

INITIAL STATEMENT OF REASONS
The Mobilehome Parks, Special Occupancy Parks, and Manufactured Housing
Regulations
California Code of Regulations
Title 25, Division 1. Housing and Community Development
Chapter 2. Mobilehome Parks and Installations
Chapter 2.2. Special Occupancy Parks
Chapter 3, Factory-Built Housing, Mobilehomes and Manufactured
Homes.

Program Overview

The Mobilehome Parks Act (MPA), Special Occupancy Parks Act (SOPA), and Manufactured Housing Act (MHA) were enacted for the benefit of mobilehome and special occupancy park owners, operators, and manufactured home (MH) residents to assure their health, safety and general welfare; to provide them a decent living environment, and to protect their investments in their manufactured homes, mobilehomes, multifamily manufactured homes and recreational vehicles.

The Manufactured Housing Program within the Department of Housing and Community Development (HCD) develops, administers, and enforces uniform statewide standards which assure owners, residents, and manufactured housing owners along with the users of mobilehome and special occupancy parks protection from risks to their health, safety and general welfare. HCD maintains responsibility for adopting and enforcing preemptive state regulations for the construction, use, maintenance, and occupancy of privately owned or operated mobilehome parks (MP), special occupancy parks (SOP), and manufactured housing (MH) and mobilehomes within California.

Specific Purpose of These Regulations.

California Code of Regulations (CCR), Title 25, sections affected by this rulemaking, and the specific purpose for each adoption or amendment contained in the proposed regulations, are set forth below.

Amendments to the mobilehome and special occupancy parks, and manufactured housing regulations are currently being proposed by HCD. The amendments include: amending the definitions, the reference for manufactured home installations and their accessory structures from the California "Building" Code to the California "Residential" Code, clarification of plan approvals by local government, extension procedures for permits, clarification of resident and park management responsibility within parks, electrical plan clarification, adjustment to footing tables to reflect the soil allowance of the California Residential Code, defining the use of fuel-burning appliances in cabana's and under awnings and the removal of antiquated, outdated references and updating current references for the alteration, addition or conversion of a mobile/manufactured home.

Additionally, amendments to manufactured housing regulations include: provisions for permit extensions to mirror the process within mobilehome parks, commercial modular installation allowances, and carbon monoxide alarms within manufactured housing.

Also included are nonsubstantive, technical and editorial changes.

Sections Affected:

- Add Chapter 2, sections 1142 and 1336.4, Chapter 2.2, section 2142, and Chapter 3, section 4041.5
- Amend Chapter 2, sections 1002, 1018, 1020.9, 1034, 1038, 1048, 1102, 1317, 1320, 1333, 1335.5, 1336.2, 1422, 1438, 1462, 1606, 1750 and 1752.
- Amend Chapter 2.2, sections 2002, 2018, 2020.9, 2034, 2038, 2048, 2102, 2112, 2317, 2327, 2328, 2422, 2438, 2496, 2750 and 2752.
- Amend Chapter 3, sections 4011, 4040, and 4050.

CONSIDERATION OF ALTERNATIVES

HCD did not consider any alternatives to the proposed action because no alternative would better provide the necessary clarification to the existing regulations. The proposed amendments are only to clarify existing regulations and do not impose additional requirements. Because of this, there are no alternatives available. Additionally, several of the amendments are duplicative of federal requirements that are added to these regulations for clarity and due to their federally preemptive status cannot have a state alternative.

ECONOMIC IMPACT ANALYSIS

HCD proposes to amend existing and add new regulatory language to provide clear and concise statewide preemptive standards. There is not cost involved in the implementation of these changes. These amendments only serve to clarify existing regulations or are restatements of federal requirements that are added here for clarity. HCD has determined that these proposed regulations are necessary to maintain consistency with the health and safety requirements throughout California for the protection of California manufactured home residents.

Creation or Elimination of Jobs Within the State

Since these amendments are only to clarify existing regulations, or are already mandated by federal requirements, they will have no impact on the creation or elimination of jobs in the state.

Creation, Elimination or Expansion of Businesses

Since these amendments are only to clarify existing regulations, or are already mandated by federal requirements, they will have no impact on businesses.

Health and Welfare Benefits for California Residents, Worker Safety and the State's Environment

HCD has determined that these proposed regulations present no benefits to worker safety or the state's environment.

Necessity for the Proposed Regulations.

CHAPTER 2. MOBILEHOME PARKS (MP) AND INSTALLATIONS

Amend Section 1002

Subsection (c), Paragraph (1) is amended to increase the flexibility for the use of a cabana. The text "living" is replaced with "usable" because a cabana may include areas other than living space. Additionally, the word "generally" is added because cabana's "generally" are used for habitation, but may be used for other types of areas. The language "*A cabana may include closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, storage spaces, utility rooms, and similar spaces*" is added to clarify some of the other types of areas that may be included in a cabana. These changes are necessary because often a homeowner wants to add on to their home for a closet, laundry, etc. and are prohibited because of the restrictive definition. It is not the intent to restrict the use of a cabana to increasing the size of a room or to create a room solely for living or sleeping.

The addition of the language limiting the total floor area of a cabana or cabanas on a lot to no more than the total floor area of the unit to which it is an accessory is necessary because the increase in size of usable area of a unit directly affects the use of park utilities and other park facilities. Limiting the floor area of a cabana or multiple cabanas to no more than that of the unit allows a reasonable increase in usable space without placing a severe burden on the park infrastructure by allowing a substantial increase in available occupant load. Additionally, a park is specifically designed as a manufactured home community and the addition of onsite constructed dwellings, which may exceed the size of the unit by several times, complicates issues of jurisdiction and use, and may cause the structure to actually be exempt from the Mobilehome Parks Act (see Health and Safety §18304) if the accessory structure becomes a separate dwelling.

Subsection (d), Paragraph (2) is amended by adding to the definition of "Dependent Units" to clarify that a camping cabin, which is prohibited from having plumbing (Health and Safety Code §18862.5) and tents which naturally do not have plumbing, are deemed "dependent units" and their occupants are dependent on the park's sanitary facilities.

Subsection (d), Paragraphs (3) and (4) are non-substantive grammatical amendments.

Subsection (d), Paragraph (5) is added to create the definition of a "dry camp" in the Mobilehome Parks Act. This is not a new definition and is the identical definition already

in the Special Occupancy Parks regulations in Chapter 2.2 of this Division. It is necessary to include it here because there are dry camping areas in some mobilehome parks.

Subsection (s), Paragraph 15 is added to define a “surcharge”. This is necessary to clarify the exact condition that results in an additional load being maintained by a retaining wall to determine when it becomes a “structural” wall requiring a permit and plans to determine its ability to carry those additional or “surcharge” loads.

Amend Section 1018

Subsection (d) Paragraph (8) of this section is amended by adding the condition “unless it is supporting a surcharge load.” This is necessary because when a surcharge is being maintained by a retaining wall that wall requires a permit and inspection to ensure it will adequately provide the soil retention requirements necessary for construction and soil capacity within the retained soil area.

Subsection (d) Paragraph (11) of this section is added to clarify that canvas or cloth awnings do not require a permit provided they meet the setback and separation requirement for all accessory structures. These types of awnings are temporary and because of their extremely lightweight construction do not impose measurable loads on the unit. However, they are flammable and must still comply with the fire setback and separation requirements contained in section 1428 of this chapter.

Amend Section 1020.9

Subsection (r) is amended to clarify that a local enforcement agency cannot require an original stamp or signature of the plan’s architect or engineer on plans approved HCD. The original stamp and/or signature is required to be submitted to the HCD under the authority granted by Health and Safety Codes sections 18300, 18551, 18552, 18613, and 18613.4 for foundations, accessory buildings and structures, MH-unit installations, and tiedowns respectively. Plans submitted and approved by HCD are approved statewide. This amendment is to clarify that a local jurisdiction does not have the authority to reinterpret plans approved under the authority of HCD.

Amend Section 1034

Title is amended to differentiate section 1034 from electrical plan check section that was removed from section 1142.

Subsection (c) is amended to clarify that when plans are required to be signed by an architect or engineer, “at the time of submission, the engineer’s stamp of approval must be current.” This is necessary because plans are based on the code in effect at the time of their approval and in order to ensure the current codes were applied the architect or engineer’s approval must also be current.

Subsections (g), (h), and (i) have been relocated to Article 3, Electrical Requirements, section 1142 to make the requirement easier to locate. The relocated sections specifically referred to plans for electrical systems. The requirements have been moved without amendments to the text of the regulation.

Subsection (k) has been relocated to Article 9, Accessory Buildings and Structures, section 1422. The relocated section specifically referred to the reinstallation of a used awning, an accessory structure that is referenced in Article 9 will be easier to locate.

Amend Section 1038

Subsection (a) is amended to explain that a permit to construct “may be extended up to three (3) times”. The text “Each extension shall be limited to six (6) months.” was added to clarify the extension time. Health and Safety Code section 18509 authorizes HCD to extend construction permits for a reasonable time and since it states that permits for construction expire in six (6) months, six (6) months is a reasonable extension. Additionally, the initial permit may be extended only once if the work has not commenced. This is necessary because if weather or financial conditions prohibit starting work within six (6) months, the entire permit and approval process must be repeated. This action greatly increases the costs to residents, contractors and developers. By allowing one permit extension, the time to commence work is extended to one year. This allows additional time for the applicant, but ensures the approved plans are not antiquated. As the previous regulation stated, the limit on the extension of permits is set at a maximum of two (2) years. This time limit is set to ensure approved plans are not out of date by the time the construction project is completed.

Amend Section 1048

Subsection (a) is amended to clarify that a person that obtains a permit to construct is responsible for requesting the initial inspection and any subsequent re-inspections. This is necessary to ensure the project has been properly approved by the enforcing agency.

Subsection (b) is amended to clarify that “progress inspections” are required for the items of the work following the subsection (b). It is also amended by re-lettering the subsection to bring the conditions in paragraphs (1) through (3) within the parameters of subsection (b).

Subsection (c) is re-lettered due to the addition of subsection (b) above and the word “progress” is added to clarify the type of inspection.

Amend Section 1102

Subsection (a) of this section is amended to clarify the responsibility for lot utilities and the connections to those utilities. This amendment is necessary because of repeated requests from park operators and residents for a clear delineation of responsibility for the lot utilities and their connections. The text “When not owned by the serving utility...” is included because Public Utilities Code section 2791 requires parks constructed after January 1, 1997, to have the gas and electrical utilities owned, operated, and maintained by the serving utility.

Subsection (b) is amended by adding the word “appurtenances”. This is necessary to clarify the responsibility of not just the unit, accessory buildings or structures, or building components, but also any appurtenances that are on the lot. Examples of this may be air conditioning units, coolers, watering systems, and auxiliary drainage systems.

Adopt Section 1142

This section is a relocation of the design and plan requirements for electrical systems from Article 3, Electrical Requirements, section 1034, subsections (g), (h), and (i). The relocated section specifically relates to electrical systems and will be easier to locate. Other than re-lettering because of the change in location, there are no substantial amendments to the text.

Amend Section 1180

Subsection (a) of this section is amended to clarify the corresponding volt-ampere to be associated with the specified 100-ampere rating and section 1140 of this chapter already requires a 120/240 volt secondary system. This is necessary to make the clarification that the 100 ampere load must equal 24,000 volt-amperes. This is also to distinguish the differences in current flow for different transformers. A “delta” transformer will produce 240 volts with a 100 ampere load equals 24,000 volt-amperes, while a “wye” transformer will only produce 208 volts resulting in a load of only 20,800 volt amperes.

Amend Section 1317

Subsection (c)(5)(B) and (c)(6) are amended by changing the term water “supplier” to water “district”. This is necessary because often a park has a well and is its own supplier. The intent of the requirement is to have a qualified, impartial, third party perform the hydrant testing every five years. A park owner/operator is not qualified to perform the water flow testing requirements and the term “supplier” implies that they may perform and certify the test.

Amend Section 1320

Subsection (h) is amended to allow a commercial modular to be installed on a support system similar to a MH-unit. An MH-unit support system will adequately support a commercial modular and is often the system of choice for temporary installations such as a commercial modular used at construction sites. A foundation system is much more expensive and is often unnecessary. This amendment provides the local jurisdiction the ability to allow a temporary support system for a commercial modular.

Amend Section 1333

Subsection (b) is amended to remove the reference to a commercial modular. This is necessary because the foundation requirements for a manufactured home and a commercial modular utilize different building standards. The adoption of the California Residential Code January 1, 2011, separated the foundation requirements for one and two-family dwellings from the requirements for commercial buildings. Manufactured homes are single family dwellings and their foundation systems are subject to the California Residential Code. Commercial modular foundations are subject to the requirements of the California Building Code. Additionally, the term “permanent buildings” is replaced with “dwellings” to clarify that the intent of this subsection is to specifically refer to foundations for dwellings.

Subsection (c) is added to stipulate the standard for commercial modular foundations. It is a duplication of the previous subsection (b) with the references to MH-units removed. As noted above, this is necessary because the foundation requirements for a

manufactured home and a commercial modular utilize different building standards. The adoption of the California Residential Code January 1, 2011, separated the foundation requirements for one and two-family dwellings from the requirements for commercial buildings. Manufactured homes are single family dwellings and their foundation systems are subject to the California Residential Code. Commercial modular foundations are subject to the requirements of the California Building Code.

Subsections (d) through (k) have been re-lettered because of the addition of the new subsections (c) and (g).

Subsection (g) is amended to clarify that a local enforcement agency cannot require an original stamp or signature of the plan's architect or engineer on foundation plans approved by HCD. The original stamp and/or signature is required to be submitted to HCD under the authority granted by Health and Safety Code section 18551 for foundations. Plans submitted and approved by HCD are approved statewide. This amendment is to clarify that a local jurisdiction does not have the authority to reinterpret plans approved under the authority of HCD.

Subsection (l) is added to ensure compliance with the requirements of both the HUD Manufactured Home Procedural and Enforcement Regulations – Title 24 of the Code of Federal Regulations, Part 3285, the manufactured home model installation standards, and the Federal Emergency Management Agency (FEMA) requirements for manufactured home installations in floodplains contained in Title 44, Part 60. The language is duplicative of Title 24 of the Code of Federal Regulations, Part 3285, Section 3285.302 and reiterates the requirements contained in 24CFR 60.3.

Subsection (l)(2) is added because section 1020.9 of this Chapter requires a 180-day notification of changes to regulations that impact plans that have a Department Standard Plan Approval.

Amend Section 1335.5

Table 1335.5-1 is amended to reflect the changes in soil rating. In 2009, the standard soil rating was updated from 1,000 pounds per square foot (psf), to 1,500 psf. The amendment is necessary to bring the section into compliance with the standard soil ratings of both the California Residential Code and the federal Model Manufactured Home Installation Standards contained in the Code of Federal Regulations, Title 24, Part 3285; the federal code establishes standards under which all new manufactured homes are installed.

Amend Section 1336.2

Subsection (a) paragraph (2) is amended to reflect the changes in the standard soil rating that were updated from 1,000 pounds psf to 1,500 psf. The change is necessary to correct the reference for tiedowns contained in the California Residential Code, the applicable reference code for tiedowns of manufactured homes. Additionally the referenced table is updated to the applicable classification table contained in the Residential code.

Add Section 1336.4

Sections (a) and (b) are added to ensure compliance with the requirements of both the HUD Manufactured Home Procedural and Enforcement Regulations – Part 3285, the manufactured home model installation standards, and the Federal Emergency Management Agency (FEMA) requirements for installations in floodplains contained in Title 44, Part 60. The language is duplicative of Title 24 of the Code of Federal Regulations, Part 3285, Section 3285.302 and reiterates the requirements in 44CFR 60.3.

Subsection (c) is added because all tiedown plans have a Department Standard Plan Approval and section 1020.9 of this Chapter requires a 180-day notification of changes to regulations that impact that Standard Plan Approval.

Amend Section 1422

Subsection (b) is amended by adding the word “fee.” This is necessary because of the addition of subsection (c) and to clarify the fee requirement is for accessory building or structure or building component.

Subsection (c) is a relocation of the requirements to reinstall a used awning that were contained in section 1034, subsection (k). The relocated section specifically relates to the reinstallation of a used awning, an accessory structure and in order to make the provisions of this subsection easier to locate, the text was relocated to this section of Article 9, the article on Accessory Buildings and Structures. Other than re-lettering the subsection because of its new location and some very minor grammatical amendments, there were no other changes.

Subsections (d) and (e) have been re-lettered because of the addition of subsection (c).

Amend Section 1438

Subsection (a) amends the letter sequence because of the addition of subsection (b).

Subsection (b) has been added to clarify that no cooking or heating appliances may be installed in an awning enclosure. Awning enclosures are for outdoor recreational use only. They are primarily constructed to provide shade and limit insects while providing an outdoor experience. They are lightly constructed and do not meet the requirements for habitable rooms. As such, they are prohibited from being converted into habitable living areas. The addition of cooking and heating equipment could make an awning enclosure be perceived as habitable space. Additionally, because awning enclosures do not meet any of the structural, electrical, or energy requirements of habitable rooms, it must be clear that cooking and heating equipment are not permitted in awning enclosures.

Amend Section 1462

A cabana is a habitable room that increases the usable area of a MH-unit and may be used for a bedroom. Until recently, a gas-fired water heater or furnace could not be installed in a bedroom. The technology of sealing gas-fired appliances has been developed and is now being routinely safely manufactured and installed. The previous hazard of installing a fuel-burning appliance in a bedroom is no longer present if

installed properly. To provide more flexibility in the regulations and because Health and Safety Code section 18252 encourages the use of new technologies, it is proposed to allow properly installed fuel-burning appliances to be installed in a cabana.

Title is amended to reflect the added sections (b) and (c) which relate to fuel burning equipment.

Subsection (a) is newly lettered because of the addition of subsections (b) and (c).

Subsection (b) is added to allow fuel burning water heaters in a cabana provided the installation complies with Chapter 5, California Plumbing Code requirements for installations in bedrooms and bathrooms.

Subsection (c) is added to allow fuel burning furnaces in a cabana provided the installation complies with Chapter 9, California Mechanical Code requirements for installations in bedrooms and bathrooms contained in of that code.

Amend Section 1606

Subsection (l) is added to this section to reflect the change in the manufactured housing regulations. Effective July 1, 2012, CCR, Title 25, Chapter 3, section 4362 was amended to require carbon monoxide (CO) alarms in all manufactured homes that contain fossil-fuel burning appliances or an attached garage. Because these alarms are now necessary, it is necessary to include the lack of an operable CO alarm as a condition of a substandard unit.

Amend Section 1750

Subsection (b) is amended to clarify that a request for an informal conference shall not delay the correction of immediate risks to life, health, or safety. Health and Safety Code (HSC) section 18420 requires the enforcement agency to issue a notice of violation immediately for "imminent hazards representing an immediate risk to life, health, or safety and requiring immediate correction." This amendment is necessary to clarify that when a violation exists that requires immediate correction, the violation must be corrected within the time allowed and cannot be further delayed by requesting an informal conference.

Subsection (c) is re-lettered to reflect the addition of subsection (b).

Amend Section 1752

Subsection (b) is amended to clarify the request for an informal conference must be within 10 working days of the "original" notice of violation "for a specific violation." HSC 18420 requires the enforcement agency to issue multiple notices for a violation that has not been corrected. This is necessary to clarify that the issuance of a second notice for the same violation does not restart the time limit for requesting an informal conference.

CHAPTER 2.2, SPECIAL OCCUPANCY PARKS REGULATIONS

Amend Section 2002

Subsection (c), Paragraph (1) is amended to increase the flexibility for the use of a cabana. The text “living” is replaced with “usable” because a cabana may include areas other than living space. Additionally, the word “generally” is added because cabana’s “generally” are used for habitation, but may be used for other types of areas. The language “*A cabana may include closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, storage spaces, utility rooms, and similar spaces*” is added to clarify some of the other types of areas that may be included in a cabana. These changes are necessary because often a homeowner wants to add on to their home a closet, laundry, etc. and are prohibited because of the restrictive definition. It is not the intent to restrict the use of a cabana to increasing the size of a room or to create a room solely for living or sleeping.

The addition of the language limiting the total floor of a cabana or cabanas on a lot to no more than the total floor area of the unit to which it is an accessory is necessary because the increase in size of useable area of a unit directly affects the use of park utilities and other park facilities. Limiting the floor area of a cabana or multiple cabanas to no more than that of the unit allows a reasonable increase in usable space without placing a severe burden on the park infrastructure by allowing a substantial increase in available occupant load. Additionally, a park is specifically designed as a special occupancy park and the addition of onsite constructed dwellings, which may exceed the size of the unit by several times, complicates issues of jurisdiction and use, and may cause the structure to actually be exempt from the Special Occupancy Parks Act (see Health and Safety Code §18865.5) if the accessory structure becomes a separate dwelling.

Subsection (d), Paragraph (2) is amended by adding to the definition of “Dependent Units” to clarify that a camping cabin, which is prohibited from having plumbing (Health and Safety Code §18862.5) and tents which naturally do not have plumbing, are deemed “dependent units” and their occupants are dependent on the park’s sanitary facilities.

Subsection (d), Paragraphs (3) and (4) are amended grammatically with no additional change to the text of the paragraphs.

Subsection (s), Paragraph 15 is added to define a “surcharge”. This is necessary to clarify the exact condition that results in an additional load being maintained by a retaining wall to determine when it becomes a “structural” wall requiring a permit and plans to determine its ability to carry those additional or “surcharge” loads.

Amend Section 2018

Subsection (d) Paragraph (8) is amended by adding the condition “unless it is supporting a surcharge.” This is necessary because when a surcharge is being maintained by a retaining wall that wall requires a permit and inspection to ensure it will adequately provide the soil retention requirements necessary for construction and soil capacity within the retained soil area.

Subsection (d) Paragraph (9) of this section is added to clarify that canvas or cloth awnings do not require a permit provided they meet the setback and separation requirement for all accessory structures. These types of awnings are temporary and because of their extremely lightweight construction do not impose measurable loads on the unit. However, they are flammable and must still comply with the fire setback and separation requirements contained in section 2428 of this chapter.

Amend Section 2020.9

Subsection (r) is amended to clarify that a local enforcement agency cannot require an original stamp or signature of the plan's architect or engineer on plans approved by HCD. The original stamp and/or signature is required to be submitted to HCD under the authority granted by Health and Safety Codes sections 18865 and 18871.3 for accessory buildings and structures. Plans submitted and approved by HCD are approved statewide. This amendment is to clarify that a local jurisdiction does not have the authority to reinterpret plans approved under the authority of HCD.

Amend Section 2034

Title is amended to differentiate section 2034 from electrical plan check section that was removed from section 2142.

Subsection (c) is amended to clarify that when plans are required to be signed by an architect or engineer, "at the time of submission, the engineer's stamp of approval must be current." This is necessary because plans are based on the code in effect at the time of their approval and in order to ensure the current codes were applied the architect or engineer's approval must also be current.

Subsections (g), (h), and (i) have been relocated to Article 3, Electrical Requirements, section 1142 to make the requirement easier to locate and because the relocated sections specifically referred to plans for electrical systems. The requirements have simply been moved without amendments to the text of the regulation.

Subsection (k) has been relocated to section 2422. The relocated section specifically referred to the reinstallation of a used awning, an accessory structure that is referenced in Article 9, Accessory Buildings and Structures in order to make the provisions easier to locate.

Amend Section 2038

Subsection (a) is amended to explain that a permit to construct "may be extended up to three (3) times". The text "Each extension shall be limited to six (6) months." was added to clarify the extension time. Health and Safety Code section 18870.10 authorizes HCD to extend construction permits for a reasonable time and since it states that permits for construction expire in six (6) months, six (6) months is a reasonable extension. Additionally, the initial permit may be extended only once if the work has not commenced. This is necessary because if weather or financial conditions prohibit starting work within six (6) months, the entire permit and approval process must be repeated. This action greatly increases the costs to residents, contractors and developers. By allowing one permit extension, the time to commence work is extended

to one year. This allows additional time for the applicant, but ensures the approved plans are not antiquated. As the previous regulation stated, the limit on the extension of permits is set at a maximum of two (2) years. This time limit is set to ensure approved plans are not out of date by the time the construction project is completed.

Amend Section 2048

Subsection (a) is amended to clarify that a person that obtains a permit to construct is responsible for requesting the initial inspection and any subsequent re-inspections. This is necessary to ensure the project has been properly approved by the enforcing agency.

Subsection (b) Subsection (b) is amended to clarify that “progress inspections” are required for the items of the work following the subsection (b). It is also amended by re-lettering the subsection to bring the conditions in paragraphs (1) through (3) within the parameters of subsection (b).

Subsection (c) is re-lettered due to the addition of subsection (b) above.

Amend Section 2102

Subsection (a) of this section is amended to clarify the responsibility for lot utilities and the connections to those utilities. This amendment is necessary because of repeated requests from park operators and residents for a clear delineation of responsibility for the lot utilities and their connections. The text “When not owned by the serving utility...” is included because Public Utilities Code section 2791 requires parks constructed after January 1, 1997, to have the gas and electrical utilities owned, operated, and maintained by the serving utility.

Subsection (b) is amended by adding the word “appurtenances”. This is necessary to clarify the responsibility of not just the unit, accessory buildings or structures, or building components, but also any appurtenances that are on the lot. Examples of this may be air conditioning units, coolers, watering systems, and auxiliary drainage systems.

Amend Section 2112

Subsection (c), paragraph (7) is amended to clarify that “dry” camps are not required to have sanitary facilities similar to a tent camp. This amendment is necessary to remain consistent with the definition of a “dry camp” in section 2002, which specifies that a dry camp is a camp without water.

Adopt Section 2142

This section is a relocation of the design and plan requirements for electrical systems from section 2034, subsections (g), (h), and (i). The relocated sections specifically relate to electrical systems; therefore, it is relocated to Article 3, Electrical Requirements, to make it easier to locate. Other than re-lettering because of the change in location, there are no substantial amendments to the text.

Amend Section 2317

Subsection (c)(5)(B) and (c)(6) are amended by changing the term water “supplier” to water “district”. This is necessary because often a park has a well and is its own

supplier. The intent of the requirement is to have a qualified, impartial, third party perform the hydrant testing every five years. A park owner/operator is not qualified to perform the water flow testing requirements and the term “supplier” implies that they may perform and certify the test.

Amend Section 2327

Subsection (c) is amended by removing the specific reference to section 907.2.10.1.1 of the California Building Code (CBC). This is necessary because this section has been changed in the CBC. The reference is now to the broader CBC chapter on smoke alarms because depending on the use of the Camping Cabin it may change the occupancy and be subject to a different section of the CBC. Additionally, this will eliminate additional amendments if the reference code were to change.

Subsection (e) is amended by removing the text “for parking, path of travel and access up to the camping cabin.” The removal of this language is necessary because when a camping cabin is required to meet the accessibility requirements for the disabled, the entire area of the camping cabin is required to be accessible not just the path up to it. Removing this language clarifies that the entire cabin must comply with the accessibility requirements.

Amend Section 2328

Subsection (a) is re-lettered because of the addition of subsection (b).

Subsection (b) is added to clarify that even when two adjacent lots share lot utilities, the units on those lots must still maintain the required separations established for a lot. Shared utilities occur in recreational vehicle parks and it needs to be clarified that the required fire separations for units on adjacent lots must be maintained.

Amend Section 2422

Subsection (b) is amended is amended by adding the word “fee.” This is necessary because of the addition of subsection (c) and to clarify the fee requirement is for accessory building or structure or building component.

Subsection (c) is a relocation of the requirements to reinstall a used awning that were contained in section 2034, subsection (k). The relocated sections specifically relate to the reinstallation of a used awning, an accessory structure, and in order to make the provisions of this subsection easier to locate, the text was relocated to this section of Article 9, the article on Accessory Buildings and Structures. Other than re-lettering the subsection because of its new location, there were no other changes.

Subsections (d) through (f) have been re-lettered because of the addition of subsection (c).

Amend Section 2438

Subsection (a) has been amended by deleting the previous language that prohibited fuel-burning appliances in accessory buildings or structures and replaced it with language directing the user to the requirements in the California Mechanical Code for proper installation. The original intent for prohibiting fuel burning appliances was for

safety in often totally enclosed areas. However, as long as the appliance is properly and safely installed, there is no hazard.

Subsection (b) has been added to clarify that no cooking or heating appliances may be installed in an awning enclosure. Awning enclosures are for outdoor recreational use only. They are primarily constructed to provide shade and limit insects while providing an outdoor experience. They are lightly constructed and do not meet the requirements for habitable rooms. As such, they are prohibited from being converted into habitable living areas. The addition of cooking and heating equipment could make an awning enclosure be perceived as habitable space. However, because the enclosure does not meet any of the structural, electrical, or energy requirements of habitable rooms, it must be clear that cooking and heating equipment are not permitted in awning enclosures.

Subsection (c) is added to clarify that within special occupancy parks (RV parks and campgrounds) outdoor cooking appliances and associated equipment are allowed under an open, freestanding awning. This is necessary to eliminate confusion that appliances such as gas and charcoal grills may be used under a freestanding awning provided it is open to provide adequate ventilation.

Amend Section 2496

Subsection (b) is amended to reflect the change to the applicable building code for exterior doorways. This change is necessary to correct the reference for one and two family dwellings, including manufactured home installations and their accessory structures to the California Residential Code contained in the CCR, Title 24, Part 2.5, which became effective January 1, 2011.

Amend Section 2750

Subsection (b) is amended to clarify that a request for an informal conference shall not delay the correction of immediate risks to life, health, or safety. Health and Safety Code (HSC) section 18867 requires the enforcement agency to issue a notice of violation immediately for “imminent hazards representing an immediate risk to life, health, or safety and requiring immediate correction.” This amendment is necessary to clarify that when a violation exists that requires immediate correction, the violation must be corrected within the time allowed and cannot be further delayed by requesting an informal conference.

Subsection (c) is re-lettered to reflect the addition of subsection (b).

Amend Section 2752

Subsection (b) is amended to clarify the request for an informal conference must be within 10 working days of the “original” notice of violation “for a specific violation.” HSC 18867 requires the enforcement agency to issue multiple notices for a violation that has not been corrected. This is necessary to clarify that the issuance of a second notice for the same violation does not restart the time limit for requesting an informal conference.

Chapter 3, FACTORY-BUILT HOUSING, MOBILEHOMES AND MANUFACTURED HOMES.

Amend Section 4011

Subsection (i) is amended to reflect the same permit extension provisions as mobilehome parks (MP). Without qualification the primary locations for manufactured homes (MH) are within mobilehome parks. Permits for MH and MP cover different aspects. MH permits relate only to the actual home itself from the way it left the factory. MP permits relate to all the other accessory structures. These would include room additions, garages, porches, etc. The mobilehome park regulations allow a six (6) month permit duration and up to three (3) extensions. These timelines allow homeowners and contractors the flexibility to adjust construction dates due to weather and the time to obtain specific or out of the area materials. The current timelines in this section only allow an active permit status of three (3) month with no extensions. Since MH are primarily in MPs and repairs or alterations are often made at the same time to both the home and accessory structures it is necessary to maintain the same permit validation times.

Amend Section 4040

Subsection (b) is amended to reflect the application date of the construction and fire safety standards for the alteration, addition, or conversion of a mobile/manufactured home. This is necessary to ensure the safety of the inhabitants and the general public and to maintain consistency with the amendments contain in section 4050. The date for the application of construction and fire safety standards is amended from September 15, 1971, to September 1, 1958, to ensure that an alteration or additions to a home built before 1971 meets the same standards as alterations or additions constructed after that date.

Subsection (d) is amended to direct the user to the specific section that relates to alterations and conversions. This is necessary to clarify the specific section rather than a vague reference to “these regulations.”

Add Section 4041.5

Currently, the issuance, display and revocation procedures for construction permits on a manufactured home are different than those same procedures for an accessory building or structure located right next to that unit such as a garage, carport, or cabana. This section is added to mirror the same provision regarding the issuance, display and revocation procedures for construction permits found in the MP regulations. Since the vast majority of manufactured homes are located within the more than 4,600 mobilehome parks in the state, the provisions for construction permits should be the same for both the manufactured home and accessory structures that are located beside the actual unit.

Subsection (a) is a similar provision as contained in Health and Safety Code section 18508, the MPA, with minor changes to specifically reference a manufactured home.

Subsection (b) and (c) are duplications of the MP regulations contained in CCR, Title 25, Chapter 2, section 1044, subsections (b) and (c) with minor changes to specifically reference a manufactured home.

Subsection (d) is a duplication of the MP regulation contained in CCR, Title 25, Chapter 2, section 1046 with minor changes to specifically reference a manufactured home.

Amend Section 4050

Subsection (a) is amended to reflect the current reference to a manufactured home. Basically they are no longer referred to as “mobilehomes.” This subsection is also amended grammatically.

Subsection (b) is amended by deleting the previous language contained in subsections (b) and (c) and adding the new text, “All alterations, additions, or conversions relating to construction or fire-safety of mobilehomes, used manufactured homes and used multifamily manufactured homes up to two dwelling units, shall comply with the California Residential Code.” This is necessary to delete outdated references for construction codes and update the references to the latest code and provide current structural standards for mobilehomes, used manufactured homes, and used multifamily manufactured homes if altered. The new references provide greater protection for the homeowner and the general public. They will also be readily available where the outdated codes are not. Additionally, this amendment consolidates the type of construction referenced for “alterations, additions, and conversions” into one section reducing the amount of the regulations and creating a more concise reference to the requirements.

Subsection (c) is amended by deleting the previous text of subsection (c) and consolidating that language into the new text of subsection (b) above. The language of previous subsections (d) and (e) are incorporated into the new subsection (c). This is necessary to delete antiquated and outdated references for construction codes and update the references to the latest code. The new references provide greater protection for the homeowner and the general public. They are also readily available where the outdated codes are not.

Subsection (d) is amended by deleting the previous text as noted above and moving the language of previous subsection (f) into subsection (d). Additionally, this subsection is amended to correct the name of the federal regulations for the “Mobilehome Construction and Safety Standards” to “Manufactured Home Constructed and Safety Standards”, the current name for the standards contained in Title 24 of the Code of Federal Regulations, Part 3280. This is necessary to address the reference to the proper code section.

Subsection (g) is deleted because the referenced material is no longer reproduced in the stated Divisions and Articles.