

§589. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1985, c. 390 (NEW).]

1. Blanket encumbrance. "Blanket encumbrance" means any mortgage, deed of trust, option to purchase, vendor's lien or interest under a contract or agreement of sale or other material financing lien or encumbrance granted by the membership camping operator which secures or evidences the obligation to pay money or to sell or convey any campgrounds located in this State which are made available to purchasers by the membership camping operator, or any portion thereof, and which authorizes, permits or requires the foreclosure or other disposition of the campground affected. [PL 1985, c. 390 (NEW).]

2. Campground. "Campground" means real property owned or operated by a membership camping operator which is available for camping by purchasers of membership camping contracts. [PL 1985, c. 390 (NEW).]

3. Camping site. "Camping site" means a space designed and promoted for the purpose of locating a trailer, tent, tent trailer, pickup camper or other similar device used for camping. [PL 1985, c. 390 (NEW).]

4. Membership camping contract. "Membership camping contract" means an agreement offered or sold within the State evidencing a purchaser's right or license to use the camping or outdoor recreation facilities of a membership camping operator in each of 3 or more years, including renewal options. [PL 1985, c. 390 (NEW).]

5. Membership camping contract broker. "Membership camping contract broker" means a person who resells a membership camping contract to a new purchaser on behalf of the prior purchaser. "Membership camping contract broker" does not include a membership camping operator or his agent. [PL 1985, c. 390 (NEW).]

6. Membership camping operator. "Membership camping operator" means any person who offers camping or outdoor recreational opportunities through the use of camping sites and who solicits membership camping contracts paid for in cash, by installment or periodic payments, including annual fees, by which the purchasers of memberships obtain the right to use camping sites or other camping or recreational facilities of the membership camping operator. "Membership camping operator" does not include manufactured housing communities as defined in Title 10, section 9081. A membership camping operator is not a landlord pursuant to the landlord and tenant laws as provided in Title 14. [PL 2017, c. 210, Pt. B, §40 (AMD).]

7. Person. "Person" means any individual, corporation, partnership, trust, association or other organization. [PL 1985, c. 390 (NEW).]

8. Purchaser. "Purchaser" means a person who enters into a membership camping contract and obtains the right to use the facilities of a membership camping operator. A purchaser is not a tenant pursuant to the landlord and tenant laws as provided in Title 14. [PL 2013, c. 209, §5 (AMD).]

9. Reciprocal program. "Reciprocal program" means any arrangement allowing purchasers to use camping sites, facilities or other properties owned or operated by any person other than the membership camping operator with whom the purchaser has entered into a membership camping contract. [PL 1985, c. 390 (NEW).]

10. Sale or sell. "Sale" or "sell" means entering into, or other disposition, of a membership camping contract for value, but the term of value does not include a fee to offset the reasonable costs of transfer of a membership camping contract.

[PL 1985, c. 390 (NEW).]

11. Seller. "Seller" means a membership camping operator.

[PL 1985, c. 390 (NEW).]

SECTION HISTORY

PL 1985, c. 390 (NEW). PL 2013, c. 209, §5 (AMD). PL 2017, c. 210, Pt. B, §40 (AMD).

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