

**TOWNSHIP OF WEYMOUTH
ATLANTIC COUNTY
NEW JERSEY**

ORDINANCE NO. 533-2014

**AN ORDINANCE AMENDING SECTION 173 (RENT CONTROL BOARD) OF THE CODE
OF THE TOWNSHIP OF WEYMOUTH**

WHEREAS, the Township Committee of the Township of Weymouth, Atlantic County, is of the opinion that the public interest will best be served by adopting an amendment to §173 of the Code of the Township of Weymouth;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Weymouth in the County of Atlantic, State of New Jersey, as follows:

1. Chapter 173 of the Code of the Township of Weymouth (Rent Control Board) is hereby amended as follows:

§173-26. Definitions.

(Note: Existing definitions not modified or deleted below shall remain unchanged.)

COMMUNITY-WIDE ISSUE

An issue or concern within a mobile home park or other discrete rental community negatively impacting over half of the residents of the mobile home park or rental community.

MUNICIPAL SERVICE FEE

A fee imposed on manufactured homes installed in a mobile home park for the purpose of reasonable payment for services rendered the owners of the manufactured homes by the Township of Weymouth or any other appropriate taxing authority within the Township of Weymouth established pursuant to an ordinance of the Township of Weymouth.

§173-27. Board created; membership; voting.

- A. No Change.
- B. The Board shall consist of five voting members and two non-voting delegates. The delegates shall consist of one designated representative of the landlords of the senior mobile home park(s) and one designated representative of the tenants of the senior mobile home park(s) located within the Township of Weymouth. The members shall be residents living in Weymouth Township who are neither landlords nor tenants. All of the members of said Board shall be appointed by the Township Committee. One of the members shall be appointed by the Township Committee at the time of his or her appointment to serve as Chairperson. The Board shall reorganize annually at its first meeting. All members shall serve without compensation. The Township Committee shall appoint three alternate members to serve in the event that a regular member is unable to serve, is disqualified from serving or is absent from a meeting. The alternate shall have the same qualifications for appointment as members.
- C. No Change.

- D. No Change.
- E. No Change.
- F. No Change.

§173-28. Jurisdiction and power of Board.

- A. No Change.
- B. No Change.
- C. To hold hearings and adjudicate objections from tenants regarding increased rent applications and to hear concerns from tenants regarding community-wide issues, as hereinafter provided.
- D. No Change.
- E. No Change.
- F. No Change.
- G. No Change
- H. No Change.

§173-29. Board hearings and determinations.

- A. The Rent Control Board shall hold hearings and/or make determinations upon applications or objections properly brought before the Board under the provisions of this article. The Board shall not be obligated to hold hearings on applications brought under §§ 173-32 and 173-33 of this chapter, but the Board shall be obligated to make the determinations on all requests for increases under all sections of this article at public meetings pursuant to the laws of the State of New Jersey. No increased rents may take effect pursuant to an application until after a Board makes its determination at a public meeting, and then only in accordance with the laws of the State of New Jersey governing landlord-tenant relations.
- B. No Change.
- C. No Change.
- D. The Board shall be obligated to hold formal hearings and take testimony on applications for rent increases brought before the board pursuant to §§ 173-32 through 173-36 of this chapter, but only upon written objection of 15% or more of the rental units affected by the application for the rent increase. The objections must be submitted to the Secretary of the Weymouth Township Rent Control Board (or Township Clerk, if no Secretary) in writing within 21 days of receipt of by the tenants of the notice of the application for increased rent from the landlord. Copies of the written objections shall be served by the tenant or the tenant's representative personally or by certified mail, return receipt requested, upon the landlord. All objections which arise out of the same transaction may be filed jointly, by petition or otherwise, and will be heard at a joint hearing.

- E. No Change.
- F. As part of the application for increases under §§ 173-32 and 173-33 of this chapter, the landlord shall provide the tenants with notice of the present rent, proposed increase, the basis for the increase and the proposed effective date of the increase. The notice shall also contain the following statement:

“IF YOU DO NOT FILE A WRITTEN OBJECTION REGARDING THIS APPLICATION WITH THE SECRETARY OF THE WEYMOUTH TOWNSHIP RENT CONTROL BOARD WITHIN 21 DAYS FROM THE DATE YOU RECEIVE THIS NOTICE, AND WRITTEN OBJECTIONS OF 15% OR MORE OF THE RENTAL UNITS AFFECTED BY THE APPLICATION FOR THE RENT INCREASE ARE SIMILARLY NOT FILED WITH THE SECRETARY OR THE WEYMOUTH TOWNSHIP RENT CONTROL BOARD WITHIN SAID TWENTY-ONE-DAY PERIOD AND THE TOWNSHIP RENT CONTROL BOARD MAKES THE DETERMINATION THAT THE CALCULATIONS SUPPORTING THE INCREASE ARE CORRECT, AND THE APPLICATION OTHERWISE COMPLIES WITH THE PROVISIONS OF THIS ORDINANCE, THE INCREASE MAY AUTOMATICALLY BE GRANTED AND YOU MAY NOT HAVE THE OPPORTUNITY TO PRESENT TESTIMONY TO THE BOARD.”

- G. No Change.
- H. No Change.
- I. No Change.
- J. If either of the non-voting delegates of the Rent Control Board wishes to discuss community-wide issues before the Rent Control Board, the delegate must contact the Chairman of the Board to request a meeting. The Chairman will then call a meeting of the entire Board. The Board Secretary will issue a public notice of any such meeting in accordance with §173-39 of this Chapter.

§173-32. Increase based upon adjustments made in social security payments.

- A. A landlord shall be entitled to one rental increase annually under the terms of this article. The rental increase must be requested by the landlord and shall take effect after the Board renders a determination concerning the application. The rent increase as determined by the Rent Control Board shall not exceed 100% of the percentage increase in social security payments established by the Social Security Administration in its most recently issued cost of living adjustment announcement. The total increase shall be divided into 12 equal payments and become effective to the tenant no less than 30 days after the Board makes a determination.
- B. No Change.
- C. No Change.

2. Severability.

If any Article, section, subdivision, sentence, clause or phrase of this Ordinance shall be held to be invalid for any reason, such decision shall not affect the remaining portions of this Ordinance.

3. Repealer; Exception.

All Ordinances or parts thereof or Resolutions inconsistent with the provisions of this Ordinance are hereby repealed to the extent of their inconsistency. Nothing in this Ordinance, however, shall affect the rights and tenure of any elected official.

4. When Effective.

This Ordinance shall take effect immediately following its advertisement, public hearing and adoption in accordance with the law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WEYMOUTH, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY, HELD ON AUGUST 6, 2014, IT WAS ADVERTISED AND THE SECOND READING AND PUBLIC HEARING WERE HELD ON AUGUST 20, 2014 AFTER WHICH TIME IT WAS FINALLY ADOPTED BY THE WEYMOUTH TOWNSHIP COMMITTEE.

WEYMOUTH TOWNSHIP

BY _____
Kenneth R. Haeser, Mayor

This is to certify that the foregoing Ordinance is an exact copy of an Ordinance which was duly adopted by the Weymouth Township Committee at a meeting of that body which was held on August 20, 2014.

Attest: _____
Bonnie Yearsley
Township Clerk

DATED: August 20, 2014