

55:13A-3

LEGISLATIVE HISTORY CHECKLIST

NJSA 55:13A-3 (Define "mutual housing corporation")

Laws of 1976 Chapter 40

Bill No. S1406

Sponsor(s) Horn

Date Introduced April 26, 1976

Committee: Assembly -

Senate State Gov't., Federal & Interstate Relations & Veterans Affairs

Amended during passage Yes No

Date of passage: Assembly June 16, 1976

Senate June 3, 1976

Date of approval June 29, 1976

Following statements are attached if available:

Sponsor statement Yes No

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto message Yes No

Message on signing Yes No

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

Checked card catalog:
NJ-Hotels, taverns, etc.
NJ-Tenement-houses
NJ-Housing

DEPOSITORY COPY
Do Not Remove from Library

10/4/76

SENATE, No. 1406

STATE OF NEW JERSEY

INTRODUCED APRIL 26, 1976

By Senator HORN

Referred to Committee on State Government, Federal and
Interstate Relations and Veterans Affairs

AN ACT to amend the "Hotel and Multiple Dwelling Law," ap-
proved May 31, 1967 (P. L. 1967, c. 76), as said short title was
amended by P. L. 1970, c. 138.

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

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

3 3. The following terms whenever used or referred to in this act
4 shall have the following respective meanings for the purposes of
5 this act, except in those instances where the context clearly indicates
6 otherwise:

7 (a) The term "act" shall mean this act, any amendments or
8 supplements thereto, and any rules and regulations promulgated
9 thereunder.

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

13 (c) The term "board" shall mean the Hotel and Multiple Dwell-
14 ing Health and Safety Board created by subsection (a) of section
15 5 of this act in the Division of Housing and Urban Renewal of the
16 Department of Community Affairs.

17 (d) The term "bureau" shall mean the Bureau of Housing
18 Inspection in the Division of Housing and Urban Renewal of the
19 Department of Community Affairs.

20 (e) (Deleted by amendment.)

21 (f) The term "commissioner" shall mean the Commissioner of
22 the Department of Community Affairs.

23 (g) The term "department" shall mean the Department of
24 Community Affairs.

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

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

40 (j) The term "hotel" shall mean any building, including but not
41 limited to any related structure, accessory building, and land
42 appurtenant thereto, and any part thereof, which contains 10 or
43 more units of dwelling space or has sleeping facilities for 25 or
44 more persons and is kept, used, maintained, advertised as, or held
45 out to be, a place where sleeping or dwelling accommodations are
46 available to transient or permanent guests.

47 This definition shall also mean and include any motor hotel,
48 motel, or established guesthouse which is commonly regarded as
49 a motor hotel, motel, or established guesthouse, as the case may
50 be, in the community in which it is located; provided, that this
51 definition shall not be construed to include any building or structure
52 defined as a multiple dwelling in this act, registered as a multiple
53 dwelling with the Commissioner of Community Affairs as herein-
54 after provided, and occupied or intended to be occupied as such.

55 (k) The term "multiple dwelling" shall mean any building or
56 structure of one or more stories and any land appurtenant thereto,
57 and any portion thereof, in which three or more units of dwelling
58 space are occupied, or are intended to be occupied by three or more
59 persons who live independently of each other, provided, that this
60 definition shall not be construed to include any building or structure
61 defined as a hotel in this act, or, registered as a hotel with the Com-
62 missioner of Community Affairs as hereinafter provided, or occu-
63 pied or intended to be occupied exclusively as such; *nor shall this*
64 *definition be construed to include dwelling units of any mutual*
65 *housing corporation constructed under the Lanham Act (National*
66 *Defense Housing) PL 849, 76th Congress, 54 Stat. 1125, 42 USC*
67 *1521 et seq., as amended, on or before June 1, 1941.*

68 (l) The term "owner" shall mean the person who owns, purports
69 to own, or exercises control of any hotel or multiple dwelling.

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

72 (n) The term "continuing violation" shall mean any violation
73 of this act or any regulation promulgated thereunder where notice
74 is served within 2 years of the date of service of a previous notice
75 and where violation, premise and person cited in both notices are
76 substantially identical.

77 (o) The term "project" shall mean a group of buildings subject
78 to the provisions of this act which are or are represented to be
79 under common or substantially common ownership and which stand
80 on a single parcel of land or parcels of land which are contiguous
81 and which group of buildings is named, designated or advertised
82 as a common entity. The contiguity of such parcels shall not be
83 adversely affected by public rights-of-way incidental to such
84 buildings.

85 (p) *The term "mutual housing corporation" means a corpora-*
86 *tion not-for-profit incorporated under the laws of New Jersey on*
87 *a mutual or cooperative basis within the scope of Section 607 of*
88 *the Lanham Act (National Defense Housing) PL 849, 76th Con-*
89 *gress, 54 Stat. 1125, 42 USC 1521 et seq., as amended, which*
90 *acquired a National Defense Housing Project pursuant to said act.*

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to exempt dwelling units of mutual housing corporations constructed under the Lanham Act (National Defense Housing) P. L. 849, 76th Congress, 54 Stat. 1125, 42 USC 1521 et seq. from inspection under the "Hotel and Multiple Dwelling Law."

68 (l) The term "owner" shall mean the person who owns, purports
69 to own, or exercises control of any hotel or multiple dwelling.

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

72 (n) The term "continuing violation" shall mean any violation
73 of this act or any regulation promulgated thereunder where notice
74 is served within 2 years of the date of service of a previous notice
75 and where violation, premise and person cited in both notices are
76 substantially identical.

77 (o) The term "project" shall mean a group of buildings subject
78 to the provisions of this act which are or are represented to be
79 under common or substantially common ownership and which stand
80 on a single parcel of land or parcels of land which are contiguous
81 and which group of buildings is named, designated or advertised
82 as a common entity. The contiguity of such parcels shall not be
83 adversely affected by public rights-of-way incidental to such
84 buildings.

85 (p) *The term "mutual housing corporation" means a corpora-*
86 *tion not-for-profit incorporated under the laws of New Jersey on*
87 *a mutual or cooperative basis within the scope of Section 607 of*
88 *the Lanham Act (National Defense Housing) PL 849, 76th Con-*
89 *gress, 54 Stat. 1125, 42 USC 1521 et seq., as amended, which*
90 *acquired a National Defense Housing Project pursuant to said act.*

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to exempt dwelling units of mutual housing corporations constructed under the Lanham Act (National Defense Housing) P. L. 849, 76th Congress, 54 Stat. 1125, 42 USC 1521 et seq. from inspection under the "Hotel and Multiple Dwelling Law."

SENATE STATE GOVERNMENT, FEDERAL AND
INTERSTATE RELATIONS AND VETERANS
AFFAIRS COMMITTEE

STATEMENT TO
SENATE, No. 1406

STATE OF NEW JERSEY

DATED: MAY 24, 1976

This bill amends the "Hotel and Multiple Dwelling Law" (P. L. 1967, c. 76), so that one category of dwellings is deleted from the definitions section of the law (C. 55:13A-3) and, therefore, not subject to inspection under the law.

The dwellings so excluded are multiple dwellings managed by "mutual housing corporations" which were constructed under the "Lanham Act" (National Defense Housing). This kind of housing was constructed toward the end of World War II.

These structures are usually comprised of two to four units adjoining each other. Those which are two-dwelling units are already exempt from the provisions of the "Hotel and Multiple Dwelling Law." Each dwelling unit is a separate building facility. There are no common entrances, stairways or hallways. Each member of the mutual housing corporation is considered as the owner of his dwelling unit and the corporation reserves no right of entry to that unit.