

**ASSEMBLY, No. 2260**

**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Assemblywoman YVONNE LOPEZ**

**District 19 (Middlesex)**

**SYNOPSIS**

Defines "mobile home park" as "multiple dwelling" for inspection purposes.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



A2260 LOPEZ

2

1 AN ACT concerning inspection of mobile home parks and amending  
2 and supplementing P.L.1967, c.76.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 3 of P.L.1967, c.76 (C.55:13A-3) is amended to read  
8 as follows:

9 3. The following terms whenever used or referred to in  
10 P.L.1967, c.76 (C.55:13A-1 et seq.) shall have the following  
11 respective meanings for the purposes thereof, except in those  
12 instances where the context clearly indicates otherwise:

13 (a) The term "act" shall mean P.L.1967, c.76 (C.55:13A-1 et  
14 seq.), any amendments or supplements thereto, and any rules and  
15 regulations promulgated thereunder.

16 (b) The term "accessory building" shall mean any building  
17 which is used in conjunction with the main building of a hotel,  
18 whether separate therefrom or adjoining thereto.

19 (c) (Deleted by amendment, P.L.2013, c.253.)

20 (d) The term "bureau" shall mean the Bureau of Housing  
21 Inspection in the Department of Community Affairs.

22 (e) (Deleted by amendment.)

23 (f) The term "commissioner" shall mean the Commissioner of  
24 Community Affairs.

25 (g) The term "department" shall mean the Department of  
26 Community Affairs.

27 (h) The term "unit of dwelling space" or the term "dwelling  
28 unit" shall mean any room or rooms, or suite or apartment thereof,  
29 whether furnished or unfurnished, which is occupied, or intended,  
30 arranged or designed to be occupied, for sleeping or dwelling  
31 purposes by one or more persons, including but not limited to the  
32 owner thereof, or any of the person's or persons' servants, agents or  
33 employees, and shall include all privileges, services, furnishings,  
34 furniture, equipment, facilities and improvements connected with  
35 the use or occupancy thereof.

36 (i) The term "protective equipment" shall mean any equipment,  
37 device, system or apparatus, whether manual, mechanical, electrical  
38 or otherwise, permitted or required by the commissioner to be  
39 constructed or installed in any hotel or multiple dwelling for the  
40 protection of the occupants or intended occupants thereof, or of the  
41 public generally.

42 (j) The term "hotel" shall mean any building, including but not  
43 limited to any related structure, accessory building, and land  
44 appurtenant thereto, and any part thereof, which contains 10 or  
45 more units of dwelling space or has sleeping facilities for 25 or  
46 more persons and is kept, used, maintained, advertised as, or held

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 out to be, a place where sleeping or dwelling accommodations are  
2 available to transient or permanent guests.

3 This definition shall also mean and include any hotel, motor  
4 hotel, motel, or established guesthouse, which is commonly  
5 regarded as a hotel, motor hotel, motel, or established guesthouse,  
6 as the case may be, in the community in which it is located;  
7 provided, that this definition shall not be construed to include any  
8 building or structure defined as a multiple dwelling in P.L.1967,  
9 c.76 (C.55:13A-1 et seq.), registered as a multiple dwelling with the  
10 Commissioner of Community Affairs as hereinafter provided, and  
11 occupied or intended to be occupied as such nor shall this definition  
12 be construed to include a rooming house or a boarding house as  
13 defined in the "Rooming and Boarding House Act of 1979,"  
14 P.L.1979, c.496 (C.55:13B-1 et al.) or, except as otherwise set forth  
15 in P.L.1987, c.270 (C.55:13A-7.5, 55:13A-7.6, 55:13A-12.1,  
16 55:13A-13.2), any retreat lodging facility, as defined in this section.

17 (k) The term "multiple dwelling" shall mean any building or  
18 structure of one or more stories and any land appurtenant thereto,  
19 and any portion thereof, in which three or more units of dwelling  
20 space are occupied, or are intended to be occupied by three or more  
21 persons who live independently of each other. This definition shall  
22 also mean and include any group of ten or more buildings on a  
23 single parcel of land or on contiguous parcels under common  
24 ownership, in each of which two units of dwelling space are  
25 occupied or intended to be occupied by two persons or households  
26 living independently of each other, and any land appurtenant  
27 thereto, and any portion thereof, and any mobile home park. This  
28 definition shall not include:

29 (1) any building or structure defined as a hotel in P.L.1967, c.76  
30 (C.55:13A-1 et seq.), or registered as a hotel with the Commissioner  
31 of Community Affairs as hereinafter provided, or occupied or  
32 intended to be occupied exclusively as such;

33 (2) a building section containing not more than four dwelling  
34 units, provided the building has at least two exterior walls  
35 unattached to any adjoining building section and the dwelling units  
36 are separated exclusively by walls of such fire-resistant rating as  
37 comports with the "State Uniform Construction Code Act,"  
38 P.L.1975, c.217 (C.52:27D-119 et seq.) at the time of their  
39 construction or with a rating as shall be established by the bureau in  
40 conformity with recognized standards and the building is held under  
41 a condominium or cooperative form of ownership, or by a mutual  
42 housing corporation, provided that if any units within such a  
43 building section are not occupied by an owner of the unit, then that  
44 unit and the common areas within that building section shall not be  
45 exempted from the definition of a multiple dwelling for the  
46 purposes of P.L.1967, c.76 (C.55:13A-1 et seq.). A condominium  
47 association, or a cooperative or mutual housing corporation shall  
48 provide the bureau with any information necessary to justify an

1 exemption for a dwelling unit pursuant to this paragraph; or

2 (3) any building of three stories or less, owned or controlled by  
3 a nonprofit corporation organized under any law of this State for the  
4 primary purpose to provide for its shareholders or members housing  
5 in a retirement community as same is defined under the provisions  
6 of the "Retirement Community Full Disclosure Act," P.L.1969,  
7 c.215 (C.45:22A-1 et seq.), provided that the corporation meets the  
8 requirements of section 2 of P.L.1983, c.154 (C.55:13A-13.1).

9 (l) The term "owner" shall mean the person who owns, purports  
10 to own, or exercises control of any hotel or multiple dwelling. The  
11 term "owner" shall also mean and include any person who owns,  
12 purports to own, or exercises control over three or more dwelling  
13 units within a multiple dwelling.

14 (m) The term "person" shall mean any individual, corporation,  
15 association, or other entity, as defined in R.S.1:1-2.

16 (n) The term "continuing violation" shall mean any violation of  
17 P.L.1967, c.76 (C.55:13A-1 et seq.) or any regulation promulgated  
18 thereunder, where notice is served within two years of the date of  
19 service of a previous notice and where violation, premise and  
20 person cited in both notices are substantially identical.

21 (o) The term "project" shall mean a group of buildings subject to  
22 the provisions of P.L.1967, c.76 (C.55:13A-1 et seq.), which are or  
23 are represented to be under common or substantially common  
24 ownership and which stand on a single parcel of land or parcels of  
25 land which are contiguous and which group of buildings is named,  
26 designated or advertised as a common entity. The contiguity of  
27 such parcels shall not be adversely affected by public rights-of-way  
28 incidental to such buildings.

29 (p) The term "mutual housing corporation" means a corporation  
30 not-for-profit incorporated under the laws of New Jersey on a  
31 mutual or cooperative basis within the scope of Title VI, s.607 of  
32 the "Lanham Public War Housing Act," 54 Stat. 1125, 42 U.S.C.  
33 s.1501 et seq., as amended, which acquired a National Defense  
34 Housing Project pursuant to said act.

35 (q) "Condominium" means the form of ownership so defined in  
36 the "Condominium Act," P.L.1969, c.257 (C.46:8B-1 et seq.).

37 (r) "Cooperative" means a housing corporation or association  
38 which entitles the holder of a share or membership interest thereof  
39 to possess and occupy for dwelling purposes a house, apartment or  
40 other structure owned or leased by said corporation or association,  
41 or to lease or purchase a dwelling constructed or to be constructed  
42 by said corporation or association.

43 (s) "Retreat lodging facility" means a building or structure,  
44 including but not limited to any related structure, accessory  
45 building, and land appurtenant thereto, and any part thereof, owned  
46 by a nonprofit corporation or association which has tax-exempt  
47 charitable status under the federal Internal Revenue Code and which  
48 has sleeping facilities used exclusively on a transient basis by

1 persons participating in programs of a religious, cultural or  
2 educational nature, conducted under the sole auspices of one or  
3 more corporations or associations having tax-exempt charitable  
4 status under the federal Internal Revenue Code, which are made  
5 available without any mandatory charge to such participants.

6 (t) "Manufactured home" means a dwelling unit that (1)  
7 consists of one or more transportable sections that are substantially  
8 constructed off-site and, if more than one section, are joined  
9 together on-site; (2) is built on a permanent chassis; and (3) is  
10 designed to be used, when connected to utilities, as a dwelling on a  
11 permanent or nonpermanent foundation.

12 (u) "Mobile home park" means a parcel of land, or two or more  
13 contiguous parcels of land under common ownership, containing  
14 three or more sites equipped or designed for the installation of  
15 manufactured homes.

16 (cf: P.L.2013, c.253, s.53)

17

18 2. Section 7 of P.L.1967, c.76 (C.55:13A-7) is amended to  
19 read as follows:

20 7. The commissioner shall issue and promulgate, in the manner  
21 specified in section 8 of P.L.1967, c.76 (C.55:13A-8), such  
22 regulations as the commissioner may deem necessary to assure that  
23 any hotel or multiple dwelling will be maintained in such manner as  
24 is consistent with, and will protect, the health, safety and welfare of  
25 the occupants or intended occupants thereof, or of the public  
26 generally.

27 Any such regulations issued and promulgated by the  
28 commissioner pursuant to this section shall provide standards and  
29 specifications for such maintenance materials, methods and  
30 techniques, fire warning and extinguisher systems, elevator  
31 systems, emergency egresses, and such other protective equipment  
32 as the commissioner shall deem reasonably necessary to the health,  
33 safety and welfare of the occupants or intended occupants of any  
34 units of dwelling space in any hotel or multiple dwelling, including  
35 but not limited to:

36 (a) Structural adequacy ratings;

37 (b) Methods of egress, including fire escapes, outside fireproof  
38 stairways, independent stairways, and handrails, railings, brackets,  
39 braces and landing platforms thereon, additional stairways, and  
40 treads, winders, and risers thereof, entrances and ramps;

41 (c) Bulkheads and scuttles, partitions, walls, ceilings and floors;

42 (d) Garbage and refuse collection and disposal, cleaning and  
43 janitorial services, repairs, and extermination services;

44 (e) Electrical wiring and outlets, and paints and the composition  
45 thereof;

46 (f) Doors, and the manner of opening thereof;

47 (g) Transoms, windows, shafts and beams;

48 (h) Chimneys, flues and central heating units;

- 1 (i) Roofing and siding materials;
- 2 (j) Lots, yards, courts and garages, including the size and  
3 location thereof;
- 4 (k) Intakes, open ducts, offsets and recesses;
- 5 (l) Windows, including the size and height thereof;
- 6 (m) Rooms, including the area and height thereof, and the  
7 permissible number of occupants thereof;
- 8 (n) Stairwells, skylights and alcoves;
- 9 (o) Public halls, including the lighting and ventilation thereof;
- 10 (p) Accessory passages to rooms;
- 11 (q) Cellars, drainage and air space;
- 12 (r) Water-closets, bathrooms and sinks;
- 13 (s) Water connections, including the provision of drinking and  
14 hot and cold running water;
- 15 (t) Sewer connections, privies, cesspools, and private sewers;
- 16 (u) Rain water and drainage conductors;
- 17 (v) Entrances and ramps; and
- 18 (w) Presence of lead-based paint hazards in multiple dwellings  
19 and in single-family and two-family dwellings, exclusive of owner-  
20 occupied dwelling units, subject to P.L.2003, c.311 (C.52:27D-  
21 437.1 et al.). In a common interest community, any inspection fee  
22 for and violation found within a unit which is solely related to this  
23 subsection shall be the responsibility of the unit owner and not the  
24 homeowners' association, unless the association is the owner of the  
25 unit.
- 26 (x) With respect to inspections in mobile home parks, the  
27 inspection shall be limited to compliance with regulations  
28 concerning plumbing and electrical hook-ups, water, sanitation,  
29 including septic systems, fire and safety hazards present on the  
30 grounds, and with the maintenance requirements established by the  
31 commissioner pursuant to P.L. , c. (C. )(now before the  
32 Legislature as this bill).  
33 (cf: P.L.2007, c.251, s.5)

34  
35 3. (New section) A municipality that elects to enforce  
36 P.L.1967, c.76 in mobile home parks, in accordance with either  
37 section 21 of P.L.1967, c.76 (C.55:13A-21) or subsection b. of  
38 section 3 of P.L.1987, c.30 (C.55:13A:13a), may do so subject to  
39 the requirements of the applicable section and the rules adopted by  
40 the commissioner pursuant thereto, regardless of whether the  
41 municipality is also enforcing P.L.1967, c.76 in multiple dwellings  
42 generally and in hotels.

43  
44 4. (New section) The commissioner shall adopt rules pursuant  
45 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-  
46 1 et seq.) necessary to effectuate P.L. , c. (C. ) (now pending  
47 before the Legislature as this bill), including establishing  
48 maintenance requirements for mobile home parks and establishing

1 fees necessary to cover the cost of enforcement of  
2 P.L. , c. (C. ) (now pending before the Legislature as this  
3 bill) in mobile home parks.

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5 5. This act shall take effect immediately.

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STATEMENT

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11 This bill would place mobile home parks under the provisions of  
12 the "Hotel and Multiple Dwelling Law," P.L.1976, c.76 (C.55:13A-  
13 1) in order to provide residents of mobile home parks with the same  
14 benefit of periodic inspection and code enforcement now provided  
15 by law to apartment residents. The main focus of inspections would  
16 be on such services as plumbing, water and electrical hook-ups,  
17 sanitation including septic systems, and grounds maintenance,  
18 including safety hazards and crowding.

19 The bill includes language limiting the scope of inspection in  
20 mobile home parks and clarifies the circumstances under which a  
21 municipality may undertake the inspection of mobile home parks.