

**BOROUGH OF FRANKLIN
ORDINANCE NO. 08-2017**

AN ORDINANCE AMENDING CHAPTER 176 "MOBILE HOMES", AND CHAPTER 119 "FEES", OF THE CODE OF THE BOROUGH OF FRANKLIN

WHEREAS, the Franklin Borough Mayor and Council desire to amend Chapter 176, the Borough's "Mobile Home" and Chapter 119 "Fees" as provided for in this Ordinance.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Franklin, in the County of Sussex and State of New Jersey as follows:

Section 1.

Section 176-13(D)(1), regarding the determination of the Municipal service fee, is amended to add the following at the end of the paragraph:

"In the event that the municipal service fee is changed the park owner shall be provided at least 30 days written notice of the approval of the new municipal service fee prior to the new fee becoming payable to the Borough."

Section 2.

Section 176-17 "Definitions", is amended as follows:

The definition of "Base Rent" is amended to delete the term "pad fee" and replace it with "municipal service fee, and sewer service charges/fees".

Section 3.

Chapter 176-22 "Adjustment of Utility and Municipal Charges", Section 176-22A is repealed and replaced as follows:

- A. Upon application, the Rent Leveling Board may grant a rent increase or reduction for adjustments in the landlord's expenses for non-municipally supplied utilities, including but not limited to solid waste and recycling removal and/or other services provided to the mobile home park. The Rent Leveling Board shall take into consideration the amount requested and the nature and amount of recently granted increases.

The balance of Ordinance 176-22 to the extent that it references "sewer charges, water charges, trash removal, real estate taxes" is omitted and replaced with "for non-municipally supplied utilities, included but not limited to solid waste and recycling removal and/or other services provided to the mobile home park".

Section 4.

Section 119-4 "Fees", "Chapter 176 "Mobile Homes", is amended as follows:

§176-13D(2) the existing municipal service fee is replaced as follows:

"Mobile home municipal service fee per month is \$57.00*

* The municipal service fee is comprised of the following: Solid Waste Disposal, \$18.00 and other municipal services, \$39.00"

Note that the previously included sewer service charges (\$55.67) have been removed from the municipal service fee and are billed to and are directly payable by the park owner and constitute a lien pursuant to N.J.S.A. 40A:26A-12.

Section 5. 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.

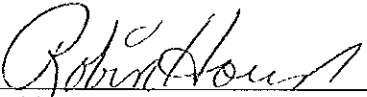
Section 6. Repealer.

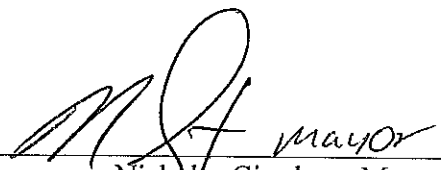
All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 7. Effective Date.

This ordinance shall take effect after publication and passage according to law. To the extent that the municipal service fee is being amended, the new municipal service fee shall become effective as provided for in Section 1 of this Ordinance.

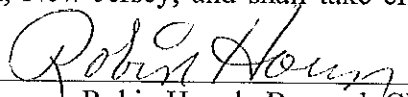
Attest:


Robin Hough, Municipal Clerk


Nicholas Giordano, Mayor

NOTICE

TAKE NOTICE that the above entitled Ordinance 08-2017 was introduced at a regular meeting of the Borough Council of the Borough of Franklin held on June 13, 2017, 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 June 27, 2017 at 7:00 p.m. in the Municipal Building, 46 Main Street, Franklin, New Jersey, and shall take effect according to law.


Robin Hough, Borough Clerk

**BOROUGH OF FRANKLIN
LEGAL NOTICE**

**ORDINANCE 08-2017
AN ORDINANCE AMENDING CHAPTER 176 "MOBILE HOMES" AND CHAPTER 119
"FEES", OF THE CODE OF THE BOROUGH OF FRANKLIN**

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 13th day of June, 2017, and the same came up for final passage at a meeting of the said Borough Council on the 27th day of June, 2017, 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.



Robin Hough, Municipal Clerk