

**TOWNSHIP OF MAURICE RIVER**

**ORDINANCE NO. 606**

**AN ORDINANCE OF MAURICE RIVER TOWNSHIP, CUMBERLAND COUNTY, NEW JERSEY, REGULATING EXISTING MOBILE HOME PARKS, PROVIDING FOR THE LICENSING OF EXISTING MOBILE HOME PARKS, REGULATING THE BRINGING IN, PARKING, TRANSFERRING OR LOCATING OF MOBILE HOMES AND ESTABLISHING FEES FOR SAME AND AMENDING ORDINANCE NO.413.**

**WHEREAS**, the Township Committee has determined that there is a need to regulate mobile home parks and individual mobile homes within the Township of Maurice River.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Mayor and Township Committee of the Township of Maurice River, County of Cumberland, State of New Jersey (not less than two-thirds of the full membership thereof affirmatively concurring) as follows:

1. DEFINITIONS:

A. Mobile Home. Any unit whether licensed or not used for living, sleeping or business purposes by one or more persons, built on a chassis originally designed without permanent foundation and shall include a dwelling, sleeping or business unit of vehicular design (or capable of movement along the highway), used or intended or constructed for use as a conveyance upon public streets or highways, whether licensed or not, and shall further include self-propelled and non-self-propelled vehicles and other structures so designated, constructed or reconstructed or added to by means or accessories in such a manner as to permit the occupancy thereof as a dwelling, sleeping place or for business purposes for one or

more persons and having wheels, jacks, piers, or skirting, so arranged as to be integral with a portal of said mobile home and shall further include that type of dwelling known as manufactured housing, a trailer, camper, travel trailer, or campcar, even though the same may be placed on a foundation.

B. Mobile Home Park. Any plot of ground upon which two or more mobile homes or mobile units used for dwelling or sleeping purposes are located.

C. Owner. The owner of land on which a mobile home may be placed is hereby defined as any person or corporation holding legal title thereto by deed, descent or devise or having an equitable interest therein under an agreement of sale, whether solely or as a tenant in common or joint tenant or tenant by the entirety, including a fractional or undivided interest in such land, but shall not include a lessee, tenant or person occupying such land, with or without the permission of the owner.

2. MOVEMENT OF MOBILE HOMES:

It shall be unlawful for any person to bring in or to transfer from one temporary or permanent location to another, a mobile home on any street or road or on any lot, tract of land or premises within Maurice River Township, unless as provided in this Ordinance and in the Development Regulations Ordinance of the Township of Maurice River or any amendments or supplements thereto.

3. PROHIBITION OF MOBILE HOME PARKS:

No person, partnership, corporation or other entity shall construct, alter or operate a mobile home park in Maurice River Township except as provided by Township Ordinance.

4. EXISTING MOBILE HOME PARKS:

Section 3 above shall not apply to the two existing mobile home parks which are now operating in Maurice River Township. Those mobile home parks shall be allowed to operate at existing capacity and shall not be allowed to expand their respective operations and shall be governed by the licensing procedures established by this Ordinance.

5. MOBILE HOME PARK LICENSES:

Licenses to operate existing mobile home parks shall be issued for a period of one (1) year and shall expire annually on the anniversary date of issue. No license or permit shall be transferable without the consent of the Township Committee. Said license shall be applied for by written application filed with the Township Committee. Such application shall set forth the full name and address of the applicant, the location or place of the premises in or at which the same is to be carried on, the total area of the ground space thereof and a diagram of the same and the total number of mobile homes parked. The Township Committee may designate the Zoning Officer and/or Housing Officer of Maurice River Township to do an inspection of the premises in question prior to the issuance of any license. Said designated official shall report to the Township Committee prior to the time that the licensing application is reviewed by the Township Committee and prior to the license being approved by the Township Committee. No license shall be approved by the Township Committee if the fees due under this Ordinance have not been paid by the licensee/applicant; nor shall the Township Committee issue any license under this Ordinance if any real estate taxes on the property upon which the mobile home park is operated remain unpaid.

6. SUSPENSION OF LICENSE:

The Township Committee may suspend or revoke any license for a mobile home park issued under the terms of this Ordinance for failure to comply with the terms thereof, or with any pertinent state law or regulation providing a public hearing, shall first be held on five (5) days written notice to the holder of such license.

7. PUBLIC HEALTH AND SAFETY:

In order to protect the public health, moral safety and welfare of the residents of this Township, the use and occupancy of any mobile home for dwelling, sleeping or business purposes, except in a licensed mobile home park, shall be permitted only in a manner as provided herein and in the Development Regulations Ordinance of the Township of Maurice River or any amendments or supplements thereto.

8. MOBILE HOME TAX ASSESSMENT:

A mobile home, not located within a mobile home park, and affixed to the land on which it is sited by a permanent

foundation or affixed to the land by a non-permanent foundation and connected to utility systems in such a manner so as to render the home habitable as a dwelling unit on a permanent basis shall be assessed for local taxes as real property together with the land on which it is situate and all appliances and equipment which are part of said mobile home shall be considered as fixtures for the purpose of determining the assessed value of the said property for tax purposes.

9. PERMIT TO REMOVE MOBILE HOME:

No person shall remove any such mobile home now or hereafter located in the Township without first obtaining a permit for this purpose from the Construction Official, the Zoning Officer or other official designated by the Township Committee. Such permit shall not be issued unless all real property taxes assessed thereon have been paid in full for the current tax year and receipt of the Tax Collector shall be sufficient evidence of such payment.

10. LIMITATIONS:

No variances, appeals, special use permits or conditional use permits shall be granted or heard permitting a mobile home in any district other than the Mobile Home Districts as provided in the Development Regulations Ordinance of Maurice River Township or its amendments and supplements.

11. MUNICIPAL SERVICE FEE:

A. For all mobile homes installed in a mobile home park within the Township, a Municipal Service Fee of FIFTY DOLLARS (\$50.00) per month or part of a month, for each mobile home space actually occupied shall be paid to the Township. The Municipal Service Fee has been determined by the Township Committee to be a reasonable fee to defray the cost of services provided by the Township. Payment of this license fee shall be made by the licensee to the Township's Chief Financial Officer, monthly, not later than the tenth (10<sup>th</sup>) day of the next preceding month following the end of each month, accompanied by a diagram prepared by the licensee on forms supplied by the Township's Chief Financial Officer showing the number of trailer spaces occupied during such month. The Construction Official or Zoning Officer of Maurice River Township or any other official designated by Resolution of the Township Committee shall furnish the Township Committee with a report of the number of spaces occupied in such mobile home park, if requested.

B. For the issuance of a permit to bring in or move or remove a mobile home within Maurice River Township, a fee of FIFTY DOLLARS (\$50.00) will be charged.

12. NON-APPLICABILITY PROVISION:

The provisions of this Ordinance shall not apply to the following:

A. A mobile home which is in transit on a public highway, provided that same shall not be continuously parked thereon for more than twenty-four (24) consecutive hours.

B. A mobile home which is used temporarily for an office, tool storage or as quarters for a watchman on any construction job or similar project for the duration thereof.

13. LAND LEASE PROHIBITION:

No person or persons, firm or corporation, shall rent or lease land to be used for the location of a mobile home or suffer or permit the same to be so used by any other such person except in a licensed mobile home park. In such case, the owner of such land and the tenant or occupant shall both be guilty of violation of this Ordinance.

14. PENALTY PROVISION:

Any person, firm or corporation who shall violate any terms or provisions of this Ordinance shall upon a conviction thereof be subject to imprisonment for a term not exceeding ninety (90) days or to a fine of not less than ONE HUNDRED DOLLARS (\$100.00) nor more than ONE THOUSAND DOLLARS (\$1,000.00) or both in the discretion of a Municipal Court Judge before whom such conviction is had. Each violation of any provision of this Ordinance or any law or of any rule or regulation of the local Board of Health or the State Department of Health shall constitute a separate offense. Each day that any offense continues to be in existence shall also be considered and constitute a separate offense.

15. INVALIDITY PROVISION:

In the event that any section or part of this Ordinance shall be held invalid or unconstitutional, such invalidity shall not be construed as impairing the force and

effect of the remainder of this Ordinance and the remainder shall remain valid.

16. REPEALER:

Ordinance #413 repealed Ordinance No. 226 and Ordinance No. 305 of Maurice River Township.

**BE IT FURTHER ORDAINED AND ENACTED** by the Township Committee of the Township of Maurice River, County of Cumberland and State of New Jersey that this Ordinance shall take effect immediately upon the adoption and publication of notice of adoption as prescribed by law.

INTRODUCTION: 02/17/11  
FINAL ADOPTION: 03/17/11