

52:27D-121

LEGISLATIVE HISTORY CHECKLIST

NJSA: 52:27D-121

("Manufactured home or mobile home"
—clarify definition in Uniform
Construction Code.)

LAWS OF: 1983

CHAPTER: 388

Bill No: A3603

Sponsor(s): Riley and others

Date Introduced: June 13, 1983

Committee:

Assembly: -----

Senate: Labor, Industry and Professions

Amended during passage:

NO

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 (Below)

Committee statement:

Assembly

NO

Senate

YES

Fiscal Note:

NO

Veto Message:

NO

Message on Signing:

YES

Following were printed:

Reports:

NO

Hearings:

NO

Sponsors' Statement:

This bill clarifies the definition of "manufactured home or mobile home" for the purposes of the enforcement of the State Uniform Construction Code.

For background:

974.90 New Jersey. Legislature. Mobile Home Study Commission
H842 Report and recommendations... October, 1980.
1980a Trenton, 1980.

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ASSEMBLY, No. 3603

STATE OF NEW JERSEY

INTRODUCED JUNE 13, 1983

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

AN ACT concerning manufactured and mobile homes and amending
P. L. 1975, c. 217.

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

1 1. Section 3 of P. L. 1975, c. 217 (C. 52:27D-121) is amended to
2 read as follows:

3 3. Definitions. As used in this act unless the context clearly
4 indicates otherwise:

5 "Building" means, exclusive of a public school facility, a struc-
6 ture enclosed with exterior walls or fire walls, built, erected and
7 framed of component structural parts, designed for the housing,
8 shelter, enclosure and support of individuals, animals or property
9 of any kind.

10 "Business day" means any day of the year, exclusive of Satur-
11 days, Sundays, and legal holidays.

12 "Certificate of occupancy" means the certificate provided for in
13 section 15 of this act indicating that the construction authorized by
14 the construction permit has been completed in accordance with the
15 construction permit, the State Uniform Construction Code and any
16 ordinance implementing said code.

17 "Commissioner" means the Commissioner of Community Affairs.

17A "Code" means the State Uniform Construction Code.

18 "Construction" means the construction, erection, reconstruction,
19 alteration, conversion, demolition, removal, repair or equipping of
20 buildings or structures.

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.

21 "Construction board of appeals" means the board provided for
22 in section 9 of this act.

23 "Department" means the Department of Community Affairs.

24 "Enforcing agency" means the municipal construction official
25 and subcode officials provided for in section 8 of this act and
26 assistants thereto.

27 "Equipment" means plumbing, heating, electrical, ventilating,
28 air conditioning; refrigerating and fire prevention equipment, and
29 elevators, dumb waiters, escalators, boilers, pressure vessels and
30 other mechanical facilities or installations.

31 "Hearing examiner" means a person appointed by the commis-
32 sioner to conduct hearings, summarize evidence, and make findings
33 of fact.

34 "Maintenance" means the replacement or mending of existing
35 work with equivalent materials or the provision of additional work
36 or material for the purpose of the safety, healthfulness, and up-
37 keep of the structure and the adherence to such other standards
38 of upkeep as are required in the interest of public safety, health
39 and welfare.

40 "Manufactured home" or "mobile home" means [a vehicular, port-
41 able structure which is built on a chassis and designed to be used
42 without a permanent foundation as a dwelling for year round
43 rather than temporary occupancy when connected to required
44 utilities] *a unit of housing which:*

45 (1) *Consists of one or more transportable sections which are*
46 *substantially constructed off site and, if more than one section, are*
47 *joined together on site;*

48 (2) *Is built on a permanent chassis;*

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

51 (4) *Is manufactured in accordance with the standards promul-*
52 *gated for a manufactured home by the Secretary of the United*
53 *States Department of Housing and Urban Development pursuant*
54 *to the "National Manufactured Housing Construction and Safety*
55 *Standards Act of 1974," Pub. L. 93-383 (42 U.S.C. § 5401 et seq.)*
56 *and the standards promulgated by the commissioner pursuant to*
57 *P. L. 1975, c. 217 (C. 52:27D-119 et seq.).*

58 "Municipality" means any city, borough, town, township or
59 village.

60 "Owner" means the owner or owners in fee of the property or
61 a lesser estate therein, a mortgagee or vendee in possession, an
62 assignee of rents, receiver, executor, trustee, lessee, or any other
63 person, firm or corporation, directly or indirectly in control of a

64 building, structure, or real property and shall include any sub-
65 division thereof of the State.

66 "Premanufactured system" means an assembly of materials or
67 products that is intended to comprise all or part of a building or
68 structure, exclusive of a public school facility, and that is assembled
69 offsite by a repetitive process under circumstances intended to
70 insure uniformity of quality and material content.

71 "Public school facility" means any building or any part thereof
72 where the plans and specifications are submitted to, and approved
73 by, the State Board of Education pursuant to N. J. S. 18A:18-2.

74 "State sponsored code change proposal" means any proposed
75 amendment or code change adopted by the commissioner in accord-
76 ance with subsection c. of section 5 of this act for the purpose of
77 presenting such proposed amendment or code change at any of the
78 periodic code change hearings held by the National Model Code
79 Adoption Agencies, the codes of which have been adopted as sub-
80 codes under this act.

81 "Stop construction order" means the order provided for in
82 section 14 of this act.

83 "State Uniform Construction Code" means the code provided
84 for in section 5 of this act, or any portion thereof, and any modifica-
85 tion of or amendment thereto.

86 "Structure" means, exclusive of a public school facility, a com-
87 bination of materials to form a construction for occupancy, use,
88 or ornamentation whether installed on, above, or below the surface
89 of a parcel of land; provided, the word "structure" shall be con-
90 strued when used herein as though followed by the words "or
91 part or parts thereof and all equipment therein" unless the context
92 clearly requires a different meaning.

1 2. This act shall take effect immediately, but shall remain in-
2 operative until Assembly Bill Nos. 3355, 3601, and 3602 of 1983,
3 now pending before the Legislature, are enacted into law.

STATEMENT

This bill clarifies the definition of "manufactured home or mobile home" for the purposes of the enforcement of the State Uniform Construction Code.

SENATE LABOR, INDUSTRY AND PROFESSIONS
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3603

STATE OF NEW JERSEY

DATED: JUNE 30, 1983

This bill updates the definition of manufactured home and mobile home in the "State Uniform Construction Code Act."

OFFICE OF THE GOVERNOR

RELEASE: IMMEDIATE

CONTACT: PAUL WOLCOTT

THURSDAY, NOVEMBER 17, 1983

Governor Thomas H. Kean has signed legislation designed to encourage the growth of more affordable housing by prohibiting discrimination against manufactured housing in land use regulations.

The Governor signed three bills, A-3601, A-3602 and A-3603, all sponsored by Assemblyman Dennis L. Riley, D-Camden.

Manufactured housing, in the form of mobile homes and more permanent modular structures, has been identified by two separate legislative commissions as a viable method of meeting the demand for affordable housing in New Jersey.

A-3601, provides that manufactured housing units not less than 22 feet wide may not be subject to municipally imposed restrictions exceeding those for conventional housing.

A-3602, clarifies the point that only mobile homes not considered to be real property would be required to have a motor vehicle certificate of ownership. Currently all manufactured homes are considered motor vehicles and require a certificate of ownership. Under A-3600, also sponsored by Riley and now pending in the Legislature, specifies that manufactured homes not located in mobile home parks would be considered real property.

A-3603, revises the definition of manufactured home as one which consists of one or more transportable units which are substantially constructed off-site, which is built on a permanent chassis, is designed to be used as a dwelling on a permanent or non-permanent foundation and is manufactured in accordance with the standards promulgated pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974 and standards promulgated by the Commissioner of Community Affairs under the State Uniform Construction Code Act.
