

## **Local Law No. 2. Of 2025**

**WHEREAS**, the Town of Southport wishes to protect the health, safety and welfare of the residents of the Town of Southport by prohibiting individuals from camping, occupying or creating temporary living accommodations on any land in the Town unless otherwise authorized by law; and

**WHEREAS**, that this Local Law No. 2 of 2025, Camping Prohibitions Within the Town of Southport in its final form having been upon the desks of members of the Town Board for at least seven (7) calendar days, exclusive of Sunday, prior to this day, and a public hearing having been duly held on February 11, 2025 at 6:00 p.m., before the Town Board at the Town of Southport Town Hall located at 1139 Pennsylvania Avenue, Elmira, N.Y. 14904 upon public notice provided by law, and the said proposed local law having been read in its final form at this meeting; and

**NOW THEREFORE, BE IT RESOLVED**, the Town Board of the Town of Southport, County of Chemung, State of New York hereby adopts Local Law No. 2 of 2025, Camping Prohibitions Within the Town of Southport, and is hereby enacted to wit:

### **LOCAL LAW NO. 2 OF 2025, CAMPING PROHIBITIONS WITHIN THE TOWN OF SOUTHPORT**

#### **Section 1.**

##### **Title**

This Local Law shall be known as Local Law No. 2 of 2025, Camping Prohibitions Within the Town of Southport.

#### **Section 2.**

##### **General Intent**

It is the purpose of this local law to protect and promote the general health, safety and welfare of the residents of the Town of Southport by prohibiting individuals from camping, occupying or creating temporary living accommodations on any land within the Town of Southport.

#### **Section 3.**

##### **Definitions:**

- A. Camp.** Any building of whatsoever material constructed, designed or equipped to be used or used for living, sleeping, or eating by transient or seasonal occupants.

- B. Campsite.** Any place used for temporary camping or as a site for recreational vehicles for camping purposes. This definition shall include where bedding, sleeping bag, or other material used for bedding purposes or any stove or fire is placed, established, or maintained for the purpose of maintaining a temporary place to reside, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure or vehicle or part thereof.
- C. Recreational Vehicle.** Any vehicular design or vehicle designed or modified for camping or as temporary living quarters for recreational camping or travel use which either has its own power or is mounted on or drawn by another vehicle, including but not limited to a travel trailer, camping trailer, truck camper, motor home or house trailer.

#### **Section 4.**

##### **Prohibition.**

- A.** No camper, campsite, or recreational vehicle shall be occupied within the Town of Southport unless otherwise allowed by law, the exception being the temporary occupancy by authorized family of the owner of real property or the invited guest of the owner of real property upon which the recreational vehicle or campsite is located shall be permitted, provided that the recreational vehicle or campsite is not to be occupied in excess of 10 days in a calendar year, and in no event shall a recreational vehicle or campsite be utilized as a rental unit or occupied upon a lot where there is no existing one, two, or multiple family residences.
- B.** No more than one camper or recreational vehicle shall be allowed, stored, or maintained on any lot within the Town of Southport unless the one allowed camper or recreational vehicle shall be allowed, stored, or maintained in accordance Chapter 525, Article IX, 525-114.
- C.** A person found in violation of this section may be immediately removed from the premises.

#### **Section 5.**

##### **Removal**

- A.** Upon discovery of a prohibited campsite, the Town of Southport, if feasible, may provide notice of intent to remove the campsite to the Chemung County Department of Social Services.
- B.** The Town of Southport personnel, including the Code Enforcement Officer, and law enforcement officers with jurisdiction within the Town are authorized to clean up the campsite and remove all items and personal property at and associated with the campsite including any recreational vehicles.

- C. When deemed appropriate by law enforcement or other first responders, individuals determined to be endangered or a danger to themselves or others may be transported to local medical facilities for evaluation.
- D. Cost of cleaning up and removing items found at the prohibited campsite shall be the responsibility of all individuals who are who are found to be in violation of this local law.

## **Section 6.**

### **Penalty**

Any person that violates any provision of this Local Law is subject to a fine of not less than \$50 nor more than \$250 per day and/or 14 days in jail and when a violation of this Local Law continues, each day shall be a separate and distinct violation.

## **Section 7.**

### **Repeal Prior Laws**

All laws inconsistent with any provision or provisions of this law are hereby repealed.

## **Section 8.**

### **Authority**

This local law is enacted by the Town Board pursuant to its authority to adopt local laws under Article IX of the New York State Constitution, Municipal Home Rules Law § 10 and Town Law § 64.

## **Section 9.**

### **Severability**

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

## **Section 10.**

### **Effective Date.**

This Local Law shall take effect upon adoption, publication and filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.