

BOROUGH OF FRANKLIN

**AN ORDINANCE AMENDING CHAPTER 176 OF THE
FRANKLIN BOROUGH CODE, ARTICLE II “MOBILE HOME
PARK RENT STABILIZATION”**

ORDINANCE # 1-2010

WHEREAS, The Franklin Borough Mayor and Council desire to amend the existing “Mobile Homes” Ordinance contained in Chapter 176 of the Franklin Borough Code.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Franklin, that Chapter 176 “Mobile Homes”, Article II “Mobile Home Park Rent Stabilization is amended as follows:

Section 1. §176-22 “Adjustment of Utility and Municipal Charges” is amended as follows:

D. An application for an adjustment to the utility and municipal charges may be filed at the same time as an application for an automatic annual increase/decrease pursuant to §176-18.C. in order that the proposed utility and municipal charge adjustment can be considered simultaneously with the automatic increase/decrease application.

Section 2. §176-34.D(1) is repealed and replaced in its entirety as follows:

Every rent increase application, except applications for automatic annual increases/decreases under §176-18.C. and applications for adjustments to utility and municipal charges under §176-22, shall require a hearing. However, an automatic annual increase/decrease and/or an adjustment to utility and municipal charges shall require an application pursuant to this ordinance. A hearing may be required in the event that the Rent Leveling Board or its professionals detect an error or omission in the application and/or any materials submitted with the application that is not corrected by the applicant to the Board’s satisfaction within 14 days of the applicant being notified of the error or omission. Prior to the hearing, the applicant shall serve upon each tenant and shall post in a conspicuous place in or about the mobile home park a notice of the application setting forth the basis for the application and the date, time and location of the hearing. The notice must be served and posted at least 15 days before the proposed hearing date. A true copy of the notice of hearing shall be served either personally or by certified mail, return receipt requested, on each tenant affected by the increase. The applicant shall file a proof of service in affidavit form, including return receipts as applicable.

Section 3. Severability. If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

Section 4. Repealer. All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 5. Effective Date. This ordinance shall take effect after publication and passage according to law.

Paul Crowley, Mayor

ATTEST:

Patricia A. Leasure, Borough Clerk

NOTICE

TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Borough Council of the Borough of Franklin on January 12, 2010, and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of Franklin to be held on January 26, 2010, at 7:00 p.m. in the Municipal Building, 46 Main Street, Franklin, New Jersey.

Patricia A. Leasure, Borough Clerk

**BOROUGH OF FRANKLIN
LEGAL NOTICE**

ORDINANCE #1-2010

**AN ORDINANCE AMENDING CHAPTER 176 OF THE FRANKLIN
BOROUGH CODE, ARTICLE II "MOBILE HOME PARK RENT
STABILIZATION"**

NOTICE is hereby given that the above Ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Franklin, in the County of Sussex, State of New Jersey, held in the Municipal Building on the 12th day of January , 2010, and the same came up for final passage at a meeting of the said Borough Council on the 26th day of January, 2010, at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Borough according to law by order of the Borough Council of the Borough of Franklin, County of Sussex and State of New Jersey.

Patricia A. Leasure, Borough Clerk