STATE OF NEW YORK

1317--A

Cal. No. 189

2017-2018 Regular Sessions

IN SENATE

January 9, 2017

Introduced by Sen. LITTLE -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- recommitted to the Committee on Judiciary in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the real property law, in relation to campgrounds

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The real property law is amended by adding a new section 233-b to read as follows:

§ 233-b. Campgrounds. a. Whenever used in this section:

1. "Campground" means any parcel or tract of land, including buildings or other structures, where five or more campsites are made available for use as temporary living quarters for recreational, camping, travel or seasonal use.

2. "Campground owner" means the owner or operator of a campground or an agent of such owner or operator.

b. A campground owner may remove or cause to be removed from a campground any person who:

1. is not a registered guest or visitor of the campground;

2. remains on the campground beyond an agreed-upon departure time and date;

3. defaults in the payment of any lawfully imposed registration or visitor fee or charge;

4. creates a disturbance that denies other persons their right to quiet enjoyment of the campground;

5. violates any federal, state or local law; or

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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6. violates any other lawful regulation promulgated by the campground owner and continues in violation for more than twenty-four hours after the campground owner has given written notice of such violation and directing that such person correct or cease violation of such rule or regulation.

c. A person who is removed from a campground pursuant to subdivision b of this section shall be entitled to a refund of the unused portion of any prepaid fees, less any amount otherwise owed to the campground owner or deducted for damages, which unused portion of prepaid fees may be prorated at a rate that is based upon the daily rate charged by the campground owner.

d. A campground owner may remove property belonging to a person who is removed from a campground pursuant to subdivision b of this section from a campsite and such property, whether removed from a campsite or allowed to remain on a campsite, shall be deemed to be placed in storage. A campground owner shall provide the owner of such property thirty days written notice, by certified mail, return receipt requested, to remove such property and dispose of such property pursuant to article nine of the lien law in the event the owner fails to remove such property within the thirty-day period of time.

§ 2. This act shall take effect immediately.