

40:55D-100 to 40:55D-106

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40:55D-100 to 40:55D-106

("Affordable Housing Act of 1983" -
municipal regulation of manufactured
homes)

LAWS OF: 1983

CHAPTER: 386

Bill No: A3601

Sponsor(s): Riley and others

Date Introduced: June 13, 1983

Committee:

Assembly: -----

Senate: Labor, Industry and Professions

Amended during passage:

YES

Amendments during passage denoted
by asterisks.

Date of Passage:

Assembly: June 27, 1983

Senate: September 15, 1983

Date of Approval: November 16, 1983

Following statements are attached if available:

Sponsor statement:

YES

Committee statement:

Assembly

NO

Senate

YES

Fiscal Note:

NO

Veto Message:

NO

Message on Signing:

NO

Following were printed:

Reports:

YES

Hearings:

NO

974.90 New Jersey. Mobile Home Taxation Commission.
H842 Report...June 1983. Trenton,
1983b 1983.

(over)

RECEIVED
LEGISLATIVE HISTORY
SECTION
JULY 11 1983

974.90 New Jersey. Mobile Home Study Commission
H842 Report ... October, 1980. Trenton 1980
1980a (See especially pp 254-262; Appendix B)

rdv



11-16-83

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 3601

STATE OF NEW JERSEY

INTRODUCED JUNE 13, 1983

By Assemblymen RILEY, WOLF, DOYLE, MARSELLA, KARCHER,
HENDRICKSON, ROD and Assemblywoman COOPER

AN ACT concerning development regulations regarding manufactured homes and supplementing P. L. 1975, c. 291 (C. 40:55D-1 et seq.).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. This act shall be known and may be cited as "The Affordable
2 Housing Act of 1983."

1 2. The Legislature finds and declares that:

2 a. The housing needs of many New Jersey citizens remain unmet
3 each year, exemplified by the fact that, in recent years, only one-
4 half of the estimated annual need for new housing units has been
5 actually constructed.

6 b. The costs of conventional housing construction, mortgages,
7 land and utilities have increased tremendously in recent years
8 making it increasingly difficult for certain segments of the popula-
9 tion, notably the elderly, families with young children, unmarried
10 individuals, and young couples, to afford suitable conventional
11 housing.

12 c. Due to the conventional housing shortage in New Jersey, the
13 Legislature has a responsibility to encourage alternate means of
14 housing for New Jersey citizens.

15 d. The design, durability and appearance of manufactured hous-
16 ing has improved significantly over the last decade so that certain
17 styles of manufactured homes are difficult, if not impossible, to
18 distinguish from conventional homes, and yet only 400 of these
19 manufactured homes were sold Statewide during 1982.

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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Senate committee amendment adopted June 30, 1983.

20 e. Despite these significant improvements, there has not been a
 21 corresponding rapid escalation in the costs of manufactured homes,
 22 with the result that these homes remain affordable for the general
 23 population.

24 f. It is, therefore, in the public interest to promote the use of
 25 manufactured homes as affordable housing in New Jersey.

1 3. As used in this act:

2 a. "Commissioner" means the Commissioner of the Department
 3 of Community Affairs;

4 b. "Grade" means a reference plane consisting of the average
 5 finished ground level adjacent to a structure, building, or facility
 6 at all visible exterior walls;

7 c. "Manufactured home" means a unit of housing which:

8 (1) Consists of one or more transportable sections which
 9 are substantially constructed off site and, if more than one
 10 section, are joined together on site;

11 (2) Is built on a permanent chassis;

12 (3) Is designed to be used, when connected to utilities, as a
 13 dwelling on a permanent or nonpermanent foundation; and

14 (4) Is manufactured in accordance with the standards pro-
 15 mulgated for a manufactured home by the secretary pursuant
 16 to the "National Manufactured Housing Construction and
 17 Safety Standards Act of 1974," Pub. L. 93-383 (42 U.S.C.
 18 § 5401 et seq.) and the standards promulgated for a manu-
 19 factured or mobile home by the commissioner pursuant to the
 20 "State Uniform Construction Code Act," P. L. 1975, c. 217
 21 (C. 52:27D-119 et seq.);

22 d. "Mobile home park" means a parcel of land, or two or more
 23 parcels of land, containing no fewer than 10 sites equipped for the
 24 installation of manufactured homes, where these sites are under
 25 common ownership and control for the purpose of leasing each
 26 site to the owner of a manufactured home for the installation
 27 thereof, and where the owner or owners provide services, which are
 28 provided by the municipality in which the park is located for
 29 property owners outside the park, which services may include but
 30 shall not be limited to:

31 (1) The construction and maintenance of streets;

32 (2) Lighting of streets and other common areas;

33 (3) Garbage removal;

34 (4) Snow removal; and

35 (5) Provisions for the drainage of surface water from home
 36 sites and common areas.

37 A parcel, or any contiguous parcels, of land which contain, on

38 the effective date of this act, no fewer than three sites equipped
 39 for the installation of manufactured homes, and which otherwise
 40 conform to the provisions of this subsection, shall qualify as a
 41 mobile home park for the purposes of this act;

42 e. "Nonpermanent foundation" means any foundation consisting
 43 of nonmortared blocks, wheels, concrete slab, runners, or any com-
 44 bination thereof, or any other system approved by the commis-
 45 sioner for the installation and anchorage of a manufactured home
 46 on other than a permanent foundation;

47 f. "Off site construction of a manufactured home" or section
 48 thereof means the construction of that home or section at a location
 49 other than the location at which the home is to be installed;

50 g. "On site joining of sections of a manufactured home" means
 51 the joining of those sections at the location at which the home is to
 52 be installed;

53 h. "Permanent foundation" means a system of support installed
 54 either partially or entirely below grade, which is:

55 (1) Capable of transferring all design loads imposed by or
 56 upon the structure into soil or bedrock without failure;

57 (2) Placed at an adequate depth below grade to prevent
 58 frost damage; and

59 (3) Constructed of material approved by the commissioner;

60 i. "Runners" means a system of support consisting of poured
 61 concrete strips running the length of the chassis of a manufactured
 62 home under the lengthwise walls of that home;

63 j. "Secretary" means the Secretary of the United States
 64 Department of Housing and Urban Development; and

65 k. "Trailer" means a recreational vehicle, travel trailer, camper
 66 or other transportable, temporary dwelling unit, with or without
 67 its own motor power, designed and constructed for travel and
 68 recreational purposes to be installed on a nonpermanent foundation
 69 if installation is required.

1 4. A municipal agency may allow manufactured homes on land
 2 the title to which is owned by the manufactured homeowner.

1 5. A municipal agency shall not exclude or restrict, through its
 2 development regulations, the use, location, placement, or joining
 3 of sections of manufactured homes which are not less than 22 feet
 4 wide, are on land the title to which is held by the manufactured
 5 homeowner, and are located on permanent foundations, unless
 6 those regulations shall be equally applicable to all buildings and
 7 structures of similar use.

1 6. When reviewing and approving development regulations per-
 2 taining to residential development, a municipal agency ***[shall]***

3 **is to be encouraged to** review those regulations to determine
4 whether or not mobile home parks are a practicable means of pro-
5 viding affordable housing in the municipality.

1 7. Trailers shall not be subject to the provisions of this act.

1 8. This act shall take effect on January 1, 1984, but shall remain
2 inoperative until Assembly Bill No. 3600 of 1983, now pending
3 before the Legislature, is enacted.

3 those regulations to determine whether or not mobile home parks
4 are a practicable means of providing affordable housing in the
5 municipality.

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1 8. This act shall take effect on January 1, 1984, but shall remain
2 inoperative until Assembly Bill No. 3600 of 1983, now pending
3 before the Legislature, is enacted.

STATEMENT

This bill provides that restrictions placed by municipalities upon the use of manufactured homes not less than 22 feet wide (i.e. double-wide homes) and sited on a permanent foundation on land the title to which is held by the homeowner, may not exceed the restrictions placed on other buildings of similar use. The bill also requires a municipal agency, when reviewing development regulations pertaining to residential development, to determine if mobile home parks are a practicable means of providing affordable housing in the municipality.

These provisions are necessary considering the demand of New Jersey citizens for suitable and affordable housing. The number of conventional homes currently available cannot meet the demand, and, therefore, alternative means of housing are necessary. Given the variety, design, durability and appearance of manufactured homes available today, manufactured homes should be considered such an alternative means of housing.

A3601 (1983)

SENATE LABOR, INDUSTRY AND PROFESSIONS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 3601

with Senate committee amendments

STATE OF NEW JERSEY

DATED: JUNE 30, 1983

This bill provides that restrictions placed by municipalities upon the use of manufactured homes not less than 22 feet wide and sited on a permanent foundation on land owned by the manufactured homeowner, may not exceed the restrictions placed on other buildings of similar use.

The bill encourages a municipality, when reviewing development regulations pertaining to residential development, to determine if mobile home parks are a practicable means of providing affordable housing in the municipality.