

**TOWNSHIP OF NEPTUNE**

**ORDINANCE NO. 26-13**

**AN ORDINANCE AMENDING CHAPTER 4-30 OF THE CODE OF THE TOWNSHIP OF NEPTUNE TO ESTABLISH A FIXED NUMERICAL RENT INCREASE LIMIT FOR COVERED DWELLING SITES IN MANUFACTURED HOME PARKS**

**WHEREAS**, P.L.2025, c.85 establishes a statewide limitation of three and one-half percent (3.5%) per twelve-month period on rent increases for covered dwelling sites in manufactured home parks; and

**WHEREAS**, State law permits municipalities to retain jurisdiction over covered dwelling sites if the municipality adopts a fixed numerical rent increase limit not exceeding three and one-half percent (3.5%) per twelve-month period; and

**WHEREAS**, the Township Committee desires to amend Chapter 4-30 of the Code of the Township of Neptune to conform to State law while preserving local administration and enforcement authority;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Neptune as follows:

**SECTION 1.** Amendment to § 4-30.1 (Definitions)

Section 4-30.1 is hereby amended to add the following definitions:

Covered dwelling site shall mean a parcel of land within a manufactured home park that is leased to the owner of a manufactured home, modular building, or industrialized building for living and dwelling purposes for tenancy on the site.

Manufactured home shall mean a structure constructed in accordance with applicable federal manufactured housing standards and designed for residential occupancy.

Manufactured home park shall mean a parcel of land, or two or more contiguous parcels of land, designed and improved such that the land contains two or more sites equipped for placement of manufactured homes, modular buildings, or industrialized buildings under common ownership and control, other than as a cooperative, for the purpose of leasing each site to the owner of such structure for installation thereon and where the owner provides services including, but not limited to, construction and maintenance of streets, lighting of common areas, garbage removal, snow removal, and drainage of surface water.

**SECTION 2.** Creation of § 4-30.2A – Covered Dwelling Sites (Manufactured Home Parks)

A new Section 4-30.2A is hereby added as follows:

4-30.2A Covered Dwelling Sites – Fixed Numerical Rent Increase Limit.

a. Notwithstanding any provision of § 4-30.2 or any other section of this Chapter to the contrary, the rent for a covered dwelling site in a manufactured home park shall not be increased by more than three and one-half percent (3.5%) over the rent charged during the prior twelve (12) month period.

b. Only one (1) rent increase per covered dwelling site shall be permitted within any twelve (12) month period.

c. Upon the voluntary, uncoerced, or court-authorized termination of a tenancy in which no tenant from the prior tenancy remains in lawful possession of the covered dwelling site, the landlord may establish the initial rent for the new tenancy. All subsequent increases shall be subject to subsection (a) of this section.

d. Any lease or agreement provision providing for an increase in excess of three and one-half percent (3.5%) within a twelve (12) month period shall be void and unenforceable.

e. Enforcement.

1. Any rent increase imposed in violation of this section shall be void and unenforceable.
2. The Rent Leveling Board shall have jurisdiction to hear and adjudicate complaints alleging violations of this section and to order appropriate relief consistent with this Chapter.
3. Violations shall be subject to the penalties set forth in § 4-32 of this Chapter.

f. Hardship and Capital Improvement Petitions.

1. A landlord of a covered dwelling site may petition the Neptune Township Rent Leveling Board for approval of a rent increase in excess of three and one-half percent (3.5%) upon submission of documentation demonstrating:

(a) Unanticipated increases in taxes, assessments, maintenance, utilities, insurance, management expenses, or costs associated with the abatement of hazardous conditions; or

(b) Capital improvements to the manufactured home park requiring the increase.

2. The landlord shall:

(a) Post notice of the petition in a conspicuous place within the manufactured home park;

(b) Serve each affected tenant personally or by certified mail with a copy of the petition and supporting documentation;

(c) Provide written notice of the hearing date at least ten (10) days prior to the hearing.

3. The Rent Leveling Board shall conduct a hearing and determine whether the requested increase is reasonable and necessary, taking into consideration:

(a) The documentation submitted by the landlord;

(b) The physical condition of the manufactured home park;

- (c) The landlord's operating expenses and profitability;
- (d) The arguments presented by affected tenants.

4. Any increase granted pursuant to this subsection shall be limited to the amount necessary to address the demonstrated need and shall not be unconscionable.

**SECTION 3. Amendment to § 4-30.2**

Section 4-30.2(b) is amended by adding the following sentence:

"This subsection shall not apply to covered dwelling sites in manufactured home parks, which shall instead be governed by § 4-30.2A."

**SECTION 4. Intent to Retain Municipal Jurisdiction.**

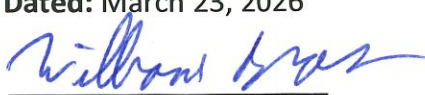
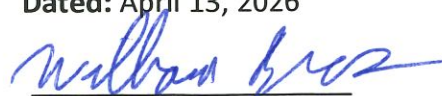
It is the intent of this Ordinance to establish a fixed numerical rent increase limit not exceeding three and one-half percent (3.5%) per twelve (12) month period for covered dwelling sites in order to retain municipal jurisdiction for implementation and enforcement of such provisions.

**SECTION 5. Severability.**

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect. It is hereby declared that the Township Committee would have adopted this Ordinance and each section, subsection, paragraph, sentence, clause, and phrase thereof irrespective of the fact that any one or more portions may be declared invalid.

**SECTION 6. Effective Date.**

This Ordinance shall take effect upon final passage and publication according to law and shall apply only to rent increases for covered dwelling sites noticed on or after the effective date of this Ordinance. Nothing herein shall be construed to apply retroactively.

Motion/ Second	Roll Call to Adopt on First Reading				Adopted on First Reading Dated: March 23, 2026
	YAY	NAY	ABSTAIN	ABSENT	
Moved	Robert Lane, Jr.	X			 William Bray, RMC, CMR Township Clerk
	Rev. Tassie York	X			
	Bryan Acciani	X			
Second	Derel Stroud	X			
	Kevin B. McMillan	X			
Motion/ Second	Roll Call to Adopt on Second and Final Reading				Adopted on Second Reading Dated: April 13, 2026
	YAY	NAY	ABSTAIN	ABSENT	
	Robert Lane, Jr.	X			 William Bray, RMC, CMR
Second	Rev. Tassie York	X			
Moved	Bryan Acciani	X			

Derel Stroud X  
Kevin B. McMillan X

Township Clerk

**Attest:**

William Bray, RMC, CMR  
Township Clerk

*William Bray*

Kevin B. McMillan  
Mayor

*Kevin B. McMillan*

Date: 7/14/2024