such mobile home park.
(Added March 4, 2003 by LL No. 5-2003)

504.5 No mobile home shall be permitted to remain upon the premises unless placed on a stand and hooked up to the required water and sewer systems and utilities.
(Added March 4, 2003 by LL No. 5-2003)

504.6 No new or replacement mobile home may be placed upon the property without first obtaining a building permit pursuant to a Local Law of the Town of Kirkwood for Administering and Enforcing the New York State Uniform Fire Prevention and Building Code (Uniform Code) and paying a fee of \$75.00 as required thereunder. (Added 9-6-05 by LL #8-2005)

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SECTION 505 Mobile Home Stand

505.1 Each mobile home lot shall have a mobile home stand which shall provide for the practical placement on and removal from the lot of both the mobile home and its appurtenant structures, and the retention of the home on the lot in a stable condition.

505.2 The stand shall fit the dimensions of the anticipated mobile homes and their appurtenant structures or appendages.

505.3 The stand shall be constructed of an appropriate nonporous material which is durable and adequate for the support of the maximum anticipated loads.

505.4 The stand shall be suitably graded to permit rapid surface drainings.

SECTION 506 Accessibility

506.1 Each mobile home park shall be directly accessible from an existing public highway or street.

506.2 Where a mobile home park has more than twenty-five (25) mobile home lots, two (2) points of entry and exit shall be provided, but in no instance shall the number of entry and exit points exceed four (4).

- a. Such entrances and exits shall be designed and strategically located at a minimum distance of 100 feet between them for the safe and convenient movement into and out of the park and to minimize friction with the free movement of traffic on a public highway or street.
- b. All entrances and exits shall be at right angles to the existing public highway or street.
- c. All entrances and exists shall be free of any material which would impede the visibility of the driver on a public highway or street.
- d. All entrances and exists shall be of sufficient width to facilitate the turning movements of vehicles with mobile homes attached.
- e. The requirement of two points of access may be waived to one (1) for design purposes provided an appropriate all-weather emergency access area is provided and maintained open at all times and free from snow.

506.3 Each park shall have improved streets to provide for the convenient access to all mobile home lots and other important facilities within the park. Streets shall be improved to at least meet Donovan Plan specifications. (These are not Town Highway Specifications.)

- a. The street system shall be designed to permit the safe and convenient vehicular circulation within the park.
- b. Streets shall be adapted to the topography and shall have suitable alignment and gradient for traffic safety.
- c. All streets shall intersect at angles not less than 80 degrees.
- d. All streets shall have a minimum paved width of 24 feet.
- e. Except in cases of emergency, no parking shall be allowed on such streets.

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506.4 An all-weather, dustless driveway shall be provided for each mobile home lot. This driveway shall have a minimum width often (10) feet.

SECTION 507 PARKING

507.1 Two off-street parking spaces shall be provided on each mobile home lot. The parking spaces shall be surfaced with an all-weather, dustless material. Each parking space shall have a minimum width of ten (10) feet and a minimum length of twenty (20) feet.

507.2 Additional off-street parking spaces shall be provided at strategic and convenient locations.

a. There shall be one such parking space for each two (2) mobile home lots within the park.

b. Such parking space shall be provided in bays of a dimension of which shall provide for adequate maneuvering of 10'x20' space at the standard of 350 sq. ft. for total parking and maneuvering.

507.3 Storage and parking of not more than a total of two (2) unregistered motor vehicles, unregistered motor homes, unregistered travel trailers or unregistered boats may be stored or parked at a mobile home park by the occupants of any mobile home lot at said park. Any such storage or parking shall be at least sixty (60) feet from any highway. This section shall not apply to motor vehicles, motor homes, travel trailers or boats not requiring registration.
(Added March 4, 2003 by LL No. 5-2003)

SECTION 508 Utilities and Service Facilities

508.1 The following utilities and service facilities shall be provided in each mobile home park which shall bear the stamp of approval of the Broome County Department of Health.

a. An adequate supply of pure water for drinking and domestic purposes shall be supplied by pipes to all mobile home lots and buildings within the park to meet the requirements of the park. Each mobile home lot shall be provided with proper water connections.

b. Each mobile home lot shall be provided with a sewer, which shall be connected to the mobile home situated on the lot, to receive the waste from the shower, tub, flush toilets, lavatory and kitchen sink in such home. The sewer shall be connected to a public sewer system or one approved by the Broome County Health Department, so as not to present a health hazard. Sewer connections in unoccupied lots shall be so sealed to prevent the emission of any odors and the creation of breeding places for insects.

c. A storm drainage plan designed to convey all storm water into natural water courses and to maintain the park area free from standing pools of water.

d. Metal garbage cans with tight-fitting covers shall be provided in quantities adequate to permit the disposal of all garbage and rubbish. The cans shall be kept in sanitary condition at all times. The cans shall be located no further than two hundred (200) feet from any mobile home lot. Garbage and rubbish shall be collected and disposed of as frequently as may be necessary to insure that such cans shall not overflow. Such trash collection areas shall be screened by opaque fencing and plantings.

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580.2 Each mobile home shall be provided with weather proof electric service connections and outlets which are a type approved by the New York State Board of Fire Underwriters.

508.3 Fire hydrants shall be installed where feasible within the capacity of the existing municipal water system.

SECTION 509 Open Space

509.1 Each mobile park shall provide common open space for the use by the occupants of such park.

509.2 Such open space shall be conveniently located in the park. Such space shall have a total area equal to at least ten (10) per cent of the gross land area of the park.

509.3 Such open space shall be reasonably level, usable space and provided with standard playground equipment.

SECTION 510 Landscaping

510.1 Lawn and ground cover shall be provided on those areas not used for the placement of mobile homes and other buildings, walkways, roads, and parking areas.

510.2 Planting shall be provided to the extent needed in order to provide for the screening of objectionable views, adequate shade and a suitable setting for the mobile homes and other facilities.

a. Screen planting shall be provided to screen objectionable views. Views which shall be screened include laundry facilities, other non-residential uses, garbage storage and collection areas, and all abutting yards of adjacent properties.

b. Other planting shall be provided along those areas within the park which front upon existing public highways and streets to reduce glare and provide pleasant outlooks for the living units.

510.3 Grass or ground cover shall be provided on all areas subject to erosion.

SECTION 511 Bonuses

The minimum lot area may be reduced by the Town Board on review and recommendation of the Planning Board from 6,000 square feet to 5,000 square feet for those mobile home parks providing all utilities underground, including electrical, telephone, and fuel and a landscaping plan designed to enhance the mobile home park and surrounding community.

SECTION 512 Non-Conforming Mobile Home Parks

All mobile home parks established prior to the enactment of this ordinance which do not meet the standards of this ordinance, shall be called "Non-conforming Mobile Home Parks." All changes or additions to such parks shall be made in accordance with the provisions and standards of this ordinance, and should be reviewed by the Planning Board and approved by the Town Board. All such parks shall be licensed in the manner prescribed by this ordinance.

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**ARTICLE VI
INDIVIDUAL MOBILE HOMES**

SECTION 601 Mobile Home Located Outside of Mobile Home Parks

601.1 Prohibition of Mobile Homes.

601.2 No occupied mobile home or travel trailer shall be parked or allowed to remain upon any street, highway or other public place, except that emergency stopping or parking, when caused by mechanical failure, shall be permitted upon the shoulder of any street or highway for a period of not more than seventy-two (72) hours, subject, however, to any prohibition or limitation imposed by other regulations or laws.

601.3 No unoccupied mobile home shall hereafter be parked or otherwise placed within the Town of Kirkwood outside a licensed mobile home park.
(Added March 4, 2003 by LL No. 5-2003)

SECTION 602 Permitted Mobile Homes

602.1 No occupied mobile home shall hereafter be parked or otherwise placed within the Town of Kirkwood and outside a licensed mobile home park, except as follows:

a. A Building Permit for the use of a mobile home in the Town of Kirkwood shall be issued only when, in addition to meeting all the requirements set forth in other parts of the Zoning Ordinance, such mobile home meets all of the following requirements.

1. The lot on which the mobile home is located in an RR zoning district.
2. Each mobile home must be placed upon an individual lot of at least two (2) acres and a minimum lot width of 200 feet, and meet all pertinent zoning regulations in an R.R. District.
3. That the gross floor area of such mobile home shall not be less than seven hundred fifty (750) square feet.
4. Each mobile home shall set upon a foundation constructed as follows:
 - a. Material: eight (8) inch concrete or equivalent.
 - b. Type of Construction: perimeter foundation, or lateral runners, or longitudinal runners, or pillars.
 1. Foundation must be to engineered specifications and/or extend 42” below Grade level which is considered frost protection for Broome County per New York Uniform Fire Prevention and Building Code. (Amended 2-1-11 by LL #1-2011)
 2. Foundation contact and support mobile structural frame in a sufficient number of places to adequately support said mobile home.
 3. The structural frame of said mobile home shall be attached to the ground in not less than four (4) places located in accordance with good engineering practice. Each attached device shall be capable of withstanding a tension force of at least twenty-eight hundred (2800) pounds.
 4. Said foundation, shall not exceed forty-eight (48) inches in height above ground level at any point.

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b. Foundation and Closure: The mobile home foundation shall be enclosed by a skirt securely fastened and extending from the outside wall of the mobile

home to ground level around the entire perimeter of the mobile home. The skirt shall be constructed of sturdy wood, plastic, masonry, or metal material capable of withstanding extreme weather conditions over extended periods of time. No skirt shall be required where a perimeter foundation is employed.

602.2 Each mobile home Building Permit application shall contain a sketch showing:

1. Lot dimensions
2. Setbacks
3. Proposed location of the mobile home
4. Location of all other structures on the premises
5. Description of the foundation.

602.3 All Building Permits under this section shall be issued by the Building Inspector of the Town of Kirkwood.

**ARTICLE VII
TRAILER CAMPGROUNDS**

SECTION 701 Regulations For Trailer Campgrounds

The following regulations are set forth to guide the orderly development of trailer campgrounds in the Town of Kirkwood.

SECTION 702 Application

All applications for trailer campgrounds must proceed according to the requirements of Section 401.

SECTION 703 Plans

Sketch plans and final plans for the proposed trailer campground shall be submitted in accordance with Section 402.

SECTION 704 Campsites

704.1 Each campsite shall have a minimum area of 2,500 sq. ft., with a minimum dimension of 40 ft.

704.2 Each campsite shall be furnished with running water and all-weather grounded electrical outlets.

SECTION 705 Circulation

705.1 Pedestrian safety - the design of roads and walkways within the campground must indicate measures taken to separate vehicular and pedestrian traffic.

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705.2 Walkways shall be designed where possible to avoid crossing roads to reach service buildings or recreation areas. Walkways in the campground shall be indicated on the plan and shall be surfaced with an all-weather dustless material.

705.3 Roads shall be at least 14 feet wide for one-way roads and 20 feet wide for two-way roads. All roads shall be maintained in a well-graded, well-drained condition and surfaced with an all-weather, dustless material.

705.4 All entrance and exit roads shall intersect public roads at an angle between eighty (80) degrees and ninety (90) degrees, and at a grade not to exceed three percent (3%) for the first seventy-five feet (75') of camp road.

SECTION 706 Service Facilities

706.1 Service Building— such building shall include toilets and lavatories for both sexes. Women's facilities shall be provided at the rate of one toilet for each ten (10) camping sites. Men's facilities shall have one urinal per each (20) camping sites and one toilet per each (20) camping sites. The service building shall also include a public telephone and one (1) washer and one (1) dryer for each ten (10) camping sites.

706.2 Sewage Dump Station— a sewage dump station shall be provided for the convenient emptying of camp trailer sewage tanks. Such dump station shall provide a connection with an approved sewage treatment system and a water outlet for the flushing of the sewage tanks.

706.3 Cold Water shall be supplied to each campsite. Each water outlet shall have a valve and dry well. Hot Water shall be available at the service building.

706.4 All plans for sewage and water systems shall bear the stamp of approval of the Broome County Health Department.

**ARTICLE VIII
ADMINISTRATION**

SECTION 801 Penalties
(Amended May 4, 2004 by LL No. 17-2004)

- A. A violation of this ordinance is a misdemeanor, punishable as follows:
 - 1. For conviction of a first offense: A fine not exceeding one hundred dollars.
 - 2. For conviction of a second offense: A fine not exceeding two hundred dollars.
 - 3. For conviction of a third or subsequent offense: A fine not exceeding three hundred dollars.

B. In addition to the above prescribed penalties, the Town Board may in its discretion revoke any permit previously issued after a public hearing at which the applicant shall have an opportunity to be heard, or in the alternative, may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with this ordinance by injunction, abatement or otherwise compel cessation of each violation, and obtain restitution to the Town for costs incurred by the Town in remedying each violation, including but not limited to reasonable attorney's fees.

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SECTION 802 Validity

 If any section, paragraph, subdivision or provision of this Ordinance shall be found invalid, such invalidity shall apply to the section, paragraph, subdivision or provision adjudged invalid, and the remainder of the Ordinance shall remain valid and effective

SECTION 803 Effective Date

 This Ordinance shall be in effect upon adoption and publication as provided under town law.